



Defense Services Division

Kitsap County Office of Public Defense

October 29, 2025

Good afternoon,

Kitsap County's Office of Public Defense is currently seeking letters of interest from attorneys who may wish to contract with the County next year to provide client representation in any cases where the client has been found indigent and is facing a deprivation of liberty or deprivation of a liberty interest. Please find a copy of our 2025 compensation schedule attached for your reference as to the types of cases for which we contract and our existing compensation rates.

If you are interested in contracting with the County to provide representation in any of these categories, we ask that you provide the following information in your letter of interest: the type of representation you seek to provide, the specific attorney(s) you envision doing the representation work you seek to provide, and the experience of the attorney(s) to perform that type of representation work. For those who would like to contract with the County to provide these types of representation services but apprehend being unable to do so because of the existing compensation scheme, please submit a letter including the information above along with your desired compensation amount for the type of representation you are seeking to provide and the reasons why you believe that the compensation amount you are proposing is justified.

While we welcome and encourage all letters of interest, please note that currently our areas of greatest need in Kitsap County are in the categories of juvenile representation, misdemeanor and gross misdemeanor representation in District Court, and appellate representation in appeals taken from District Court to Superior Court (RALJ representation).

We wish to take this opportunity to thank all of you who have provided the public service in 2025 of representing indigent people here in Kitsap County who have faced the deprivation of liberty or a liberty interest. We hope you will continue to provide that public service to our community in 2026.

For those of you who may not have had either the occasion or circumstance necessary to provide this type of service before, we thank you in advance for considering anew this opportunity for public service for you or your law firm in 2026.

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Please direct any questions concerning this call for letters of interest to Catt Bodeman Dodd at cdodd@kitsap.gov.

The deadline for submitting letters of interest for 2026 public defense contracts to Kitsap County's Office of Public Defense is 5:30 p.m. on Wednesday, November 12, 2025. Please submit those responses directly to Catt Bodeman Dodd at cdodd@kitsap.gov.

Steven M. Lewis
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ATTACHMENT B

COMPENSATION

1. Contractor agrees to perform the Services stated in Attachment A and comply with all terms and conditions identified in the Contract for the following compensation amount(s):

Service Type	Rate of Pay
Behavioral Health Court	Provided by Kitsap OPD in-house counsel in 2024 and 2025, formerly paid \$4583.33 per month/ \$55,000 per year in 2023.
Civil Contempt	\$300 per case , additional compensation may be requested pursuant to subparagraph 5 based on individual case circumstances.
District Court Arraignments/ Motion to Revoke	Provided by Kitsap OPD in-house counsel in 2025, previously \$7,200 per month/ \$86,400 per year in 2024. This amount includes all compensation for representation of indigent persons on motions to revoke in District Court and Contractor does not receive reimbursement at the \$120 flat rate referred to in the Misdemeanor section.
Adult Drug Court & DOSA	\$7,000 per month/ \$84,000 per year <u>Monthly installments are apportioned as follows:</u> \$6,500 for representing candidates and/or participants in the Kitsap County Superior Court Adult Drug Court and \$500 for appearing at Superior Court DOSA calendar.
Veterans' Drug Court	\$2,000 per month

Felonies	
Service Type	Rate of Pay
Felony Case Representation	Any new case alleging a felony criminal offense(s), excluding homicides and "Two Strike" and "Three Strike" cases.
Felony Low:	\$1,350 each case classified as a felony low case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$2,120 . The lid amount of \$2,120 includes the initial case compensation amount of \$1350 for the first 13 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.

Felony Mid:	\$1,350 each case classified as a felony mid case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$3,330. The lid amount of \$3,330 includes the initial case compensation amount of \$1350 for the first 13 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.
Felony High:	\$1,350 each case classified as a felony high case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$7,070. The lid amount of \$7,070 includes the initial case compensation amount of \$1350 for the first 13 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.
Felony Sex:	\$1,350 each case classified as a felony sex case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$10,040. The lid amount of \$10,040 includes the initial case compensation amount of \$1350 for the first 13 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.
Felony Case Representation/ Two Strike Case (Client facing LWOP)	\$120 per hour/ reasonable* *If case involves less than 12 hours of work on the part of the Attorney, the Attorney will be paid the rate for a single felony criminal case rather than be paid at the hourly rate for felony "Two Strike" cases.
Felony Case Representation/ Three Strike Case (Client facing LWOP)	\$120 per hour/ reasonable* *If case involves less than 12 hours of work on the part of the Attorney, the Attorney will be paid the rate for a single felony criminal case rather than be paid at the hourly rate for felony "Three Strike" cases.
Probation Violation / Order [e.g. representation on SSOSA violation proceedings]	\$675 each case for up to the first 8 hours of representation, \$110 per hour after that with a case compensation lid of \$2435.
Pre Lim	\$100/ flat rate

