

**CONTRACTING WITH MARICOPA COUNTY TO PROVIDE LEGAL
SERVICES PURSUANT TO THE ADULT CRIMINAL CONTRACT
(09020-ROQ)**

ATTORNEY SERVICES REGISTRY

1. PURPOSE:

The Office of Public Defense Services shall maintain a registry of applicants who meet the minimum qualifications to provide legal services pursuant to the Adult Criminal Contract (09020-ROQ). As requirements demand, the Director of OPDS, or a representative designated by the Director, shall refer to the established registry to add additional individuals to the contract.

Interested parties are encouraged to carefully review the solicitation and application to fully understand the minimum requirements; work statement and duties; compensation; and other contract provisions. The Adult Criminal Contract may be viewed by going to the following link:

http://www.maricopa.gov/Materials/Awarded_Contracts/pdf/09020-c.pdf

The applicant shall provide all documents requested in the application and solicitation, including signatures where required, when requested by OPDS. Failure to provide such in a timely manner may cause the applicant to fail to be considered for contract award or removed from this registry, as determined by OPDS.

Interested parties shall indicate their preferred area or areas of practice at the time of their request for listing on the registry, with full understanding that they must be a member of good standing in the State Bar of Arizona and meet the minimum requirements for the specialty practice areas as listed below.

- FELONY—At least one year of relevant experience in the area of criminal law in the State of Arizona.
- MAJOR FELONY—At least 2 years of relevant experience in the area of criminal law in the State of Arizona
- APPEALS AND PETITIONS FOR POST-CONVICTION RELIEF—At least 2 years relevant experience in the area of criminal law in the State of Arizona.
- CAPITAL—Qualified pursuant to Rule 6.8 of the Arizona Rules of Criminal Procedure as either lead or co-counsel.
- CAPITAL APPEALS—Qualified pursuant to Rule 6.8 of the Arizona Rules of Criminal Procedure.

2. DEFINITIONS

As used throughout this document, and unless expressly stated otherwise, the following terms shall have the meanings set forth:

- A. Applicant refers to an individual who has submitted an application packet to OPDS to be considered for the award of a contract to provide legal services in one or more of the areas of practice. It includes individuals who currently have been approved for a particular case type or area of practice, but who wish to be considered in additional or different areas.
- B. Eligible Interested Party refers to a Interested Party who is determined to meet the minimum qualifications for the area(s) of practice for which the applicant has applied.
- C. Interested Party refers to those individuals who have submitted or are considering submitting a Letter of Interest.
- D. Letter of Interest refers to a letter sent to OPDS expressing interest in a particular contract and corresponding case type/s with a request to be placed upon the OPDS Registry for that contract.
- E. Registry or Register refers to a listing of Eligible Interested Parties. This registry shall be established to provide adult criminal services. OPDS may designate a required "specialty practice area" as being in need of additional contractors without designating other areas as such.

3. ESTABLISHMENT OF REGISTRY

- A. In accordance with the procedures outlined in the Maricopa County Materials Management Procurement Code, services not deemed advantageous to Competitive Sealed Bidding as outlined in Section MC1-203, may be negotiated using one of the alternative methods as set forth in subsection D, MC1-348.
- B. The alternative method selected is Review of Qualifications (ROQ). This process enables persons interested to contract for a particular professional service. These professional services may be modified as deemed necessary as long as not in violation of existing policy and procedures.

4. RESPONSIBILITY FOR MAINTENANCE OF REGISTRY

The Director of OPDS shall be responsible for the establishment of and maintenance of designated registry and for the appropriate assignment of qualified interested parties to registries.

