

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

242



FROM: Human Resources Department

SUBMITTAL DATE:
January 22, 2007

SUBJECT: Request to Increase Defense Panel Attorney Rates

RECOMMENDED MOTION: We request the Board of Supervisors approve a rate increase for the County's defense panel attorneys from the current flat rate of \$125.00 per hour to \$145.00 per hour (a 16% increase). In addition, we request Board approval of an increase for our appellate attorneys from \$135.00 to \$155.00 per hour (a 15% increase).

BACKGROUND: Our defense panel attorneys have successfully represented the County of Riverside on third party claims. As the County becomes more urbanized our claim frequency and complexity has increased. Our defense panel consistently demonstrates their ability to meet these challenges.

Departmental Concurrence

Ronald W. Komers
Asst. County Executive Officer/Human Resources Dir.

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 325,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$	Budget Adjustment:	No
	Annual Net County Cost:	\$	For Fiscal Year:	2006/07

SOURCE OF FUNDS: General Liability and Medical Malpractice ISF Funds	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

- Consent
- Policy
- Consent
- Policy

Dep't Recomm.:
Per Exec. Ofc.:

JAN 22 2007 11:38 AM
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: | **District:** | **Agenda Number:** 3 . 22

BACKGROUND continued

We recommend that the hourly pay rate be increased to reflect our appreciation of a job well done and to maintain reasonable parity with the rates paid by other public entities in the region. The attached chart (Attachment "A") demonstrated current rates are out of line with other local agencies.

There are sufficient funds to cover the proposed fee increase in the existing Risk Management budget. In addition, as County Counsel assumes more responsibility for Risk Management legal matters we expect less expenditures and utilization of the panel to decline.

ATTACHMENT "A"

The total legal expense paid to the Defense Panel Attorneys for Fiscal Year 2005-2006 was \$2,317,104. For Fiscal Year 2006-2007 legal expense paid through December and estimated to the end of the Fiscal Year using a straight line method of extrapolation results in a slightly less amount of \$2,277,798.

Defense Panel Attorneys:

Bell Orrock & Watase, Inc.
Ferguson, Praet & Sherman
Kinkle Rodiger & Spriggs
Lewis, Brisbois, Bisgaard & Smith, LLP
Lubrani & Smith
Middlebrook, Kaiser & Popka
Rinos, & Martin
Thompson & Colgate
Arias & Lockwood

Appellate Attorney:

Arias & Lockwood

Public Entity	Defense Panel Rate(s)
City of Riverside	\$150.00 per hour
County of Orange	\$140.00 to \$170.00 per hour*
County of San Bernardino	\$135.00 per hour

* Varies by type of case.