



# COUNTY OF HUMBOLDT

For the meeting of: 3/7/2023

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File #: 23-295

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**To:** Board of Supervisors

**From:** County Administrative Office

**Agenda Section:** Consent

**Vote Requirement:** 4/5th

**SUBJECT:**

Appropriation Transfers from the “Contingencies” Budget Unit for the Courts-County Contribution to Indigent Defense in Fiscal Years 2020-21 and 2021-22 (4/5 Vote Required)

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve an appropriation transfer from the “Contingencies” budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$260,000 for unanticipated indigent defense expenses for fiscal year 2020-21 (4/5 vote required); and
2. Approve an appropriation transfer from the “Contingencies” budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$466,000 for unanticipated indigent defense expenses for fiscal year 2021-22 (4/5 vote required).

**SOURCE OF FUNDING:**

General Fund (1100)

**DISCUSSION:**

The Courts-County Contribution received a General Fund Contribution in fiscal year (FY) 2020-21 of \$936,573 and a General Fund Contribution in FY 2021-22 of \$954,415 to provide outside counsel, investigators and experts for indigent defense that could not be assigned to the Humboldt County Public Defenders Offices. Additionally, utility costs for the state court areas are paid from this budget unit, as are transcripts that are required to be paid by the county. There are unexpected overages totaling an estimated \$260,000 for FY 2020-21 and \$466,000 for FY 2021-22. The overdraft in services and supplies are due to a marked increase in the utilization of experts and counsel in defense of criminal cases, and an increase in transcript costs. A number of overlapping mandates from the United States Constitution to the California Penal Code require the county to provide indigent defense. Funding for this increased expense is available through a transfer from the “Contingencies” budget unit within the General Fund.

Staff recommend that your Board approve the attached appropriation transfer from the “Contingencies” budget unit for the Courts-County Contribution (1100-250) in the amount of \$260,000 in FY 2020-21 and \$466,000 in FY 2021-22 for increased indigent defense expense.

**FINANCIAL IMPACT:**

| <b>Expenditures (1100-250)</b>     | <b>FY20-21 Adopted</b> | <b>FY21-22 Adopted</b> | <b>FY22-23 Adopted</b> |
|------------------------------------|------------------------|------------------------|------------------------|
| Budgeted Expenses                  | \$2,213,374            | \$2,230,665            | \$2,602,174            |
| Additional Appropriation Requested | \$260,000              | \$466,000              |                        |
| <b>Total Expenditures</b>          | <b>\$2,473,374</b>     | <b>\$2,696,665</b>     | <b>\$2,602,174</b>     |
| <b>Funding Sources (1100-250)</b>  | <b>FY20-21 Adopted</b> | <b>FY21-22 Adopted</b> | <b>FY22-23 Adopted</b> |
| General Fund                       | \$936,573              | \$954,415              | \$1,302,174            |
| State/Federal Funds                |                        |                        |                        |
| Fees/Other                         | \$1,276,801            | \$1,276,250            | \$1,300,000            |
| Use of Fund Balance                |                        |                        |                        |
| Contingencies                      | \$260,000              | \$466,000              |                        |
| <b>Total Funding Sources</b>       | <b>\$2,473,374</b>     | <b>\$2,696,665</b>     | <b>\$2,602,174</b>     |

*\*Projected amounts are estimates and are subject to change.*

**Narrative Explanation of Financial Impact:**

Unanticipated indigent defense expenses in Courts-County Contributions total \$260,000 for FY 2020-21 and \$466,000 for FY 2021-22. These expenses have been incurred and were required to be provided as mandated services. Funding is available through transfers from the “Contingencies” budget unit within the General Fund for both fiscal years. The current appropriations in the General Fund’s “Contingencies” budget unit available for use in FY 2020-21 is \$1,417,577. The approval of this transfer will obligate 18% of the county’s remaining contingency funding for FY 2020-21. The current appropriations in the General Fund’s “Contingencies” budget unit available for use in FY 2021-22 is \$1,302,276. The approval of this transfer will obligate 36% of the county’s contingency funding for FY 2021-22.

**STAFFING IMPACT:**

**Narrative Explanation of Staffing Impact:**

There is no associated staffing impact.

**STRATEGIC FRAMEWORK:**

This action supports the following areas of your Board’s Strategic Framework.

Core Roles: Protect vulnerable populations

New Initiatives: Invest in county employees and Provide community-appropriate levels of service

Strategic Plan: N/A

**OTHER AGENCY INVOLVEMENT:**

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the appropriation transfers. This is not recommended as it would leave the indigent defense budgets overdrawn.

ATTACHMENTS:

1. Appropriation Transfer FY 2020-21
2. Appropriation Transfer FY 2021-22

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A