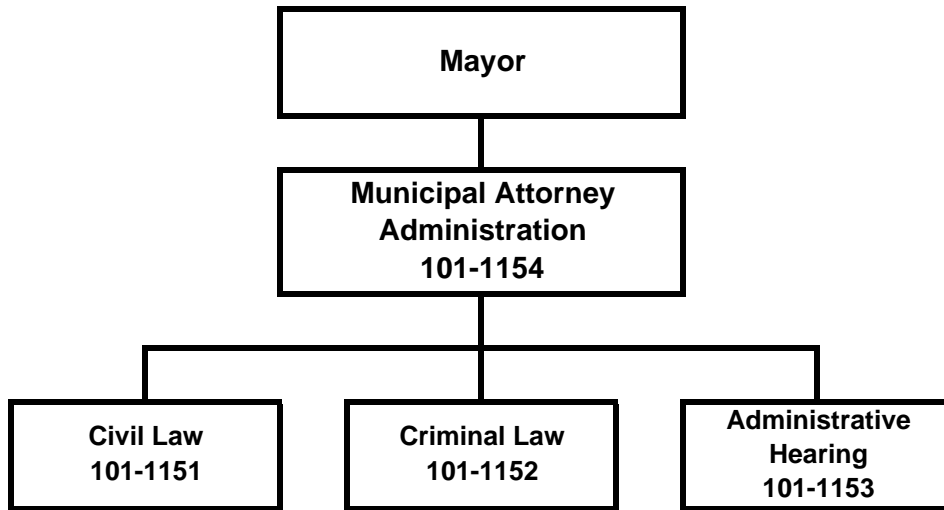


Municipal Attorney



Municipal Attorney

Dennis Wheeler, Municipal Attorney

343-4545

Department Mission

Provide legal services to Municipal government, managing all civil litigation to which the Municipality is a party, and providing judicial prosecution of misdemeanor criminal offenses in direct support of enforcement activities

Strategies: How the department meets its mission

- Aggressive participation in litigation and non-litigation matters to minimize potential MOA liability exposure
- Effective prosecution case review to direct resources to stronger cases while reducing overall case load
- Continual review of the municipal code to keep it current and meaningful
- Use technology to reduce work load and costs
- Provide training and incidental advice avoid potential problems
- Services as chief legal counsel to the municipality

Divisions

- Civil
Litigation, non-litigation, and bankruptcy matters
Municipal Code updates and changes
Impound program
- Criminal
Misdemeanor and traffic prosecution
Domestic Violence prosecution
Pre-Trial Diversion program
Anti-Gang program
- Administrative Hearing Office
Hearings relating to possible Code violations, certain appeals of municipal agency administrative actions, and impound disputes
- Administration
Chief Counsel for the city
Supervise all divisions
Outside counsel contract control
Indigent Defense contract administrator
Department budget and financial oversight

Municipal Attorney

Resource Plan

Divisions	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Expenditures				
Administration	\$ 1,568,380	\$ 1,686,292	\$ 1,531,107	-9.2%
Civil Law	1,640,480	1,579,501	1,378,899	-12.7%
Criminal Law	3,996,215	3,837,476	3,771,633	-1.7%
Administrative Hearing	196,017	208,116	214,380	3.0%
Total Direct Cost	\$ 7,401,092	\$ 7,311,385	\$ 6,896,019	-5.7%
Revenues				
Administration	\$ (461,000)	\$ (250,000)	\$ (250,000)	0.0%
Civil Law	(85,384)	(105,336)	(105,336)	0.0%
Criminal Law	(1,055,952)	(810,000)	(930,000)	14.8%
Administrative Hearing	(11,440)			
Total Revenue	\$ (1,613,776)	\$ (1,165,336)	\$ (1,285,336)	10.3%
Cost of Services Provided:				
By Other Departments	\$ 1,848,314	\$ 394,628	\$ 394,072	-0.1%
To Other Departments	(7,622,318)	(5,048,964)	(4,671,660)	-7.5%
Total Cost	\$ (5,774,004)	\$ (4,654,336)	\$ (4,277,588)	-8.1%
Net Cost	\$ 13,312	\$ 1,491,713	\$ 1,333,095	-10.6%

