

CITY OF TUMWATER

REQUEST FOR QUALIFICATIONS FOR PROSECUTION SERVICES

The City of Tumwater ("City"), Washington, is requesting proposals from well qualified law firms and/or attorneys interested in providing prosecution services in the Tumwater Municipal Court. Services would include attendance at hearings to represent the City and preparation for such hearings. Hearings are conducted normally on Mondays on an arraignment calendar from 10:00 a.m. to 12:00 p.m. or until the calendar is finished and on Thursdays on a pretrial and contested calendar from 8:45 a.m. to 12:00 p.m. or until the calendar is finished. On a Monday holiday, the Monday calendar is moved to Tuesday. Additionally the City Prosecutor is responsible for prosecution of trials, both jury and bench. Bench trials, including certain contested hearings are held on either a Monday or Thursday calendar. Jury trials are typically held on Wednesdays. The City of Tumwater contracts with Thurston County District Court for its jury trials.

DUTIES

The City has an in-house City Attorney, who will manage the Prosecutor, but the selected law firm/attorney will provide all prosecution services. The Prosecutor shall be responsible for all aspects of prosecution, including: making filing decisions on criminal cases (with input from the City's police department as necessary) and recommendations with respect to the conduct of investigations, trial preparation, seizures, and related matters; interviewing witnesses and victims of crimes; advising victims regarding their rights and responsibilities; prosecuting criminal misdemeanor and gross misdemeanor cases; representing the City at arraignments, pretrial hearings, bench and jury trials, certain contested infraction matters, and review hearings and appeals; making appropriate sentencing recommendations and decisions to the Court; preparing and presenting legal memoranda and other documents for court cases; preparing subpoenas, jury instructions, and other related materials; providing legal research, training, and assistance to the police department in all criminal matters, including statutory interpretation, enforcement issues, and case decisions; and performing other related duties as required. The legal specialist in the City Attorney's Office provides staff support for this position in the form of creation of files, preparation of calendars, completion of discovery requests, and other related duties as necessary.

QUALIFICATIONS

The Prosecutor shall be an attorney licensed in the State of Washington. Five (5) or more years of experience is preferred, including significant trial experience. Experience in the prosecution of criminal and infraction matters is highly desirable, including matters involving violations of municipal or county ordinances. Preference will be given to proponents who provide one attorney to cover all City requirements.

COMPENSATION/HOURS OF WORK

The City and Prosecutor will enter into a professional services agreement which will address compensation. Proposals shall clearly set forth fees or fee structure to be charged for prosecution services. A flat fee proposal is preferred.

SELECTION PROCESS

All proposals will be reviewed and screened by the City Attorney. Finalists will be invited for interviews during the week of May 7-11, 2007. The City Attorney plans to make a recommendation to the City Council for consideration at the Council's Regular Meeting on May 15, 2007.

REQUIREMENTS

The selected attorney and/or firm will be required to undergo a reference check prior to appointment, and to provide to the City proof of insurance as required (including professional liability insurance).

INSTRUCTIONS TO REPLY TO THIS REQUEST FOR QUALIFICATIONS

To reply to this RFQ, please submit the following: (1) resume; (2) cover letter and statement of qualifications, which must include Washington State Bar Numbers for all attorneys responding to this RFQ; (3) three professional references with addresses and phone numbers; and (4) answers to the questions below. All materials shall be submitted in one packet and provided to the City Attorney's Office at Tumwater City Hall, 555 Israel Road SW, Tumwater, WA 98501.

ALL APPLICATION MATERIALS SHALL BE SUBMITTED BY 5:00 P.M. ON MONDAY, APRIL 30, 2007

Upon the City's discretion, proposals submitted after the due date and time may be considered. Proponents accept all risks of late delivery of mailed proposals regardless of fault. **The Proponent bears all responsibility for ensuring the mailing address is correct.**

RFQ QUESTIONS

Please provide clear and concise responses to the following questions. Please place your name and/or the name of your firm on each sheet of paper used.

1. Describe the steps you will take as Prosecutor to ensure that violators are prosecuted to the full extent of this community's standards.
2. Discuss your philosophy regarding plea bargaining and how you would apply it in this position.
3. Describe the role of the Prosecutor and his/her relationship to the court, police department, victims, witnesses, and the community.
4. Describe how you would handle subpoenas, discovery, and related public disclosure requests.
5. Describe the level of availability you would have to police staff and City staff during both working and off hours.
6. Describe the steps you would take to ensure timely resolution of cases, staff requests, and related matters.
7. Submit a proposed schedule of fees and costs you would be seeking as compensation. A flat fee proposal is preferable. (Final agreement will be negotiated under a professional services agreement.)
8. Disclose any pending litigation and/or judgments rendered against you and/or your firm in any matter relating to the professional activities of you and/or your firm, including any pending complaints to the Washington State Bar Association.