

County Counsel

Michael Ciccozzi – County Counsel

101-0700	FY 18/19 Adopted Budget	FY 19/20 CAO Recommended	Change
EXPENDITURES			
Salaries and Benefits	\$807,880	\$1,083,896	\$276,016
Services and Supplies	\$103,907	\$154,501	\$50,594
Other Charges	(\$573,103)	(\$565,850)	\$7,253
Fixed Assets	\$0	\$0	\$0
TOTAL EXPENDITURES	\$338,684	\$672,547	\$333,863
REVENUE			
Fed/State	\$0	\$0	\$0
Grant	\$0	\$0	\$0
Realignment	\$0	\$0	\$0
Fees/Misc	\$275,000	\$266,128	(\$8,872)
TOTAL REVENUE	\$275,000	\$266,128	(\$8,872)
FUND BALANCE	\$0		\$0
NET COUNTY COST	\$63,684	\$406,419	\$342,735

Program Description

The County Counsel is the chief legal advisor for the County of Yuba. We are counselors in the fullest sense, providing service that is intelligent, trustworthy, and dedicated to public service. We commit ourselves to professionalism, understanding and furthering the needs and goals of the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions. We adhere to the highest standards of ethics and confidentiality. To accomplish our mission, we endeavor to:

- Provide responsive legal advice and client service
- Provide creative assistance to the Board and to County officers to enable them to carry out their policy goals
- Provide prompt and effective assistance in reviewing, drafting, and advising our clients on contracts and other legal documents
- Provide training and resources to enable us to achieve the goals of the Office
- Provide assertive representation in civil litigation and administrative hearings

The Office of the County Counsel serves as the chief legal advisor and representative for the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions. As the attorneys for the County of Yuba, we are committed to ensuring that our Office provides the highest quality of legal service to all of our clients. Our clients rely on and trust the integrity of our legal advice and legal services provided by the Office in accomplishing their public service goals and objectives.

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Our office does not see our role as narrow, rather, we provide service that will further the purposes of the County, whether it is in:

- The defense of legal matters
- Affirmative litigation
- Proactive assistance and advice
- Drafting legislation or amendments to current legislation

We hope the information available about the Yuba County Counsel's Office will help the public in general learn more about the work of our office and the talented members of our legal staff.

Accomplishments

FY 2018-2019

- The Office of the County Counsel continues to provide effective legal assistance to departments including CDSA, Code Enforcement, Health and Human Services Department, Public Health, and Environmental Health in connection with identifying strategies for addressing the County's priorities related to homeless issues. The Office of the County Counsel continues to collaborate with the departments during every step of this process, including providing strategic and sound legal advice. This office is also actively participating in the multi-agency, multi-jurisdiction Bi County Homeless Services Program meetings and recently presented to a group of public agency representatives in conjunction with Health and Human Services.
- The Office successfully litigated a number of cases in the Superior Court including various cannabis related actions, and obtained approval of a joint motion for final approval of an Amended Consent Decree relating to the County's jail conditions in Federal Court. We continue to represent the Public Guardian in LPS cases and have been working towards increased efficiency and communication between the County, Courts, Public Defender, and Sutter Yuba Behavioral Health in conservatorship cases. The office also reviewed and developed responses to subpoenas (14) and public records requests (85), and represented an employee who was subpoenaed as a witness in a civil proceeding.
- The Office has also provided ongoing legal advice to and representation for a number of Departments on variety of complex legal issues, including the implementation of the Building Homes and Jobs Act, SB 2, negotiation and drafting a contract with CFMG for jail medical and mental health services, coordinating with FEMA/CalOES and local departments during the fire recovery, managing complex civil litigation, litigating *Pitchess* motions, bail bonds motions, vicious dog cases, and handling a number of employment discipline cases.
- The volume of child protection cases handled by the office continues to remain high. Our attorneys are devoted to the child welfare cases and are working diligently every day to represent Child Welfare Services (CWS) and protect the best interests of the minors of Yuba County. The attorneys are working closely and regularly with the staff at the Health and Human Services Department (HHSD) in furtherance of this goal. In addition to the day-to-day cases, the attorneys in CWS have filed eight briefs in the Third District Court of Appeals in response to appeals of child welfare cases. The CWS attorneys have prevailed on six briefs with one matter still pending on behalf of the department in the appellate courts.

