

County Counsel

Courtney Abril – County Counsel

	FY 17/18 Adopted Budget	FY 18/19 CAO Recommended	Change
101-0700			
EXPENDITURES			
Salaries and Benefits	796,066	807,880	11,814
Services and Supplies	142,096	103,907	(38,189)
Other Charges	(553,478)	(573,103)	(19,625)
Fixed Assets			0
TOTAL EXPENDITURES	384,684	338,684	(46,000)
REVENUE			
Fed/State			0
Grant			0
Realignment			0
Fees/Misc	321,000	275,000	(46,000)
TOTAL REVENUE	321,000	275,000	(46,000)
FUND BALANCE	0	0	0
NET COUNTY COST	63,684	63,684	0

Program Description

The County Counsel is the chief legal advisor for the County of Yuba. We are counselors in the fullest sense, providing service that is intelligent, trustworthy and dedicated to public service. We commit ourselves to professionalism, understanding and furthering the needs and goals of the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions. We adhere to the highest standards of ethics and confidentiality. To accomplish our mission, we endeavor to:

- Provide responsive legal advice and client service
- Provide creative assistance to the Board and to County officers to enable them to carry out their policy goals

- Provide prompt and effective assistance in reviewing, drafting, and advising our clients on contracts and other legal documents
- Provide training and resources to enable us to achieve the goals of the Office
- Provide assertive representation in civil litigation and administrative hearings

The Office of the County Counsel serves as the chief legal advisor and representative for the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions. As the attorneys for the County of Yuba we are committed to ensuring that our Office provides the highest quality of legal service to all of our clients. Our clients rely on and trust the integrity of our legal advice and legal services provided by the Office in accomplishing their public service goals and objectives.

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Our office does not see our role as narrow, rather, we provide service that will further the purposes of the County, whether it is in:

- The defense of legal matters
- Affirmative litigation
- Proactive assistance and advice
- Drafting legislation or amendments to current legislation

We hope the information available about the Yuba County Counsel's Office will help the public in general learn more about the work of our office and the talented members of our legal staff.

Accomplishments FY 2017-2018

- The Office of the County Counsel continues to provide effective legal assistance to departments including CDSA, Code Enforcement, Health and Human Services Department, Public Health, and Environmental Health in connection with identifying strategies for addressing the County's priorities related to homeless issues. The Office of the County Counsel continues to collaborate with the departments during every step of this process, including providing strategic and sound legal advice. This office is also actively participating in the multi-agency, multi-jurisdiction Bi County Homeless Services Program meetings and recently presented to a group of public agency representatives in conjunction with Health and Human Services.
- The volume of child protection cases handled by the office continues to remain high. This year, we had the equivalent of almost two full time attorneys devoted to

the child welfare cases who are working diligently every day to represent CWS and protect the best interests of the minors of Yuba County. The attorneys are working closely and regularly with the staff at HHSD in furtherance of this goal. In addition to the day to day cases, the attorneys in CWS have drafted several briefs in the Third District Court of appeals in response to appeals of child welfare cases. The CWS attorneys have had great success on behalf of the department in the appellate courts. Additionally, the two CWS attorneys did a joint presentation on legal issues in child welfare cases to social workers and supervisors at Health and Human Services as well as internal office training on the basics of CWS cases.

- The Office of County Counsel also had a change in leadership this year when Courtney Abril took over as the County Counsel effective July 1, 2017. Additionally, the office has two new attorneys, who have brought varied and substantial experience to the office. Despite the Office being significantly shorthanded for a number of months, we continued to provide responsive service to County departments, with the objective of a "quick turnaround" of legal service requests, consistent with the requirement to provide thorough and complete advice and representation.
- The Office successfully litigated a number of cases in the Superior Court including various cannabis related actions. Additionally, one of our new attorneys successfully defended the County in a civil case filed against the County; the case was dismissed at the demurrer stage by the Court. We continue to represent the Public Guardian in LPS cases and have been working towards increased efficiency and communication between the County, Courts, Public Defender, and Sutter Yuba

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Behavioral Health in conservatorship cases. Furthermore, the office was successful in prevailing at two jury trials on behalf of the Public Guardian.

