

OFFICE OF COUNTY COUNSEL

2007 – 2008 BUSINESS PLAN



PREPARED BY THE
OFFICE OF

COUNTY COUNSEL COUNTY OF ORANGE

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MISSION OF THE COUNTY COUNSEL:

TO PROVIDE THE HIGHEST QUALITY LEGAL ADVICE AND REPRESENTATION TO THE BOARD OF SUPERVISORS, ELECTED AND APPOINTED DEPARTMENT HEADS, COUNTY AGENCIES/DEPARTMENTS AND STAFF, AND BOARD-GOVERNED SPECIAL DISTRICTS.

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SECTION I. EXECUTIVE SUMMARY

MISSION AND GOALS

The mission of County Counsel is to provide the highest quality legal advice and representation to the Board of Supervisors, elected and appointed department heads, County agencies/departments and staff, and Board-governed special districts.

Our primary goals and ultimate objectives may be stated as follows:

Ensure that actions taken by client agencies based on County Counsel advice are not challenged in court, or if challenged, are sustained.

Ensure that litigation undertaken by the County Counsel on behalf of client agencies is concluded in a manner satisfactory to the client, and in the best interest of the County.

VALUE OF THE OFFICE OF COUNTY COUNSEL

The Office of County Counsel acts as “in-house” counsel. All County agencies and departments receive the Office of County Counsel’s services. However, our primary client is the Board of Supervisors. With the exception of core functions of elected officers, services are rendered to other County officers and employees because of their status as agents of the Board. The Office of County Counsel also provides legal services to some independent local public entities such as the Grand Jury and the Airport Land Use Commission.

The principal values provided by the Office of County Counsel are the reliability and consistency we bring to the actions of County government. By interpreting the law for client officers and agencies, the Office of County Counsel enables them to reach their objectives in accordance with state and federal law, thereby avoiding, to the extent possible, challenge and confusion. When County actions are challenged in court, the Office of County Counsel defends the County against litigation. The Office of County Counsel may also be directed to bring lawsuits to effectuate the objectives of the County.

The scope of the Office of County Counsel’s practice is extremely broad. From the airport to zoning, there is not a single important issue of law or public policy facing the County of Orange that does not receive some level of scrutiny by the Office of County Counsel. Advice is rendered on matters of great importance to the operation of County government in areas relating to labor and employment issues, purchasing contracts, real estate transactions, public works projects, and matters of great interest to public officials and the public at large, including public records, public meeting laws, and ethics in government.

The expertise of the Office of County Counsel lawyers has significantly expanded because laws governing the services the County delivers have grown more complex.

Attorneys practicing in the Office of County Counsel specialize in aviation, property tax, health, public safety, welfare reform, child welfare, mental health, jail operations, law enforcement, land use, civil rights, civil litigation, environmental protection, waste management, flood control, water quality, public finance, public accounting, election, public records, and budget issues.

The Office of County Counsel is dedicated to the principle that thoughtful, credible and ethical legal services lead to fewer lawsuits, lower liability costs, better services and better County government. As members of the County community, the Office of County Counsel is proud of the work we do as the County's lawyer.

MEASURING VALUE

The value of the Office of County Counsel services is measured by how well the Office of County Counsel assists clients to meet their objectives.

The Office of County Counsel is a support organization. Our work is client-driven, and we have no independent objectives other than providing legal services to our client departments and agencies based on their legal needs. For these reasons, the Office of County Counsel measures success primarily through feedback from clients. This feedback is obtained both informally through frequent contacts with clients, and formally through a Quality Assurance Program consisting of written questionnaires and personal interviews with department heads and top department management.

CHALLENGES

The greatest single challenge facing the Office of County Counsel is maintaining the depth and flexibility necessary to respond to the unpredictable – the fluctuating demands of our clients and the random unfolding of economic and political events. To this end, the Office of County Counsel has implemented a plan to develop a cadre of attorneys with broad cross-training and experience, so the Office of County Counsel can:

In the short term, form the *ad hoc* teams necessary to meet our clients' changing needs;
In the long term, cushion the experience-loss that would otherwise be caused by retirement of long-term personnel.

Since attorney services are the Office of County Counsel's "product," our primary resource is staff. Ninety percent of the Office of County Counsel's financial resources are allocated to salaries and employee benefits. Having sufficient attorney resources to meet our clients' growing need for legal services is our single greatest challenge. This is especially critical in the current economic climate where departments and agencies facing their own budget crises will need more, not less, sound legal advice and representation. Challenges related to our need for resources include: limited areas of opportunity for reducing operating costs; realization of estimated revenue and cost application; unpredictability of a client-driven workload and litigation workload driven by other people bringing lawsuits against the County; and limited general fund resources.

The Office of County Counsel has aggressively engaged staff in identifying any and all possible cost savings that do not compromise our ability to provide our current level of service. This includes careful timekeeping to capture billable time and identification of other revenue sources. Economy also involves maximizing the value of work performed. To this end, the Office of County Counsel is involved in two ongoing programs to make its work product more available and more useful to County employees: a training program for County officers and employees, and the continued updating of the Intranet web site.

See Section III, Operational Plan for information regarding the Law Awareness Workshop Program and County Counsel Intranet resources.

OVERALL STRATEGIC APPROACH

Basically, law is still practiced as it has always been, trained people applying legal principles and professional judgment to specific facts. In the practice of law, **people are the principal resource**. Therefore, since our first business plan, the Office of County Counsel has concentrated on making our employees more productive by (a) providing them with superior training; (b) providing them with advanced technological tools; and (c) improving their communications with client agencies.

This overall strategy has proved effective. For example, using this strategy in FY 2006-2007, the Office of County Counsel was able to:

- Shift attorney resources to meet increased litigation challenging actions taken by the Registrar of Voters, and increased litigation brought by jail inmates.

- Provide significantly increased support for Human Resources in benefit issues, and in particular, issues related to the Retiree Medical Plan.

- Implement new "Time Matters" case management system, which increases office capability to track cases, litigation calendars and litigation deadlines, and perform legal research.

- Provide training programs for client departments and County employees.

Consequently, the 2007-2008 Business Plan will continue this overall strategic approach.

SECTION II. MISSION AND GOALS

MISSION OF THE OFFICE OF COUNTY COUNSEL: To provide the highest quality legal advice and representation to the Board of Supervisors, elected and appointed department heads, County agencies/departments and staff, and Board-governed special districts.

GOALS

The Office of County Counsel is solely a support agency. Our operations are in response to the needs of clients, which complicates the planning process, since we cannot control the sometimes shifting legal needs of our clients. Therefore, the Office of County Counsel's ultimate objectives may be stated as follows:

- Respond promptly and effectively to requests from our client agencies for legal services and advice.
- Ensure that actions taken by client agencies based on the Office of County Counsel's advice are not challenged or, if challenged, are sustained.
- Ensure that litigation undertaken by the Office of County Counsel on behalf of client agencies is concluded in a manner satisfactory to the client.

"Success" in attaining these objectives is measured by the lawful achievement of our clients' program objectives, and the successful enforcement or defense of their program actions.

