



Legislation Text

File #: 10-1139, **Version:** 3

Chief Administrative Office recommending the Board authorize the Chair to sign a letter to Alpine County terminating an existing agreement in which the El Dorado County Public Defender's Office provides indigent legal services to Alpine County, effective May 1, 2013.

Fiscal Impact/Change to Net County Cost

Approval of this recommendation will reduce current year revenue by \$8,333.32 as a result of Alpine County no longer reimbursing El Dorado County for services from May 1 - June 30, 2013, and reduce anticipated FY 2013/14 revenue by \$25,000 for services that would have been provided during the term of this agreement from July 1 - December 31, 2013.

Background

In December 2010, the Board of Supervisors executed a contract with the County of Alpine for the El Dorado County Public Defender to provide contract legal services for indigent criminal defendants during the term of January 1, 2011 through December 31, 2013. Throughout the term of the agreement, the Public Defender was the primary individual providing these services to Alpine County.

The termination provisions of the agreement state that either party may terminate this agreement for any reason by giving at least 90 calendar days advance written notice to the other party of the effective date of such termination.

Reason for Recommendation

With the retirement of the Public Defender effective February 15, 2013, the Chief Administrative Office feels it is in the best interest of the County to terminate this agreement so that the new Public Defender is not tasked with managing the workload from Alpine County. In addition, at the time this agreement was approved the Chief Administrative Office identified the following concerns with this agreement which are still relevant:

- El Dorado County receives little to no benefit for providing this service to Alpine County.
- The impact of the additional workload from Alpine County on El Dorado County staff.
- Potential risks to El Dorado County associated with serving and defense counsel to Alpine County residents.

Action(s) to be taken following Board approval

- 1) Board Chairman will sign two copies of the termination letter, one of which will be returned to the CAO for distribution.
- 2) The Public Defender will transition open cases to the staff who will manage the cases through the termination date of May 1, 2013. In the event one or more existing cases go beyond May 1, 2013, Alpine County will reimburse El Dorado County for the services provided in an amount determined by the Court.

Contact

Don Ashton

Concurrences

County Counsel