

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 1, 2022

FROM

JASON ANDERSON, District Attorney

SUBJECT

Employment Contract for Full-Time Contract Attorney for Joshua Tree Office

RECOMMENDATION(S)

Approve Employment **Contract No. 22-109** with Simon Min as a Contract Attorney, effective March 12, 2022 through September 23, 2022, for an amount not to exceed \$45,000, to assist with the prosecution of criminal cases within the District Attorney's Office.
(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-7714)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total cost of the employment contract is estimated at \$45,000 through September 23, 2022. This cost is based on a standard 80 hour pay period and on the same pay scale as a Deputy District Attorney I. The cost for Fiscal Year 2021-22 is approximately \$32,000 and will be funded through salary savings from staffing vacancies within the District Attorney's (Department) 2021-22 budget. Costs for Fiscal Year 2022-23 are estimated at approximately \$13,000 and will be included in the Department's 2022-23 recommended budget.

BACKGROUND INFORMATION

The District Attorney (Department) is the public prosecutor and is constitutionally mandated to present the interests of the People of the State of California in the criminal justice system. This includes prosecuting cases within San Bernardino County, conducting investigations, and providing support and assistance to crime victims in accordance with Government Code Section 26500. The Department has five main offices co-located or in close proximity with the Superior Court to cover the regions of the County including San Bernardino, Rancho Cucamonga, Victorville, and Joshua Tree.

The Department periodically moves attorneys between offices according to operational needs. Recently, an attorney from Joshua Tree was moved to San Bernardino to fill an existing vacancy. During the most recent recruitment process to fill the resulting vacancy in the Joshua Tree Office, the Department made offers to two candidates. Backgrounds were conducted and completed and in both instances, the candidates withdrew prior to commencing employment. Mr. Min is a retired homicide detective who recently passed the State Bar exam and can quickly transition from his current role of volunteer attorney to a contract attorney. He has been working

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and volunteering with the Joshua Tree office since 2019. The next attorney recruitment is not slated to commence until March 2022 and will hopefully establish a candidate pool for each region of the County, including Joshua Tree. However, the recruitment and examination will not be completed until the end of summer 2022.

There is no guarantee that the candidate list will contain a candidate who is able to work in outlying locations due to a long daily commute or willingness to permanently relocate. However, the Department needs to immediately cover the workload at Joshua Tree with a short-term employment contract. The job duties of the Contract Attorney will be consistent with the job duties performed by a Deputy District Attorney I to prosecute misdemeanor cases, and depending on skill level, assist the other attorneys with prosecution of felony cases. It is anticipated that the contract period through September 23, 2022 will be a sufficient amount of time to fill the vacancy in Joshua Tree.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O'Neill, Principal Assistant County Counsel, 387-5397) on February 11, 2022; Human Resources (Gina King, Human Resources Deputy Director, 387-5571) on February 15, 2022; Finance (Carl Lofton, Administrative Analyst III, 387-5404) on February 15, 2022; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on February 15, 2022.

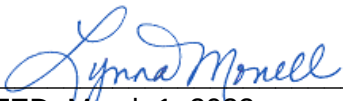
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 1, 2022



cc: DA- Walker w/agree
Contractor- C/O DA w/agree
File- w/agree
LA 03/2/2022