SPECIFIC STRATEGIC GOALS

- GOAL #1:** Provide highly competent legal advice to clients on matters related to their public duties and responsibilities in the administration of the public's business, in accordance with high ethical and professional standards.
- GOAL #2:** Effectively prosecute and defend civil actions in which clients are involved.
- GOAL #3:** Deliver all legal services to clients as efficiently and economically as possible.

KEY OUTCOME INDICATORS

Goal #1: Provide highly competent legal advice to clients on matters related to their public duties and responsibilities in the administration of the public's business, in accordance with high ethical and professional standards.

KEY OUTCOME INDICATORS:

Percentage of clients rating advisory support as satisfactory or better in terms of quality and responsiveness.

Percentage of written opinions challenged in court or administrative proceedings.

Percentage of challenged written opinions that are upheld.

Goal # 2: Effectively prosecute and defend civil actions in which clients are involved.

KEY OUTCOME INDICATORS:

Percentage of clients rating litigation support as satisfactory or better in terms of quality and responsiveness.

Percentage of dependency cases upheld on appeal.

Percentage of mental health cases won or resolved with approval of client.

Percentage of general litigation cases won or resolved with approval of client.

Goal #3: Deliver all legal services to clients as efficiently and economically as possible.

KEY OUTCOME INDICATORS:

Percentage of client requests for legal advice responded to within 30 days.

Percentage of clients rating advisory and litigation services as satisfactory or better in terms of timeliness.

KEY OUTCOME INDICATOR REPORTING

PERFORMANCE MEASURE	FY 2005-06 BUSINESS PLAN RESULTS	FY2006-07 BUSINESS PLAN	FY2006-07 ANTICIPATE D RESULTS	FY2007-08 BUSINESS PLAN	HOW ARE WE DOING?
<p><u>Percentage of clients rating Advisory Support as satisfactory in terms of quality & responsiveness.</u></p> <p><u>What:</u> Measurement of quality and effectiveness of services provided.</p> <p><u>Why:</u> Client satisfaction is the primary measure of success for a service agency.</p>	92% based on 2006 survey results.	Continue to be rated as in 2006-07 or better.	Same as 2006-07	Same	Based on survey results and ongoing dialogue with clients, County Counsel is doing well in the area of providing satisfactory advisory legal services in terms of quality and responsiveness.
<p><u>Percentage of Written Opinions challenged in court or administrative proceedings.</u></p> <p><u>What:</u> Measurement of the quality of legal advice.</p> <p><u>Why:</u> Provides measure of quality of services provided.</p>	One opinion was challenged.	Maintain 5% or less.	Same as 2006-07	Same	County Counsel is doing very well in producing quality written opinions that stand up to legal scrutiny.
<p><u>Percentage of Written Opinions that are upheld.</u></p> <p><u>What:</u> Measurement of the quality of legal advice.</p> <p><u>Why:</u> Provides measure of quality of services provided.</p>	The Court agreed with our opinion.	Maintain 90% or better rate of success.	Same as 2006-07	Same	County Counsel is doing very well in producing quality written opinions that stand up to judicial review.
<p><u>Percentage of clients rating Litigation Support as satisfactory in terms of quality & responsiveness.</u></p> <p><u>What:</u> Measurement of quality and effectiveness of services provided.</p> <p><u>Why:</u> Client satisfaction is the primary measure of success for a service agency.</p>	94% based on 2006 survey results.	Continue to be rated as in 2006-07 or better.	Same as 2006-07	Same	Based on survey results and ongoing dialogue with clients, County Counsel is doing well in the area of providing satisfactory litigation services in terms of quality & responsiveness.

PERFORMANCE MEASURE	2006-07 BUSINESS PLAN RESULTS	2007-08 BUSINESS PLAN	2007-08 ANTICIPATE D RESULTS	2007-08 BUSINESS PLAN	HOW ARE WE DOING?
<p><u>Percentage of dependency cases upheld on appeal.</u> <u>What:</u> Measurement of the quality of services provided by County Counsel. <u>Why:</u> Provides measure of quality and effectiveness of services provided.</p>	The percentage of cases upheld on appeal is over 90%. The number of published cases was reduced by half.	Maintain 90% or better rate of success	Same as 2006-07	Same	Very well
<p><u>Percentage of Mental Health cases won or resolved with approval of client.</u> <u>What:</u> Measurement of the quality of services provided by County Counsel. <u>Why:</u> Measure of the quality of services provided by County Counsel.</p>	90% won or resolved	Maintain 90% or better rate of success	Same as 2006-07	Same	Very well
<p><u>Percentage of General Litigation Cases won or resolved with approval of client.</u> <u>What:</u> Measurement of the quality of services provided by County Counsel. <u>Why:</u> Provides measure of quality and effectiveness of services provided.</p>	Estimated to be 90% -95%.	Maintain 90% or better rate of success	Same as 2006-07	Same	Very well
<p><u>Percentage of clients rating Advisory & Litigation services as satisfactory in terms of timeliness.</u> <u>What:</u> Measurement of timeliness of services provided. <u>Why:</u> Client satisfaction is the primary measure of success for a service agency.</p>	92% based on 2006 survey results.	Continue to be rated as in 2006-07 or better.	Same as 2006-07	Same	Based on survey results and ongoing dialogue with clients, County Counsel is doing well in the area of providing satisfactory litigation services in terms of quality and responsiveness.
<p><u>Percentage of client requests for legal advice responded to within 30 days.</u> <u>What:</u> Measurement of the timeliness and effectiveness of services provided. <u>Why:</u> Provides measure of quality and effectiveness of services provided.</p>	Number of formal opinion requests still outstanding after 30 days is 15 requests, compared to baseline of over 200 opinion requests still outstanding after 30 days in 1998. (This figure is 7.5% of the 1998 baseline, and represents a substantial decrease in outstanding opinion requests.)	Maintain "30 day inventory" at 15% or less of 1998 baseline	Maintain backlog of less than 15%	Same	Opinion backlog has been reduced below target level

Note: Responses reporting less than full satisfaction emphasized two areas: “Responsiveness” and “Timely Completion of Requested Service.” Client agencies uniformly attribute these ratings to too few attorneys, rather than lack of effort. One agency’s comments are typical: In response to the question “What services are desired from County Counsel,” the agency answered “More County Counsel staff assigned so they are not spread too thin and can respond in a more timely manner.”

SECTION III. OPERATIONAL PLAN

CLIENTS

CLIENTS SERVED DIRECTLY:

The Office of County Counsel renders legal services to the Board of Supervisors as the ultimate client, and to all County departments and agencies. In addition, the Office of County Counsel provides services to the Grand Jury, the Airport Land Use Commission, and various advisory and oversight committees governed by the Board of Supervisors. Assistance is rendered to client agencies and departments that deal with the public. However, the Office of County Counsel does not provide legal services directly to members of the public.

The Office of County Counsel has 66 attorneys. On the average day, if you took a snapshot, this is how many attorneys you would find working for each client agency.

