City of Bellevue

12/05/2022

CITY COUNCIL REGULAR SESSION

Ordinance adding a new section 4.28.125 to the Bellevue City Code adopting standards for the provision of public defense services; amending section 4.28.230 of the Bellevue City Code; providing for severability and establishing an effective date.

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EXECUTIVE SUMMARY

At the November 28 Study Session, Council directed staff to prepare a final ordinance adopting public defense standards for Council action at a future meeting. This Ordinance adds a new section to Chapter 4.28 of the Bellevue City Code specific to public defense service contracts, codifies existing practices, and complies with state requirements for public defense standards.

RECOMMENDATION

Move to adopt Ordinance No. 6704

BACKGROUND & ANALYSIS

On November 28, 2022, Council reviewed the proposed Public Defense Standards Ordinance. Following discussion, Council directed staff to finalize the Ordinance for approval.

Pursuant to Section 10.101.030 of the Revised Code of Washington (RCW), the legislative authority in cities is to adopt enumerated standards for the delivery of public defense services. This Ordinance will add a new section 4.28.125 to the Bellevue City Code providing direction on the program components and support services needed to ensure that contracted public defenders provide effective assistance of counsel to qualified accused persons. The Ordinance would codify existing practices, add new requirements for reporting and monitoring, and reaffirm the expectations and responsibilities of public defense attorneys that provide public defender services under contract for the City. Further, by adopting this Ordinance, the City will become eligible to apply for state public defense improvement funds which could be used to support Bellevue's program and the provision of public defense services.

POLICY & FISCAL IMPACTS

Policy Impact

This Ordinance responds to RCW 10.101.30 which requires Bellevue to adopt standards for the delivery of public defense services.

Section 4.28.010 of the Bellevue City Code provides in relevant part for the fair and equitable treatment of all persons involved in the purchasing process, by maximizing the purchasing value of public funds.

Fiscal Impact
There would be no immediate fiscal impact associated with implementing this Ordinance. The Standards contained in the Ordinance address the process for awarding public defense contracts and compensation for services. These provisions may impact future procurements and contractor negotiations. Increased monitoring of contracted public defense attorney compliance with the Ordinance may require additional staff time. It is anticipated that this can be accommodated within current staffing levels. Future program enhancements may be offset by state grant funds.

OPTIONS

1. Adopt the Ordinance adding a new section 4.28.125 to the Bellevue City Code adopting standards for the provision of public defense services; amending section 4.28.230 of the Bellevue City Code; providing for severability and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

Proposed Ordinance No. 6704

AVAILABLE IN COUNCIL LIBRARY

N/A