

REQUEST FOR BIDS FOR PROFESSIONAL SERVICES
PUBLIC DEFENDER CONTRACT
January 1, 2026 thru December 31, 2027

Roberts County is hereby soliciting sealed bids for the provision of professional services in providing legal representation to indigent person eligible for court-appointed counsel pursuant to SDCL 23A-40-1 et seq., (criminal defendants), SDCL 26-7A-31 (juveniles), and SDCL 27A-11A-12 (alleged mentally ill persons) for January 1, 2026 thru December 31, 2027.

Sealed bids, marked "Public Defender Contract-2026" shall be submitted to the Roberts County Auditor's Office at the Roberts County Courthouse, 411 2nd Avenue East, Sisseton, South Dakota, no later than Friday, August 15, 2025, at 5:00 p.m. The County reserves the right to reject any or all bids.

Bidders are asked to bid a sum certain for compensation on an annual basis (which compensation will be paid in twelve even monthly installments).

Bidders are further required to state whether the contracting attorneys (or law firm) have any professional relationship with any municipality or other entity within Roberts County that may lead to regularly occurring conflicts of interest. Bidding entities must be a minimum of two attorneys.

CONTRACT REQUIREMENTS:

The contracting attorneys (or law firm) must be in good standing with the State Bar of South Dakota and must provide proof of professional liability insurance in effect for the 2026 calendar year.

The contracting attorneys (or law firm) are independent contractors. Entering into the defender contract with the County does not make the contracting attorney or firm or employees thereof employees of Roberts County. Contracting attorney (or law firm) are responsible for routine office and overhead expenses.

The contracting attorneys (or law firm) will be required to provide professional, competent legal representation to all indigent persons found by the Court to be entitled to legal representation under SDCL 23A-40-1 et seq., SDCL 26-7A-31 or SDCL 27A-11A-12, when appointed by the Court, except as follows:

- a. Cases in which a conflict of interest occurs.
- b. Any case in which the defendant may be sentenced to life imprisonment or death.
- c. Post-conviction relief matters.
- d. Appeals.

Out of pocket expenses, such as expert witness fees, sheriff's fees, deposition expenses, subpoena costs and the like, when approved by the Court, will be subject to reimbursement to the contracting attorneys (or law firm) in addition to the amount paid for services under the contract.

The contracting attorneys (or law firm) will be required to prepare and file time and expense statements for each person represented under the contract within thirty (30) days of the completion of each such matter.

The contract will be subject to termination by either party (County or contracting attorneys) by written notice to the other party no less than sixty (60) days prior to the date of termination.

Upon termination of the contract, the contracting attorneys (or law firm) will continue to represent the indigent clients for whom he/she/they have been appointed and will be entitled to compensation for services as provided for counsel not covered by this contract under the guidelines then in effect for the Fifth Judicial Circuit.

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