



TO: Elizabeth Pauli, City Manager
FROM: Katie Johnston, Office of Management and Budget
COPY: City Council and City Clerk
SUBJECT: Contract for Indigent Defense Legal Services, Department of Assigned Counsel, Pierce County – April 30, 2019
DATE: April 23, 2019

SUMMARY:

The 2018 and 2019 contract with the Pierce County Department of Assigned Counsel (DAC), in the amount of \$2,015,699 in 2018 and \$2,052,009 in 2019, is for the provision of legal services for individuals who otherwise would not be able to afford it. This agreement is pursuant to Section 5 of the Interlocal Agreement by the City and Pierce County dated November 23, 2003. All services rendered by the Department of Assigned Counsel are for indigent individuals who appear before the Municipal Court.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

The Office of Management and Budget (OMB) works with the DAC to update this contract on a yearly basis. These contracts are very similar to past contracts between the City and the DAC. In addition to services rendered by the Department of Assigned Counsel, data is regularly provided to the Office of Management and Budget in order to evaluate the performance of this contract. Exhibit C of the contract details the data collected by the Department of Assigned Counsel and provided to OMB—including but not limited to caseload per attorney, types of cases handled by the DAC, and outcomes.

ISSUE:

Not all individuals are able to pay for legal advice. Because legal proceedings affect individuals of all income levels, the US and Washington State Supreme Courts have found that the provision of legal services is essential for those who may not be able to afford them. This contract ensures that individuals who appear before the City Municipal Court who may not be able to afford a lawyer have access to legal advice.

ALTERNATIVES:

The City Council may consider other options for providing indigent legal services in the future. At this time, the City would be non-compliant to state mandated services while another service provider is procured.

RECOMMENDATION:

Staff recommends the City Council approve this contract for the provision of indigent legal services.



FISCAL IMPACT:

This contract is budgeted. The total cost of this contract is \$2,052,009.

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
0010-General Fund	654000	5311300	\$2,052,009
TOTAL			\$2,052,009

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
0010-General Fund	Various	Various	\$2,052,009
TOTAL			\$2,052,009

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$2,015,699 (2018) \$2,052,009 (2019)

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? YES