

September 17, 1998
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Introduced By: LARRY GOSSETT

Proposed No.: 98 - 590

MOTION NO. **10583**

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A MOTION approving amendments to the 1998/1999 public defense contracts to implement the proposed supplemental ordinance as well as one time payments for which funds have already been appropriated.

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WHEREAS, King County Code 2.60.040 requires county council approval of all legal services contracts entered into by the administrator of the office of public defense,
and

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WHEREAS, the county council and the county executive desire to implement revisions in the use of office of public defense funds, in order to provide funds for an increase in 1998 cases;

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

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The King County council authorizes and approves the amendments to the 1998/1999 Associated Counsel for the Accused, Northwest Defenders Association, Society of Counsel Representing Accused Persons, and The Defender Association contracts for legal services.

PASSED by a vote of 12 to 0 this 26th day of October, 1998

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

[Signature]
Clerk of the Council

- Attachments: Associated Counsel for the Accused contract amendment
- Northwest Defenders Association contract amendment
- Society of the Counsel Representing Accused Persons contract amendment
- The Defender Association contract amendment

CONTRACT AMENDMENT

10583

PROJECT NAME Public Defense Legal Services CONTRACT NO. D25911D
 AGENCY/CONTRACTOR Society of Counsel Representing Accused Persons DATE ENTERED 01/01/98
 ADDRESS 1401 East Jefferson, Suite 200 AMENDMENT NO. 1
Seattle, WA 98122 DATE ENTERED 8/15/98

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

PURPOSE: To accommodate for the 1997 cost-of-living adjustment (COLA) totaling \$21,636 and for the union salary agreement with the Office of Prosecuting Attorney (OPA) in 1997 totaling \$53,884 per Ordinance 12999 passed February 18, 1998, for \$916,069 for an increase in 1998 cases, and for \$22,436 for additional rent costs at the agency's offices in Kent which support the Regional Justice Center.

A. STANDARD CONTRACT CHANGES

Page 1. Changes the 1998 portion of the 1998/1999 contract amount from **\$5,488,414** to **\$6,486,526**. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1998	\$6,486,526	01/01/98 - 12/31/98
Federal		
State		
Private		
TOTAL 1998	\$6,486,526	01/01/98 - 12/31/98

Page 3. COMPENSATION AND METHOD OF PAYMENT. Changes the reimbursement amount and the amount currently available, to \$6,486,526.

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

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

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B. EXHIBIT CHANGES

Exhibit I, Scope of Services, B. Quarterly Variance Percentages, replace the existing case table with:

Case Category	1998 Total Agency Caseload at KCCF	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Felony*	1,459	21.6%	7.5%	2.5%	251	229	249	700	1,459
Juv Off	3,448	33.0%	10.0%	5.0%	656	687	685	1,420	3,448
KC Misd	1,721	19.9%	10.0%	5.0%	458	430	438	395	1,721
Dep.	2,090	60.0%	10.0%	5.0%	338	313	299	1,140	2,090
COC	1,369	100.0%	10.0%	5.0%	225	213	339	592	1,369

Case Category	1998 Total Agency Caseload at RJC	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Felony*	918		7.5%	2.5%	236	215	234	233	918
Dep.	755		10.0%	5.0%	196	182	174	203	755
COC	354		10.0%	5.0%	80	75	120	79	354

*Felony caseload includes complex litigation credits.

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1998 to December 31, 1998. In 1998, the Agency shall be paid the following monthly amounts for cases and special services.

Program Area		Monthly Payment	12 Month Total
Felony, including the following services: Felony Arraignment, Felony Primary Appearance Calendar, SRA In-Custody Modification Calendar, Individual Felony Case Pursuant to Exh. I(E)	Jan-May	\$147,618	
	June	\$169,164	
	July	\$148,232	
	Aug-Sep	\$150,784	
	Oct-Dec	\$230,693	\$2,049,132
King County Misdemeanor	Jan-May	\$45,367	
	June	\$62,815	
	July	\$47,241	
	Aug-Dec	\$48,127	\$577,526

