



REQUEST FOR PROPOSALS FOR CONFLICT COUNSEL PUBLIC DEFENDER SERVICES

INTRODUCTION

The City of Fircrest ("City"), Washington, is seeking proposals from qualified attorneys and firms to provide effective public defense conflict counsel to indigent defendants charged with misdemeanor or gross misdemeanor crimes in the Fircrest and Ruston Municipal Courts. From the submissions, the City will compile a pool of Conflict Counsel Public Defenders to provide legal defense services to indigent defendants whenever the Public Defender has a conflict. The City's needs are outlined in the Request for Proposals ("RFP") below.

The City is responsible for providing indigent defense services to persons charged with misdemeanor and gross misdemeanor crimes who meet certain financial eligibility criteria. Fircrest is transitioning to a contract with one law firm to provide public defense services.

SCOPE OF SERVICES AND COMPENSATION

The selected public defense conflict counsel will provide legal representation for defendants assigned to each attorney at all pre-trial hearings, motions, trials, sentencing, reviews, and appeals to the point of filing. The attorney will provide criminal defense services and be available to speak with and/or meet with indigent defendants held at the Pierce County Jail in Tacoma and/or the Puyallup Jail. Legal services provided will include, but not be limited to, client and potential witness interviews, legal research, preparation and filing of pleadings, negotiations with the appropriate prosecutor or other agency and the court regarding possible dispositions, and preparation for and appearance at court proceedings. Performance of services shall in all respects comply with all applicable professional standards and the Washington State Supreme Court's Standards for Indigent Defense ("Standards").

Expected Court Schedule:

- **Fircrest Municipal Court:** Every Wednesday, from approximately 8:00 a.m. to 12:00 p.m.
- **Ruston Municipal Court:** 1st, 3rd, and 5th Thursday mornings of each month.
- **In-Custody Arraignments:** Monday mornings, as needed.
- **Jury Trials:** 2nd and 4th Thursdays, as scheduled.

Other Information:

- Approximately 1 to 3 cases are assigned per month.
- The court agrees to schedule proceedings to accommodate attorney schedules as able.
- Requires occasional client consultants from Pierce County Jail and Puyallup Jail.
- Invoice for services paid monthly.
- Accepting proposals for 2-3 conflict defense attorney positions.

The City agrees to pay the Contractor a fee of \$75 per hour; \$150 minimum payment; \$1,200 non-trial maximum; \$2,400 trial maximum to perform the services listed herein and comply with all terms and conditions listed herein and in the attached draft contract. This compensation is exclusive of all fees, costs, charges, telephone fees, paralegal fees, delivery fees, and any other reimbursable expenses. Necessary and reasonable expert witness and investigative services, as detailed in the attached draft contract, will be paid directly to the expert or investigator or reimbursed to the public defender when authorized by the court. This compensation amount represents the resources necessary to provide Public Defender services through the Contractor.

Public defense services will commence upon contract approval and shall remain in effect until terminated by either party.

The final Contract resulting from the acceptance of the proposal shall be substantially similar to the draft attached to this RFP, though the City reserves the right to make revisions. Any proposed amendments to the draft Contract should be clearly identified in the proposal submitted. The City reserves the right to reject any proposed contract changes that do not conform to the specifications in the RFP or that do not provide a level of service sufficient to meet the adopted standards.

The conflict public defender is considered an independent contractor who shall at all times perform the criminal defense duties and responsibilities and carry out all services as an independent contractor and shall never represent or construe its status to be that of an employee of the city, nor shall the public defender be eligible for any employee benefits.

INSTRUCTIONS TO PROPOSERS

A. Submission

Proposals must be received by **5:00 p.m., Monday, January 19, 2026**, and submitted to:

City of Fircrest
Attn: City Manager, Dawn Masko
115 Ramsdell Street
Fircrest, WA 98466
dmasko@cityoffircrest.net

B. Format

Proposals may be submitted electronically as a single PDF file attachment to an email with the subject line "RFP – Conflict Public Defender." Mailed or hand-delivered proposals must be sealed and clearly labeled "RFP – Conflict Public Defender." Telephone or faxed proposals will not be accepted.

