



Board Agenda Item 41

DATE: May 9, 2023

TO: Board of Supervisors

SUBMITTED BY: Hollis Magill, Director of Human Resources

SUBJECT: Salary Resolution Amendment - Law Clerk

RECOMMENDED ACTION(S):

- 1. Approve amendment to the Salary Resolution establishing a new extra-help Post Bar Clerk classification and setting parity between extra-help Post Bar Clerk and Deputy District Attorney I, step 1; and**
- 2. Approve amendment to the Salary Resolution adjusting salary for extra-help Law Clerk classification and setting salary parity between extra-help Law Clerk and Paralegal, step 1, effective May 15, 2013, as reflected on Appendix "B".**

There is no increase in Net County Cost (NCC) associated with the recommended actions. Approval of the first recommended action will establish a new extra-help Post Bar Clerk classification and establish parity between extra-help Post Bar Clerk and District Attorney I classifications. Approval of the second recommended action will adjust the hourly rate of the extra-help Law Clerk classification and establish parity between the extra-help Law Clerk and Paralegal classification. This item is countywide.

ALTERNATIVE ACTION(S):

If your Board were not to approve the recommended actions, the extra-help Post Bar Clerk classification will not be created, and the salary for the extra-help Law Clerk classification will remain unchanged and will not be competitive with the local market.

FISCAL IMPACT:

There is no increase in Net County Cost for the recommended action as it is only a change in the Salary Resolution and no permanent positions will be allocated. There will be costs for Departments that choose to employ extra-help Law Clerks and/or extra-help Post Bar Clerks, and those costs will be dependent upon Department usage and budget.

DISCUSSION:

The District Attorney's Office requested a classification study for their extra-help Law Clerk classification and proposed the creation of a new extra-help Post Bar Clerk classification. The District Attorney's Office currently only employs extra-help Law Clerks who have graduated and taken the bar exam. Law Clerks who have not yet graduated are brought on as unpaid interns. The department would like to begin employing unpaid Law Clerks who are enrolled in law school and increase the salary of the extra-help Law Clerks who have taken the bar exam and are awaiting their results in order to remain competitive and increase retention.

A comparative salary survey was conducted in which similar positions from other County agencies within

the comparable area were evaluated. This survey showed the Law Clerk classification is no longer competitive with comparable Counties in both structure and salary. It was found that other agencies in the area had various levels for their Law Clerk classifications and pay a more advanced salary.

The first recommended action would establish a new extra-help Post Bar Clerk classification. Establishing this classification will encourage Law Clerks to stay with Fresno County while they await their examination results, and transition to a Deputy District Attorney I or Defense Attorney I position. This will create a recruitment pathway for the County attorney positions that are difficult to recruit and offer a competitive salary relative to the local market. The new extra-help classification will also distinguish between Law Clerks who have taken the bar exam, and Law Clerks who have not yet graduated. Incumbents who have not yet graduated or are awaiting to take the bar exam would remain as extra-help Law Clerks. Incumbents who have taken the bar exam and are awaiting their results would transition into the extra-help Post Bar Clerk classification. This recommended action will also establish parity between compensation for extra-help Post Bar Clerk classification and Deputy District Attorney I, setting the Post Bar Clerk salary equivalent to Deputy District Attorney I, Step 1. Incumbents are expected to transition to a Deputy District Attorney I position after passing the California Bar examination, or separate from the County after completion of their second attempt at the examination. This item will adjust and connect their salaries by adding these classifications to footnote 4 of the Salary Resolution.

The second recommended action adjusts the salary range and hourly compensation for the Law Clerk classification setting it equivalent to Paralegal, Step 1.

REFERENCE MATERIAL:

BAI #33, March 9, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

Appendix "B"

CAO ANALYST:

Greg Reinke