LOS ANGELES COUNTY PUBLIC DEFENDER
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RICARDO D. GARCÍA
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November 17, 2026

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

AUTHORIZE THE LOS ANGELES COUNTY PUBLIC DEFENDER TO EMPLOY ONE RETIRED COUNTY EMPLOYEE ON A TEMPORARY BASIS AND GRANT AN EXCEPTION TO THE 180-DAY WAITING PERIOD REQUIRED UNDER THE CALIFORNIA PUBLIC EMPLOYEES' PENSION REFORM ACT

(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

SUBJECT

The Los Angeles County Public Defender requests the Board's approval to grant an exception to the 180-day waiting period required under the California Public Employees' Pension Reform Act (PEPRA) of 2013 before reemploying retired County employees as 120-day rehired retirees. The Department affirms that the retiree is highly skilled and that the work he will be performing is critical.

IT IS RECOMMENDED THAT THE BOARD:

1. Waive the 180-day break in service requirement and reemploy retired County employee, Mearl Lottman, to a 120-day temporary assignment as a Deputy Public Defender II in the Department's Central Branch Office.

2. Approve the request for Mearl Lottman to receive compensation at the rate of $75.37 per hour and work no more than 960 work hours within a fiscal year, upon the Board's approval of his temporary reemployment as a Deputy Public Defender II.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Public Defender's request to waive the 180-day break-in-service requirement is intended to provide additional staffing support and ensure operational continuity in light of higher-than-average attorney attrition and recent staffing reductions, while the Department continues efforts to recruit, hire, and train permanent attorney staff.

The Department has implemented multiple mitigation measures to address challenges related to attorney recruitment, attrition, and workload. These efforts include streamlining recruitment and hiring processes to more efficiently backfill vacant attorney positions and utilizing Civil Service Rule 13.04 (Emergency Appointments) to further expedite hiring. To remain competitive in a labor market and address the recruitment shortage, the Department also recruits attorneys at Step 6 of the DPD I salary schedule. In addition, the Department continues to leverage its attorney law clerk program, which has proven to be an effective pipeline for recruiting and hiring entry-level attorneys.

The Department intends to assign Mr. Lottman, a former Deputy Public Defender, to Central Region's Clara Shortridge Foltz Criminal Justice Center (CSFCJC) felony arraignment court known as Department 30. This high-volume arraignment court is the largest and busiest arraignment court in Los Angeles County, and prior to retirement, Mr. Lottman was previously assigned to this court. Department 30 is responsible for handling all in custody and out of custody felony arraignments with approximately 60 custody cases calendared daily, along with nearly 10-15 out of custody cases. The addition of another 120-day rehire will assist with the increase in cases and alleviate the workload of the full-time attorneys. As an arraignment court attorney, Mr. Lottman will meet newly assigned clients, review their charges, and advise them on their case status and options, explain the legal process and potential defenses, handle initial court appearances, address bail and custody matters, and negotiate early dispositions when appropriate. He will ensure that his clients receive timely and effective representation at this critical stage.

As a highly skilled and experienced attorney, Mr. Lottman's expertise is essential in stabilizing operations during this period of significant staffing shortages. Mr. Lottman's extensive trial experience, including handling a wide range of misdemeanor and felony cases and managing complex case dispositions, allows him to step in effectively during high-volume periods. His background positions him to seamlessly cover for staffing gaps, ensuring consistent court coverage, and maintaining high-quality representation of clients.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of the recommended actions is consistent with the County's Strategic Plan North Star 1, Make Investments that Transform Lives and North Star 2, Foster Vibrant and Resilient Communities, and aligned with the Board's *Care First, Jails Last*, and Homeless Initiative priorities.

FISCAL IMPACT / FINANCING

The Department will utilize an ordinance-only item, and Mr. Lottman's salary will be funded by salary savings.

FACTS AND PROVISION/LEGAL REQUIREMENTS

The recommended action is consistent with the California Public Employees' Pension Reform Act of 2013, which allows a person who retired from County service to serve without reinstatement from retirement or loss or interruption of benefits provided by the retirement system before a period of 180 days following the date of retirement if the Board certifies the position is critically needed and the retiree possesses the critical skills to perform the work in limited duration.

On February 3, 2026, the Board of Supervisors approved a hard hiring freeze and freeze on non-essential services, supplies, and equipment. Although the 120-day retiree appointments were not exempted, the Board authorized exception for positions included on the Exempt Positions List, which includes the Deputy Public Defender II classification.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will provide the Department with additional staffing support to help address operational gaps resulting from higher-than-average attorney attrition and vacancies.

Respectfully submitted,



RICARDO D. GARCÍA
Public Defender

RDG:DB:BD

Enclosures

c: Executive Office, Board of Supervisors
Chief Executive Officer
County Counsel
Auditor-Controller
Human Resources
Los Angeles County Employees Retirement Association