

Indigent Legal Defense Services

March 12, 2024



**NEVADA
COUNTY**
CALIFORNIA



What are Indigent Legal Defense Services?

- **Constitutionally guaranteed right to legal representation**
- **In California, responsibility for providing and funding legal representation for those who cannot afford counsel falls to each individual county**
- **Nevada County meets this responsibility primarily through a County Public Defender's Office ("PD")**
- **When there is a conflict that prevents PD from representing a client, representation provided by an outside attorney**

Background

- **Superior Court (“Court”) assigns outside counsel when PD cannot manage a case (“Conflict Case”).**
- **Increasingly challenging to find enough local attorneys to meet Conflict Case demands**
 - **County and Court met to collaboratively identify solutions**
- **RFP Issued seeking a firm or group of attorneys to be a single point of contact to meet Conflict Case needs**

Proposed Contract

- **Cohen Defense Group (“CDG”) provides similar services to Placer County**
- **Proposal recommended by all participants on RFP review panel, which included representation from the Court and PD.**
- **CDG will serve as single point of contact for Court in assignment of Conflict Cases**
- **Fixed annual price with offices established in both Western and Eastern county**

Fiscal Impact

- **5-Year average of Budgeted Attorney Costs: \$416,459**
- **Proposed Contract Cost: \$3,028,780**

Fiscal Year	Proposed Contract Cost	Contract vs. Average Budget
23/24	\$198,166	NA
24/25	\$906,780	\$435,704
25/26	\$943,056	\$471,980
26/27	\$980,778	\$509,702
Total 3-Year Budgetary Impact:		\$1,417,385

Fiscal Impact *(continued)*

- **Recent caseloads and corresponding costs likely artificially low due to the COVID-19 impact on court schedules**
- **In the absence of a solution to Conflict Caseload problem, Court will likely need rely more on out-of-area attorneys, which would come at a higher cost**
- **Contract allows for a utilization review, wherein the cost may be reduced if caseload demands do not justify the proposed costs**
- **Estimated costs for the County to establish internal conflict office are essentially the same as those included in the proposed contract**

Agreement with Placer County

- **Costs for services in the Truckee area will be shared with Placer County**
 - **Results in cost savings for Nevada County, estimated at 12%**
- **Agreement by and between the two counties is presented along with the contract**

In Summary...

- **Proposed contract the result of a collaborative process between Court and County to solve a persistent problem**
- **Proposed contract supported by all stakeholders**
- **Agreement supports collaboration with Placer County to reduce costs while meeting needs of Eastern county**
- **Annual budgetary increase of approximately \$472,000**

Questions?



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