



## Conflict Counsel Program Management Responses

The Internal Audit Division has completed the audit of the Conflict Counsel Program, and the following outlines the recommendations requiring management's response. Your input is essential to documenting planned corrective actions, implementation timelines, and accountability.

### Instructions for Completing Management Responses

Each audit finding requires a complete and accurate management response. This section ensures accountability, clarity, and a practical path forward. For every recommendation, management must provide the following:

#### 1. Agreement Status

Indicate whether you **Agree**, **Partially Agree**, or **Disagree** with the recommendation. If you partially agree or disagree, your response **must** clearly explain why and outline any alternative actions you propose.

#### 2. Responsible Party

Identify the **title, division, or department** responsible for implementing the corrective actions. Avoid listing individual names so the responsibility remains tied to the position, not the person.

#### 3. Estimated Completion

Provide a realistic completion timeline using **MM/YY, quarter (Q1– Q4)**, or **"Completed"** if already done. If timing depends on budget cycles or external approvals, note that.

#### 4. Management Response

Provide a clear and complete explanation of how management intends to address the recommendation. **Describe management's plan for addressing the recommendation. Include corrective actions to be taken, relevant context, steps already completed, timelines, and any resource needs.**

If you have any questions or need clarification regarding any recommendation, please contact Internal Audit before submitting your response.

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1	<p><i>Determine if the ACSC is the most appropriate oversight body for the Conflict Counsel program or if another method would be more effective. If the ACSC is most appropriate, review the eligibility criteria for volunteering for the ACSC to broaden the volunteer pool.</i></p>	<b>Agree</b>	
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>January, 2027</i></b>
<p>Management Response: Staff agree with this suggestion and as many points are related, we would like to take a holistic approach to the implementation of the solution. Many of the solutions will be dated January 2027 as there are many stakeholders that will contribute to the solution. Staff propose to work with the indigent defense team (public defender and alternate public defender) and Second Judicial District Court (SJDC) on this determination. Prior to implementation, any proposed changes to the Amended Model Plan will need to be approved by the SJDC Bench and ratified by the Nevada Supreme Court.</p>			
2	<p><i>Clearly define and implement the duties to be carried out by ACSC and ACA respectively. If necessary, update the Model Plan to reflect any changes.</i></p>	<b>Agree</b>	
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026 for ACA and January, 2027 for ACSC</i></b>
<p>Management Response: Management believes the ACA's duties can be clearly defined and implemented sooner than the ACSC as this is a County position and job duties can be codified and adjusted as needed. Management believes the ACSC will take more time as it is comprised of many different stakeholders. Any required changes to the Amended Model Plan will need to be voted on by the SJDC Bench and ratified by the Nevada Supreme Court.</p>			
3	<p><i>Revise the Model Plan to eliminate outdated processes to reflect current operations and best practices.</i></p>	<b>Agree</b>	
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>January, 2027</i></b>
<p>Management Response: Management agrees and would like to work through the entire indigent defense process holistically. This will include modernizing and optimizing policies and practices. Any required changes to the Amended Model Plan will need to be voted on by the SJDC Bench and ratified by the Nevada Supreme Court.</p>			
4	<p><i>Clarify that Court approval is not required for updates, allowing County management to implement revisions efficiently. Also consider implementing a formal review schedule (i.e., every 2 or 3 years) to ensure the Model Plan remains current.</i></p>	<b>Disagree</b>	
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>January, 2027</i></b>



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Management Response: As the District Court's approval is codified by Supreme Court Order (ADKT), management proposes to streamline the process by documenting the method by which revisions are proposed, evaluated and implemented.

5	<i>Determine an appropriate and realistic case assignment process. Implement procedures for if an attorney refuses a case and reassignment of cases.</i>	<b>Agree</b>
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
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Management Response: Management agrees with this and would like to explore a different model which would include professional services agreements that set terms and conditions of contracting with the County. Management proposes to include the next steps for conflict counsel refusal to accept a case into the professional services agreement signed upon engagement with the County.

6	<i>Offer training for ACSC, ACA, and Conflict Counsel attorneys on updated procedures, responsibilities, and Model Plan requirements.</i>	<b>Agree</b>
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>February, 2027</b>
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Management Response: Management looks forward to this.

7	<i>Develop clear and comprehensive job descriptions for the ACA, include qualifications, responsibilities, and performance expectations to support recruitment and accountability.</i>	<b>Agree</b>
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
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Management Response: Management proposes to analyze and determine the most effective methods of assigning indigent defense cases. Ideas include the current model with a revised job description, assessing where conflicts are occurring and segregating those attorneys into smaller offices to avoid conflicted cases. Once the most efficient and effective model is determined, management will implement it.

