



Legislation Text

File #: 12-1442, **Version:** 1

County Counsel recommending the Board consider the following:

- 1) Adopt Resolution **175-2012** amending the Fiscal Year 2012/2013 adopted personnel resolution adding one Deputy County Counsel and one Legal Secretary I/II to the County Counsel Department; and
- 2) Approve the attached budget transfer increasing salaries and benefits appropriations in County Counsel by \$106,500 and decreasing general fund contingency by the same amount. (4/5 vote required)

Funding: General Fund.

On Monday, September 17, 2012, the Board of Supervisors heard a presentation from the Public Guardian's office demonstrating that there has been a greatly increased caseload in conservatorship cases in recent years (both probate conservatorships and LPS conservatorships) which is expected to continue into the future. The Board therefore augmented the Public Guardian's personnel allocation substantially in order to allow the Public Guardian to properly handle the increased workload. Since a conservatorship is a legal proceeding, each conservatorship case is eventually referred to County Counsel's office for filing in court, and for subsequent legal proceedings including jury trials where necessary. Augmenting the Public Guardian's staff to allow it to handle more cases would inevitably increase the workload in County Counsel's office.

At the same Board meeting, the County Counsel's Office demonstrated to the Board of Supervisors that each new conservatorship case involved a great deal more work than in the past, so an increase in the number of cases plus the increase in workload per case means that the County Counsel's current staff also had to be augmented significantly in order to handle the new stream of cases from the Public Guardian. County Counsel requested that its personnel allocation be increased by one Deputy County Counsel and one legal secretary in order to handle the additional work.

The Board decided to defer the augmentation of County Counsel's personnel allocation until it had completed its ongoing reorganization. The Board expressed that it would grant the additional staff once the reorganization was complete. County Counsel has now completed its organizational review, and has taken a variety of internal steps to increase its efficiency, to enhance cross-training within the office, for succession planning, and to allow members of County Counsel's staff to participate in the CAO's functional groups and other planning efforts. The County Counsel and the Chief Administrative Officer are satisfied with the new organization structure. Now that this organizational review has been successfully completed, County Counsel reiterates its request for one additional Deputy County Counsel and one additional legal secretary in order to handle the burgeoning caseload of conservatorship cases. The previous augmentation of Public Guardian staff will be wasted unless the County Counsel staff is augmented to handle the new cases the Public Guardian will be generating. In addition to the increased Public Guardian work, the new staff will allow County Counsel's Office to manage the legal work being performed for the Public Administrator.

Rather than repeat the lengthy presentation made in September, particularly since the Board has

already indicated that it was prepared to grant the request for additional staff once the reorganization was completed, County Counsel will briefly describe the organizational changes and will answer any questions which the Board may have.

Fiscal Impact/Change to Net County Cost

The fiscal impact for FY 12/13 assumes six month of salaries and benefits for the Deputy County Counsel and Legal Secretary. This will result in an increase to Net County Cost for County Counsel of approximately \$106,500 for FY 2012-13. The annualized cost of these two positions is approximately \$213,000.

Background

Justification: The Board has previously augmented the Public Guardian staff to allow it to handle the greatly increased conservatorship caseload. An augmentation in County Counsel's staff is necessary to allow it to handle the additional work generated by the Public Guardian's office. In addition, the additional staff will allow county Counsel's Office to manage the public administrator legal work.

Action(s) to be taken following Board approval

The signed Resolution will be filed by the Board Clerk's Office and a certified copy forwarded to County Counsel for implementation.

Contact

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