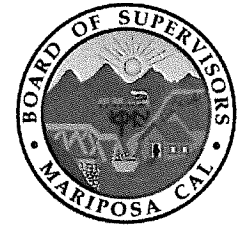




# MARIPOSA COUNTY

Administration • 209-966-3222



## **RESOLUTION - ACTION REQUESTED 2015-282**

MEETING: June 16, 2015  
TO: The Board of Supervisors  
FROM: Mary Hodson, CAO  
RE: Legal Services Agreement

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve a Three-Year Legal Services Agreement for Indigent Defense Legal Services with Neal D. Douglass, Eugene Action, and H. Wayne Green in an Annual Amount of \$360,000; and Authorize the Board of Supervisors Chair to Sign the Agreement. The County is required to provide indigent legal services and at this time does not fund county personnel to provide this service, but has relied upon contracted services. The County is currently contracting with these attorneys to provide indigent legal services and the existing legal services agreement terminates on June 30, 2015.

Staff received approval from the Board of Supervisors to solicit Requests for Proposals (RFP) to provide indigent defense services, and after review Administrative staff in consultation with County Counsel is recommending that the County enter into a legal services with the above referenced attorneys.

This Agreement includes an increase of \$22,027 from the previous Agreement, recognizing an increase in workload with the implementation of AB 109-Realignment, guardianship cases, drug court cases, and basic operating expenses (rent, utilities, etc.). It is anticipated that because these attorneys are relatively new in representing clients in the judicial system in Mariposa County, that conflict cases will be minimal and savings from this expense will help offset the increase in the Agreement. This is of course dependent on the type of cases and the number of indigent defendants in any one case.

Staff is unaware of any difficulties with our indigent defense attorneys and believes that the County is receiving a high level of service.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board adopted Resolution 15-146 on April 7, 2015, authorizing an RFP for Indigent Defense services.

The Board adopted Resolution 15-11 on January 6, 2015, approving a Second

Amendment to the Legal Services Agreement by substituting H. Wayne Green for Gary Collings.

The Board adopted Resolution 14-592 on November 25, 2014, approving a First Amendment to the Legal Services Agreement by substituting Eugene Action for Michael Fagalde.

The Board adopted Resolution 13-198 on May 21, 2013, approving a two year Legal Services Agreement with Gary Collings, Michael Fagalde, and Neal D. Douglass, in an amount of \$337,933.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve the Legal Services Agreement. Staff will need to solicit for attorneys willing to provide indigent legal services for the County.

**FINANCIAL IMPACT:**


**Agreement amount will be included in the Fiscal Year 2015-2016 Requested Budget.**

**ATTACHMENTS:**

**Legal Services Agreement 2015-2018 (DOC)**

**CAO RECOMMENDATION**

Requested Action Recommended

  
Mary Hodson, CAO 6/11/2015

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Rosemarie Smallcombe, District I Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Carrier