



Community Safety and Justice

Nicole Gorle

Council Initiated:

Yes

No

ECAF: 2024-1250

Motion: 24-256

Type:

- Contract
- Board Appt.
- Code Amendment
- Budget Action
- Other

Requested Handling:

- Normal
- Expedite 7/1/24
- Urgent

Fund Source:

- General Fund
- Other
- N/A

Executive Rec:

- Approve
- Do Not Approve
- N/A

Approved as to

Form:

- Yes
- No
- N/A

Subject: Office of Public Defense – Indigent Defense Contract

Scope: Under the contract, Jared Isaacson with Luat Su Son, P.S. Attorney at Law, will provide legal defense services in cases where it has been determined that there is a conflict between the client and the County’s primary legal defense contractor, the Public Defender Association.

Duration: June 1, 2024 through December 31, 2024 (allows for two one year extensions)

Fiscal Impact: Current Year Multi-Year N/A

The adopted 2024 budget included \$1,104,183 for Conflict Felony Attorney Fees. The cumulative do not exceed amount of all contracts approved under this DAC in 2024 has exceed the appropriation approved in the 2024 budget. OPD does not anticipate reaching the total do not exceed amount under each of the approved contracts.

Expenditures	Current Year	2025	2026	2027	2028	Total
General Fund 002.5321274114	\$250,000					\$250,000
						0
Total's	\$250,000	0	0	0	0	\$250,000

Revenue	Current Year	2025	2026	2027	2028	Total
						0
Total's	0	0	0	0	0	0

Authority Granted: Authorizes the Executive to execute the contract and any future amendments.

Background: The [Sixth Amendment](#) of the United States Constitution states that the accused has the right to the assistance of counsel for their defense in criminal prosecutions. As not every defendant can afford an attorney, in 1989 Washington State implemented [Chapter 409 \(RCW 10.101\)](#) stating that “legal representation should be provided for indigent persons and persons who are indigent and able to contribute.” This chapter also requires counties and cities to establish standards for the delivery of defense services to indigent defendants.

Since the enactment of [RCW 10.101](#), the County has contracted with outside attorneys for legal services to indigent defendants through the courts, and then in 2000 under the Office of Public Defense upon its creation. Today, the largest contract is with the Snohomish County Public Defender Association (PDA), who is the main provider of legal services to indigent defendants in the County. When PDA has a conflict of interest in a case, the case is deferred to one of the County’s other contracts that specifically picks up cases where there is a conflict of interest between the defendant and the PDA.

Requested Action: For Council to move to GLS July 10th for consideration.