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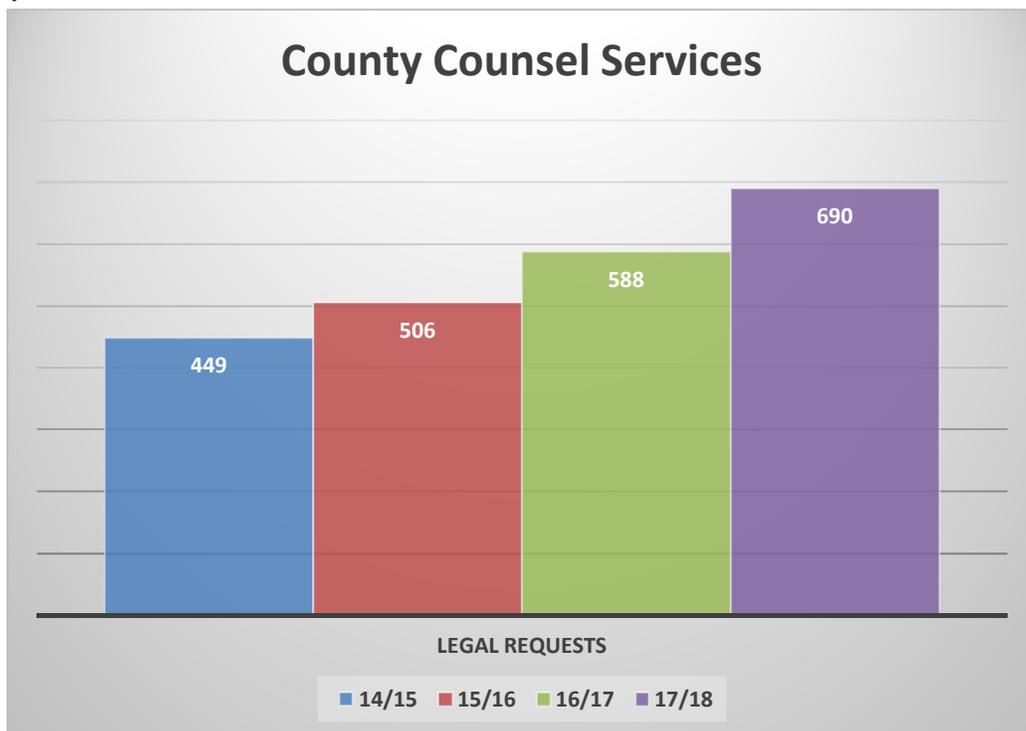
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- We established an internship program with McGeorge School of law to bring eager law students into the Office of the County Counsel to work and gain experience and law school credits, while at the same time, providing resources and legal assistance to the County.
- The Administrative Services Officer was absolutely integral in aiding in the transition of the office from one County Counsel to another. Not only did she assist in helping to keep the office running smoothly while the new County Counsel got up to speed, she also helped implement the new ideas and vision for the office brought on by the change in leadership. She assisted in creating and setting up electronic submission of legal requests in collaboration with IT, which has been successful thus far. Additionally, in conjunction with the County Counsel, a meticulous inventory was taken of the office print library, and we have moved from books that were not used to a more robust online LexisNexis subscription, thus saving the department money.
- Despite the Office being significantly shorthanded for a number of months, we continued to provide responsive service to County departments, with the objective of a “quick turnaround” of legal service requests, consistent with the requirement to provide thorough and complete advice and representation.
- Lastly, the Office has implemented trainings during the spring and fall time periods, when attorneys come back from conferences, so that we can move towards cross training the attorneys, since we are a small department that handles a wide variety of legal issues. It is important that everyone have a basic grasp of these fundamental areas of law.

