

**City of Isle of Palms, South Carolina  
Request for Proposals (RFP) 2021 – 05  
Municipal Court Prosecuting Attorney**

The City of Isle of Palms is seeking applications for the position of Prosecuting Attorney.

**Background**

The City is interested in establishing an ongoing contractual relationship with an attorney or law firm to ensure high quality, necessary, timely, and cost-effective legal services. The attorney or firm should have experience in a court setting to act as the prosecuting attorney on behalf of the City and working with the City's law enforcement officers, Clerk of Court and the Municipal Judge. The City is seeking an attorney or law firm that can establish successful communication and coordination on an ongoing basis. The Municipal Prosecutor is appointed by the City Administrator.

The mission of the Municipal Court is to guarantee all persons accused of violations or crimes their constitutional right to a fair and speedy judicial process while preserving their dignity, as well as protecting the rights of the citizens of Isle of Palms. We strive to provide defendants with the tools they need to successfully complete their Court requirements.

Court sessions are typically held the third and/or fourth Wednesday of every month starting at 1:00 p.m. The schedule depends on case load. This Court is not a court of record and operates primarily using paper files and an electronic case management software program.

**Scope of Services & Duties**

- Prosecutes cases in Municipal Court, which includes communicating with defendants and their attorneys; communicating with police officers, code enforcement/animal control officials, witnesses and victims; working closely with the Court Administrator regarding administrative matters, responding to motions of defendants; processing and preparing cases for trial; representing the City in arraignments, jury trials and trials before the Municipal Court; researching the law; and representing the City in appeals from Municipal Court.
- Performs professional legal work carrying the highest levels of volume, complexity, consequence, autonomy, and responsibility. Regularly responds to discovery requests, and drafts subpoenas, motions, notices, and proposed orders.
- Conducts training as necessary for police officers and non-sworn staff regarding Municipal Court processes.
- Identifies and recommends ordinances regarding municipal traffic and criminal offenses.
- Performs such other duties as are required by the City Manager and/or City Attorney.
- Approximate hours required per month: 20-30 hours.

**Experience Required**

- A law degree from an ABA-accredited U.S. law school is required. Minimum of five (5) years' experience in criminal and/or administrative prosecution required. Experience in other areas of municipal law is desirable.
- Must be licensed to actively practice law in the State of South Carolina and be in good standing with the South Carolina Supreme Court.
- Must possess a valid driver's license.
- Must have the ability to communicate effectively and diplomatically with City personnel and officials, including the Municipal Judge, Municipal Court Clerk, law enforcement personnel, Code Enforcement/Animal Control personnel, and defendants and their attorneys, and the general public.
- Must be able to develop a good working knowledge of Isle of Palms Municipal Code, South Carolina Municipal Court Rules and the South Carolina Rules of Evidence.
- Skilled in legal writing and research.
- Ability to use word processing and presentation software and to do online legal research.
- Ability to perform with integrity; demonstrate honesty and sensitivity to ethical issues; and avoid actual or apparent impropriety and/or conflicts of interest.
- Exercise appropriate judgment, often under pressure, consistent with the highest levels of volume, complexity, consequence, autonomy, and responsibility attending the position.

### **Required Proposal Contents**

To be considered, please submit the following information:

1. Letter of interest and resume.
2. Background of your firm, including size, date established, and office location, or individual qualifications if not associated with a firm.
3. Information on your firm's, or individual, experience as it relates to prosecution in municipal court.
4. List the municipalities you represent currently or have previously represented, if any, with the dates of representation for each. Include a brief summary of your duties and responsibilities for each municipality. Include a comprehensive list of municipal clients over the past five years and name of the attorney assigned to those clients.
5. Identify the lead attorney who would be primarily responsible for work on behalf of the City and other attorneys, if any, you would anticipate utilizing on this account along with resumes for each attorney (specifically work relating to municipalities).
6. Municipal Court typically takes place on the 1st and 3rd Wednesdays of each month, with pre-trial conferences scheduled on the same day as Court. Jury trials are scheduled, as needed. Please specify your firm's availability to attend these dates, as well as general availability for other projects, as needed.
7. Discuss any conflicts of interest your firm may have in representing the City of Isle of Palms.
8. Provide three (3) relevant references that the City can contact.
9. Please answer the following questions, limiting your answers to one (1) page per question:

- a. Give an example/description of the working relationship you envision with the City Administrator, Municipal Court Staff, the Isle of Palms Police Department and other staff.
- b. What steps would you take to learn the City of Isle of Palms Municipal Court systems and processes?

### **Compensation**

Responding parties should include a proposed hourly rate for services rendered.

### **Proposal Evaluation**

The City Administrator will evaluate the written proposals and conduct interviews. Proposals will be evaluated to determine which ones best meet the needs of the City. After meeting the mandatory requirements, the proposals will be evaluated in accordance with the following:

1. Comprehension of the scope of services and general approach/methodology.
2. Offeror's previous experience and past performance for services as outlined in the solicitation.
3. Experience, qualifications and availability.
4. Ability to meet anticipated schedules, current and projected workloads.
5. Ability to prepare concise, meaningful responses addressing the various aspects of this solicitation.

Evaluations shall not be based on cost alone but will be based on the composite of the above factors. The overall best interests of the City, in terms of cost and service provided, and response to the information requested herein will be considered in the evaluation of submitted proposals.

It shall be agreed and understood that the proposals are considered public documents and are subject to official inspection. Any firm may request in writing that the information be kept proprietary.

### **Submission of Proposals**

The deadline to submit proposal is 2:30 p.m., Friday, October 29, 2021 and will be reviewed by the City Administrator, City Attorney, and Clerk of Court. Please submit your proposals by email to Amy Lee, Clerk of Court, at [amyw@iop.net](mailto:amyw@iop.net) or by mail to 1207 Palm Boulevard PO Box 508, Isle of Palms, South Carolina 29451.

The City Administrator will develop a short list of candidates for interviews and intends to select an attorney or firm on or by December 2021 with the selected attorney or firm to commence service at the Municipal Court's January 2022 session.

### **Rejection of Proposals**

The City reserves the right to reject any or all Proposals not in compliance with all public procedures and requirements, reject any Proposal not meeting the specifications set forth herein; waive any or all irregularities in proposals submitted and/or determine the criteria and process

whereby proposals are evaluated.; reject all proposals; award any or all parts of any Proposal; and request references and other data to determine responsiveness.

City officials may, at their sole and absolute discretion, postpone or cancel this solicitation process.