

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Diane Nunn, Division Director  
Lee Morhar, Assistant Director  
Leah Wilson, Program Manager  
Center for Families, Children & the Courts

DATE: July 25, 2005

SUBJECT: Dependency Representation, Administration, Funding, and Training  
(DRAFT) Pilot Program Update

Issue Statement

In June 2004, the council (1) received a report on caseload standards and service delivery models for trial-level court-appointed dependency counsel and (2) directed staff to begin testing the feasibility of those standards and models as part of the Dependency Representation, Administration, Funding and Training (DRAFT) pilot program. The goal of the DRAFT pilot project is to improve the quality of attorney representation for parents and children in dependency cases in as cost effective manner as possible. Costs for court-appointed counsel representing children and indigent parents in juvenile dependency proceedings are included as “trial court operations” expenditures under the Trial Court Funding Act.<sup>1</sup>

In an effort to be responsive to unique local court challenges with respect to the administration of court-appointed counsel services, a request for letters of interest (LOI's) regarding DRAFT program participation was sent to the courts in April 2004. Sixteen courts submitted letters of interest in DRAFT program participation.<sup>2</sup> Of these courts, the following 10 were selected: Imperial, Los Angeles, Marin, Mendocino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz and Stanislaus. Courts were selected for DRAFT participation based upon criteria including: dependency population size, geography, service delivery model mix, fiscal implications of existing contractual

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<sup>1</sup> Lockyer-Isenberg Trial Court Funding Act of 1997 (Stats. 1997, ch.850)

<sup>2</sup> Del Norte, Imperial, Los Angeles, Marin, Mendocino, Placer, Riverside, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Cruz, Siskiyou, Sonoma, Stanislaus, and Yolo Counties.

obligations and an assessment of AOC staff's ability to provide comprehensive DRAFT program services to each selected court.

The purpose of this report is to provide the council with an update on the first year of DRAFT pilot program implementation.

### Recommendation

Staff recommends that the Judicial Council accept this first year program update and direct staff to provide the council with another update in August 2006.

### Rationale for Recommendation

There are a variety of service delivery models for court appointed counsel in dependency cases. Some courts contract with a government entity such as the public defender. Other courts contract with a private non profit agency, a private law firm or directly with private attorneys through an organized panel. Some courts utilize more than one of these models. The DRAFT pilot program allows the Judicial Council to determine the most cost effective ways to obtain quality court appointed counsel services for parents and children in dependency court by piloting and evaluating the different models in the pilot courts.

The DRAFT pilot program shifted responsibility for dependency counsel contract administration for the 10 volunteer courts to the Administrative Office of the Courts (AOC) beginning in the 2004–2005 fiscal year. After one year of implementation, the council and the AOC, in collaboration with participating courts, have the opportunity to begin evaluating the efficacy of uniform caseload standards and rate structures for court-appointed dependency counsel.

A great deal has been accomplished in the first year of the pilot project. Some of these accomplishments are:

- Reductions in caseloads for dependency counsel in DRAFT pilot counties;
- Reduction of unnecessary administrative and overhead costs;
- Movement towards greater caseload parity among multiple providers in individual courts;
- Significant steps towards compensation parity based upon proposed regional rates;
- Development of a standardized Request for Proposals for court appointed dependency counsel containing detailed performance requirements that is used in the pilot courts and also available to trial courts statewide;
- Development of a standardized dependency counsel contract outlining performance and data collection requirements that ties compensation to workload that is used in the pilot courts and also available to all courts;

- Increased number of service providers available to courts due to regional service provision as reflected in dependency counsel organizations bidding to provide services in multiple adjacent counties;
- Direct billing and direct payment by the AOC to court appointed counsel in nearly all DRAFT pilot courts on a standardized invoice
- Implementation of standardized data submission requirements that enables a clear depiction of the work of court appointed counsel to the legislature and the Department of Finance.

The DRAFT pilot program is the culmination of a number of actions taken by the Judicial Council over the past several years with regards to court appointed counsel in dependency court. Many of these actions were in response to Senate Bill 2160 from 2000.

Senate Bill 2160 (Stats. 2000, ch. 450) amended section 317 of the Welfare and Institutions Code to require that (1) counsel be appointed for children in almost all dependency cases; (2) appointed counsel have caseloads and training that ensure adequate representation; and (3) the Judicial Council promulgate rules establishing caseload standards, training requirements, and guidelines for appointment of counsel for children. In 2001, the Judicial Council took action to implement SB 2160. In addition to adopting a rule that mandated the appointment of counsel for children subject to dependency proceedings in all but the rarest of circumstances, the council directed staff to undertake a study to identify caseload standards for attorneys representing both parents and children, including an analysis of multiple service delivery models for dependency counsel, and to recommend an interim fiscal policy related to trial court expenditures for court-appointed counsel in dependency proceedings.

In December 2003, the Judicial Council modified its Operational Plan to include a goal of improving courts' management of dependency and delinquency cases. That objective is to be achieved in part by the development and implementation of uniform standards for the performance, oversight, and compensation of court-appointed counsel in dependency proceedings. The Operational Plan objective closely tracks both the recommendations outlined in the National Center for State Courts' *1997 California Court Improvement Project Report* and the *Pew Commission Report on Children in Foster Care*

The objectives outlined in the Judicial Council's Operational Plan provide a framework for recent Administrative Office of the Courts (AOC) initiatives undertaken at the direction of the Judicial Council. These interrelated efforts include a dependency counsel caseload study; development of a reimbursement program funding policy for the trial courts; and a service delivery model analysis.

In 2002, the AOC contracted with the American Humane Association to conduct a quantitative caseload study of trial-level court-appointed dependency counsel based on an assessment of the duties required as part of representation and the amount of time needed to perform those tasks. The study recommended a maximum caseload of *141 cases* per full-time dependency attorney as a base-level standard of performance.

In January 2004 the AOC, in partnership with the Spangenberg Group, began an analysis of changes that may need to be made to court-appointed counsel service delivery models both to implement caseload standards and to address the escalating court appointed counsel program costs that face many local courts.

In the transition to state funding, the trial courts assumed the unique dependency counsel service delivery models of their respective counties; as a result, there is little uniformity among courts with respect to provider types (for example, private vs. government attorneys), fee structures (for example, per case vs. annual contract rates) and standards of practice (which are, for the most part, defined by local court rules). Thus, while court-appointed dependency counsel services are entirely state-funded, the funding passes directly from the Judicial Council to the 58 trial courts which then separately negotiate and administer contracts for the local provision of such services. The state-funded, locally administered system has resulted in a continuation of disparities between the courts with respect to attorney quality and compensation inherent in the county-based funding mechanism that preceded state funding of the trial courts.

