



Legislation Text

File #: 23-0278, **Version:** 1

District Attorney's Office and the Human Resources Department recommending the Board adopt and authorize the Chair to sign Resolution **036-2023** to approve the following:

- 1) Addition of 2.0 FTE Deputy District Attorney I-IV positions;
- 2) Deletion of 2.0 FTE Sr. Office Assistant positions; and
- 3) Deletion of 1.0 FTE Sr. Office Assistant - Limited Term position in the District Attorney's Office Authorized Personnel Allocation.

FUNDING: General Fund.

DISCUSSION / BACKGROUND

The District Attorney's Office is requesting to add 2.0 FTE Deputy District Attorney positions and delete 3.0 Sr. Office Assistant positions from the department's authorized personnel allocation primarily due to a change in business model and organization within the office.

Due to changes in law and court/office processes and updates in statistical data requirements, the District Attorney's Office is experiencing a change in business model in which the Deputy District Attorneys (DDAs) will have an expanded role in case tracking, pre-filing diversion, post-filing diversion, lengthy court processes part of new justice initiatives within California, and post-conviction tasks. As a result of the adoption of an advanced Case Management System (CMS), significant workload has shifted from support staff to attorneys. For example, DDAs are now responsible for drafting documents, including charging documents, motions and pleadings, offer letters, NCF (no charges filed) notifications, agency follow-up requests, amending charges, rebuilding language, generating SDTs (subpoena duces tecum) and associated affidavits, basic case cleanup/maintenance in CMS, generating blood split requests, and completing case closeouts and dispositions, all of which were previously completed by support staff. With the new CMS requirements, it is apparent that it is more efficient for an attorney to complete these tasks themselves rather than support staff.

Additionally, over the last several years the state legislature has made significant changes to criminal law and procedure. Many of these changes have increased the workload for attorneys per case. To list a few, some examples include changes impacting pre-trial detention, having resulted in a significant increase in litigation concerning bail and custodial status, as well as data tracking requirements that have increased DDA tasks to the point where court calendars can no longer be covered by a single DDA, but instead, require two DDAs. As a result, the department's current DDA allocation can no longer maintain as high a case load as they may have been able to in the past. The additional 2.0 FTE DDAs are being requested to accommodate the overall increased workload.

ALTERNATIVES

Should the Board opt not to approve the request to add 2.0 FTE Deputy District Attorneys and delete 3.0 Sr. Office Assistants from the department's personnel allocation, the decision will impact workload and potentially lengthen the timeline for case proceedings and tasks.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Human Resources

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Dependent upon the recruitment timeline, the increase in salary associated with the addition of 2.0 FTE Deputy District Attorneys is estimated at \$67,000 for the remainder of current Fiscal Year 2022/2023; and \$86,117 annually, which includes the deletion of 3.0 FTE Sr. Office Assistants, for subsequent years. The current year increase is anticipated to be offset by salary savings from vacancies.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Upon Board adoption and approval, please provide a copy of the executed Resolution to Human Resources.

STRATEGIC PLAN COMPONENT

Public Safety

CONTACT

Vern Pierson, District Attorney