Expenditure by Category	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Salaries and Benefits	\$ 5,692,360	\$ 5,492,779	\$ 5,413,053	-1.5%
Supplies	31,636	29,110	27,470	-5.6%
Travel	12,592	10,000		-100.0%
Contractual/Other Services	1,638,821	1,779,496	1,455,496	-18.2%
Equipment, Furnishings	25,683			
Debt Service/Depreciation				
Total Direct Cost	\$ 7,401,092	\$ 7,311,385	\$ 6,896,019	-5.7%

Positions	2008 Revised	2009 Revised	2010 Proposed
Full-Time	60	57	55
Part-Time		1	
Temporary/Seasonal			
Total Positions	60	58	55

Municipal Attorney

Reconciliation from 2009 Revised Budget to 2010 Proposed Budget

	Direct Costs	Positions		
		FT	PT	T
2009 Revised Budget	\$ 7,311,385	57	1	
2009 One-Time Requirements				
- None				
Transfers (to)/from Other Agencies				
- None				
Debt Service Changes				
Changes in Existing Programs/Funding for 2009				
- Salary and benefits adjustments	204,109	1	(1)	
2010 Continuation Level	<u>\$ 7,515,494</u>	<u>58</u>	<u>-</u>	<u>-</u>
Transfers (to)/from Other Agencies				
- None				
Debt Service Changes				
2010 Budget Changes				
- Salary and benefits adjustments	110,690			
- Reduce funding for Indigent Defense	(149,500)			
- Eliminate 1 attorney position	(114,459)	(1)		
- Eliminate 1 attorney position last half of 2010	(62,000)	(1)		
- Reduce non-labor	(186,140)			
- Eliminate 1 support staff position	(85,602)	(1)		
- Reduce personnel funding through attrition	(132,464)			
2010 Proposed Budget	<u><u>\$ 6,896,019</u></u>	<u><u>55</u></u>	<u><u>-</u></u>	<u><u>-</u></u>

Municipal Attorney

Administration Division

Division's Purpose

- Chief legal counsel to the MOA including the Mayor, and all executives, departments, agencies, and boards and commissions
- Supervise and control all civil and criminal legal services performed by the department and contract counsel for the Municipality

Programs	Goals	FY 2009 Revised	FY 2010 Proposed
Administrative	Increase federal grant funding to continue anti-gang program as well as start getting revenue as a result of those cases Reorganize indigent defense program to make it less costly Maintain reduced outside counsel costs		
Division Direct Cost Total		\$ 1,686,292	\$ 1,531,107

Municipal Attorney

Administration Division

Division Expenditures by Category	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Salaries and Benefits	\$ 282,613	\$ 279,652	\$ 276,767	-1.0%
Supplies	2,388	1,580	1,080	-31.6%
Travel	2,889			
Contractual/Other Services	1,280,490	1,405,060	1,253,260	-10.8%
Equipment, Furnishings				
Debt Service/Depreciation				
Total Direct Cost	\$ 1,568,380	\$ 1,686,292	\$ 1,531,107	-9.2%

Division Personnel Summary	2008 Revised			2009 Revised			2010 Proposed		
	FT	PT	T	FT	PT	T	FT	PT	T
Administration	2			2			2		
Total Personnel	2			2			2		

Municipal Attorney

Civil Division

Division's Purpose

- Provide legal counsel, support, and advice on specific legislation, the Municipal Code, Charter, legislative procedures, the responsibilities and authority of the Municipality
- Represent the Municipality and its officials and employees in civil litigation

Programs	Goals	FY 2009 Revised	FY 2010 Proposed
DUIDWOI Impounds and Forfeitures	Meet increased revenue projection for impound program		
Litigation	Maintain reduced reliance on outside counsel		
Non-litigation	Maintain core advisory functions with fewer counsel		
Division Direct Cost Total		\$ 1,579,501	\$ 1,378,899

