

EXECUTIVE OFFICE

CONFLICT DEFENDER..... 2086

TOM MITCHELL, Chief Executive Officer

EXECUTIVE OFFICE'S BUDGET UNITS

Conflict Defender2086

PROGRAM DISCUSSION

Programs: This budget was created in Fiscal Year 1998-99 to track the expenditures of the third level conflict defenders. In the past, these expenditures were found in Budget Unit 2080 (Public Defender) but were not controllable by the Public Defender. After the Public Defender and Alternate Defender have declared a conflict, the Judges of the Superior Courts of Mendocino County appoint private attorneys and experts. These attorneys have a previously set rate determined by the courts in which to receive reimbursement for legal services. Attorneys assigned to conflict cases and one County contracted attorney on the coast are paid from this budget. Prior to the creation of this budget, the County was paying much greater costs for conflict cases. This budget can now be monitored more easily to ensure that the conflict cases remain at a minimum. This budget has allocated Criminal Justice Improvement funding to offset general fund dollars in covering the costs for third level conflict cases.

Public Trust: Monitors the third level conflict cases to ensure that every County dollar spent for third level conflict cases provides a valuable service to the public.

Practices: Promotes the assurance that the cases identified are the best use of County funding.

People: Supports the staff needed to effectively monitor the payments to outside attorneys and ensures they are correctly paid at the rate of pay pre-determined by the Courts.

MAJOR ACCOMPLISHMENTS IN F/Y 2008-09

Programs: The Executive Office continues to closely monitor payments to the attorneys. In the last few years, the cost to the County for private attorneys has increased by 10%. This is due to the increased assigned

private attorneys assigned by the Courts. The County has no jurisdiction in the assignments of attorneys on cases, and therefore is at the mercy of the Court when a private attorney is appointed instead of the public defender or alternate defender. The County will continue to communicate this concern to the judges at the Courts. The negotiation of the coast attorney contract was completed. The Executive Office has now required the reporting of hours and caseload for the contract, and the reports are provided quarterly before payment of services.

Public Trust: Monitored every County dollar spent for third level conflict cases which are providing a valuable service to the public.

Practices: Provided the assurance that the cases identified were the best use of County funding.

People: Staff provided effective monitoring of the payments to outside attorneys and ensured payment was at the rate of pay pre-determined by the Courts.

GOALS/OBJECTIVES FOR F/Y 2009-10

Programs: Continue to evaluate the effectiveness of the third level conflict budget, and successfully negotiate the contract for the attorney on the coast. Continue the goal of a cooperative relationship between the Superior Courts and the County.

Public Trust: Continue to monitor the effectiveness of attorneys and experts paid by this budget unit in cooperation with the Superior Courts of Mendocino County.

Practices: Continue to promote the assurance of best use of County funding.

People: Continue to closely examine claims for accuracy and make sure payments are made from the proper budget unit.

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SUMMARY OF MAJOR BUDGET ACCOUNTS

Services & Supplies

- ◇ Acct. 2183 Provides for third level conflict attorney payments.
- ◇ Acct. 2189 Provides for experts for third level conflicts.

Revenues

- ◇ Acct. 3110 Provides for revenue from the Criminal Justice Improvement Fund.

CEO RECOMMENDED BUDGET COMMENTS

The CEO recommends funding as submitted by the Department.

FINAL BUDGET COMMENTS

During the Final Budget Deliberations, the Board of Supervisors approved the CEO Recommended Budget including any adjustments from Bargaining Unit negotiation agreement savings applied (if applicable) to this budget.

State Controller
County Budget Act
(1985)

County of Mendocino
State of California
Budget Unit Financing Uses Detail
Final Budget for Fiscal Year 2009-10

County Budget Form
Schedule 9

Classification:

Function: 2 Public Protection

Budget Unit: 2086 Conflict Defender

Activity: 201 Public Protection - Judicial

Fund: 1100 County General

Financing Uses Classification	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 6/30/09

Services & Supplies							
862183 Legal Fees	240,000	360,805	265,000	376,235	265,000	265,000	265,000
862189 Prof/Spec Svcs - Other	45,000	0	39,600	13,200	39,600	39,600	39,600
Total Services & Supplies	285,000	360,805	304,600	389,435	304,600	304,600	304,600
Total Net Appropriations	285,000	360,805	304,600	389,435	304,600	304,600	304,600
Less: Revenues							
823110 Crim Just Const Fund	200,000	220,000	219,600	304,435	219,600	219,600	219,600
825463 Homicide Trial/Indigent	0	80	0	0	0	0	0
Total Revenues	200,000	220,080	219,600	304,435	219,600	219,600	219,600
Total Net County Cost	85,000	140,725	85,000	85,000	85,000	85,000	85,000