5. PLACEMENT ON A REGISTRY

- A. Individuals interested in being placed on a registry may do so by submitting a resume and Letter of Interest. The Letter of Interest should list the contract and the “specialty practice area or areas” for which they would like to be considered. Additionally, the applicant shall provide his or her full contact information including name, address, phone number, fax number and e-mail address. It shall be the responsibility of the applicant to notify OPDS of any change of contact information or other change affecting availability or eligibility for contract award consideration.
- B. The Letters of Interest and resumes shall be e-mailed to OPDSSolicitations@mail.maricopa.gov. This will ensure the letters are appropriately time-stamped. Interested Parties will receive an automatic confirmation that their e-mail was received.
- C. The Director of OPDS shall determine if the Interested Party meets the minimum qualifications based upon a review of the submitted documents. Individuals not determined to meet the minimum qualifications shall be notified in writing or via e-mail as to the reason.
- D. When the Director of OPDS determines that additional attorneys are needed on this contract or in a particular area of practice, the Director will select the number Eligible Interested Parties he deems necessary and invite them to complete and submit application packets. The Eligible Interested Parties will be contacted in the order in which they appear on the Registry. Interested Parties will be listed in the order in which OPDS received their Letter of Interest and resume.
- E. The application packet of the Eligible Interested Parties shall be reviewed by a committee established by the Director of OPDS as needed. That committee shall determine what type of cases, if any, may be assigned to the applicant.

6. USE OF REGISTRIES

- A. The intent of OPDS is to maintain a continuous list of Eligible Interested Parties for each specialty area of practice. The Eligible Interested Parties will be assessed by the evaluation committee when the Director of OPDS

determines that there is a need for additional attorneys in a particular area of practice.

- B Interested individuals responding to postings or to registry issues in general shall contact:

Director
Office of Public Defense Services
620 W. Jackson Street Suite 3076
Phoenix, AZ 85003
Telephone (602) 506-7228
contact_occ@mail.maricopa.gov

7. DURATION OF REGISTRIES

- A. Names of eligible applicants will remain on a register until reviewed by the evaluation committee or until the eligible applicant requests that his or her application be withdrawn.
- B. The Director may abolish a register at any time in the event of a new assessment process, changes in contract requirements, or whenever an existing register has ceased to meet the needs for adequate placement. All parties remaining on the register shall be notified of the determination to abolish the register.

8. REMOVAL OF NAMES FROM A REGISTRY

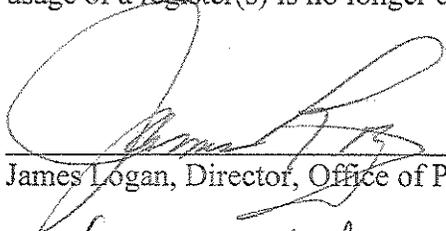
The Director may remove the name of an Eligible Interested Party from a register at any time at the discretion of the Director of OPDS. An Eligible Interested Party will be notified orally, by mail, e-mail, or any other manner prescribed by the Director, when removed from registers.

9. SELECTION OF ELIGIBLE APPLICANTS

- A. Whenever requirements demand, OPDS shall initiate the process of evaluation of Eligible Interested Parties by the committee established to review applications. At the discretion of the committee, personal interviews of some or all of the applicants may be conducted. A personal interview will be held solely at the discretion of the committee.
- B. The applicant shall be notified in writing or by e-mail of an interview unless the applicant can be contacted directly.

- C. The Director shall notify, in writing, all applicants who are interviewed as to their selection or non-selection. Those who are not selected for case assignment but are determined to be acceptable to remain on the registry will be asked if they desire to remain on the appropriate registry. Those who are not determined to be acceptable will be removed from the registry.
- D. The Director or the Director's designee shall review the references of the applicant and investigate the applicant's education, work history and standing with the State Bar of Arizona. If the results of these investigations indicate the falsification of material fact, the Director shall disqualify the applicant and remove him or her from the registry.
- E. The evaluation committee shall determine which applicants shall receive case assignments and what type of cases shall be assigned to a particular applicant. The determination will be based on the candidate's work experience, qualifications and availability. Not all applicants approved for case assignment will receive cases until there is a need for additional practitioners in that area. Not all applicants meeting the minimum qualifications will be assigned cases.
- F. The names of the candidates approved for contract award will be forwarded to Materials Management as per the procurement code.

This document of explanation regarding the general implementation and use of the OPDS Registry(s) shall be effective on the date indicated below and will remain in effect until usage of a register(s) is no longer deemed necessary.

	<u>6/29/11</u>
James Logan, Director, Office of Public Defense Services	Date
	<u>6/29/11</u>
Andrea Stupka, Procurement Officer, Materials Management	Date
	<u>6/29/11</u>
Wes Baysinger, Chief Procurement Officer, Materials Management	Date