

# OFFICE OF LAW - 121

## MISSION AND SERVICES

**Mission** - The Office of Law provides legal services to the County Executive, the County Council, and County agencies, boards, and commissions to help ensure that County government is operating in a lawful manner.

**Core Services** -

- Represents the County in all civil actions before federal/State/local courts and administrative bodies
- Drafts legislative and transactional documents along with providing legal advice and counsel to the County Executive, County Council, and County agencies, boards, and commissions

**Strategic Focus in FY 2016** -

The agency's top priorities in FY 2016 are:

- Reduce the amount of payouts resulting from litigation against the County by monitoring cases to identify trends and address problems with the applicable agency
- Reduce the average response time of requests for transactional review by conducting training for agency personnel to ensure documents presented for legal review are complete

## FY 2016 BUDGET SUMMARY

The FY 2016 approved budget for the Office of Law is \$3,754,900, a decrease of \$63,300 or -1.7% under the FY 2015 budget.

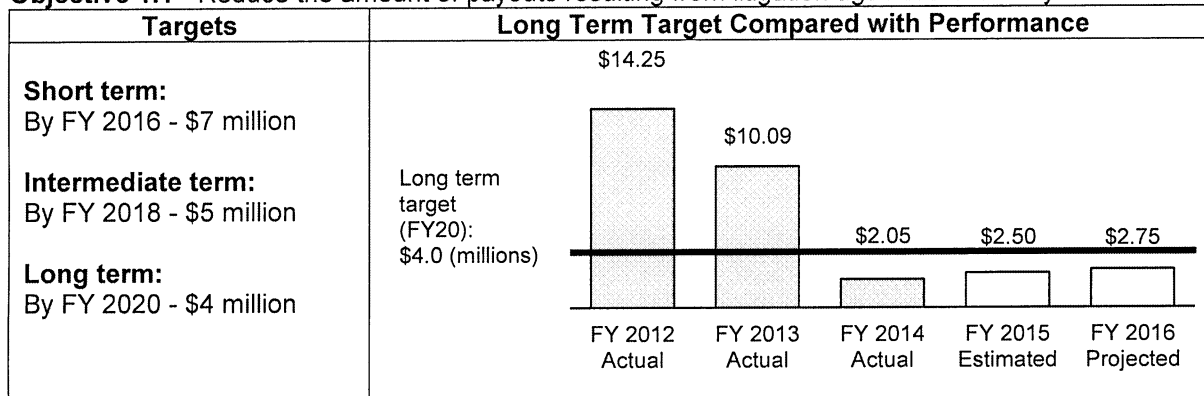
**Budgetary Changes** -

<b>FY 2015 BUDGET</b>	<b>\$3,818,200</b>
Increase in fringe rate from 26.3% to 31.0%	\$214,800
Net decrease in related IT operating expenses to include the File Maintenance charge and OIT charges	(\$13,000)
Decrease in compensation to align with current complement and budgetary constraints	(\$13,600)
Decrease in operating expenses to meet spending controls and to align with historical data for court filing fees, printing, and supplies	(\$34,600)
Increase in recovery rate to 100% for eligible salaries, fringe, and operating expenses	(\$216,900)
<b>FY 2016 APPROVED BUDGET</b>	<b>\$3,754,900</b>

## SERVICE DELIVERY PLAN AND PERFORMANCE

**GOAL 1** - To provide legal representation and advice to the County Executive, the County Council, and County agencies in order to reduce the County's exposure to legal liability.

**Objective 1.1** - Reduce the amount of payouts resulting from litigation against the County.



**Trend and Analysis -**

The number and amount of payouts for lawsuits can vary from year to year due to multiple factors including: facts of the case, court room factors, and the timing of a payout. Payouts were reduced by 80% in FY 2014 compared to FY 2013. Based on the payouts of FY 2013 and FY 2014 and the projections/estimates of FY 2015 and FY 2016, the Office of Law is anticipating the payout target to be no greater than \$7 million short term and \$4 million long term. This is in conjunction with the Office of Law continuing its upward trend in closing litigation against the County at or below the estimated reserve.

