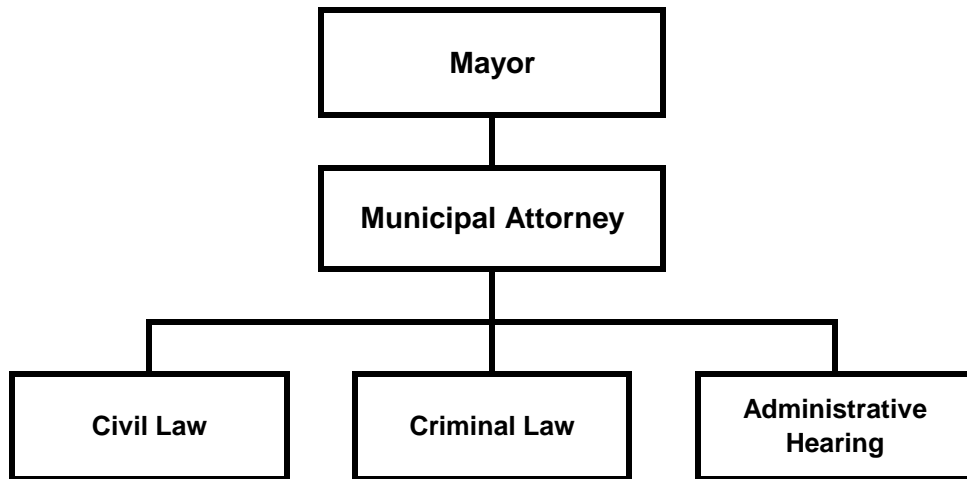


Municipal Attorney



Municipal Attorney's Office

Description

The legal department serves as chief legal counsel to the MOA-including the Mayor, the Assembly, and all executive departments, agencies, authorities, boards and commissions. The department supervises and controls all civil and criminal legal services performed by the department and contract counsel for MOA.

Department Services/Divisions

- Civil Law: 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, and create and review legal documents.
- Criminal Law (Prosecution): Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code. Includes aiding police investigation, evaluating and filing charges, conducting criminal trials, enforcing conditions of probation, motions and appeals, and assisting victims.
- Administrative Hearing Office (AHO): 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 the code.

Department Goals that Contribute to Achieving the Mayor's Mission:



Strengthen Anchorage's Economy – Build a city that attracts and retains a talented workforce, the most innovative companies, and provides a strong environment for economic growth

- Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education.

Municipal Attorney Department Summary

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Division				
ATY Administration	1,701,886	1,663,453	1,658,704	(0.29%)
ATY Administrative Hearing	212,952	218,321	185,737	(14.92%)
ATY Civil Law	2,526,409	2,546,635	2,539,137	(0.29%)
ATY Criminal	3,262,046	3,453,221	3,173,704	(8.09%)
Direct Cost Total	7,703,294	7,881,630	7,557,281	(4.12%)
Intragovernmental Charges				
Charges by/to Other Departments	(5,776,260)	(5,887,189)	(5,562,842)	(5.51%)
Function Cost Total	1,927,034	1,994,441	1,994,439	-
Program Generated Revenue	(994,553)	(993,582)	(993,582)	-
Net Cost Total	932,481	1,000,859	1,000,857	-
Direct Cost by Category				
Salaries and Benefits	5,862,536	5,939,386	5,825,037	(1.93%)
Supplies	22,451	27,470	27,470	-
Travel	7,318	10,000	10,000	-
Contractual/Other Services	1,810,989	1,904,774	1,694,774	(11.02%)
Debt Service	-	-	-	-
Direct Cost Total	7,703,294	7,881,630	7,557,281	(4.12%)
Position Summary as Budgeted				
Full-Time	54	53	52	(1.89%)
Part-Time	-	-	-	-
Position Total	54	53	52	(1.89%)

**Municipal Attorney
Reconciliation from 2015 Revised Budget to 2016 Approved Budget**

	Direct Costs	Positions		
		FT	PT	Seas/T
2015 Revised Budget	7,881,630	53	-	-
2015 One-Time Requirements				
- Remove ONE-TIME funding for eDiscovery, part of JusticeWeb software package	(210,000)	-	-	-
Changes in Existing Programs/Funding for 2016				
- Salary and benefits adjustments	(26,039)	-	-	-
2016 Continuation Level	7,645,591	53	-	-
2016 Proposed Budget Changes				
- Eliminate Legal Clerk II Position - efficiency with implementation of eDiscovery	(88,310)	(1)	-	-
2016 Approved Budget	7,557,281	52	-	-