Post-Conviction and/or Other Representation (e.g. SSOSA hearings)	\$110 per hour/ reasonable
Trial Day	\$500 per Trial Day if not compensated hourly Trial time shall be considered a trial day when in excess of 3.5 hours in any one day. Trial time includes any pretrial motion hearings, including the taking of witness testimony followed by argument such as CrR 3.6 and CrR 3.5 hearings.
½ Trial Day	\$250 per ½ Trial Day if not compensated hourly Trial time of 3.5 court-time hours or less in a single day may be paid at the half-day rate so long as the trial time exceeds 1 hour in length. Trial time payment does not apply to “Two Strike” and “Three Strike” cases which, which are paid hourly.
Conflict Case	Payment for any conflict case will be \$60 unless Contractor petitions for excess compensation.
Subsequent Legislation	If subsequent legislation creates another class of non-capital crimes for which conviction could result in a mandatory sentence of life without the possibility of parole, those cases will be paid at the same hourly rate as that paid for “Two Strike” and “Three Strike” cases.
Other Matters	Other matters will be paid on an hourly basis.
Felony Arraignments	\$8,000 per month/ \$96,000 per year

Involuntary Commitment	
Involuntary Mental Health Commitment & Involuntary Alcohol Commitment Cases	\$3,000 per month / \$36,000 per year Contractor shall invoice County monthly for all Services based on the following fee schedule: • Involuntary Commitment Hearings outside of contract retainer: \$100/ flat rate • Involuntary Commitment Hearings (conflict attorney only): \$250/ flat rate • Involuntary Alcohol Commitment Hearings: \$100 / flat rate • Trial Days: \$400/ flat rate • ½ Trial Day: \$200 per ½ Trial Day • Any additional compensation should be requested pursuant to the excess compensation provision, subparagraph 5. <u>Trial Day</u>: Trial time shall be considered a trial day when in excess of over 3.5 in-court hours in any one day. Trial time includes any pretrial motion hearings, including the taking of witness testimony followed by argument such as CrR 3.6 and CrR 3.5 hearings. <u>Trial Half-Day</u>: Trial time of 3.5 in-court hours or less in a single day may be paid at the half-day rate so long as the trial time exceeds 1 hour in length.

Misdemeanors	
Service Type	Rate of Pay
Gross Misdemeanor/ Misdemeanor classified as Misdemeanor High Cases	\$700 each case classified as a misdemeanor high case for up to the first 9 hours of representation, \$99 per hour after that with a case compensation lid of \$1096. The lid amount of \$1096 includes the initial case compensation amount of \$700 for the first 9 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD. The WSBA's Revised Standards for Indigent Defense Services (revised 3/8/24) currently identifies the following Misdemeanor High cases: • Aiming or discharging a firearm (RCW 9.41.230) • Animal cruelty in the second degree under RCW 16.52.207(1) • Assault 4 (RCW 9A.36.041(3)) • Attempt, solicitation, or a conspiracy of a class C felony • Communication with a minor for immoral purposes • DUI (RCW 46.61.502(6)) • H&R Attended (RCW 46.52.020) • Harassment (RCW 9A.46.020(1-2)) • Indecent Exposure to Person under age 14 (first offense) (RCW 9A.88.010) • Physical Control (RCW 46.61.504(6)) • Possession of a controlled substance (RCW 69.50.4013) • Reckless driving (46.61.150) • Sexual misconduct with a minor 2 (RCW 9A.44.096) • Stalking (RCW 9A.46.110(1-5)) • Telephone harassment (subsequent conviction or threat of death) (RCW 9.61.230(1)) • Unlawful carrying or handling of a firearm (RCW 9.41.270) • Vehicle prowling 2 (first or second offense) (RCW 9A.52.100 (1-2)) • Violation of Anti-Harassment Protection Order (RCW 7.105.450) • Domestic Violence Offenses listed in RCW 10.99.020(4) or RCW 9.41.040(2)(a)(i)(B-D) • Indecent Exposure (RCW 9A.88.010) • Communication with a Minor for Immoral Purposes (RCW 9.68A.090) • Vehicle Prowling Second Degree (RCW 9A.52.100) • Minor Driving after alcohol (RCW 46.61.503) • Negligent Driving 1 (RCW 46.61.5249)