8	<i>Define clear responsibilities for the ACA and the Account Clerk II to prevent duplication of efforts and ensure all critical duties are covered. Maintain an updated workflow outlining each position's responsibilities and accountability measures.</i>	<b>Agree</b>
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>October, 2026</b>
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<p>Management Response: Management agrees with this, and while this position is vacant and change cannot begin immediately, this is an opportunity to hire a new employee with a skillset related to organization, documentation, reporting and perhaps even a legal background.</p>			
9	<p><i>Evaluate the ACA's workload and the Account Clerk II's workload and determine whether the part-time classification accurately reflects the scope of responsibilities. Notably, increasing efficiencies in other areas of the program or realigning responsibilities may impact classification. Consideration should be given to the effectiveness of creating an administrative (or legal) assistant position within the Conflict Counsel program to redistribute the workload from ACA and the Account Clerk II.</i></p>	<p><b>Agree</b></p>	
<p>Responsible Party:</p>	<p style="text-align: center;"><b><i>Incoming Assistant County Manager</i></b></p>	<p>Estimated Completion:</p>	<p style="text-align: center;"><b><i>July, 2026</i></b></p>
<p>Management Response: Management agrees and believes this will occur during the process of establishing the most efficient and effective model for assigning indigent defense cases.</p>			
10	<p><i>Cross train to ensure continuity of operations during absences, turnover, or peak workload periods. Additionally, develop documented procedures to support knowledge transfer and reduce dependency on a single individual.</i></p>	<p><b>Agree</b></p>	
<p>Responsible Party:</p>	<p style="text-align: center;"><b><i>Incoming Assistant County Manager</i></b></p>	<p>Estimated Completion:</p>	<p style="text-align: center;"><b><i>March, 2027</i></b></p>
<p>Management Response: Management agrees with this and believes once the current support vacancy is filled and the person is trained in the new processes, we can train a secondary employee. Management cautions that this may be rudimentary training on processing invoices, etc. as this is an intricate process and management has not identified a comparable position to train.</p>			
11	<p><i>Assess Conflict Counsel oversight and monitoring to identify opportunities for improved alignment. Consideration should be given to having the ACA report to the Chief Financial Officer (CFO), with the Account Clerk II periodically meeting with the CFO to promote cohesive processes and ensure consistency across the program's distinct functions.</i></p>	<p><b>Partially Agree</b></p>	
<p>Responsible Party:</p>	<p style="text-align: center;"><b><i>Incoming Assistant County Manager</i></b></p>	<p>Estimated Completion:</p>	<p style="text-align: center;"><b><i>February, 2026</i></b></p>



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<p>Management Response: Management agrees that this position/function needs accountability and believes this may fall under the Chief Financial Officer (CFO) or an Assistant County Manager (ACM). This will be determined in the Spring of 2026 after a new ACM has been named.</p>			
12	<p><i>Require that all Conflict Counsel attorneys sign the County's Professional Services Agreement prior to providing any more services.</i></p>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
<p>Management Response: Management wholeheartedly agrees with this and will continue to work on the contracted attorney model.</p>			
13	<p><i>When considering contracts for mental health, competency, and psychological evaluations, weigh potential cost savings against the risk of compromising the quality of legal representation. Standardizing vendors may create efficiencies and reduce expenses, but it could also limit attorney choice and flexibility, potentially impacting the adequacy of defense services if attorneys are required to use the same resources as others.</i></p>		<b>Partially Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>
<p>Management Response: Management would like to ensure consistency in pricing and quality of services, so proposes to conduct a request for qualified vendors. Management proposes adding the eligible vendors to the professional services agreement for conflict counsel when they agree to receive cases to ensure we are not overpaying for services.</p>			
14	<p><i>When considering limited contracts for Conflict Counsel attorneys and transitioning away from the hourly rate model, it is important to reference nationwide best practices and guidance from the American Bar Association. Flat-rate contracts are generally not recommended, as they may incentivize underperformance, limit flexibility for complex cases, complicate monitoring of workload and hours, and potentially lead to challenges regarding the adequacy of representation. These arrangements also carry reputational risk and may result in under-compensation for services performed.</i></p>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>



