



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT District Attorney	(2) MEETING DATE 11/5/2019	(3) CONTACT/PHONE Dan Dow, District Attorney (805) 781-5800	
(4) SUBJECT Submittal of a resolution amending Fund Center 132 – District Attorney’s Position Allocation List (PAL) to delete 1.00 FTE Legal Clerk, 1.00 FTE Supervising Legal Clerk I, and 1.00 FTE Deputy District Attorney IV; and, to add 1.00 FTE Business Systems Analyst, 1.00 FTE Accountant II, and 1.00 FTE Chief Deputy District Attorney. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors approve a resolution amending the Position Allocation List (PAL) for Fund Center 132 – District Attorney to delete 1.00 FTE Legal Clerk, 1.00 FTE Supervising Legal Clerk I, and 1.00 FTE Deputy District Attorney IV; and add 1.00 FTE Business Systems Analyst, 1.00 FTE Accountant II, and 1.00 Chief Deputy District Attorney.			
(6) FUNDING SOURCE(S) General Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$6,630.11	(8) ANNUAL FINANCIAL IMPACT \$127,818	(9) BUDGETED? yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? N/A	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Kristin Eriksson			
(18) SUPERVISOR DISTRICT(S) All Districts			



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Dan Dow, District Attorney
(805) 781-5800

DATE: November 5, 2019

SUBJECT: Submittal of a resolution amending Fund Center 132 – District Attorney's Position Allocation List (PAL) to delete 1.00 FTE Legal Clerk, 1.00 FTE Supervising Legal Clerk I, and 1.00 FTE Deputy District Attorney IV; and, to add 1.00 FTE Business Systems Analyst, 1.00 FTE Accountant II, and 1.00 FTE Chief Deputy District Attorney. All Districts.

RECOMMENDATION

It is recommended that the Board of Supervisors approve a resolution amending the Position Allocation List (PAL) for Fund Center 132 – District Attorney to delete 1.00 FTE Legal Clerk, 1.00 FTE Supervising Legal Clerk I, and 1.00 FTE Deputy District Attorney IV; and add 1.00 FTE Business Systems Analyst, 1.00 FTE Accountant II, and 1.00 Chief Deputy District Attorney.

DISCUSSION

In early 2019, the District Attorney's Office began conversations and planning with internal management, Human Resources and the CAO for a potential reorganization, based on an overwhelming need of three (3) specific positions that would reduce risk of loss, and help the department in meeting desired business outcomes and gaining efficiencies. Based on this reorganization, the District Attorney's Office will add three (3) positions, in exchange for deleting three (3) current vacant positions and reorganize division placement and management staff responsibilities.

It is always the County's goal, with regard to organizational planning, to staff for efficient business practices, with proper succession planning and role assignment in mind. Approval of this request supports that goal and provides for appropriate management and staffing levels of the District Attorney's Office's divisions.

Chief Deputy District Attorney

As the largest law firm in San Luis Obispo County, the District Attorney's Office has 110 full-time employees to manage and supervise. There are 38 attorneys assigned including the elected District Attorney, 1 Assistant District Attorney, 2 Chief Deputy District Attorneys, and 34 Deputy District Attorneys.

The current management structure has been in place since December 2007 when the second Chief Deputy District Attorney position was created. Since that time, the District Attorney's Office allocations have grown from 97 to 110 full-time employees, a 13% increase in the last 12 years, with no increase in attorney management staff.

The current structure is severely inadequate to provide necessary attorney supervision, development, and mentoring for each individual attorney to ensure maximum performance and adherence to professional responsibilities. Over the past few years, it has become more visibly apparent that the Department's management team has a growing need for additional allocated positions to provide effective oversight across multiple divisions. As an example, due to lack of management staff, the Assistant District Attorney currently has 13 direct reports, 10 of which are attorneys. One of the goals of adding an additional Chief Deputy District Attorney is to re-allocate attorney supervision from the Assistant District Attorney to the newly added Chief Deputy to allow the Assistant District Attorney to focus greater energy on higher level duties such as succession planning, strategic planning, effective office operations, implementation of changing laws and regulations, and enculturation of visions, values, and methods throughout the organization.

