

MOTION NO. 9435

A MOTION approving amendments to the 1994/1995 public defense contracts for legal services for increase in caseloads to the anticipated 1994 year-end case assignment level.

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

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 the level of services required by 1994 year-end caseload estimates for city of Seattle misdemeanors and state of Washington sexual predator cases;

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

The King County council authorizes and approves the enclosed amendments to the 1994/1995 Associated Counsel for the Accused, Northwest Defender Association and The Defender Association contracts for legal services.

PASSED by a vote of 13 to 0 this 19th day of December 1994.

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. 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. D20070D
 DATE ENTERED 01/01/94
 AMENDMENT NO. 1
 DATE ENTERED 10/28/94

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 type="checkbox"/> Terms & Conditions
	<input type="checkbox"/> Results of Services	<input type="checkbox"/> Other

PURPOSE: To accommodate changes in the projected caseload for 1994 in Seattle Municipal misdemeanor cases.

A. STANDARD CONTRACT CHANGES

Page 1, changes the 1994 portion of the 1994/1995 legal services contract amount from \$6,048,034 to \$6,130,699. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County	\$6,130,699	01/01/94 - 12/31/94
Federal		
State		
Private		
TOTAL	\$6,130,699	01/01/94 - 12/31/94

Page 3. Changes reimbursement amount in III.A. COMPENSATION AND METHOD OF PAYMENT, from \$6,048,034 to \$6,130,699.

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 CHANGES

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

Case Category	1994 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*	2,788	30.1%	7.5%	2.5%	712	678	688	710	2,788
KC Misd	7,333	59.1%	10.0%	5.0%	1,860	1,800	1,770	1,903	7,333
Juv Off	1,727	21.0%	10.0%	5.0%	389	448	440	450	1,727
SMC	5,618	34.8%	10.0%	5.0%	1,350	1,367	1,413	1,488	5,618

* 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, 1994 to December 31, 1994. In 1994, 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	\$161,963.50	\$1,943,562
King County Misdemeanor, including the following services: Change of Venue Calendar; 24-hour phone services for King County district courts	140,727.40	1,688,729
Juvenile, including the following services: Juvenile First Appearance Calendar	<u>45,438.17</u>	<u>545,258</u>
Subtotal CX Contracted Cases	\$348,129.07	\$4,177,549
Seattle, including the following services: Out-of-Custody Arraignment; Monday through Friday In-Custody Arraignment	Jan.-June \$175,139.70 July-Dec. \$150,385.30	\$1,953,150
<u>TOTAL</u>	<u>Jan.-June \$523,268.77</u> <u>July-Dec. \$498,514.37</u>	<u>\$6,130,699</u>

CONTRACT AMENDMENT

PROJECT NAME Public Defense Legal Services
 AGENCY/CONTRACTOR Northwest Defenders Association
 ADDRESS 157 Yesler Way, Suite 200
Seattle, Washington 98104

9435

CONTRACT NO. D20071D
 DATE ENTERED 01/01/94
 AMENDMENT NO. 1
 DATE ENTERED 10/28/94

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
Office of Public Defense Organization <hr/> James C. Crane, Administrator Name	<input checked="" 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 changes in the projected caseload for 1994 in Seattle Municipal misdemeanor cases.

A. STANDARD CONTRACT CHANGES

Page 1, changes the 1994 portion of the 1994/1995 legal services contract from \$2,027,203 to \$2,081,707. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County	\$2,081,707	01/01/94 - 12/31/94
Federal		
State		
Private		
TOTAL	\$2,081,707	01/01/94 - 12/31/94

Page 3. Changes reimbursement amount in III.A. COMPENSATION AND METHOD OF PAYMENT, from \$2,027,203 to \$2,081,707.