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<p>Management Response: Management agrees with this and proposes to contract with multiple (likely to be between four and six) attorneys for services and will add an hourly rate with a not-to-exceed without management permission to the professional services agreement based upon best practices.</p>			
15	<p><i>Conduct an analysis to compare hourly rate model versus flat-rate or contract-based approaches for attorneys and evaluations to determine which provides greater cost predictability and administrative efficiency but maintains client's rights are adequately represented.</i></p>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
<p>Management Response: Management agrees and would like to do this before entering into the contracts (Point #14). Management will inquire of other Nevada entities and the indigent defense team (public defender and alternate public defender) to determine the best course of action based upon the lowest and most predictable cost but retaining the best outcome for the client.</p>			
16	<p><i>Establish formal communication protocols between Conflict Counsel attorneys, the ACA, and the Office of the County Manager. Implement regular check-ins, updates, or newsletters to maintain consistent communication.</i></p>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
<p>Management Response: Management agrees with this and once this department has been assigned and the new account clerk has been hired and trained, management will establish a more frequent meeting and correspondence schedule.</p>			
17	<p><i>Determine if Karpel is the best CMS to be utilized by the Conflict Counsel program. If so, implement procedures to identify and resolve duplicate profiles, unclosed cases, and inaccurate demographic information within Karpel. Regular system audits or automated validations checks could help ensure data accuracy and completeness across all offices.</i></p>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
<p>Management Response: Management agrees and will work with the Technology Services and indigent defense teams to determine this as they are experts in the technology and functional aspects of the software.</p>			
18	<p><i>If Karpel is continued to be utilized as the Conflict Counsel's CMS, provide access to the Conflict Counsel attorneys. Provide training and access for attorneys to use the Karpel CMS for case tracking discovery, and demographic</i></p>		<b>Agree</b>



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	<i>information. Encourage full utilization of the system by the ACA to ensure case information is centralized and consistently updated.</i>		
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>October, 2026</b>
Management Response: Management agrees and once the new model is established with the professional services agreement and terms and conditions of being a conflict counsel attorney, management will train the attorneys on applicable software.			
19	<i>Create a standardized invoicing form to be utilized by Conflict Counsel attorneys. For example, creating a Seamless Docs invoice with the required information or utilizing the newly implemented SAP Concur for vendor invoice processing.</i>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
Management Response: Management agrees and will work with Technology Services to create an electronic document process. An invoice document has already been created in efforts to standardize before the contract/agreements are finalized. This will also become a requirement in the professional services agreement.			
20	<i>Explore opportunities and training to utilize Karpel's digital and automated workflow features, such as document generation, OCR, and event-triggering notifications, to minimize repetitive manual tasks, and ensure accurate information flows between offices and attorneys.</i>		<b>Agree)</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>
Management Response: Management agrees but would place this behind the other points of implementing professional services agreements, determining the proper cost structure, improving communication and workflow and determining if the County's current model of managing conflict counsel cases is the most efficient and effective. This may be determined as the decision is made whether or not to use Karpel, but management proposes to place this as a lower priority.			
21	<i>Establish routine monitoring to verify the accuracy and completeness of data entered into Karpel. Assign responsibility for oversight to ensure system utilization aligns with intended processes, promotes accountability, and supports the effective management of the Conflict Counsel program.</i>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>



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Management Response: Management agrees with this recommendation and proposes to make this part of the ACA's job description or in the case that the duties of assigning cases are given to an outside entity, management proposes to assign this data integrity to the new account clerk in the Office of the County Manager.

22	<i>Develop and implement formal standard operating procedures (SOPs) for the Conflict Counsel program, including case assignment, approval, and payment processes in addition to what is outlined by the Model Plan. Ensure SOPs clearly define responsibilities for ACA, Account Clerk II, and other involved staff, including escalation procedures for disputes. Once complete, train all employees involved in the program to ensure awareness and consistent application of SOPs. If necessary, put Conflict Counsel attorneys on notice of the procedures applicable.</i>	Agree
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>
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Management Response: Management agrees and proposes to hire the account clerk (position currently vacant), review the structure of the contracts, ACA job description, associated vendors (competency exams, etc.) and as these decisions are made and implemented, management will codify for consistency.

23	<i>Reinforce the use of authorized attorney list and rotational assignment procedure as outlined in the Model Plan. Document all case assignments, including attempts to contact attorneys and final assignment decisions, to provide transparency and accountability.</i>	Agree
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>
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Management Response: Management agrees with this and will implement as part of the new and updated list after an RFI has been conducted for qualified conflict counsel and counselors are chosen based upon qualifications.

