



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
County Manager



**Date:** August 20, 2015  
**Board Meeting Date:** September 1, 2015  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** John L. Maltbie, County Manager  
**Subject:** 2014-15 Grand Jury Response - San Mateo County Private Defender Program

**RECOMMENDATION:**

Approve the Board of Supervisors' response to the 2014-15 Grand Jury Report, "San Mateo County Private Defender Program."

**BACKGROUND:**

On July 6, 2015, the Grand Jury filed a report, "San Mateo County Private Defender Program." The Board of Supervisors is required to submit comments on the findings and recommendations pertaining to the matters under control of the County of San Mateo within 90 days. The County's response to the report is due to the Honorable Carole Groom no later than October 4, 2015.

Acceptance of this report contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process refinements are made to improve the quality and efficiency of services provided to the public and other agencies.

**DISCUSSION:**

**Findings:**

**F1.** According to its Agreement with the San Mateo County Bar Association, the County can conduct contract evaluations at any time, but they have not been done on a regular basis. No evaluation was done between 2003 and 2012.

**Response:** Agree.

F2. None of the last three County evaluations (in 2001, 2003, and 2012) have specifically addressed whether state and national guidelines were considered.

**Response:** Agree.

F3. The County's 2012 evaluation of the PDP limited public input to individuals and entities invited by the evaluation committee to participate. The evaluation process was not open to members of the public or community organizations.

**Response:** Agree.

F4. The County's last three evaluations of the PDP did not report any review or conclusions of whether the PDP continues to be the best model for the County to provide indigent legal defense.

**Response:** Agree.

**Recommendations:**

R1. Conduct formal evaluations of the indigent defense system at least every five years.

**Response:** Agree. The County will conduct an evaluation during the current contract period with the San Mateo County Bar Association.

R2. Include, as a component of such formal evaluations, a determination of whether the County's approach to indigent defense is consistent with state and national guidelines.

**Response:** Agree. The County will ensure that future evaluations include a requirement to determine whether the current approach to indigent defense is consistent with state and national guidelines.

R3. Include, as a component of such formal evaluations, input from community members and organizations. The process of receiving community input should be open to the public and not by invitation only.

**Response:** Agree. The County will gather input from clients, community members and organizations, and include an opportunity for members of the public to provide input.

R4. Include, as a component of such formal evaluations, whether the current system continues to be the best model for the County for providing indigent legal defense.

**Response:** Agree. The County is currently undergoing a review of the current system and looking at alternative models. Unless determined otherwise by the evaluation planning committee, future evaluations will consider the merits and efficacy of the indigent defense system in place at the time of the review.

**FISCAL IMPACT:**

There is no net county cost associated with accepting this report.

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