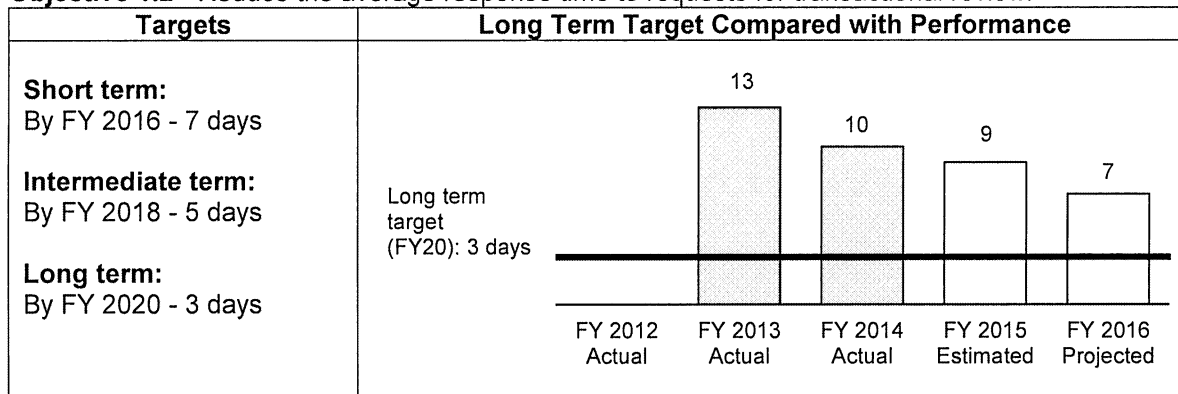
**Performance Measures -**

Measure Name	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Estimated	FY 2016 Projected
<b>Resources (input)</b>					
Number of litigation attorneys	9	9	9	9	9
<b>Workload, Demand and Production (output)</b>					
Number of new lawsuits received	150	115	110	110	110
Number of lawsuits closed	135	137	102	120	115
Number of active lawsuits	143	126	132	130	130
<b>Efficiency</b>					
Average number of active lawsuits per litigation attorney	15.9	14.0	14.7	14.4	14.4
Average number of new lawsuits per litigation attorney	16.7	12.8	12.2	12.2	12.2
<b>Quality</b>					
Percent of lawsuits closed at or below amount of money set aside by the County to pay for lawsuits	97%	98%	99%	98%	98%
<b>Impact (outcome)</b>					
Amount of payouts resulting from litigation against the County (in millions)	\$14.25	\$10.09	\$2.05	\$2.50	\$2.75

**Strategies to Accomplish the Objective -**

- **Strategy 1.1.1** - Monitor cases to identify trends and address problems with the applicable agency
- **Strategy 1.1.2** - Ensure attorneys are properly trained in legal strategy, effective and persuasive legal writing, and oral presentation
- **Strategy 1.1.3** - Recruit and retain lawyers with diverse subject matter expertise

**Objective 1.2 - Reduce the average response time to requests for transactional review.**



**Trend and Analysis -**

The timetable for transactional reviews can range from three to ten business days. The complexity of the matter greatly impacts the response time. The Office of Law is implementing procedures to reduce the initial response time for transactional reviews. Longer response times and/or additional reviews have been necessary for agencies submitting more complex requests or requests which require substantial changes prior to approval for legal sufficiency. The Office of Law intends to enhance its inter-agency collaboration and provide additional training to agencies in order to limit the number of requests requiring lengthy review times or substantial changes. These strategies will assist in handling the increased work demands. Transactional requests received increased by 11% from FY 2011 to FY 2014, while attorney staffing in this division decreased by one during this same period.