Based on its initial analysis of existing service delivery models and costs, the Spangenberg Group identified a need for piloting a centralized contracting model as a way of assessing the feasibility of uniform compensation and workload standards. Their analysis rested on these facts:

- Annual attorney costs, when standardized across the number of child clients under juvenile court jurisdiction, ranged from \$69 to \$2,758 per child;
- Attorneys who are paid hourly received from \$32.10 to \$138 per hour;
- Attorneys who are paid a flat, per-case fee received from \$241 for case duration to \$960 per case per year; and
- Accounting for full-time equivalency status and county size, average full-time attorney caseloads ranged from 131 to 616 clients per full-time court-appointed dependency counsel.

In order to address (1) resource inequities between the courts; (2) escalating program costs; and (3) the need to implement attorney performance and caseload standards, the Spangenberg Group proposed that the AOC pilot a centralized dependency counsel administration model. Such models have been implemented successfully in other states, including Colorado, Massachusetts, Oregon, Washington, and Utah.

### ***Draft Pilot Program Implementation Committee***

The partnership between DRAFT-participating courts and the AOC was formalized with the establishment of the DRAFT Pilot Program Implementation Committee (“committee”) (Attachment 1 is the committee roster). Chaired by Justice Richard D. Huffman the committee is composed of at least one judicial representative and one court administration representative from each participating court, as well as additional juvenile court judicial officers, court administrators, and trial and appellate court attorneys. The committee oversees the two primary, related components of the DRAFT pilot program: (1) competitive bidding and contract development and (2) quality-of-practice improvements. The committee comprises the following seven substantive working groups.

#### 1. Appellate Issues Working Group

##### Charge:

- (1) Identify mechanisms for ensuring that an appropriate trial record is made, and/or all appellate options are preserved, in every dependency proceeding; and
- (2) identify potential writ process improvements, as defined by an increased number of writs filed on appropriate cases and/or by improved quality of writs.

##### Status:

The working group recently surveyed appellate justices and appellate project directors regarding potential strategies for improving writ practice. Based on the survey results and a subsequent meeting with the council’s Appellate Indigent Defense Oversight Advisory, Committee (AIDOAC), staff will pursue the development of formal relationships with the appellate projects. These relationships are designed to garner participation by appellate attorneys in writ training and technical assistance.

#### 2. Attorney Performance and Technical Assistance Working Group (Attorney Performance Working Group)

##### Charge:

- (1) Develop proposed standards and guidelines that address attorney performance, initial and ongoing training and experience requirements, and technical assistance models; and
- (2) develop tools for assessing attorney compliance with proposed performance guidelines.

##### Status:

The working group has completed proposed attorney performance standards (Practice Guidelines, Attachment 2), which have been used to develop practice requirements for use both in DRAFT requests for proposals and in contracts. The

working group is finalizing proposed initial and ongoing training and experience requirements; as soon as those are completed, the working group will begin developing a related curriculum.

### 3. Billing System Working Group

**Charge:**

Develop the specifications and format for DRAFT attorney invoicing.

**Status:**

The working group has developed standardized attorney invoice documentation forms. Importantly, the data collection requirements reflected in those forms apply to all providers regardless of payment type, meaning that flat-fee and hourly-rate contract providers are submitting the same type and quantity of data each month. The in-court and out-of-court invoice forms are provided as Attachment 3; a sample of the data collected as part of the invoicing process is provided as Attachment 4.

### 4. Compensation and Organizational Models Working

**Charge:**

Develop proposed standardized compensation levels for solo and organizational providers, taking into account the need to ensure promotional opportunities, the use of no attorney support staffing, and the possibility of establishing group rates for operational costs ranging from insurance to office supplies.

**Status:**

The working group has developed proposed regions for DRAFT regional rate development and has proposed linking court-appointed counsel compensation to the midrange salaries of county counsel on a regional basis. A history of this work and table outlining the regions are provided as Attachment 5.

### 5. Conflicts and Ethics Working Group

**Charge:**

Identify solutions for conflict and ethical issues associated with dependency practice generally and DRAFT issues specifically.

**Status:**

The working group recently drafted a proposed rule of court addressing conflict issues arising from the representation of children; the rule has been submitted to

the council's Family and Juvenile Law Advisory Committee for review and recommendation.

## 6. Cost Recovery Working Group

### Charge:

Develop court-appointed counsel cost recovery models and a related evaluation plan for assessing the costs and benefits of model implementation.

### Status:

The working group has developed two cost recovery models: a low flat fee (\$100) and a traditional fee for service. The working group determined that the models should be piloted in two DRAFT courts with similar socioeconomic and dependency population characteristics. The San Joaquin and Stanislaus County courts were chosen for the cost recovery pilot as a result of the demographic analysis. The low-flat fee model is provided as Attachment 5 and 6; the fee-for service model as Attachment 7.

## 7. DRAFT Outcome and Process Evaluation Working Group

### Charge:

Identify variables to be measured for DRAFT pilot program evaluation, including (1) evaluation of the AOC as a court-appointed counsel administrator; (2) evaluation of the impact of reduced attorney caseloads and standardized rate structures on attorney performance; (3) evaluation of the impact of enhanced training and technical assistance resources on attorney performance; and (4) evaluation of the impact of reduced caseloads, standardized rate structures, and enhanced training and technical assistance resources on permanency outcomes for children in foster care.

### Status:

The working group has developed the parameters of the DRAFT pilot program evaluation. Baseline data have been and are being collected in multiple ways, including a judicial and attorney survey, focus groups, and quantitative data collection. Attachment 8 explains and illustrates the quantitative data collection component of the evaluation effort; reunification, reentry, and adoption rates are being tracked for all DRAFT participating courts. The tables reflect baseline data for these courts and will serve as an important resource for engaging court-appointed counsel in identifying how their work can directly affect these critical permanency outcomes for dependent children and their families.

### ***Competitive Bidding and Contract Development***

Staff met with each DRAFT-participating court at the onset of the pilot program to develop court-specific DRAFT implementation plans; for many courts, these plans included the issuance of request for proposals (RFPs) and related competitive bidding for dependency counsel services. While the courts' plans were being implemented the AOC took over the responsibility for direct payment of existing providers in most of the DRAFT courts. In the courts that do not participate in DRAFT, the court pays the providers and then seeks reimbursement from the AOC.

