



Legislation Text

File #: CB 119260, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to civil legal aid services; authorizing an amendment to the Interlocal Agreement for Public Defense Services with King County, previously authorized under Ordinance 125411, to carry out a program for civil legal services for indigent clients according to the terms of Resolution 31802.

WHEREAS, civil legal aid has been a critical means for vulnerable populations in safeguarding their basic

legal rights, navigating the intricacies of the justice system, and avoiding unanticipated collateral consequences to benefits, employment, housing, and other impacts to quality of life; and

WHEREAS, clients and public defenders may not fully understand the civil consequences of criminal

convictions and plea agreements on housing, child and family issues, licensure, employment, public benefits, and other issues; and

WHEREAS, the Revised Code of Washington (RCW 2.53.005) states that “[t]he provision of civil legal aid services to indigent persons is an important administration of civil and criminal justice”; and

WHEREAS, the Seattle City Council appropriated civil legal aid funding for the King County Department of Public Defense (KC DPD) to hire civil legal aid attorneys tasked with providing civil legal advice in plea agreements to avoid collateral consequences; and

WHEREAS, the KC DPD civil legal aid attorneys provided civil legal advice for 297 clients since July 2017 and have successfully advised public defenders and clients in pursuing better outcomes involving collateral consequences including, but not limited to, proper enforcement of the Fair Change Employment Ordinance, preservation of Social Security benefits, eviction prevention, management of legal financial obligations, obtaining protective orders against abusers, and education for non-citizens

on legal rights; and

WHEREAS, King County (County) operates and maintains a Department of Public Defenses (KC-DPD), and is available to continue to provide such legal services to the City; and

WHEREAS, the County and the City are currently Parties to the Interlocal Agreement for Public Defense Services which became effective January 1, 2018 and will be effective through December 31, 2022; and

WHEREAS, KC-DPD provides civil legal aid attorneys to provide civil legal advice in plea agreements to avoid collateral consequences; and

WHEREAS, the City Council adopted Resolution 31802 on March 19, 2018, approving a scope of work to provide civil legal representation for misdemeanor defendants in Seattle Municipal Court; and

WHEREAS, the Parties are desirous of an amendment to the current agreement to allow direct civil legal representation where criminal convictions and plea agreements result in civil consequences related to housing, child and family issues, licensure, employment, public benefits, and other issues; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Budget Director or the Director's designee is authorized to execute, for and on behalf of The City of Seattle, an amendment to the King County and The City of Seattle Interlocal Agreement for Public Defense Services substantially in the form of the First Amendment to the Interlocal Agreement for Public Defense Services between The City of Seattle and King County, attached to this ordinance as Attachment 1.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2018, and signed by

me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - First Amendment to the Interlocal Agreement for Public Defense Services between The City of Seattle and King County