

**Ohio Public Defender
Request For Information
Skills-Based Certified Legal Education Training for Public Defenders
August 1, 2011
Procurement Opportunity PUB01-1201**

1. Introduction

This document is intended to provide sufficient information for Skills-Based Certified Legal Education Training (SBCLE) vendors to determine whether they are willing to participate in a more detailed selection process. It will enable the Vendors to provide sufficient information for the Office of the Ohio Public Defender to select a shortlist to which a Request for Proposal (RFP) will be issued. This document does not request vendors to prepare detailed proposals. Rather, it asks that they provide basic information regarding capabilities and an indication, in broad terms, as to how they would approach working with the Ohio Public Defender to achieve the objectives set out in this document.

1.1 Overview of Ohio Public Defender Request for Information (RFI) for Skills-Based Certified Legal Education Training for Public Defenders

This section provides a brief overview of the purpose of the RFI. This document is to provide interested vendors the information required by the Ohio Public Defender.

The Ohio Public Defender Commission has instructed the Ohio Public Defender's Office to provide better training to lawyers engaged in indigent criminal defense. The Commission's authority to order training comes from R.C. 120.03(D)(2)(c), which grants the authority to "[c]onduct programs having a general objective of training and educating attorneys and others in the legal representation of indigent persons." The most effective training vehicle for attorneys has proven to be an intensive "skills-based" training that actively engages the participant at every level of legal practice.

The Ohio Public Defender is seeking Letters of Interest (LOI) and Statements of Qualifications from prospective vendors to provide Skills-Based Certified Legal Education (SBCLE) training to private attorneys and public defenders who provide representation to indigent persons accused of crime. The training must be skills-based training, as opposed to traditional classroom lecture-style training.

Skills-based training is defined as:

Training that actively engages the participant at every level of practice, including managing a law office. This training focuses on mastering one stage of a proceeding at a time. At such training, lawyers are divided into small groups and receive focused instruction from an experienced trainer on the specific skills required for the particular stage. The lawyer then performs the skills as instructed while the trainer and other lawyers observe. The trainer and the other lawyers in the group then critique the lawyer's effort and offer suggestions for more

effective advocacy. Because the lawyer has actively performed the taught skill and received immediate feedback and instruction, the lawyer better retains the training for use in his or her own practice.

Other General Requirements:

The training generally involves multi-day seminars held in a campus-like setting for between 20 and 40 students/trainees per seminar. The contractor must obtain and coordinate CLE certification for each seminar, provide for the training facilities, overnight lodging for the trainees, mailings, publications, printing, instruction tools and materials, faculty/instructors, and other participants (e.g., mock jury), and include these in the cost estimates. The contractor may provide light refreshments, but individual meals shall be the responsibility of all participants. Trainees shall be responsible for travel costs to and from the seminar.

1.2. Project Overview

The project is Skills-Based Certified Legal Education Training for Public Defenders. Skills-based training for the purpose of providing Certified Legal Education training to private attorneys and public defenders who provide representation in the state of Ohio to indigent persons accused of crime should include but not be limited to the following:

- Attorneys bringing a real case to the training session to discuss and develop a defense.
- Mock trials complete with defense, prosecution, judge and jurors.
- Use of real cases to instruct trainees how to develop factual theories, use literary devices and storytelling techniques to construct a winning case, and how to develop tactical and strategic skills to persuade judges and juries.
- Use of recognized local and national experts as instructors and mentors.

Specifically, the agency seeks training in the following topic areas:

1. New Attorney Training

A multi-day seminar designed to promote and train new attorneys in pretrial litigation skills which include client interviewing, identifying and dealing with cultural, racial, gender, ethnic, and mental illness issues, bail and bond applications, tools for investigating, and making a good plea offer.

2. Defender Management & Leadership

A multi-day seminar or series of seminars designed to promote and train management and leadership skills for attorneys who manage and supervise public defender and not-for-profit indigent defense programs. The seminar shall include topics such as transitioning from lawyer to leader, models for analyzing problems and creating solutions, and coaching, mentoring, and supervising attorneys, strategic planning and thinking, leadership challenges, the difference between leadership and management, and conflict resolution.

3. Juvenile Advocacy

A multi-day seminar designed to teach attorney skills to identify how juveniles are different than adults, how to interview juvenile clients, investigating a case, pretrial motion practice relevant to juvenile cases, how to conduct opening statements and cross-examinations.

4. Trial Advocacy

A multi-day seminar designed to instruct attorneys how to develop factual theories of defense, how to use literary devices and other techniques to construct a winning case, and how to develop the tactical and strategic skills to persuade judges and juries. Topics shall include brainstorming facts, developing theory of defense, managing the voir dire process, crafting opening statements, conducting direct and cross examination, impeachment, and developing and delivering closing arguments.

5. Other Topics

Other selected topics as the agency directs or as may be suggested by the vendor that focus on timely legal defense issues in Ohio (e.g., Ohio discovery & Brady practice, federal habeas litigation, and death penalty case representation).

