



## LEGAL AID MANITOBA

### REQUEST FOR PROPOSAL

**Name of RFP:** Overnight Bail Duty Counsel

**RFP #:** 2020-03-30

**Issued by:** Legal Aid Manitoba

**Issue Date:** March 30, 2020

**Closing Date:** April 1, 2020 at 3:00 p.m.

A pilot project is being considered that will require specified overnight bail duty counsel services (ODC) from 11 p.m. – 7 a.m. Monday through Friday of each week. Counsel will work remotely. The duty counsel services include:

- speaking with unrepresented accused to provide immediate advice and assistance as needed, including the completion of legal aid applications;
- discussing potential release plans, or charge resolutions for unrepresented accused with the Crown from 11 p.m. – 7 a.m. Monday through Friday of each week
- remanding matters from time to time for the appointment or retention of counsel;
- assisting with impromptu bails, guilty pleas, and negotiated settlements with the Crown where a remand would otherwise prejudice the interests of the Accused;
- the work will require the ODC to:
  - advise counsel of choice/retained counsel when their client is in custody;
  - report to, and coordinate with staff and private bar lawyers performing bail duties for unrepresented persons the following morning.

In the event that the pilot project receives all necessary approvals for implementation, Legal Aid Manitoba is requesting proposals from interested private bar counsel practicing adult criminal law that focus on providing quality duty counsel services in a cost effective and efficient manner.

#### **Mandatory Restrictions:**

- A solicitor who represents or advises a person on a matter as duty counsel, and any solicitor who practises in association, or shares space or facilities, with the solicitor shall not be issued, and shall not accept, a certificate to represent the person in the matter without the approval of the executive director;<sup>1</sup>

<sup>1</sup> The Executive Director will allow a certificate to issue to the ODC in a situation where a client has an active certificate or retainer with the ODC or other counsel in the ODC's office.



- Remuneration shall be limited to the duty counsel tariff of \$520.00.
- Consistent delivery of duty counsel services as contemplated by the pilot project.
- The successful candidate(s) must be available on demand and in person as needed from 11p.m. – 7 a.m. Monday through Friday.
- Counsel must interview detainees, review files for bail and disposition. Work with the Crown to conclude agreed upon dispositions and bails arising from their review of files. Appear before JJP for consent release or contested bail hearings.
  
- The successful candidate must keep up-to-date, accurate billing records (including actual time required) and provide a daily report to the Executive Director that includes information regarding persons assisted and disposition/outcome of services provided in PBOonline, or other format as requested.

Your RFP must clearly indicate that you are personally prepared to meet the above requirements.

**General:**

- LAM reserves the right to award this contract entirely to one practitioner, or may award portions of the contract to multiple practitioners.

**Submission Address:** Legal Aid Manitoba  
Attn: Sam Raposo  
4<sup>th</sup> Floor – 287 Broadway  
Winnipeg, Manitoba R3C 0R9

**Submission Instructions:** 1. An email copy of the quotation must be received at the Submission Address no later than the Closing Date  
Clearly marked with:

- RFP name and #
- Closing date

**Additional Information:** Anyone wishing to receive further information on this RFP may forward email to:

Bruce Gammon  
Email: [brgam@legalaid.mb.ca](mailto:brgam@legalaid.mb.ca)  
Phone: 204-985-5245

**Inquiries:** All inquiries or requests for clarification concerning the RFP are to be submitted by email to the individual identified under Additional Information above.