- The Office of the County Counsel continues to work and collaborate with the Code Enforcement team on cannabis enforcement and abatement. Multiple nuisance and cost accounting hearings were held and the Departments collaborated on a streamlined, efficient, and thorough procedure for those hearings. The Office of County Counsel was successful in obtaining dismissals of two civil actions, which stemmed from cannabis abatement in the Superior Court.
- The Office has also provided ongoing legal advice and representation for a number of Departments on variety of complex legal issues, including the implementation of the Building Homes and Jobs Act, SB 2, negotiation and drafting a contract with CFMG for jail medical and mental health services, coordinating with FEMA/CalOES and local departments during the fire recovery, managing complex civil litigation, litigating *Pitchess* motions, bail bonds motions, and vicious dog cases, and handling a number of employment discipline cases, including one that was litigated in front of the Office of Administrative Hearings.
- The Legal Services Coordinator was absolutely integral in aiding in the transition of the office from one County Counsel to another. Not only did she assist in helping to keep the office running smoothly while the new County Counsel got up to speed, she also helped implement the new ideas and vision for the office brought on by the change in leadership. She assisted in creating and setting up electronic submission of legal requests in

collaboration with IT, which has been successful thus far. She also is guiding moving our current system, County Law, to a free, updated web version. Additionally, in conjunction with the County Counsel, a meticulous inventory was taken of the office library to see how the funds allocated to our department can be used most effectively.

- Lastly, the Office has implemented trainings during the spring and fall time periods, when attorneys come back from conferences, so that we can move towards cross training the attorneys, since we are a small department that handles a wide variety of legal issues. The CWS attorneys put on a CWS 101 class for the office and we have also had an Employment law basics training as well. It is important that everyone has a basic grasp of these fundamental areas of law.

Goals and Objectives FY 2018-2019

- Every member of the County Counsel's Office will strive to continue providing competent and timely legal services to the Board of Supervisors, County Departments, Commissions, County Boards, and Special Districts of Yuba County.
- The Office of County Counsel will endeavor to coordinate more internal trainings this fiscal year. We have started quarterly trainings on a topic that is applicable to our practice, and we will continue to have those to share the knowledge we receive in our own practice and the information we bring back from conferences. In addition to trainings, the Office of the County Counsel seeks to encourage staff to participate in professional networking groups such as CSAC, the County Counsel's Association of California, and the local bar association.

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- The Office of the County Counsel proposes putting on a “Boot Camp” to educate the newly elected officials and department heads about what the Office of County Counsel is, the basics of very common legal questions they will come across in their new positions (e.g. The Public Records Act), and generally how to access our services when needed.
- We hope to cross train more of the Deputies this year in different areas of law. We are a smaller office, so it is important that any attorney be able to handle any type of case that comes through the door.
- The Office of the County Counsel will continue to work with the Code Enforcement Department, CDSA, and the Agricultural Commissioner to educate the Board of Supervisors and staff as new regulations regarding Hemp roll out at the State level and as the first full year of regulated commercial cannabis comes to an end. We will work hard to keep abreast of the regulations that the State develops and keep up to date on changes in law that may occur, so that we can continue to provide sound legal advice in this complex and constantly transforming area of law.
- We are going to work towards establishing an internship program with McGeorge School of law to bring eager law students into the Office of the County Counsel to work and gain experience and law school credits, while at the same time, providing resources and legal assistance to the County. Building an internship program is going to require site visits and close collaboration with the school. We hope to lay the groundwork to establish this program for the years to come.
- We want to continue to work towards becoming a more technologically savvy office in terms of electronic submission of legal requests from departments, upgrading our record keeping system, County Law, so as to effectively make use of all of its functions, potentially upgrading our electronic research system, Lexis, and taking inventory and stock of the books we no longer use.
- Finally, the Office of County Counsel strives to cultivate education, expertise, and leadership skills in all of our employees. We will work with the appropriate staff to engage in trainings offered by the Human Resources Department, the Executive Leadership class, and any other County offered programs, so our staff can best serve our clients; the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions.