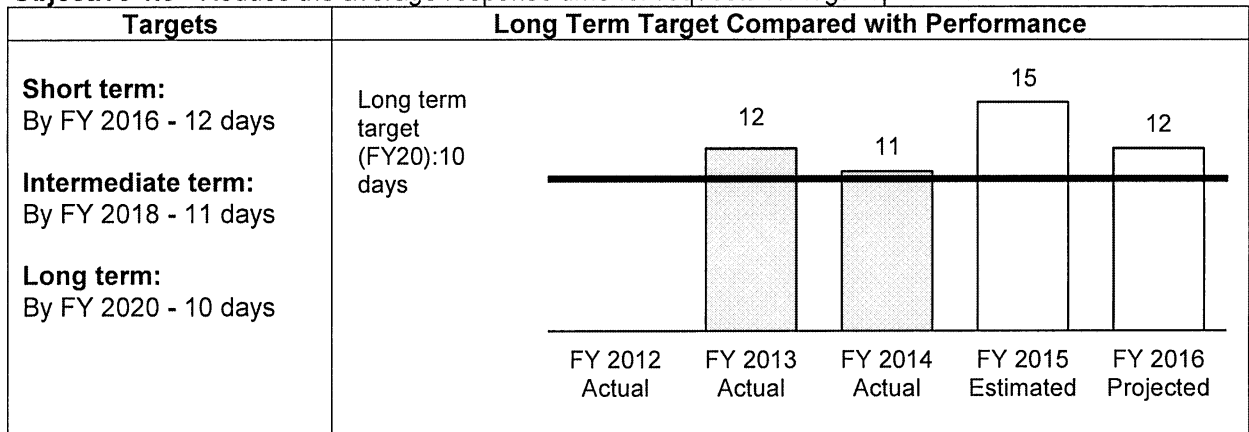
**Performance Measures -**

Measure Name	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Estimated	FY 2016 Projected
<b>Resources (input)</b>					
Number of transactional attorneys	6	6	5	5	5
<b>Workload, Demand and Production (output)</b>					
Number of transactional related inter-agency trainings conducted	0	0	0	1	1
Number of transactional review requests received	1,284	1,358	1,329	1,400	1,400
<b>Efficiency</b>					
Average number of transactional reviews per attorney	214	226	266	280	280
<b>Quality</b>					
Percent of transactional documents reviewed on or before due date	90%	69%	73%	85%	87%
<b>Impact (outcome)</b>					
Number of days to complete requests for transactional reviews		13	10	9	7

**Strategies to Accomplish the Objective -**

- **Strategy 1.2.1** - Conduct training for agency personnel to ensure that documents presented for legal review are complete
- **Strategy 1.2.2** - Institute a uniform and consistent response time for legal sufficiency reviews
- **Strategy 1.2.3** - Ensure that attorneys are equipped with the knowledge of sector-specific practices for legal counsel to service the varied operational needs of County government agencies

**Objective 1.3** - Reduce the average response time for requests for legal opinions.



**Trend and Analysis -**

The standard timetable for fulfilling non-complex requests for legal opinions is 10-15 business days. The complexity of the matter can greatly increase the response time. The Office of Law averaged 10.5 days in FY 2014 to complete requests for legal opinions, a decrease of 12.5% from FY 2013. The Office of Law is experiencing an upward trend in FY 2015 due to the complexity of several requests and/or the need of additional information from the requesting agency. If this trend continues, the average response time may increase.

**Performance Measures -**

Measure Name	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Estimated	FY 2016 Projected
<b>Resources (input)</b>					
Number of legislative attorneys	2	2	1.5	2	2
<b>Workload, Demand and Production (output)</b>					
Number of legislative review requests received	273	295	230	240	247
<b>Efficiency</b>					
Average number of legislative and advice reviews per attorney	137	148	153	120	124
<b>Quality</b>					
Percent of legislative and advice requests reviewed on or before due date	94%	97%	96%	97%	98%
<b>Impact (outcome)</b>					
Number of days to complete requests for legal opinions		12	11	15	12

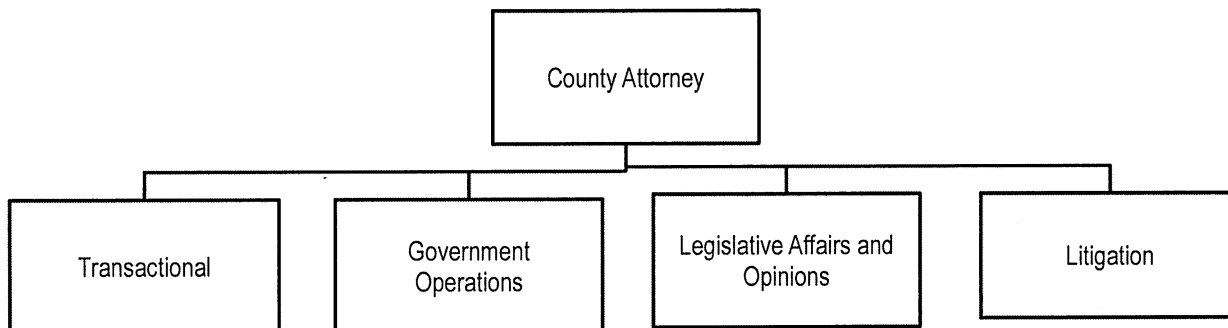
**Strategies to Accomplish the Objective -**