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Juvenile, including the following services: Juvenile First Appearance Calendar	Jan-May June July Aug-Sep Oct-Dec	\$93,293 \$74,657 \$88,326 \$89,921 \$151,147	\$1,262,731
Contempt of Court, including the following services: Contempt of Court Calendar	Jan-May June July Aug-Sep Oct-Dec	\$48,722 \$11,354 \$41,513 \$42,354 \$75,134	\$606,586
Dependency, including Dependency Calendar	Jan-May June July Aug-Sep Oct-Dec	\$120,695 \$147,743 \$122,771 \$124,856 \$256,298	\$1,892,596
TOTAL	Jan-May June July Aug-Sep Oct-Dec	\$455,695 \$465,733 \$448,083 \$456,042 \$761,398	\$6,388,570
One-Time Payments:			
1997 COLA/PAO parity Increase			\$75,520
Rent at Kent office			\$22,436
<u>1998 TOTAL</u>			<u>\$6,486,526</u>

Exhibit III, Case Credit Application Schedule, change Truancy to the following:

<u>Truancy</u>	
One initial and two review hearings	.64 dependency case credit
Review or other hearing	.22 dependency case credit

CONTRACT AMENDMENT

PROJECT NAME Public Defense Legal Services CONTRACT NO. D25912D
 AGENCY/CONTRACTOR The Defender Association **10583** DATE ENTERED 01/01/98
 ADDRESS 810 Third Avenue, Suite 800 AMENDMENT NO. 1
Seattle, WA 98104 DATE ENTERED 8/15/98

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

PURPOSE: To accommodate for the 1997 cost-of-living adjustment (COLA) totaling \$20,421 and for the union salary agreement with the Office of the Prosecuting Attorney (OPA) in 1997 totaling \$68,765 per Ordinance 12999 passed February 18, 1998, and for \$15,325 for OPA salary adjustment that is not part of Ordinance 12999, and for the 1997 Seattle District Court Saturday Add-On Calendar of \$2,920, and for \$415,058 for an increase in 1998 cases.

A. STANDARD CONTRACT CHANGES

Page 1. Changes the 1998 portion of the 1998/1999 contract amount from **\$7,609,865 to \$8,110,097.** Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1998	\$7,599,464	01/01/98 - 12/31/98
Federal		
State - ITA 1998	510,633	01/01/98 - 12/31/98
State - Sex Pred 1998	250,783	01/01/98 - 12/31/98
Private		
TOTAL 1998	\$8,360,880	01/01/98 - 12/31/98

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

<p align="center">KING COUNTY, WASHINGTON</p> <p>By _____</p> <p>Title <u>County Executive</u></p> <p>Date _____</p>	<p align="center">ACKNOWLEDGMENT & ACCEPTANCE AGENCY/CONTRACTOR</p> <p>By _____</p> <p>Title _____</p> <p>Date _____</p>
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Page 3. COMPENSATION AND METHOD OF PAYMENT. Changes the reimbursement amount and the amount currently available, to \$8,110,097.

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B. EXHIBIT CHANGES

Exhibit I, Scope of Services, B. Quarterly Variance Percentages, replace the existing case table with:

Case Category	1998 Total Agency Caseload at KCCF	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent					Total
					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
Felony*	3,190	35.9%	7.5%	2.5%	802	733	797	858	3,190
Juv Off	2,931	33.0%	10.0%	5.0%	656	687	685	903	2,931
KC Misd	1,817	21.0%	10.0%	5.0%	483	454	417	417	1,817
SMC	5,752	42.6%	10.0%	5.0%	1,470	1,471	1,362	1,362	5,752
Dep.	1,526	40.0%	10.0%	5.0%	225	209	199	893	1,526
ITA	1,946	100.0%	10.0%	5.0%	483	485	528	450	1,946

Case Category	1998 Total Agency Caseload at RJC	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent					Total
					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	
Dep.	503		10.0%	5.0%	131	121	116	135	503

*Felony caseload includes complex litigation credits.

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1998 to December 31, 1998. In 1998, 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: Felony Arraignment; Felony Preliminary Appearance Calendar; SRA In-Custody Modification Calendar; Individual Felony Case Pursuant to Exh. I(E)	Jan-May	\$204,471	
	June	\$259,827	
	July	\$209,385	
	Aug-Sep	\$213,081	
	Oct-Dec	\$224,231	\$2,590,422
King County Misdemeanor	Jan-May	\$39,679	
	June	\$24,973	
	July	\$36,405	
	Aug-Dec	\$37,110	\$445,323

