

CLARK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM

Petitioner: Susan Bush, Director of Office of Appointed Counsel

Recommendation:

Approve an amendment to a master professional services agreement for the Office of Appointed Counsel to provide representation of indigent criminal defendants, parents in dependency cases, and the Clark County Public Guardian Office by authorized contract attorneys as required or funding is not appropriated; and authorize the County Manager or his designee to sign the contracts. (For possible action)

FISCAL IMPACT:

Fund #:	1010.000	Fund Name:	N/A
Fund Center:	1000115000	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

BACKGROUND:

On January 7, 1991, the Board of County Commissioners authorized County Management to enter into professional services agreements for court-approved contract attorneys for indigent criminal defense as required per NRS 7.125.

On November 6, 2007, the Board of County Commissioners approved a fee of \$4,500 per month for these professional services agreements, as well as other hourly compensation depending upon the type of case.

On May 6, 2008, the Board of County Commissioners approved the master professional services agreement for appointed counsel in indigent defense cases in both criminal and dependency cases, including termination of parental rights actions.

On May 4, 2010, the Board of County Commissioners approved an amendment to the master professional services agreement to allow for a change in compensation to attorneys who handle dependency and termination of parental rights cases from a pure hourly compensation model to a hybrid model where the attorneys receive a monthly payment of \$6,000 per month with other hourly compensation depending upon the type of case.

On December 5, 2017, the Board of County Commissioners approved an amendment to the master professional services agreement to provide for the legal representation of the Clark County Public Guardian by qualified attorneys at a compensation rate of \$3,500 per month with other hourly compensation depending upon the type of case.

On August 16, 2022, the Board of County Commissioners approved an amendment to the master professional services agreement to allow for a change in compensation to attorneys providing indigent criminal defense to \$5,250 per month plus other hourly compensation depending on the type of case. This amendment also increased

Cleared for Agenda

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the compensation in juvenile delinquency cases to \$4,500 per month plus other hourly compensation depending on the type of case. Rural indigent defense contracts are increased to \$1,750 per month plus other hourly compensation depending on the type of case.

On June 18, 2024, the Board of County Commissioners approved an amendment to the master professional services agreement to allow for an increase in compensation for indigent criminal defense to \$5,500 per month plus other hourly compensation depending on the type of case. This amendment also increases the compensation in juvenile delinquency cases to \$5,000 per month plus other hourly compensation depending on the type of case. Rural indigent defense contracts are increased to \$4,000 per month plus other hourly compensation depending on the type of case. Dependency and termination of parental rights case contracts are increased to \$6,500 per month plus other hourly compensation depending upon the type of case. Hourly compensation for death penalty cases is increased to \$155 per hour and for all other cases \$130 per hour.

This amendment to the master professional services agreement provides for an increase for attorney hourly compensation for death penalty cases to \$160 per hour and for all other cases \$135 per hour. It also provides for an increase for investigator and paralegal compensation up to \$60 per hour.

In accordance with NRS 332.115 (b) the competitive bidding process is not required as the services to be performed are professional in nature.