DEPARTMENT	ATTYS	DEPARTMENT	ATTYS
SOCIAL SERVICES AGENCY (DEPENDENCY)	18	JOHN WAYNE AIRPORT	2
PUBLIC ADMINISTRATOR/GUARDIAN	8	AUDITOR- CONTROLLER DEPARTMENT	2
RESOURCES DEVELOPMENT MANAGEMENT DEPARTMENT	6.5	INTEGRATED WASTE MANAGEMENT	1
SOCIAL SERVICES AGENCY (ADVICE AND LITIGATION)	2	HOUSING AND COMMUNITY SERVICES AGENCY	1
SHERIFF -CORONER DEPARTMENT	6	PROBATION DEPARTMENT	1
HEALTH CARE AGENCY	3	TREASURER – TAX COLLECTOR	1
ASSESSOR DEPARTMENT	1.5	REGISTRATION & ELECTIONS	1
BOARD OF SUPERVISORS	1.5	CLERK RECORDER	.5
HUMAN RESOURCES AND EMPLOYEE RELATIONS	4	ASSESSMENT APPEALS BOARD	.5
CLERK OF THE BOARD	.5	GRAND JURY	.5
CEO	2.5	ALL OTHER CLIENTS	2

INDIRECT BENEFICIARIES:

The areas of Juvenile Court and Probate/Mental Health have grown to constitute 40 percent of the Office's workload. This portion of the practice serves a County population with specialized needs. The issues in each of these areas have significant ramifications on individual's lives and routinely include abuse, disability, mental health, and death.

Service beneficiaries and their respective families can best be characterized as being in highly traumatic, difficult, and emotional situations.

In Juvenile Court, the Office of County Counsel represents the Social Services Agency in a variety of dependency hearings, including hearings to determine whether a legal guardian should be appointed, or whether children should be freed for adoption. There are 3,400 children under the jurisdiction of the Juvenile Court as dependents at any particular point in time. Each child's case comes before the Court for a hearing at least twice each year.

In the area of Probate/Mental Health, the Office of County Counsel represents the Public Administrator/ Public Guardian (PA/PG) in court and as advisory counsel. The 1,700 individuals served by the PA/PG are among the most vulnerable in the community for whom no other alternative is feasible. These include the mentally ill who might endanger themselves or the community, the elderly and frail who are subject to exploitation, and the heirs of decedents' estates who might otherwise see their inheritances mismanaged.

CHALLENGES AND RESOURCES

Legal services are the Office of County Counsel's "product." **People are the Office of County Counsel's most important resource.** Our single greatest challenge is having sufficient and specialized attorney and support resources to meet our clients' growing and increasingly complex needs.

STAFFING LEVELS:

Prediction of future personnel requirements to support our clients is an inherently inexact process. The five-year Strategic Financial Plan calls for the long-term addition of four positions, one of which is expected to be cost offset. The four positions are:

- 1 Attorney (Juvenile Dependency) – Added in 1st Quarter Budget Report
- 1 Attorney (Advisory & Purchasing) to meet increased client service demand
- 1 Attorney (Construction Law) to meet increased client service demand
- 1 Attorney (John Wayne Airport) to meet increased client service demand

In addition, the number of attorneys has increased over the past several years while support staff positions have been eliminated for budgetary reasons. During the next year, the Office will be evaluating the need for additional support staff.

SPACE CONSTRAINTS:

The Office of County Counsel is currently using every available space for staff offices in all three facilities. In the past several years, modular cubicles for clerical support staff have been constructed in converted file rooms and in hallways to free up office space for attorney staff. The Office of the County Counsel projects the need for three additional attorney positions in the next three years. Given the existing space limitations, there would be no office space for these new staff to occupy.

Within the next two years, County Counsel will need an Alteration and Improvement project to

build office space in the current building or another location or funding for additional lease costs in another facility.

LAW PRACTICE TRENDS:

In the past decade there has been a shift in the skill mix required in the practice of law. Highly specialized professionals have replaced the generalist lawyer. Attorneys in the Office of County Counsel have always been specialists in public law.

In recent years, both the Office of County Counsel advisory and litigation attorneys have followed the general trend towards specialization in substantive areas of practice. Developing and maintaining this high level of legal expertise presents a continuing challenge for the Office of County Counsel.

Advisory attorneys typically provide highly specialized legal services to elected officials, major departments such as the Social Services Agency, the Health Care Agency, Sheriff-Coroner, Probation, Resources and Development Management Department and the CEO, as well as smaller departments. General litigation attorneys are focusing their practice on subjects identified with specific departments, including the Treasurer-Tax Collector, the Assessor, the Orange County Flood Control District, Resources Development and Management Department, Planning and Development Services Department and Human Resources. Attorneys working in the Juvenile Dependency and Mental Health/Probate Sections are likewise engaged in highly specialized areas of the law and are physically located in two outlying locations. Moreover, the Office of County Counsel attorneys are being called upon not only to provide general legal advice and representation, but also to become more involved in transactional services and client training.

Specialization is essential to providing timely, comprehensive legal services, and minimizing the cost of retaining outside counsel. However, with the advantages of specialization come organizational challenges, such as: 1) ensuring that there is sufficient ongoing legal training to minimize the disruption to client services related to changing client needs, attorney vacancies and assignment changes; and 2) maintaining a corporate perspective among attorneys working at different locations. The Office of County Counsel is working towards developing a staffing model that will meet the clients' needs for highly specialized legal services, while ensuring that attorneys have an opportunity to rotate through assignments in the main and outlying offices.

USE OF OUTSIDE COUNSEL

Outside counsel is used to meet specialized, temporary, or unprogrammed needs. The Office of County Counsel continually evaluates workload distribution through the review of timesheets, supervisory oversight, and client input. The Office of County Counsel will continue to search for ways to reduce the use of expensive outside counsel.

BUDGETARY CHALLENGES

The Office of County Counsel faces four significant financial challenges:

1. **LIMITED AREAS OF OPPORTUNITY FOR REDUCING OPERATING COSTS:** Although 90% of the budget is for salaries and employee benefits, and largely out of the Office of County Counsel's control, the Office of County Counsel aggressively seeks opportunities, the majority of which are small, to save or avoid expenditures for services and supplies. We are likewise committed to maintaining an environment where employees are encouraged to identify cost savings and efficiencies.
2. **REALIZATION OF ESTIMATED REVENUE AND COST APPLICATION:** During FY 2005-2006, billings for legal services generated revenue in the amount of \$1,785,700 and cost application to the General Fund departments in the amount of \$6,048,888. This represents approximately 55% of our appropriations budget. We use a daily timekeeping system that captures attorney time in 15-minute increments in order to realize all cost apply/revenue that is appropriate, and we continually seek cost recovery opportunities whenever feasible.
3. **CLIENT-DRIVEN WORKLOAD:** The Office of County Counsel workload is driven by client demand, variations in number and complexity of cases filed by those suing the County and legislative changes. Many of the most complex and time-consuming projects do not produce revenue. Client departments that utilize a large amount of County Counsel resources, yet provide little or no revenue include the Sheriff's Probation and Public Administrator/Public Guardian departments and the County Executive Office and Human Resources. As the need for legal services for these and other general fund departments continues to increase, the alternatives will be to add attorneys using general fund monies, to reduce the scope and level of legal services or to delay delivery of services.
4. **IMPACT OF INCREASED RETIREMENTS:** Effective July 1, 2005, employees of the County Counsel's office (all of whom are general members of the Retirement System) became subject to the new "2.7 percent at 55" formula for calculating retirement benefits. The availability of this improved retirement benefit resulted in an increased number of employee retirements during the 2005-06 Fiscal Year. One of the challenges facing this office is the replacement of experienced employees who retire. Some of these departing employees were entitled to substantial lump sum payoffs for accrued vacation and sick leave, or annual leave. This created a significant financial burden for the office in FY 2005-2006 and again in FY 2006-2007 and will continue in FY 2007-2008.

