REQUEST FOR QUALIFICATIONS AND PROPOSAL- PROSECUTION SERVICES

The City of Lakewood (“City”) is requesting proposals from attorneys interested in providing misdemeanor criminal prosecution services for the City of Lakewood as a Contract Prosecutor (“Contract Prosecutor”).

SCOPE OF SERVICES

The services that are the subject of this Request for Qualifications and Proposal (RFP) relate to criminal prosecution in Lakewood Municipal Court, University Place Municipal Court and Steilacoom Municipal Court as well as City/Town representation in contested traffic matters in which counsel has been retained. Attorneys submitting proposals may be individuals, law firms, or public law offices. The City may choose to accomplish prosecution services with a single contract with an attorney, firm, or public office or may divide the work into separate contracts. These contracted services are intended to begin on January 2, 2015. The contract will be administered by an Assistant City Attorney working under the direction of the City Attorney.

Criminal Prosecution

The Lakewood City Attorney serves as Department Supervisor of the Legal Department. Within the Department are two Assistant City Attorneys, one of whom is assigned as the City Prosecutor for the Cities of Lakewood and University Place as well as the Town of Steilacoom.

The Contract Prosecutor will represent the City by providing prosecution services at all of the following criminal calendars in Lakewood/University Place/Steilacoom Municipal Court:

- **Out of Custody Arraignment Calendar**
  - Tuesday mornings: 8:30 am to approximately Noon

- **Review/Restitution/ Motion to Quash Calendar**
  - Thursday mornings: 8:30 am to approximately Noon

- **Pre-Trial/Readiness/Motion Calendars**
  - Tuesday afternoon: 1:00 pm – 4:00 pm
  - Thursday afternoon: 1:00 pm – 4:00 pm

- **In-Custody Calendars**
  - Monday afternoons 1:00 pm – 4:00 pm
  - Wednesday mornings 8:30 am – until 1:00 pm
  - Friday mornings 8:30 – 1:00 pm
Jury Trials

As scheduled; jury trials are typically scheduled on the Wednesday, Thursday, and Friday of the 3rd full week of each month. Trials start at 8:30 am.

Contested Civil Traffic Infractions

The Contract Prosecutor will represent the City at contested infraction hearings only when counsel has been retained by the party contesting the infraction. These hearings are generally held the first and third Monday of each month and start at 10:00 AM.

All calendar completion times are approximate times. The Contract Prosecutor is expected to arrive sufficiently in advance to be ready to start on the record at the appointed time and remain until the calendar is completed. All file preparation will be handled by City staff as coordinated by the City Prosecutor and Contract Prosecutor.

DUTIES

The Contract Prosecutor will work at the direction of the Assigned Assistant City Attorney to prosecute misdemeanors and gross misdemeanors in Lakewood, University Place, Steilacoom, as well as any other jurisdictions for which the City becomes responsible for providing prosecutorial services. The Contract Prosecutor will represent the City of Lakewood, University Place and the Town of Steilacoom at one or more of the previously described calendars, conduct plea bargain negotiations and make appropriate plea offers consistent with laws and regulations as well as Legal Department standards and polices, make sentencing and bail recommendations to the Court, interact with crime victims and witnesses, argue motions, represent the City at restitution hearings, and perform other prosecution related duties as requested by the City Attorney, Assistant City Attorney or their designee. The Contract Prosecutor will represent the Cities (Lakewood/University Place) and Town of Steilacoom at all contested infraction hearings involving retained counsel. The Contract Prosecutor must also be available to conduct trials and or provide calendar coverage during trial terms as needed. All administrative functions relating to criminal prosecutions and contested traffic infractions such as creation of files, gathering of files for calendars, completion of discovery requests and other similar tasks will be performed by City staff.

MINIMUM QUALIFICATIONS

The Contract Prosecutor shall be licensed to practice law in the State of Washington and in good standing with the Washington State Bar Association. In addition, the Contract Prosecutor will be subject to a criminal background check and will be required to provide proof of professional liability insurance. Experience in providing the type of services described above is highly desirable.
PROFESSIONAL SERVICES AGREEMENT

The City and the Contract Prosecutor, if selected, will enter a Professional Services Agreement outlining duties, compensation, hours of work and other pertinent matters.

PROPOSAL SUBMITTAL REQUIREMENTS

Individual attorneys and/or law firms submitting proposals shall submit the following materials:

1. Cover letter outlining specific qualifications to provide misdemeanor prosecution services;

2. Current resume (in the case of a law firm, current resumes of all partners or shareholders as well as attorneys expected to actually provide the service);

3. At least two letters of recommendation and/or references with addresses and phone numbers;

4. Written responses to the following questions:
   
   A. What steps will you take as a Contract Prosecutor to ensure criminal defendants are held accountable for violations of the law?
   
   B. What does it mean to impose progressive sanctions?
   
   C. Discuss your philosophy regarding plea bargaining and how you think you might apply that philosophy within the scope of your contract with the City and consistent with direction provided by the Department.
   
   D. If applicable, please name all courts in Pierce County in which you represent, or have represented in the past 24 months criminal defendants; please also indicate how you will ensure that such work will not interfere with your ability to perform prosecution services for the City.

5. Disclose any pending litigation and/or judgment rendered against you and or your firm in any matter relating to the professional activities of you and /or your firm, including, but not limited to, any pending complaints with the Washington State Bar Association.

6. Please indicate in your written materials whether you would be available to provide backup assistance for trials or other calendars if not selected as the primary Contract Prosecutor.
**SELECTION PROCESS**

All proposals will be reviewed and screened by the City Attorney or her delegate. Proposals will be evaluated by considering the attorney’s/firm’s quality of experience, the strength of the approach described in the proposal and the cost to the City. Finalists will be interviewed and a final decision made by the City.

**DEADLINE FOR SUBMISSION OF PROPOSAL**

Proposals and all supporting materials must be received by 4:30 p.m. on Friday, October 3, 2014. Please deliver materials to the following address:

City of Lakewood  
City Clerk’s Office  
ATTN: Request for Proposal – Contract Prosecutor  
6000 Main Street SW  
Lakewood, WA 98499

This Request for Qualifications and Proposals is not an offer of employment. The City reserves the right to vary from the qualifications requested, to consider proposals that do not meet all the qualifications, and/or to reject any and all proposals.