1.2.1 Recipients

This agency will dispatch this document to all vendors who have registered with the State of Ohio to provide training (UNSPSC Code 86000000) and to all vendors who previously received agency Requests for Proposals for attorney training. The agency will also post this RFI on the State of Ohio Office of Procurement web page: <http://procure.ohio.gov>

1.2.2 Process

The process will be undertaken as follows:

1. The agency will release this RFI to an identified list of potential vendors of SBCLE Training as well as post it on the State of Ohio Office of Procurement website on August 1, 2011.
2. Vendors must submit a formal response to the Ohio Public Defender by 5:00 pm August 31, 2011.
3. The Ohio Public Defender will review each vendor response against a set of pre-defined criteria, and rate the response on its ability to satisfy the generic requirements stated.
4. The agency will select a short-list of potential vendors (with the highest awarded ratings) and formally notify the vendors by September 30, 2011.
5. The short-listed vendors will then be invited to take part in an RFP process, whereby they provide detailed information relating to their SBCLE proposal. SBCLE demonstrations or presentations may be required.
6. The Ohio Public Defender will then evaluate vendor proposals and select a preferred vendor by October 31, 2011.

7. The Ohio Public Defender will then negotiate a formal contract with the preferred vendor and, if endorsed, the vendor will begin supplying SBCLE training to private attorneys and public defenders on or after November 1, 2011.

Timeframe:

Release of RFI	August 1, 2011
Closure date for vendor responses	August 31, 2011 (5:00 pm)
Review of responses	September 15, 2011
Short-listed vendors notified/unsuccessful vendors notified	September 30, 2011
Begin RFP Process	October 1, 2011
Notify preferred vendor	October 31, 2011
Contracted vendor begins Training	November 1, 2011 to June 30, 2013

2. Instructions to Skills-Based Certified Legal Education Trainers

2.1 Response Requirements

We are looking forward to hearing about your capabilities, but would like to minimize the amount of preparation that you need to do at this stage. Our requirements are therefore intended to limit the preparation of significant new material.

With this in mind, please provide the following:

1. A cover letter expressing your interest.
2. A completed Response Form demonstrating your qualifications. To obtain a copy of the response form in Microsoft Word format, send an email request to rfi@opd.ohio.gov. Please follow the formatting provided. Answer box size will expand in relation to entered text; for returns within a box use *Shift+Enter*.

Please submit your letter of interest and your statement of qualifications via email, mail, or other delivery method to:

John Alge, Director of Administration
Office of the Ohio Public Defender
250 E. Broad St. Suite 1400
Columbus OH 43215
John.Alge@opd.ohio.gov or rfi@opd.ohio.gov

Please direct questions to the same address, or by telephone to 614-644-7591.

Ohio Public Defender
RFI for Skills-Based Certified Legal Education Training for Public Defenders
Response Form
RFI Issued 08/01/2011, #PUB01-1201

To obtain a copy of this form in Microsoft Word format, send an email to:
rfi@opd.ohio.gov

- General Information -

Vendor Name:

Vendor Address:

Web page:

Person responsible for the information contained in this RFI:

Name:

Email address:

Telephone number:

Fax number:

Additional Vendor Locations if applicable, e.g. Corporate office, local office:

- Training Information -

What is the total number of Skills-Based Continuing Legal Education (SBCLE) trainings provided by your business to date?

Please list organizations for which you have provided SBCLE trainings. If participant satisfaction is surveyed or known, please include it here.

Have you supplied SBCLE trainings to customers that would act as a reference for you? If so, please provide contact information.

Please describe your training methodology.

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Please provide the following information on specific individual(s) who would provide the SBCLE trainings. Attach a separate sheet with additional names as needed.

Name:	
Credentials:	
How many years has this individual been a skills-based trainer?	
In the space below, please share how this individual is qualified to provide SBCLE training to lawyers engaged in indigent criminal defense.	

Name:	
Credentials:	
How many years has this individual been a skills-based trainer?	
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Name:	
Credentials:	
How many years has this individual been a skills-based trainer?	
In the space below, please share how this individual is qualified to provide SBCLE training to lawyers engaged in indigent criminal defense.	

Please describe the training locations and facilities accessible to your company for providing SBCLE training, including capacity, availability, parking, amenities, etc., and the methodology or business model used to secure such facilities (e.g., own, lease, etc.) Locations must be within Ohio.

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Cost Information

Please provide an estimate of the total costs, including a projected per-student price per seminar. Be sure to include cost of overnight accommodations for the participants for multi-day seminars, but exclude cost of meals.

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If there is any additional information you feel is relevant to this RFI, please add it here. If you are attaching documents, please list them here.

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Responses are due by 5:00 pm August 31, 2011 to:

John Alge, Director of Administration
Office of the Ohio Public Defender
250 E. Broad St. Suite 1400
Columbus OH 43215
John.Alge@opd.ohio.gov or rfi@opd.ohio.gov