Strategies

The Office of County Counsel has adopted an operational model that (1) utilizes quality assurance initiatives designed to assess the quality of the legal services delivered and the anticipated future needs of clients, (2) allows for flexibility in responding to client needs by providing for ad hoc team building, (3) maximizes the available talent pool, and (4) makes work product available and useful to the maximum number of County employees.

Quality Assurance Initiatives: The Office's quality assurance program is designed to accomplish three operational objectives: (1) obtain feedback on how well the Office of County Counsel is meeting client needs; (2) develop methods for the improvement of delivery of services; and (3) obtain data regarding anticipated changes in the service needs of clients.

Client surveys and meetings are conducted on a regularly scheduled basis. Formal evaluation protocols are being used in selected juvenile dependency appellate cases and for General Litigation, Probate/Mental Health and Dependency Trials. These processes are designed to evaluate and improve the quality of delivery of services and assist clients in developing sound business practices based on past experience.

Regular communication with clients is essential for planning to meet future legal service needs. Early identification of client needs allows the Office of County Counsel to evaluate the efficacy of developing in-house expertise, move resources, train attorneys, and plan for support staffing versus seeking outside retained counsel. With limited financial resources, early assessment of client needs helps to ensure high quality, effective and economical legal services.

AD HOC TEAM BUILDING: The Office of County Counsel's operational model (internal team building) provides for the rapid assembly of ad hoc teams of attorneys with differing areas of legal expertise bearing on the "crisis de jour" so that quality legal services can continue to be delivered in a timely manner. Most recently, this approach was utilized to meet the sharp increase in the number of subpoenas for peace officer records, complicated construction disputes and eminent domain and flood control work.

GROWTH OPPORTUNITY:

The Office of County Counsel believes that attorneys in the office should have the opportunity to develop the skills necessary to advance to leadership roles, and to demonstrate their readiness to do so. Attorneys are given a broad exposure to County-wide structure and operations as opportunities arise. Attorneys are provided opportunities to:

- ❖ Learn the structure of County government
- ❖ Participate in a higher level of County operations
- ❖ Gain exposure to a variety of practice areas
- ❖ Participate in management and leadership functions of the Office of County Counsel
- ❖ Take risks under close supervision of senior management personnel
- ❖ Demonstrate ability and fitness for promotion
- ❖ Participate in preparation of Board Agenda(s)
- ❖ Draft opinions in areas of County-wide significance
- ❖ Team with another attorney to litigate a case of County-wide significance

- ❖ Develop / implement / improve an office-wide system or program
- ❖ Participate in the development of the Business Plan
- ❖ Participate in the development of the budget
- ❖ Take a leadership role in a practice area
- ❖ Participate in the development of policies and procedures

RESOURCE AVAILABILITY:

In order to make the Office of County Counsel's work product more available and more useful to County employees, the Office of County Counsel initiated three communication avenues.

Training for client agencies, resulting in the office presenting 61 separate training sessions in FY 2006-2007, presented to employees of various County departments or the County as a whole. The training sessions run from at least one hour in length to as much as six hours. See schedule in Appendix E, Accomplishments.

Law Awareness Workshops for all County employees – an annualized series of training sessions presented by the Office of County Counsel, designed to inform and educate County employees about legal topics especially pertinent to the everyday operation of local government. Topics include the County Gift Ban Ordinance, Conflict of Interest, and Public Records. See the schedule for FY 2006-07 in Appendix E, Accomplishments.

The Office of County Counsel Intranet Website, designed to make legal resources more available to County employees. The site contains resources such as the Supervisors Desk Book and links to legal resources, including the written materials from previous Law Awareness Workshops.

Technology:

The Office of County Counsel's use of technology has changed the way attorneys perform their legal business and research, with resultant increases in efficiency and productivity. Examples include: On-line research, downloading of text and legal citations, use of on-line legal forms, desktop faxing capability, imaging of bankruptcy and opinion files, management of cases and case files, and document transmittal and editing.

The increased production of opinions and other written legal advice without adding additional attorneys, reduction in time required to handle routine litigation, and faster turn-around on reviewed documents illustrate some of the successes the Office of County Counsel has realized by using technology.

The Office of County Counsel has hardware and software that allows attorneys and administrators to access the complete office network from remote locations. All of the Office of County Counsel's resources are available when these individuals are working from home, the courthouse, or "on the road," while maintaining the confidentiality of work product. The Office of County Counsel uses electronic timekeeping.

The resultant database improves revenue recovery, while reducing the workload for payroll preparation. Reports generated from the database provide management with “real time” analysis of workload and trends.

SPECIFIC STRATEGIES FOR 2007-2008

Goal #1: Provide highly competent legal advice and representation to clients on matters related to their public duties and responsibilities in the administration of the public’s business, in accordance with the highest ethical and professional standards.

OPERATIONAL PLAN:

STRATEGY	TARGET DATES
Develop new attorney competencies through basic training programs in public law.	Repeat cycle for 2007-08.
Continue Minimum Continuing Legal Education training for all attorneys, with emphasis on topics specific to the Office of County Counsel.	Continue training sessions during 2007-08.
Continue Law Awareness Workshops for County employees.	Continue training sessions during 2007-08.
Continue expanded training for client agencies.	Provide at least 60 hours during 2007-08

GOAL # 2: EFFECTIVELY PROSECUTE AND DEFEND CIVIL ACTIONS.

OPERATIONAL PLAN:

STRATEGY	TARGET DATES
Develop protocol for joint review of completed litigation and other significant legal matters.	By June 30, 2007, complete collection of data from client agencies as part of annual Quality Assurance Survey.

