

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: EXECUTIVE OFFICE

SUBMITTAL DATE: August 13, 2002

SUBJECT: Response to Grand Jury Report: Office of the Blythe Public Defender

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve with or without modifications, the attached response to the Grand Jury's recommendations regarding the Office of the Blythe Public Defender.
- 2) Direct the Clerk of the Board to immediately forward the Board's finalized response to the Grand Jury, to the Presiding Judge, and to the County Clerk-Recorder (for mandatory filing with the State).

BACKGROUND: On June 25, 2002, the Board directed staff to prepare a draft of the Board's response to the Grand Jury's report regarding the Office of the Blythe Public Defender.

Section 933(c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of the Supervisor Court within 90 days.

Consent Policy
Consent Policy

Department Recommendation:
Per Executive Office:

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FINANCIAL DATA:	N/A			
CURRENT YEAR COST	\$	ANNUAL COST:	\$	
NET COUNTY COST	\$	IN CURRENT YEAR BUDGET:	Yes/	No/
		BUDGET ADJUSTMENT FY:	Yes/	No/

SOURCE OF FUNDS:

C.E.O. RECOMMENDATION: APPROVE.

[Signature]
County Executive Officer Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Wilson and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Venable, Wilson and Mullen
 Noes: None
 Absent: Tavaglione
 Date: August 13, 2002
 xc: E.O., Grand Jury, Presiding Judge, Public Defender,
 Co. Clerk & Recorder(2)

Nancy Romero
Clerk to the Board
By: *[Signature]*
Deputy

3.3

SPECIFIC FINDINGS AND RECOMMENDATIONS

OFFICE OF THE BLYTHE PUBLIC DEFENDER

FINDINGS:

1. The legal transcriber's office has window access to the entry lobby. The duties include but are not limited to preparing legal documents, transcribing from audio tapes or hand written drafts, creating various legal documents such as writs and motions, maintaining client files, data entry, as well as filing and reception duties.

The department agrees with the finding.

2. An office assistant could do some of the above duties. An office assistant salary range is \$8.56 to \$13.38 per hour. A legal transcriber salary range is \$11.55 to \$18.19 per hour.

The department agrees with the finding.

3. When the legal transcriber is out of the office and the deputy public defender is in court the office is closed. During these times no one is available to answer phones, assist clients and visitors.

The department agrees with the finding, with supplemental information. The office is staffed by a legal transcriber at all times except during the lunch hour and when the transcriber is required to take documents to court. The latter occurs on the average of twice a day, for approximately ten to fifteen minutes each time.

4. There are five vacant offices in the suite housing the deputy public defender's office. These offices are equal in size and quality to those currently occupied by the deputy public defender and staff.

The department agrees with the finding, with supplemental information. The portions of the office suite dedicated to the library and break areas are in the back portion of the suite, making the physical division of the suite somewhat problematic.

RECOMMENDATIONS:

1. The Riverside County Public Defender evaluate the need for an additional full or part time legal transcriber or office assistant to augment the staff of the Blythe Public Defender's office.

The recommendation will not be implemented at this time, but further study and monitoring of the workload in the Blythe office will continue in the future.

The attorney/legal transcriber ratio in the department is approximately 4 to 1. The Blythe office currently has one full-time Deputy Public Defender. The caseload in the office is not large enough to merit a second full-time attorney. The corresponding workload for the legal transcriber does not yet require a second transcriber. At the present time support for overflow workload, such as document preparation, is provided from the Indio office.

In addition to serving the population of the Blythe region, the Public Defender represents those individuals accused of committing a crime in the Department of Correction facilities located in the area. As these populations and the corresponding caseloads grow in the future, it is expected that another full-time attorney will be needed in the Blythe office. At that time, additional support staff, such as an office assistant will be requested as well.

Although it would be desirable to have the office open at all times, including lunch, the cost for additional staff is not warranted at this time. The cost of a full-time Office Assistant III is approximately \$30,000 per year including benefits. The legal mandate for attorney-client confidentiality and the access to those confidential materials forecloses the possibility of sharing staff with another department.

In lieu of additional staff, the department will work with Purchasing to determine whether a contract for document delivery services would be a cost-effective alternative to the legal transcriber delivering documents to court.

2. The Department of Facilities Management investigate possible options for the use of the vacant offices in the Blythe public defender's suite by other county services.

The recommendation will not be implemented at this time, but further study and monitoring of the workload in the Blythe office will continue in the future.

It is expected that caseloads and workloads will grow over time as the population in the Blythe area (including the penal institutions) continues to grow. As such, it can be expected that additional staff will be needed in the future. At this time, it is requested that no reduction in size be made to the physical layout of the suite. If a change in the physical layout is necessary, it is hoped that any such change will anticipate that caseload/workload growth.