Performance Measures

FY 2018-2019

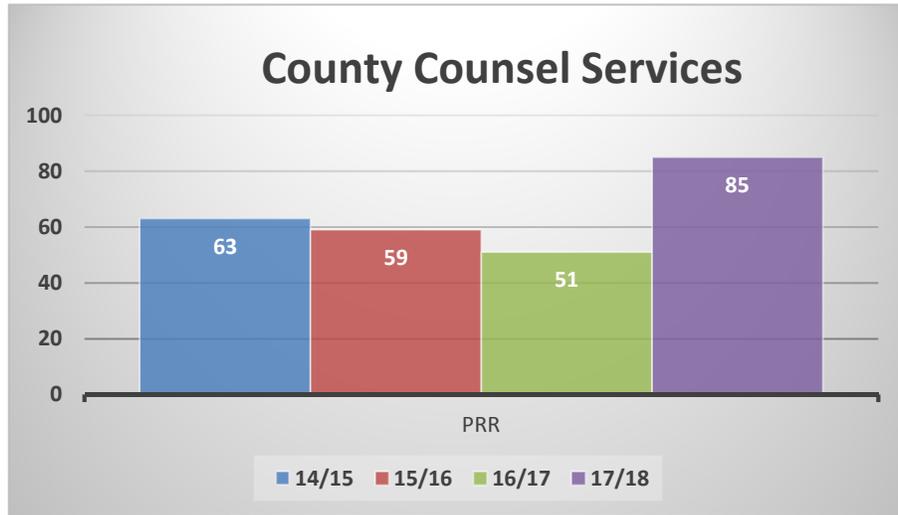
Legal Requests



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Public Records Requests



Juvenile Appeals

JUVENILE APPEALS BEFORE THE THIRD DISTRICT COURT OF APPEALS

There have been **twelve (12) juvenile dependency appeals** that have been filed within the last twelve (12) months. **(THIS AMOUNT HAS DOUBLED FROM LAST YEAR)**

<u>District Court Filings</u>	<u>Appeals Court Disposition</u>
• Six (6) Juvenile Appeals	Prevailed on briefs
• Four (4) Juvenile Appeals	Prevailed without briefing
• One (1) Juvenile Appeal	Did not prevail on briefing
• One (1) Juvenile Appeal	Currently Pending



Goals and Objectives

FY 2019-2020

- Every member of the County Counsel’s Office will strive to continue providing competent and timely legal services to the Board of Supervisors, County Departments, Commissions, County Boards, and Special Districts of Yuba County.
- The Office of County Counsel will endeavor to coordinate more internal trainings this fiscal year. We have started quarterly trainings on a topic that is applicable to our practice, and we will continue to have those to share the knowledge we receive in our own practice and the information we bring back from conferences. In addition to trainings, the Office of the County Counsel seeks to

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encourage staff to participate in professional networking groups such as CSAC, the County Counsel’s Association of California, and the local bar association.

- The Office of the County Counsel proposes putting on a “Boot Camp” to educate the newly elected officials and department heads about what the Office of County Counsel is, the basics of very common legal questions they will come across in their new positions (including the Brown Act and the Public Records Act), and generally how to access our services when needed.
- We hope to cross train more of the Deputies this year in different areas of law. We are a smaller office, so it is important that any attorney be able to handle any type of case that comes through the door.
- We hope to begin the purchase of and implementation of a centralized countywide public records request software system to better serve the public in the furtherance of transparency.
- The Office of the County Counsel will continue to work with the Code Enforcement Department, CDSA, and the Agricultural Commissioner to educate the Board of Supervisors and staff as new regulations regarding Hemp roll out at the State level and as the first full year of regulated commercial cannabis ends. We will work hard to keep abreast of the regulations that the State develops and keep up to date on changes in law that may occur, so that we can continue to provide sound legal advice in this complex and constantly transforming area of law.
- Finally, the Office of County Counsel strives to cultivate education, expertise, and leadership skills in all of our employees. We will work with the appropriate staff to engage in trainings offered by the Human Resources Department, the Executive Leadership class and any other County offered programs, so our staff can best serve our clients; the Board of Supervisors of the County of Yuba, County Agencies, Departments, and Commissions.

Pending Issues/Policy Considerations

FY 2019-2020

- The Office of County Counsel will continue to manage the County’s affirmative litigation against PG&E to recover damages sustained by the County due to the Cascade Fire, and against opioid manufactures and distributors to recover compensation for tax dollars spent on fighting the opioid drug epidemic.
- Draft ordinances and provide other legal assistance to SO, CDSA, HHSD staff in connection with identifying and implementing legally sound strategies for addressing the County’s priorities related to public health and sanitation, and researching opportunities to develop affordable housing.
- The Office will continue to expend a substantial amount of time and resources in complying with the approved Amended Consent Decree relating to the County’s jail conditions, including training of staff.
- The Office of County Counsel will continue working with departments to update internal policies and procedures, including record retention procedures, contract procedures, and resolution templates.