



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
- 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: Indigent Defense Contracts – Conflict Pannel

Scope: Approve six (6) agreements with outside counsel to provide indigent defense services when there is a conflict with the County’s primary contractor, the Snohomish County Public Defender’s Association. The most notable change from prior year contracts is found in Schedule B, Compensation which increases the per hour rate for Superior and District Court miscellaneous proceedings; miscellaneous criminal proceedings; RALJ; and child representation in dependency proceedings. Additionally, these contracts include all indigent defense services under one contract instead of multiple contracts with the same attorney for different types of cases.

Four of the six contracts are with new to the County attorney’s. At the request of the department, initial contracts (highlighted) are being requested for final consideration on January 15th, with the renewal contracts going the January 22nd.

Agenda Item	Motion	Provider	Initial or Renewal
12	25-010	James Koenig	Initial
13	25-011	Derek Conom	Renewal
14	25-012	Natalie Findley-Wolf	Renewal
15	25-013	James Bible Law Group	Initial
16	24-014	Heyman and Schueler	Initial
17	25-015	Meghan Lacey	Initial

*Note: An additional 20 contracts for this same purpose were received and will be considered at an upcoming meeting

Duration: January 1, 2025 through December 31, 2026

Fiscal Impact: Current Year Multi-Year N/A

The total amount appropriated in the 2025-2026 budget across the DAC’s listed in the ECAF is \$5.6M (conflict panel plus child dependency and a superior court DAC). For conflict/indigent defense contracts over the 2025-2026 contract period:

- **Previously Approved:** Eleven (11) contracts for \$350k annually/each (*approved in [December](#)*)
 - o Contract Authority Granted: Net \$7.1M
- **Before you Now:** Six (6) for \$350k annually/each
 - o Contract Authority Granted: Net \$4.2M
- **Coming Soon:** Twenty (20) for \$350k annually/each
 - o Contract Authority Granted: Net \$14M

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The net total of approved contract expenditure authority for these DAC's under all 37 contracts is \$25.9M.

Expenditures	Current Year	2026	2027	2028	2029	Total
Various Conflict DAC's – Fund 002	\$2,100,000	\$2,100,000				\$4,200,000
Total's	\$2,100,000	\$2,100,000	0	0	0	\$4,200,000

Revenue	Current Year	2026	2027	2028	2029	Total
Total's	0	0	0	0	0	0

Authority Granted: All six motions provide the Executive the following authority:

- Execute the contracts; and
- Execute any 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 courts¹, and then in 2000 under the Office of Public Defense upon its creation². 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: Today's request is:

1. Move agenda Items 12, 15, 16, and 17 to GLS tomorrow, January 15th
2. Move agenda items 13 and 14 to GLS January 22nd

¹ Motion: 90-132; ECAF #: n/a; Leg. Title: Relating to “Conflicts Contracts” for Indigent Legal Services in Criminal Cases

² Ordinance: 00-072; ECAF #: 20001559; ECAF Title: Establish an Office of Public Defense