Gross Misdemeanor/ Misdemeanor classified as Misdemeanor Low Cases	\$450 each case classified as a misdemeanor low case for up to the first 6 hours of representation, \$99 per hour after that with a case compensation lid of \$747. The lid amount of \$747 includes the initial case compensation amount of \$450 for the first 6 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.
Violation/Probation /Deferred	\$150/ flat rate subject to additional compensation pursuant to subparagraph 5
Other	\$99 per hour/ reasonable
Trial Days	\$500 per Trial Day if not compensated hourly Trial time shall be considered a trial day when in excess of over 3.5 in-court hours in any one day. Trial time includes any pretrial motion hearings, including the taking of witness testimony followed by argument such as CrR 3.6 and CrR 3.5 hearings.
½ Trial Day	\$250 per ½ Trial Day if not compensated hourly Trial time of 3.5 in-court hours or less in a single day may be paid at the half-day rate so long as the trial time exceeds 1 hour in length.
RALJ appeals to Superior Court	\$100 per hour/ \$2,700 lid The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.

Juvenile	
Service Type	Rate of Pay
Juvenile Arraignments	Included with felony arraignments contract.
Juvenile Dependencies	\$6,000 per month/ flat rate
Juvenile Drug Court & Individualized Treatment Court	\$2,100 per month/ \$25,200 per year Rate includes: Representation during all phases of JDC and ITC – staffings, hearings, revocations, dismissals, and completion and attendance at all court graduations and ceremonies.
Juvenile KPAC (Kitsap Pre-Adjudication Court)	Provided by in-house Kitsap OPD counsel in 2025. 2024 compensation was \$1250 per month/ \$15,000 per year. Rate includes: Representation during all staffing meetings, KPAC hearings, KPAC Activity events, Violation hearings, and any Graduation Ceremonies.

Juvenile – Girls Court	Provided by in-house Kitsap OPD counsel in 2025. Was compensated at a \$1,250 per month/ flat rate in 2024. Flat rate includes: Staffing Meeting, Girls Court Hearing, Probation Violation/Order, Probation Violation/Special, and Girls Court Activity.
Juvenile Offender/Felony	
Felony Low:	\$1,350 each case classified as a felony low case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$2,120 . The lid amount of \$2,120 includes the initial case compensation amount of \$1350 for the first 13 hours of representation.
Felony Mid:	\$1,350 each case classified as a felony mid case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$3,330 . The lid amount of \$3,330 includes the initial case compensation amount of \$1350 for the first 13 hours of representation.
Felony High:	\$1,350 each case classified as a felony mid case for up to the first 13 hours of representation, \$110 per hour after that with a case compensation lid of \$3,330. The lid amount of \$3,330 includes the initial case compensation amount of \$1350 for the first 13 hours of representation. The case compensation lids may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.
Juvenile Offender/ Misd/GM	
Misdemeanor Low Cases:	\$450 each case classified as a misdemeanor low case for up to the first 6 hours of representation, \$99 per hour after that with a case compensation lid of \$747. The lid amount of \$747 includes the initial case compensation amount of \$450 for the first 6 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD.

