



Board Agenda Item 37

DATE: April 11, 2023
TO: Board of Supervisors
SUBMITTED BY: Antoinette Taillac, Public Defender
SUBJECT: San Joaquin College of Law Federal Work Study Agreement

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute an Agreement with the San Joaquin College of Law to provide the Public Defender's Office access to and utilize law students from San Joaquin College of Law to provide case support, effective April 11, 2023 through April 11, 2024, not to exceed three consecutive years, which includes a one-year base contract and two automatic one-year extensions, total not to exceed \$22,000.

This recommended agreement will allow the Public Defender's Office to continue the existing work study program, providing the Public Defender's Office access to and utilizing law students from the San Joaquin College of Law (SJCL) who are interested in becoming defense attorneys. Seventy-five percent of the associated cost will be offset through the Federal Work-Study Program implemented by SJCL. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Public Defender's Office will receive less case support provided by law students, and will not be able to take advantage of the Federal Work-Study Program offered by SJCL.

FISCAL IMPACT:

The Public Defender's Office estimates that no more than 10 students per year will be accepted to participate in the program. Seventy-five percent of the costs will be offset through the Federal Work-Study Program implemented by SJCL. Twenty-five percent of the cost, estimated to be \$22,000 over the three-year term, will be absorbed with the Department's Net County Cost allocation. There are sufficient appropriations and estimated revenues in the Public Defender Org 2880 FY 2022-23 Adopted Budget and will be included in future budget requests.

DISCUSSION:

The Fresno County Public Defender's Office was contacted by SJCL regarding employing law students, and offsetting seventy-five percent of the cost of employing these students with Federal Work-Study Program funds.

Law students interested in a career in defense will be approved and placed by the Public Defender during the academic and summer semesters. Students will have the opportunity to work closely with defense attorneys in a wide variety of areas of defense. Students may also attend in-house training administered by

the Public Defender's Office.

Students will be recommended by SJCL for consideration first, then will be evaluated by the Public Defender. Students will be paid the state minimum wage by SJCL, and the Public Defender will be billed on a monthly basis for twenty-five percent of that cost. Students will be limited to work a total of 192 hours per placement, up to 20 hours per week during the academic year and will be allowed to work up to 40 hours per week during the summer, at the Public Defender's discretion. Students will accompany defense attorneys to court, assist in the preparation of felony and misdemeanor defenses, and observe preliminary hearings, trials, and other court proceedings.

County Risk has reviewed the agreement and does not approve of the Public Defender's Office being named a special employer as it may cause a liability when the services of an employee are designated for the benefit of a party who does not employ the laborer. Additionally, the agreement contains a mutual hold harmless clause, and non-standard insurance requirements. However, the Public Defender's Office believes that the benefits of entering into this agreement outweigh any associated risks.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with SJCL

CAO ANALYST:

Samantha Buck