



Legislation Text

File #: 24-247, Version: 1

Memorandum

Date: March 5, 2024

To: The Honorable Bruno Sabatier, Chair, Lake County Board of Supervisors

From: Susan Parker, County Administrative Officer

Subject: Approve Public Defender Contract Amendment Number 12 between the County of Lake and Lake Indigent Defense, LLP for the Purpose of Replacing Thomas Feimer with Edward Savin as Individual and/or Partner and Authorize Chair to Sign

Executive Summary: Lake County currently contracts with Lake Indigent Defense, LLP (LID) to provide free legal counsel to indigent defendants as required by the 1963 U.S. Supreme Court case *Gideon v. Wainwright*. The existing annual contract equals \$1,725,000 or a \$143,750 monthly payment. The increase in the previous fiscal year FY2023 allowed for the hiring of an additional 8th felony attorney.

On April 18, 2023, your Board approved the transition from a private contractor public defender model to a Chief Public Defender Office. On September 19, 2023 your Board appointed Chief Public Defender Raymond Buenaventura to assess the service level needs as they relate to staffing and resources and develop a Public Defender Office. After he conducted public outreach efforts and other analytics, he presented a workplan to your Board on February 27, 2024 for your consideration which included a proposed timeline and transition plan.

This amendment represents one of the first steps in that transition plan.

Proposed changes to the existing LID agreement include the following **bolded** changes:

NOW, THEREFORE, the parties hereby agree as follows:

A. Section 1(B) Definitions is hereby amended to read:

B. "CONTRACTOR" shall mean **Edward Savin**, who shall be severally held to the obligations, terms, and conditions of this Agreement.

B. Section 1(G) Definitions is hereby amended to read:

Lake Indigent Defense, shall mean the identification of **Edward Savin**, who, as of the date of execution of this Agreement, is presently acting in the performance of this Agreement. The organizational and legal status and

structure of CONTRACTOR hereunder may subsequently be modified upon written consent of the COUNTY and the agreement of the parties hereto to execute any necessary amendments/adjustments to this Agreement.

The Parties agree that all other terms and conditions of the original Agreement shall remain in full force and effect.

This amendment illustrates the first of many tasks needed for the transition to develop the Chief Public Defenders Office to provide federally mandated free legal counsel to indigent defendants. A future update will address conflict issues common among communities with limited legal representation and the additional steps needed for the transition.

If not budgeted, fill in the blanks below only:

Estimated Cost: N/A Amount Budgeted: N/A Additional Requested: N/A Future Annual Cost: N/A

Purchasing Considerations (check all that apply):

☒ Not applicable

- ☐ Fully Article X. <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI>- and/or Consultant Selection Policy <http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4_2021v2.pdf>-Compliant (*describe process undertaken in "Executive Summary"*)
- ☐ Section 2-38 <https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI> Exemption from Competitive Bidding (*rationale in "Executive Summary," attach documentation, as needed*)
- ☐ For Technology Purchases: Vetted and Supported by the [Technology Governance Committee](#) <<http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)
- ☐ Other (*Please describe in Executive Summary*)

Consistency with Vision 2028 <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

- | | | |
|---|--|--|
| ☒ Well-being of Residents | ☒ Public Safety | ☐ Disaster Prevention, Preparedness, Recovery |
| ☐ Economic Development | ☐ Infrastructure | ☐ County Workforce |
| ☐ Community Collaboration | ☐ Business Process Efficiency | ☐ Clear Lake |

Recommended Action: Approve Public Defender contract Amendment Number 12 between the County of Lake and Lake Indigent Defense, LLP for the purpose of replacing Thomas Feimer with Edward Savin as Individual and/or Partner and authorize Chair to sign.