Misdemeanor High Cases:	\$700 each case classified as a misdemeanor high case for up to the first 9 hours of representation, \$99 per hour after that with a case compensation lid of \$1096. The lid amount of \$1096 includes the initial case compensation amount of \$700 for the first 9 hours of representation. The case compensation lid may not be exceeded until an excess compensation request pursuant to subparagraph 5 has been approved by KCOPD. The WSBA's Revised Standards for Indigent Defense Services (revised 3/8/24) currently identifies the following Misdemeanor High cases: • Aiming or discharging a firearm (RCW 9.41.230) • Animal cruelty in the second degree under RCW 16.52.207(1) • Assault 4 (RCW 9A.36.041(3)) • Attempt, solicitation, or a conspiracy of a class C felony • Communication with a minor for immoral purposes • DUI (RCW 46.61.502(6)) • H&R Attended (RCW 46.52.020) • Harassment (RCW 9A.46.020(1-2)) • Indecent Exposure to Person under age 14 (first offense) (RCW 9A.88.010) • Physical Control (RCW 46.61.504(6)) • Possession of a controlled substance (RCW 69.50.4013) • Reckless driving (46.61.150) • Sexual misconduct with a minor 2 (RCW 9A.44.096) • Stalking (RCW 9A.46.110(1-5)) • Telephone harassment (subsequent conviction or threat of death) (RCW 9.61.230(1)) • Unlawful carrying or handling of a firearm (RCW 9.41.270) • Vehicle prowling 2 (first or second offense) (RCW 9A.52.100 (1-2)) • Violation of Anti-Harassment Protection Order (RCW 7.105.450) • Domestic Violence Offenses listed in RCW 10.99.020(4) or RCW 9.41.040(2)(a)(i)(B-D) • Indecent Exposure (RCW 9A.88.010) • Communication with a Minor for Immoral Purposes (RCW 9.68A.090) • Vehicle Prowling Second Degree (RCW 9A.52.100) • Minor Driving after alcohol (RCW 46.61.503) • Negligent Driving 1 (RCW 46.61.5249)
Juvenile Dependency	\$915/ flat rate subject to additional compensation pursuant to subparagraph 5

Juvenile Over 18 Dependency	\$400/ flat rate subject to additional compensation pursuant to subparagraph 5
Terminations / Title 13 Guardianships	\$99/ hourly
CNS (Child in Need of Services)	\$400/ flat rate subject to additional compensation pursuant to subparagraph 5
CNS Contempt:	\$75/ flat rate subject to additional compensation pursuant to subparagraph 5
Compulsory School/ Contempt	\$75/ flat rate subject to additional compensation pursuant to subparagraph 5
At Risk Youth	\$275/ flat rate subject to additional compensation pursuant to subparagraph 5
At Risk Youth/Contempt	\$75/ flat rate subject to additional compensation pursuant to subparagraph 5
Probation Violation	\$75/ flat rate subject to additional compensation pursuant to subparagraph 5
Diversion consultation	\$105/ flat rate subject to additional compensation pursuant to subparagraph 5
Dispositional hearings	\$75 flat rate subject to additional compensation pursuant to subparagraph 5
Declinations	\$99/ hourly
Trial Days	\$400/ flat rate if not compensated hourly Trial time shall be considered a trial day when in excess of over 3.5 in-court hours in any one day. Trial time includes any pretrial motion hearings, including the taking of witness testimony followed by argument such as CrR 3.6 and CrR 3.5 hearings.
½ Trial Day	\$200 per ½ Trial Day if not compensated hourly Trial time of 3.5 in-court hours or less in a single day may be paid at the half-day rate so long as the trial time exceeds 1 hour in length.

Any request for compensation based upon representation hours beyond those contemplated in the initial case compensation amounts must always include a complete accounting of ALL hours worked on the case from the time the attorney begins the representation specifying the date, time, and description of each representation task that has been completed or performed.

2. Law Library and Legal Research Tools. County will provide Contractor access to the County Law Library and online legal research tools as determined by the County.
3. Administrative/Overhead Expenses. Contractor will furnish all equipment, labor and materials necessary to perform all the Services required under this Contract and will be responsible for the payment of all administrative expenses of Contractor's office/firm not otherwise provide for in this Contract or as identified in chapter 2.23 KCC. Such expenses include personal law libraries, photocopies, postage, messenger, secretarial, supplies, mileage, and facsimile, which were contemplated in the Contract and incorporated into the compensation amount.