24	<i>Establish a standardized invoice approval process, in addition to adhering to the Comptroller's Accounts Payable Policy, including clear steps for ACA review, required supporting documentation, and method of approval (i.e., electronic signature through Adobe or approval through SAP rather than informal email).</i>	Agree
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Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
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Management Response: Management agrees with this and will place it into the professional services agreement as a term and condition of being a County vendor.			
25	<i>Update the Comptroller's Accounts Payable Policy to include the preferred method of invoicing (i.e., all invoices are submitted directly to the AP team then processed by the department).</i>	<b>Agree</b>	
Responsible Party:	<b>Comptroller</b>	Estimated Completion:	<b>October, 2026</b>
Management Response: Management agrees and will implement this.			
26	<i>Require that all invoices include necessary details (case category, case number, defendant name, hours worked, and expense categories) and that ACA approval is consistently documented (i.e., on each invoice directly vs. an email approval). Require all Conflict Counsel attorneys to submit invoices in a standardized format, using a County-approved template (Seamless Docs or SAP Concur) that captures all required information (case category, case number, defendant name, dates of service, hours worked, etc.). Prohibit handwritten submissions except in rare, documented circumstances.</i>	<b>Agree</b>	
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
Management Response: This will accompany the change when the electronic document process is implemented for invoicing.			
27	<i>Develop and formally document a clear policy defining reimbursable and non-reimbursable expenses for Conflict Counsel, including examples of common allowable and unallowable items. Additionally, clearly define the travel policy applicable to Conflict Counsel attorneys and allowable reimbursements related to travel. Communicate these policies to all Conflict Counsel attorneys and require adherence as part of the submission process.</i>	<b>Agree</b>	
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>January, 2027</b>



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Management Response: Management agrees and will incorporate this into the new professional services agreements or contracts after the request for qualified vendors and counselors is complete.			
28	<i>Require the consistent use of the Conflict Counsel Invoice Draw Down for All Payments form or a comparable tracking system to monitor expenditures against case category limits. Reconcile draw-down records regularly against invoices to ensure compliance with established caps and detect potential overpayments.</i>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
Management Response: Management agrees with this and will implement this as part of the new account clerk's duties. This will accompany the professional services agreement statement of timely billing.			
29	<i>Develop guidance clarifying billing instructions (i.e., batching vs. individual submissions) to eliminate conflicting directives and ensure uniform practice across all attorneys. Document the guidance within a policy that is communicated to Conflict Counsel attorneys.</i>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
Management Response: Management agrees with this and will implement it with the new electronic document process and form.			
30	<i>Require periodic reconciliation and variance reporting of billed rates versus approved fee schedules to identify outliers and ensure compliance with County policy.</i>		<b>Agree</b>
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>October, 2026</i></b>
Management Response: Management agrees and will implement this periodic auditing after the new account clerk is hired, electronic document process is implemented and the employee is accustomed to the rates, forms and allowable costs, etc. This will continue after the list of counselors is determined and contracts are implemented but can start once the new account clerk is hired and trained.			
31	<i>Require documented justification and formal approval for any rate deviations (overcharges, undercharges, or mixed rates).</i>		<b>Agree</b>



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Responsible Party:	<b>ACA</b>	Estimated Completion:	<b>January, 2027</b>
Management Response: Management agrees with this and will implement it once the new model is in place.			
32	<i>Ensure all invoices are correctly coded to the appropriate general ledger or subsidiary accounts. Provide training to the Account Clerk II, if necessary.</i>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
Management Response: Management agrees and will ensure the new account clerk is trained to charge correctly to show the total cost of the conflict counsel program.			
33	<i>Require written County authorization for second chair usage outside Category A cases. Clearly define in the policy when second chair services are permitted and the approval process for exceptions.</i>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
Management Response: Management agrees and clarifies that the second chair approval is not in question but the approval for payment is in question. Management has placed the implementation date later in the schedule of completion as there may be questions regarding the appropriate approver(s). If the ACA model remains an employee model, s/he can authorize the second chair but if not, management will need an alternate solution to this. Management will propose the Assistant County Manager or Chief Financial Officer managing the program but would like to review the legality of this before implementation.			
34	<i>Minimize ACA review time by standardizing invoice formats and implementing automated or semi-automated review tools where feasible. Ensure a single, consistent method for invoice submission and approval to reduce processing delays.</i>		<b>Agree</b>
Responsible Party:	<b>Incoming Assistant County Manager</b>	Estimated Completion:	<b>July, 2026</b>
Management Response: Management agrees and will implement the electronic document process and form.			
35	<i>Update the application to reflect the current Alternate Public Defender (Kate Hickman) or revise the language to use a more general designation, ensuring the document remains accurate</i>		<b>Agree</b>



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	<i>and avoids the need for future updates.</i>		
Responsible Party:	<b><i>Incoming Assistant County Manager</i></b>	Estimated Completion:	<b><i>July, 2026</i></b>
Management Response: Management agrees and will implement this.			