**Request for Proposal:**

**Professional services**

**municipal court public defense attorney**

**A. INTRODUCTION**

The City of Oregon City is seeking proposals from an attorney licensed in Oregon to serve as one of the City’s Municipal Court public defense attorneys to provide effective counsel to indigent defendants charged in the City of Oregon City with misdemeanor crimes. The City is interested in contracting with an attorney commencing June of 2023, with the option to extend the contract with the mutual agreement of the parties for an additional two-year period. The City expects to establish an ongoing relationship that ensures high quality, responsive, timely legal services for the City’s Municipal Court. We expect that the attorney chosen will be experienced in the type of legal services required for an Oregon Municipality.

**B. SCOPE OF WORK**

The City wishes to contract for public defense services for indigent defendants for misdemeanor offenses. The public defense attorney or firm selected will appear in the Oregon City Municipal Court on behalf of defendants who have established their indigency and have been appointed to the attorney or firm by the Oregon City Municipal Judge. The attorney will provide criminal defense services and will be available to talk and meet with indigent defendants at the attorney’s office. The attorney will maintain communication on a timely manner with the defendant being represented.

Legal services provided will include, but not be limited to, interviews of clients and potential witnesses, legal research, preparation and filing of pleadings, negotiations with the appropriate prosecutor or other agency and court regarding possible dispositions, and preparation for and appearance at court proceedings. Performance of services shall in all respects comply with the Standards adopted by the Oregon State Supreme Court and the City. Attorney will retain control over the manner in which he/she performs the Services. Attorney will not subcontract any services and will personally perform all services.

To illustrate the potential workload, on average, the City tries approximately 20 to 30 new cases monthly. The City attempts to regularly contract with three (3) defense attorneys to handle the workload. Municipal Court is active the second and fourth Tuesday of every month for misdemeanor cases starting at 1:00 P.M. Bench or jury trials may also be scheduled, but will most likely be on a different court date to be determined at court.

**C. COMPENSATION**

The City and any attorney selected for these services will enter into a professional services agreement, standard conditions to an Oregon City’s personal services agreement and requirements of a business license. The monthly fee offered by the City for these services is $2,080 but will consider alternative options such as an hourly rate or individual case fee, payable at the end of each month following the City’s receipt of a log of clients served or invoice if a different arrangement is made. The Defense Attorney will not be included in any public employee pension system and is not provided medical benefits. The City shall not withhold or pay any federal, state, or local income or payroll tax of any kind on behalf of Attorney. Proposals must clearly set forth agreement to the fee structure.

**D. MINIMUM REQUIREMENTS**

1. The attorney shall be licensed to practice law in the State of Oregon. A period of two (2) years preceding the proposed appointment is preferred, and the attorney must be eligible to appear before all Municipal, State, and Federal Courts in Oregon, as well as Oregon administrative agencies and the Office of Administrative Law (A copy of the license shall be included with your proposal)
2. The attorney must have a minimum of tow2) years of criminal defense experience, with a proficient understanding of Oregon and Federal case law, Oregon Criminal law, the City of Oregon City Ordinances, and proficient in search and seizure requirements.
3. The attorney shall be able to provide three (3) professional references with preferred contact information.
4. The attorney shall maintain a bona fide principal office in the State of Oregon.
5. The attorney must maintain full professional liability coverage as directed by the Oregon State Bar and general office liability insurance throughout the duration of time served and shall furnish a certificate evidencing the dates, amounts and types of insurance.

**E. INSTRUCTIONS**

A proposal should include the following:

1. A cover letter and resume outlining each candidate’s credentials and experience in criminal defense, particularly any experience in providing public defense services.
2. Description of the types of cases in which the attorney has represented indigent clients.
3. Description of policy guidelines when addressing the needs of indigent misdemeanor clients, including but not limited to describing how attorney caseloads will be monitored and how the workload responsibilities of the City will be accommodated and prioritized in relationship to other contracts or obligations.
4. Information on how the attorney or firm will evaluate for and access other services, such as interpreters.
5. A statement regarding whether the attorney has ever been disciplined by any bar association, been the subject of a court finding or determination of ineffective assistance of counsel, been monetarily sanctioned by a court for any reason, or involved in an action for malpractice. If so, provide detailed information.
6. Confirmation that the attorney or firm meets the minimum requirements under section D of this request for proposals (RFP), including copies of certificate of insurance.
7. Copy of your license from the Oregon State Bar and a “Certificate of Good Standing” or other similar document evidence that the professional’s license is not presently suspended or revoked.

All materials shall be submitted in one proposal package. Hand delivered proposals must be double-sided and in a sealed envelope. Electronic proposals must be no larger than 8 megabytes with the subject line “Municipal Court Public Defense Attorney”.

Proposals must be received by **5:00 P.M. local time, Friday, May 26, 2023**. Proposals submitted after the due date and time will not be considered. If interviews are necessary, they may be conducted June 5th and 7thbeginning at 9:00 A.M. local time. Additional dates may be added if needed.

Proposals can be submitted via email:

wshell@orcity.org

or delivered to:

Wanda Shell

City of Oregon City

1234 Linn Avenue

Oregon City, OR 97045

**F. SELECTION CRITERIA**

The selection of a public defender will be based on the ability of the proposer to best meet the guidelines established in this request for proposals. In the evaluation process, the City will consider the qualifications of the specific proposer, including the history of successfully fulfilling contracts of this type, experience with similar work, ability and history of meeting deadlines, and professional references. The City will also consider the completeness of the written proposal.

**G. ADDITIONAL TERMS AND CONDITIONS**

The City shall not be responsible for any costs incurred by a firm in preparing, submitting, or presenting its response to this RFP. Any proposal may be withdrawn up until the date and time set for opening of proposals. The City reserves the right to reject any and all proposals and to waive minor irregularities in any proposal. The City reserves the right to request clarification of information submitted and to request additional information from any proposer.