

**REQUEST FOR PROPOSALS**  
**Contract Forensic Examiner**  
**Civil Commitment Court Primary Examiner**  
**Probate (Guardianship) Examiner**  
**Second Judicial District**

The Second Judicial District, Civil Division, is seeking proposals from a qualified person(s) or entity to contract for the provision of court-ordered mental health examination services for civil commitment and probate cases pending in the district court. The proposal shall be submitted for a three year period of time, from July 1, 2015 through June 30, 2018.

Following is a description of the work and listing of the proposal requirements. This is not a bid but a request for a proposal that could become the basis for negotiations leading to a contract for a Court Examiner (hereinafter “first examiner”) to serve as an independent contractor, and not as an employee of the State of Minnesota.

- I. **OBJECTIVE.** The goal of this request for proposal is to enable the Second Judicial District Court to secure the availability of a first examiner, in an efficient and cost-effective manner, to perform high quality court ordered civil commitment examinations.
  
- II. **DEFINITION.** For the purpose of this request for proposal, under Minn. Stat. § 253B.02, subd.7, a court-ordered examiner is a person who is knowledgeable, trained, and practicing in the diagnosis and assessment or in the treatment of the alleged impairment, and who is:
  - a licensed physician; or
  - a licensed psychologist who has a doctoral degree in psychology or who became a licensed consulting psychologist before July 2, 1975.
  
- III. **DESCRIPTION OF WORK.** The first examiner will provide professional mental health evaluations, prepare reports, and give testimony in court as required. In 2014, the total number of civil commitment filings was 712 cases. State law requires the Examiner to conduct an exam promptly after assignment by the court, and then to file a report no less than forty-eight (48) hours prior to the court hearing. In addition, the Examiner may be required to provide testimony. Examiners must apply knowledge of clinical psychology principles, theories, methods, and techniques, and exercise professional judgment in the selection and administration of appropriate psychometric tests. Examiners must also understand applicable legal standards in the formulation of opinions required by the court. Examiners must be able to effectively communicate their technical findings to the court. In unusual circumstances, a request may be made and the court may order that the contract examiner conduct sexual psychopathic and sexual dangerous person examinations.

The first examiner will be required to work with electronic documents when reviewing records and providing reports. The first examiner will use a privately owned laptop to conduct record review and production of reports. The district court will not provide the first examiner with a computer, laptop, paper copies or resources for printing paper copies. The first examiner will review records received by the court via the Electronic Medical Records System (EMRS) by signing a user agreement and obtaining a username and password. Reports will be prepared and submitted through the court Electronic Filing System (EFS).

The primary location for delivery of civil commitment psychological exam services for the upcoming contract year (July 1, 2015 through June 30, 2018) is the Commitment Court at 402 University Avenue, St. Paul, MN.

The court has determined that examinations and trials are conducted most effectively and efficiently during primarily the following half days:

- Monday a.m.
- Tuesday a.m.
- Wednesday p.m.
- Thursday a.m.

IV. BASIS FOR PAYMENT. Appendix A sets forth the current Psychological/Psychiatric Services Examiner Payment Policy of the Minnesota Judicial Branch. The Second Judicial District rates comply with the attached policy and include payment for record review, interview of the proposed patient, report writing, and testimony. Any assignment and payment for sexual psychopathic personality and sexually dangerous person evaluations will occur according to STATE policy Psychological/Psychiatric Services Examiner Payment Policy. Appendix B is a Quick Reference of Psych Examiner Services Maximum Payment Rates promulgated by the State Court Administrator's Office (SCAO) that identifies Ramsey County's rates.

V. CONTRACTOR REQUIREMENTS. A psychologist or agency awarded a contract as a result of this request for proposal must carry malpractice insurance and workers compensation insurance, if applicable. A criminal background check is required of all contractors.

VI. PROPOSAL CONTENTS. Each submission in response to this request for proposal must contain:

- A. Resume and Report Sample. Your proposal must include the resume of the individual who would perform the services of the examiner outlined in this request for proposal. The resume must be up-to-date, include the names and telephone numbers of at least three references, and demonstrate the individual's knowledge and expertise in administering civil commitment examinations, and in providing court testimony. The proposal must also include one appropriately redacted civil commitment examination report sample.

If you are submitting this proposal on behalf of an agency, please include a description of the agency and, for each examiner who would be performing examinations if a contract is awarded to the agency, a resume and report sample conforming to the requirements stated above.

- B. Other Conditions. Your proposal must indicate relevant experience and applicability to court-ordered mental health examinations, the financial parameters within which you are willing to perform civil commitment examinations, and your availability to the court during the time indicated above. Please be as specific as possible, including details such as to whether:
- your proposal is for an hourly and/or per exam;
  - the maximum time per week that you can commit;
  - other.

All reasonable proposals will be considered.

- VII. SUBMISSION OF PROPOSALS. Your proposal must be submitted in writing in a sealed envelope to:

**A. Proposal Timeline.**

1. Posting Date on State MJB Website [MJB Court Public Website - Public Notice](#) : April 8, 2015
2. Questions Due: Wednesday, April 15, 2015, by 4:30PM, CST.
3. Answers Posted: Wednesday, April 22, 2015, by 4:30PM, CST.
4. Proposal Submission Deadline: Wednesday April 29, 2015, by 4:30PM, CST.
5. Vendor conferences will be scheduled if needed.
6. Subsequent selection as soon thereafter as possible.