Requests for proposals have been issued in 7 of the 10 DRAFT courts<sup>3</sup>. Of the 7 DRAFT courts where RFPs were issued, 4 courts (San Diego, Stanislaus, Santa Barbara and Marin) have new contracts in place. In Imperial County the RFP period has closed and staff is currently in contract negotiations with the successful bidders. In 2 courts (Mendocino and San Joaquin) the RFPs are currently open to bidders. Two DRAFT courts chose not to pursue competitive bidding but instead to maintain status quo with existing providers; staff worked with the existing providers to ensure that resulting contracts conformed to the compensation and performance standards contained in all other DRAFT contracts. Staff is working closely with the remaining court, Los Angeles, on RFP development for parent's counsel and has completed negotiations for a new contract with the existing provider for children's counsel.

A tabular summary of pre- and post-DRAFT provider types, contract statuses, and caseloads is provided as Attachment 9.

The following benefits are directly attributable to the competitive bidding and contract components of DRAFT:

- Reductions in caseloads for dependency counsel in DRAFT pilot counties;
- Reduction of unnecessary administrative and overhead costs;
- Development of a standardized request for proposals containing detailed performance requirements and that is used in the pilot courts and also available to trial courts statewide;
- Movement towards greater caseload parity among multiple providers in individual courts;
- Development of a standardized dependency counsel contract outlining performance and data collection requirements that ties compensation to workload that is used in the pilot courts and also available to all courts;
- The onset of regional service provision, as reflected in dependency counsel organizations' bidding to provide services in multiple adjacent counties;

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<sup>3</sup>The seven courts are the Superior Courts of Imperial, Marin, Mendocino, San Diego, San Joaquin, Santa Barbara, and Stanislaus Counties.

- Significant steps towards comparable compensation across counties based upon proposed regional rates;
- Direct billing and direct payment by the AOC to court appointed counsel in nearly all DRAFT pilot courts on a standardized invoice ; and
- Implementation of standardized data submission requirements, enabling a clear depiction of the work of court-appointed counsel to the Legislature and other funding entities.

### ***DRAFT Training and Technical Assistance Development***

AOC staff has been working with consultants to develop a standard curriculum consistent with the initial and ongoing training requirements that are being developed by the Attorney Performance Working Group. The curriculum should be finalized within the next year. An initial day-long training for dependency counsel was presented at last year's Beyond the Bench conference.

Quality-of-practice improvements are at the core of the DRAFT pilot program. An ancillary yet important benefit of the pilot's implementation has been the AOC's ability to leverage new government and foundation funding to support the improvements. Two examples of this enhanced ability to secure funding follow.

#### 1. Title IV-E funding: Interdisciplinary trainings

Beginning in the current fiscal year, the AOC will receive federal Title IV-E funding, via the state Department of Social Services, to conduct joint permanency trainings for social workers, court-appointed counsel, and county counsel in DRAFT-participating courts. This is the first time a state judicial branch has been authorized to access Title IV-E training dollars.

#### 2. Texas Web site project: Children's Justice Act

The AOC has been awarded a multiyear grant to develop a dependency counsel Web site modeled after that used by the State of Texas. The Web site will serve as a critical resource for court-appointed counsel statewide and will specifically serve as a vehicle for disseminating training, case law updates, and technical assistance.

### Conclusion

Much has been accomplished during the first year of the DRAFT pilot program. A standard RFP has been created for all courts to use when soliciting bids for court-appointed dependency counsel. A standard contract has been developed and is available to all courts. RFPs have been issued in 7 of the 10 DRAFT pilot courts, and new contracts have been negotiated in 4 of the pilot courts. All of the remaining pilot courts

are in the process of developing RFPs, waiting for bids in response to RFPs, or negotiating contracts with providers.

In addition, the DRAFT Pilot Program Implementation Committee has developed standard billing and time reporting forms, that will permit the AOC to collect performance data for the first time. This will enable the Judicial Council and the Legislature to obtain a better picture of dependency practice and the actual costs of dependency counsel. There are ongoing efforts to implement training and technical assistance projects. These projects are being funded from new sources and should be ready to roll out starting next year.

#### Alternative Actions Considered

Because of the interest expressed by other courts, staff considered recommending an increase in the number of pilot courts. Staff determined, however, that expansion of the number of pilot courts was not feasible at this time, due to the amount of work still to be completed in some of the pilot courts and the limited number of AOC staff available to provide services for the pilot courts.

#### Comments from Interested Parties

Not applicable.

#### Implementation Requirements and Costs

Additional resources will be needed to implement the cost recovery pilot. However, these costs will be offset by the anticipated revenue from the pilot.

#### Attachments

**DRAFT PILOT PROGRAM IMPLEMENTATION COMMITTEE**

**Hon. Richard D. Huffman, Chair**  
 Associate Justice of the Court of Appeal  
 Fourth Appellate District, Division One

Leah Wilson, Project Manager  
 Administrative Office of the Courts  
 Center for Families, Children & the Courts

<b>Superior Court System</b>	<b>Committee Members</b>
Alameda	Tom Slocumb Attorney at Law
<b>Imperial<sup>1</sup></b>	Hon. Donal B. Donnelly Supervising Family and Juvenile Court Judge  José Octavio Guillén Executive Officer  Kristi Kussman Assistant Court Executive Officer  Mona Gieck Senior Administrative Assistant
<b>Los Angeles</b>	Hon. Michael Nash Presiding Juvenile Court Judge  Randy Henderson Dependency Court Administrator  Sue Shackelford Budget Administrator
<b>Marin</b>	Hon. Harvey E. Goldfine Juvenile Court Commissioner  Kim Turner Interim Executive Officer

<sup>1</sup> Boldface indicates participating court systems.