Pending Issues/Policy Considerations FY 2018-2019

- The Office continues to be involved in jail litigation, which takes up a substantial amount of County Counsel’s time and resources. If resolved, there will continue to be significant participation on the part of County Counsel due to the need for implementation of any agreement and training of staff.
- The Office anticipates a significant workload increase when the Treasurer Tax Collector requests our assistance in determining excess proceeds from tax sales on a number of properties.

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2015-2016	ACTUAL EXPENDITURES 2016-2017	BOS APPROVED 2017-2018	DEPARTMENT REQUESTED 2018-2019	CAO RECOMMENDED 2018-2019
COUNTY COUNSEL						
101-0700-371.89-01	LEGAL SERVICES	0	299,053-	321,000-	275,000-	275,000-
101-0700-372.99-02	COUNTY CONTRIBUTION	0	271,219-	63,684-	63,684-	63,684-
*	REVENUE	0	570,272-	384,684-	338,684-	338,684-
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Salaries & Benefits						
101-0700-413.01-01	REGULAR	568,935	566,404	576,147	569,400	569,400
101-0700-413.01-03	EXTRA HELP	13,037	2,989	0	3,800	3,800
101-0700-413.01-07	VACATION PAY	0	35,892	0	0	0
101-0700-413.01-08	SICK LEAVE	0	2,418	0	0	0
101-0700-413.02-01	CO SHARE PERS-UAL	0	0	0	84,209	84,209
101-0700-413.02-02	CO SHARE PERS-NORMAL	94,536	96,704	108,901	36,138	36,138
101-0700-413.02-03	PARS	391	90	0	0	0
101-0700-413.02-04	GROUP HEALTH INSURANCE	57,039	83,902	91,212	94,374	94,374
101-0700-413.02-05	MEDICARE	8,216	8,523	8,354	8,306	8,306
101-0700-413.02-06	WORKERS COMP INS	3,367	4,270	3,920	3,838	3,838
101-0700-413.02-07	LIFE INSURANCE	554	597	648	666	666
101-0700-413.02-08	UNEMPLOYMENT INS	3,065	1,834	574	574	574
101-0700-413.02-09	RETIREE HEALTHCARE INS	5,998	6,141	6,310	6,575	6,575
*	EXPENDITURE	755,138	809,764	796,066	807,880	807,880
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**	Salaries & Benefits	755,138	809,764	796,066	807,880	807,880
Services & Supplies						
101-0700-413.12-00	COMMUNICATION	235	211	700	840	840
101-0700-413.15-00	INSURANCE	2,730	2,134	2,497	3,701	3,701
101-0700-413.17-00	MAINTENANCE/EQUIPMENT	3,840	5,527	6,491	7,185	7,185
101-0700-413.20-00	MEMBERSHIPS	8,011	8,893	9,000	9,000	9,000
101-0700-413.22-00	OFFICE EXPENSE	8,295	3,575	7,955	7,000	7,000

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	ACTUAL EXPENDITURES 2015-2016	ACTUAL EXPENDITURES 2016-2017	BOS APPROVED 2017-2018	DEPARTMENT REQUESTED 2018-2019	CAO RECOMMENDED 2018-2019
101-0700-413.23-00	PROFESSIONAL SERVICES	94,856	29,026	41,500	39,302	39,302
101-0700-413.25-00	RENTS & LEASES/EQUIPMENT	0	1,275	1,300	1,300	1,300
101-0700-413.28-00	SPECIAL DPMT EXPENSE	39,250	50,645	41,500	14,000	14,000
101-0700-413.29-00	TRAVEL	6,708	10,032	18,000	12,000	12,000
101-0700-413.30-00	UTILITIES	0	0	13,153	9,579	9,579
*	EXPENDITURE	163,925	111,318	142,096	103,907	103,907
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**	Services & Supplies	163,925	111,318	142,096	103,907	103,907
Cost Reimbursements						
101-0700-413.90-87	A87 COST ALLOCATION PLAN	386,729-	356,314-	553,478-	573,103-	573,103-
*	EXPENDITURE	386,729-	356,314-	553,478-	573,103-	573,103-
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**	Cost Reimbursements	386,729-	356,314-	553,478-	573,103-	573,103-

***	COUNTY COUNSEL	532,334	5,504-	0	0	0
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