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 _____ Title <u>County Executive</u> Date _____	By _____ Title _____ Date _____

9435

EXHIBIT CHANGES

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

Case Category	1994 Total Agency Caseload	Agency's Annual % of Total OPD Caseload	Quarterly Variance Percent	Yearly Variance Percent	<u>CASELOAD ESTIMATE</u>				
					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	TOTAL
Felony*	1,154	12.4%	7.5%	2.5%	294	281	285	294	1,154
Juv. Off.	1,075	13.0%	10.0%	5.0%	242	279	274	280	1,075
SMC	3,648	22.6%	10.0%	5.0%	876	888	944	940	3,648

* 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, 1994 to December 31, 1994. In 1994, 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		\$65,425.08	\$785,101
Juvenile, including the following services: Juvenile First Appearance Calendar		<u>26,500.93</u>	<u>318,011</u>
Subtotal CX Contracted Cases		\$91,926.01	\$1,103,112
Seattle, including the following services: Sunday In-Custody Arraignment	Jan.-June July-Dec.	\$86,525.72 \$76,573.44	\$978,595
<u>TOTAL</u>	<u>Jan.-June</u> <u>July-Dec.</u>	<u>\$178,451.73</u> <u>\$168,499.45</u>	<u>\$2,081,707</u>

CONTRACT AMENDMENT

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

9435

CONTRACT NO. D20073D
 DATE ENTERED 01/01/94
 AMENDMENT NO. 1
 DATE ENTERED 10/28/94

AMENDMENT REQUESTED BY	AMENDMENT EFFECTS	
Office of Public Defense Organization James C. Crane, Administrator Name	<input checked="" 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 changes in the projected caseload for 1994 in sexual predator and Seattle Municipal misdemeanor cases.

A. STANDARD CONTRACT CHANGES

Page 1, changes the 1994 portion of the 1994/1995 legal services contract from \$6,813,177 to \$7,265,685. Funding sources, funding levels and effective dates are changed as follows:

FUNDING SOURCES	FUNDING LEVELS	EFFECTIVE DATES
County	\$6,351,276	01/01/94 - 12/31/94
Federal		
State - ITA	455,577	
State - Sex Pred	458,832	
Private		
TOTAL	\$7,265,685	01/01/94 - 12/31/94

Page 3. Changes reimbursement amount in III.A. COMPENSATION AND METHOD OF PAYMENT, from \$6,813,177 to \$7,265,685.

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 CHANGES

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					1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	TOTAL
Felony*	3,331	35.9%	7.5%	2.5%	849	811	821	850	3,331
KC Misd	2,603	21.0%	10.0%	5.0%	660	639	629	675	2,603
Juv. Off.	2,719	33.0%	10.0%	5.0%	612	706	693	708	2,719
Dep.	1,706	40.0%	10.0%	5.0%	459	399	377	471	1,706
SMC	6,877	42.6%	10.0%	5.0%	1,653	1,674	1,766	1,784	6,877
Inv/Com	2,284	100.0%	10.0%	5.0%	571	571	490	490	2,284

* 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, 1994 to December 31, 1994. In 1994, 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; and SRA In-Custody Modification Calendar		\$192,715.17	\$2,312,582
King County Misdemeanor		41,518.75	498,225
Juvenile, including the following services: Juvenile Attorney of the day; and Juvenile First Appearance Calendar		69,110.58	829,327
Dependency, including Dependency Calendar		<u>77,805.42</u>	<u>933,665</u>
Subtotal CX Contracted Cases		\$381,149.92	\$4,573,799
Seattle, including the following services: Saturday In-Custody Arraignment; and 24-Hour Emergency Phone	Jan.-June July-Dec.	\$157,412.10 \$138,834.07	\$1,777,477
ITA	Jan.-June July-Dec.	\$36,593.75 \$37,003.92	\$441,586
ALC/DRUG		<u>1,165.92</u>	<u>13,991</u>
Subtotal I/C	Jan.-June July-Dec.	\$37,759.67 \$38,169.84	\$455,577
<u>TOTAL</u>	Jan.-June July-Dec.	<u>\$576,321.69</u> <u>\$558,153.83</u>	<u>\$6,806,853</u>