



*City Attorney's Office*

# **NOTICE**

## **For Judicial Services**

**The City is Requesting Proposals  
for Municipal Court Judge Services**



**The RFP is on the City's Website at:**  
**<http://www.newbergoregon.gov/legal/municipal-judge>**



**For questions pertaining to obtaining the RFP,  
please contact:**

**Senior Paralegal Dawn Wilson @ (503) 537-1206 or  
<mailto:dawn.wilson@newbergoregon.gov>**

**Issued: October 20, 2009**

**Proposals Due: November 23, 2009**

# Request for Proposals for Judicial Services

## **Purpose:**

Requesting proposals from qualified members of the Oregon State Bar to serve as a Municipal Court Judge for the City of Newberg. The City presently has a presiding judge and a permanent judge pro tem. The Council has decided that after a decade or more of service that it would be prudent and an exercise of due diligence on the part of the City to solicit proposals for judicial services.

## **Municipal Court:**

The Municipal Court is established by the City Charter. The City has had a Municipal Court for many years. The court has handled ordinance violations, traffic violations, traffic and non-traffic crimes (misdemeanors). The court strives to exercise all jurisdiction possible for a Municipal Court. Court sessions are held once per week, now scheduled for Thursday during normal business hours. The court could be flexible on which day it meets.

The court has an active traffic school program, a violations bureau, an equipment correction program, utilizes the "55-Alive" program, and refers people to seatbelt classes. The court would welcome other programs.

## **Judges:**

The City Charter provides for a municipal judge and sets out the municipal judge's duties. The council appoints and removes the municipal judge. Presently, the presiding judge conducts court on all court days (currently Thursday) with the exception that the permanent judge pro tem conduct court one day per month.

## **Legal Staff:**

There is also a full-time city attorney with additional staff that includes a city prosecutor and an accompanying paralegal.

## **Court Staff:**

The court has a court administrator and a court clerk. The court staff is assigned to the finance department. The finance director is responsible for their evaluation, budgeting, and other day to day supervision. The municipal judges are responsible for directing the court staff as to their legal court responsibility.

## **Police Department:**

The city has its own Police Department. The police chief is appointed by the city manager. The City Charter provides for a city manager/mayor/council form of government. The City has a police force consisting of 32 sworn officers and operates an active traffic safety program.

## **Total Compensation:**

The current, budgeted compensation for the presiding judge is \$2,263 per month. The current, budgeted compensation for the permanent pro tem judge is \$594 month.

**Judicial Duties:**

The duties include all normal duties of municipal judge acting in that capacity for municipal court. These duties include having weekly arraignments, accepting pleas, and conducting sentencing. The judges conduct court trials on court day. The court conducts jury trials, although infrequently. At present, most DUII cases are cited into Circuit Court, although the Municipal Court maintains the concurrent jurisdiction with Circuit Court. It may be necessary to conduct a jury trial on a separate day from regular court day. The judges also issue warrants, such as bench warrant for criminal non-appearances, review probation reports, and have probation violation hearings.

There are judicial conferences which the judge may attend. The court administrator and court clerk assist the judge with paperwork and necessary orders. The judges may review court programs, court fines, court charges, and court procedures. The presiding judge may issue court orders establishing the procedure and amounts of fees. The judge is expected to participate in regular staff meetings with court personnel. The judge will help keep the court staff apprised of changes in laws and procedures.

Part of the judge's duties may also require the judge to go to Yamhill County jail located in McMinnville to arraign defendants that may be lodged pursuant to a warrant issued by the Newberg Municipal Court. When possible, in-custody arrangements are conducted via video from the jail on regular court day.

**Content of Proposal:**

Respondent's proposal should include the following items in the following sequence and any additional information you deem relevant:

A. Information to be included:

1. Provide a brief description of your professional experience and qualifications, including:
  - a) education
  - b) employment
  - c) offices held
  - d) professional organizations
  - e) Oregon State Bar number

Note: a résumé may be attached.

2. Identify any experience with municipal law.
3. Describe your capability in providing services as Municipal Court Judge.
4. Provide a brief description of your judicial philosophy.
5. Provide a brief description of various projects that you would anticipate initiating for the court.
6. Provide a brief description of your philosophy as to the administration of fines for first and repeat offenders.
7. Provide any other information or comments, which you believe are relevant and will assist the City in making its selection.

Note: Additional questions concerning judicial philosophy, programs, and duties may be asked at the interview. Additional information may be requested in order to conduct a background check.

