



Farm-to-Consumer Legal Defense Fund®

FARM-TO-CONSUMER LEGAL DEFENSE FUND

REQUEST FOR PROPOSALS

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I. INTRODUCTION

The Farm-to-Consumer Legal Defense Fund (FTCLDF) is a 501(c)(4) non-profit organization that defends the rights of sustainable family farms, artisan food producers and homesteaders to make their products available to consumers without harassment by government authorities. We pursue this objective through education services, political action including grassroots activism and lobbying, and legal representation and advice for our members.

FTCLDF has thousands of members nationwide, and we provide legal representation in all 50 states. To accomplish this, we have a core group of attorneys on retainer with the organization to provide litigation services. We also employ local counsel as needed to assist with litigation matters. We are seeking to add 1-3 attorneys to our core group.¹

II. SCOPE OF WORK

The contract for legal services will be an independent contractor agreement between FTCLDF and the selected attorneys. The contracted attorneys will be paid a fixed retainer amount based upon a specified number of hours per month. Attorneys must account for their time in increments of 1/10th of an hour, and must submit detailed time reports on a monthly basis.

The contracted attorneys will be expected to perform the services described in the scope of work below. The attorneys will report to the Executive Director of the FTCLDF. The scope of work includes the following:

- Provide litigation services for FTCLDF members in the jurisdiction where the attorney is licensed.
- Provide litigation services for FTCLDF members in jurisdictions outside the attorney's licensed jurisdictions with support from local counsel.
- Assist and advise FTCLDF members regarding legal matters, such as responding to subpoenas and document production requests; government inspections; infringements of constitutional rights; licensing and regulatory matters; enforcement and compliance hearings; local government hearings regarding zoning matters; and administrative hearings.
- Negotiate with local, state and federal authorities on behalf of FTCLDF members in cases of alleged non-compliance.
- Draft agreements for FTCLDF members related to their farming or food production activities.
- Assist with staffing the FTCLDF 24-hour hotline for members' legal emergencies.

¹It is possible that the attorneys could be members of the same firm.

III. CONTACT PERSON

Please direct all questions regarding this proposal to Attorney Elizabeth Gamsky Rich:

Elizabeth Gamsky Rich
Acting President, Farm-to-Consumer Legal Defense Fund
435 E. Mill Street
Plymouth, WI 53073
920.892.2449
elizabeth@farmtoconsumer.org

IV. TIMELINE

Issuance of Request for Proposals:	July 29, 2016
Closing Date for Receipt of Proposals:	September 16, 2016
Finalist Selection and Notification:	September 23, 2016
Contract Award Notification:	September 30, 2016

V. GENERAL CONDITIONS

A. Limitations

FTCLDF reserves the right to withdraw this Request for Proposals or modify the timeline or terms described herein at any time without notice. This RFP does not commit FTCLDF to award a contract or pay any cost incurred to prepare responses to this request. FTCLDF reserves the right to reject any and all proposals submitted in response to this RFP.

B. Award

Finalists will be asked to participate in interviews, either in-person or by phone or Skype. Award notification will be made via telephone or electronic mail.

C. Pre-Contractual Expenses

FTCLDF will not be responsible for any pre-contractual expenses incurred by any respondents to this RFP, or those claiming under them.

D. Term

The term of the contract will be negotiated between FTCLDF and the selected attorneys. It is anticipated that the term will be for one year, terminable upon 60 days' written notice by either party.

E. Independent Contractor

This RFP seeks an independent contractor and not an employee for FTCLDF. No benefits of any kind, including without limitation health or dental insurance, retirement plans, or similar employee benefits, are offered. Selected attorneys will provide their own professional liability insurance in amounts reasonably acceptable to FTCLDF; their own office equipment and facilities; their own support staff, if needed; and their own licensing, continuing legal education and other expenses needed to maintain valid licensure as an attorney in their state of residence. The selected attorneys will be compensated on a bi-weekly basis. Although the compensation will be for a fixed amount, there will be a minimum billable hour requirement associated with the retainer. We are seeking a commitment for 40-80 hours per month. Compensation will vary depending upon qualifications.

VI. Qualifications

A. Minimum Qualifications

- Graduation from an accredited law school in the United States
- Valid license to practice law in at least one State
- Three years' litigation experience
- Excellent communication skills

B. Additional Qualifications Considered

- License to practice law in multiple U.S. jurisdictions, both state and federal
- Knowledge and/or experience in food law
- Experience in administrative law
- Experience in appellate practice
- Experience advising and representing non-profit organizations
- Demonstrated commitment to goals consistent with the FTCLDF mission

In addition to the foregoing, some education, expertise or interest in the following areas of law would be considered by the evaluation team:

- zoning and municipal law
- class action expertise
- environmental law (especially the Clean Water Act and water rights law)
- business law, including business formation, contracts, and leases
- securities law (particularly syndications, offerings, crowd-funding pursuant to the JOBS Act)

VII. Proposal Content and Organization

Please design your proposal to specifically address the elements set forth in this RFP. The organization of the proposal should follow the outline below.

A. Introduction

This section should introduce the attorney, explain the attorney's interest in the position and generally address the attorney's proposed contribution and commitment to the organization.

B. Attorney Organization Structure

Please describe your current firm and type of practice, including location, areas of emphasis, and portion of your practice dedicated to litigation.

C. Education

Describe your education background, including all post-secondary degrees received, the University from which they were received, and any scholastic or other academic honors received. Please include the names of and citations to any publications which you authored, co-authored or edited.

D. Experience

Identify and describe all legal work experience, as well as non-legal experience with potential relevance to the work to be performed pursuant to this RFP. Please include the name, address and telephone number of all employers, the dates of employment, and a contact name for references. If you have specific experience identified in Section VI (B), above, or other experience that you wish to be considered, please describe it.

E. Additional Qualifications

If you have additional qualifications you would like us to consider, please describe them in this section.

F. Proposed time commitment and compensation

Specify the hours you intend to commit to this work each week and the compensation you require.

Responses must be received no later than 5:00 PM, Central Standard Time, to the Contact Person identified in Section III. Please submit the response via e-mail.