

# **SUPERIOR COURT OF CALIFORNIA COUNTY OF ALPINE**

## **Invitation to Bid for Public Defender Contract**

The Alpine County Superior Court invites proposals from qualified attorneys to provide trial court public defense services under contract with the Court beginning January 1, 2011.

The Court regularly has criminal calendars on Mondays, or the next working day if a Monday should fall on a holiday or other court closure day. Occasionally, persons held in custody will require special settings on other days of the week. The Public Defender will be notified when clients are held in custody and requested to visit promptly; the El Dorado County jail, generally at South Lake Tahoe, serves as this county's jail.

Department 1 and 2 sessions begin at 9am and 1:30pm, respectively. Criminal arraignments are generally held in Department 1, with assignment of cases which are not concluded at that time to the respective Departments for further proceedings. In-custody matters are generally set for 1:30, regardless of which judge is assigned, to accommodate transportation by the Sheriff. The Public Defender is required to be present at arraignment to assist defendants desiring early disposition of their matter. Upon entry of not guilty plea, future hearings are set as provided in the Court's Local Rules 6.3.6 and 6.3.7 (Note: Significant revision of the Local Rules, including deletion of Case Management Conferences, are anticipated effective 1/1/11). Jury trials not involving time constraints are scheduled for a two week period each quarter of the year; court trials generally are set at the convenience of the parties.

From 2006 through the first half of 2010, the Public Defender has been appointed to an annual average of 49 misdemeanors and 24 felonies. Juvenile 602 cases have averaged 5 annually for that same period. Juvenile 300 cases have occasionally resulted in the public defender's appointment for one parent, but no such cases have occurred in the last 2 years and since 2001 no more than 2 or 3 such cases have ever been filed in a given year. The Public Defender may be appointed to represent a conservatee, but the Court has not averaged even one such matter annually. The Public Defender's responsibilities in a given matter generally ends upon judgment and sentence/grant of probation or filing of Notice of Appeal, however re-appointment frequently occurs for violation of probation proceedings.

Preliminary examinations and contested violation of probation hearings may require special settings depending on time estimates and time demand constraints. To minimize required travel and multiple days of attendance by counsel, short preliminary examinations, VOP contested hearings, and motions are generally set for Mondays, either at 8am (preceding the regular calendar) or 2:30pm (following the regular calendar); longer and time demand matters are required to be specially set on other days. In recognition of the Court's remote location, every effort is made to accommodate counsel on special settings.

The current public defense contract pays \$50,000 annually in equal monthly installments (by Alpine County) and it is proposed that be the continuing rate. Although Alpine County will have a new District Attorney beginning in January, there is no expectation that the caseload will be significantly, if at all, different from the recent past, however should circumstances so warrant the Court will be receptive to review of the contract rate. The Public Defender will receive appointments to all types and levels of cases, including homicide and three-strikes, however appropriate additional compensation for complex matters will be addressed on ad hoc application, as will requests for investigative and expert assistance. Appointment on any appellate matter which the Public Defender may accept will be the subject of separately negotiated compensation.

Proposals need not be in any particular format, but should include, the following:

1. Legal education and date of admission to the State Bar of all states in which the applicant has been or is presently admitted.
2. Relevant criminal and juvenile experience.
3. Continuing education in criminal/juvenile law in the last 2 years.
4. Representative writing samples, e.g., 1538.5, 995, motion in limine, etc.
5. Disclosure of any discipline imposed by a State Bar or sanction imposed by a court.
6. Proposed "backup" for vacation, illness or other circumstance preventing personal appearance.
7. Circumstances of office organization/staffing (so as to be reasonably accessible to clients and the Court).

**Submit to:** Alpine County Superior Court, Attention Margaret Sackrider-White, Court Executive Officer, P.O. Box 518, Markleeville, CA 96120

**Deadline:** November 1, 2010