- **Strategy 1.3.1** - Conduct training for agency personnel to ensure that documents presented for legal review are complete
- **Strategy 1.3.2** - Ensure that attorneys are equipped with the knowledge of sector-specific practices for legal counsel to service the varied operational needs of County government agencies

**FY 2015 KEY ACCOMPLISHMENTS**

- Implemented, in conjunction with DPIE leadership, a quarterly training schedule to assist in the professional development of DPIE inspectors to further train them on the legal aspects of their jobs.
- Implemented, in conjunction with DSS leadership, a quarterly training schedule to assist in the professional development of DSS workers to further train them on the legal aspects of their jobs.
- Implemented twice monthly onsite attorney consultation days whereby any DSS worker with a concern, issue, problem, or question may meet with an attorney to seek advice and obtain guidance.
- Negotiated contracts for an innovative, first of its kind, \$100 Million Public Private Partnership for green infrastructure retrofits over 2,000 acres of County land.
- Drafted documents for, negotiated, and closed four Economic Development Incentive Fund Loans totaling \$7.4 Million.
- Reduced contract reviews in half from 14 to 7 days on average.

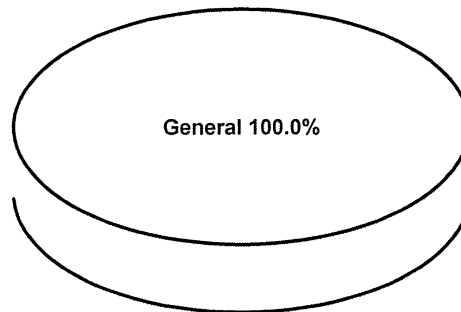
**ORGANIZATIONAL CHART**



	FY2014 ACTUAL	FY2015 BUDGET	FY2015 ESTIMATED	FY2016 APPROVED	CHANGE FY15-FY16
<b>TOTAL EXPENDITURES</b>	\$ 3,750,379	\$ 3,818,200	\$ 3,827,100	\$ 3,754,900	-1.7%
<b>EXPENDITURE DETAIL</b>					
Office Of Law	6,156,049	6,341,900	6,602,800	6,495,500	2.4%
Recoveries	(2,405,670)	(2,523,700)	(2,775,700)	(2,740,600)	8.6%
<b>TOTAL</b>	\$ 3,750,379	\$ 3,818,200	\$ 3,827,100	\$ 3,754,900	-1.7%
<b>SOURCES OF FUNDS</b>					
General Fund	\$ 3,750,379	\$ 3,818,200	\$ 3,827,100	\$ 3,754,900	-1.7%
Other County Operating Funds:					
<b>TOTAL</b>	\$ 3,750,379	\$ 3,818,200	\$ 3,827,100	\$ 3,754,900	-1.7%

