



## Legislation Details (With Text)

**File #:** 15-0814      **Version:** 2

**Type:** Agenda Item      **Status:** Approved

**File created:** 6/17/2015      **In control:** Board of Supervisors

**On agenda:** 10/24/2017      **Final action:** 10/24/2017

**Title:** Public Defender's Office recommending the Board approve Memorandum of Understanding 537-M1711 with the Superior Court of California, County of El Dorado, to receive revenue related to the Recidivism Reduction Fund Court Grant Pretrial Supervision Program in the amount of \$12,800 for a one (1) year term with a retroactive effective date of May 1, 2017.

**FUNDING:** State Funds; Superior Court to reimburse Public Defender.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - MOU 537-M1711 Approved Blue Route 10-24-17, 2. 2B - PD Pretrial Supv Prog 5.1.17-4.30.18 MOU 537-M1711 10-24-17, 3. Executed MOU 537-M1711, 4. A - MOU 541-F1511 Pretrial - Blue Route 7.21.15, 5. B - MOU 541-F1511 Pretrial MOU 7.21.15 - Copy, 6. Executed MOU 7-21-15 item 14.pdf

Date	Ver.	Action By	Action	Result
10/24/2017	2	Board of Supervisors	Approved	Pass
7/21/2015	1	Board of Supervisors	Approved	Pass

Public Defender's Office recommending the Board approve Memorandum of Understanding 537-M1711 with the Superior Court of California, County of El Dorado, to receive revenue related to the Recidivism Reduction Fund Court Grant Pretrial Supervision Program in the amount of \$12,800 for a one (1) year term with a retroactive effective date of May 1, 2017.

**FUNDING:** State Funds; Superior Court to reimburse Public Defender.

**DEPARTMENT RECOMMENDATION**

Public Defender's Office recommending the Board approve Memorandum of Understanding 537-M1711 with the Superior Court of California, County of El Dorado, to receive revenue related to the Recidivism Reduction Fund Court Grant Pretrial Supervision Program in the amount of \$12,800 for a one (1) year term with a retroactive effective date of May 1, 2017.

**DISCUSSION / BACKGROUND**

The Superior Court of California, County of El Dorado, was awarded an additional year term for the Recidivism Reduction Fund Court Grant Pretrial Supervision Program. The Public Defender's Office did not receive official notice of award of the requested grant monies in time to amend the previous MOU No. 541-F1511. The previous MOU No. 541-F1511 for the Recidivism Reduction Fund Court Grant Program Pretrial Supervision Program, was approved by the Board of Supervisors on July 21, 2015 (Item 15-0814) .

This new MOU No. 537-M1711 is for the additional one year grant period of May 1, 2017 through April 30, 2018. The MOU was drafted in May 2017 and submitted to County Counsel for review on

June 2, 2017. The MOU was disapproved by County Counsel on June 6, 2017 and returned to the department for revisions. Staff worked through the revisions requested by Counsel, which included modeling the MOU after the Probation Departments MOU 524-M1511, obtaining approval from the Judicial Counsel and amending the contract language relating to inapplicable provisions and resubmitted a revised MOU 537-M1711 to Counsel on August 16, 2017. The MOU was approved by Counsel on October 4, 2017 and is being presented to the Courts and Board of Supervisors for approval and signature. The El Dorado County Superior Court has confirmed they will sign the agreement with the effective date of May 1, 2017.

Under the proposed MOU No. 537-M1711, the El Dorado County Public Defender's Office will continue to provide certain services necessary, to support the program objectives of the Pretrial Program for the Superior Court of California, County of El Dorado, through .05% FTE Deputy Public Defender(s) and .05% Legal Secretary(s). The Deputy Public Defender(s) will be an active member of the Project Management Team responsible in part for the planning and implementation of a Pretrial Supervision Program (PSP); provide quality representation of the offenders at pretrial supervision hearings; and participate in meetings as required by Court. The Legal Secretary(s) will be responsible for the preparation of court related documents and research pertaining to applicable offenders.

Under this MOU, No. 537-M1711, the County Board of Supervisors is authorizing the Public Defender's Office to enter into this agreement with the Superior Court of California, County of El Dorado and accept reimbursement from said agency for any services necessary to complete the program objectives.

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Superior Court of California, County of El Dorado

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

This funding was not included in the FY 2017-18 budget, so additional revenues of \$12,800 may reduce the Department's Net County Cost, if all other assumptions remain the same.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

1. Obtain Board signature on two original copies MOU No. 537-M1711.
2. Return one original to the Public Defender's Office who will submit to the Superior Courts of California for implementation.

## **STRATEGIC PLAN COMPONENT**

Public Safety

## **CONTACT**

Teri Monterosso, Chief Public Defender

Suzanne N. Kingsbury, Presiding Judge of the Superior Court of California,  
County of El Dorado