



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT BY AND BETWEEN THE COUNTY OF NEVADA AND THE COUNTY OF PLACER FOR CONFLICT INDIGENT LEGAL DEFENSE SERVICES IN THE EASTERN REGION

WHEREAS, the Constitution of the United States and California statutory provisions guarantee the right to legal representation for those facing criminal charges, juvenile delinquency and other matters for any person who is not financially able to retain counsel; and

WHEREAS, in the State of California, the responsibility for providing and funding legal representation for those who cannot afford counsel falls to each individual county; and

WHEREAS, the County of Nevada (“County”) meets this responsibility primarily through a County Public Defender’s Office, staffed by salaried public employees; and

WHEREAS, when there is a conflict of interest with the Public Defender’s Office, or when they are otherwise unable to represent an indigent client, legal representation must be provided by an outside attorney; and

WHEREAS, the County and the Nevada County Superior Court (“Court”) have met to collaboratively identify the best solution to comply with the constitutional mandates of providing effective counsel, while maintaining best practices of governmental efficiency, economy and accountability; and

WHEREAS, the preferred solution identified by the County and the Court was to contract with a single firm or group of attorneys to provide “turnkey” management of defense attorneys, and to that end a Request for Proposals (“RFP”) was issued on April 7, 2023, seeking a firm or group of outside attorneys to be the single point of contact to meet conflict indigent defense needs; and

WHEREAS, a proposal was received from Cohen Defense Group (CDG), which provides similar services to Placer County; and

WHEREAS, this proposal was recommended by all participants on the County RFP review panel, which included representation from the Court and County Public Defender; and

WHEREAS, following the recommendation of the RFP review panel, the County Purchasing Agent negotiated with CDG on various terms, and the proposed contract best meets

the RFP goals and represents a well-tailored solution to a persistent problem faced by the County, the Court and those who find themselves in need of indigent defense services; and

WHEREAS, the County desires to enter into a contract with Cohen Defense Group for indigent legal defense services in the maximum amount of \$3,028,780 for the contract term of March 12, 2024, through June 30, 2027; and

WHEREAS, CDG provides similar services to the County of Placer, including in the Lake Tahoe area; and

WHEREAS, the County, CDG and the County of Placer have determined that cost savings can be realized by sharing the costs of establishing an office for the purpose of providing indigent defense services to clients of both counties in the Tahoe Truckee area; and

WHEREAS, the County and the County of Placer desire to enter into an agreement for the purposes of sharing Conflict Indigent Legal Defense Services by CDG in the Eastern region.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, hereby approves the Agreement in substantially the form attached by and between the County of Nevada and the County of Placer for Conflict Indigent Legal Defense Services in the Eastern region and authorizes the County Executive Officer to execute the contract on behalf of the County of Nevada.