

County Counsel
RECOMMENDED BUDGET • FY 2026-27

RECOMMENDED BUDGET

The County Counsel budget is recommended at \$4,390,994, which is a decrease of \$9,087 (0.2%) when compared to the FY 2026-27 Adopted Budget. The General Fund provides 82.4% of the funding for the Department, which decreased by \$89,537 (2.4%) when compared to the FY 2025-26 Adopted Budget. This decrease is primarily due to committing to holding a 1.0 FTE Deputy County Counsel or Sr. Deputy County Counsel allocation vacant, depending upon the success of the current recruitment.

DEPARTMENT BUDGET SUMMARY

Description	FY 2024-25 Actual	Current Year Adopted	CAO Recommended	Difference from Adopted
Service Charges	658,529	693,600	774,050	80,450
Miscellaneous Rev	17	0	0	0
Other Fin Sources	7,425	0	0	0
Total Revenue	665,971	693,600	774,050	80,450
Salaries & Benefits	4,151,842	4,293,892	4,266,710	(27,182)
Services & Supplies	115,535	137,414	161,159	23,745
Other Charges	4,350	0	0	0
Fixed Assets	7,425	0	0	0
Intrafund Transfers	0	775	775	0
Intrafund Abatement	(49,017)	(32,000)	(37,650)	(5,650)
Total Appropriations	4,230,134	4,400,081	4,390,994	(9,087)
FUND 1000 GENERAL FUND TOTAL	3,564,163	3,706,481	3,616,944	(89,537)

MAJOR BUDGET CHANGES

Revenues

\$80,450 Increase in Service Charges to align with other County departments' budgets for legal services.

Appropriations

Salaries and Benefits

(\$246,123) Decrease due to committing to holding a 1.0 FTE Deputy County Counsel or Sr. Deputy County Counsel allocation vacant, dependent upon the success of a current recruitment.

(\$5,180) Decrease in Workers' Compensation premium charge.

\$85,648 Increase in Other Compensation due to retirement payouts.

\$73,158 Increase in Salaries and Benefits due to filling 1.0 FTE Legal Secretary that was previously held vacant for budget considerations.

County Counsel

RECOMMENDED BUDGET • FY 2026-27

\$62,389 Increase primarily due to Health Insurance cost increases and Board-approved compensation increases.

\$2,926 Increase in Retiree Health Program charges.

Services and Supplies

\$10,000 Increase in Online Subscriptions for legal research tools.

\$10,000 Increase in Special Outside Counsel costs to align with FY 2026-27 projections.

\$3,745 Increase in General Liability insurance premium expense as the Department's share of overall County claims incurred has increased from prior years, increasing their Liability insurance premium expense.

Intrafund Abatements

(\$5,650) Increase in Intrafund Abatements, shown as a negative expense, based on prior-year actuals and FY 2026-27 projections for legal services.

MISSION

County Counsel is the legal advisor to the Board of Supervisors and is legal counsel in civil law matters for all County departments, boards, and commissions. General duties of County Counsel include: representing the County in all civil legal proceedings and administrative hearings; preparing ordinances, resolutions, and contracts for the County; advising the Board of Supervisors, other County officials, and Department Heads on legal issues; representing the Health and Human Services Agency in juvenile court dependency hearings and administrative hearings concerning eligibility; advising on legal issues regarding workers' compensation, tort, and liability cases; and instituting conservatorships for probate and for gravely disabled individuals under the Lanterman-Petris-Short (LPS) Act.

PROGRAM SUMMARIES

County Counsel is organized into two divisions: the Attorneys Division and the Administration and Operations Support Division. Legal staff within the Attorneys Division are assigned to one of three functional groups: Statutory and State Programs; Land Use, Transportation, and Capital Improvement Programs; or General Government and Law and Justice. All attorneys in the office appear and advise on a wide variety of matters including all aspects of civil litigation, including writ proceedings, court hearings, and public records and subpoena / deposition requests. All attorneys are involved in the development and rendering of both oral and written legal advice regarding the resolution of issues that may have far-reaching implications for County operations and programs; drafting and review of contracts, ordinances, resolutions, and other matters related to their assigned departments and programs. All attorneys in the department are supported by an Administration and Operations Support Division, which provides administrative, fiscal, and clerical assistance.