Attachment 1, cont'd

<b>Superior Court System</b>	<b>Committee Members</b>
<b>Mendocino</b>	<p>Hon. Cindee F. Mayfield Presiding Juvenile Court Judge</p> <p>Hon. Jonathan M. Lehan Judge</p> <p>Tania Ugrin-Capobianco Executive Officer</p> <p>Diana Donnelly Administrative Assistant</p>
Orange	<p>Kari Sheffield Juvenile Court Administrator</p>
San Bernardino	<p>Hon. Deborah Daniel Juvenile Court Commissioner</p>
<b>San Diego</b>	<p>Hon. Janis Sammartino Assistant Presiding Judge</p> <p>Hon. Susan D. Huguenor Presiding Juvenile Court Judge</p> <p>Hon. Cynthia Bashant Judge</p> <p>Marilyn James Chief Evaluation and Planning Officer</p> <p>Bob Bradley Director, Finance and Contracts</p> <p>Shawn Gleeson Director, Specialty Courts</p>
San Francisco	<p>Margaret Pendergast Attorney at Law</p> <p>Kathleen Richards Attorney at Law</p>

Attachment 1, cont'd

<b>Superior Court System</b>	<b>Committee Members</b>
<b>San Joaquin</b>	Hon. John W. Parker Presiding Juvenile Court Judge  Rosa Junqueiro Executive Officer
<b>San Luis Obispo</b>	Hon. Teresa Estrada-Mullaney Presiding Juvenile Court Judge  Jeff Hamm Assistant Court Executive Officer
<b>Santa Barbara</b>	Hon. Judge Thomas R. Adams Juvenile Court Judge  Hon. Clifford R. Anderson III Judge  Hon. Arthur A. Garcia Presiding Juvenile Court Judge  Gary M. Blair Executive Officer
Santa Clara	Hon. Leonard P. Edwards Presiding Juvenile Court Judge
<b>Santa Cruz</b>	Hon. Kathleen K. Akao Presiding Judge
<b>Stanislaus</b>	Hon. Donald E. Shaver Presiding Juvenile Court Judge  Hon. Nancy B. Williamsen Juvenile Court Commissioner  Donald H. Lundy Executive Officer  Michael Tozzi Court Administrator  Rebecca Fleming Chief Financial Officer

Attachment 1, cont'd

	<b>Committee Members</b>
Appellate Attorneys	<p>Carole Greeley Attorney at Law</p> <p>Deanna F. Lamb Attorney at Law</p> <p>Alan Siraco Attorney at Law</p> <p>Harry Zimmerman Attorney at Law</p>
AOC	<p>Marcia M. Taylor Director Appellate and Trial Court Judicial Services</p> <p>Christopher Wu Supervising Attorney Center for Families, Children &amp; the Courts</p> <p>David Meyers Attorney Center for Families, Children &amp; the Courts</p> <p>Melissa Ardaiz Associate Attorney Center for Families, Children &amp; the Courts</p> <p>Linda Katz Court Services Analyst Center for Families, Children &amp; the Courts</p>

**DRAFT Pilot Program  
PRACTICE GUIDELINES<sup>1</sup>**

Attorneys appointed by the juvenile court or retained by a party are expected to zealously and independently represent clients at every stage of dependency proceedings, unless relieved by the court. The following description of counsel's responsibilities and actions is presented as an outline of what would constitute thorough and professional representation. An individual case would rarely require all of the activities enumerated. Underlying each activity is the expectation that the attorney will possess knowledge and understanding of current statutes, rules of court, relevant case law, and the policies inherent within them.

**I. Maintain ongoing client contact.**

- A. Meet with the client prior to court hearings.
- B. Personally explain to the client, in a developmentally appropriate manner, what the court is deciding and what alternatives might be available; elicit the client's preferences, advise the client, and discuss what will happen next.
- C. Observe the parent's interaction with the children, after obtaining permission from counsel for the parent(s).
- D. Contact the client in the event of an emergency or a significant case-related event.
- E. Be accessible to the client through office hours, telephone and voicemail; fax; e-mail; or visits to the home; school, or office..

*IA. Additional Duties of Child's Counsel*

- F. Visit the child at each new placement, whenever feasible.
- G. Personally visit with the child in a noncourt setting prior to court hearings.
- H. Observe the child's interactions with parents or other caretakers.

*IB. Additional Duties of Parent's Counsel*

- I. Investigate and evaluate the parent's environment (home, relative home, shelter, etc.).
- J. Be alert to any special needs of the parent related to his or her ability to understand and participate in the court process, including whether or not a guardian ad litem is necessary.

**II. Conduct thorough, continuing, and independent investigations and interviews necessary to ascertain the facts, which may include but are not limited to:**

- A. Obtaining any required authorizations for the release of information;
- B. Reviewing the client's social services, psychiatric, psychological, drug and alcohol, medical, law enforcement, and school records; taking any additional steps necessary to gain access to those records that may not be in existing or open files;

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<sup>1</sup> The Practice Guidelines were developed by the Judicial Council's Family and Juvenile Law Advisory Committee and modified by the Draft Pilot Program Implementation Committee.

Attachment 2, cont'd

- C. Reviewing court file and case-related records of the social service agency and other service providers;
- D. Interviewing school personnel, caretakers, neighbors, relatives, coaches, clergy, mental health professionals, physicians, and law enforcement officers;
- E. Contacting and meeting with child welfare workers who are presently or were previously interacting with the client or other family members, including the child welfare worker who will provide the next report to the court;
- F. Contacting counsel for other parties;
- G. Contacting any non attorney guardian ad litem or Court Appointed Special Advocates (CASA) appointed in the case, to obtain background information
- H. If additional information suggests, contacting other professionals and lay witnesses who may identify alternative potential placements and services;
- I. Eliciting the client's preferences, advising the client, and giving guidance in a developmentally appropriate manner (regarding placement, visitation/contact, or agency recommendations);
- J. Reviewing photographs, video or audiotapes, and other relevant evidence; and
- K. Attending treatment and placement conferences and placement staffings.

*II A. Additional Duties of Child's Counsel:*

- L. Contact and meet with the parents or legal guardians of the children, with the permission of their attorney.
- M. Upon being appointed by the court, investigate the interests of the child beyond the scope of the proceedings and report to the court, subject to any legal privileges, any other interests of the child that may need to be protected by the institution of other administrative or procedural hearings. These interests include, but are not limited to:
  - 1. School/education issues;
  - 2. Special education;
  - 3. Child support;
  - 4. Personal injury;
  - 5. Mental health proceedings; and
  - 6. Immigration.
- N. Accompany the child to interviews with law enforcement and the district attorney.
- O. Attend Welfare and Institutions Code section 241.1 hearings if the child is a dependent with a delinquency petition pending or if the child is a ward and the subject of a new dependency petition; advocate for dependency jurisdiction as appropriate.

*II B. Additional Duties of Parent's Counsel:*

- P. Contact and meet with counsel for the child to determine child's wishes versus parent's interpretation of the child's wishes.
- Q. Emphasize what is expected of the parent and the consequences for failing to complete the terms of the case plan.
- R. Stress the need for the parent to communicate to counsel any questions about the case plan or problems in fulfilling its requirements.