Municipal Attorney Division Summary

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	305,332	309,113	304,364	(1.54%)
Supplies	1,295	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,395,260	1,353,260	1,353,260	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	1,701,886	1,663,453	1,658,704	(0.29%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,701,886	1,663,453	1,658,704	-
Intragovernmental Charges				
Charges by/to Other Departments	(499,140)	(382,595)	(377,845)	(1.24%)
Function Cost Total	1,202,746	1,280,858	1,280,859	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	266,296	280,000	280,000	-
Program Generated Revenue Total	266,296	280,000	280,000	-
Net Cost Total	936,450	1,000,858	1,000,859	-
Position Summary as Budgeted				
Full-Time	2	2	2	-
Position Total	2	2	2	-

Municipal Attorney

Division Detail

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	305,332	309,113	304,364	(1.54%)
Supplies	1,295	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,395,260	1,353,260	1,353,260	-
Manageable Direct Cost Total	1,701,886	1,663,453	1,658,704	(0.29%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,701,886	1,663,453	1,658,704	(0.29%)
Intragovernmental Charges				
Charges by/to Other Departments	(499,140)	(382,595)	(377,845)	(1.24%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	266,296	280,000	280,000	-
Program Generated Revenue Total	266,296	280,000	280,000	-
Net Cost				
Direct Cost Total	1,701,886	1,663,453	1,658,704	(0.29%)
Charges by/to Other Departments Total	(499,140)	(382,595)	(377,845)	(1.24%)
Program Generated Revenue Total	(266,296)	(280,000)	(280,000)	-
Net Cost Total	936,450	1,000,858	1,000,859	-

Position Detail as Budgeted

	2014 Revised		2015 Revised		2016 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Municipal Attorney	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Position Detail as Budgeted Total	2	-	2	-	2	-

**Municipal Attorney
Division Summary
ATY Administrative Hearing
(Fund Center # 115300)**

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	212,952	218,321	185,737	(14.92%)
Travel	-	-	-	-
Manageable Direct Cost Total	212,952	218,321	185,737	(14.92%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	212,952	218,321	185,737	-
Intragovernmental Charges				
Charges by/to Other Departments	(210,032)	(217,320)	(184,738)	(14.99%)
Function Cost Total	2,920	1,001	999	(0.14%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	2,812	1,000	1,000	-
Program Generated Revenue Total	2,812	1,000	1,000	-
Net Cost Total	108	1	(1)	(264.20%)
Position Summary as Budgeted				
Full-Time	2	2	2	-
Position Total	2	2	2	-

Municipal Attorney
Division Detail
ATY Administrative Hearing
(Fund Center # 115300)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	212,952	218,321	185,737	(14.92%)
Travel	-	-	-	-
Manageable Direct Cost Total	212,952	218,321	185,737	(14.92%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	212,952	218,321	185,737	(14.92%)
Intragovernmental Charges				
Charges by/to Other Departments	(210,032)	(217,320)	(184,738)	(14.99%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	160	-	-	-
407050 - Other Fines and Forfeitures	2,652	1,000	1,000	-
Program Generated Revenue Total	2,812	1,000	1,000	-
Net Cost				
Direct Cost Total	212,952	218,321	185,737	(14.92%)
Charges by/to Other Departments Total	(210,032)	(217,320)	(184,738)	(14.99%)
Program Generated Revenue Total	(2,812)	(1,000)	(1,000)	-
Net Cost Total	108	1	(1)	(264.20%)

Position Detail as Budgeted

	2014 Revised		2015 Revised		2016 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Legal Secretary II	1	-	1	-	1	-
Municipal Attorney II	1	-	1	-	1	-
Position Detail as Budgeted Total	2	-	2	-	2	-

