

MOTION NO. **9546**

A MOTION approving amendments to the 1994/1995 public defense contracts for legal services.

WHEREAS, King County Code 2.60.040 requires county council approval of all legal services contracts entered into by the county executive; and

WHEREAS, legal services agreements were approved in 1994 for a two-year period, the funding was provided for 1994 only, and provision of funds for 1995 requires amendment of the legal services agreements;

NOW, THEREFORE BE IT MOVED by the Council of King County:

The King County council authorizes and approves the amendments to the legal services contracts of Associated Counsel for the Accused, Northwest Defenders Association, Society of Counsel Representing Accused Persons, and The Defender Association.

PASSED by a vote of 12 to 0 this 24<sup>th</sup> day of April, 1995.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Kent Pullen  
Chair

ATTEST:

Gerald A. Peterson  
Clerk of the Council

Attachments:

- A. Associated Counsel for the Accused contract amendment
- B. Northwest Defenders Association contract amendment
- C. Society of Counsel Representing Accused Persons contract amendment
- D. The Defender Association contract amendment

PROJECT NAME Public Defense Legal Services  
 AGENCY/CONTRACTOR Associated Counsel for the Accused  
 ADDRESS 401 Terrace Street  
Seattle, Washington 98104

CONTRACT NO. D21491D  
 DATE ENTERED 01/01/94  
 AMENDMENT NO. 2  
 DATE ENTERED 01/01/95

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
<u>Office of Public Defense</u> Organization	<input checked="" type="checkbox"/> Scope of Services	<input type="checkbox"/> Method of Payment
<u>James C. Crane, Administrator</u> Name	<input type="checkbox"/> Time of Performance	<input type="checkbox"/> Reliance
	<input checked="" type="checkbox"/> Compensation	<input checked="" type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

**PURPOSE:** To adopt amendments necessary to implement the 1995 portion of the 1994/1995 legal services contract between King County and Associated Counsel for the Accused.

**A. STANDARD CONTRACT CHANGES**

Page 1. Funds the 1995 portion of the 1994/1995 legal services contract amount at \$6,291,822. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1994	\$6,130,699	01/01/94 - 12/31/94
County 1995	\$6,291,822	01/01/95 - 12/31/95
Federal		
State		
Private		
<b>TOTAL 1994</b>	<b>\$6,130,699</b>	<b>01/01/94 - 12/31/94</b>
<b>TOTAL 1995</b>	<b>\$6,291,822</b>	<b>01/01/95 - 12/31/95</b>

IN WITNESS HEREOF, The parties hereto have caused this amendment to be executed and instituted on the date first above written.

KING COUNTY, WASHINGTON	ACKNOWLEDGEMENT & ACCEPTANCE AGENCY/CONTRACTOR
By _____	By _____
Title <u>County Executive</u>	Title _____
Date _____	Date _____

Exhibit I, Section B. Quarterly Variance Percentages, change as follows: **9546**

Case Category	1995 Total Agency Caseload	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	CASELOAD ESTIMATE				
					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	TOTAL
Felony*	2,622	30.1%	7.5%	2.5%	670	638	647	668	2,622
KC Misd	6,766	59.1%	10.0%	5.0%	1,716	1,661	1,633	1,756	6,766
Juv Off	2,063	21.0%	10.0%	5.0%	465	535	526	538	2,063
SMC	4,976	34.8%	10.0%	5.0%	1,196	1,211	1,252	1,318	4,976
Drug Ct	174		10.0%	5.0%	58	58	58	0	174

\* Felony caseload includes complex litigation credits.

Add to Exhibit I the following section:

**F. Drug Diversion Court**

The Office of Public Defense shall assign the Agency all cases arraigned in Drug Diversion Court. Defendants who elect to remain in the Drug Diversion Court program shall remain assigned to the Agency. Defendants who decline to participate or who are denied entry into Drug Diversion Court shall be assigned a public defender through the usual assignment process.

The Agency shall staff all calendars of the Drug Diversion Court.

PROJECT NAME Public Defense Legal Services

**9546**

CONTRACT NO. D21492D

AGENCY/CONTRACTOR Northwest Defenders Association

DATE ENTERED 01/01/94

ADDRESS 157 Yesler Way, Suite 200

AMENDMENT NO. 2

Seattle, Washington 98104

DATE ENTERED 01/01/95

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
<u>Office of Public Defense</u> <u>Organization</u>	<input checked="" type="checkbox"/> Scope of Services	<input type="checkbox"/> Method of Payment
<u>James C. Crane, Administrator</u> <u>Name</u>	<input type="checkbox"/> Time of Performance	<input type="checkbox"/> Reliance
	<input checked="" type="checkbox"/> Compensation	<input checked="" type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

**PURPOSE:** To adopt amendments necessary to implement the 1995 portion of the 1994/1995 legal services contract between King County and Northwest Defenders Association.

