



# San Bernardino County

## Legislation Text

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**File #: 8013, Agenda Item #: 31**

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

**May 23, 2023**

#### **FROM**

**LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office**

#### **SUBJECT**

Contract with Hartnell Law Group, APC for Lanterman-Petris-Short Act Appointed Legal Representation Services

#### **RECOMMENDATION(S)**

Approve contract with Hartnell Law Group, APC to provide court appointed legal representation services for Lanterman-Petris-Short Act cases, for a total not to exceed amount of \$710,000, for the period of July 1, 2023 to June 30, 2028.

(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

#### **FINANCIAL IMPACT**

Approval of this contract will not result in the use of additional Discretionary General Funding (Net County Cost). The total cost of the contract not to exceed \$710,000 is funded through Discretionary General Funding, which has been included in the 2023-24 Recommended Indigent Defense Program budget and will be included in subsequent recommended budgets.

#### **BACKGROUND INFORMATION**

The recommended contract authorizes Hartnell Law Group, APC (Hartnell) to provide legal representation services for specialized conservatorship cases under appointment by the Superior Court of California, County of San Bernardino for the period of July 1, 2023, through June 30, 2028.

The Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code Sections 5000 et seq.) authorized the Superior Court to appoint attorneys to represent individuals alleged to be "gravely disabled" in any proceeding brought under the LPS Act. The costs for such appointed services are an obligation of the County. Legal services under this contract will include the review of relevant health records and applicable criminal history; investigation of potential family members or related persons to render assistance to the potential conservatee; filing of legal pleadings; and all appearances at court hearings. Hartnell will be paid a flat fee of \$11,000 per month, for the term of the contract, for an estimated monthly average of 183 new LPS Conservatorship cases. Hartnell may be paid special fees totaling \$50,000, under the terms of the contract, for extraordinarily complex cases upon application to and written approval by the Superior Court. The contract authorized amount allows for such special fees.

The County, after consultation with the Presiding Judge of the Superior Court (Presiding Judge), may terminate the contract in whole or in part upon 30 days written notice.

### **PROCUREMENT**

On February 24, 2023, the County Administrative Office approved the release of Request for Proposal (RFP) No. CAO123-CA05-4878 for court appointed gravely disabled LPS Conservatorship legal representation services. The RFP was released in accordance with County policy and procedures and announced on the Purchasing Department website. E-mail announcements of the release of the RFP were sent to 295 parties that had registered as potential bidders in the County's Electronic Procurement System (ePro). One proposal was submitted in response to the RFP, from Hartnell, and the proposal was found to be responsive.

### **REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on April 20, 2023; Purchasing (Michelle Churchill, Supervising Buyer, 387-2070) on May 1, 2023; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on May 1, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on May 4, 2023.