



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

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Board of
Supervisor

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Board of
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Chief
Probation
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Community
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Community
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Item Number: 5.b

MEETING DATE: 12/15/2025

DEPARTMENT: COUNTY COUNSEL

AGENDA ITEM PREPARER: Rebekah Mojica

SUBJECT:

Receipt of a Program and Operational Status Update, Covering:

1. Billing Guidelines
2. Bylaws
3. Case Management System
4. Court Appointment of Public Defender and Private Counsel
5. Tier 3 Public Defender
6. CARE Court Funds

and Take Actions, If Desired.

AGENDA SECTION:

REGULAR AGENDA

BACKGROUND/SUMMARY:

This status update provides the Public Defender Oversight Committee with current program and operational information. The update will cover the following items:

- 1. Billing Guidelines:** At a previous meeting, the Committee raised questions regarding billing practices. Public Defenders (Tier 1 and Tier 2) bill the County on a monthly flat rate. This update provides the Committee with an overview of the current billing process. Currently, bills are submitted to the County Counsel's office for review and then processed by County Administration for payment.
- 2. Bylaws:** The PDOC Bylaws came before the Committee for review, revision, and approval on March 12, 2025, though they were dated March 25, 2025. They were subsequently approved by the Board of Supervisors on April 8, 2025, with a minor adjustment in Section 5 to reflect that Board members serve at the will of the Board. The updated bylaws, as approved by the Board, are attached.
- 3. Case Management System:** Following project initiation, Tier 1 Public Defenders reached out to their current case management vendor to request a data pull. The vendor quoted over \$6,000 for the data extraction alone. The project is on hold while the office evaluates these costs, which may increase

overall project expenses to the County.

4. Court Appointment of Public Defender (Contracted and Private Counsel): On October 13, 2025, County Counsel Gregory P. Priamos met with Presiding Judge J. Omar Rodriguez and Court CEO Tim Newman. The presiding judge confirmed that Tier 1 counsel should be appointed when a defendant is indigent and eligible. If Tier 1 counsel has a conflict, the court will appoint Tier 2 counsel and encouraged the establishment of a Tier 3 counsel category to address potential conflicts with Tier 2 counsel. Tier 1 counsel provided the attached report on caseload, reflecting 1,095 appointed cases in 2025 through December 7, 2025.

5. Tier 3 Public Defender: To address potential conflict cases, the County Counsel's Office will circulate a Request for Proposal (RFP) in the new year, in aims of securing an additional conflict counsel tier.

6. CARE Court Funds: At the last meeting, the Committee confirmed that there have been no active CARE Court cases and discussed the potential return of unspent funds. The County Counsel's office contacted the State Bar, which administers the grant, and was informed that the 2024–2025 funding period ends January 1, 2026, and the 2025–2026 period ends January 1, 2027. The County will be invoiced for any remaining 2024–2025 funds in late winter or early spring, and offices are typically asked to return unspent funds within 30 days of invoicing.

STAFF RECOMMENDATION:

Receive status report from staff. Discuss and provide direction, if desired.

ATTACHMENTS:

[PDOC Bylaws \(Adopted April 2025\)](#)

[PD Tier 1 Case Report Jan2025ToDec2025](#)