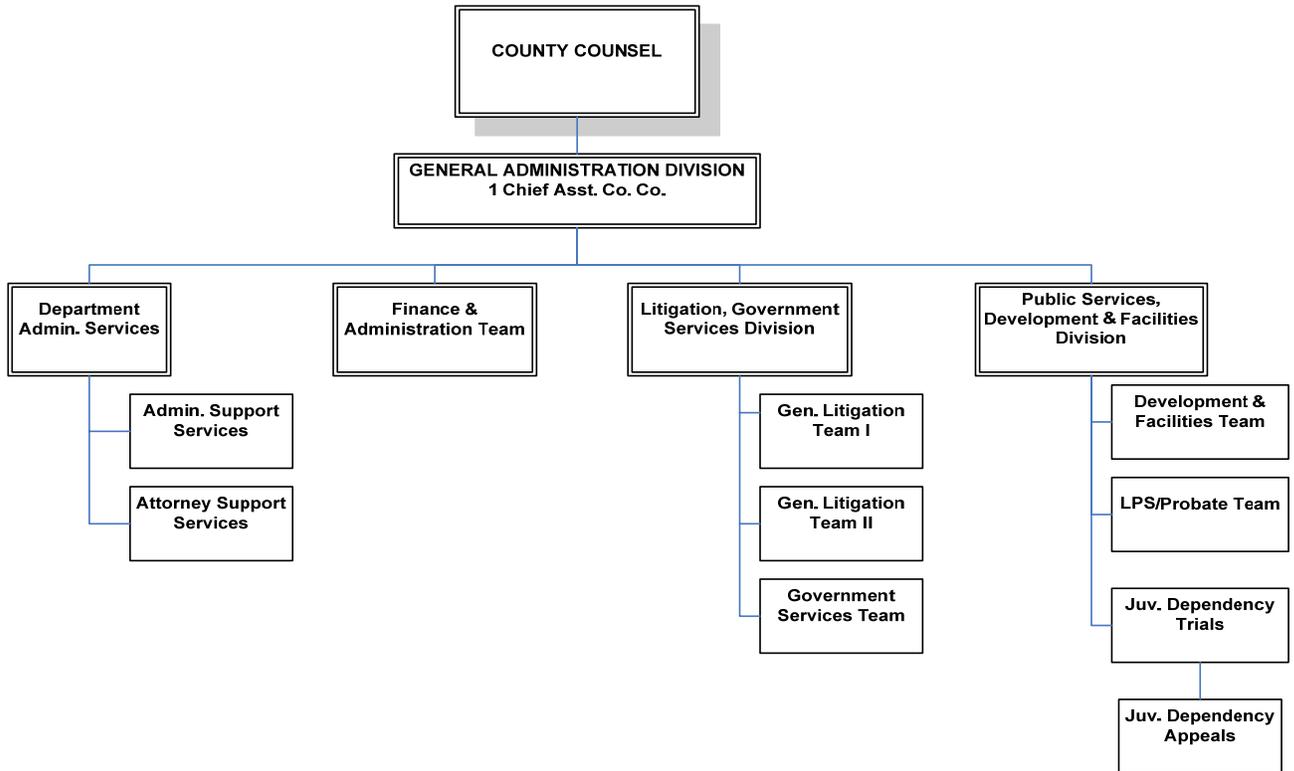
GOAL #3: DELIVER ALL LEGAL SERVICES AS EFFICIENTLY AND ECONOMICALLY AS POSSIBLE.

Operational Plan:

STRATEGY	TARGET DATES
Conduct formal survey of clients.	Complete paper survey by March 15, 2007. Complete in-person survey by May 20, 2007.
Develop global system for case management, document creation, storage and retrieval.	Complete transition to new "Time Matters" case management system by June 30, 2007.

SECTION IV. APPENDICES

APPENDIX A. ORGANIZATION AND FUNCTION



The Office of County Counsel is charged with providing civil legal services to County government, e.g., defending and prosecuting litigation, advising the Board of Supervisors, and providing written opinions to County and district officers on matters pertaining to their duties. The Office of County Counsel, as provided by the Government Code, was created on September 16, 1941, by Ordinance No. 432. The majority of the Office of County Counsel's functions is defined and mandated by California statutes, County ordinances, Board Resolutions, Board policy and case law.

ORGANIZATION:

The organization of the Office of County Counsel is consistent with its mission and objectives. It places increased emphasis on strategic business and financial planning; increased breadth and depth of legal services required by the Board of Supervisors, the County Executive Officer, and County agencies and departments; increasing number of complex and costly litigation cases; and legislative actions that change the business of various agencies/departments.

The benefits of the organization include: delegation and consolidation of responsibility for administrative and operational functions; improved focus for the management and delivery of the litigation services and advisory services; backup for critical management positions; improved continuity planning; improved management recruitment and retention; and the Office of County Counsel authority to hire, discharge and reduce executive managers “at will” to effectuate departmental management goals and policies.

The Office of County Counsel now consists of three Divisions:

General Administration

Litigation & Government Services

Public Services, Development and Facilities

Each of the three divisions is managed by an executive manager. The County Council appoints one of the executive managers to serve as Chief Assistant County Counsel.

The General Administration Division consists of two teams: the Finance & Administrative Team and the Office’s Administrative Services Team. These teams are managed by a Supervising Deputy County Counsel and an Administrative Manager, respectively, who report directly to the Chief Assistant County Counsel.

The Litigation & Government Services Division, under the management of a Senior Assistant County Counsel, consists of three attorney teams: General Litigation I; General Litigation II; and Government Services. Each of these attorney teams is managed by a Supervising Deputy County Counsel, who reports directly to the Senior Assistant County Counsel.

The Public Services, Development and Facilities Division, under the management of a Senior Assistant County Counsel, consists of three attorney teams: Development and Facilities; Juvenile Dependency Trials and Appeals; and LPS/Probate, each managed by a Supervising Deputy County Counsel.

ADVISORY SERVICES: The Finance/Administration, Development and Facilities, and Government Services Teams provide primarily advisory services. The primary responsibility of these teams is the rendition of legal opinions as mandated by Government Code sections 26520 and 27642 and the review and approval of contracts as mandated by Board rule. Sub-functions within teams are organized by either client agency or specific function, whichever is more efficient. Of the attorneys assigned to these teams, five are almost entirely funded by revenue from clients and seven are partially funded by revenue and partially funded through the General Fund. The remaining eight attorneys are assigned to General Fund departments and are funded through cost application when outside funds are available to those departments, or the costs are allocated through the County Wide Cost Allocation Plan (CWCAP). There is no “bright line” between advisory and litigation services. Advisory attorneys will litigate cases when it is determined to be in the client’s best interest. In recent years, advisory attorneys have collectively spent about 15% of their time on litigation.

LITIGATION SERVICES: Litigation services are provided by the two General Litigation Teams, the LPS/Probate Team and the Juvenile Dependency Team.

These teams provide centralized oversight for civil litigation activities of the County and the conduct of most of that litigation as mandated by Government Code sections 26521 and 27642. The Dependency Trial Team, the Dependency Appeals Team and the Probate Mental/Health Team provide specialized, mandated services to the County's Social Services Agency and the Public Administrator/Public Guardian. The General Litigation teams represent the County in all other litigation and supervise litigation that is assigned to outside counsel. Currently, the General Litigation Teams represent the County in matters involving potentially hundreds of millions of dollars and preservation of the health, welfare and safety of the County's citizens. Its attorneys appear before all courts from the Superior Court level potentially to the United States Supreme Court, as well as before various administrative law hearing officers and panels. Attorneys assigned to litigation teams are also called upon to provide advisory services, particularly to the Assessor, the Public Administrator/Public Guardian, Human Resources and the Social Services Agency.

ADMINISTRATIVE SUPPORT SERVICES: The primary function of the Administrative Support team is the provision of administrative and clerical support for County Counsel attorneys. Responsibilities include: direct secretarial support to the attorneys, law library support and resources, human resources functions, budget, records management, computer systems and network administration, accounting, safety, and purchasing. The Team is comprised of thirty-four support staff, including the administrative manager.