**III. File pleadings, including petitions, motions, responses, or objections, as necessary to represent the client.**

- A. Requested relief may include, but is not limited to:
1. Obtaining necessary services for the family;
  2. A mental or physical examination of the client;
  3. A parenting, custody, or visitation evaluation of the client;
  4. An increase, decrease, or termination of contact or visitation;
  5. Requesting, restraining, or enjoining a change of placement;
  6. Contempt for noncompliance with a court order;
  7. Termination of a child-parent relationship;
  8. The administration of psychotropic medications;
  9. Restraining orders;
  10. A protective order concerning the client's privileged communication or tangible property;
  11. Dismissal of petitions or motions.

**IV. Seek appropriate services (by court order, if necessary) to access entitlements, to protect the client's interest, and to advocate for a comprehensive service plan.**

- A. Services may include, but are not limited to:
1. Family preservation and related prevention and reunification services;
  2. Sibling and family visitation;
  3. Child support;
  4. Domestic violence prevention and treatment;
  5. Medical and mental health care;
  6. Drug and alcohol treatment;
  7. Parenting education;
  8. Transitional and independent living services and plan;
  9. Adoption services;
  10. Education;
  11. Recreational or social services;
  12. Housing;
  13. Long-term foster care (parent's counsel may advocate for Long Term Placement for children in lieu of adoption or guardianship); and
  14. Post adoption agreement referral.
- B. Agencies (e.g., school districts, housing authority) may be joined in the dependency action if there are problems with the services being provided.
- C. Counsel should request services even if no hearing is scheduled. If direct, informal requests to treatment providers are unsuccessful, counsel should file a motion related to necessary services.
- D. Counsel should advocate for services for clients with special needs, such as physical, mental, or developmental disabilities. These services may include, but are not limited to:
1. Special education and related services;
  2. Supplemental security income (SSI) to help support needed services;
  3. Therapeutic foster and group home care;
  4. Residential (in-patient) and outpatient psychiatric treatment; and
  5. Regional center services.

**V. Negotiate settlements or mediations.**

- A. Initiate and participate in settlement negotiations to seek an expeditious resolution of the case, avoiding continuances and delays; and
- B. Attempt to settle any contested issues by initiating and participating in settlement negotiations, including mediation.

**VI. Participate in hearings.**

- A. Attend and participate in all hearings related to the dependency matter.
- B. Report to the court on the child's adjustment to placement, social services' and the parent's compliance with prior court orders and treatment plans, and child-parent interactions during visitation and other contact.
- C. Present and cross-examine witnesses, offer exhibits, and provide independent evidence.
- D. Prepare and submit trial briefs prior to contested hearings;
- E. Be prepared to endorse, challenge, and amplify any reports submitted to the court.
- F. Ensure that the record reflects objections, reasoning, waivers, and the evidence on which the court relies, and that it preserves issues for appeal.
- G. If a continuance is sought, prepare a written motion under Welfare and Institutions Code section 352.
- H. At the conclusion of the hearing, if appropriate:
  - 1. Make a closing argument and provide proposed findings of fact and conclusions of law;
  - 2. Request orders that are clear, specific, and where appropriate, include a timeline for assessment, services, placement, and evaluation of the child and/or family;
  - 3. Ensure that a written order is entered; and
  - 4. Review all written orders to advocate for their conformance to the court's verbal orders and statutorily required findings and notices.

*VI A. Additional Duties of Child's Counsel:*

The child has a statutory right to be present at the hearing.

- I. A child's presence at a hearing should be based upon an individual determination of the child's willingness to attend, age, and maturity..
- J. A child's presence at a hearing should be based upon consultation with the child, therapist, caretaker, or any other knowledgeable adult in determining the effect of the child being present at the hearing.
- K. Consider the court facilities and how children attending hearings are accommodated.

**VII. Prepare the client to testify as a witness.**

- A. Prepare the client to testify as a witness.
- B. Consult with the client and determine whether s/he should testify.
- C. Prepare the client to testify.
- D. Protect the client by making appropriate objections.
- E. Ensure that questions are appropriate (developmentally and linguistically).

*VI A. ADDITIONAL DUTIES OF CHILD'S COUNSEL:*

- F. Determination of calling the child as a witness..
  - 1. Consider the child's need or desire to testify;
  - 2. Weigh the likely consequences of having the child testify;
  - 3. Determine the necessity of the child's direct testimony;
  - 4. Determine whether there is any other evidence or hearsay exception that may eliminate the need for direct testimony;
  - 5. Determine the child's developmental ability to provide direct testimony and withstand possible cross-examination; and
  - 6. Consider available alternatives to in-court testimony as specified in Welfare and Institutions Code section 355.
- G. If the child is called as a witness:
  - 1. Prepare the child to testify.
    - a. Familiarize the child with the courtroom, court procedures, and what to expect during direct and cross-examination;
    - b. Make an effort to advocate for your client (including making objections) so that testifying will cause minimum harm to the child;
    - c. If possible, conduct the direct testimony of the child; and
    - d. Object to questions that are not developmentally appropriate and/or not phrased in a syntactically and linguistically appropriate manner.
  - 2. If you anticipate challenges to child's testimony/statements, prepare expert testimony to establish competency or reliability or to rehabilitate any impeachment.

**VII. Appeals and Writs**

- A. Appeal:
  - 1. Consider and discuss with the client, as developmentally appropriate, the right to appeal, the ramifications of an appeal (including delaying implementation of services or placement), and the likely result of an appeal.
  - 2. If, after a thorough discussion, the client wishes to appeal, file a notice of appeal (form JV-800 or JV-800S).
  - 3. Seek the appropriate orders and extraordinary writs necessary to protect the interests of the client during the pendency of the appeal.
  - 4. If permitted by the Court of Appeal, and unless you are discharged, participate in the appeal, even if it was filed by another attorney.
  - 5. Keep the client informed of the progress of the appeal, to the extent possible;
  - 6. Once a decision is rendered, explain the result to the client, and discuss any additional appellate remedies that may be available as well as what will happen next in juvenile court.
- B. Withdrawl:
  - 1. If the appeal would be frivolous or if you lack the necessary experience or expertise, notify the court and seek to be discharged or replaced.
- C. Writ
  - 1. Consider the writ procedure even if a hearing under Welfare and Institutions Code section 366.26 is not set, an appeal will not lie, or if the circumstances require prompt action.
  - 2. If reunification services are not offered or are terminated, and a Welfare and

Attachment 2, cont'd

Institutions Code section 366.26 hearing is set, consider and discuss with the client writ rights and procedures under rule 39.1B of the California Rules of Court.

