

October 30, 2006

CITY OF LAKELAND'S SOLICITATION OF OFFERS TO CONTRACT TO
PROVIDE LEGAL DEFENSE TO INDIGENT PERSONS ACCUSED OF
VIOLATIONS OF MUNICIPAL ORDINANCES

Amendments to Article V of the Florida Constitution and the application of relevant statutory law and rules of criminal procedure now require the City of Lakeland (City) to pay for the legal defense of indigents in the prosecution of City ordinances if those proceedings evolve in such a manner as to put those indigents in jeopardy of being placed on probation or sentenced to serve a period of incarceration.

The City, therefore, is soliciting offers from local members of the Florida Bar, in good standing, to contract with them to provide the legal services described herein. Those "offers", to be considered, must be in the form of written correspondence addressed to:

Office of City Attorney
City of Lakeland
228 South Massachusetts Avenue
Lakeland, FL 33801

Relevant information and an outline of expected terms of the contract appear below under the heading "Specifications." Attorneys providing "offers" to the City in compliance with this communication must specifically address, in your written correspondence to the City, items 3, 6, 7, 8, 9 and 10 of the "Specifications."

Specifications:

1. The City of Lakeland intends to contract with up to five (5) attorneys for the purpose of representing select indigent persons accused of violating, in one action, episode or connected occurrence, municipal ordinances only.
2. "Select" indigent persons means persons who, given their history of ordinance or statute violations, or, perhaps, the nature of the act of which the person stands accused is identified by the Office of State Attorney as a person against whom the most severe penalty available under applicable law may be appropriately sought.
3. Qualifying attorneys are those persons who are currently admitted to practice in the State of Florida and are in "good standing" with the Florida Bar.
4. The Office of Public Defender has declined to contract with the City of Lakeland in this regard.
5. The office of Court Administrator will retain the list of participating attorneys and disclose to trial judges the next attorney to be assigned on a rotation basis. Presumably the appointment would occur at arraignment, when the trial judge effectively schedules

the first appointment for the assigned attorney and indigent client on and at the scheduled pre-trial conference.

6. The City of Lakeland anticipates entering into contracts with participating attorneys at a rate of reimbursement of fifty dollars (\$50.00) per hour (see Section 27.54, Florida Statutes) with a cap of two (2) hours for those cases achieving disposition by a plea of guilty or no contest, and a cap of five (5) hours for those cases achieving disposition by trial. Attorney billing for time spent is expected to be to the nearest tenth of an hour.

7. If approved by the Court, the City of Lakeland anticipates also reimbursing appointed attorneys for reasonable costs incurred by the appointed attorneys. (The City of Lakeland would rely, in part, on Section 27.54, Florida Statutes as a guide to determining said reasonableness.)

8. Billing to the City of Lakeland would be required no later than twenty-one (21) days after the termination of the last appointed attorney service for which billing is permitted and payment is expected to occur within thirty (30) days of receipt of billing containing minimum information to be defined by contract.

9. Participating attorneys are expected to create and maintain bookkeeping and account records in support of actual billing; records that must be open for inspection by the City of Lakeland.

10. Contract termination may be for any reason but must be preceded by a minimum of sixty (60) days written notice to a designated person of the City of Lakeland.