APPENDIX B. MANAGEMENT TEAM

EXECUTIVE MANAGEMENT

Benjamin P. de Mayo, County Counsel: Directly responsible to the Board of Supervisors for the overall management of the County's legal services. Sets department priorities. Sits with and advises the Board of Supervisors, and works directly with the County Executive Officer in implementing County policies. Oversees the legal advice and representation provided to County agencies and departments.

Donald H. Rubin, Chief Assistant County Counsel: Responsible to the County Counsel for the oversight and coordination of departmental operations and work of the Finance & Administration Division. Directs the efforts of the Finance & Administration Team and the department's Administrative Services Team. Responsible for several office-wide functions – Business Plan development, Continuing Education Program, staff training, and Quality Control Assurance Program. Assists the County Counsel in providing legal services to the Board of Supervisors and County Executive Officer.

Nicholas S. Chrisos, Senior Assistant County Counsel, Public Services, Development & Facilities Division: Responsible to the County Counsel, through the Chief Assistant County Counsel, for the oversight and coordination of the Public Services, Development & Facilities Division. Directs the efforts of the Development & Facilities Team, the Probate/Mental Health Team, the Dependency Trial Team, and the Dependency Appeals Team.

Jack W. Golden, Senior Assistant County Counsel, Litigation & Government Services Division: Responsible to the County Counsel, through the Chief Assistant County Counsel, for the oversight and coordination of the Litigation Division and Government Services Team. Directs the efforts of the two General Litigation Teams, and the Government Services Team. Overall coordinator of the outside counsel program.

Susan J. McMillan, Office Manager: Responsible directly to the Chief Assistant County Counsel for direction and oversight of office support staff, technical development, information and research resources, space utilization, human resources, information systems and network, safety, and procurement. Provides direct assistance to the County Counsel in the development and execution of the budget, Business Plan, Strategic Financial Plan, and Continuity Plan.

ATTORNEY MANAGEMENT

Each of the Attorney Teams is headed by a Supervising Deputy County Counsel which is a management position. These managers carry their own caseloads, appear in court, have their own assigned clients and are expected to devote 20%-30% of their time to supervision and management.

FINANCE AND ADMINISTRATION DIVISION

Ann Fletcher Finance and Administration Team

PUBLIC SERVICES, DEVELOPMENT & FACILITIES DIVISION

Geoffrey Hunt Development & Facilities Team
Rachel Bavis Juvenile Dependency Trials and Appeals Team
James Harvey Probate/Mental Health Team

LITIGATION & GOVERNMENT SERVICES

Wanda Florence General Litigation I
Jeffrey Richard General Litigation II
Barbara Stocker Government Services

ADMINISTRATIVE SUPPORT

Debra Armijo, Administrative Manager: Responsible directly to the Office Manager as backup and shared lead for administrative functions. Provides direct supervision and management of attorney support services.

SUPERVISORY SUPPORT

Geoff Ritz Eileen Blanton Patricia Owens Shalaine Aguayo

Report directly to the Administrative Manager and manage and supervise the staff that provide the direct support services to the attorneys.

APPENDIX C. LABOR MANAGEMENT COMMITTEES

The Office of County Counsel staff are members of two Labor Management Committees (LMC) as provided for by the separate Orange County Employees' Association (OCEA) and Orange County Attorneys' Association (OCAA) representation groups.

In addition, the Office of County Counsel has established several committees that include both OCEA and OCAA members. These committees are designed to proactively address issues that impact both office support staff and attorneys. These committees engage employees in planning for the future. Several of the committees tackle complex professional issues such as managing outside counsel, improving office technology; litigation files management, and library and research resources. Other committees address issues such as alternative work schedules and attorney-staff relations. The outcome of all of these committees is better client services delivered by people who find their job professionally and personally satisfying.

APPENDIX D. BUSINESS PLAN TEAM

The principal sources of most of the ideas that went into the formulation of this plan are the attorney and support staff of the Office of County Counsel.

The technical authors for the 2007-2008 Office of County Counsel Business Plan are:

Benjamin P. de Mayo, County Counsel
Donald H. Rubin, Chief Assistant County Counsel
Nicholas S. Chrisos, Senior Assistant County Counsel
Jack W. Golden, Senior Assistant County Counsel
Susan J. McMillan, Office Manager

Support assistance for this plan was provided by:

Norma Ruiz, Executive Secretary

APPENDIX E. ACCOMPLISHMENTS

County Counsel has achieved the following progress toward the key goals identified in the Office's 2006-2007 Business Plan:

Goal # 1: Provide highly competent legal advice to clients on matters related to their public duties and responsibilities in the administration of the public's business, in accordance with high ethical and professional standards.

KEY OUTCOME INDICATORS:

Percentage of written opinions challenged in court or administrative proceedings: One written opinion was challenged.

Percentage of challenged opinions that are upheld: 100%

EXAMPLES OF ADDITIONAL ACCOMPLISHMENTS FOR GOAL # 1:

Regularly and successfully quashed (or convinced other parties to withdraw) subpoenas for confidential records held by various County departments, including the Sheriff, Probation, Social Services Agency and Health Care Agency. Assisted many County departments in responding to subpoenas and requests for records under the Public Records Act, including many which required intensive review of voluminous documents to separate disclosable material from material that cannot be made available to the public.

Drafted, reviewed, and/or revised (and ultimately approved as to legal form) more than 600 contracts on behalf of the County and County departments.

Assisted the Clerk of the Board in preparing standardized disclosure categories for the County's Conflict of Interest Code.

Performed extensive research on issues surrounding the County's ongoing relationship with UCI Medical Center, and reported to the Board of Supervisors

Provided extensive legal advice to County departments regarding electronic storage and release of criminal offender information, medical information, and information about social service programs and clients

Drafted legislation in diverse areas – from use of GPS technology to keep track of probationers; to conflict of interest; to access to victim information – and advised clients on implementation of many pieces of new legislation

Drafted and approved County ordinances covering a wide range of subjects

Served on the Measure M Ordinance Legal Advisory Committee and assisted in the legal review of the ordinance which provided for renewal of Measure M.

Provided daily, ongoing legal consultation with County departments in most areas in which the County provides direct services to the public (law enforcement, social services, health care, child support services, and animal control), including many complex or controversial legal issues. Legal advice was communicated by e-mail, telephone, face-to-face meetings and conferences, and through dozens of formal written legal opinions.