- B. Amendments.** Any amendments to this RFP will be posted on the MJB website.

- C. **Questions.** All questions about this RFP must be submitted in writing via email to the State's sole point of contact identified in this paragraph no later than Wednesday April 15, 2015, by 4:30PM, CST. Other court personnel are not allowed to discuss the Request for Proposals with anyone, including responders, before the proposal submission deadline.

Lynae Olson  
Civil Division Administrator  
Second Judicial District  
15 W. Kellogg Blvd, 600  
St. Paul, MN 55102  
[lynae.olson@courts.state.mn.us](mailto:lynae.olson@courts.state.mn.us)

- D. **Answers to Questions.** Timely submitted questions and answers will be posted on the MJB website by the end of the day on Wednesday April 22, 2015 by 4:30PM, CST and will be accessible to the public and other proposers.
- E. **Sealed Proposal and Submittal Address.** Your proposal must be submitted in writing by 4:30PM, CST on Wednesday April 29, 2015 in a sealed envelope to:

Civil Division  
Attn: Tiffany New  
RE: Psychological Examiner Application  
600 Courthouse  
15 West Kellogg Boulevard West  
St. Paul, MN 55102

The submission must include both one (1) paper copies and one (1) electronic PDF copy either on disc or flash drive. No facsimile submissions will be accepted.

- F. **Signatures.** Your proposal must be signed by, in the case of an individual, by that individual, and in the case of an individual employed by a firm, by the individual and an individual authorized to bind the firm.
- G. **Ink.** Prices and notations must be typed or printed in ink. No erasures are permitted. Mistakes may be crossed out and corrections must be initialed in ink by the person signing the proposal.

H. **Deadline; Opening; Public Access.** Proposals must be received no later than Wednesday April 29, 2015 by 4:30PM, CST. Proposals will be opened the following business day and once opened become accessible to the public do not place any information in your proposal that you do not want revealed to the public. All documentation shipped with the proposal, including the proposal, will become the property of the State.

I. **Late Proposals.** Late proposals will not be accepted or considered.

J. **Selection Timeline.** Vendor selection will be as soon as possible after the proposal submission deadline.

X. **EVALUATION.** The Second Judicial District will review the information submitted and may conduct interviews or meetings with selected potential contractors. Cost of service will not be the only criterion used in the selection process. Selected contractors must agree to Judicial Branch terms and conditions and sign a professional services contract. The professional services contract will contain a contract termination clause if the work product of the examiner is not satisfactorily performed in the judgment of the Judicial Branch. The selected contractor must provide documentation of medical license or doctoral degree in psychology, proof of malpractice insurance, and workers compensation insurance (applicable if the contractor has employees).

The Second Judicial District is not obligated to respond to any proposal submitted nor is it legally bound in any manner whatsoever by the submission of a proposal. The Second Judicial District reserves the right to cancel or withdraw the request for proposal at any time if it is considered to be in its best interest. In the event the request for proposal is cancelled or withdrawn for any reason, the Second Judicial District shall have no liability to any proposer for any reason for any costs or expenses incurred in connection with this request for proposals or otherwise. The Second Judicial District also reserves the right to reject any or all proposals, or parts of proposals, to waive any informalities therein, and to extend proposal due dates.



## Minnesota Judicial Branch Policy/Procedures

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<b>Policy Source:</b>	State Court Administrator
<b>Policy Number:</b>	510(a)
<b>Category:</b>	Court Operations
<b>Title:</b>	Psychological Services Examiner Payment Policy
<b>Origination Date:</b>	June 20, 2008
<b>Effective Date:</b>	July 1, 2008
<b>Revision Date:</b>	May 10, 2010
<b>Contact:</b>	Director of Court Services Division

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### Psychological/Psychiatric Services Examiner Payment Policy

#### I. POLICY

The State of Minnesota shall compensate non-employee examiners for examination and testimony pursuant to court order and pursuant to this payment policy.

#### II. APPLICABILITY

The Psychological Services Payment Policy applies to:

- (1) all District courts in the appointment of a court-ordered examination;
- (2) all District Courts in the processing of examiner invoices; and
- (3) all non-employee examiners who perform court ordered examinations for the courts.

#### III. DEFINITIONS

“Examiner” refers to a person performing court-ordered psychological examinations who is knowledgeable, trained, and practicing in the diagnosis and assessment or in the treatment of the alleged impairment, and who is:

- (1) a licensed physician; or
- (2) a licensed psychologist who has a doctoral degree in psychology or who became a licensed consulting psychologist before July 2, 1975; and
- (3) in good standing with the appropriate professional licensing board.

“Metro Area” refers to the seven (7) county metro area: Hennepin, Ramsey, Washington, Anoka, Dakota, Scott, and Carver.