Attorneys

Statutory and State Programs Attorneys

The attorneys for the Health and Human Services Agency provide review and legal advice on a wide variety of state- and federally-regulated issues that are encountered by the divisions that provide

community and social services programs to members of the community. They also review and provide support to the departments when responding to Public Records Act requests, as well as subpoenas served on the county surrounding various civil, criminal, or administrative proceedings.

The attorneys assigned to Public Guardian and Elder Protection programs represent the Public Guardian in all facets of litigation on behalf of the County, including Probate, Limited, and Lanterman-Petris-Short (LPS) Conservatorships from early disposition to judgment after jury or court trial, and appeals to the Appellate and Supreme Courts. These attorneys also represent Behavioral Health in connection with Community Assistance, Recovery and Empowerment (CARE) Act, restoration to competency actions, and other criminal diversion programs. These attorneys also represent the Health and Human Services Agency (HHSA) in areas of Elder Protection, which represents the interests of senior citizens on conservatorship with the Public Guardian in all facets of litigation involving elder abuse, including detection and investigation of alleged elder abuse, and the preparation of complex civil litigation for asset recovery from perpetrators. Staff provide training and render advice to the Deputy Public Guardian staff concerning clients. When an estate or trust has assets, fees are requested and collected. Attorneys assigned to this group also advise Adult Protective Services, In-Home Supportive Services Programs, Multipurpose Senior Services Program/Linkages, and backup for Child Protective Services (CPS) caseloads.

The attorneys assigned to Child Protective Services represent the Agency in all facets of litigation of Welfare & Institutions Code 300 cases from early disposition to disposition/judgment after trial and appeals to the Appellate and Supreme Courts. The attorneys provide in-depth training, establish and review policies and procedures, and review and comment on current and proposed legislation and case law to the Agency personnel to improve case handling and outcomes, including after-hours consultations on warrants and placement of endangered minors.

Land Use, Transportation, Emergency Medical Services, and Capital Improvement Program Attorneys

These attorneys support Transportation, Planning and Building, Environmental Management, Air Quality Management, and other Land Use departments, as well as Emergency Medical Services. These attorneys represent the County in regard to Capital Improvement Programs, including the coordination of these projects from planning and design to the right-of-way acquisition/condemnation and utility relocation phase, through construction and claims management, and to resolution. Staff represent the County in administrative claims and civil litigation regarding project approval, facilities and complex project development. These attorneys provide legal advice and support for all aspects of work for the Transportation Department and the Airports Division of the Chief Administrative Office. These duties include the preparation, implementation, review and defense of the County's General Plan, Zoning and Use Permits, development denials and approvals, and California Environmental Quality Act (CEQA) compliance issues.

Staff advise on complex land use issues such as Rare Plants, Affordable Housing, and Integrated Natural Resource Management Plans. They review and guide the implementation and defense of policies, procedures and programs such as the mitigation fee programs and review County CEQA documents for Capital Improvement Projects. These attorneys advise on land use issues and human services on affordable housing issues. These attorneys oversee, participate in, and/or perform defense of administrative and writ proceedings on land use policies and approvals. These attorneys sit with and advise various land use commissions, including the Planning Commission and the Agricultural Commission. These attorneys advise on complex funding requirements through state and federal sources. They also participate in, advise on, and coordinate complex projects for other departments, such as the selection of and contract for ambulance services, that involve the potential for significant liability.

General Government and Law and Justice Attorneys

County Counsel

RECOMMENDED BUDGET • FY 2026-27

The County Counsel and Assistant County Counsel plan and direct the activities and operations of the County Counsel's Office and serve as the legal representatives to the Board of Supervisors and all County departments, boards, and commissions, and on assigned litigation, business matters, and mandated functions (e.g., County election proceedings and writs of habeas corpus), providing highly responsible and complex administrative support to the Board of Supervisors. In addition to evaluating day-to-day and long-range legal matters having an impact on the County, the County Counsel and Assistant County Counsel establish countywide legal controls and procedures, and communicate these goals, programs, policies, and procedures to staff, the public, the Chief Administrative Officer, other County departments, and state and local agencies. They maintain current knowledge of changes in directives, policies, statutes, and regulations that affect operations, and make suggestions on proposed legislation and regulations concerning the County.