CONTINUATION OF THE LAW AWARENESS WORKSHOP PROGRAM:

SCHEDULED LAW AWARENESS WORKSHOP PROGRAMS FOR 2006:

DATE / TIME	TOPIC	LOCATION
January 24, 2007	Prevailing Wage Contracts	Board Room
January 31, 2007	Conflicts of Interest I: Political Reform Act and Gift Ban Ordinance	Board Room
February 7, 2007	Purchasing Contracts	Board Room
February 28, 2007	Conflicts of Interest II: Gov. Code Sec. 1090 and Misc. Issues	Board Room
March 14, 2007	The Brown Act	Board Room
April 18, 2007	Public Records Act	Board Room

[Additional Dates and Topics to be Scheduled]

TRAINING FOR CLIENT AGENCIES:

DATE	TOPIC	CLIENT
1/04/06	Assessment Appeals	Assessor
3/09/06	Contracts for HIPAA Privacy/Security Rules	HIPAA Workgroup
3/13/06	New Employee Orientation—Juvenile Court Roles and Responsibilities	SSA Children and Family Services
3/17/06	Structured Decision Making	SSA Children and Family Services
3/20/06	Structured Decision Making	SSA Children and Family Services
3/22/06	Enforcement of Unified Program Regulations	Environmental Health; Unified Program Agency
3/22/06	Conflicts of Interest I; Political Reform Act and Gift Ban Ordinance	County
3/29/06	Land Use Law	County
3/30/06	Basic Death Investigations	Sheriff-Coroner
4/12/06	CFS Supervisor Training: Safely Surrendered Babies	SSA Children and Family Services
4/12/06	Creditor Claims by County in Bankruptcy Cases	County
5/03/06	Restraining Orders in Workplace Violence Cases	County
5/10/06	CFS Supervisor Training: Law Update	SSA Children and Family Services
5/11/06	Drug and Alcohol Regulations and Privacy Regulations, Part I	HIPAA Workgroup
5/15/06	Stop Notices	Auditor-Controller
5/17/06	What to do when Subpoenaed as a Witness	County
5/31/06	Privacy in E-mails	County
6/10/06	Incarcerated Parents: Reasonable Services	SSA Children and Family Services (ICS)
6/13/06	Roundtable with MTS: Legal Issues	SSA Children and Family Services /MTS

DATE	TOPIC	CLIENT
6/14/06	CFS Supervisor Training: Incarcerated Parents: Reasonable Services	SSA Children and Family Services
6/16/06	New Employee Orientation – Juvenile Court Roles and Responsibilities	SSA Children and Family Services
6/21/06	Role of a County Official in Municipal Securities Disclosure	County
6/30/06	Structured Decision Making	SSA Children and Family Services
7/07/06	Structured Decision Making	SSA Children and Family Services
7/12/06	Conflict of Interest II: Government Code Section 1090 and Miscellaneous Issues	County
7/13/06	Drug and Alcohol Regulations and HIPAA Privacy Regulations, Part II	HIPAA Workgroup
7/19/06	Principles of County Contracting	County
7/26/06	Responding to Requests for Sheriff's Reports	Sheriff-Coroner
7/27/06	Handling Deceased Conservatees' Estates	PA/PG
7/28/06	New Employee Orientation – Juvenile Court Roles and Responsibilities	SSA Children and Family Services
8/04/06	Structured Decision Making	SSA Children and Family Services
8/08/06	Adoptability	SSA Children and Family Services (Adoptions)
8/09/06	Protective Intervention Options	SSA Children and Family Services (ER Supervisors)
8/09/06	False Claims in Construction Contracts	County
8/17/06	Inventory & Appraisals	PA/PG
8/22/06	Functions of the Public Administrator/Public Guardian (in conjunction with PA/PG staff)	Grand Jury
8/24/06	Contracting	HCA
9/11/06	IPP Provider Training: Juvenile Court Overview	SSA-IPP Providers

DATE	TOPIC	CLIENT
9/12/06	Roundtable with MTS: Legal Issues	SSA Children and Family Services /MTS
9/12/06	IPP Provider Training: Juvenile Court Overview	SSA-IPP Providers
9/13/06	CFS Supervisor Training: Parentage	SSA Children and Family Services Supervisors
9/13/06	California Public Records Act	County
9/25/06	ASR Training	Dana Point Harbor
9/27/06	What to do when Served with Subpoena or Summons	County
10/03/06	Basic Death Investigations	Sheriff-Coroner
10/11/06	CFS Supervisor Training: De Facto and Prospective Adoptive Parents	SSA Children and Family Services Supervisors
10/12/06	ICS Forum: Question & Answer Session with County Counsel addressing various legal issues	SSA Children and Family Services Supervisors
10/25/06	The Brown Act	County
10/27/06	New Employee Orientation – Juvenile Court Roles and Responsibilities	SSA New Employees
10/27/06	CAST: Putting the Puzzle Together Mock Trial	Mandated Reporters
11/03/06	Structured Decision Making	SSA
11/08/06	Incarcerated Parents: Reasonable Services	SSA Children and Family Services Supervisors
11/08/06	CFS Supervisor Training: Law Update	SSA Children and Family Services Supervisors

DATE	TOPIC	CLIENT
11/14/06	Roundtable with MTS: Legal Issues	SSA Children and Family Services /MTS
11/15/06	ASR Training	Treasurer- Tax Collector

Goal # 2: Effectively prosecute and defend civil actions in which clients are involved.

Key Outcome Indicators:

Percentage of clients rating litigation support as satisfactory or better in terms of quality and responsiveness. 94% based on 2006 client surveys received.

Percentage of dependency cases upheld on appeal: Over 90%.

Percentage of mental health cases won or resolved with approval of client: Over 90%.

Percentage of general litigation cases won or resolved with approval of client:

Approximately 90 – 95%.

Examples of Additional Accomplishments for Goal #2:

Obtained a Judgment against the State for over \$72 million for unreimbursed costs of implementing programs mandated by the State (*County of Orange v. State of California*)

In a precedent-setting case before an *en banc* panel of Ninth Circuit U. S. Court of Appeals, our office was successful in persuading the Court to rule that the Federal Voting Rights Act does not make the Registrar of Voters responsible for requiring that recall petitions circulated by private parties be in multiple languages. (*Padilla v. Lever*)

Successfully defended a lawsuit brought against the Registrar of Voters, challenging his authority to reject signatures on a recall petition where the signer did not personally affix his or her printed name and address to the petition. (*Capo for Better Representation v. Capistrano USD and Neal Kelley*)

Successfully defended a lawsuit against the Registrar of Voters, filed by a candidate for State office who claimed his opponent did not submit the requisite number of valid nominating signatures. (*Umberg v. Bruce McPherson and Neal Kelley*).

Successfully opposed an attempt by an employee labor organization to obtain a temporary restraining order which would have prevented the County from proceeding with a contract approved by the Board of Supervisors for DNA testing services (*OCEA v. County of Orange*)

Successfully defended Sheriff against lawsuits by a jail inmate (awaiting trial on murder and kidnapping charges) where the inmate is claiming entitlement to special privileges which, if granted, could increase jail costs and/or compromise security. (*Alcala v. Orange County Sheriff's Department.*)

As a part of its duties in enforcing bail forfeitures, for the fiscal year ending June 30, 2006 County Counsel's Office recovered \$1.264 million in forfeited bail bonds. The recovered funds were distributed among the County, the Sheriff, Superior Court, and local cities and police departments.

Defended the Sheriff's Department against numerous motions for access to peace officer personnel records.

Goal # 3: Deliver all legal services to clients as efficiently and economically as possible.

