



## Snohomish County Council

**Committee:** LJHS

**Analyst:** Heidi Beazizo

**ECAF:** 22-0553, 0565, 0566, 0567, 0568, and 0569

**Proposal:** Mot. 22-253, 254, 255, 256, 257, 258

**Date:** June 7, 2022

### Consideration

The Executive's Office requests Council consider approving proposed Motions 22-253, 22-254, 22-255, 22-256, 22-257 and 22-258 which would approve and authorize the ratification of agreements for guardianship related indigent legal services.

### Background

On April 6, 2019, the Washington Legislature passed Second Substitute Senate Bill 5604 (2SSB 5604), the Uniform Guardianship, Conservatorship and Other Protective Arrangements Act with an effective date of January 1, 2021. The updated Revised Code of Washington ([RCW 11.130.200\(5\)\(c\)](#)) requires the court to appoint an attorney to represent an indigent parent of minor who is the subject of a proceeding that includes a petition for appointment of a guardian for the minor. ([RCW 11.130.190](#)).

Based on projections provided by the Superior Court of the impact of this Act, the Executive's Recommended Budget included a request to fund Priority Package 199, allocating \$716,205 in funds to the Superior Court for compliance with 2SSB 5604). The 2022 Adopted Budget, approved via Ordinance 21-093<sup>1</sup>, appropriated those funds to Superior Court.

In August of 2021, the County entered into an agreement with the Washington State Administrative Office of the Courts (AOC) for reimbursement of \$716,205 in costs for 2SSB 5604.

The contracts to provide the guardianship services for indigent defendants are managed by the Office of Public Defense and were entered into for an hourly rate of \$125.00 with an initial limit of twenty-five (25) hours per case (additional hours subject to the approval of the contract manager.)

It is anticipated that the costs for these services will exceed the Executive's Authority of \$25,000. As these contracts do not include a not-to-exceed amount, an amendment to increase the contractual amount would not be appropriate. To allow payment of expenditures above the \$25,000 authorized in [3.04.190](#), Council ratification is requested.

### Current Proposal

*Scope:* Council's ratification of the original agreements is requested. The original agreements contract for indigent representation services for parents and/or minors in Minor Guardianship actions pursuant to chapter 11.130 RCW. Schedule A includes a detailed Scope of Services.

| <b>Motion</b> | <b>Contractor</b>       |
|---------------|-------------------------|
| 22-253        | ABC Law Group, LLP      |
| 22-254        | Alford and Assoc., PLLC |
| 22-255        | Nancy Beckford, PLLC    |
| 22-256        | Jay Carey               |
| 22-257        | Nunn, Vahn, Lang, PLLC  |

<sup>1</sup> [Snohomish County Council - File #: 2021-0760 \(legistar.com\)](#)

*Duration:* January 1, 2022 through December 31, 2022. Extension period of two (2) additional one (1) year terms. Termination is allowed with thirty (30) days' written notice.

*Fiscal Implications:* Unknown. Agreements are for an hourly rate of \$125.00 per hour based on assigned cases. Section 3 indicates the County's obligations after December 31, 2022 are contingent upon appropriation of necessary funds.

**2022 Budget:** YES. Reimbursement of expenses by AOC of up to \$716,205.

**Future Budget Impacts:** YES.

**Handling:** NORMAL.

**Approved-as-to-form:** YES. Original agreement approved as to form. Request before Council is for ratification of that agreement.

**Risk Management:** YES. Original agreement approved.

**Executive Recommendation:** YES

**Attachments:** N/A

**Amendments:** N/A

**Analysis:** As the original agreements do not contain a not-to-exceed amount, Council's ratification is necessary to exceed \$25,000 in expenditure per agreement.

**Request:** Move each motion to GLS on June 22<sup>nd</sup> for Council to consider taking action.