

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

September 10, 2024

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Amendment to Contracts for Court Appointed Adult Indigent Defense Legal Representation Services

RECOMMENDATION(S)

1. Approve **Amendment No. 1 to Contract No. 24-564** with David M. Goldstein, Attorney at Law, 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 of \$15,000,000 or contract term of July 1, 2024, through June 30, 2027.
2. Approve **Amendment No. 1 to Contract No. 24-565** with Brown, White & Osborn LLP 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 of \$7,800,000 or contract term of July 1, 2024, through June 30, 2027.
(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.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total costs of the contracts are funded with existing Discretionary General Funding allocated for this service and will not exceed \$7,600,000 per year, as detailed in the table below. Adequate appropriation for these contracts is included in the 2024-25 budget (Cost Center 1250001000) and will be included in future recommended budgets.

Contractor	Annual Amount	Contract Amount
David M. Goldstein	\$5,000,000	\$15,000,000
Brown, White & Osborn LLP	\$2,600,000	\$ 7,800,000
Total	\$7,600,000	\$22,800,000

BACKGROUND INFORMATION

San Bernardino County (County) uses private sector attorneys on a contractual basis, under appointment by the Superior Court of California, County of San Bernardino (Superior Court), to handle cases where the Public Defender is unable to provide representation due to conflicts. The costs for such appointed services are an obligation of the County.

**Amendment to Contracts for Court Appointed Adult Indigent Defense
Legal Representation Services
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The County Indigent Defense Program administers appointed representation service contracts and services of other Court appointed attorneys, experts, and investigators for the County's indigent defendants. These contracts will provide representation for such clients.

The County's existing appointed indigent defense representation contract covers the four Superior Court regions that comprise the entirety of the County: West Valley, East Valley, North Desert, and East Desert.

On June 25, 2024 (Item No. 50), the Board of Supervisors (Board) approved Contract No. 24-564 with David M. Goldstein, Attorney at Law, for court appointed adult indigent defense legal representation, in the amount of \$15,000,000, for the term of July 1, 2024, through June 30, 2027. The Board also approved Contract No. 24-565 with Brown, White & Osborn LLP for court appointed adult indigent defense legal representation, in the amount of \$7,800,000, for term of July 1, 2024, through June 30, 2027.

The recommended amendments to the contracts authorize two additional fee billing codes, one for an emergency hearing during a COVID-19 closure and another for a misdemeanor appointment, which were not included in the originally approved contracts. The billing codes were omitted in error on the Board approved contract. This amendment will allow for payment of service provided as of July 1, 2024.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on August 19, 2024; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on August 20, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on August 20, 2024.

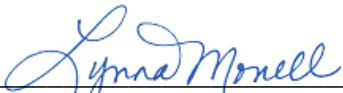
**Amendment to Contracts for Court Appointed Adult Indigent Defense
Legal Representation Services
September 10, 2024**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 10, 2024



cc: Administrative Office - McDonald w/agree
 Contractor - c/o Administrative Office w/agree
 File - w/agree
MBA 09/12/2024