



Community Safety and Justice

Nicole Gorle

Council Initiated:

Yes

No

ECAF: Multiple
Motion: Multiple

Type:

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

Requested Handling:

- Normal
- Expedite 12.17.24
- 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 – Legal Defense Contracts

Scope: Contractors 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 Defenders Association and for certain Superior Court civil cases as required by state law or funding.

There are three primary differences between the contracts from this year and those before you now for next year:

1. The contracts are changing from one year to two year contracts.
2. The do not exceed amount is increased from \$250k to \$350k
3. Superior Court civil cases are added to these contracts instead of stand alone contracts.

Motion	Contractor	Duration	Do Not Exceed
24-499	ABC Law Group	January 1, 2025 to December 31, 2026 <i>Option to extend two additional one year terms</i>	\$350,000
24-500	Alford and Associates		
24-501	Brice and Timm		
24-502	Jay Carey Law Firm		
24-503	Tamara Davidov		
24-504	Nunn Vhan Lang		
24-505	Solutions Legal Group		
24-506	Jayson Thibodaux		
24-508	Atreya Law Office		
24-513	Nancy Beckford		
24-514	Petrasek		

Duration: 2025-2026 Calendar Year (all contracts allow for two one-year extensions)

Fiscal Impact: Current Year Future-Year N/A

The adopted 2025-2026 budget included \$1,004,183/annually for Conflict Felony Attorney Fees. The ECAF’s state that funding for these contracts will come from various OPD DAC’s and a Superior Court DAC (002.5367404107 Superior Court Guardianship - \$630,655/annually).

Expenditures	Current Year	2024	2025	2026	2027	Total
Various	\$3,850,000					\$3,850,000
Total's	\$3,850,000					\$3,850,000

Revenue	Current Year	2024	2025	2026	2027	Total

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Total's	\$0					

Authority Granted: Authorize the Executive to execute the contract(s) *and any subsequent 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 (OPD) 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.

Currently, OPD has contracts for conflict panel and with attorney’s for certain civil cases in superior court. To streamline administration of contracts, where there is one agency or attorney providing services for both of these things, the contracts have been combined into one.

Requested Action: For Council to move to GLS on December 18th for consideration.