



**COUNTY OF NEVADA
COUNTY EXECUTIVE OFFICE**

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May 31, 2017

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: June 13, 2017

SUBJECT: Resolution approving a contract amendment to Resolution 16-325, contract with W. Gregory Klein for delivery of Conflict Indigent Defense Services for the period of July 1, 2016 through June 30, 2018 and amending the Conflict Indigent Defense budget for 16/17. The contract amount for this attorney will increase by \$85,000, going from \$160,000 to \$245,000.

RECOMMENDATION: Adopt the resolution.

FUNDING: There are three Conflict Indigent Defense contract amendments being brought to the Board of Supervisors in this June 13th meeting, with a total impact on the 16/17 budget and General Fund in the amount of \$115,000 (see table below for further details). Mr. Klein's contract is being amended a total of \$85,000: \$65,000 for 16/17; \$20,000 for 17/18. An amendment is included for 16/17 for \$65,000. The amount for 17/18 is included in the proposed 17/18 budget.

Attorney	Contract Amendment Changes							
	Current Contract Term	New Contract Term	Current Total Amount	Amend Amount	New Total Amount	16/17 Est.	17/18 Est.	18/19 Est.
J. Walters	7/1/16-6/30/18	7/1/16-6/30/19	\$80,000	\$95,000	\$175,000	\$75,000	\$50,000	\$50,000
W.G. Klein	7/1/16-6/30/18	7/1/16-6/30/18	\$160,000	\$85,000	\$245,000	\$145,000	\$100,000	N/A
W. Walker	7/1/16-6/30/18	7/1/16-6/30/18	\$100,000	\$15,000	\$115,000	\$65,000	\$50,000	N/A
<i>Fiscal Year 2016-17 Change from Budget</i>						<i>\$115,000</i>		

BACKGROUND: The County is required by law to appoint attorneys in criminal matters and to furnish legal services when a possible conflict of interest is present or when other defense

providers are otherwise disqualified. Representation by the conflict attorney in indigent criminal cases ranges from first appearance date and pleas to re-trials, preliminary hearings, and jury trials. The cases for which conflict attorneys may be appointed include misdemeanors, felonies, LPS Conservatorship and other matters where juvenile and adult indigent legal services are allowed by law.

Superior Court Judges appoint these cases from a qualified pool of local attorneys, who submit their invoices to the court for initial review and approval. The court then forwards the invoices to the CEO's office for payment from the conflict indigent defense budget.

In an effort to establish a more formal relationship with local attorneys who serve as alternate public defenders providing cost-efficient, quality conflict indigent defense services, the County has established an ongoing Request for Qualifications process that allows the County to contract with these attorneys at an established rate. In addition, it permits a review of qualifications by County Counsel and ensures the required insurance coverage is in place.

Due to preferential assignment of cases to contracted attorneys, as well as the additional expenses related to recent murder trial this attorney has provided more services than originally contracted for in FY 16/17. Mr. Klein's contract is being amended by a total of \$85,000: \$65,000 for 16/17; and \$20,000 for 17/18 resulting in a total contract amount of \$245,000 for two years. An amendment is included for 16/17 for \$65,000. The amount for 17/18 is included in the proposed 17/18 budget.

Please contact me if you have any questions.

Respectfully submitted,

Richard A. Haffey
County Executive Officer

Elise Strickler
Management Analyst