

2011 - 2012 Seattle City Council Green Sheet

Approved

Tab	Action	Option	Version
146	1	A	2

Budget Action Title: C. B. 117033: Amend recital for clarity, and then pass as amended. Increase funding for Indigent Defense Services by \$94,000 GSF in each year.

Councilmembers: Budget Committee

Staff Analyst: Peter Harris

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

Budget Committee Vote:

Date	Result	SB	BH	SC	TR	JG	NL	RC	TB	MO
11/12/2010	Pass 9-	Y	Y	Y	Y	Y	Y	Y	Y	Y

Summary of Dollar Effect

See the following pages for detailed technical information

	2011 Increase (Decrease)	2012 Increase (Decrease)
General Subfund		
<i>General Subfund Revenues</i>	\$0	\$0
<i>General Subfund Expenditures</i>	\$94,000	\$94,000
<i>Net Balance Effect</i>	(\$94,000)	(\$94,000)
Total Budget Balance Effect	(\$94,000)	(\$94,000)

Budget Action description:

Amend C. B. 117033 (tab #18 in gray notebook) for clarity, and then pass as amended. Add \$94,000 GSF to the Indigent Defense Services BCL in each year.

This ordinance gives the Executive the ability to negotiate a reduced cost for the third of three public defense contracts, potentially 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.

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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.

This green sheet would amend the proposed ordinance as follows:

Page 1, line 18:

WHEREAS, the City is guided by the standards referenced in Chapter 10.101 RCW and the ~~((Washington State Bar Association Standards for Public Defense (2007))~~) American Bar Association’s Ten Principles of a Public Defense Delivery System (2002); and

The purpose of this amendment is to maintain consistency with Section 2 of Ordinance 122602, which incorporates the American Bar Association’s Ten Principles of a Public Defense Delivery System as a standard for indigent defense services. This amendment does not affect the substance of C. B. 117033.

This green sheet also adds \$94,000 GSF to the Indigent Defense BCL of Criminal Justice Contracted Services in 2011 and 2012. The proposed budget assumes a \$94,000 reduction in the cost of the third agency contract in both years. The purpose of adding this amount back to the budget is to ensure that there is sufficient funding for the contracts with public defense agencies.

The net impact on the General Subfund is an increased expenditure of \$94,000 in each year.

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Budget Action Transactions

Budget Action Title: C. B. 117033: Amend recital for clarity, and then pass as amended. Increase funding for Indigent Defense Services by \$94,000 GSF in each year.

#	Transaction Description	Position Title	Number of Positions	FTE	Dept	BCL or Revenue Source	Summit Code	Fund	Year	Revenue Amount	Expenditure Amount
1	Add funding for indigent defense				CJCS	Indigent Defense Services	VJ500	00100	2011		\$94,000
2	Add funding for indigent defense				CJCS	Indigent Defense Services	VJ500	00100	2012		\$94,000