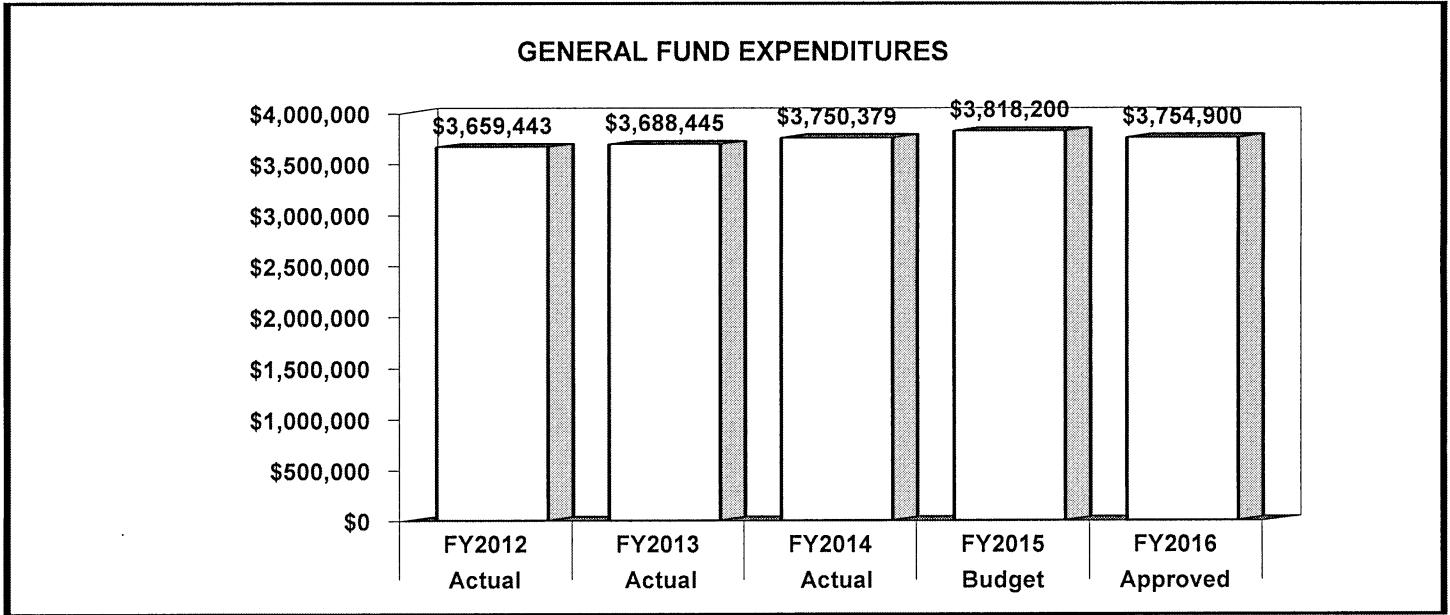
**FY2016 SOURCES OF FUNDS**

This agency's funding is derived from the County's General Fund. A portion of the costs are allocated to other sources through recoveries.