Chief Deputies also have seen an increase in workload over the last several years. The District Attorney's Office currently has 2 Chief Deputy positions. 1 of those Chief Deputies has 14 direct reports who are attorneys and the other has 11 direct reports, 10 of which are attorneys. In addition to supervision of attorneys and overseeing all legal cases handled by the office, the Chief Deputies have many other responsibilities such as: Public Information Officer, Public Records Act requests, Brown Act inquiries, Grand Jury Liaison, Stepping Up Collaborative, Mental Health Diversion Committee, extradition requests, office funding and finances, office technology, personnel issues, management of the Victim Witness division and the Economic Crime ("Bad Check") Unit, and serve as liaisons with multiple justice partners within the County and across the state, among other duties.

Furthermore, in the last eight years, criminal law in California has undergone major successive reforms with changes imposed by the Legislature and by voter initiative process. These significant changes have made our duties and responsibilities exceedingly more complex over a short period of time. Examples: AB 109/Criminal Justice Realignment, Prop 47, Prop 57, Prop 64, AB 1437, retroactive application of many of these laws, immigration consequences, sex offender registration tiering, the Electronic Communication Privacy Act, etc. Evidence collection and presentation in court is much more voluminous and complex due to rapid advances in technology and implementation of body cameras. In addition, a newly imposed California State Bar Rule imposes additional professional responsibilities on attorney supervisors to ensure subordinates compliance

with State Bar Rules, which include competent and ethical performance of duties and compliance with required continuing legal education.

Business Systems Analyst

The District Attorney's Office has seen a growing need for data driven decision making and reporting, based on requests from stakeholders, constituents, and the Administrative Office, as well as local agencies that use comparative data. One of the key goals in adding a Business Systems Analyst to the PAL is to significantly increase data driven decision making and technological efficiencies in systems and software, which in turn will gain efficiencies in staffing bandwidth, increase best practices, better decision making and planning, and enable the Department to more quickly adapt to changing laws, technology, and processes, thus improving service to the public.

With the elimination of the County mainframe, the District Attorney's Office is experiencing the shift of large system management to the department and away from County IT. The ongoing technical needs of the District Attorney's Office require a Business Systems Analyst to oversee, manage, and "own" our business systems. In addition, a Business Systems Analyst is needed to proactively optimize our business process by looking for new technologies and leveraging IT services and governance processes on behalf of the Department. With a thorough understanding of our operations, a Business Systems Analyst will communicate business requirements to County IT, vendors, and justice partners, and will implement technological solutions within the Department. In addition, the Analyst will be utilized to strategize, implement, and manage mission critical systems.

Since 2013, the District Attorney's Office has progressed to be a largely digital business. Paper files have been eliminated in lieu of digital files for criminal prosecutions, and evidence such as videos, photos and audio recordings are digitally stored and accessed. Workflow processes, document creation, and communication have been translated and automated in the case management system, Prosecutor by Karpel (PbK), and other software such as iSubpoena and Laserfiche.

Digital evidence is also increasingly voluminous, with the increased use of tools such as surveillance cameras, patrol car cameras, and law enforcement body cameras. The workflow for how this evidence is received and stored from the law enforcement agencies, and subsequently provided to the defense per discovery obligations, is an example of an area ripe for improvement.

These digital solutions have generated efficiencies which benefit the District Attorney's Office and law enforcement partners. For example, immediate digital access to case files eliminated staff time previously spent locating, moving, and storing paper files. Receiving immediate information about subpoenas and cancellations of subpoenas for law enforcement officers via iSubpoena and its phone application prevents law enforcement agencies from accruing unnecessary overtime costs. Integration with the Court system imports data into PbK that would otherwise be manually entered by staff. Implementing a custom statistical report improved our ability to document time spent on state-reimbursable activities, thus capturing time previously missed when billing back to the state.

However, the need to maintain relevant and efficient processes requires ongoing skilled management as laws, available technical tools, configurations, and partnerships develop. There are many features and interfaces which were planned in our initial 2013 implementation of PbK, which are not yet in place, such as electronic discovery and exchanges with the court including judgements, sentencing, and electronic filing. Moreover, the need for technology management has proven to be a full-time, permanent need well after initial implementation of PbK.

Additionally, as justice partners such as the Court, Probation Department, Public Defender, and law enforcement agencies continue to upgrade their technology systems to improve efficiencies and keep up with legal changes, code changes, language updates, etc. In an ongoing effort to maintain and improve integration with various technology systems, our systems must be adaptable to these changes, as well as evolving workflow processes, both internally and with justice partners.