Municipal Attorney

Civil Division

Division Expenditures by Category	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Salaries and Benefits	\$ 1,547,602	\$ 1,499,891	\$ 1,338,939	-10.7%
Supplies	9,168	10,930	10,930	0.0%
Travel	5,774			
Contractual/Other Services	77,936	68,680	29,030	-57.7%
Equipment, Furnishings				
Debt Service/Depreciation				
Total Direct Cost	\$ 1,640,480	\$ 1,579,501	\$ 1,378,899	-12.7%

Division Personnel Summary	2008 Revised			2009 Revised			2010 Proposed		
	FT	PT	T	FT	PT	T	FT	PT	T
Civil	14			12			12		
Total Personnel	14			12			12		

Municipal Attorney

Criminal Division

Division's Purpose

- Prosecute misdemeanor and traffic offenses under the municipal code, which include aiding police investigation, evaluating, and filing charges; conducting criminal trials; enforcing conditions of probation, motions and appeals; and assisting victims

Programs	Goals	FY 2009 Revised	FY 2010 Proposed
Pre-Trial Diversion Program	<p>Actively work with defendants to steer into programs or agree to disposition prior to being arraigned to reduce caseload and save on indigent defense costs</p> <p>Link Just Ware system with the Anchorage Police Department system to increase efficiently implement e-discovery with defense counsel</p>		
Division Direct Cost Total		\$ 3,837,476	\$ 3,771,633

Municipal Attorney

Criminal Division

Division Expenditures by Category	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Salaries and Benefits	\$ 3,666,128	\$ 3,505,120	\$ 3,582,967	2.2%
Supplies	20,080	16,600	15,460	-6.9%
Travel	3,929	10,000		-100.0%
Contractual/Other Services	280,395	305,756	173,206	-43.4%
Equipment, Furnishings	25,683			
Debt Service/Depreciation				
Total Direct Cost	\$ 3,996,215	\$ 3,837,476	\$ 3,771,633	-1.7%

Division Personnel Summary	2008 Revised			2009 Revised			2010 Proposed		
	FT	PT	T	FT	PT	T	FT	PT	T
Criminal	42			41			39		
Total Personnel	42			41			39		

Municipal Attorney

Administrative Hearing Office

Division's Purpose

- Provide for the adjudication of certain municipal code violations and conduct hearings on certain appeals of administrative actions of municipal agencies within the scope of its jurisdiction established by code

Programs	Goals	FY 2009 Revised	FY 2010 Proposed
Administrative Hearing	Prompt hearing for citizens Convert paper files to electronic to save storage and destruction costs		
Division Direct Cost Total		\$ 208,116	\$ 214,380

Municipal Attorney

Administrative Hearing Office

Division Expenditures by Category	2008 Actuals	2009 Revised	2010 Proposed	FY 10 v 09 % Chg
Salaries and Benefits	\$ 196,017	\$ 208,116	\$ 214,380	3.0%
Supplies				
Travel				
Contractual/Other Services				
Equipment, Furnishings				
Debt Service/Depreciation				
Total Direct Cost	\$ 196,017	\$ 208,116	\$ 214,380	3.0%

Division Personnel Summary	2008 Revised			2009 Revised			2010 Proposed		
	FT	PT	T	FT	PT	T	FT	PT	T
Administrative Hearing	2			2			2		
Total Personnel	2			2			2		

Municipal Attorney

Operating Grant Funded Programs

GRANT PROGRAM	FY 2009 Revised Anticipated Resources Used				FY 2010 Proposed Anticipated Resources Used				Latest Grant Expiration
	Amount	FT	PT	T	Amount	FT	PT	T	
Total Grant Funding	\$ 47,175	3	-	-	\$ 58,000	2	-	-	
Total Direct Costs	\$ 7,311,385	54	-	-	\$ 6,896,019	56	-	-	
Total Grant Funds & Direct Costs	\$ 7,358,560	57	-	-	\$ 6,954,019	58	-	-	
Grant Funding May Represent	0.6% of the Department's Revised 2009 Operating Budget								
Grant Funding May Represent	0.8% of Department Proposed 2010 Operating Budget								
Anti-Gang Grant (Project Safe Neighborhoods)	\$ 47,175	3			\$ 58,000	2			Jun-09
-Continue earmarked federal funding to prosecute gang related cases through the federal office									
Total	\$ 47,175	3	-	-	\$ 58,000	2	-	-	