

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

908



FROM: Executive Office

SUBMITTAL DATE:
May 17, 2006

SUBJECT: Indigent Defense Contracts for FY 2006-07

RECOMMENDED MOTION: That the Board of Supervisors approve the attached three contracts, with Criminal Defense Lawyers, Juvenile Defense Panel, and Barbara M. Brand Esq., for indigent defense services in FY 2006-07.

BACKGROUND: The County of Riverside contracts with panels of attorneys to provide criminal defense services for indigent defendants. The Court utilizes the services of County-contracted attorneys and also occasionally assigns cases to private counsel. The panels are appointed by the Court when the Public Defender's Office has a conflict of interest. The assigned counsel system has provided quality legal service that is reliable and cost effective.

A competitive bidding process for these contracts closed April 10, and individual meetings were held with all of the five bidders. The panel of evaluators included representatives from the Office of County Counsel, the Superior Court, the County Executive Office, and an outside consultant.

The successful bidders all have contracts with the County currently.
(continued)

Kathryn Field, Principal Management Analyst

FINANCIAL DATA

Current F.Y. Total Cost:	\$0	In New Year Budget:	yes
Current F.Y. Net County Cost:	\$0	Budget Adjustment:	no
Annual Net County Cost:	\$8,634,800	For Fiscal Year:	FY 2006-07

SOURCE OF FUNDS: Indigent Defense Budget – General Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature

Dept't Recomm.: Policy
Per Exec. Ofc.: Policy
 Consent
 Policy

Prev. Agn. Ref.: 3.3 of 6/28/05 | District: ALL | Agenda Number:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.4

Departmental Concurrence

Background, continued

The other two bidders consisted of well-qualified attorneys; however, the current providers were considered better able to meet needs of the Court at this time. In addition, at the request of the County Executive Office, the Law Offices of the Public Defender submitted an attractive cost analysis for an alternate public defender's office similar to those in place in San Diego and Orange Counties. With the growth of this County, initiating an alternate public defender's office in Riverside may be a viable alternative in the future but does not appear to be the best alternative at this time.

The three contracts total \$7,916,800 in legal fees (\$6.1 million to CDL; \$1.32 million to Barbara Brand, and \$496,800 to JDP). They also provide for up to \$718,000 in investigative and other expenses (actual investigative expenses are likely to be less). The rise in legal fees is attributable primarily to an increase in the number and complexity of the cases handled.

All of the successful bidders had their expense accounts audited last winter by an outside auditor, and all were found to have used their County funds for appropriate ancillary expenses. They have been receptive to suggestions for improving their practices further.

These contracts were finalized after preparation of the Proposed Budget, and the total amount of the contracts slightly exceeds the funds budgeted. Actual costs will be monitored throughout the year, with any needed adjustments made at a later date.

County Counsel prepared the attached contracts, in conformance with County standards.