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

FROM: Human Resources Department

SUBMITTAL DATE:
February 13, 2013

SUBJECT: Memorandum of Understanding between the Superior Court of California, County of Riverside and the County of Riverside for the Appointment of a Chief Probation Officer

RECOMMENDED MOTION: That the Board approve and execute the Memorandum of Understanding (Attachment A) between the Superior Court of California, County of Riverside and the County of Riverside for the Appointment of a Chief Probation Officer.

BACKGROUND: On August 24, 2004, the Board of Supervisors approved a Memorandum of Understanding (MOU) between the Superior Court of California, County of Riverside and County of Riverside regarding the Probation Department. This MOU established a Court/County Chief Probation Officer (CPO) Governance Committee and amongst other responsibilities established a joint responsibility in the recruitment and interview for the CPO when a vacancy occurs. Chief Alan Crogan retired December 26, 2012, and the Court and the County wish to formalize and maintain their cooperative working relationship in the review of prospective applicants and the selection of a new CPO.

Departmental Concurrence

Barbara A. Olivier
Asst. County Executive Officer/Human Resources Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/2013

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Ivan M. Chand 2/14/2013

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

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

Prev. Agn. Ref.: 08/24/2004 3.11 | **District:** All | **Agenda Number:**

3-43

**MEMORANDUM OF UNDERSTANDING BETWEEN THE SUPERIOR COURT
OF CALIFORNIA, COUNTY OF RIVERSIDE AND THE COUNTY OF
RIVERSIDE - APPOINTMENT OF CHIEF PROBATION OFFICER**

I. PARTIES

This Memorandum of Understanding (MOU) is entered into as of the effective date set forth below by and between the Superior Court of the State of California, County of RIVERSIDE, ("the Court") and the County of RIVERSIDE, a political subdivision of the State of California ("the County").

II. PRIMARY AUTHORITY

Although the Chief Probation Officer (CPO) is selected by and serves at the will of the judiciary and the CPO's duties are defined by statute, the CPO is a County officer and employee. Because of the unique governance structure applicable to Probation Services in the county, and due to the retirement announcement of incumbent CPO Alan Crogan, effective December 26, 2012, the Court and the County wish to formalize and maintain their cooperative working relationship in the review of prospective applicants, and selection of a new CPO.

III. COOPERATION IN SOLICITING AND REVIEWING CANDIDATES FOR POSITION OF CPO

A. Agreement to Cooperate

By this agreement, the Court and County agree to work cooperatively in the recruitment of candidates for the position of COP. In that regard, the parties shall jointly cooperate in the following:

1. The recruitment and preliminary review of prospective candidates for the position of CPO.
2. The selection of candidates for further review and/or interviews.
3. The final selection of one candidate for the position of CPO to be presented to the Juvenile Justice Committee for nomination to the Presiding Judge of the Juvenile Court in connection with his nomination and appointment responsibilities as specifically described in California Welfare and Institution Code, Section 270.

B. CPO Selection Committee

The parties agree to form the CPO Selection Committee to effect the provisions of the law and the cooperation between the parties with respect to the issues noted in Article IIIA of this agreement. The CPO Selection Committee shall be comprised of the following participants:

1. The Chair of the Board of Supervisors or designee.

2. One additional member of the Board of Supervisors.
3. County Executive Officer.
4. The Presiding Judge of the Court.
5. The Presiding Judge of the Riverside Juvenile Court.
6. The Chief Executive Officer of the Court.

A designee from County Human Resources will be present as a non-voting member to answer any questions regarding procedures.

III. GENERAL PROVISIONS

A. Term

This agreement is limited to the recruitment of a replacement CPO. The agreement shall commence on the date it is fully executed by the authorized representatives of the Court and County. This agreement shall terminate when the candidate is appointed by the Presiding Judge of the Juvenile Court and sworn in as COP for the County.

B. Termination for Convenience

Either party may terminate this Agreement for convenience and without cause at any time prior to the nomination of a qualified candidate by the Juvenile Justice Committee to the Presiding Judge of the Juvenile Court by giving at least 30 days' written notice of termination to the other party at the addresses set forth below each party's signature hereto. The notice shall specify the date on which termination shall become effective.

C. Cooperation; Relations between the Parties

The County and Court will cooperative in good faith to implement this MOU. The parties desire to foster and maintain an effective work relationship. Therefore, the parties agree to keep the lines of communication open and be responsive to questions and issues that impact on or affect the position of CPO. All attempts will be made to resolve any disputes that arise as timely and amicably as possible.

D. Complete Agreement

This Agreement constitutes all of the agreements, understandings, representations, covenants and conditions relating to the subject matter hereof. No amendment, modification or waiver of any provision of this Agreement shall be effective unless such amendment, waiver or modification is in writing and is signed by all parties.

[SIGNATURE PAGE FOLLOWS]

This Agreement is entered into by and between the parties on this ____ day of _____, 2013.

FOR COURT:

By: HON. MARK A. COPE



Presiding Judge
Superior Court of California
County of Riverside

FOR COUNTY:

By: HON. JOHN J. BENOIT

Chairperson
County of Riverside
Board of Supervisors

By: F. PAUL DICKERSON



Presiding Judge, Juvenile Division
Superior Court of California
County of Riverside