



REQUEST FOR EXPRESSIONS OF INTEREST

Assigned Counsel in 61st District Court

BACKGROUND

During the fall of 2016, a series of bills were introduced in the Michigan House of Representatives and the Michigan Senate to amend the Michigan Indigent Defense Commission Act and related statutory provisions. The primary legislative amendments:

- 1) Moved the MIDC from the Judicial Branch to the Department of Licensing and Regulatory Affairs (LARA);
- 2) Clarified the definition of local systems as trial court funding units; and
- 3) Requires LARA to approve proposed minimum standards for indigent defense and specifies that these minimum standards should not infringe on Supreme Court authority.

A companion bill was introduced in the Senate to amend the Administrative Procedures Act to make clear that the MIDC standards are not part of the APA's rulemaking process. The primary bills amending the MIDC Act passed in the House on September 22, 2016 and were unanimously approved by the Senate on December 14, 2016. The legislation was signed by the Governor on January 4, 2017.

The following nine MIDC standards for indigent defense systems have been approved by LARA.

- Training and education of counsel;
- The initial client interview;
- Use of investigation and experts; and
- Counsel at first appearance and other critical stages.
- Independence from the judiciary;
- Indigent Defense Workload;
- Qualification and Review;
- Attorney Compensation (Economic Disincentives or Incentives); and
- Standard for Determining Indigency and Contribution.

MIDC approved the City of Grand Rapids funding for the fiscal year beginning on October 1, 2025. The funds will be provided by the State and distributed to systems through grants administered by the MIDC pursuant to MCL 780.993.

EXPRESSION OF INTEREST

The City of Grand Rapids is Requesting Expressions of Interest from Attorneys to provide contractual Indigent Defense Service pursuant to Standard 4 for the period of October 1, 2025 - September 30, 2026.

Statement of Work:

The MIDC Act outlines Standard 4 – Counsel at First Appearance and Other Critical Stages of the Case be established to effectuate the following:

- 1) All adults, except those appearing with retained counsel or those who have made an informed waiver of counsel, shall be screened for eligibility under this act, and counsel shall be assigned as soon as an indigent adult is determined to be eligible for indigent criminal defense services. MCL 780.991(1)(c); and
- 2) Preliminary inquiry regarding, and the determination of, the indigence of any defendant shall be made by the court not later than the defendant's first appearance in court. MCL 780.991(3)(a).

Counsel shall be appointed to provide assistance to the defendant as soon as the defendant's liberty is subject to restriction by a magistrate or judge. All persons determined to be eligible for indigent criminal defense services shall also have appointed counsel at pre-trial proceedings, during plea negotiations and at other critical stages, whether in court or out of court.

Scope of Work:

The City of Grand Rapids intends to contract with up to forty-two (42) attorneys to represent indigent defendants determined eligible by the arraiging judge to obtain assigned counsel.

Following appointment, Assigned Counsel shall conduct initial introductions with the client as soon as practicable to ensure quality representation. If a client is in local custody, counsel shall conduct initial introduction within three (3) business days of appointment.

Assigned Counsel shall provide legal services for indigent person(s) constitutionally and statutorily entitled to the appointment of counsel. Assigned Counsel shall:

- Comply with all requirements of the Michigan Statutes, the Rules of Professional Conduct, the rules of the Michigan Bar and the policy and procedures set forth by the 61st District Court.
- Come to hearings prepared to provide competent representation.
- Not allow outside influences that affect performance on appointed cases.

- Take appropriate action when a client's competency is unknown. Counsel has a continuing responsibility to evaluate, and when necessary, take appropriate action pursuant to MCR 6.125 and MCL 330.2020.

Compensation:

Assigned Counsel will be compensated at an uncapped hourly rate of \$145 per hour. Invoices shall be submitted monthly through the City of Grand Rapids online billing portal. Invoice must specifically describe work performed, including identification of the general category such as legal research, discovery review, client meeting, court appearances, pleading, etc.

Selection Process:

A committee of members from the 61st District Court and the City of Grand Rapids will be assigned to review the applications. Interviews of certain attorneys may be scheduled, if determined necessary by the committee.

Selection will include consideration of the following:

- Michigan State Bar – Attorneys must be a member in good standing.
- Experience – Attorneys must have at least two years of legal experience.
- Technology – Attorneys must have access to and be able to use common office technology; and preferably have access to videoconferencing technology to facilitate interviews with incarcerated clients.
- Insurance – Attorneys must maintain legal malpractice insurance.
- Immigration - Attorneys with experience handling legal matters as it pertains to immigration matters are desired.
- Foreign Language – Attorneys fluent in foreign languages, particularly Spanish and American Sign Language, are desired.

Application:

Expression of Interest Applications are due by 5:00 p.m. on August 25, 2025. Late submissions will not be accepted.

For questions call Jessica Van Solkema at (616) 456-4694 or email midc@grand-rapids.mi.us.