**A. STANDARD CONTRACT CHANGES**

Page 1. Funds the 1995 portion of the 1994/1995 legal services contract amount at \$2,202,708. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1994	\$2,081,707	01/01/94 - 12/31/94
County 1995	\$2,202,708	01/01/95 - 12/31/95
Federal		
State		
Private		
<b>TOTAL 1994</b>	<b>\$2,081,707</b>	<b>01/01/94 - 12/31/94</b>
<b>TOTAL 1995</b>	<b>\$2,202,708</b>	<b>01/01/95 - 12/31/95</b>

IN WITNESS HEREOF, The parties hereto have caused this amendment to be executed and instituted on the date first above written.

KING COUNTY, WASHINGTON	ACKNOWLEDGEMENT & ACCEPTANCE AGENCY/CONTRACTOR
By _____	By _____
Title <u>County Executive</u>	Title _____
Date _____	Date _____

**9546**Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1995 to December 31, 1995. In 1995, the Agency shall be paid the following monthly amounts for cases and special services.

<u>Program Area</u>	<u>Monthly Payment</u>	<u>12 Month Total</u>
Felony, including the following services: SRA Out-of-Custody Modification Calendar	\$63,033.33	\$756,400
King County Misdemeanor conflict cases:	1,899.25	22,791
Juvenile, including the following services: Juvenile First Appearance Calendar	<u>34,737.67</u>	<u>416,852</u>
Subtotal CX Contracted Cases	\$99,670.25	\$1,196,043
Seattle, including the following services: Sunday In-Custody Arraignment	\$83,888.75	\$1,006,665
<b><u>TOTAL</u></b>	<b><u>\$183,559.00</u></b>	<b><u>\$2,202,708</u></b>

Add to Exhibit III. Case Credit Application Schedule the following:Juvenile Offender

Decline Hearing

1 case credit

Add EXHIBIT VIII.A - 1995 Personnel Inventory Report (K.C.C. 12.16). Attached hereto.

Add EXHIBIT IX.A - 1995 Affidavit of Compliance (K.C.C. 12.16). Attached hereto.

Add EXHIBIT XII.A - 1995 Requirements of Section 504 of the 1973 Rehabilitation Act/Waiver Statement.

Add EXHIBIT XV.A - 1995 Salary Plan.

Add EXHIBIT XVI.A - 1995 Approved Annual Budget.

Add EXHIBIT XVII.A - 1995 Statement of Recycled Paper Compliance

PROJECT NAME Public Defense Legal Services CONTRACT NO. D21493D  
 AGENCY/CONTRACTOR Society of Counsel Representing Accused Persons DATE ENTERED 01/01/94  
 ADDRESS 1401 East Jefferson, Suite 200 AMENDMENT NO. 1  
Seattle, Washington 98122 DATE ENTERED 01/01/95

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
Office of Public Defense Organization	<input checked="" type="checkbox"/> Scope of Services	<input type="checkbox"/> Method of Payment
James C. Crane, Administrator Name	<input type="checkbox"/> Time of Performance	<input type="checkbox"/> Reliance
	<input checked="" type="checkbox"/> Compensation	<input checked="" type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

PURPOSE: To adopt amendments necessary to implement the 1995 portion of the 1994/1995 legal services contract between King County and Society of Counsel Representing Accused Persons.

A. STANDARD CONTRACT CHANGES

Page 1. Funds the 1995 portion of the 1994/1995 legal services contract amount at \$4,867,635. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1994	\$4,682,579	01/01/94 - 12/31/94
County 1995	\$4,867,635	01/01/95 - 12/31/95
Federal		
State		
Private		
<b>TOTAL 1994</b>	<b>\$4,682,579</b>	<b>01/01/94 - 12/31/94</b>
<b>TOTAL 1995</b>	<b>\$4,867,635</b>	<b>01/01/95 - 12/31/95</b>

IN WITNESS HEREOF, The parties hereto have caused this amendment to be executed and instituted on the date first above written.

KING COUNTY, WASHINGTON	ACKNOWLEDGEMENT & ACCEPTANCE AGENCY/CONTRACTOR
By _____	By _____
Title <u>County Executive</u>	Title _____
Date _____	Date _____

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1995 to December 31, 1995. In 1995, the Agency shall be paid the following monthly amounts for cases and special services.

