



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: *June 19, 2018*

DATE: Wednesday, June 13, 2018

TO: Board of County Commissioners

FROM: Kate Thomas, Assistant County Manager
328-2008, kathomas@washoecounty.us

THROUGH: John Slaughter, County Manager

SUBJECT: Recommendation to approve a three-year renewal agreement between the County of Washoe and Washoe Legal Services to provide for the legal representation of children in the Child Protective Services system effective July 1, 2018 through June 30, 2021 [fixed annual amount of \$226,014]. Manager. All Commission Districts

SUMMARY

Washoe Legal Services has provided legal representation to children in Washoe County's Child Protective Services program under the jurisdiction of the Family Court since 2002. In calendar year 2017, Washoe Legal Services served 971 children under the contract with Washoe County, a 30% increase from the number represented in 2016.

During the 79th Session of the Nevada Legislature, Senate Bill 305 was passed which now requires **100% representation** of abused and neglected children. The legislation allows for the Board of County Commissioners to apply an additional fee of not more than \$6 to represent children who are victims of abuse or neglect as an offset. On February 27, 2018 the Board of County Commissioners adopted Ordinance #1612 increasing the recorders fee to \$6 effective April 1, 2018 to provide revenue for the mandated representation.

Staff has been working with Washoe Legal Services to ensure compliance with SB 305 and recommends the Board of County Commissioners approve a three-year renewal agreement between the County of Washoe and Washoe Legal Services to provide for 100% legal representation of children in the Child Protective Services system effective July 1, 2018 through June 30, 2021 at a fixed annual amount of \$226,014 – the same fixed amount as the previous contract.

Strategic Objective supported by this item: Safe, secure, and healthy communities.

AGENDA ITEM # _____

PREVIOUS ACTION

February 27, 2018 - the Board of County Commissioners adopted Ordinance #1612 increasing the recorders fee to \$6 effective April 1, 2018 in response to, and allowable by SB 305, passed during the 79th Session of the Nevada Legislature requiring 100% representation of abused and neglected children by October 1, 2017.

June 23, 2015 - the Board retroactively approved a three-year renewal agreement through June 30, 2018, with Washoe Legal Services for a fixed annual amount of \$226,014.

July 24, 2012 – the Board approved a three-year renewal agreement between the County of Washoe and Washoe Legal Services to provide for the legal representation of children in the Child Protective Services system effective July 1, 2012 for a fixed annual amount of \$243,764, in addition to revenue generated by AB192. The County agreed to reimburse Washoe Legal Services annually for the difference between the estimated \$300,000 in anticipated revenue versus the actual amount collected.

2011 Legislative Session - Assembly Bill 192 of the 76th (2011) Session of the Nevada Legislature granted the Board of County Commissioners the authority to impose an additional fee on the recording of certain documents by the County Recorder. The purpose of the additional fee was to provide legal services for abused and neglected children. The Board approved the FY12/13 Budget which included plans for both the creation/implementation of the new fee which was estimated to generate \$300,000 in new revenue, together with a reduction of \$213,000. The ordinance creating the fee was adopted by the Board on July 10, 2012, and became effective August 1, 2012.

June 22, 2010 – the Board approved a three-year renewal agreement for a fixed annual amount of \$468,014.

October 27, 2009 – the Board considered a proposal from Washoe Legal Services for a renewal agreement for three years for a fixed annual amount of \$468,014.

July 11, 2006 – the Board approved a four-year agreement with Washoe Legal Services to provide legal representation to the abused children in the custody of the County.

BACKGROUND

Starting in 2002, Washoe Legal Services began providing legal representation of children with one attorney position funded by statute using revenues generated by court filing fees. Over the years, through county funding, federal grant monies, and private/foundational funding, Washoe Legal Services has provided representation to abused children in custody of the County at an increasing service level in partnership with Washoe County.

Assembly Bill 192 of the 76th (2011) Session of the Nevada Legislature granted the Board of County Commissioners the authority to impose an additional fee on the recording of certain documents by the County Recorder. The purpose of the additional fee is to provide legal services for abused and neglected children. The fees collected are

transmitted monthly by the County Treasurer to Washoe Legal Services; the \$3 fee generates approximately \$315,000 annually.

The Washoe Legal Services budget receives the recording fee revenue as well as the contract amount included herein to provide representation to the children in foster care. During the 79th Session of the Nevada Legislature, Senate Bill 305 was passed which requires **100% representation of abused and neglected children**. The legislation once again allowed for the Board of County Commissioners to apply an additional fee (this time the allowable amount is up to \$6) to represent children who are victims of abuse or neglect.

On February 27, 2018 the Board of County Commissioners adopted Ordinance #1612 increasing the recorders fee to \$6 effective April 1, 2018 to provide revenue for the mandated representation. This \$3 fee increase is estimated to provide Washoe Legal Services an additional \$315,000 annually.

Staff recommends the Commission approve the agreement renewing the program and authorize the Chairman to execute same for a three-year period for a fixed annual amount of \$226,014.

FISCAL IMPACT

The fixed annual funding amount for this agreement is set at \$226,014. The FY19 budget is \$216,014 in C101010-710120. Based on past fiscal year expenditures, the \$226,014 has been covered, and can continue to be covered, from existing budget in C101010.

RECOMMENDATION

Recommendation to approve a three-year renewal agreement between the County of Washoe and Washoe Legal Services to provide for the legal representation of children in the Child Protective Services system effective July 1, 2018 through June 30, 2021 [fixed annual amount of \$226,014].

POSSIBLE MOTION

Should the Board of County Commissioners agree with the recommendation, a possible motion would be:

“I Recommend approval of a three-year renewal agreement between the County of Washoe and Washoe Legal Services to provide for the legal representation of children in the Child Protective Services system effective July 1, 2018 through June 30, 2021 in a fixed annual amount of \$226,014.”