

**Title**

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Professional Services Agreement with Monique S. Hill for representation of indigent defendants in adult criminal cases in the maximum amount of \$94,875, for the term retroactive to August 1, 2019 through June 30, 2020; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to two (2) additional amendments to this Agreement, extending the term of each by one (1) fiscal year per amendment, subject to County Counsel review and provided the cost per additional year does not exceed \$103,500.

**..Report****RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Professional Services Agreement with Monique S. Hill for representation of indigent defendants in adult criminal cases in the maximum amount of \$94,875, for the term retroactive to August 1, 2019 through June 30, 2020 and,
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to two (2) additional amendments to this Agreement, extending the term of each by one (1) fiscal year per amendment, subject to County Counsel review and provided the cost per additional year does not exceed \$103,500.

**SUMMARY/DISCUSSION:**

Monterey County has a Constitutional obligation to provide legal representation for indigent persons accused of criminal violations, and in certain civil proceedings (i.e. juvenile, mental health, truancy, sexually violent predator prosecutions), in which the Monterey County Public Defender has declared a conflict of interest. In these cases, the courts appoint the Monterey County Alternate Defender's Office (ADO) to serve as counsel. Professional Services Agreements with selected attorneys enable Monterey County to meet its constitutional obligations in conflict of interest cases.

The Public Defender recommends the Board's approval of a Professional Services Agreement with Attorney Monique S. Hill based on the need for ADO attorney services created by loss of an ADO attorney. The former ADO attorney's agreement with the County expired on June 30, 2019, by its terms, and he decided not to renew his agreement or to provide further services to the ADO. This has created the need to seek out and appoint an additional ADO attorney.

Attorney Hill submitted a responsive bid to the County when it issued a Request for Proposals in 2017, seeking qualified attorneys seeking to provide criminal indigent defense services through the Alternate Defender Office. Attorney Hill is willing to provide such services to the County and is deemed qualified to do so by the Public Defender. The Board's approval of the proposed agreement will enable the County to meet its constitutional obligation to provide indigent persons with legal representation.

**OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed the proposed Professional Services Agreement as to form.

FINANCING:

The contract with Attorney Hill will be funded through Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel. Funding for the Agreement is included in the FY 2019-2020 Approved Budget and will be included in the FY 2020-2021 Requested Budget, Budget Unit 8168-Court Assigned Counsel. Approval of the recommended action will have no additional impact on the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

**PUBLIC SAFETY:** The Alternate Defender Office strives to protect the constitutional rights of the indigent by providing them quality representation in a society free and safe from unlawful State interference, by vigorously defending individual rights where the Public Defender has a conflict of interest. Acceptance of the recommendations ensures the continuation of criminal defense services to the indigent.

X Public Safety

Prepared by: Latasha Ellis, Management Analyst, ext.5082

Approved by: Susan Chapman, Public Defender, ext.5806

Attachments:

Professional Services Agreement with Monique S. Hill