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Juvenile, including the following services: Juvenile First Appearance Calendar and Juvenile Attorney of the Day	Jan-May	\$87,475	
	June	\$64,309	
	July	\$81,833	
	Aug-Sep	\$83,360	
	Oct-Dec	\$99,754	\$1,049,498
Dependency, including Dependency Calendar:	Jan-May	\$81,070	
	June	\$104,481	
	July	\$83,105	
	Aug-Sep	\$84,705	
	Oct-Dec	\$195,514	\$1,348,888
Seattle, including the following services: Saturday In-Custody Arraignment; and 24-Hour Emergency Phone	Jan-May	\$173,142	
	June	\$150,876	
	July	\$166,141	
	Aug-Dec	\$168,961	\$2,027,532
ITA & ALC/Drug	Jan-May	\$42,211	
	June	\$45,001	
	July	\$41,812	
	Aug-Dec	\$42,553	\$510,633
Teamchild	Jan-May	\$0	
	June	\$15,222	
	July	\$2,494	
	Aug-Dec	\$2,531	\$30,371
TOTAL	Jan-May	\$628,048	
	June	\$664,689	
	July	\$621,175	
	Aug-Sep	\$632,301	
	Oct-Dec	<u>\$770,654</u>	<u>\$8,002,667</u>
One-Time Payments:			
1996 Seattle District Saturday Add-On Calendar			\$ 2,920
1997 COLA/OPA parity Increase			\$ 104,511
<u>1998 TOTAL</u>			<u>\$8,110,097</u>

Exhibit III, Case Credit Application Schedule, change Truancy to the following:

<u>Truancy</u>	
One initial and two review hearings	.64 dependency case credit
Review or other hearing	.22 dependency case credit

CONTRACT AMENDMENT

10583

PROJECT NAME Public Defense Legal Services CONTRACT NO. D25909D
 AGENCY/CONTRACTOR Associated Counsel for the Accused DATE ENTERED 01/01/98
 ADDRESS 401 Terrace Street AMENDMENT NO. 1
Seattle, WA 98104 DATE ENTERED 8/15/98

AMENDMENT REQUESTED BY	<u>AMENDMENT EFFECTS</u>	
<u>Office of Public Defense</u> Organization	<input 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 type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

PURPOSE: To accommodate for the 1997 cost-of-living adjustment (COLA) totaling \$19,952 and for the union salary agreement with the Office of the Prosecuting attorney (OPA) in 1997 totaling \$77,710 per Ordinance 12999 passed February 18, 1998, and for a 1996 rent increase of \$8,491, and for \$93,932 for an increase in 1998 cases.

A. STANDARD CONTRACT CHANGES

Page 1. Changes the 1998 portion of the 1998/1999 contract amount from \$6,752,816 to \$6,933,325. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1998	\$6,933,325	01/01/98 - 12/31/98
Federal		
State		
Private		
TOTAL 1998	\$6,933,325	01/01/98 - 12/31/98

Page 3. COMPENSATION AND METHOD OF PAYMENT. Changes the reimbursement amount and the amount currently available, to \$6,933,325.

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

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

10583

B. EXHIBIT CHANGES

Exhibit I, Scope of Services, B. Quarterly Variance Percentages, replace the existing case table with:

Case Category	1998 Total Agency Caseload at KCCF	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
					Felony*	1,432	30.1%	7.5%	2.5%
Juv Off	2,002	21.0%	10.0%	5.0%	417	437	436	712	2,002
KC Misd	5,113	59.1%	10.0%	5.0%	1,361	1,277	1,302	1,173	5,113
SMC	4,697	34.8%	10.0%	5.0%	1,201	1,201	1,183	1,112	4,697

Case Category	1998 Total Agency Caseload at RJC	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
					Felony*	1,279		7.5%	2.5%
Dep.	179		10.0%	5.0%	47	43	41	48	179

*Felony caseload includes complex litigation credits.

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1998 to December 31, 1998. In 1998, 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: Felony Arraignment; Felony Preliminary Appearance Calendar; SRA In-Custody Modification Calendar; Individual Felony Case Pursuant to Exh. I(E)	Jan-May	\$198,974	
	June	\$191,102	
	July	\$193,811	
	Aug-Sep	\$197,112	
	Oct-Dec	\$206,618	\$2,393,861
King County Misdemeanor, including the following services: Change of Venue Calendar; 24-Hour Phone Services for King County District Court	Jan-May	\$119,105	
	June	\$102,947	
	July	\$113,913	
	Aug-Dec	\$116,055	\$1,392,660
Juvenile, including the following services: Juvenile First Appearance Calendar and Juvenile Attorney of the Day	Jan-May	\$54,360	
	June	\$46,614	
	July	\$51,967	
	Aug-Sep	\$52,912	
	Oct-Dec	\$74,717	\$700,355

