



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: APRIL 24, 2018

DATE: April 11, 2018

TO: Board of County Commissioners

FROM: John Slaughter, County Manager
328-2060, jslaughter@washoecounty.us

SUBJECT: Discussion and possible recommendation to approve a recruitment process for appointment of a new Washoe County Public Defender. (All Commission Districts.)

SUMMARY

The current Public Defender has tendered his resignation effective August 31, 2018. This agenda item seeks the Board's approval of a recruitment process for screening, selection and appointment of a new Public Defender.

Washoe County Strategic Objective supported by this item: Valued, Engaged Employee Workforce

PREVIOUS ACTION

On June 21, 2005, the Board conducted interviews of selected candidates and appointed Jeremy Bosler as Washoe County Public Defender.

On September 12, 2017, the Board approved the process for screening, selection and appointment of a new Washoe County Alternate Public Defender.

On November 18, 2017 the Board interviewed four applicants for Alternate Public Defender and selected Marc Picker as their top candidate.

On December 19, 2017, the Board appointed Marc Picker as Alternate Public Defender effective retroactive to December 11, 2017 with an annual salary of \$156,644.80.

BACKGROUND

Per Nevada Revised Statute 260.010(5) and Washoe County Code 5.439 and 5.450, the Public Defender must be filled by appointment by the Board of County Commissioners; the Public Defender serves at the pleasure of the Board.

In an attempt to ensure a fair and defensible screening process, while providing the Board the widest latitude in making the final selection, staff recommends two possible options:

AGENDA ITEM # _____

OPTION 1

Option 1 mirrors the process the Board used to recruit and select an Alternate Public Defender in 2017.

- 1) Human Resources will advertise the position using the appropriate advertising mediums including the Washoe County and Nevada State Bar Associations.
- 2) Human Resources will accept and review applications of all individuals meeting the minimum qualifications.
- 3) Under the direction of the County Manager, Human Resources will form an Application Review Committee comprised of a diverse group of legal professionals and community members representative of the clientele of the Public Defender's Office.
- 4) The Application Review Committee will review all applications and resumes, and rank the applicants using the following "Ideal Candidate" criteria:
 - a. Does the applicant have supervisory or management experience?
 - b. Does the applicant have an understanding of budget and strategic planning?
 - c. Has the applicant ever received disciplinary action from the State Bar of Nevada?
 - d. Does the applicant have NRS 432B experience (dependency cases)?
 - e. Does the applicant have experience in delinquency cases?
 - f. Does the applicant have both criminal trial and appellate experience?
 - g. Does the applicant have any Specialty Court experience?
- 5) Based on the above criteria, the Application Review Committee will recommend the top five candidates to the County Manager for consideration. The County Manager will select the top three candidates and recommend them to the Board for interviews.
- 6) The Board will interview the top three candidates during a regularly scheduled meeting, and identify the top two candidates for Public Defender during the same meeting; the Board will also authorize the County Manager to negotiate the annual salary and start date.
- 7) The Board will appoint the new Public Defender at its next regularly scheduled meeting.

The following recruitment timeline has been designed in an effort to respect the current Public Defender's request for an overfill period of six weeks in order to provide adequate training and on-boarding to the newly selected Public Defender:

Post the job announcement: April 25, 2018
Close the recruitment: May 25, 2018
Application review date: May 29, 2018
Recommendations to County Manger: June 6, 2018
BCC interviews/selection: June 26, 2018
BCC formal appointment: July 10, 2018
Estimated hire date: July 23, 2018

OPTION 2

Option 2 would provide more discretion to the County Manager to select and recommend the top candidate to the Board.

- 1) Human Resources will advertise the position using the appropriate advertising mediums including the Washoe County and Nevada State Bar Associations.
- 2) Human Resources will accept and review applications of all individuals meeting the minimum qualifications.
- 3) Under the direction of the County Manager, Human Resources will form an Application Review Committee comprised of a diverse group of legal professionals and community members representative of the clientele of the Public Defender's Office.
- 4) The Application Review Committee will review all applications and resumes, and rank the applicants using the following "Ideal Candidate" criteria:
 - a. Does the applicant have supervisory or management experience?
 - b. Does the applicant have an understanding of budget and strategic planning?
 - c. Has the applicant ever received disciplinary action from the State Bar of Nevada?
 - d. Does the applicant have NRS 432B experience (dependency cases)?
 - e. Does the applicant have experience in delinquency cases?
 - f. Does the applicant have both criminal trial and appellate experience?
 - g. Does the applicant have any Specialty Court experience?
- 5) **Based on the above criteria, the Application Review Committee will recommend the top candidates to the County Manager for consideration.**
- 6) **During the next regularly scheduled meeting, County Manager will recommend top candidate to the Board. The Board will approve the selection, annual salary and start date recommended by the County Manager; and appoint the new Public Defender.**

The following recruitment timeline has been designed in an effort to respect the current Public Defender's request for an overfill period of six weeks in order to provide adequate training and on-boarding to the newly selected Public Defender:

Post the job announcement: April 25, 2018
Close the recruitment: May 25, 2018
Application review date: May 29, 2018
Recommendations to County Manger: June 6, 2018
County Manager interviews/selection: June 22, 2018
BCC formal appointment: July 10, 2018
Estimated hire date: July 23, 2018

FISCAL IMPACT

No fiscal impact related to this agenda item; the full fiscal impact of the new Public Defender will be determined upon final salary negotiation.

RECOMMENDATION

It is recommended the board consider and approve a recruitment process for appointment of a new Washoe County Public Defender.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

Move to approve a recruitment process for appointment of a new Washoe County Public Defender.