3. (a.) If the writ is to be sought and the client is an adult, file the *Notice of Intent* (form JV-820) once the client has signed it, if the adult client is not available to sign the notice, request the Court of Appeal to permit counsel to sign on behalf of the absent client.
  - (b.) If representing the child, sign and file JV-820 on behalf of the child.
  - (c.) If inexperienced in preparing writs, consult with, or seek assistance from colleagues familiar with the procedures and requirements.
4. Prepare and submit the writ petition.
5. Attend any scheduled oral argument.
6. Once a decision is rendered, explain the result to the client, and discuss any additional remedies that may be available as well as what will happen next in the juvenile court.

**VIII. Cessation of Representation**

Discuss the end of legal representation and what contacts, if any, the client and the attorney will continue to have.





**SAMPLE  
INVOICE DATA ANALYSIS**

Using the invoices submitted by attorneys participating in the Draft Pilot Program, we anticipate that we will be able to gather detailed information about attorney work both in and out of court. The information will be useful in documenting the need for ongoing and additional resources. The following example is an analysis of the data reported by one dependency attorney in San Luis Obispo for the month of February. We have just begun to gather this information, so this report just illustrates how we will be able to compare the individual attorney statistics to the invoice data reported by all dependency attorneys in San Luis Obispo and all dependency attorneys in DRAFT participating counties for the time period indicated. Please note that all time is represented in hours and fraction of hours.

**County:** San Luis Obispo      Total Cases Reported In Court: 131      Total Cases Reported Out of Court:124

**Attorney:** X                      Total Cases Reported In Court: 65      Total Cases Reported Out of Court:35

**Report Time Period:** February 2005

**A. Out-of Court Phase Frequency**

	All DRAFT Court Systems		San Luis Obispo County		Individual Statistics	
	Number of Cases	Percentage	Number of Cases	Percentage	Number of Cases	Percentage
Phase A: Beginning through initial hearing	111	8%	11	9%	4	11%
Phase B: Post-detention through disposition	305	22%	25	20%	8	23%
Phase C: Post – disposition through reunification	624	45%	53	43%	15	43%
Phase D: Completion of the selection and implementation; §366.26/rule 39.1B writ	153	11%	13	10%	5	14%
Phase E: Post-permanent plan	193	14%	22	18%	3	9%

**B. Total Out-of-Court Time**

All DRAFT Court Systems: 924.6

San Luis Obispo County: 231.90

Individual Statistics: 35.80

**Average Out-of-Court Time per Case**

All DRAFT Court Systems: 1.49

San Luis Obispo County: 1.87

Individual Statistics: 1.02

**C. Time per Task Code**

	All DRAFT Court Systems		San Luis Obispo County		Individual Statistics	
	Time	Percentage	Time	Percentage	Time	Percentage
Document review	312.60	20%	32.55	14%	7.6	21%
Communicate with client in person	156.30	10%	28.75	12%	.7	2%
Communicate with client	296.97	19%	45.1	19%	8.1	23%
Communicate with child welfare worker	171.93	11%	22.2	10%	4.8	13%
Communicate with others	187.56	12%	40.7	18%	3.7	11%
Other Investigation	15.63	1%	3	1%	-	-
Draft settlement language	15.63	1%	1.2	1%	-	-
Legal research	15.63	1%	2	1%	-	-
Preparation and filing of original or responsive pleadings	15.63	1%	4.4	2%	1.2	3%
Mediation/family group conference	78.15	5%	12.3	5%	3	8%
Trial preparation	218.82	14%	22.6	10%	6.7	19%
File notice of appeal or writ	31.26	2%	8	3%	-	-
Prepare writ	15.63	1%	-	-	-	-
Travel	15.63	1%	-	-	-	-
Other	15.63	1%	9.1	4%	-	-

**D. In-Court Hearing Type Frequency**

	<b>All DRAFT Court Systems</b>		<b>San Luis Obispo County</b>		<b>Individual Statistics</b>	
	Number of Hearings	Percentage	Number of Hearings	Percentage	Number of Hearings	Percentage
Detention	475	11%	38	11%	12	13%
Jurisdiction	302	7%	21	6%	1	1%
Disposition	173	4%	17	5%	1	1%
Juris/Dispo (combined)	907	21%	35	10%	14	16%
Review	1123	26%	74	20%	25	28%
Motion Hearing	259	6%	25	7%	8	9%
Permanency Hearing	389	9%	41	11%	13	14%
Termination Hearing	216	5%	18	5%	7	8%
Settlement Conference	346	8%	56	15%	9	10%
Rehearing	43	1%	-	-	-	-
Mediation	43	1%	-	-	-	-
Other	43	1%	37	10%	-	-

**E. Total In-Court Time**

San Luis Obispo County: 175.05

Individual Statistics: 35.9

**Total Hearings**

San Luis Obispo County: 362

Individual Statistics: 90

**F. Percentage of Time Spent In-Court**

All DRAFT Court Systems: 47%

San Luis Obispo County : 43%

Individual Statistics: 50%

**Percentage of Time Spent Out-of-Court**

All DRAFT Court Systems: 53%

San Luis ObispoCounty : 57%

Individual Statistics: 50%

### **Proposed DRAFT Regions**

The Compensation and Organizational Models Working Group instructed AOC staff to compare the regions identified by the AOC's Watson-Wyatt study conducted for trial court employees with other demographic information (census data), and to propose regions for DRAFT pilot program regional rate development. Staff augmented the census data with county government attorney salary information, and divided the census and public attorney salary data into four groups for analysis.

The following paragraphs summarize demographic factors, i.e., the data sources used in regional rate development; they correspond to the column headings on the next page.

The "Watson-Wyatt Regions" reflects the regional distribution of all California court systems, according to the Watson-Wyatt study conducted for the AOC on behalf of the superior courts in order to determine court employee salary ranges. That report relied on the cost of labor to determine appropriate salary ranges for court employees in California.

"County Counsel Average Salaries" are the mid-range county counsel salaries in the 10 DRAFT counties.

The "Houshold income groups" reflect median household income for the ten DRAFT counties, based on information from the 2000 United States census.

The "Home value groups" reflect median owner-occupied home values in DRAFT courts, based on information from the 2000 United States Census.

