# POLICY

## LEGAL SERVICES FOR OFFENDERS

### 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

### SUMMARY OF REVISION/REVIEW:

I.A.1. - Adjusted publication title

### APPROVED:

Signature on file

______________________________
BERNARD WARNER, Secretary
Department of Corrections

______________________________  12/31/13
Date Signed
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 administering contracts for provision of legal services to offenders.

DIRECTIVE:

I. Contract Solicitation and Administration

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

      1. Preparing and placing formal advertisements in the Washington State Bar Association (WSBA) News or other appropriate publications,
      2. Preparing the Request for Proposals and distributing it to individuals or organizations responding to the advertisement,
      3. Evaluating proposals,
      4. Negotiating, drafting, and administering legal services contracts,
      5. Verifying that contract terms and conditions and service specifications are met,
      6. Verifying that contractors comply with legislative requirements,
      7. Coordinating legal services between various service areas,
      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 individuals or organizations providing legal services to offenders. The Superintendent/designee will meet with the providers prior to the start of services. The agreement reached will be put in writing and distributed to the meeting participants and Contracts and Legal Affairs. Issues 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 and Regulations Administrator to carry out the responsibilities set forth in this policy.

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 and Regulations Administrator will assemble a committee consisting of:

1. The Contracts and Regulations Administrator/designee,
2. An Assistant Attorney General not representing the Department, and
3. An official from the 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 and Regulations 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.

ATTACHMENTS:

None

DOC FORMS:

None