

December 30, 2022

**Subject: RFP #2200-P: Fayette County State Court Public Defender  
Addendum #1**

Gentlemen/Ladies:

Below, please find responses to questions, clarification, or additional information for the above referenced Request for Proposals. You will need to consider this information when preparing your proposal.

**1. Please provide the average number of days per month that requires the Contractor's appearance in State Court.**

Assuming a normal month with NO holidays, there are approximately 20 business dates per month. For each 60-day cycle, one month has more civil cases than criminal cases. I would estimate that we have criminal matter approximately 15 times per month.

**2. Is the Contractor obligated to appear in Fayette County Magistrate Court and/or Jail Court?**

There are no court appearances at the jail. All jail cases are brought to State Court during normal business hours. However, the Public Defender will be expected to meet clients at the jail. There are rarely any appearances required in Magistrate Court. However, there can be the need to have bond conditions modified before a case is accused by the Solicitor-General. If that occurs, then that issue would have to be resolved in Magistrate Court. However, that is basically the extent of the appearances in that court.

**3. Are there any weekend court appearances required?**

There is no court scheduled on the weekend. However, the Public Defender will be asked to meet with their clients at the jail. That can occur over the weekend if the Public Defender wants to do that, but it is not required.

**4. Please provide the average number of indigent defendants that require bench trials per month.**

On average, we scheduled approximately 50-75 bench trials per month. They are generally evenly divided by private attorney cases, Public Defender cases, and pro se cases.

**5. Assuming there are no clients that the Contractor represents on a bench trial calendar, would the Contractor be obligated to appear?**

No. While it would be beneficial to have someone there to accept applications for those that wish to apply for a Public Defender prior to trial, it will not be required.

- 6. Please provide the average number of indigent defendants per month who require services in State Court.**

In State Court, the Solicitor-General accuses approximately 1500 cases per year. About half of those end up being Public Defender cases and take up the bulk of the time. Very few traffic cases require the Public Defender.

- 7. Per the Special Terms and Conditions portion of the RFP, "the Contractor shall have a staff member available to interview potential clients at all arraignment calendars, and an attorney to attend all motion calendars and trial calendars." Would the Contractor be expected to appear at all Traffic arraignment calendars as well?**

While it would not be required, it would be best practice in case someone did want to apply. But that provision is mainly for Misdemeanor Arraignment calendars and not Traffic Arraignment calendars.

- 8. Please provide the average number of indigent defendants that require jury trials per month.**

Criminal jury trials are scheduled every other month. So, we start with a base of 6 criminal jury trial weeks per year, in alternating months. Next year, we are using ARPA funds to increase jury trials so we will have more in 2023. It is hard to estimate how many Public Defender jury trials are held each year. But, I would estimate that there are approximately 10-20 Public Defender cases per year that actually go through a jury trial. There are many more on the jury trial calendar.

- 9. Please provide the average number of indigent defendants that require motion hearings per month.**

We schedule an average of ten (10) criminal motions per month and about 40% are Public Defender cases.

- 10. Is the jail equipped to handle court virtually or allow inmates to be interviewed via a remote video system?**

Remote hearings in the jail are held very rarely due to the paperwork involved (plea statement, probation conditions, etc.). I am not sure about interviewing the inmates remotely.

- 11. How often are attorneys required to visit clients at the jail?**

There is no minimum amount of visits required. But it is best when a Public Defender meets the client at the jail instead of trying to do everything in the courtroom for the first time as we do not always have the manpower to allow for client consultations with inmates in the courtroom.

- 12. When are inmates arraigned and what calendars are they placed on? How often are inmates scheduled for State Court?**

We have misdemeanor arraignments generally once a month and inmates are usually on that calendar.

- 13. How often are inmates scheduled for State Court?**

Inmates usually appear in State Court on a regular basis for misdemeanor arraignments, probation revocation hearings, and bench warrant hearings. This can be about 5-10 times per month.

- 14. Would the Contractor be required to attend and participate in accountability courts such as DUI court, Drug court, veterans court or mental health court (if it exists)?**

Our current Public Defender does participate in our DUI/Drug Court but not our Veterans Treatment Court. We have these court sessions twice a month and it would be preferred that someone sit in on the team meetings and court sessions.



**15. Would the Contractor be required to attend, participate and represent indigents charged with county ordinance violations?**

All county ordinances carry a jail term of less than 6 months incarceration, so I do not believe that a Public Defender would be required.

**16. The State Court of Fayette County has operated with one state court judge since 1997. In light of the continued growth of the county, what is the likelihood that a second state court judge would be added to the bench, creating the need for a second courtroom and additional staffing demands of the Contractor?**

Currently, Fayette County State Court generally operates as if it is running 1.5-2 courtrooms already. In fact, during many jury trial weeks (civil and criminal) we are running two courtrooms.

**17. What was the annual budget for the Public Defender State Court program?**

There is no budget for the State Court Public Defender only. The State Court portion of the Public Defender's budget is included in the Lower Court Contract fees.

**18. How many public defenders were needed to effectively meet the needs of indigent defendants in State Court?**

2-4

**19. Was there any support or administrative staff in court to assist the Public Defender?**

In years past, a staff member did appear in court on arraignment dates to assist with applications. That would be our preference.

**20. How many indigent defendants were represented by Public Defender for the past three years?**

1-2

Received by (Name): \_\_\_\_\_ Company\_\_\_\_\_

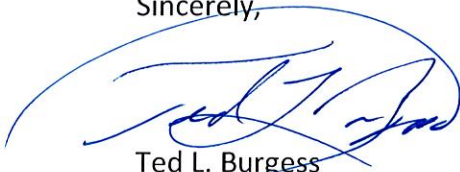
Note: If this addendum is not returned to the Fayette County Purchasing Department or if it is returned not signed, responding individuals, companies or other organizations will still be responsible for the requirements of this addendum and the specifications or changes herein.

The opening date for this RFP has not changed. **The opening time and date are 3:00 p.m., Tuesday, January 10, 202.** Proposals must be received by the Purchasing Department at the address above, Suite 204, at or before the opening date and time.

The deadline for inquiries has passed, so the Purchasing Department will not be able to accept any additional questions after this time.

If you have questions, please contact Natasha Duggan, Contract Administrator at (770) 305-5150, fax (770) 719-5534 or email at [purchasinggroup@fayettecountyga.gov](mailto:purchasinggroup@fayettecountyga.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ted L. Burgess", is written over a large, loopy blue oval that serves as a background for the signature.

Ted L. Burgess  
Director of Purchasing