

**EL DORADO COUNTY PROBATION DEPARTMENT**  
**M E M O R A N D U M**

**TO:** Board of Supervisors

**CC:** Don Ashton, Chief Administrative Officer

**FROM:** Nikki Moeszinger, Chief Fiscal Officer  
Brian J. Richart, Chief Probation Officer

**DATE:** November 29, 2022

**RE:** Memorandum of Understanding #6910, Superior Court of California, County of El Dorado – Legistar Item 22-1744; December 13, 2022

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The purpose of this memorandum is to provide a detailed timeline with justification as to the retroactive nature of revenue Memorandum of Understanding 6910 with Superior Court of California, County of El Dorado.

California Senate Bill 129 – SB 129 Budget Act of 2021 (SB 129), was signed by Governor Newsom on July 12, 2021. SB 129 appropriated \$140 million to the Judicial Council of California to fund the implementation and operation of ongoing court programs and practices that promote safe, efficient, fair, and timely pretrial programs. The funding is intended to provide courts with information and resources to support judicial officers in making pretrial release decisions that impose the least restrictive conditions to address public safety and return to court as well as implementation of appropriate monitoring practices and provision of services for released individuals.

SB 129 requires courts to contract with any county department, including probation departments, to provide pretrial release services. Services may include improving support provided to justice-involved individuals (JII), incorporating monitoring for JIIs eligible for mental health pretrial diversion, participation in the County’s Mental Health Diversion (MHD) Program, and improving access for JIIs to contact and work with Probation staff to assist them in fulfilling their legal obligations.

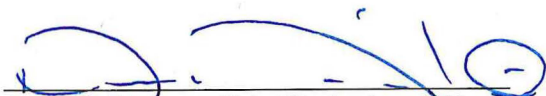
The El Dorado County Superior Court (EDCSC) made Probation aware that an MOU would be required and that the Judicial Council of California was preparing a template for the Courts to utilize. The development of the generic template took a considerable amount of time and upon receipt required editing by Court staff to make it work specifically for El Dorado County. EDCSC provided draft Memorandum of Understanding #6951 (MOU) to the Probation Department on May 27, 2022. Probation staff made initial edits and returned to Court on July 1, 2022. Probation received additional comments by the Court on July 14, 2022. Probation staff made further edits and returned to Court on August 2, 2022.

A final draft MOU was received from Court on September 19, 2022.

Probation has completed all tasks outlined in the MOU which predate execution of the retroactive agreement.

As the Court does not bring items to the El Dorado County Board of Supervisors, Probation is bringing the item to the Board at the earliest opportunity. This revenue MOU is retroactive to July 1, 2021, and expires on June 30, 2024.

Thank you for your consideration.

  
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Brian J. Richart, Chief Probation Officer