Municipal Attorney Division Summary

ATY Civil Law

(Fund Center # 115100)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	2,386,688	2,378,975	2,371,477	(0.32%)
Supplies	7,915	10,930	10,930	-
Travel	7,318	10,000	10,000	-
Contractual/Other Services	124,488	146,730	146,730	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	2,526,409	2,546,635	2,539,137	(0.29%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,526,409	2,546,635	2,539,137	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,521,524)	(2,546,635)	(2,539,137)	(0.29%)
Function Cost Total	4,885	-	-	(180.78%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	8,961	-	-	-
Program Generated Revenue Total	8,961	-	-	-
Net Cost Total	(4,076)	-	-	(180.78%)
Position Summary as Budgeted				
Full-Time	20	19	19	-
Position Total	20	19	19	-

Municipal Attorney
Division Detail
ATY Civil Law
(Fund Center # 115100)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	2,386,688	2,378,975	2,371,477	(0.32%)
Supplies	7,915	10,930	10,930	-
Travel	7,318	10,000	10,000	-
Contractual/Other Services	124,488	146,730	146,730	-
Manageable Direct Cost Total	2,526,409	2,546,635	2,539,137	(0.29%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,526,409	2,546,635	2,539,137	(0.29%)
Intragovernmental Charges				
Charges by/to Other Departments	(2,521,524)	(2,546,635)	(2,539,137)	(0.29%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	8,961	-	-	-
Program Generated Revenue Total	8,961	-	-	-
Net Cost				
Direct Cost Total	2,526,409	2,546,635	2,539,137	(0.29%)
Charges by/to Other Departments Total	(2,521,524)	(2,546,635)	(2,539,137)	(0.29%)
Program Generated Revenue Total	(8,961)	-	-	-
Net Cost Total	(4,076)	-	-	(180.78%)

Position Detail as Budgeted

	2014 Revised		2015 Revised		2016 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Deputy Municipal Attorney	2	-	1	-	1	-
Legal Secretary II	3	-	2	-	2	-
Legal Secretary III	3	-	3	-	3	-
Municipal Attorney I	3	-	2	-	2	-
Municipal Attorney II	7	-	9	-	9	-
Special Admin Assistant I	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Position Detail as Budgeted Total	20	-	19	-	19	-

Municipal Attorney Division Summary

ATY Criminal

(Fund Center # 115200)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	2,957,564	3,032,977	2,963,460	(2.29%)
Supplies	13,241	15,460	15,460	-
Travel	-	-	-	-
Contractual/Other Services	291,242	404,784	194,784	(51.88%)
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	3,262,046	3,453,221	3,173,704	(8.09%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,262,046	3,453,221	3,173,704	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,545,564)	(2,740,639)	(2,461,122)	(10.20%)
Function Cost Total	716,483	712,582	712,582	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	716,483	712,582	712,582	-
Program Generated Revenue Total	716,483	712,582	712,582	-
Net Cost Total	-	-	-	197.35%
Position Summary as Budgeted				
Full-Time	30	30	29	(3.33%)
Position Total	30	30	29	(3.33%)

Municipal Attorney
Division Detail
ATY Criminal
(Fund Center # 115200)

	2014 Actuals	2015 Revised	2016 Approved	16 v 15 % Chg
Direct Cost by Category				
Salaries and Benefits	2,957,564	3,032,977	2,963,460	(2.29%)
Supplies	13,241	15,460	15,460	-
Travel	-	-	-	-
Contractual/Other Services	291,242	404,784	194,784	(51.88%)
Manageable Direct Cost Total	3,262,046	3,453,221	3,173,704	(8.09%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,262,046	3,453,221	3,173,704	(8.09%)
Intragovernmental Charges				
Charges by/to Other Departments	(2,545,564)	(2,740,639)	(2,461,122)	(10.20%)
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	568,292	482,582	482,582	-
406625 - Reimbursed Cost-NonGrant Funded	14,259	10,000	10,000	-
407060 - Pre-Trial Diversion Cost	133,931	220,000	220,000	-
460070 - MOA Property Sales	-	-	-	-
Program Generated Revenue Total	716,483	712,582	712,582	-
Net Cost				
Direct Cost Total	3,262,046	3,453,221	3,173,704	(8.09%)
Charges by/to Other Departments Total	(2,545,564)	(2,740,639)	(2,461,122)	(10.20%)
Program Generated Revenue Total	(716,483)	(712,582)	(712,582)	-
Net Cost Total	-	-	-	197.35%

Position Detail as Budgeted

	2014 Revised		2015 Revised		2016 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Administrative Officer	-	-	1	-	1	-
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Clerk II	6	-	6	-	5	-
Legal Secretary I	1	-	1	-	1	-
Legal Secretary II	5	-	6	-	6	-
Legal Secretary III	2	-	1	-	1	-
Municipal Attorney I	9	-	9	-	9	-
Municipal Attorney II	5	-	5	-	5	-
Senior Admin Officer	1	-	-	-	-	-
Position Detail as Budgeted Total	30	-	30	-	29	-

Anchorage: Performance. Value. Results

Administration
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Chief legal counsel to the MOA including the Mayor, Assembly, and all executive, departments, agencies, boards and commissions.

