RESOLUTION - ACTION REQUESTED 2014-203

MEETING: May 13, 2014

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: Budget Action Increasing Funding for Conflict Counsel Expenses

RECOMMENDATION AND JUSTIFICATION:
Approve Budget Action Reducing General Fund Contingency and Increasing the Indigent Defense Budget to Account for Greater Than Anticipated Conflict Counsel Expenses ($20,000). The type and number of cases assigned to attorneys outside of the County’s Public Defender legal services agreement have been greater than anticipated this fiscal year. After determining if the defendant qualifies for indigent services, Superior Court Judges assign the cases to either attorneys on the County’s Public Defender agreement or to outside conflict counsel depending on the type of case and the number of defendants involved in the case. Superior Court staff review and process the invoices.

Administrative staff was notified by the Court regarding an invoice for a parole hearing appeal that will deplete the remaining available funding. Additional funding is needed for work on conflict cases for the months of April, May, and June 2014. The Court has indicated that there may be some substantial invoices that will be processed prior the end of this fiscal year, but due the uniqueness of each case it is not possible to ascertain how much these invoices will be. It is prudent that the Board be made aware that additional funding beyond this requested action may be necessary as the fiscal year comes to an end.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
All budget actions affecting Contingency, must have Board approval.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve the budget action. There will likely be insufficient funds within the Indigent Defense Budget to pay for the outstanding invoices related to Conflict Counsel expenses.

FINANCIAL IMPACT:
General Contingency will be reduced by $20,000.
ATTACHMENTS:
Budget Action Form  (XLS)

CAO RECOMMENDATION
Requested Action Recommended

COMMENTS
There is a Balance of $358,388 in General Contingency.

Rick Benson, County Administrative Officer

RESULT:  ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Janet Bibby, District III Supervisor
SECONDER: Lee Stetson, District I Supervisor
AYES: Stetson, Jones, Bibby, Cann, Carrier
## Budget Action Form

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
<th>DESCRIPTION</th>
<th>PROJECT</th>
<th>INCREASE</th>
<th>DECREASE</th>
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</thead>
<tbody>
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<td>001</td>
<td>0206-461</td>
<td>0419</td>
<td>Conflict Counsel</td>
<td></td>
<td>$20,000</td>
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<td>1090</td>
<td>GENERAL CONTINGENCY</td>
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<td>$20,000</td>
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</tbody>
</table>

**TOTAL** $20,000 $20,000

### Transfer Between Funds

**TOTALS** $0 $0

**Action Requested:** (Check all that apply)

- [X] Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

- [ ] Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**Justification:** To account for greater than anticipated Conflict Counsel expenses.

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**Dept Head Signature: **[Signature]

**Date:** 9-13-14

**Approve by Res No.:** 14-203

**Clerk:** [Signature]

**Date:** 5-14-14

**Indigent Defense/General Contingency**

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Budget Revision Form Revised 11/95

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