Attorneys assigned to Human Resources, Sheriff, Risk Management, and Law and Justice Departments provide legal advice and support to all departments regarding personnel issues, grievances and disciplinary actions. These attorneys appear on behalf of departments at civil service hearings and represent the County at Public Employment Relations Board (PERB) hearings. These attorneys also sit as part of the County's Threat Assessment Team and advise on medical and disability issues in negotiations. This may include the review of outside litigation claims and overseeing and assisting in directing the litigation being handled by outside counsel. These attorneys provide advice and assist in the labor relations functions of the Human Resources Department, including negotiations, Equal Employment Opportunity Commission (EEOC) matters, and Department of Fair Employment and Housing (DFEH) matters. The attorney advising Risk Management advises on the implementation of health care and benefit contracts. As counsel for the Sheriff, in addition to advising on personnel issues, this position reviews policy manuals and attends the Sheriff's Section meetings.

The attorneys assigned to General Law, Contracts, and all other Departments provide legal advice and support on a wide variety of legal issues that are encountered by any County department. They also review and develop responses to subpoenas and Public Records Act requests and represent employees who have been subpoenaed as witnesses in various civil, criminal, or administrative proceedings. These attorneys represent various County departments in writ proceedings in civil court, and administrative proceedings, including with the California Office of Administrative Hearings, the U.S. Department of Housing and Urban Development, the Air Quality Management District Hearing Board, and the County's Assessment Appeals Board. In addition to litigation-related duties, these attorneys also provide support services for many County departments and agencies with contract review, advice on project bid reviews, and advice regarding proposed rule adoption and ordinances. They also advise the Procurement and Contracts, Parks, and County Facilities Divisions. These attorneys also provide advisory and enforcement support to the Code Enforcement Division in prosecuting violations of County ordinances and nuisance abatement.

Administration and Operations Support

The Administration and Operations Support Division provide administrative and operational support to ensure the department functions effectively. An Administrative Analyst oversees office operations, budgeting, accounting, payroll, purchasing, personnel, and contract coordination, while also supervising the Legal Secretaries Unit. Legal Secretaries play a key role by supporting attorneys with high-level administrative assistance and serving as a point of contact for County departments and the public. In addition, each secretary is dedicated to one of the three legal functional groups and works closely with departments to facilitate their specific programmatic needs.

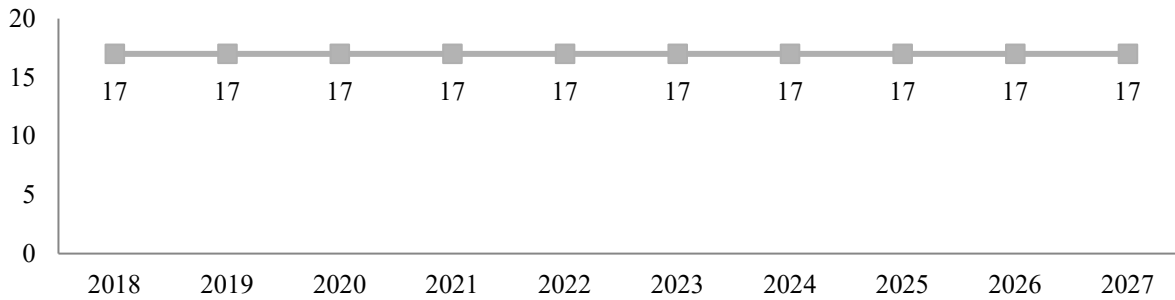
County Counsel
RECOMMENDED BUDGET • FY 2026-27

BUDGET SUMMARY BY PROGRAM

	Appropriations	Revenues	Net County Cost	Staffing
Attorneys	3,099,525	546,388	2,553,137	12.0
Administration and Operations Support	1,291,469	227,662	1,063,807	5.0
Total	4,390,994	774,050	3,616,944	17.0

STAFFING TREND

County Counsel staffing has remained consistent over the past 10 years with a total of 17.0 FTEs. All staff are based on the West Slope, with travel to South Lake Tahoe as needed. The FY 2026-27 Recommended Budget updates the personnel allocation due to the underfill of 1.0 FTE Sr. Deputy County Counsel to 1.0 FTE Deputy County Counsel.



SOURCES & USES OF FUNDS

The budget for County Counsel is primarily funded with discretionary General Fund revenue. The cost of the Department is also partially recovered through the Countywide Cost Allocation Plan (reflected in the General Fund – General Revenues and Other Operations budget) and by directly charging some County departments with outside funding sources for legal services. The Department also receives revenues for legal services provided to conservatees.