## IV. COMPENSATION

The compensation established for court-ordered psychological/psychiatric exams is as follows:

### A. Maximum Compensation Rate

The State Court Administrator shall establish and periodically review a maximum examiner rate and/or a maximum total fee that may not be exceeded without obtaining prior judicial authorization. Each judicial district shall establish a rate within that limit. The court shall compensate first and second examiners based on the rate as determined by the judicial district. The maximum rate does not apply to exams performed by examiner employees.

1. The maximum examiner rate for civil mental health commitment cases and criminal Rule 20 competency/criminal responsibility cases shall be:

- a) Metro area           \$105.00 per hour.
- b) Outstate area       \$125.00 per hour.

2. The maximum statewide rate for Sexually Dangerous Persons and/or Sexually Psychopathic Personality cases is \$125.00 per hour. A maximum fee of \$5,000 shall be paid for services performed in an SDP/SPP case (not including travel compensation and related expenses in Paragraph B.2.) unless prior judicial authorization has been obtained to exceed the maximum fee.

3. The maximum statewide rate for psychiatrists, appointed in cases where the judge has determined that psychiatric testimony is necessary to evaluate the issue before the court, is \$195.00 per hour.

4. Contracts: Any hourly, flat fee per case, or per service rate negotiated under a separate contract with the state must not exceed the maximum examiner rate set by the State Court Administrator in this policy.

### B. Reimbursement

Examiners shall be paid for record review, interview of the proposed patient, report writing, and testimony. All requests for reimbursement shall be submitted within 60 days of the completed work. Other reasonable expenses may be reimbursed pursuant to the following guidelines.

#### 1. Testimony

Examiners shall be paid for direct and cross examination related to the court-ordered report only. Payment for general observation of a trial may only be

allowed on a case-by-case basis with prior judicial authorization. Payment may be expanded only on case-by-case basis with judicial authorization.

2. Travel

All travel will be paid at 60% of the hourly compensation rate as established by the district in Paragraph A. There will be no reimbursement for mileage.

When travel is required, the Court Administrator may authorize reasonable expenses based upon the Judicial Branch’s travel policy.


The following are examples of items NOT reimbursed.

- a) Reimbursement for meals and incidental costs during travel.
- b) Previously approved travel costs that are not broken out and itemized on the examiner’s bill.
- c) Work done outside the agreed upon location unless previously authorized by the Court Administrator or as further ordered by the court.

3. Cancellation or Continuance of Trial

The court shall attempt to give notice of cancellation or continuation of trial at least 24 hours prior to the start of the court proceeding, excluding weekends and official state holidays.

If an examiner appears at the courthouse and discovers a case has been cancelled or continued the examiner may bill for the actual round trip time expended to appear for the cancelled or continued proceeding at a rate not to exceed the hourly rate as established by the district in Paragraph A and/or the Travel rate as established in Paragraph B 2.

<p>Approval:</p> <div style="text-align: center; margin-top: 20px;">  </div> <hr style="width: 60%; margin: 0 auto;"/> <p style="text-align: center;">Sue Dosal, State Court Administrator</p> <div style="text-align: center; margin-top: 20px;"> <p>April 29, 2010</p> <hr style="width: 30%; margin: 0 auto;"/> <p>Date</p> </div>
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Appendix B





## PSYCHOLOGICAL/PSYCHIATRIC EXAMINER SERVICES PROGRAM

### QUICK REFERENCE OF PSYCH EXAMINER SERVICES MAXIMUM PAYMENT RATES

#### MAXIMUM RATES FOR EXAMINER SERVICES UNDER STATEWIDE AND DISTRICT POLICIES

For	County	Hourly Rates	Description
<b>Psychiatrists</b>	Statewide	\$195	All case types
<b>Psychologists</b>	Metro Area*	\$105	All case types except SDP/SPP
	Outside Metro Area	\$125	All case types
	Statewide	\$125	SDP/SPP (Except Hennepin County)
	Hennepin	\$105	All case types including SDP/SPP
	Ramsey	\$70/per exam	On-site** commitment exams – excludes testimony
	Ramsey	\$100	Testimony for commitment case types
	Ramsey	\$105	<ul style="list-style-type: none"> <li>• MI &amp; D exams &amp; testimony</li> <li>• Off-site** commitment exams &amp; testimony</li> <li>• Rule 20 cases</li> </ul>

\*Metro Area: Washington, Anoka, Dakota, Scott and Carver Counties

\*\*Onsite refers to Ramsey County Court facilities located at 402 University Avenue, St. Paul, MN

#### MAXIMUM RATES FOR TRAVEL TIME:

**Travel time is reimbursed at 60% of the applicable maximum hourly rate, except for Ramsey and**

*Hennepin courts where travel time is not reimbursed unless the exam is held outside the seven county metro area.*

<b>For</b>	<b>County</b>	<b>Hourly Rates</b>	<b>Description</b>
<b>Psychiatrists</b>	Statewide	\$117	60% of \$195
<b>Psychologists</b>	Metro Area*	\$63	60% of \$105; All case types including SDP/SPP
	Non Metro Area	\$75	60% of \$125; All case types including SDP/SPP

*\*Metro Area: Washington, Anoka, Dakota, Scott and Carver Counties*

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