

A-9



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: March 6, 2012  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5

TO: Board of Supervisors  
FROM: County Counsel Dennis Marshall 568-2950  
Contact Info: Anne Rierson 568-2950

SUBJECT: Outside Counsel Contract - Griffith & Thornburg, LLP

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:**

Treasurer/Tax Collector Department

**Recommended Actions:**

Approve and authorize the Chair to execute an Agreement for Professional Legal Services with Griffith & Thornburg, LLP from March 6, 2012 to March 5, 2014, in an amount not to exceed \$25,000.00.

**Summary Text:** This outside counsel agreement is for the firm of Griffith & Thornburg, LLP to assist the County and the Treasurer-Tax Collector with bankruptcy matters, including but not limited to advice and litigation in bankruptcy court related to the collection of property taxes. The attorney responsible for performing the bankruptcy legal services is Joseph Sholder, who was highly recommended. The contract is not to exceed \$25,000.00.

The Conflict of Interest provision in section 10 of the agreement has been changed from the County's standard agreements. As a practical matter, bankruptcy attorneys will often represent debtors which owe property taxes to the County. The Agreement contains a waiver by the County of any conflicts that may arise in any future matters in which the law firm represents a debtor in a bankruptcy case in which the County is a creditor, unless the firm is already engaged to represent the County in such matter.

**Fiscal and Facilities Impacts:**

Budgeted – Outside Counsel Designation

**Special Instructions:** Please forward a signed copy to County Counsel.

**Attachments:** Agreement for Professional Legal Services

**Authored by:** Anne Rierson, Deputy County Counsel