



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: County Counsel  
Department No.: 013  
For Agenda Of: May 16, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5ths

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**TO:** Board of Supervisors  
**FROM:** County Counsel Dennis Marshall 568-2950  
Contact Info: Kevin Ready 568-2950  
**SUBJECT:** Contract – Extension Christopher Jones Law Firm – Outside Counsel

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

Treasurer/Tax Collector Department

**Recommended Actions:**

- Approve an amendment to contract for services with Christopher Jones increasing amount by \$5,000 to a total amount not to exceed \$15,000.00.
- Authorize Chair to sign contract.

**Summary Text:** County Counsel has a conflict in its representation of two public agency clients in Lanterman-Petris-Short Act (LPS) litigation requiring retention of outside conflict counsel. Your Board previously approved a contract for \$10,000 for outside counsel which needs to be increased by \$5,000 to complete litigation

**Fiscal and Facilities Impacts:**

Budgeted – Outside Counsel Designation

**Fiscal Analysis:**

**Narrative:**

County Counsel is statutorily required to represent mental health Regional Centers in Welfare and Institutions Code §6500 proceedings (commitment of the mentally ill person who is a danger to self or others). Tri-Counties Regional Center operates in our area as the state-certified Regional Center. County Counsel also represents the Public Guardian in appropriate cases. A situation developed wherein the interests and legal position of the Public Guardian and the regional mental health center were in conflict in a confidential conservatorship proceeding under the Lanterman-Petris-Short Act (LPS). County Counsel deemed it appropriate for outside conflict counsel to be retained to represent the Public Guardian, while County Counsel's LPS attorney will continue to represent the regional center. Ratification of the subject contract by the Board of Supervisors is necessary to properly provide legal services to the Public Guardian. The proposed amended contract is in an amount not to exceed \$15,000.00, which is a \$5,000 increase in the original contract.

**Special Instructions:**

Upon signature by Chair, Clerk will forward original to County Counsel, copy to Public Guardian and contractor.

**Attachments:**

Proposed Contract

**Authored by:**

Kevin E. Ready, Sr., Senior Deputy