KATHARINE L. ELLIOTT
Interim County Counsel

BRINA A. BLANTON
Assistant County Counsel

Deputies
MATTHEW T. KIEDROWSKI
SHANNON R. COX
JOSHUA D. ROSENFELD
CHANDRA CAFFERY
LORI SICARD

OFFICE OF THE COUNTY COUNSEL

MEMORANDUM

DATE: February 6, 2026
TO: Board of Supervisors
FROM: Katharine L. Elliott, Interim County Counsel KLE
SUBJECT: County of Mendocino – Deputy County Counsel – Recruitment Request
BOS Meeting 2.24.2026

At the Board of Supervisors meeting on February 3, I agreed to delete one (1) FTE Deputy County Counsel. I am requesting to fill the remaining vacant position in the County Counsel's department. Eventually, we would recruit for an attorney who would perform half-time general County Counsel work and half-time work for Children and Family Services ("FCS"). In the interim, I am requesting to temporarily underfill the position with a retired annuitant who previously worked in our office for FCS and has agreed to return part-time and either another retired annuitant or a temporary intern in order to save money and not lose the position.

The total adopted budget for the County Counsel's Office is $1,660,322, which this request should not affect. Salaries and Benefits are $2,674,938 of the total budget (*which included the two (2) Deputy County Counsel positions*). County Counsel's budget is unusual due to the fact that we receive both Revenue (estimated to at $512,000) and Intrafund transfers (estimated at $923,403). County Counsel's budget depends heavily on reimbursement from the from certain departments through direct billing. Therefore, a large portion of our Salaries and Benefits are reimbursed through Intrafund and Revenue and show as greater than the adopted budget, which represents our office's cost to the general fund.

Currently we have an Interim County Counsel filling in for the County Counsel position and there is (1) vacant Deputy County Counsel position. The cost of that position would be approximately $60,526 if hired in PP 09-26 (4/12/26). Due to the deleted and vacant positions, our budget includes a 12.08% Attrition Savings of $323,250. We believe that a substantial portion of the time billed would be reimbursed via Intrafund (which would not include such costs as holiday, vacation, sick and personal time).

County Counsel bills Social Services, Family & Children's Services Division ("FCS"). With an FCS attorney position unfilled, County Counsel will not be able to collect the anticipated Intrafund reimbursement ($359,954) as originally anticipated (calculated by taking the direct billable hours and multiplying it by the weighted rate). We anticipate that Fiscal Year 26/27 would be similar.

Recognizing that the County Counsel's Office is 1) Projected to be under budget for Fiscal Year 2025-26, and 2) additional salary savings are anticipated due to further vacancies, the County Counsel's Office is requesting to hire one (1) Deputy County Counsel, per the County's Strategic Hiring Process, while temporarily filling the position through retired annuitants or interns.

501 LOW GAP ROAD, ROOM 1030, UKIAH, CALIFORNIA 95482
Telephone: (707) 234-6885 ~ Facsimile: (707) 463-4592 ~ Email: cocosupport@mendocinocounty.gov

The County Counsel's Office provides day-to-day advice and assistance to all County departments and offices. Much of the work performed by the deputies consists of advice and review every day on issues that the Board may not see. This includes tasks such as contract review, resolution and agenda packet assistance, responding to Public Records Act requests, managing litigation (both that handled internally and by outside counsel), and assisting on small to medium-difficulty requests for daily advice. Larger or more difficult projects (including but not limited to ordinance amendments, policy updates or novel contracts) require longer blocks of time, which requires balancing between resolving those matters versus handling the many everyday requests for assistance. The office handles many matters with firm deadlines, such as litigation and conservatorship matters, and must respond to time sensitive research projects, e.g., research connected to compliance with statutory deadlines, elections, grant application or contract deadlines, or personnel matters. With fewer attorneys, departments may be subject to a longer turnaround time, particularly on requests with flexible deadlines.

<u>County Counsel</u>

Statistics that were provided at the Board of Supervisors meeting on February 3, 2026 are shown below:

- Active Cases

Public Conservatorship	73
Public Guardian	18
Public Administrator	39 (Assists with approx. 5 at a time)
Litigation	16
Juvenile	227

- Stats

PRAs in NextRequest (2025) - Assigned to County Counsel	2164 215
Contracts Reviewed (Assigned to County Counsel-1 year prior)	254
Tasks in Tracking Log (2025)	565
Public Conservatorship/Probate Jury Trials Court Trials (1 year prior)	 3 15
Litigation Opened (2025)	a. 34 claims b. 15 lawsuits
Public Conservatorship/Probate opened (2025)	35

KLE/jc