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



FROM: Executive Office

SUBMITTAL DATE:
June 16, 2009

SUBJECT: Indigent Defense Contracts for FY 2009-10

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 2009-10.

BACKGROUND: The County of Riverside contracts with panels of attorneys to provide criminal defense services for indigent defendants when the Public Defender's Office has a conflict of interest. Such services must be comparable to those provided by the Public Defender. These three panels have a history of providing quality legal service that is reliable to the Courts and cost effective to the County.

The contracts recommended today are similar in content to those approved for the past three contract years. The number of cases referred to the panels varies with the number of cases filed, staffing levels in the Public Defender's Office, and decisions made by Superior Court. All three firms have agreed to continue their current levels of compensation while taking up to 10% more cases.

(continued)

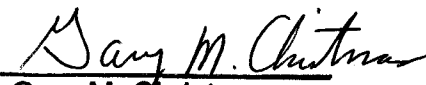

Kathryn Field, Deputy County Executive Officer

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$11,538,444	In New Year Budget:	yes
	Current F.Y. Net County Cost:	\$11,538,444	Budget Adjustment:	no
	Annual Net County Cost:	\$0	For Fiscal Year:	FY 2009-10

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

BY: 
Gary M. Christmas

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: 3.13 of 7/15/08 | District: ALL | Agenda Number:

3.11

Indigent Defense Contracts, continued

County Counsel prepared the attached contracts, in conformance with County standards. The three contracts total \$10.4 million in legal fees (\$7,790,004 to CDL; \$2,178,000 to Barbara Brand, and \$521,640 to JDP). They also provide for up to \$1,048,800 for investigative and forensic costs (actual investigative expenses are sometimes less), and for certain types of probate and family law cases to be compensated on a per-case basis.

These services were opened to competitive bidding in 2002 and 2006. It is anticipated they will be bid again in early 2010.

Proposed changes to the contracts for FY 2009-10 include:

Juvenile Defense Panel –

- A new provision to handle conservatorship cases at a per-case rate of \$1,250. The Court is currently ordering payment to individual attorneys of \$150 per hour for these cases, with an average per-case cost of about \$1,826. Projected savings would be up to \$77,000 annually.
- Adjustments to the caseload benchmarks that reduce the likelihood of the County paying on a per-case basis if caseloads become excessively high, or of the contractor repaying the County if caseloads drop dramatically.

Barbara Brand –

- An adjustment to the investigative expense account amount to a maximum of \$8,000 monthly, to accommodate the hourly pay increase provided to investigators in October 2007.
- Removal of the requirement to represent minors in guardianship cases.
- An adjustment to the caseload benchmark that reduces the likelihood of the County paying on a per-case basis if caseloads become up to 10% higher.

Criminal Defense Lawyers –

- An adjustment to the investigative expense account amounts to a maximum of \$40,000 monthly for Riverside cases and \$35,000 per month for Mid-County cases, in accordance with the contract amendment approved May 12, 2009 (minute order 3.7).
- Adjustments to caseload benchmarks that reduce the likelihood of the County paying on a per-case basis if caseloads become excessively high, or of the contractor repaying the County if caseloads drop dramatically. Potential savings to the County could be tens of thousands of dollars.