



# MARIPOSA COUNTY

Administration • 966-3222



## **RESOLUTION - ACTION REQUESTED 2018-283**

MEETING: June 19, 2018  
TO: The Board of Supervisors  
FROM: Dallin Kimble, County Administrative Officer  
RE: Legal Services Agreement

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve Three-Year Legal Services Agreements for Indigent Defense Legal Services with Neal D. Douglass, Eugene Action, and H. Wayne Green, Respectively, in an Annual Amount of \$126,720 Each; and Authorize the Board of Supervisors Chair to Sign the Agreements.

The County is required to provide indigent legal services and has chosen to do so by contract for several years. The County currently has a single contract for indigent legal services performed by the three separate attorneys noted above. That agreement expires on June 30, 2018.

Staff solicited Requests for Proposals (RFP) to provide indigent defense services earlier this year. Three competitive proposals were received. After review, staff is recommending the County enter separate legal services agreements with Mr. Douglass, Mr. Action and Mr. Green.

There are several benefits to contracting with each attorney separately, particularly given that these attorneys do not belong to a single firm or have a professional association outside of our agreement. For example, each attorney is now independently accountable and responsible for his performance. Over time, or in the case of an unexpected termination, the County is also better positioned to stagger the agreements to maintain continuity of services.

The recommended agreements include a negotiated annual increase of \$6,720 per attorney (\$20,160 total) over the previous agreement, recognizing an increase in basic operating expenses (rent, utilities, etc.). Staff intends to engage in a new process for providing feedback to the attorneys and managing performance on a semi-annual basis throughout the duration of the contract term.

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

The Board adopted Resolution 15-282 on June 16, 2015, authorizing the previous 3-year combined agreement for Indigent Defense services.

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### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve the Legal Services Agreement. Some cases may be significantly delayed. Staff will need direction on how the Board would prefer to move forward.

### **FINANCIAL IMPACT:**

**Agreement amount will be included in the Fiscal Year 2018-2019 Requested Budget**

### **ATTACHMENTS:**

**Legal Services Agreement 2018-2021 Indigent Defense - Action, Eugene (DOC)**

**Legal Services Agreement 2018-2021 Indigent Defense - Douglass, Neal (DOC)**

**Legal Services Agreement 2018-2021 Indigent Defense - Green, Wayne (DOC)**

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

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

**SECONDER:** Merlin Jones, District II Supervisor

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