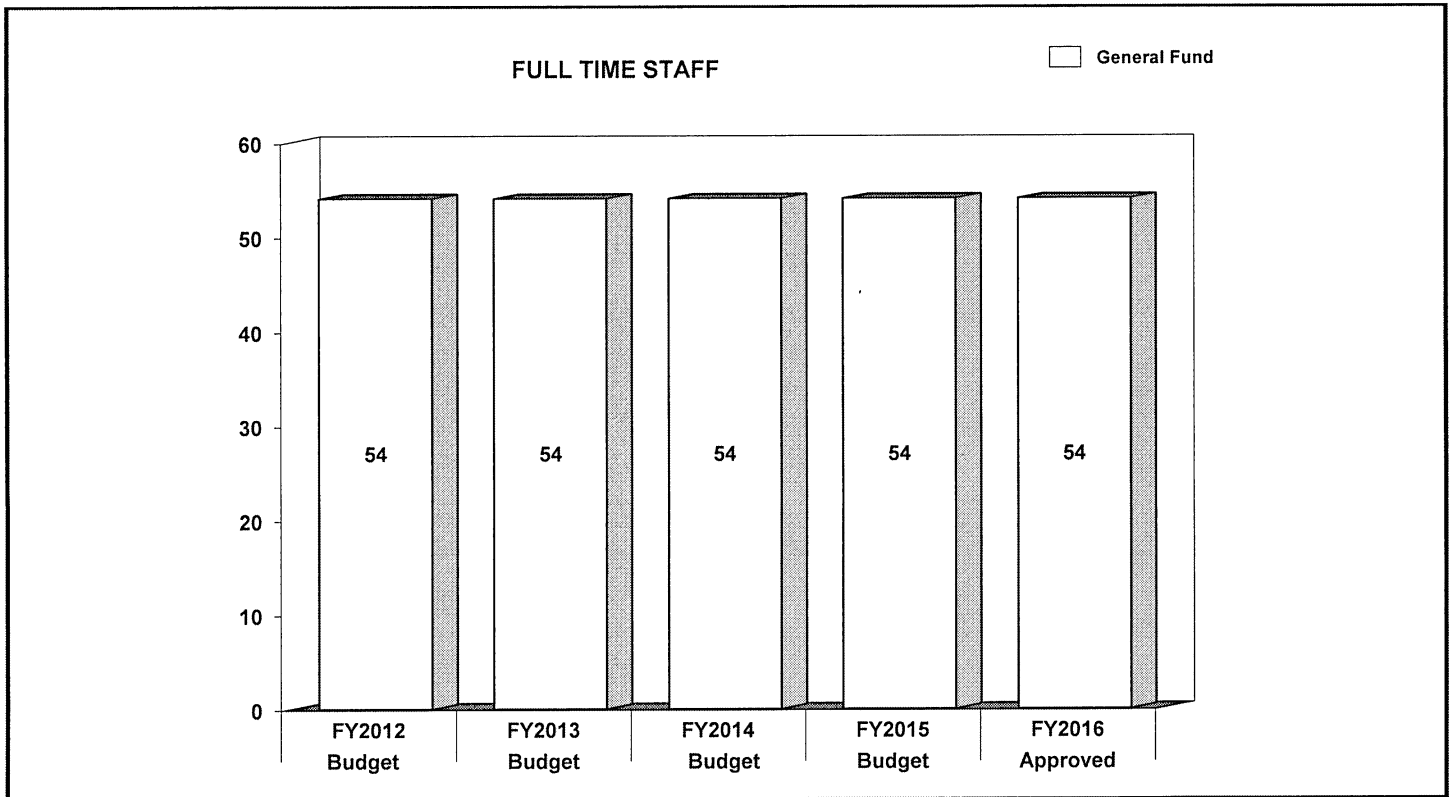


	FY2014 BUDGET	FY2015 BUDGET	FY2016 APPROVED	CHANGE FY15-FY16
<b>GENERAL FUND STAFF</b>				
Full Time - Civilian	54	54	54	0
Full Time - Sworn	0	0	0	0
Part Time	0	0	0	0
Limited Term	0	0	0	0
<b>OTHER STAFF</b>				
Full Time - Civilian				
Full Time - Sworn				
Part Time				
Limited Term Grant Funded				
<b>TOTAL</b>				
Full Time - Civilian	54	54	54	0
Full Time - Sworn	0	0	0	0
Part Time	0	0	0	0
Limited Term	0	0	0	0

POSITIONS BY CATEGORY	FULL TIME	PART TIME	LIMITED TERM
Directors	1	0	0
Deputy Directors	4	0	0
Attorneys	30	0	0
Administrative Assistants	3	0	0
Investigators	2	0	0
Law Clerks	2	0	0
Administrative Support	12	0	0
<b>TOTAL</b>	<b>54</b>	<b>0</b>	<b>0</b>



The agency's expenditures increased 2.5% from FY 2012 to FY 2014 due to cost of living adjustments. The FY 2016 approved budget is 1.7% less than the FY 2015 budget due to spending controls and aligning with historical data.



The agency's staffing remained flat from FY 2012 to FY 2015. The FY 2016 staffing remains unchanged from FY 2015 budget.



	FY2014 ACTUAL	FY2015 BUDGET	FY2015 ESTIMATED	FY2016 APPROVED	CHANGE FY15-FY16
<b>EXPENDITURE SUMMARY</b>					
Compensation	\$ 4,497,563	\$ 4,661,100	\$ 4,704,000	\$ 4,647,500	-0.3%
Fringe Benefits	1,290,938	1,225,900	1,458,200	1,440,700	17.5%
Operating Expenses	367,548	454,900	440,600	407,300	-10.5%
Capital Outlay	0	0	0	0	0%
	<u>\$ 6,156,049</u>	<u>\$ 6,341,900</u>	<u>\$ 6,602,800</u>	<u>\$ 6,495,500</u>	<u>2.4%</u>
Recoveries	(2,405,670)	(2,523,700)	(2,775,700)	(2,740,600)	8.6%
<b>TOTAL</b>	<b>\$ 3,750,379</b>	<b>\$ 3,818,200</b>	<b>\$ 3,827,100</b>	<b>\$ 3,754,900</b>	<b>-1.7%</b>
<b>STAFF</b>					
Full Time - Civilian	-	54	-	54	0%
Full Time - Sworn	-	0	-	0	0%
Part Time	-	0	-	0	0%
Limited Term	-	0	-	0	0%

In FY 2016, compensation expenditures decrease 0.3% under the FY 2015 budget to align with current complement and spending controls. Compensation includes funding for 52 out of 54 full-time employees. Fringe benefit expenditures increase 17.5% over the FY 2015 budget to align with actual costs.

Operating expenses decrease 10.5% under the FY 2015 budget due to office automation charges and spending controls for training, supplies and court filing fees.

Recoveries increase 8.6% over the FY 2015 budget to reflect the change in recovery rate from 85% to 100%.

MAJOR OPERATING EXPENDITURES FY2016	
Office Automation	\$ 184,800
General and Administrative	\$ 87,700
Contracts	
Miscellaneous	\$ 33,000
Operating and Office Supplies	\$ 22,000
Training	\$ 20,200