The distribution of each DRAFT court among the four proposed regions is based on each court's average rank for each of the four demographic factors considered. The regions are used to determine appropriate costs for dependency counsel in each of the DRAFT court systems, with salaries and/or hourly rates linked to average county counsel salaries for the region.

Attachment 5, cont'd  
Proposed DRAFT Regions

County	Proposed Region Based on Average Rank <sup>1</sup>	Watson-Wyatt Group	County Counsel Average Salary	Household Income Group	Home Value Group
Marin	4	3	4	4	4
Los Angeles	3	3	4	2	2
San Diego	3	2	4	2	2
Santa Barbara	3	2	3	2	2
Santa Cruz	3	2	2	3	3
Mendocino	2	1	1	1	2
San Joaquin	2	1	2	2	1
San Luis Obispo	2	1	3	2	2
Stanislaus	2	1	2	2	1
Imperial	1	1	1	1	1

<sup>1</sup>The average for each county was rounded up to the next whole number.

**DRAFT Proposed Cost Recovery Model—Low Flat Fee**

1. The juvenile dependency petition sent to the parents includes a prominent notice informing them that they may be charged for the cost of legal representation (Welf. & Inst. Code, § 903.1; Cal. Rules of Court, rule 1407(a)(d).
2. Upon appointment, the attorney provides the client with a financial evaluation form and instructions.
3. After the disposition hearing, attorney fees are assessed.
  - a. If the case is dismissed at disposition, the court does not assess attorney fees.
  - b. For any other disposition, a \$100 fee is assessed via court order.
    - The minute order includes an order to meet with the fee review officer, who determines whether attorney fees may be waived.
    - The minute order includes an order to pay the \$100 fee.

**Scenario A: Client Meets With Fee Review Officer**

The fee review officer conducts a review of the parent's financial information and determines whether the parent must pay attorney fees.

1. If the parent is eligible for a category 1 or 2 civil fee waiver, no fee is collected, and the fee is waived. The fee review officer notifies the court of the waiver.
2. If the parent is not eligible for a category 1 or 2 civil fee waiver, the fee is not waived. The fee review officer works with the parent to set up a payment schedule.
  - A one-time administrative fee may be assessed to authorize a payment plan.
3. If the parent disputes the fee or the payment schedule, he or she must request a hearing.
  - a. The fee review officer sets a hearing date, completes the *Notice of Hearing*, and gives it to the parent to sign.
  - b. The fee review officer forwards a copy of the notice to the court clerk for data entry and calendaring.
4. If the parent does not request a fee hearing, he or she must sign a *Stipulation to Pay Costs and Waiver of Right to Appear*. The fee review officer files stipulation and waiver in the court file.

**Scenario B: Client Does Not Show Up For Meeting With Fee Review Officer**

1. The client is sent a statement of cost, which requires the client to set up an appointment with the fee review officer.
  - A *Proof of Service by Mail* (form POS-030) must be completed.
2. If the client responds and requests an appointment, refer to Scenario A.
3. If the client fails to respond to the letter, the fee review officer files an ex parte *Petition for Order of Payment of Attorneys' Fees*. A court order is prepared and issued.
  - A *Proof of Service by Mail* (form POS-030) must be completed.

**Payment**

1. The parent may make payments directly to the fiscal department of the court. The court provides a record of collections to the fee review officer on a regular basis.
2. The fee review officer tracks payments received by the court, and follows up with the parent regarding delinquent payments.
3. If the parent does not make timely payments, the fee review officer sends a notice of the court order to the designated collection agency.

**DRAFT Proposed Cost Recovery Model—Fee for Service**

1. The juvenile dependency petition sent to parents includes a prominent notice informing them that they may be charged for the cost of legal representation Welf. & Inst. Code, § 903.1; Cal. Rules of Court, rule 1407(a), (d)).
2. Upon appointment, the attorney provides the client with a financial evaluation form and instructions.
3. After the disposition hearing, attorney fees are assessed.
  - a. If the case is dismissed at disposition, the court does not assess attorney fees.
  - b. For any other disposition, a fee is assessed via court order.
    - The minute order includes an order to meet with the fee review officer, who determines the amount of attorney fees.
    - The minute order includes an order to pay fees, with the amount to be determined by the fee review officer.

**Scenario A: Client Meets With Fee Review Officer**

The fee review officer conducts a review of the parent's financial information and determines whether the parent must pay attorney fees.

1. If the parent is eligible for a category 1 or 2 civil fee waiver, no fee is collected, and the fee is waived. The fee review officer notifies the court of the waiver.
2. If the parent is not eligible for a category 1 or 2 civil fee waiver, the fee is not waived. The fee review officer works with the parent to set up a payment schedule.
  - A one-time administrative fee may be assessed to authorize a payment plan.
3. If the parent disputes the fees or the payment schedule, he or she must request a hearing.
  - a. The fee review officer sets a hearing date, completes the *Notice of Hearing* and gives it to the parent to sign.
  - b. The fee review officer forwards a copy of the notice to the court clerk for data entry and calendaring.
  - c. The court orders payment of specific amount.
4. If the parent does not request a fee hearing, he or she must sign a *Stipulation to Pay Costs and Waiver of Right to Appear*.
  - a. The fee review officer files the stipulation and waiver in the court file.

**Scenario B: Client Does Not Show Up for Meeting With Fee Review Officer**

1. The client is sent a statement of cost, which requires the client to set up an appointment with the fee review officer.
  - A *Proof of Service by Mail* (form POS-030) must be completed.
2. If the client responds and requests an appointment, refer to Scenario A.
3. If the client fails to respond to the letter, the fee review officer files an ex parte Petition for Order of Payment of Attorneys' Fees. A court order is prepared and issued.
  - A *Proof of Service by Mail* (form POS-030) must be completed.

## Attachment 7, cont'd

### Payment

1. The parent may make payments directly to the juvenile division of the court. The court provides a record of collections to the fee review officer on a regular basis.
2. The fee review officer tracks payments received by the court, and follows up with the parent regarding delinquent payments.
3. If the parent does not make timely payments, the fee review officer sends a notice of the court order to the designated collection agency.

### **DRAFT Baseline DATA Collection: Permanency Outcomes**

Two data sets make up the DRAFT baseline data: those children who entered foster care between October 1, 2001, and September 30, 2002, and those children who entered foster care between January 1 and December 31, 2002. Below are two examples of how the data in the following charts and tables can be read.

