



COUNTY OF HUMBOLDT

For the meeting of: 7/28/2026

File #: 26-777

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Transfer from Contingencies in the Amount of \$500,000 to Courts-County Contribution in (1100-250) Fiscal Year (FY) 2025-26 for Indigent Defense Services (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve a transfer from Contingencies (Attachment 1) in the amount of \$500,000 from the General Fund Contingencies (1100-990) to the Court-County Contribution budget unit (1100-250) for provision of indigent defense services (4/5 Vote Required).

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1001 -Support and sustain partnerships between public safety and partner agencies to enhance public safety in our communities

DISCUSSION:

The County of Humboldt is required by the state to pay for indigent defense services from the county General Fund. When cases conflict out of the Public Defender's Office and Conflict Counsel, staff from the County Administrative Office-Management & Budget Team (MBT) assign the cases to attorneys enlisted in the Humboldt County Court-Appointed Attorney Program (HCAAP). Due to protections in state law, once a case is assigned to an attorney staff have very little control over the amount that private attorneys can charge to defend a case.

Indigent defense costs have continued to rise due to an increased number of cases assigned to private attorneys after the closure of the Alternate Conflict Counsel's Office in 2016. In addition, expenditures are increasing due rising costs related to serious and high-profile cases, and low participation by local attorneys to serve as panel attorneys in the HCAAP, which has required the county to contract with attorneys who live out of the area and pay for certain travel expenses during the course of their work.

Your Board approved the re-establishment of Alternate Counsel with the adoption of the FY 2026-27 budget. Opening an Alternate Counsel office will allow for a third level of conflict before outside counsel attorneys are necessary for indigent defense. It is anticipated that utilizing internal counsel will stabilize the costs for indigent defense long-term preventing unexpected spikes.

SOURCE OF FUNDING:

General Fund Contingencies (1100-990)

FINANCIAL IMPACT:

Expenditures (1100-250)	FY25-26	FY26-27 Projected*
Budgeted Expenses	<u>1,363,404</u>	<u>1,360,000</u>
Additional Appropriation Requested	<u>500,000</u>	
Total Expenditures	<u>1,863,404</u>	<u>1,360,000</u>

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

Funding Sources (1100-250)	FY25-26	FY26-27 Projected*
General Fund	<u>1,363,404</u>	<u>1,360,000</u>
Contingencies (1100-990)	<u>500,000</u>	
Total Funding Sources	<u>1,863,404</u>	<u>1,360,000</u>

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

Narrative Explanation of Financial Impact:

The criminal defense attorney and related services charges reside in the Courts-County Contribution budget unit (1100-250). These services are mandated to be paid by the county's General Fund. Year-end expenses are expected to exceed appropriations. Therefore, staff are requesting approval of the attached transfer from contingencies in the amount of \$500,000 for FY 2025-26.

STAFFING IMPACT:

Approval of the attached transfer from contingencies will allow staff from the County Administrative Office - MBT to pay invoices for private indigent defense attorneys, investigators, expert witnesses, special evaluations and other services required by attorneys and/or the courts.

OTHER AGENCY INVOLVEMENT:

Humboldt County Superior Court, Public Defender, District Attorney, Sheriff's Office, Probation and local law enforcement agencies.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the attached transfer from contingencies; however, this is not recommended as the state requires that indigent defense services be paid from the county General Fund.

ATTACHMENTS:

1. Transfer from Contingencies- 1100250

PREVIOUS ACTION/REFERRAL:

Meeting of: N/A

File No.: N/A