A further key objective for this position is to increase data-driven decision making. Statistical reporting from PbK data fosters effective data-driven decision making, as well as provides accurate information for the public, such as responses to Public Information Requests, or statistics for public presentations. Customized statistical reporting from PbK data has been developed to a limited extent, but a Business Systems Analyst would have the capacity to translate business needs into parameters for customized reports. The Analyst would also assist in interpreting the statistical results and assessing how those results drive decisions. In addition, the Business Systems Analyst could be tasked with keeping the content and structure of the internal and external websites current, benefitting information sharing with staff and with the public.

The District Attorney's Office currently has 110 full time employees, as well as several interns. It is one of the last County departments with only one in-house IT staff member, a Departmental Automation Specialist (DAS) who is at capacity supporting standard office hardware and software, and who has no internal backup. County IT assists with implementation, troubleshooting, and testing of complex systems, and back up if the DAS is unavailable. Configuration implementation is done by the DAS, and additional testing is done by the DAS and legal clerk staff. Currently, technology management and configuration decisions, which would be assigned to a Business Systems Analyst, are largely handled by one of the Chief Deputy District Attorneys, who is not trained in IT system management and lacks the time required to be an effective system owner, due to the press of business in the normal workload of managing Deputy District Attorney staff. Assigning this system management to a Business Systems Analyst would free up the nearly 50% of work time the Chief Deputy currently spends in this arena and allow the incumbent to be more appropriately involved in the management of attorney staff, as well as higher level duties in evaluating office operations and organizational improvement.

The District Attorney's Offices anticipates continuing to rely on County IT for technical expertise currently provided; the Business Systems Analyst would work closely with County IT.

Accountant II

The fiscal unit of the District Attorney's Office includes 1 ASM, 1 Senior Accounting Clerk, and 1 Accounting Technician. This team manages a \$19 million budget with over 30 revenue streams, and multi-year grants with complex audit and reporting requirements. Many of these grants help fund the Victim Witness Center and provide revenue offset for staffing, as well as funds to support programs that provide a multitude of benefits to the community, and to support outside agencies such as United Way. In addition, the team performs accounts payable duties and handles County compliance audits.

Over the past several years the District Attorney's Office has experienced significant changes that have increased the duties and responsibilities of the fiscal/budget staff. Among the changes are new grants of federal funds distributed through the State of California, other new funding streams, new procedures to ensure accuracy and maximization of reimbursable programs, new grant funding that requires monitoring and auditing of sub-recipient partner organizations, and comprehensive grant monitoring / administration to ensure strict adherence to all state and federal requirements. Grants awarded to the Victim/Witness Division are in the form of federal funds and require significant effort to ensure compliance with both federal and state law and regulation.

These changes require that our budget and fiscal staff conduct more budgeting, accounting, and administrative tasks than before and attend trainings to stay up to date on changes and trends with federal and state grant funding. To successfully manage fiscal responsibilities and compliance is a full-time position all in itself and requires consistent attention and tracking. There is also a high consequence of error associated with these duties as grants have strict deadlines, and failure to meet the deadlines and filing requirements could result in lack of funding for our Victim Witness Unit and reduced service to the public.

Historically these duties have primarily fallen on the Administrative Services Manager (ASM) who oversees the fiscal staff in the office. However, a recent evaluation of office operations has prompted a re-organization resulting in the ASM assuming supervision responsibility of the District Attorney's Legal Clerk and Paralegal groups. This change has streamlined communication between administrative staff and management, to better align decision making that has increased productivity, efficiencies and morale.

The increased management functions of the ASM, coupled with increase in responsibility and complexity of fiscal staff duties has resulted in a need for an Accountant II who can take on the higher-level responsibilities associated with the budget and grants.

Approval of the addition of the Accountant II will also create additional upward mobility and promotional opportunities for staff and provide a stronger path for succession planning and/or cross training, as well as assist with recruitment and retention.

OTHER AGENCY INVOLVEMENT/IMPACT

The Administrative Office and the Human Resources Department have been involved in discussions surrounding the requests and concur with the proposed actions.

FINANCIAL CONSIDERATIONS

The current FY 2019-20 increase in salary and benefit cost for the recommended PAL change is \$6,630. The FY 2020-21 estimated increase is \$30,890 and the estimated increase at the maximum series and salary step for the positions is \$127,818. The cost of the PAL change was not included in the FY 2019-20 budget; however, the department will be able to absorb this cost using salary savings due to staff vacancies and other savings from positions that will be filled at lower classification series. In future years, the increased cost will be included as part of the department’s requested budget. There are no additional indirect costs anticipated as a result of this PAL change. The table below shows the estimated FY 2019-20 increase cost for the remaining 6 months since the positions won’t be filled prior to January 2020, FY 2020-21 annual cost, and the estimated expense at the maximum step (step 5 of 5). It is important to note that calculations may vary depending on salary step and any future negotiated salary and benefit increases. The below numbers are estimates based on the current job class salary listing.