C. Preparation

Proposals should be prepared simply and economically, providing a straightforward, concise description of the proposer's capability to perform the required services. Emphasis should be on completeness and clarity of content. Use of both sides of paper for any submittals to the City is desirable whenever practicable.

REQUIRED PROPOSAL CONTENT

All proposals must include the following information:

A. Attorney/Firm Information:

1. The name of each individual attorney who is proposed to provide public defense services and their areas of responsibility.
2. A resume for each attorney who will provide legal services or supervise the provision of legal services by others, detailing the attorney's specific experience in criminal defense.
3. Detailed information about each individual attorney's experience in providing public defense service, including the types of cases in which the attorney has represented indigent clients.
4. Detailed information about the firm, including how long it has been in existence and how many years it has practiced criminal defense.
5. Disclosure of any employee of the firm who has or could reasonably be anticipated to have any conflict of interest with the City, and if so, how that conflict will be addressed.
6. A reference list of at least three people and/or entities who can be contacted in regard to the qualifications and experience of the firm and/or attorney(s) handling the Contract. Please include email addresses, telephone numbers, and mailing addresses of persons listed as a reference. In addition, if an entity is listed as a reference, please include the name of the specific person to be contacted at such entity.

B. Proposed Delivery of Services:

1. Description of the attorney or firm's general policy guidelines when addressing the needs of indigent misdemeanor clients.
2. Description of how you will monitor the caseload of attorneys providing indigent defense services.
3. Description of how you will supervise and monitor the work performance of the attorney(s) who provide services under this Contract.
4. Description of experience working with ex-offenders, mentally ill clients, and other clients needing social service referrals. Include how referrals to treatment, mental health professionals, or other social services will be managed.
5. Detailed information regarding your firm's ability to report to the City both monthly and annually regarding the assigned case load, the disposition of cases, and the types of cases assigned.
6. Statement warranting that each attorney proposed to provide legal services has read and is familiar with both the Washington Supreme Court Standards for Indigent Defense (Order at 174 Wn.2d 1177 and 1192, as amended) and that the proposal accounts for compliance with all related requirements (training, infrastructure, and service provision).

C. Contract Performance:

1. Summary of previous or current public defense contracts, including compliance reviews. Please note specifically any corrective action required under such public contracts or any termination for cause of any such contract in whole or in part within the last ten (10) years.
2. Statement of how the workload responsibilities of the City will be accommodated and what kind of priority it will be given in relation to other contracts and obligations.
3. Statement regarding the attorney's willingness and capability to provide insurance coverage of the same or similar nature required by the attached draft contract. Notably, malpractice coverage cannot contain any exclusion for ineffective assistance of counsel.
4. Disclosure of any disciplinary action by the Washington State Bar Association or any other state bar against any attorney proposed to provide services under the Contract.
5. Disclosure of any monetary sanctions imposed by a court for any reason for any attorney proposed to provide services under the Contract. Please provide a summary of the sanction, including the court and the date the sanction was imposed.
6. Disclosure of any malpractice actions filed in any court against any attorney proposed to provide services under the Contract, and the status or disposition of the filing.

SELECTION CRITERIA:

Proposals will be evaluated based on the ability of the proposer to best meet the guidelines established by the Washington State Bar Association. In its evaluation process, the City will consider:

- Qualifications and reputation of proposed attorneys.
- Experience providing public defense services or similar work.
- History of successfully fulfilling contracts of this type.
- Compliance with Washington State Bar Association and Supreme Court Standards.
- Quality, completeness, and clarity of proposal.
- Competitiveness of any alternative fee structure proposed.

TERMS AND CONDITIONS OF PROPOSAL PROCESS

1. The City shall not be responsible for any costs incurred by a proposer in preparing, submitting, or presenting its response to the RFP.
2. Proposals may be withdrawn before the submission deadline. Proposals not timely withdrawn shall constitute an irrevocable offer, for a period of sixty (60) days, to provide to the City the services described herein, or until one or more of the proposals have been approved by City administration, whichever occurs first.
3. The City reserves the right to reject any and all proposals and to waive minor irregularities in any proposal.
4. The City reserves the right to request clarification of information submitted and to request additional information from any proposer.