



Legislation Text

File #: 15-1340, **Version:** 1

Public Defender's Office recommending the Board approve the continuation of an emergency appointment extra-help Legal Office Assistant through December 31, 2015.

FUNDING: This position is funded through the general fund, but there should be no increased cost to the general fund, as this salary can be absorbed through salary savings in the Public Defender's Fiscal Year 2015/16 budget.

DEPARTMENT RECOMMENDATION

The Department is recommending that the extra-help Legal Office Assistant that was hired as an emergency appointment be exceeded past the original 30 days that the position was initially hired for. Due to a retirement and an extended leave, the Placerville office currently only has 1 full time support staff to provide all support staff services such as requesting and printing discovery, processing out of custody arraignments, calendar court dates, pulling files, creating files, closing out case files, answering phones, etc. The department is recommending that the Board approve the emergency appointment for approximately 60 additional days, through the end of the 2015 calendar year. At that time, the Placerville Office should have 2 full time support staff and will no longer need the extra-help position.

DISCUSSION / BACKGROUND

The Public Defender's Placerville Office has typically been supported by 3 support staff. Most recently, the support staff has been comprised of two Legal Secretaries and 1 Legal Office Assistant (LOA) who provide assistance to the 9 attorneys in the Placerville office. The Legal Office Assistant retired as part of the Early Separation Incentive in October 2015, but had been out of the office for a period of time before that separation date. This LOA position could not be filled upon the retirement of the employee, as the allocation was deleted during the Fiscal Year 2015/2016 budget proceedings. The Department received notice near the end of September that one of its remaining two support staff in the Placerville Office would be out through the end of the 2015 calendar year. This left the Department with only 1 full time Legal Secretary to provide all support staff related duties to the 9 attorneys in the Placerville office. Upon receiving notice of the extended leave, the Department requested and received approval by Human Resources, for an emergency appointment of an extra-help Legal Office Assistant to meet immediate requirements caused by this emergency condition. The Department also tried to remediate the impact of the absence of support staff by having one of the South Lake Tahoe support staff come down once a week to assist the department. The minimal amount of time able to spared to the Placerville office barely makes a dent in the overall and continuous workload in the Placerville office.

The Department would most likely have experienced an interruption of the essential and constitutionally mandated legal services it renders if immediate action was not taken, as it is not possible for 1 support staff to absorb the additional 2 workloads that were vacated. A recruitment would have taken valuable time to complete during which support staff duties such as requesting and printing discovery, answering our client's phone calls, preparing case files, etc., would not be completed. This would have resulted in attorneys not being prepared for court, having to ask for

continuances further clogging the court's already crowded system and calendar, and not being able to provide timely legal services. The Department identified a former extra-help employee who was available to start immediately as an extra-help Legal Office Assistant Step at the first salary step. This employee started on October 3, 2015 and has worked a few days per week to assist the Department since that time.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Human Resources

CAO RECOMMENDATION

Approve Department's recommendation.

FINANCIAL IMPACT

There should not be any increased cost to the County for this extra-help appointment.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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