



RONALD L. BROWN
PUBLIC DEFENDER

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LOS ANGELES COUNTY PUBLIC DEFENDER
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November 22, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

9 November 22, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**INCREASE JUVENILE REGISTRATION FEE
FOR COURT-APPOINTED LEGAL REPRESENTATION
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

The Los Angeles County Public Defender is seeking adoption of a Resolution to implement the provisions of California Assembly Bill 1053, which increases the maximum allowable amount for a registration fee for court-appointed legal representation in juvenile delinquency cases from \$25.00 to \$50.00.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING,

Adopt the attached resolution to implement the provisions of California Assembly Bill 1053, which authorizes the County of Los Angeles (County) to increase the maximum registration fee for legal representation provided by the Public Defender, Alternate Public Defender, or other court-appointed counsel in juvenile delinquency cases from \$25.00 to \$50.00, effective January 1, 2012.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to increase the maximum registration fee for court-appointed legal representation provided by the County in juvenile delinquency cases from \$25.00 to \$50.00.

On December 17, 1996, under provisions of California Senate Bill 251, your Board adopted a

resolution establishing a maximum allowable \$25.00 registration fee to be imposed upon, and collected by the Los Angeles Superior Court (Court) from, defendants financially able to pay for legal representation by the Public Defender, Alternate Public Defender or other court-appointed counsel at the commencement of the case, pursuant to California Penal Code Section 987.5 and California Welfare & Institutions Code Section 903.15. The resolution provided that twenty percent (20%) of the fee would go to the Los Angeles County General Fund with the remaining eighty percent (80%) being allocated to the Public Defender, or Alternate Public Defender, in accordance with established collection procedures, unless there was other court-appointed counsel, in which case the revenue would go to the Los Angeles County General Fund.

On April 14, 1998, your Board adopted a joint resolution of the Courts and the Public Defender recommending the amendment of Court Account Collection Services Master Agreement Work Order Number Three between the Administratively Unified Courts of Los Angeles County and GC Services Limited Partnership for collection services for the Public Defender and Alternate Public Defender.

On October 11, 2009, the State of California chaptered California Senate Bill 676, which amended California Penal Code Section 987.5 authorizing the County to charge a registration fee of up to \$50.00 to all adult defendants financially able to pay for representation by court-appointed counsel. On April 27, 2010, your Board adopted a resolution to implement the provisions of Senate Bill 676, which authorized the County to increase the registration fee for legal representation provided by the Public Defender, the Alternate Public Defender or other court-appointed counsel from \$25 to \$50. Twenty percent (20%) or \$10.00 of the fee goes to the Los Angeles County General Fund, with the remaining eighty percent (80%) or \$40.00 being allocated to the Public Defender, or Alternate Public Defender, in accordance with established collection procedures, unless there was other court-appointed counsel, in which case the revenue goes to the Los Angeles County General Fund.

On October 2, 2011, the State of California chaptered Assembly Bill 1053, which amends California Welfare & Institutions Code section 903.15, authorizing the County to assess a maximum registration fee of \$50.00 to the parent of any minor, or other person who is liable for the support of the minor, on whose behalf a petition is filed pursuant to Section 601 or 602, at the time legal services are provided, when the minor is represented by appointed counsel. This is the first time this fee has been increased since 1996.

Implementation of Strategic Plan Goals

The recommended Board action is consistent with the principles of the Countywide Strategic Plan Goal No. 1: Operational Effectiveness.

FISCAL IMPACT/FINANCING

There is no increase in net County cost for this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

County Counsel has approved the attached resolution as to form.

Pursuant to Section 66018 of the California Government Code, prior to adopting a new fee or approving an increase in an existing fee, a local agency shall hold a public hearing. In accordance with Section 6062a of the California Government Code, notice of the hearing shall be published. The County is in compliance with the requirements of these sections.

CONTRACTING PROCESS

This will not significantly alter the contracting procedures under the Master Agreement for collection services. The Public Defender will work with the Superior Court as necessary to amend the existing contract with the vendor collecting registration fees.

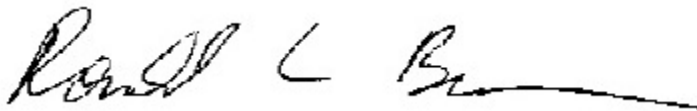
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed registration fee increase for appointed counsel in juvenile delinquency cases will provide the Public Defender and the Alternate Public Defender an opportunity to generate additional revenue.

CONCLUSION

Please instruct the Executive Office-Clerk of the Board to forward three adopted copies of this letter to the Department of Public Defender for distribution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald L. Brown", with a long horizontal flourish extending to the right.

RONALD L. BROWN
Public Defender

RLB

Enclosures

c: JR

RESOLUTION TO INCREASE REGISTRATION FEES FOR A MINOR WHO IS REPRESENTED BY THE PUBLIC DEFENDER, ALTERNATE PUBLIC DEFENDER OR OTHER COURT APPOINTED COUNSEL IN JUVENILE DELINQUENCY COURT

WHEREAS, on December 17, 1996, as authorized by California Senate Bill 251, the Board of Supervisors of the County of Los Angeles adopted a resolution establishing a \$25.00 registration fee to all defendants financially able to pay for legal representation by the Public Defender, Alternate Public Defender, or other court-appointed counsel; and

WHEREAS, on October 2, 2011, the State of California chaptered Assembly Bill 1053, which amended California Welfare and Institutions Code Section 903.15 to increase the maximum registration fee by appointed counsel for a minor in juvenile delinquency cases from \$25.00 to \$50.00; and

WHEREAS, the County has reviewed the proposed increase to \$50.00 and finds the registration fee increase appropriate; and

WHEREAS, the registration fee increase will offset the costs of the County to provide court-appointed counsel to minors in juvenile delinquency cases; and

WHEREAS, the County has conducted a noticed public hearing on the registration fee increase.

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California as follows:

The maximum registration fee for a minor who is represented by the Public Defender, Alternate Public Defender or court-appointed counsel in juvenile delinquency court is hereby raised from \$25.00 to \$50.00, effective January 1, 2012. Of that amount, eighty percent (80%) will go to the Public Defender or Alternate Public Defender while the remaining twenty percent (20%) will go to the Los Angeles County General Fund.

The foregoing resolution was adopted on the 22nd day of November, 2011, by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles

By Lachelle Smithman
Deputy

APPROVED AS TO FORM:
ANDREA SHERIDAN ORDIN
County Counsel

By: Jennifer Sherman
Deputy

