



REQUEST FOR PROPOSAL TO PROVIDE PUBLIC DEFENDER SERVICES  
FOR  
West Bountiful City, Utah  
FEBRUARY 26, 2021

I. BACKGROUND INFORMATION

West Bountiful City is accepting proposals to provide public defender services on a contractual basis. West Bountiful's court services are administered by the North Salt Lake Justice Court.

Responses to this Request for Proposals shall be submitted **no later than 5:00 p.m. (MDT), on March 18, 2021**. LATE PROPOSALS WILL NOT BE ACCEPTED.

The City anticipates the effective date for new contracts to be April 1, 2021.

The City reserves the right to accept or reject any or all proposals as it best serves its convenience and/or is found to be in the best interest of the City. The City reserves the right to issue contracts to multiple vendors.

II. MINIMUM QUALIFICATIONS

Each attorney who proposes to perform services pursuant to this RFP must meet the following minimum qualifications:

- A. Be a member in good standing with the Utah State Bar Association;
- B. Have experience in defending criminal law matters;
- C. Be familiar with the statutes, court rules, constitutional provisions, and case law relevant to criminal law;
- D. Be familiar with possible criminal enhancements, charges, and subsequent proceedings.

III. SCOPE OF SERVICES

Selected service provider shall be designated Public Defender for West Bountiful City, duly appointed to represent all defendants who are appointed legal Counsel by the **NORTH SALT LAKE JUSTICE COURT**.

The City's Public Defender's responsibilities shall include, but not be limited to, the following:

- A. Attend all scheduled court appearances. In the event of conflict, vacation, illness, or any other time off, the Public Defender is responsible for arranging coverage by another qualified attorney. Coverage expenses shall be the sole responsibility of the Public Defender.
- B. Act as counsel available to all defendants at all scheduled hearings on scheduled court days (at least one Tuesday a month – with any trials set for Fridays).
- C. Be available to attend court in-person or via electronic means as the court directs.
- D. Represent defendants in appointed cases at pre-trial hearings, trials, sentencing, and as otherwise may be determined necessary by the Court.
- E. Complete a minimum of five (5) hours of continuing legal education within each calendar year in courses relating to their public defense practice. Legal education expenses shall be

the sole responsibility of the Public Defender.

- F. Consult with defendants in preparation for trial. Appointment as West Bountiful City’s Public Defender may require meetings with defendants on-line, at the Public Defender’s office, at the North Salt Lake Justice Court, at the Davis County Jail, or at other jail locations.
- G. Provide West Bountiful City with a contact telephone number that is available 24 hours a day to contact the Public Defender in order for the Public Defender to provide legal representation in emergency situations.
- H. Prepare for trial to ensure that the defendant receives adequate representation. Preparation for trial may include interviewing witnesses, reviewing police reports and evidence, researching relevant legal issues, preparing a witness list on behalf of the defendant, and consulting with the defendant.
- I. Notify West Bountiful City in writing of any ongoing conflict of interest, any other conflict of interest as it arises, any conflicting litigation, or any inability to practice law.
- J. Maintain a policy of professional liability insurance with minimum limits of \$100,000 per occurrence and \$1,000,000 per year in the aggregate. Insurance shall be obtained from an insurance company authorized to do business in the State of Utah. Proof of insurance shall be provided to West Bountiful City at its request. Unless waived, West Bountiful City shall be named on all insurance as an additional insured.
- K. Provide any information not protected by attorney/client privilege that may be requested by West Bountiful City that will assist West Bountiful City in reviewing the workload and quality of representation provided by the Public Defender. Such requests may include but are not limited to number of cases appointed within a specific time frame and hours worked on a case or cases.

Services do not extend to forfeiture hearings or hearings with any Department of Licensing.

**IV. CASE LOAD**

On average, the previous public defender reported spending between 10-15 hours per month providing public defender services. The following table displays the total number of cases assigned to public defender services for West Bountiful City for 2018, 2019, and 2020. For reference, the table also shows the total number of criminal cases and traffic cases for West Bountiful City.

<b>WEST BOUNTIFUL PUBLIC DEFENDER</b>									
	2018			2019			2020		
	CRIMINAL CASES FILED	TRAFFIC CASES FILED	PUBLIC DEFENDER CASES	CRIMINAL CASES FILED	TRAFFIC CASES FILED	PUBLIC DEFENDER CASES	CRIMINAL CASES FILED	TRAFFIC CASES FILED	PUBLIC DEFENDER CASES
JANUARY	2	109	2	2	85	2	8	112	4
FEBRUARY	4	73	0	4	106	0	5	100	4
MARCH	3	70	0	6	114	4	2	88	1
APRIL	5	67	9	2	79	1	2	26	*
MAY	10	68	0	6	102	2	2	72	*
JUNE	3	70	6	0	126	4	1	63	*
JULY	5	68	5	2	160	6	4	56	*
AUGUST	4	86	7	4	119	5	9	70	*
SEPTEMBER	2	79	1	3	98	2	4	40	*
OCTOBER	4	83	4	3	158	4	3	56	*
NOVEMBER	3	80	2	3	105	5	5	64	*
DECEMBER	1	80	2	8	113	3	2	53	*
<b>TOTAL</b>	<b>46</b>	<b>933</b>	<b>38</b>	<b>43</b>	<b>1365</b>	<b>38</b>	<b>47</b>	<b>800</b>	<b>9</b>

\*2020 was handled differently. The public defender was given a spreadsheet of all of his cases each month. He would talk with the prosecuting attorney. When they had a case ready court staff would schedule them for a virtual hearing. Currently there are 16 pending cases. 1 will be set for Jury Trial. 3 cases need bench trials and the rest are pretrials.

V. FEE PROPOSAL

Applicants must include in their proposals a detailed billing model for services rendered. The City prefers flat monthly fees but will entertain all billing models that are consistent with current and/or anticipated minimum standards governing indigent defense contracts to provide effective representation.

VI. EVALUATION OF PROPOSALS

Selection criteria will be based on the ability of the selected service provider to perform the duties as described above. Cost, qualifications, and experience will also be taken into consideration.

West Bountiful City reserves the right to reject any and all proposals submitted and to request additional information from all proposers.

VII. SUBMISSION OF PROPOSALS

The preferred method of submitting your proposal is electronically in PDF format to [dhuffman@wbcity.org](mailto:dhuffman@wbcity.org). However, if you choose to submit hard copies, two copies of your proposal must be submitted to Duane Huffman, West Bountiful City Administrator. Proposals must be received no later than Thursday, March 18, 2021, 5pm. No proposal will be considered that is not received at or prior to the above time and date.

VIII. SOURCES OF INFORMATION

The individual listed below may be contacted for information.

Duane Huffman, City Administrator  
[dhuffman@wbcity.org](mailto:dhuffman@wbcity.org)  
801-292-4486