



Washington State Office of Public Defense

Request for Qualifications

Blake Attorney(s) in Clark County, Office of Public Defense (OPD)

Title: Blake Attorney, RFQ 24022

Expected Contract Period: As soon as possible through up to June 30, 2025

Application Due Date: Rolling. Applications will be reviewed as they are received, and positions are open until filled. *Applicants are encouraged to submit their materials as soon as possible.*

Submit Applications by Email to: Blake Defense Program
blake@opd.wa.gov

Background: On February 25, 2021, in *State v. Blake* 197 Wn.2d 170, 481 P.3d 521 (2021)), the Washington State Supreme Court ruled that Washington's simple drug possession law was unconstitutional and void. Consequently, thousands of people across the state need to have their simple drug possession conviction vacated and receive a refund of any LFOs they paid on the unconstitutional conviction, including convictions of currently incarcerated people. Some currently incarcerated people may also still need resentencing relief. Public defenders across the state are working to deliver Blake relief to individuals under DOC control and/or individuals who have already served their sentences. A need remains in some counties for defense counsel to provide Blake relief to people serving DOC sentences, as well as for people who are no longer serving a sentence but need to obtain a vacation of their conviction.

Position Summary: OPD will enter into a contract or contracts with solo practice attorneys and/or multi-attorney organizations who will provide legal services to individuals who may be eligible for *Blake* relief in county courts. Such services will include: coordination and communication with criminal legal system stakeholders in the county; regularly reviewing DOC data provided by OPD to prioritize relief for incarcerated individuals; and client representation on resentencing motions and motions to obtain a vacate and refund order.

Contractors may be expected to coordinate in delivery of services with other Blake contractors in their county.

Contractors will not be guaranteed a minimum number of hours each month under this contract; hours available under this contract will vary month-to-month depending on local factors.

Contractors must have sufficient capacity to timely address any incarcerated client that needs resentencing relief.

This RFQ is open to solo practice attorneys or multi-attorney offices.

Compensation:

Each contract attorney will be compensated \$113.00 hourly, with a contract cap as applicable. Paralegals or legal assistants working under attorneys and providing support for contract attorneys' Blake work will be compensated \$63.00 hourly. The number of hours per week or month that will be available under the contract will vary depending on local circumstances. Contractors who must travel outside the county where their office is located for Blake work may also be eligible for mileage and may bill the hourly rate for travel time.

Required Qualifications:

OPD is seeking attorneys with the following qualifications:

- Licensed member in good standing with the Washington State Bar;
- Carries malpractice insurance;
- Is Class B-violent adult felony-qualified under the WA Supreme Court Standards for Indigent Defense;
- Knowledge of Washington State criminal law;
- Experience with sentencing and offender scoring under the Washington's Sentencing Reform Act.

Desired Qualifications:

In addition, the following qualifications are preferred:

- Class-A felony qualified
- Experience working with incarcerated people;
- Experience practicing law as a public defense attorney;
- Experience litigating CrR 7.8 motions; and
- Experience working with marginalized communities.

How to Apply:

Questions regarding applications and completed applications can be sent to blake@opd.wa.gov. Please include the following information.

- **Cover Letter** describing how you meet the required qualifications listed above, and the preferred qualifications if applicable.
- Your **Resume** or Resume of Attorneys who would participate in delivery of these services
- 2 Professional **References**
- Answers to following questions:
 1. Please specify in which county(ies) you are applying for a Blake Attorney position.

2. Please specify how many hours per week or month you expect to devote to the contract.
3. Please describe your current workload/practice, and how you would fit this contract into your existing workload.
4. Please describe your familiarity with local criminal practice and courtroom procedure in the county for which you are applying.
5. Please describe what process you would use to ensure timely and regular communication with incarcerated clients.

OPD reserves the right to amend this Request for Qualifications and reserves the right to refrain from contracting with any and all applicants. This Request for Qualifications does not obligate the state of Washington or OPD to contract for the services specified here.

The Washington State Office of Public Defense vigorously pursues diversity in the work force. Women, racial and ethnic minorities, LGBTQ, persons with disabilities, formerly incarcerated individuals, and military veterans are encouraged to apply.