Key Outcome Indicators:

Percentage of clients rating advisory support as satisfactory in terms of timeliness, quality, and responsiveness as good or better: 92% based on 2006 survey results.

Percentage of clients rating advisory and litigation support as satisfactory in terms of timeliness, quality, and responsiveness as good or better: 92% based on 2006 survey results.

Percentage of clients' requests for legal advice/service responded to within 30 days: The number of opinion requests still outstanding after 30 days is approximately 15 requests, compared to a baseline of over 200 opinion requests still outstanding after 30 days in 1998. (This figure is 7.5% of the 1998 baseline, and represents a significant decrease in outstanding opinion requests.)

Examples of Additional Accomplishments for Goal #3:

Designed and implemented ethics training program, as required by AB 1234, for County elected officials and members of boards, commissions and committees.

Began implementation of new "Time Matters" case management information system to track cases, assist with legal research, and allow storage and retrieval of prior office opinions and other legal documents.

APPENDIX F. CASELOAD/CLIENT DATA

Experience in FY 2006- 2007:

Property tax bankruptcy litigation workload has increased. This trend is expected to continue.

Significant increase in bail bond related legal work, including litigation in the California Supreme Court and collection of revenues in excess of \$3 million (during the fiscal year ending June 30, 2006).

Increase in transactional work (other than formal opinion requests) in the areas of contract negotiation and drafting, review and preparation of agenda staff reports, and design of employee benefit plans.

Significant Service Issues for FY 2007-2008:

The size and complexity of planned developments such as Rancho Mission Viejo and Irvine Company projects require substantial expertise in land use law and environmental litigation.

The need for advisory services for the anticipated review and restructuring of the entire County purchasing system will continue to tax available advisory services.

A high level of legal services continues to be required for tax litigation, particularly in the area of corporate bankruptcies.

Santa Ana River Project planning will continue with a high level of legal services required as condemnation of large business properties progresses.

If the State adopts a severely reduced budget, there will be increased demand for legal advice regarding the County's obligation to continue to deliver services when funding for such services is reduced. There will also be continued litigation against the State over funding issues (and possible litigation brought by others against the County challenging any service cuts).

San Diego Creek issues will require a significant level of legal services in the areas of environmental documentation, water quality enhancement, and coastal zone mitigation requirements.

Dana Point Harbor presents a continuing demand for advice and transactional services related to the harbor revitalization.

Closed landfills will continue to present legal and strategic challenges for the County.

APPENDIX G. COUNTY COUNSEL MANDATES

1. To attend meetings of the Board of Supervisors, when required, and to attend and oppose all claims and accounts against the county he/she deems unjust and illegal [Gov't Code § 26526];
2. To render legal services, including legal opinions, to the County and all County officers [Gov't Code §§ 26520 and 27642 *et seq.*];
3. To defend or prosecute all civil actions and proceedings in which the County or any of its officers is concerned or is a party in his or her official capacity, except where the County provides other counsel to defend an action or proceeding brought against an officer, employee or servant as provided in Part 7 (commencing with section 995) of Division 3.6 of Title 1 of the Government Code [Gov't Code § 26529];
4. To act as attorney for the Public Administrator in all estates in which he/she is executor, administrator with the will annexed, or administrator, where the Public Administrator has priority for appointment as established by law [Gov't Code § 27643 and Orange County Codified Ordinances § 1-2-30];
5. To represent the County in mental health proceedings under Part 1 (commencing with section 5000) of Division 5 of the Welfare and Institutions Code [Gov't Code § 27646 and Orange County Codified Ordinances § 1-2-30];
6. To represent the County's Social Services Agency in proceedings in which minors are adjudged dependent children of the Juvenile Court, including proceedings to terminate parental rights, when requested by a Juvenile Court judge [Welf. & Inst. Code § 318.5];
7. To prepare all legal papers and forms necessary for the voting of school bond issues within the County upon the request of any board of education, board of school trustees, or high school board, and to advise them in relation to school bond issues [Gov't Code § 26522];
8. Upon request of the Auditor or Treasurer, to defend or prosecute any action brought by or against the Auditor or Treasurer for the purpose of testing the validity or constitutionality of any act of the Legislature or of the Board of Supervisors or of any order providing for the payment of any funds held in the County treasury in those cases where the interest of the County is not adverse [Gov't Code § 26523];
9. Upon request of any Judge of the Superior Court, to appear and represent the Court or judge, if the Court or judge in his/her official capacity is a party defendant in any action [Gov't Code § 26524], to represent the Court in all matters and questions of law (where there is no conflict), and to represent a judge called as a witness in his official capacity [Gov't Code § 27647];
10. To prepare a ballot title and summary of a proposed County ballot measure

- [Elec. Code § 9105];
11. To prepare an impartial analysis for a County ballot measure [Elec. Code § 9160];
 12. To serve as legal advisor to the Grand Jury with respect to civil matters [Penal Code § 934];
 13. To discharge all duties vested by law in the District Attorney of the County other than those of a public prosecutor [Gov't Code §§ 26529 and 27642]; and
 14. To appear and defend certification allegations in habeas corpus proceedings brought by persons involuntarily confined for treatment in private hospitals under the Lanterman-Petris-Short Act [Welf. & Inst. Code § 5000, *et seq.*; *St. Joseph Hospital v. Kuyper*, 146 Cal. App. 3d 1 (1983)].

**THE PEOPLE OF THE OFFICE OF COUNTY COUNSEL
OUR MOST VALUABLE RESOURCE**

John H. Abbott	Esperanza Gonzalez	Janelle B. Price
Julie J. Agin	Jacqueline Guzman	Nancy Pupich
Shalaine Aguayo	James C. Harman	Olivia Ramirez
Paul M. Albarian	James C. Harvey	Barbara Ramos
Maria Arevalo	Michael A. Haubert	Saul Reyes
Debbie Armijo	Adrienne Sauro Heckman	Jeffrey M. Richard
Priya Bahl	Mark R. Howe	Joyce Riley
Janine Barnes	Geoffrey K. Hunt	Geoff Ritz
Ryan M. F. Baron	Katherine Jenison	Donald H. Rubin
Edgar Basallo	Deborah Kang	Norma Ruiz
Rachel M. Bavis	Sherie Christensen Keough	Cheryl Sandman
Kimberly Beebe	Laura D. Knapp	Mark D. Servino
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Robin Cseak	Maryela Martinez	Barbara Larkin Stocker
Angelica Castillo Daftary	Susan J. McMillan	Anna Strahan
Nikhil G. Daftary	Christopher J. Miller	Jeannie Su
Benjamin P. de Mayo	Steven C. Miller	Aurelio Torre
D. Kevin Dunn	Thomas A. Miller	Daniel P. Torres
Margaret E. Eastman	Alexandra G. Morgan	Debbie Torrez
Robert N. Ervais	Thomas F. Morse	Lori A. Torrissi
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Roger P. Freeman	Wendy J. Phillips	Loretta Vanzetti
Carolyn S. Frost	Brad R. Posin	Rosemarie Welton
Patricia Gary	Punam P. Prahalad	Paula A. Whaley
Jack W. Golden	Karen R. Prather	Courtney Wucetich