



NATHAN J. HOCHMAN
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HALL OF JUSTICE
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January 21, 2025

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

17 January 21, 2025

Edward Yen
EDWARD YEN
EXECUTIVE OFFICER

**RECOMMENDATION TO PROVIDE LEGAL REPRESENTATION FOR A
BUREAU DIRECTOR IN THE DISTRICT ATTORNEY'S OFFICE FOR AN
ADMINISTRATIVE PROCEEDING BROUGHT BY THE STATE BAR OF
CALIFORNIA
(ALL DISTRICTS) (3-VOTES)**

SUBJECT

Request to provide legal representation for a Bureau Director on a State Bar of California administrative proceeding.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the administrative proceeding involving a Bureau Director is brought on account of alleged acts or omissions performed in the scope of the Bureau Director's employment as an employee of the Los Angeles County District Attorney's Office ("LADA").
2. Find that the defense of the Bureau Director would be in the best interests of the County.
3. Find that the Bureau Director acted in good faith without actual malice, and in the apparent interest of the County.
4. Direct County Counsel to secure legal representation and authorize payment for attorneys' fees incurred in the amount of \$2,708.00, for the representation and defense of the Bureau Director in the LADA.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

I seek the Board's approval of my recommendation to provide legal representation for a Bureau Director who has been requested to respond to a State Bar inquiry regarding possible violations of the California Rules of Professional Conduct. This inquiry was generated by a complaint filed by a Deputy District Attorney (DDA). The complainant alleged that the Bureau Director obstructed justice in a conversation with the DDA. The State Bar inquiry has been closed with no finding of wrongdoing.

I have reviewed the facts and circumstances surrounding this matter. The Bureau Director has worked for LADA since August 1990. At the time of the occurrence of the specific allegations and at the time of the filing of the complaint with the State Bar, the Bureau Director was employed by LADA and was acting within the course and scope of employment. My review reveals no indication that the Bureau Director acted in bad faith or with malice. Rather, it appears that the Bureau Director acted in apparent good faith and in the apparent interests of the People of the State of California and the County of Los Angeles. Further, I believe that defense of this Bureau Director would be in the best interests of the County.

FISCAL IMPACT/FINANCING

The costs for providing legal representation are \$2,708.00. Funds will be allocated from LADA's existing operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Government Code section 995.6 provides that the County is not required to provide for the defense of an administrative proceeding brought against a County employee, but the County may provide for such defense if:

The administrative proceeding is brought on account of an act or omission in the scope of employment as an employee of the public entity; and

The public entity determines that such defense would be in the best interests of the public entity and that the employee acted, or failed to act, in good faith, without actual malice and in the apparent interests of the public entity.

CONTRACTING PROCESS

Contracting process requirements are not applicable.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

I recommend that your Board find that the Bureau Director acted in apparent good faith, without actual malice, and in the apparent interests of the County and that their representation before the State Bar is in the best interests of the County. I further recommend that your Board direct County Counsel to secure legal representation for the Bureau Director at the County's expense.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Nathan J. Hochman".

NATHAN J. HOCHMAN

District Attorney

CN

c: Executive Officer, Board of Supervisors Chief
Executive Officer
County Counsel