

**Lake/Mecosta/Osceola/Mason/Clare/Gladwin County
Indigent Defense Managed
Assignment Administrator**

Request for Qualifications

Issue Date: 10/9/18

Submission Deadline: November 2, 2018 @ 4:30 PM

Send Response to:

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Request To: Licensed Michigan Attorneys with Indigent Defense Experience

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1. Overview of the Requirement

- 1) The Counties of Lake, Mecosta, Osceola, Mason, Clare and Gladwin are seeking an experienced Indigent Defense Attorney to administer, under contract, the counties' indigent criminal defense programs. This is expected to be a multi-year contract subject to continued State of Michigan Grant funding.
- 2) This RFQ is limited to attorneys, currently licensed in the State of Michigan, who are members of the Michigan Bar Association.
- 3) The Counties are contiguous Michigan municipalities located in west central Michigan.
- 4) In 2017 the Michigan Legislature adopted legislation removing Indigent Defense Administration from the local courts and placing the responsibility on the funding units. The intent of the legislation is to provide State funding and standards, through the Michigan Indigent Defense Commission, to assist the funding units in ensuring that all adult indigent defendants receive competent legal representation in criminal proceedings.

2. Request for Qualifications

2.1 Enquires

“All enquiries related to this RFQ are to be directed, in writing, or by email, to the contact person at the mailing address or email on the front cover of this RFQ.

2.2 Closing Date

Any hard copies and one electronic copy of each response must be received before 4:30 PM on November 2, 2018 at the address, or email, on the front cover of this RFQ. Responses must not be sent by facsimile. Responses and their envelopes should be clearly marked with the name and address of the respondent and Lake/Mecosta/Osceola/Mason/Clare/Gladwin Indigent Defense Managed Assignment Administrator.

2.3 Late Responses

Late responses will only be accepted if an extension is provided 24 hours in advance.

2.4 Qualifications Review Committee

A review Committee consisting of County Administration, Board members, Judicial Council members, Prosecutors, and Defense Bar members will review all responses.

2.5 Review and Selection

This RFQ is being used for pre-qualification purposes:

The qualifications review committee will check responses against the mandatory criteria and will evaluate respondents based on the evaluation criteria in Section 4 of this RFQ. The review Committee will then offer interviews to selected respondents.

2.6 Signed Responses

The response must include all information that the respondent wishes the review committee to consider and be signed by the Attorney.

2.7 Acceptance of Responses

This RFQ is not a binding agreement to purchase goods or services. Responses will be assessed in light of the qualification review criteria and, if chosen for the shortlist, the respondent will be contacted to schedule an interview.

3. Services

Attachment A provides a list of services that the qualified respondents will be required to perform and be responsible for if they are selected following the interview process.

4. Evaluation Criteria

The criteria may include:

- A. Years of experience in the legal field
- B. Experience with Indigent Defense representation
- C. Proven capacity to deliver the project requirements on time and on budget

5. Submission Requirements

- A. A statement of interest
- B. A resume outlining the respondent's experience and a response to the qualification review criteria
- C. Three professional references

MANAGED ASSIGNED COUNSEL ADMINISTRATOR

5.1 Position Summary:

Under the direction of County Administration, and pursuant to contract, the Managed Assigned Counsel Administrator (MACA) is responsible for operating the county's indigent criminal defense program to ensure that Indigent adult defendants receive competent legal representation in criminal proceedings. The MACA is responsible for screening, selecting and maintaining a roster of eligible attorneys for case assignment and first appearance, evaluating attorney performance, maintaining payments, authorizing investigative resources and performing other duties associated with the provision of competent and consistent legal representation.

5.2 Essential Job Functions:

A contractor in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties which the contractor may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Manages the county's public criminal defense operation separate from the court; including budgeting, planning, and general administration. Provides County Administration with ongoing reports regarding caseload, legal resources and costs.
2. Contracts for any necessary support staff. Maintains responsibility for directing day-to-day operation workload of personnel, evaluates performance, and assures necessary training and professional development
3. Oversees indigency eligibility screening for assigned counsel based on income and other available assets. Follows baseline criteria ensuring that procedures are consistently applied.
4. Identifies attorneys that are qualified to accept assignments. Ensures that interested attorneys meet the MIDC standards established for legal providers, including but not limited to basic skills and annual training requirements.
5. Maintains a roster of qualified attorneys, makes case assignments, and oversees scheduling of counsel. Monitors cases and the performance of

assigned attorneys.

6. Approves the use of investigators, experts and other resources required for particular cases and assigned counsel.
7. Reviews, ~~approves~~ and handles vouchers for payment to assigned attorneys, investigators, experts and other expenditures associated with particular cases.
8. Resolves non-grievance matters between defendants, and assigned counsel and the courts, including administratively reassigning counsel when appropriate.
9. Assists with the coordination of compliance with the MIDC standards, including annual grant requests for funding compliance plans.
10. Attends legal conferences and seminars to stay current on legal issues, updates administrative techniques regarding public defender requirements and other legal matters.
11. Performs other duties as directed.

5.3 Required Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

- Juris Doctorate degree and licensed to practice law in the State of Michigan and a member in good standing with the Michigan Bar Association.
- Valid Michigan Vehicle Operator's License.
- Ability to attend meetings scheduled at times other than normal business hours.
- Ability to respond to emergencies or service needs on a 24-hour basis.

5.4 Preferred Knowledge, Skills, and Abilities and:

- At least 5 years of progressively more responsible experience in the practice of criminal defense or the equivalent. The County, at its discretion, may consider an alternative combination of formal education and work experience.
- Thorough knowledge of the professional public management techniques involved in budgeting, personnel administration and resource management and the ability to identify and implement new best practices.

- Thorough knowledge of the principles and practices of State of Michigan criminal law and public defense processes and procedures.
- Skill in assembling and analyzing data, preparing comprehensive and accurate reports, and formulating policy and service recommendations.
- Skill in effectively communicating ideas and concepts orally and in writing and making presentations in public forums.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with County employees, contractors to the County, representatives of other governmental units and the courts, professional contacts, elected officials, and the public.
- Ability to assess situations, solve problems, work effectively under stress, within deadlines, and in emergency situations.
- Skill in the use of office equipment and technology, including Microsoft Suite applications and the ability to learn data base software utilized in public defense administration.

5.5 Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those a contractor may encounter while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the MACA is regularly required to communicate in person and by telephone, read regular and small print, view and produce written and electronic documents and enter data on a computer keyboard with repetitive keystrokes. The MACA must be mobile in an office setting.

The typical work environment of this job is a business office or court setting where the noise level is quiet and sometimes moderate.

Other Contractual Requirements:

The MACA shall not represent any indigent defendant or provide any Indigent Defense Representation Services in this jurisdiction, except as called for in this description.