

AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH ATTORNEY KEVIN L. RUSH AND
GENESEE COUNTY FOR THE COORDINATION AND DELIVERY OF INDIGENT CRIMINAL DEFENSE
LEGAL SERVICES

This amendment is effective October 1, 2024, and is between Genesee County, Michigan, a Michigan Municipal Corporation whose principal place of business is located at 1101 Beach Street, Flint, MI 48502 (the "County"), and attorney Kevin L. Rush, a sole proprietor, whose principal place of business is located at 934 Church Street, Flint, MI 48502 (the "Contractor") (the Contractor and the County together, the "Parties").

WHEREAS, the Parties executed a professional services contract effective October 1, 2023 (the "Agreement"), pursuant to which the Contractor would coordinate and perform certain indigent criminal defense legal services; and

WHEREAS, the Parties wish to amend the Agreement to extend the contract for an additional one year term and to modify the cost schedule.

NOW, THEREFORE, the Parties agree as follows:

1. The term of the agreement is hereby extended by a period of 12 months, ending at 11:59 P.M. on September 30, 2025.
2. The hourly rates to be paid will increase in accordance with the new MIDC approved compliance plan, as reflected in the attached Exhibit B, Amended Cost Schedule, with the total amount paid to the Contractor remaining the same.
3. All other terms of the Agreement remain unchanged and in full effect.

KEVIN L. RUSH

COUNTY OF GENESEE

By: Kevin L. Rush
Kevin L. Rush
Managing Attorney

By: James Avery
James Avery, Chairperson
Genesee County Board of Commissioners

Date: September 19, 2024

Date: 9/30/24

EXHIBIT B
Amended Cost Schedule
Effective October 1, 2024

Managed Assigned Counsel Coordinator
Weekend Arraignment
67th District Court

An invoice is to be submitted monthly for all legal and administrative services performed in the preceding month, subject to the following:

- A. Hourly Billing Rates. Time tracking should specify the type of work performed and provide sufficient detail to allow the information to be verified.

<u>Type of Work</u>	<u>Hourly Rate</u>
Weekend Arraignments	\$200
Administrative (MAAC)	\$150

- B. Reimbursement for Case-related Expenses

Per Michigan Indigent Defense Commission (MIDC) Standard 8, assigned counsel should be reimbursed for all reasonable out-of-pocket, case-related expenses. All receipts or documentation for expenses actually incurred should be submitted with monthly invoice for reimbursement.

Note that the MIDC included overhead costs in the minimum hourly rate set forth in Standard 8. Overhead includes any costs required to maintain and operate a law office, such as rent, telephone, utilities, support staff, accounting, staff wages, and professional liability insurance. These costs are not reimbursable under this contract.

Case-related expenses that qualify for reimbursement include but are not limited to demonstrative exhibits, clothing for clients, extraordinary printing/postage expenses, and advance payment made for FOIA or other records requests.¹

¹ You can find this information in MIDC Standard 8, <https://michiganidc.gov/standards/#tab-id-8>, and *Incentivizing Quality Indigent Defense Representation* (published March 2018), <https://michiganidc.gov/wp-content/uploads/2018/06/Incentivizing-Quality-Indigent-Defense-Representation.pdf>