

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

459



FORM APPROVED COUNTY COUNSEL  
BY: MS K. V. [Signature] 05/23/08  
DATE: MARSHAL VICTOR

Departmental Concurrence

**FROM:** Human Resources Department

**SUBMITTAL DATE:**  
May 22, 2008

**SUBJECT:** Outside Defense Panel Attorneys and Investigators for Risk Management

**RECOMMENDED MOTION:** That the Board of Supervisors 1) Ratify the first amendment to ten (10) contracts entitled Agreement for Professional Services - Legal Services (Defense Attorneys) and one (1) Agreement for Professional Services (Investigator), outlined in Attachment "A", extending their period of performance from July 1, 2007 through June 30, 2010; 2) authorize the chairperson to sign four (4) copies of each agreement; and 3) retain one (1) copy and return three (3) copies of the executed agreements to Human Resources for distribution.

**BACKGROUND:** Since the inception of our self insured program for General Liability and Medical Malpractice, the County has utilized outside Defense Attorneys and Investigators (Attachment 'A'). The attorneys listed on the attachment have demonstrated their ability to defend against the unique and complex claims to which the County is subject. The attached amendments extend the duration of the agreements to June 30, 2010, leaving all other terms and conditions the same.

(continued on page 2)

*[Signature]*

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

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 3,900,000	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2007/08

<b>SOURCE OF FUNDS:</b> Internal Service Funds – General Liability, Medical Malpractice	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY: *[Signature]*  
Elizabeth J. Olson

**County Executive Office Signature**

- Consent
- Policy
- Consent
- Policy

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

Prev. Agn. Ref.: 08/23/05 -# 3.56 | District: | Agenda Number:

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

**3.40**

**BACKGROUND (continued)**

The subject attorneys have continued to perform in accordance with the terms and conditions of the agreements since their expiration on June 30, 2007. The ten firms are assigned cases in accordance with the specialization held by specific attorneys in their respective firms. The County requires defense attorneys with expertise in several areas including road design, law enforcement, DPSS issues, employment, discrimination, other civil rights and medical malpractice claims brought in either Federal or State court.

These contracts continue to require the attorneys to comply with the County's Litigation Management Guidelines and the HIPAA Business Associate Agreements.

There is no financial impact to the County regarding this action.

**ATTACHMENT "A"**

*Attorney and Investigators for Risk Management*

<u>Current Panel Members</u>	<u>Current Rate</u>	<u>Specialty</u>
Kinkel Rodiger & Spriggs	\$ 145.00	General Liability
Thompson & Colegate	\$ 145.00	General Liability & Medical Malpractice
Bell Orrock & Watase	\$ 145.00	General Liability
Lewis Brisbois Bisgaard & Smith, LLP	\$ 145.00	General Liability and Coverage Counsel
Middlebrook, Kaiser & Popka	\$ 145.00	General Liability & Medical Malpractice
Rinos & Martin	\$ 145.00	General Liability & Medical Malpractice
Ferguson, Praet & Sherman	\$ 145.00	General Liability
Lubrani & Smith, LLP	\$ 145.00	General Liability & Medical Malpractice
Arias & Lockwood	\$ 155.00	Appellate Attorney
 <u>Investigators</u>		
Claim Support & Investigators (CSI)	\$ 45.00	* Investigator
 <u>Non Panel Specialty Firms ‡</u>		
Woodruff, Spradlin & Smart	\$ 155.00	General Liability
€ Liebert Cassidy	**	Employee Relations / Administrative Actions
€ Jackson Lewis	**	General Liability, Employee Relations / Administrative Actions
€ Sergio Bent	**	Employee Relations / Administrative Actions

Key:

\* The Investigator receives reimbursement of all direct expenses as well as the hourly rate.

‡ These firms are given case assignments based upon special concerns or case specific issues.

\*\* Not a flat rate. Rate varies by individual doing the work.

€ These law firms do not need their contracts extended at this time.

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