



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 25-499

July 08, 2025

Introduced: 6/17/2025

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and authorize the Contracts/Purchasing Officer or designee to execute Renewal and Amendment No. 1 to the Professional Services Agreements (PSAs) for Alternate Defender Office (ADO) legal representation in indigent adult criminal cases, to extend the expiration date for 12 additional months to June 30, 2026, retroactively effective to July 1, 2025, for a revised term of July 1, 2024, to June 30, 2026, and to double the not-to-exceed amount per attorney for the additional year of work, with the following revised not-to-exceed amounts per attorney: Kelly Duncan-\$210,000; Jan Lindberg-\$230,000; Tara Higgins-\$310,000; Richard West-\$310,000; and Shane Kelly-\$310,000; and
- b. Approve and authorize the Contracts/Purchasing Officer or designee to execute Renewal and Amendment No. 1 to the Professional Services Agreements (PSAs) for Alternate Defender Office (ADO) legal representation in indigent juvenile criminal cases, to extend the expiration date for 12 additional months to June 30, 2026, retroactively effective to July 1, 2025, for a revised term of July 1, 2024, to June 30, 2026, and to double the not-to-exceed amount per attorney for the additional year of work, with the following revised not-to-exceed amounts per attorney: Elliott Sanford-\$210,000 and Jeffrey Gobell-\$240,000.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or designee to execute Renewal and Amendment No. 1 to the Professional Services Agreements (PSAs) for Alternate Defender Office (ADO) legal representation in indigent adult criminal cases, to extend the expiration date for 12 additional months to June 30, 2026, retroactively effective to July 1, 2025, for a revised term of July 1, 2024, to June 30, 2026, and to double the not-to-exceed amount per attorney for the additional year of work, with the following revised not-to-exceed amounts per attorney: Kelly Duncan-\$210,000; Jan Lindberg-\$230,000; Tara Higgins-\$310,000; Richard West-\$310,000; and Shane Kelly-\$310,000; and
- b. Approve and authorize the Contracts/Purchasing Officer or designee to execute Renewal and Amendment No. 1 to the Professional Services Agreements (PSAs) for Alternate Defender Office (ADO) legal representation in indigent juvenile criminal cases, to extend the expiration date for 12 additional months to June 30, 2026, retroactively effective to July 1, 2025, for a revised term of July 1, 2024, to June 30, 2026, and to double the not-to-exceed amount per attorney for the additional year of work, with the following revised not-to-exceed amounts per attorney: Elliott Sanford-\$210,000 and Jeffrey Gobell-\$240,000.

SUMMARY/DISCUSSION:

Monterey County fulfills its constitutional obligation to provide legal representation for indigent persons accused of criminal violations-and in certain civil proceedings (juvenile, mental health, truancy, sexually violent predator prosecutions)-through the Alternate Defender Office (ADO) when the Public Defender has a disabling conflict of interest. The Monterey County ADO considers it essential to assign qualified trial counsel to represent indigent defendants, juvenile offenders, and other parties in cases where the Monterey County Public Defender has declared a conflict of interest, resulting in the ADO's appointment as counsel.

Although the amendments to these Agreements were prepared for Board review and approval prior to the end date of the original agreements, unanticipated delays in internal review processes resulted in expiration of the Agreements. In order to fulfill the County's constitutional obligation and ensure provision of appropriate legal representation for indigent persons accused of criminal violations, the Public Defender recommends that the Board approve renewals and amendments to the PSAs with the Law Office of Elliott Sanford, 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 Shane Kelly for criminal defense services for Fiscal Year (FY) 2025-26.

Language has been included in the PSAs to ensure that legal services are provided in compliance with ADO policies regarding legal representation and procedures.

OTHER AGENCY INVOLVEMENT:

County Counsel and the Auditor-Controller have reviewed and approved as to legal form and fiscal provisions respectively. Risk Management has reviewed and approved as to County risk.

FINANCING:

Funding for the agreements is included in the FY 2025-26 recommended budget, Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel. Approval of the recommended actions will have no additional impact on the County General Fund.

The annual compensation for each of the agreements 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 Elliott Sanford	\$105,000	Juvenile
Law Office of Jeffrey Gobell	\$120,000	Juvenile Coordinator
Law Office of Kelly Duncan	\$105,000	Misdemeanor
Law Office of Jan Lindberg	\$115,000	Felony (excluding life exposure); Misdemeanor
Law Office of Tara Higgins	\$155,000	Felony
Law Office of Richard West	\$155,000	Felony
Law Office of Shane Kelly	\$155,000	Felony

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

PUBLIC SAFETY: The ADO 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.

- ☐ Economic Development
- ☐ Administration
- ☐ Health and Human Services
- ☐ Infrastructure
- ☒ Public Safety

Prepared by: Amy Esquivel, Management Analyst II, x6054

Approved by: Susan E. Chapman, Public Defender, x5806

Attachments:

Attachment A: Renewal and Amendment No 1 to PSA with the Law Office of Kelly B. Duncan
Attachment B: Professional Services Agreement with the Law Office of Kelly B. Duncan
Attachment C: Renewal and Amendment No 1 to PSA with the Law Office of Jan S. Lindberg
Attachment D: Professional Services Agreement with the Law Office of Jan S. Lindberg
Attachment E: Renewal and Amendment No 1 to PSA with the Law Office of Tara A. Higgins
Attachment F: Professional Services Agreement with the Law Office of Tara A. Higgins
Attachment G: Renewal and Amendment No 1 to PSA with the Law Office of Richard H. West
Attachment H: Professional Services Agreement with the Law Office of Richard H. West
Attachment I: Renewal and Amendment No 1 to PSA with the Law Office of Shane M. Kelly
Attachment J: Professional Services Agreement with the Law Office of Shane M. Kelly
Attachment K: Renewal and Amendment No 1 to PSA with the Law Office of Elliott S. Sanford
Attachment L: Professional Services Agreement with the Law Office of Elliott S. Sanford
Attachment M: Renewal and Amendment No 1 to PSA with the Law Office of Jeffrey A. Gobell
Attachment N: Professional Services Agreement with the Law Office of Jeffrey A. Gobell
Attachment O: Completed Board of Supervisors Order A-24-322