

City of Commerce, Georgia Municipal Solicitor

The City Solicitor performs advanced professional legal work involving the prosecution of suspects in misdemeanor criminal cases and civil cases resulting from violations of the City's Unified Development Code and other Code of Ordinance provisions and participates in administrative and research functions in civil areas when directed. The Solicitor will prosecute cases within the jurisdiction of the City Charter, ordinances, and Georgia State Statutes that are within the original jurisdiction of the City of Commerce Municipal Court.

Qualifications:

- Education and Experience:
- Must be a resident of the State of Georgia and an Attorney-At-Law admitted to practice within the State of Georgia and in good standing with the State bar of Georgia
- Must have at least Five (5) years' experience as a practicing Attorney in the State of Georgia.
- Must be bondable.

Knowledge, Skills, and Abilities: Knowledge of proper courtroom procedure and the rules of evidence; working knowledge of criminal law; working knowledge of local ordinances, laws, and procedures; skill in basic supervisory principles and practices; ability to grasp complex factual data, draw appropriate conclusions, and an ability to communicate complex legal ideas to a variety of audiences in clear, comprehensive and professional manner; the ability to read, interpret, apply and explain codes, rules, regulations, policies and procedures; ability to establish and maintain effective working relationships with the City Administration, City Council, Municipal Judge, Police Department, Court staff, and the general public.

Term: The term will be **two years** that is reappointed each 24 months by Mayor and City Council.

Compensation: The City will compensate the selected solicitor at a flat monthly rate. A typical court day runs from approximately 8 am until 6 pm, with morning court beginning at 9:30am and the afternoon court beginning at 1:30pm. Any additional time needed will be negotiated during the selection process.

Any counsel associated with or employed by the City Solicitor shall have the authority to perform the services called for herein, and the Solicitor may employ associated counsel to assist at the Solicitor's expense; however, the associated counsel may only perform services not to exceed 25% of the court sessions for the Solicitor. The Solicitor and all associated counsel hired pursuant to this section shall be admitted to practice pursuant to the rules of the Supreme Court of the State of Georgia.

The Solicitor shall provide telephone number or numbers so that the Solicitor can be accessible to the Court staff and defendants. The Solicitor will be required to respond to Court Staff by the close of the

next business day and respond to defendants in a timely manner. Typical duties include:

Manages assigned caseload to prosecute ordinance and misdemeanor cases falling within the jurisdiction of the City of Commerce Municipal Court as authorized the City's Code of Ordinances and Georgia law; selects assistant solicitors; researches, prepares, and litigates cases brought before the Court in arraignments, motion hearings, nuisance abatement actions, reviews case records, statements, and related documentation; interviews witnesses and victims; evaluates strengths and weaknesses of cases, determines validity of cases, and makes recommendations concerning disposition of cases.

Conducts pre-trial negotiations and arraignments; conducts plea negotiations, plea bargaining, and plea recommendations; prepares pleadings for negotiations with defense attorneys and for presentation to court; conducts negotiations with attorneys and/or with defendants without legal representation.

Conducts and presents legal issues related to all motions and pleas; prepares court documents, motions, briefs, exhibits, direct examination, cross examination, and opening/closing statements; prepares witnesses for trials; determines trial strategies and determines best method of obtaining favorable resolution of cases; determines and prepares sentencing recommendations. Researches issues, drafts legal briefs, and presents oral arguments for cases that are appealed to the Superior Court of Jackson County.

Conducts legal research to identify current law and changes in law, to locate case authorities or other law, to identify precedents, or to locate other information; conducts research of law books, county deed and tax records, electronic data sources, Internet sites, hardcopy materials, or other sources.

Provides legal counsel, recommendations, and advice regarding court cases or other functions related to the business of the Court.

Prepares or completes various forms, reports, correspondences, legal documents, litigation documents, legal pleadings, motions, briefs, court orders, plea recommendations, sentence sheets, opening/closing statements, court documents, or other documents.

During the term of the Contract, the Solicitor shall have the appropriate amount professional liability coverage.

The Solicitor shall indemnify, defend and hold the City, its elected officials and employees, agents and volunteers harmless from any and all claims, losses or liability, including all costs and attorney's fees, arising out of the Solicitor's performance of obligations pursuant to the Contract, including claims arising by reason of accident, injury or death caused to persons or property of any kind occurring by the fault or negligence of the Solicitor, his or her associates, agents and employees. To the extent that any of the damages referenced by this paragraph are caused by or resulting from the concurrent negligence of the City, its agents or employees, this obligation to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the Solicitor, its officers, associates, agents, and employees.

No assignment or transfer of the Contract or of any interest in the Contract shall be made by the Solicitor without the prior written consent of the City.

All respondents must provide the following information:

- Resume
 - Cover letter and statement of qualifications and services provided.
 - Required monthly flat fee.
 - Fee schedule for any additional time required not included during the typical day of court as explained in Section 1.d above.
 - Georgia Bar License Number
 - Professional references.
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Submission of a proposal for Judge or Solicitor indicates the acceptance on the part of the Proposer to the terms and conditions of this RFP and agreement to those terms. There is no expressed or implied obligation on the part of the City to reimburse any responders or proposed vendors for any expense incurred during the preparation of any proposals submitted for this request.

Any contact made with a City employee in an attempt to influence or persuade the City to select the Proposer will automatically disqualify the Proposer. The City reserves the right to request additional written information or clarification of any proposal submitted or to allow for errors and admissions. The City also reserves the right to reject any or all parts of the proposals submitted as it deems appropriate and in the best interest of the City or to withdraw this RFP, at any time prior to the award of a contract pursuant hereto, if it is in the best interest of the City to do so. The City reserves the right to waive informalities and minor irregularities in proposals received. Proposals must include any and all proposed terms and conditions.

Alterations, modifications or variations to a proposal may not be considered unless authorized by the RFP or by addendum or by addendum or amendment. The City is not liable for any costs incurred by respondents prior to entering a formal contract. Costs of developing the proposals or any other such expenses incurred in responding to the RFP, are entirely the responsibility of the responder, and shall not be reimbursed in any manner by the City.

A proposal submitted in response to this RFP must identify any subcontractors and outline the contractual relationship between the awarded responder and each subcontractor. An official of each proposed subcontractor must sign and include as part of the proposal submitted in response to this RFP, a Statement to the effect that the subcontractor has read and will agree to abide by all obligations.

Please submit sealed proposal in person or via certified mail to the City Clerk's Office no later than **2:00pm September 15, 2025**, at the administrative office at:

City of Commerce

Attn: Sandra Haggard

110 State Street

Commerce, Georgia 30529