



# COUNTY OF HUMBOLDT

## Legislation Text

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**File #:** 18-1078, **Version:** 1

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**To:** Board of Supervisors

**From:** Public Defender

**SUBJECT:**

Conflict Counsel Personnel Allocation Revision

**RECOMMENDATION(S):**

That the Board of Supervisors approve the proposed Personnel Allocation and make it effective July 1, 2018, for Conflict Counsel, budget unit 1100-246, eliminating one full-time equivalent (FTE) Public Defender Investigator, (Class 0449, Salary Range 418) and adding one FTE Deputy Public Defender, III (Class 0604, Salary Range 488).

**SOURCE OF FUNDING:**

General Fund -1100-246.

**DISCUSSION:**

The fiscal year (FY) 2018-19 budget for Conflict Counsel was submitted in April 2018, with a personnel allocation that included the following FTEs: Two Public Defender Investigators; three Deputy Public Defender(s) III/IV; and one Supervising Attorney.

Upon further consideration and review, it has been determined that the Conflict Counsel's Office cannot provide representation in all assigned courtrooms without four Deputy Public Defender positions in addition to the Conflict Counsel Supervising Attorney. Providing coverage for all assigned courtrooms, interviewing clients, and preparing for court hearings and trials, requires five full-time attorneys in order to provide effective representation to clients in which the Conflict Counsel's Office has been appointed to represent.

**FINANCIAL IMPACT:**

The elimination of (1) Public Defender Investigator position, which has remained vacant, will provide 93 percent of the funding for (1) Deputy Public Defender III to be hired in late August 2018. In addition, up to \$14,000 will be transferred from Conflict Counsel's budgeted expenditures in budget unit 1100-246, object code 2118, Professional & Special Services, into Conflict Counsel's, object code 1100, Salary and Wages, resulting in no additional cost to the General Fund.

**OTHER AGENCY INVOLVEMENT:**

None.

**ALTERNATIVES TO STAFF RECOMMENDATIONS:**

The Board of Supervisors could choose not to approve the correction to the personnel allocations. This alternative is not recommended. Without five full-time attorneys, Conflict Counsel would be forced to decline some court appointments. Since services are mandated, and would have to be made available through private counsel, there would be a higher cost per case with a negative impact the general fund.

**ATTACHMENTS:**

Revised 2018-19 Personnel Allocation for Conflict Counsel Budget Unit 1100-246.

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: N/A

Meeting of: N/A