<u>Program Area</u>	<u>Monthly Payment</u>	<u>12 Month Total</u>
Felony, including the following services: SRA Out-of-Custody Modification Calendar	\$119,118.25	\$1,429,419
King County Misdemeanor, including the following services: Eastside 24-hour phone line.	52,503.25	630,039
Contempt of Court	29,187.25	350,247
Juvenile, including the following services: Juvenile First Appearance Calendar	87,194.00	1,046,328
Dependency, including Dependency Calendar	<u>117,633.50</u>	<u>1,411,602</u>
<u>TOTAL</u>	<u>\$405,536.25</u>	<u>\$4,867,635</u>

Add to Exhibit III. Case Credit Application Schedule the following:

Juvenile Offender  
Decline Hearing

1 case credit

Add EXHIBIT VIII.A - 1995 Personnel Inventory Report (K.C.C. 12.16). Attached hereto.

Add EXHIBIT IX.A - 1995 Affidavit of Compliance (K.C.C. 12.16). Attached hereto.

Add EXHIBIT XII.A - 1995 Requirements of Section 504 of the 1973 Rehabilitation Act/Waiver Statement.

Add EXHIBIT XV.A - 1995 Salary Plan.

Add EXHIBIT XVI.A - 1995 Approved Annual Budget.

Add EXHIBIT XVII.A - 1995 Statement of Recycled Paper Compliance

PROJECT NAME Public Defense Legal Services  
 AGENCY/CONTRACTOR The Defender Association  
 ADDRESS 810 Third Avenue, Suite 800  
Seattle, Washington 98104

**9546**

CONTRACT NO. D21494D  
 DATE ENTERED 01/01/94  
 AMENDMENT NO. 2  
 DATE ENTERED 01/01/95

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
Office of Public Defense Organization	<input checked="" type="checkbox"/> Scope of Services	<input type="checkbox"/> Method of Payment
James C. Crane, Administrator Name	<input type="checkbox"/> Time of Performance	<input type="checkbox"/> Reliance
	<input checked="" type="checkbox"/> Compensation	<input checked="" type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

**PURPOSE:** To adopt amendments necessary to implement the 1995 portion of the 1994/1995 legal services contract between King County and The Defender Association.

**A. STANDARD CONTRACT CHANGES**

Page 1. Funds the 1995 portion of the 1994/1995 legal services contract amount at \$6,962,868. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1994	\$6,351,276	01/01/94 - 12/31/94
County 1995	\$6,526,337	01/01/95 - 12/31/95
Federal		
State - ITA 1994	455,577	01/01/94 - 12/31/94
State - ITA 1995	436,531	01/01/95 - 12/31/95
State - Sex Pred 1994	458,832	01/01/94 - 12/31/94
State - Sex Pred 1995	498,646	
Private		
<b>TOTAL 1994</b>	<b>\$7,265,685</b>	<b>01/01/94 - 12/31/94</b>
<b>TOTAL 1995</b>	<b>\$7,461,514</b>	<b>01/01/95 - 12/31/95</b>

IN WITNESS HEREOF, The parties hereto have caused this amendment to be executed and instituted on the date first above written.

KING COUNTY, WASHINGTON	ACKNOWLEDGEMENT & ACCEPTANCE AGENCY/CONTRACTOR
By _____	By _____
Title <u>County Executive</u>	Title _____
Date _____	Date _____



9546

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1995 to December 31, 1995. In 1995, the Agency shall be paid the following monthly amounts for cases and special services.

<u>Program Area</u>	<u>Monthly Payment</u>	<u>12 Month Total</u>
King County, including the following services: Felony Arraignment; Felony Preliminary Appearance Calendar; and SRA In-Custody Modification Calendar	\$189,323.25	\$2,271,879
King County Misdemeanor	40,566.00	486,792
Juvenile, including the following services: Juvenile Attorney of the day; and Juvenile First Appearance Calendar	81,876.33	982,516
Dependency, including Dependency Calendar	<u>78,692.67</u>	<u>944,312</u>
Subtotal CX Contracted Cases	\$390,458.25	\$4,685,499
Seattle, including the following services: Saturday In-Custody Arraignment; and 24-Hour Emergency Phone	\$153,403.17	\$1,840,838
ITC	\$35,257.17	\$423,086
ALC/DRUG	<u>1,120.43</u>	<u>13,445</u>
Subtotal I/C	\$36,377.58	\$436,531
<b><u>TOTAL</u></b>	<b><u>\$580,239.02</u></b>	<b><u>\$6,962,868</u></b>

Add to Exhibit III. Case Credit Application Schedule the following:

Juvenile Offender  
Decline Hearing 1 case credit

Add to Exhibit IV. Special Services the following:

Involuntary Commitment Cases Should the Highline Evaluation and Treatment facility move to the proposed West Seattle location, the County will provide additional funds to the Agency based on a change in the average ITA caseload standard per attorney from 425 to 410. This change will take effect the day ITA clients are moved to the new, West Seattle facility. The County will reimburse the Agency at the standard County rate for mileage between the Agency's Seattle office and the new facility, up to twelve (12) miles per trip, not to exceed a maximum of one thousand dollars (\$1,000.00).