

**Professional Services Line Item for District Court Attorney Contract Services**

**I. Professional legal services would be contracted to assist in the following matters:**

**Criminal Courts:**

- Review and monitor post-conviction motions, conduct legal research;
- Review miscellaneous pre-trial and post-trial criminal motions, or any other criminal matter as requested;
- Prepare jury charges; review of proposed motions/orders and legal research relating to matters before the court;
- Monitor death penalty proceedings, conduct legal research related to death penalty proceedings

**Civil Courts including Family Courts**

- Conduct legal research on petitions seeking extraordinary remedies, such as writ of habeas corpus, mandamus, or certiorari;
- Review civil complaints filed by inmates, conduct legal research;
- Conduct legal research as requested;
- Review/draft proposed orders and findings of fact and conclusions of law as required;
- Review motions submitted by the parties, perform legal research on legal issues/arguments presented by the parties, brief judges on proposed motions/orders and assist with preparation of jury charges.

**II. The benefit of outsourcing vs. hiring an employee**

- Not required to pay benefits
- No space and office requirements
- The areas for which assistance is needed are very specific and detailed. These matters require an intricate knowledge of the law. If the courts are able to outsource, each project could be outsourced to an expert on that particular issue which would reduce the cost of conducting the research and improve the product. Hiring an employee that is an expert in all areas is impossible.
- This suggestion was made by Commissioner Covey after the budget request for a staff attorney was denied.

**III. Estimated dollars**

- Because this is a new item it is difficult to gauge the amount of time and dollars needed
- It is estimated that each court would use approximately \$3000 to \$4000 per month for this line item.

**IV. Saves the county money**

- By reducing the number of appeals and trials;
- By moving the dockets faster;
- By averting potential lawsuits;

**V. Benefit to Taxpayers**

- Averting potential lawsuits;
- Expands the capacity of the judges to handle more cases;
- Improves procedural fairness.