4. Reimbursement – Other Expenses. County will reimburse Contractor for other reasonable expenses with the prior approval of the KCOPD Chief. Other reimbursable expenses shall be defined as charges reasonably incurred in providing legal representation as determined by the KCOPD Chief.
5. Excess Compensation. Contractor may request compensation beyond that described above. Such requests shall be submitted to KCOPD Chief for approval. County and Contractor agree to be bound by the decision of KCOPD Chief. The factors to be considered by KCOPD when making decisions on requests for excess compensation include:
 - Number of days spent in trial;
 - Extent of testimonial motion hearings and other contested hearings;
 - Interpreter-involved cases;
 - Cases involving mental health competency and other issues (RCW 10.77);
 - Cases involving extensive discovery;
 - Cases that involve a significant number of counts, alleged victims or witnesses;
 - Cases requiring consultation with experts, including, for example, immigration legal analysis and advice or DNA testing and analysis;
 - Overall complexity of the case;
 - Skill and experience required to provide adequate legal representation;
 - The exclusion of other work done by the attorney during the public defense representation; and
 - Any other factors deemed relevant by KCOPD.

COMPENSATION – HOMICIDE CASES ONLY

1. Contractor agrees to perform the Services and comply with all terms and conditions identified in the Contract for the following compensation amount:

A. Compensation for the Services provided by attorneys:

Type of Case	Hourly Rate/ Non-Court	Per Case Lid	Hourly Rate/ Court Time
Aggravated Murder/Death	\$130	Reasonable	\$130
Aggravated Murder/Non-Death	\$120	Reasonable	\$120
First Degree Murder	\$120	Reasonable	\$120
Homicide by Abuse	\$120	Reasonable	\$120
Second Degree Murder	\$120	Reasonable	\$120
First Degree Manslaughter	\$120	Reasonable	\$120
Second Degree Manslaughter	\$120	Reasonable	\$120
Vehicular Homicide by Being Under the Influence of Intoxicating Liquor or Any Drug or by Operation of a Vehicle in a Reckless Manner	\$120	Reasonable	\$120
Vehicle Homicide by Disregard for the Safety of Others	\$120	Reasonable	\$120

2. Co-counsel. Co-counsel at public expense must be appointed by the Kitsap County Superior Court.

3. Accounting and Billing. When submitting an invoice to County for Service, Contractor will submit detailed records of time and expenses incurred in the representation of homicide defendants in the form of an Affidavit of Services Rendered. Affidavits shall state the amounts, dates, and type of time expended and be sufficiently detailed to allow County to determine the nature of the time expended. Any supporting material required providing sufficient documentation or documentation shall accompany the Affidavits.
4. Reimbursement– Other Expenses. County will reimburse Contractor for other reasonable expenses with the prior approval of the KCOPD Chief. Other reimbursable expenses shall be defined as charges reasonably incurred in providing legal representation as determined by the KCOPD Chief.
 - A. County will reimburse Contractor for mileage as set by the current “State of Washington Reimbursement for Rates for Lodging, Meals and Private Vehicle Mileage”, RCW 10.90.20. County will NOT reimburse for travel time.
5. Administrative/Overhead Expenses. Contractor will furnish all equipment, labor and materials necessary to perform all the Services required under this Contract and will be responsible for the payment of all administrative expenses of Contractor’s office/firm not otherwise provide for in this Contract or as identified in chapter 2.23 KCC. Such expenses include personal law libraries, photocopies, postage, messenger, secretarial, supplies, mileage, and facsimile, which were contemplated in the Contract and incorporated into the compensation amount.
6. Excess Compensation. Contractor may request compensation in excess of that described above. Such requests shall be submitted to KCOPD for approval. County and Contractor agree to be bound by the decision of KCOPD. Factors to be considered by KCOPD when making decisions on requests for excess compensation:
 - Number of days spent in trial;
 - Extent of testimonial motion hearings and other contested hearings;
 - Interpreter-involved cases;
 - Cases involving mental health competency and other issues (RCW 10.77);
 - Cases involving extensive discovery;
 - Cases that involve a significant number of counts, alleged victims or witnesses;
 - Cases requiring consultation with experts, including, for example, immigration legal analysis and advice or DNA testing and analysis;
 - Overall complexity of the case;
 - Skill and experience required to provide adequate legal representation;
 - The exclusion of other work done by the attorney during the public defense representation; and
 - Any other factors deemed relevant by KCOPD.

END OF ATTACHMENT B