

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 22-488

APPROVING 3rd AMENDMENT TO 2020 CONTRACT FOR LEGAL SERVICES

WHEREAS, between February 2013 and 2015, Nylysha Aradon and Corey Allen Hayes were involved in a dependency action with their minor children which resulted in termination of their parental rights, which was overturned by the Court of Appeals based on claimed negligence and due process violations by Snohomish County and Snohomish County Superior Court VGAL employees and volunteers; and

WHEREAS, Nylysha Aradon and Corey Allen Hayes filed a lawsuit on October 28, 2020, in King County Superior Court against, among others, Snohomish County; and individually named County employees, which was removed to the Western District of Washington federal court; and

WHEREAS, the Rules of Professional Conduct preclude the Civil Division from representing Snohomish County, former employees of Snohomish County, and former employees of Snohomish County and volunteers acting on behalf of Snohomish County, and which require outside counsel to provide representation in the civil lawsuit; and

WHEREAS, the Snohomish County Prosecuting Attorney, consistent with his authority under state law, county charter and county code, procured a Contract for Legal Services with Allison Croft and Chia-yu Chiang at Friemund Tardif, PLLC for the purpose representing a Snohomish County volunteer guardian ad litem; and

WHEREAS, the initial, 1st Amended and 2nd Amended Contracts for Legal Services with Allison Croft and Chia-yu Chiang at Simmons Sweeney Freimund Smith Tardif, PLLC (formerly Freimund Tardif, PLLC), fully executed on August 25, 2020, March 18, 2021 and February 23, 2022, respectively, were not to exceed \$100,000; and

WHEREAS, litigation is still ongoing and will likely continue for the unforeseeable near future, and there are pending motions currently awaiting the Court's review and ruling;

NOW, THEREFORE, ON MOTION, the Snohomish County Council authorizes the County Executive to sign the attached 3rd Amendment to the 2020 Contract for Legal Services with Allison Croft and Chia-yu Chiang at Simmons Sweeney Freimund Smith Tardif, PLLC (formerly known as Freimund Tardif, PLLC) in an amount not to exceed \$250,000.00.

PASSED this 14th day of December, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Asst. Clerk of the Council