**B. Letters:**

Provide three current letters of recommendation made in specific reference to this position.

**C. Compensation:**

State the necessary compensation you would expect to perform these services. The City reserves the right to negotiate compensation.

**Employment Relationship:**

It is anticipated that the municipal judge will be a part-time employee of the City of Newberg. The municipal judge will not be eligible to receive any benefits, vacation, or sick-leave. The applicant will be subject to a criminal background check as well as other background checks. Employment with the City in this position requires a pre-employment initial drug screen testing and fingerprinting.

**Questions:**

1. City of Newberg: More information concerning the departments and the City can be obtained from the Newberg Website at: <http://www.newbergoregon.gov/>.
2. Questions concerning the Court: Any additional questions can be asked to the following persons:
  - Court administrator (Lisa Barry) who can be contacted at: (503) 537-1203 or <mailto:lisa.barry@newbergoregon.gov>.
  - The prosecution paralegal (Robin Steele) who can be contacted at (503) 537-1200 or <mailto:robin.steele@newbergoregon.gov>.

Note: These questions may be shared with other respondents if City deems appropriate.

**Information concerning City:**

More information concerning the departments in the City can be obtained at [www.newbergoregon.gov](http://www.newbergoregon.gov).

**Evaluation Criteria:**

- A. Overall Experience, Background, Qualifications.
- B. The ability to understand the legal requirements (ordinances) of the City of Newberg and State traffic laws.
- C. The approach in the proposal and extent to which it is thorough, original, comprehensive, and tailored to the needs of the City.
- D. The nature and extent of prior experience in performing legal services for general purpose local governments.

- E. Relevant expertise outside traditional municipal legal functions.
- F. Demonstrated skill in establishing and maintaining effective working relationships with subordinate, public and private officials, and the general public.
- G. Cost, although a factor, may not be the dominant factor. Cost is particularly important when all of the other evaluation criteria are substantially equal.
- H. Minimum of 5 (five) years of legal experience.
- I. A member in good standing with the Oregon State Bar.
- J. Innovative approaches recommended.

**Process:**

The mayor has appointed a subcommittee of the Council to review proposals and conduct initial interviews. That subcommittee will make a recommendation to the Council concerning applicants for appointment by the full Council. It is anticipated that additional interviews may be conducted by the full Council.

**Proposal Submission Deadline:**

**November 23, 2009 – Proposals must be received by the City of Newberg no later than 5:00 p.m.**

It is anticipated that subcommittee will make its recommendation to the Council, and the Council will make the appointment no later than January 18, 2010. If there are any further questions, please feel free to contact us.

**Proposals may be submitted via the following:**

- USPS mail:           City of Newberg  
                                  Attn: Dawn Wilson, Senior Paralegal  
                                  PO Box 970  
                                  Newberg, OR 97132
- Email (with signature pages scanned in and submitted as a pdf file):  
<mailto:dawn.wilson@newbergoregon.gov>
- Facsimile: (503) 537-5013; Attn: Dawn Wilson, Senior Paralegal
- Hand-delivery:     City Hall – Attn: Dawn Wilson, Senior Paralegal  
                                  414 East 1<sup>st</sup> Street  
                                  Newberg, OR 97132

**Schedule:**

Proposal and Award Schedule:

- October 20, 2009 – Request for proposals issued.
- November 23, 2009 – Proposals Due by 5:00 p.m.
- Week of November 30, 2009 – Evaluation of Proposals by Selection Committee
- December 21, 2009 – Council receives recommendation; set interviews.
- January 4, 2010 – City Council affirms successful proposal.
- January 18, 2010 – Appointment made by City Council

**Authority of City:**

The selection committee may recommend to the City Council all, some, or none of the respondents. The selection committee may recommend respondents for further interviews by the City. If the City Council elects to conduct interviews, respondents may be interviewed and rescored based upon the same criteria or other criteria to be determined by the selection committee and/or City Council.

The City may also request additional information from respondents at any time prior to final approval of a selected response. The City reserves the right to select one, or more, or none of the respondents to provide to provide the judicial services. Final approval of the selected respondent is subject to the action of the City of Newberg City Council.

The City reserves the right to accept proposals that are submitted late and further reserves the right to extend the deadline. Furthermore, the City reserves the right to reject all proposals and cease the selection process at any time.

Thank you for your interest in the City of Newberg,



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Bob Andrews  
Mayor