



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON

REVISION DATE
6/15/20

PAGE NUMBER
1 of 4

NUMBER
DOC 130.410

POLICY

TITLE
**LEGAL SERVICES FOR INCARCERATED
INDIVIDUALS**

REVIEW/REVISION HISTORY:

Effective: 7/1/85
 Revised: 9/1/94
 Revised: 3/28/03
 Reviewed: 1/29/07
 Revised: 2/21/08
 Revised: 9/1/10
 Revised: 1/16/12
 Revised: 2/3/14
 Revised: 6/15/20

SUMMARY OF REVISION/REVIEW:

Updated position titles throughout
 Policy Statement I., Directive I., I.A.1. & 2., I.A.5., I.A.7., and II.A. & B. - Adjusted language for clarification
 I.A., I.A.3., and III.B. - Added language for clarification
 Removed I.A.6. that the Contracts Administrator/designee will verify that contractors will comply with legislative requirements
 Added I.A.8. that the Contracts Administrator/designee will research and resolve issues relating to quality/appropriateness upon request

APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
 Department of Corrections

5/11/20

 Date Signed

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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 72.09.190](#); [DOC 220.010 Contracts](#)

POLICY:

- I. The Department has established procedures for soliciting, awarding, and managing contracts for the provision of legal services for eligible incarcerated individuals as outlined in the Special Terms and Conditions of the legal services contract.

DIRECTIVE:

- I. Contract Solicitation and Management

- A. The Contracts Administrator/designee will solicit proposals, announce subsequent contract award(s), and be responsible for:

1. Drafting and placing formal advertisements in the Washington State Bar Association (WSBA) News or other appropriate publications,
2. Drafting and coordinating the Request for Proposals, posting them to Washington's Electronic Business Solution (WEBS), and distributing it to persons or organizations responding to the advertisement,
3. Coordinating the evaluation of proposals,
4. Negotiating, drafting and managing legal services contracts,
5. Monitoring to ensure that contract terms and conditions, service specifications, and legal requirements are met,
6. Coordinating legal services among facilities,
7. Upon request by the facility, researching and resolving issues relating to the quality or appropriateness of legal services provided to an incarcerated individual,
8. Making necessary modifications/amendments to legal services contracts per DOC 220.010 Contracts, and
9. Maintaining official legal services contract files.

- II. Facility Cooperation

- A. The Superintendent will cooperate with contracted persons or organizations

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providing legal services. The Superintendent/designee will meet with the provider(s) prior to the start of services to develop a local agreement. The agreement reached will be put in writing and distributed to the meeting participants and Contracts and Legal Affairs. Items addressed may include, but will not be limited to:

1. Hours of access,
 2. Appointment scheduling,
 3. Non-scheduled interviews, and
 4. Records review.
- B. The Superintendent/designee will maintain any records that may be necessary for the Contracts Administrator to carry out their responsibilities.
- C. The facility Legal Liaison Officer/designee will review and approve legal services contractor invoices and submit them for payment in a timely manner.

III. Disputes

- A. The contractor may petition Contracts and Legal Affairs for a hearing to resolve a dispute between the contractor and a Department representative that cannot be resolved informally. The petition will include:
1. The fact upon which the dispute is based,
 2. The parties involved, and
 3. A recommendation for evaluation.
- B. Upon receipt of a dispute petition, the Contracts Administrator will assemble a committee consisting of:
1. The Contracts Administrator/designee,
 2. An Assistant Attorney General not representing the Department, and
 3. An official from the Washington State Department of Enterprise Services.
- C. The committee will hear the dispute and/or review written evidence and deliver a finding of fact with a recommendation for resolution to the Secretary, in a format specified by the Contracts Administrator, within 10 working days of receiving the dispute petition. If more time is needed, the parties will be notified of the delay and the reason.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.



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ATTACHMENTS:

None

DOC FORMS:

None