



Legislation Details (With Board Report)

File #: A 21-358 **Name:** ADO FY 21/22 PSA Agreements
Type: BoS Agreement **Status:** Criminal Justice - Consent
File created: 6/11/2021 **In control:** Board of Supervisors
On agenda: 6/22/2021 **Final action:**

Title: a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements for legal representation in indigent adult and juvenile criminal cases, through the Alternate Defenders Office, with effective terms of July 1, 2021 through June 30, 2022, with the following attorneys in these amounts: Evan George for \$82,125; Jeffrey Gobell for \$92,125; Kelly Duncan for \$84,000; Jan Lindberg for \$96,000; Tara Higgins for \$103,500; Richard West for \$103,500; and Monique Hill for \$103,500; and
b. Approve and authorize the Contracts/Purchasing Officer to execute up to four (4) amendments to these agreements, extending the terms of each by one (1) fiscal year per amendment, subject to County Counsel review and provided there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement per amendment. (ADDED VIA ADDENDUM)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. (ADO) PSA FY 21-22 E. George, 3. (ADO) PSA FY 21-22 J. Gobell, 4. (ADO) PSA FY 21-22 K. Duncan, 5. (ADO) PSA FY 21-22 J. Lindberg, 6. (ADO) PSA FY 21-22 T. Higgins, 7. (ADO) PSA FY 21-22 R. West, 8. (ADO) PSA FY 21-22 M. Hill, 9. Completed Board Order Item No. 74.1

Date	Ver.	Action By	Action	Result
6/22/2021	1	Board of Supervisors		

- a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements for legal representation in indigent adult and juvenile criminal cases, through the Alternate Defenders Office, with effective terms of July 1, 2021 through June 30, 2022, with the following attorneys in these amounts: Evan George for \$82,125; Jeffrey Gobell for \$92,125; Kelly Duncan for \$84,000; Jan Lindberg for \$96,000; Tara Higgins for \$103,500; Richard West for \$103,500; and Monique Hill for \$103,500; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to four (4) amendments to these agreements, extending the terms of each by one (1) fiscal year per amendment, subject to County Counsel review and provided there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement per amendment. (ADDED VIA ADDENDUM)

RECOMMENDATION:

- a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements for legal representation in indigent adult and juvenile criminal cases, through the Alternate Defenders Office, with effective terms of July 1, 2021 through June 30, 2022, with the following attorneys in these amounts: Evan George for \$82,125; Jeffrey Gobell for \$92,125; Kelly Duncan for \$84,000; Jan Lindberg for \$96,000; Tara Higgins for \$103,500; Richard West for \$103,500; and Monique Hill for \$103,500; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to four (4) amendments to these agreements, extending the terms of each by one (1) fiscal year per amendment, subject to County Counsel review and provided there is no significant change to the scope of work or increase in cost that exceeds five

percent (5%) of the original amount of the Agreement per amendment.

SUMMARY:

The Monterey County Alternate Defender’s Office (ADO) finds it necessary to assign qualified trial counsel to represent indigent defendants, other parties, or juvenile offenders in cases in which the Monterey County Public Defender has declared a conflict of interest and the courts appoint the ADO to serve as counsel.

To fulfill these alternate defense requirements, and to obtain qualified outside professional legal services, the ADO solicited qualifications from legal firms and/or attorneys to provide legal representation for adult criminal clients and juvenile offers - Request for Proposals (RFP) #10793 and Request for Proposals (RFP) #10798. Following the evaluation of proposals submitted and an interview process, seven attorneys were selected to provide defense services. The ADO recommends that the Board authorize the Contracts/Purchasing Officer to execute contracts with the Law Office of Evan George, Law Office of Jeffrey Gobell, Law Office of Kelly Duncan, Law Office of Jan Lindberg, Law Office of Tara Higgins, Law Office of Richard West, and Law Office of Monique Hill for criminal defense services for the fiscal year 2021/2022. The ADO further recommends that the Board authorize the Contracts/Purchasing Officer to execute up to four extensions of these agreements by amendment, for one additional year per amendment.

DISCUSSION:

Language has been added to the proposed Professional Services Agreements to ensure that legal services are provided in compliance with ADO policies regarding legal representation and procedures. The proposed Professional Services Agreements are attached to this Board report and are on file with the Clerk to the Board’s Office.

OTHER AGENCY INVOLVEMENT:

The ADO worked with the Contracts/Purchasing Division during the RFP solicitation to ensure the process was fair and transparent. County Counsel and the Auditor-Controller have reviewed and approved these Agreements as to legal form and fiscal provisions respectively. All the insurance and indemnifications are compliant with the standard requirements set forth by the Risk Manager.

FINANCING:

The annual compensation for each of the contracts is funded through Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel, as follows:

<u>Contractor</u>	<u>Maximum Annual Amount</u>	<u>Case Type</u>
Law Office of Evan George	\$82,125.00	Juvenile
Law Office of Jeffrey Gobell	\$92,125.00	Juvenile
Law Office of Kelly Duncan	\$84,000.00	Misdemeanor
Law Office of Jan Lindberg	\$96,000.00	Felony (excluding life exposure); Misdemeanor
Law Office of Tara Higgins	\$103,500.00	Felony
Law Office of Richard West	\$103,500.00	Felony
Law Office of Monique Hill	\$103,500.00	Felony

Funding for the Agreement is included in the **FY 2021-2022** Approved Budget and will be included in the FY 2022-23 Requested Budget, Budget Unit 8168-Court Assigned Counsel. Approval of the recommended actions will have no additional impact on the County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

PUBLIC SAFETY: The Alternate Defender Office will strive 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.

Prepared by: Laura Henderson, Management Analyst, ext.6054 _____

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

Attachments: 1 through 7

Attachment 1: Agreement Evan George

Attachment 2: Agreement Jeffrey Gobell

Attachment 3: Agreement Kelly Duncan

Attachment 4: Agreement Jan Lindberg

Attachment 5: Agreement Tara Higgins

Attachment 6: Agreement Richard West

Attachment 7: Agreement Monique Hill