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SAN JOAQUIN COUNTY CIVIL GRAND JURY RELEASES REPORT ON PUBLIC DEFENDER FEES

The San Joaquin County Public Defender's Office is making no effort to recover fees for legal services; there are no procedures among County agencies for vetting defendants for their ability to pay, and there is no system to track if fees owed are actually paid, an investigation by the 2015-16 San Joaquin County Civil Grand Jury found.

The Jury recommends that the County Board of Supervisors study the feasibility of appointing a Chief Financial Evaluation Officer or designee to properly vet a defendant's ability to pay. The Grand Jury's findings and recommendations, made public today, are based on a months-long investigation that included witness interviews, court visits and the review of internal County documents.

Because the Public Defender's Office handles cases involving many indigents, it is understood that not all defendants are able to pay. It is established law that all defendants have a right to legal counsel. The Grand Jury's investigation revealed that San Joaquin County makes no effort to determine who can pay or account for money owed the County by defendants able to pay. As a result the County recovers only 0.36 percent of the money due. That rate is the lowest of the 10 like-sized Northern California counties surveyed by the Grand Jury.

The Jury's findings and recommendations are meant to draw attention to issues and to suggest ways to remedy problems. Only the Jury foreman is allowed to comment publicly about Grand Jury investigations.

The San Joaquin County Board of Supervisors is required to submit a response to each finding and recommendation in the report. Those responses must be sent to the Presiding Judge of the San Joaquin County Superior Court within 90 days.

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