CITY OF LAKE FOREST PARK
CITY COUNCIL
AGENDA COVER SHEET

Meeting Date	November 12, 2026
Originating Department	Executive
Contact Person	Phillip Hill, City Administrator
Title	Resolution 26-2111/Authorizing the Mayor to enter into a second amendment to the Contract for Public Defense Services with Stewart MacNichols Harmell, Inc., P.S.

Legislative History

- First Presentation: November 12, 2026 – City Council Regular Meeting

Attachments:

1. Resolution 26-2111approving the Second Amendment to the Agreement for Firm Services between the City of Lake Forest Park and Stewart MacNichols Harmell, Inc. P.S.
2. Contract # AG-23-078

Executive Summary

This proposed second amendment to the City's contract with Stewart MacNichols Harmell, Inc., P.S. ("SMH") for public defense services would increase the amounts paid by the City as follows: a) for 45 cases per quarter, the City would pay SMH a lump sum of $13,500 instead of $11,250; 2) for each case above 45 per quarter, the City would pay $900 for each case instead of $750. The term of the agreement would be extended one year to December 2027, with two additional one-year terms possible if mutual agreed by the parties.

Background

The Municipal Court and the Administration have been pleased with the services provided and recommend amending the current contract with SMH The State Supreme Court has ordered a reductions in the caseload allowed per public defense attorney, to be implemented over the next 10-years. The current contract with SMH provides in section 2.5.2 *Renegotiation Due to Change in Rule or Standard* as follows: "This Agreement may be renegotiated at the option of either party if the Washington State Supreme Court, the Washington State Bar Association or the City significantly modifies the Standards for Indigent Defense adopted."A highly competitive market has resulted in the proposed increase in fees for public defense services provided by SMH.

In 2025 there were a total of 258 cases, with 2026 on track for 300 cases. Based on 300 cases, this will result in 120 more cases than are covered in the base fee, potentially resulting in $108,000 in additional fees, bringing the total contract price in 2027 to approximately $270,000. This represents an increase of $50,000 over 2026. The term of the contract amendment is for one-year, to provide for further negotiation as the impacts of the supreme court decision continue to come into focus.

Fiscal & Policy Implications

The increase included in the proposed contract amendment may exceed the budgeted amount depending on caseload. The administration will report to the Budget and Finance Committee on a quarterly basis and if needed, bring a budget amendment forward at the mid-bi budget adjustment.

Alternatives

Options	***Results***
• Approve the proposed contract	The city will continue to provide public defense as required per RCW 10.101.005
• Do not approve the proposed contract	The city would be in violation of RCW 10.101.005, requiring that the city provide public defense for indigent defendants, and will need to start the process of finding a law firm to provide such services

Staff Recommendation

Approve Resolution 26-2111/Authorizing the Mayor to enter into a Contract for Public Defense Services with Stewart MacNichols Harmell, Inc., P.S., with an effective date of January 1, 2027.