FY 2019-20 Estimated Expense for Remaining 6 Months							
Action	Classification	FTE	Salary	Benefits	Total	Step Estimate	
Add	Business Systems Analyst I	1.00	\$31,397.58	\$18,163.60	\$49,561.18	Step 1 for 6 months	
Add	Accountant II	1.00	\$31,668.00	\$18,384.14	\$50,052.14	Step 1 for 6 months	
Add	Chief Deputy District Attorney	1.00	\$70,127.22	\$33,001.05	\$103,128.27	Step 1 for 6 months	
Delete	Supervising Legal Clerk I	-1.00	(\$28,672.80)	(\$16,093.88)	(\$44,766.68)	Step 5 for 6 months	
Delete	Legal Clerk	-1.00	(\$24,117.60)	(\$14,059.73)	(\$38,177.33)	Step 3 for 6 months	
Delete	DDA IV	-1.00	(\$76,741.62)	(\$36,425.85)	(\$113,167.47)	Step 5 for 6 months	
	Net Change FY 2019-20	0.00	\$3,660.78	\$2,969.33	\$6,630.11		

FY 2020-21 Estimated Annual Expense							
Action	Classification	FTE	Salary	Benefits	Total	Step Estimate	
Add	Business Systems Analyst I	1.00	\$65,936.04	\$37,509.16	\$103,445.20	Step 2 for 12 months	

Add	Accountant II	1.00	\$66,497.64	\$37,969.83	\$104,467.47	Step 2 for 12 months
Add	Chief Deputy District Attorney	1.00	\$147,264.00	\$62,323.26	\$209,587.26	Step 2 for 12 months
Delete	Supervising Legal Clerk I	-1.00	(\$57,345.60)	(\$31,436.54)	(\$88,782.14)	Step 5 for 12 months
Delete	Legal Clerk	-1.00	(\$50,648.04)	(\$28,997.96)	(\$79,646.00)	Step 4 for 12 months
Delete	DDA IV	-1.00	(\$153,483.24)	(\$64,698.06)	(\$218,181.30)	Step 5 for 12 months
	Net Change FY 2020-21	0.00	\$18,220.80	\$12,669.69	\$30,890.49	

Estimated Annual Expense at Maximum Classification Series and Step (Step 5 of 5)						
Action	Classification	FTE	Salary	Benefits	Total	Step Estimate
Add	Business Systems Analyst III	1.00	\$102,564.84	\$51,677.70	\$154,242.54	Step 5 of 5 for 12 months
Add	Accountant III	1.00	\$89,127.96	\$46,570.79	\$135,698.75	Step 5 of 5 for 12 months
Add	Chief Deputy District Attorney	1.00	\$170,476.80	\$64,223.55	\$234,700.35	Step 5 of 5 for 12 months
Delete	Supervising Legal Clerk II	-1.00	(\$62,295.96)	(\$33,238.96)	(\$95,534.92)	Step 5 of 5 for 12 months
Delete	Legal Clerk	-1.00	(\$53,185.56)	(\$29,921.86)	(\$83,107.42)	Step 5 of 5 for 12 months
Delete	DDA IV	-1.00	(\$153,483.24)	(\$64,698.06)	(\$218,181.30)	Step 5 of 5 for 12 months
	Net Change at Max Step	0.00	\$93,204.84	\$34,613.16	\$127,818.00	

RESULTS

The District Attorney's Office anticipates significant positive results shall the Board approve this request, including improved productivity, more accurate budget/fiscal administration and less risk of non-compliance of grant funding, more efficient business processes and systems, reduced staffing issues and increase in morale through increased communications and through addition of promotional opportunities, streamlined technology, compliance to legal mandates, and data driven decision making that may also benefit multiple agencies. Furthermore, this request addresses the ongoing issue of succession planning, allows for back-up of these important functions, and provides continuous growth opportunities. Implementing this organizational

structure will add an extensive and measurable value to the District Attorney's Office, for no additional cost this fiscal year.

ATTACHMENTS

- 1 District Attorney Organizational Chart
- 2 FC132 PAL Resolution