



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 22-366

Board Meeting Date: 5/17/2022

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Executive
Iliana Rodriguez, Deputy County Executive

Subject: Amendment to the Agreement with the San Mateo County Bar Association for Indigent Legal Representation Services

RECOMMENDATION:

Adopt a resolution authorizing an amendment to the agreement with the San Mateo County Bar Association for indigent legal defense and other services provided by the Private Defender Program, increasing the not to exceed amount by \$659,000 to a new not to exceed amount of \$44,625,291 and incorporating Appendix B1 with no change to the term.

BACKGROUND:

In 1963, the United States Supreme Court's decision in *Gideon v. Wainwright* established that any person accused of a crime who is too poor to employ an attorney has a constitutional right to the free appointment of counsel. Since 1968, the County's mandated indigent legal representation services has been provided by the Private Defender Program (PDP) through a contract with the San Mateo County Bar Association (SMCBA). The current contract for Fiscal Year 2021-22 is \$21,648,544 and \$22,317,747 for Fiscal Year 2022-23.

DISCUSSION:

This amendment to the agreement incorporates a new Fee Schedule for the term April 1, 2022 through June 30, 2023.

The County Attorney's Office has reviewed and approved the amendment to the agreement and resolution as to form.

FISCAL IMPACT:

This amendment to the agreement increases the total amount of the agreement by \$659,000 to a new amount not to exceed \$21,648,544 for Fiscal Year 2021-22 and \$22,976,747 for fiscal Year 2022-23 for a total amount of \$44,625,291 for the term July 1, 2021 through June 30, 2023. The original

amount is included in the Fiscal Year 2021-22 Adopted Budget. The adjusted amount will be included in the Fiscal Year 2022-23 Recommended Budget.