

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

April 21, 2026

FROM

MATTHEW ERICKSON, County Chief Financial Officer, County Administrative Office

SUBJECT

Indigent Defense Contract Amendments and Appropriation Adjustments

RECOMMENDATION(S)

1. Approve **Amendment No. 2 to Contract No. 24-564** with David M. Goldstein, Attorney at Law, for the provision of court-appointed adult indigent defense representation services for conflict cases, increasing the contract amount by \$1,700,000, from \$15,000,000 to a not-to-exceed amount of \$16,700,000, with no change to the contract term of July 1, 2024 through June 30, 2027.
2. Approve **Amendment No. 2 to Contract No. 24-565** with Brown, White & Osborn LLP, for the provision of court-appointed adult indigent defense representation services for conflict cases, increasing the contract amount by \$812,000, from \$7,800,000 to a not-to-exceed amount of \$8,612,000, with no change to the contract term from July 1, 2024 through June 30, 2027.
3. Approve **Amendment No. 2 to Contract No. 24-411** with Inland Juvenile Panel Attorneys, Inc., for the provision of court appointed delinquency legal representation services for conflict cases, increasing the contract amount by \$330,000 from \$3,269,000 to a not-to-exceed amount of \$3,599,000, with no change to the contract term from July 1, 2024 through June 30, 2029.
4. Authorize the Auditor-Controller/Treasurer/Tax Collector to post necessary budget adjustments as detailed in the Financial Impact section (Four votes required).
(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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 result in the use of additional Discretionary General Funding (Net County Cost). The total contract authority is increasing by \$2,842,000 over the remaining contract terms. Of this amount, \$1,338,000 is required in 2025-26. The remaining \$1,504,000 will be expended in 2026-27, 2027-28, and 2028-29 based on projected case volume, as follows:

Contract	2025-26	2026-27	2027-28	2028-29	Total Increase
David M. Goldstein	\$850,000	\$850,000	-	-	\$1,700,000
Brown, White & Osborn	\$406,000	\$406,000	-	-	\$812,000

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Contract	2025-26	2026-27	2027-28	2028-29	Total Increase
LLP					
Inland Juvenile Panel Attorneys, Inc.	\$82,000	\$82,000	\$83,000	\$83,000	\$330,000
Total	\$1,338,000	\$1,338,000	\$83,000	\$83,000	\$2,842,000

Additionally, Indigent Defense (Department) requests 2025-26 a budget adjustment to accommodate the contract amendments for 2025-26, estimated at \$1,338,000, and higher than anticipated direct court appointments for legal representation, estimated at \$550,000, for a total adjustment of \$1,888,000, as detailed below.

Fund Center	Commitment Item	Description	Action	Amount
1250001000	52002440	Court Appointed Attorney Fees	Increase	\$1,888,000
1280001000	56006000	Appr Contingencies	Decrease	\$1,888,000

Use of Appropriation Contingencies is necessary as the increased case volume and associated costs were not fully known at the time of budget development. These costs will be funded with Discretionary General Funding (Net County Cost). Adequate appropriations will be included in future recommended budgets.

BACKGROUND INFORMATION

The indigent defense contracts provide constitutionally mandated representation to indigent defendants in cases where the Public Defender declares a conflict of interest. Because indigent defense services are constitutionally required and court-ordered, the County must ensure uninterrupted representation. The requested amendments increase the authority necessary to accommodate projected case volume through the end of the contract terms.

During 2025-26 year to date, the contracts have experienced an approximately 15% increase in adult conflict case appointments, including a higher proportion of complex felony matters. Additionally, juvenile justice realignment, which includes the closure of the State Division of Juvenile Justice and the transition of youth to County Secure Youth Treatment Facilities, has increased both the volume and complexity of juvenile matters.

The Superior Court of San Bernardino has also seen an increase of approximately 15% in appointments in civil matters, family law, guardianship, probate, conservatorship and an approximately 75%-100% increase in death penalty and life without parole cases compared to FY 2024-25. These increases have resulted in a higher volume of court appointed cases.

Based on current case volume trends and projected expenditures through June 30, 2026, the existing contract authority is anticipated to be insufficient to support services through the remainder of the contract terms. The recommended amendments will ensure continued compliance with constitutional requirements and uninterrupted legal representation services. Due to the court-appointed and constitutionally mandated nature of these services, there are no alternative service delivery options available to the County.

On May 21, 2024 (Item No. 25), as the result of Request for Proposals (RFP) No. CAO123-CAO5-5199, the Board of Supervisors (Board) approved Contract No. 24-411 with Inland Juvenile Panel Attorneys, Inc. (Inland Juvenile) to provide court appointed delinquency legal representation services in the amount of \$2,869,000.

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On August 5, 2025 (Item No. 36), the Board approved Contract Amendment No. 1 to Contract No. 24-411 with Inland Juvenile to provide continued court appointed delinquency legal representation services, increasing the contract amount by \$400,000 from \$2,869,000 to \$3,269,000, with no change to the contract term of July 1, 2024, through June 30, 2029.

On June 25, 2024 (Item No. 50), as the result of RFP No. CAO123-CAO5-5344, the Board approved Contract No. 24-564 with David M. Goldstein, Attorney at Law (David Goldstein) in the amount of \$15,000,000 and Contract No. 24-565 with Brown, White & Osborn LLP (Brown White) in the amount of \$7,800,000, for the provision of indigent defense services for cases in which the Public Defender declares a conflict of interest, for the period of July 1, 2024, through June 30, 2027.

On September 10, 2024 (Item No. 23), the Board approved Contract Amendment No. 1 to Contract No. 24-564 with David Goldstein and Contract No. 24-565 with Brown White to include additional flat fee billing codes beginning July 1, 2024, as it relates to court appointed adult indigent defense representation services, with no change to the contract amount.

PROCUREMENT

N/A.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on April 3, 2026; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on April 6, 2026; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 909-382-7022) on April 6, 2026; and County Finance and Administration (Celia McDonald, Administrative Analyst, 387-4286) on April 6, 2026.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 21, 2026



cc: CAO - McDonald w/agree
Contractor - c/o CAO w/agree
File - w/agree
MBA 04/23/2026