- For the cohort that entered foster care during the period October 1, 2001 through September 30, 2002, 27 percent of those in kin placements statewide were reunified within 12 months.. Six DRAFT courts have reunification rates exceeding this statewide average (the Superior Courts of Imperial, Marin, Mendocino, San Diego, Santa Barbara, and Santa Cruz Counties), and four DRAFT courts have reunification rates below the statewide average (the Superior Courts of Los Angeles, San Joaquin, San Luis Obispo, and Stanislaus Counties).
- For the cohort that entered foster care during the period January 1 through December 31, 2002, 7 percent of those in non-kin placements statewide were adopted within 24 months. Five DRAFT courts have adoption rates that meet or exceed the statewide average (the Superior Courts of San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, and Stanislaus Counties), and five have adoption rates below the statewide average (the Superior Courts of Imperial, Los Angeles, Marin, Mendocino, and San Joaquin Counties).

Attachment 8, cont'd

DRAFT Baseline Data  
Collection

**Permanency Outcomes**

Reunification, Adoption and Re-Entry Trends  
Stratified by Kin and Non-Kin Placements

		Kin Placements		Non-Kin Placements	
		Oct.2001– Sept 2002	Jan–Dec 2002	Oct.2001– Sept 2002	Jan–Dec 2002
<i>Child entered foster care in period →</i>					
California	Reunified within 12 months	27%	27%	42%	42%
	Adopted within 24 months	5%	5%	7%	7%
	Re-Entered foster care within 12 months after reunification	12%	11%	14%	14%
Imperial County	Reunified within 12 months	31%	25%	53%	51%
	Adopted within 24 months	2%	2%	2%	2%
	Re-Entered foster care within 12 months after reunification	21%	29%	9%	23%
Los Angeles County	Reunified within 12 months	17%	17%	26%	27%
	Adopted within 24 months	1%	2%	3%	4%
	Re-Entered foster care within 12 months after reunification	4%	5%	5%	5%
Marin County	Reunified within 12 months	29%	56%	54%	73%
	Adopted within 24 months	0%	0%	2%	3%
	Re-Entered foster care within 12 months after reunification	50%	20%	7%	7%
Mendocino County	Reunified within 12 months	43%	37%	52%	54%
	Adopted within 24 months	0%	2%	6%	2%
	Re-Entered foster care within 12 months after reunification	10%	11%	11%	16%
San Diego County	Reunified within 12 months	32%	31%	39%	37%
	Adopted within 24 months	3%	3%	8%	7%
	Re-Entered foster care within 12 months after reunification	10%	10%	16%	14%
San Joaquin County	Reunified within 12 months	12%	9%	47%	48%
	Adopted within 24 months	12%	11%	5%	5%
	Re-Entered foster care with 12 months after reunification	0%	0%	17%	17%
San Luis Obispo County	Reunified within 12 months	25%	32%	36%	44%
	Adopted within 24 months	11%	11%	16%	15%
	Re-Entered foster care within 12 months after reunification	8%	13%	24%	21%
Santa Barbara County	Reunified within 12 months	30%	12%	45%	45%
	Adopted within 24 months	0%	0%	17%	10%
	Re-Entered foster care within 12 months after reunification	22%	33%	27%	15%
Santa Cruz County	Reunified within 12 months	44%	60%	48%	52%
	Adopted within 24 months	15%	8%	15%	10%
	Re-Entered foster care within 12 months after reunification	33%	23%	3%	2%
Stanislaus County	Reunified within 12 months	15%	15%	28%	33%
	Adopted within 24 months	28%	28%	16%	20%
	Re-Entered foster care within 12 months after reunification	0%	0%	13%	15%

Attachment 9  
DRAFT Dependency Counsel Contracts

Court System	RFP/ Contract Status	Provider Type		Caseload (Clients per Attorney)	
		Pre-DRAFT	Post-DRAFT <sup>†</sup>	Pre-DRAFT (FY 2003-04)	Post-DRAFT* (FY 2005-06)
Imperial County	RFP for all representation recently closed; in contract negotiations.	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Private firms</li> <li>▶ Solo practitioners</li> </ul>		377	
Los Angeles County	New contract negotiated with existing child's counsel organization; RFP for parent organization in development.	<ul style="list-style-type: none"> <li>▶ Nonprofit organization (child's counsel)</li> <li>▶ Per-event-rate panel</li> </ul>	<ul style="list-style-type: none"> <li>▶ Nonprofit organization (child's counsel)</li> <li>▶ New parents counsel organization to be determined by RFP process</li> </ul>	232	
Marin County	RFP issued for representation in conflicts at the fourth level and beyond; in contract negotiations.	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Hourly-rate panel</li> <li>▶ Nonprofit organizations</li> </ul>	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Contract solo practitioners</li> <li>▶ Nonprofit organizations</li> </ul>	51	
Mendocino County	RFP currently open.	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Hourly-rate solo practitioners</li> </ul>		92	
San Diego County	New contract negotiated with County of San Diego subsequent to RFP process.	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Alternate public defender</li> </ul>	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Alternate public defender</li> </ul>	363	270
San Joaquin County	RFP currently open.	<ul style="list-style-type: none"> <li>▶ Bar-administered panel</li> <li>▶ Public defender</li> </ul>		288	
San Luis Obispo County	New contract negotiated with existing service provider.	<ul style="list-style-type: none"> <li>▶ Contract solo practitioner</li> </ul>	<ul style="list-style-type: none"> <li>▶ Contract solo practitioner</li> </ul>	180	163
Santa Barbara County	New contracts negotiated subsequent to RFP process.	<ul style="list-style-type: none"> <li>▶ District attorney</li> <li>▶ Public defender</li> <li>▶ Private firms</li> </ul>	<ul style="list-style-type: none"> <li>▶ Private firms</li> <li>▶ Solo practitioners</li> </ul>	201	112
Santa Cruz County	In negotiations with existing service providers.	<ul style="list-style-type: none"> <li>▶ Private firms</li> </ul>	<ul style="list-style-type: none"> <li>▶ Private firms</li> </ul>	136	
Stanislaus County	New contracts negotiated subsequent to RFP process.	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Hourly-rate panel attorneys</li> <li>▶ Private firms</li> </ul>	<ul style="list-style-type: none"> <li>▶ Public defender</li> <li>▶ Contract solo practitioner</li> <li>▶ Private firms</li> </ul>	217	177

\*Post-DRAFT information provided only where new contracts have been executed.