Drug Diversion Court, including the following			
Services: Drug Court Calendar	Jan-May	\$4,991	
	June	\$7,811	
	July	\$5,316	
	Aug-Dec	\$5,440	\$65,282
Dependencies			
	Jan-May	\$8,563	
	June	(\$1,625)	
	July	\$6,702	
	Aug-Dec	\$6,842	\$82,102
Seattle, including the following services:			
Saturday In-Custody Arraignment; and	Jan-May	\$183,190	
24-Hour Emergency Phone	June	\$183,640	
	July	\$179,612	
	Aug-Dec	\$182,743	\$2,192,917
TOTAL			
	Jan-May	\$569,183	
	June	\$530,489	
	July	\$551,321	
	Aug-Sep	\$561,104	
	Oct-Dec	<u>\$592,415</u>	<u>\$6,827,177</u>
One-Time Payments:			
1996 Rent Increase			\$ 8,491
1997 COLA/OPA Parity Increase			\$ 97,662
<u>1998 TOTAL</u>			<u>\$6,933,325</u>

Exhibit III, Case Credit Application Schedule, change Truancy to the following:

<u>Truancy</u>	
One initial and two review hearings	.64 dependency case credit
Review or other hearing	.22 dependency case credit

CONTRACT AMENDMENT

10583

PROJECT NAME Public Defense Legal Services CONTRACT NO. D25910D
 AGENCY/CONTRACTOR Northwest Defenders Association DATE ENTERED 01/01/98
 ADDRESS 830 Fourth Avenue South, Suite 200 AMENDMENT NO. 1
Seattle, WA 98134 DATE ENTERED 8/15/98

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

PURPOSE: To accommodate for the 1997 cost-of-living adjustment (COLA) totaling \$7,984 and for the union salary agreement with the Office of the Prosecuting Attorney (OPA) in 1997 totaling \$19,541 per Ordinance 12999 passed February 18, 1998, and (\$15,194) for an overpayment for King County misdemeanor cases in 1996, for \$46,924 for an increase in Seattle misdemeanor cases in 1996, and for \$85,540 for an increase in 1998 cases.

A. STANDARD CONTRACT CHANGES

Page 1. Changes the 1998 portion of the 1998/1999 contract amount from **\$2,549,637 to \$2,686,955.** Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County 1998	\$2,686,955	01/01/98 - 12/31/98
Federal		
State		
Private		
TOTAL 1998	\$2,686,955	01/01/98 - 12/31/98

Page 3. COMPENSATION AND METHOD OF PAYMENT. Changes the reimbursement amount and the amount currently available, to \$2,686,955.

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

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

B. EXHIBIT CHANGES**10583**Exhibit I, Scope of Services, B. Quarterly Variance Percentages, replace the existing case table with:

Case Category	1998 Total Agency Caseload at KCCF	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent					
					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Felony*	1,160	12.4%	7.5%	2.5%	278	254	276	352	1,160
Juv Off	1,258	13.0%	10.0%	5.0%	258	271	270	459	1,258
SMC	3,051	22.6%	10.0%	5.0%	780	780	769	722	3,051

*Felony caseload includes complex litigation credits.

Exhibit II, Payment Schedule, change to the following:

This Payment Schedule shall pertain to all cases assigned to the Agency from January 1, 1998 to December 31, 1998. In 1998, 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: Felony Arraignment; Felony Preliminary Appearance Calendar; SRA In-Custody Modification Calendar; Individual Felony Case Pursuant to Exh. I(E)	Jan-Sept	\$65,981	
	Oct-Dec	\$104,026	\$905,907
Juvenile, including the following services: Juvenile First Appearance Calendar and Juvenile Attorney of the Day	Jan-Sept	\$38,357	
	Oct-Dec	\$54,151	\$507,666
Seattle, including the following services: Saturday In-Custody Arraignment; and 24-Hour Emergency Phone	Jan-Sept	\$101,939	
	Oct-Dec	\$98,892	\$1,214,127
<u>TOTAL</u>	Jan-Sep	<u>\$206,277</u>	
	Oct-Dec	<u>\$257,069</u>	<u>\$2,627,700</u>

One-Time Payments:

1997 COLA/PAO parity Increase	\$ 27,525
1996 King County Misdemeanor Conflict Cases	\$ (15,194)
1996 Excess Seattle Misdemeanor Cases	\$ 46,924

1998 TOTAL **\$2,686,955**

10583

Exhibit III, Case Credit Application Schedule, change Truancy to the following:

Truancy

One initial and two review hearings

.64 dependency case credit

Review or other hearing

.22 dependency case credit