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Equality in Juvenile Justice

On a motion by Supervisors Mark Ridley-Thomas and Sheila Kuehl, the Board of Supervisors voted to look into reforming how Los Angeles County provides legal counsel to those in the juvenile justice system.

When children and teenagers cannot afford an attorney, the County provides a public defender. If there is a conflict – such as when the public defender or alternate public defender is already representing another party in the case – the County hires a private “panel attorney,” who gets paid a flat fee of \$340-\$360 regardless of the complexity and severity of the case, and who must use their own resources to hire investigators.

“The juvenile justice system was created to recognize the unique needs of youth and to ensure that they were provided opportunities for rehabilitation and not simply punishment,” Supervisor Ridley-Thomas said. “Somehow, we have lost our way, but this motion seeks to put us back on the right track.”

He said the current flat-fee system puts panel attorneys, and the youth that they represent, at a disadvantage. “We pay them inadequately, and then we don’t afford them the resources they need to maximize the potential for justice in the case of indigent juveniles. It’s like sending them into a fight with one arm tied behind their back.”

Supervisor Kuehl said the motion is part of the Board’s continuing effort to better serve youth who are under the County’s care and custody. She expressed hope that the reforms would include advocacy and other services that would give youth a “second chance.”

Several advocates for youth and for juvenile justice system reforms testified in support of the motion, including attorney Carol Chodroff, who said it “can address

disparities in the current system, save taxpayer dollars, and ensure that all juvenile defendants are afforded competent representation.”

Retired LA Superior Court Judge Jan Levine said if panel counsel “no longer labor with comparatively inferior tools, the real beneficiaries would be the youth appearing before the court.”

In response to a 2014 motion by Supervisor Ridley-Thomas, the Warren Institute at UC Berkeley School of Law conducted an unprecedented [analysis](#) of the juvenile indigent defense system and found the flat fee could be a disincentive for panel attorneys to spend additional time and effort on a case.

The analysis also noted the County has minimal to no oversight on its juvenile indigent defense system, including around panel attorneys’ caseloads and training. Nor does it monitor whether panel attorneys advocate for their young clients to receive services like housing, special education, and treatments for abuse, trauma, substance addiction and mental illness. The report showed this resulted in disparate outcomes, with youth represented by panel attorneys more likely to be sent to probation camps or transferred to the adult system.

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