

2011 - 2012 Seattle City Council Green Sheet

Ready for Notebook

Tab	Action	Option	Version
146	1	A	1

Budget Action Title: C. B. 117033: Amend Ordinance 122602 provision on minimum contract with third public defense agency

Councilmembers: Budget Committee

Staff Analyst: Peter Harris

Council Bill or Resolution: C. B. 117033 (tab #18 in gray notebook)

Date		Total	SB	BH	SC	TR	JG	NL	RC	TB	MO
	Yes										
	No										
	Abstain										
	Absent										

Budget Action description:

Do pass C. B. 117033 (tab #18 in gray notebook).

This ordinance gives the Executive the ability to negotiate a reduced cost for the third of three public defense contracts, saving up to \$94,000 per year from the General Subfund in the cost of the Indigent Public Defense BCL in Criminal Justice Contracted Services.

Ordinance 122602 requires the City to contract with three nonprofits specializing in indigent public defense: a primary provider; a secondary provider to handle conflict cases and others as assigned; and a third provider to represent defendants in which both the primary and secondary providers have a conflict of interest. It requires that the contract with the third provider provide a minimum of one full-time attorney. The proposed ordinance would remove the last requirement.

All other requirements of Ordinance 122602 would remain in effect, including those governing the selection of the third provider and the standards that apply to the defense services. The Executive still must obtain Council approval of the selection of all three providers.

The current contract with the third provider costs \$188,000 annually. The contract expires in June 2011 (along with the contracts for the first and second providers). The Executive believes it can obtain the necessary third provider services for half the current amount if it is allowed to contract for a half-time attorney rather than a full-time attorney. It proposes to renegotiate the current contract, and to issue an RFP for a new or extended contract for a half-time attorney for this service after June.

No amendments can be made to the current contract without the agreement of the contractor. The ability to obtain a third provider for a subsequent contract for a half-time attorney depends on finding a willing nonprofit that meets the other requirements of Ordinance 122602.

The proposed budget for Indigent Public Defense assumes the reduction of \$94,000 in each year. If the Executive is not able to negotiate the reduction in the current contract or obtain third provider services with a half-time attorney in a new contract, and the overall costs of indigent defense otherwise exhaust the budget, up to \$94,000 will have to be restored in a supplemental appropriation.