Supervise and control all civil and criminal legal services performed by the department and contract counsel for MOA.

Core Services

- Budgetary management
- Staff supervision
- Program and policy oversight

Accomplishment Goals

Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education.

Performance Measures

Progress in achieving goals will be measured by:

Measure #1: Turnover rate equal to or less than that in government sector legal offices of similar situation.

	<u>Criminal</u>	<u>Criminal %</u>	<u>Civil</u>	<u>Civil %</u>	<u>Retirement %</u>
2012	5/16	31%	0/11	0%	0%
2013	2/16	12.5%	1/11	9%	0%
2014	2/16	12.5%	2/11	0%	18%
2015 2nd qtr	0/16	0%	1/11	0%	9.1%

Turnover Rate: National average is 19.5% of which contributing factors are pay, benefits, and student loans. Retirements are indicated as a separate percentage.

Measure #2: Percent of professional staff that complete at least 9 Continuing Legal Education credits each year, with a goal of 50%.

	2012	2013	2014	2015 2nd qtr
Total Credits	246	243	224	120
# of Attorneys	27	27	27	27
Average Credits	9.11	9.00	8.3	4.4
% Greater than 9	100%	100%	92.2%	49%

Continuation Legal Education (9 credits) completion percentage – Goal is 50%

Measure #3: Percent of professional staff that complete at least 6 Continuing Legal Education credits per year in their core practice areas, not including required ethics training, with a goal of 100%.

CLE (3 credits) completion percentage – goal is 100%

	2012	2013	2014	2015 2nd qtr
Total Credits	165	162	143	70
# of Attorneys	27	27	27	27
Average Credits	6.11	6.0	5.3	2.6
% Greater than 6	100%	100%	100%	50%

CLE – 6 credit average without ethics

Civil Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

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

Direct Services

- Provide opinions and code revisions
- Conduct civil litigation

Accomplishment Goals

- Low incidence of remand or reversal on appeal

Performance Measures

Progress in achieving the goal shall be measured by:

Measure #4: Number of matters remanded or reversed on appeal.

Appeal rate of remand or reversal

	<u>Lit Only</u>	<u>Appeals</u>	<u>Rem/Rev</u>	<u>w/ NonLit</u>	<u>Appeals</u>	<u>Rem/Rev</u>
2012	0/73	0%	0%	0/293	0%	0%
2013	3/103	3%	0%	3/251	1%	0%
2014	0/92	0%	0%	0/256	0%	0%
2015 2nd q	0/51	0%	0%	0/139	0%	0%

**Administrative Hearing Office
Municipal Attorney’s Office**

Anchorage: Performance. Value. Results.

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 the code.

Direct Services

- Adjudicate matters.
- Conduct hearings, if requested.

Accomplishment Goals

- Low incidence of remand or reversal on appeal
- Improve timeframe between hearing and decision

Performance Measures

Progress in achieving goals shall be measured by:

Measure #5: Percent of matters appealed and remanded or reversed on appeal, as a percentage of total active matters within the fiscal year.

Appeal rate of remand or reversal

	<u>Hearings</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2012	0/109	0.0%	0.0%
2013	0/103	0.0%	0.0%
2014	0/112	0.0%	0.0%
2015 2nd qtr	0/17	0.0%	0.0%

Measure #6: Percent of decisions rendered within code authorized number of days of their hearings (10, 20, 45 days depending on type*).

	10 days	% in 10 days	20 days	% in 20 days	45 days	% in 45 days
2012	61/65	94%	42/42	100%	2/2	100%
2013	68/68	100%	32/32	100%	3/3	100%
2014	43/43	100%	67/67	100%	2/2	100%
2015 2nd qtr	10/10	100%	5/5	100%	2/2	100%

* 45 days is DHHS; 20 days is Animal Control; 10 days is everything else

Criminal Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code.

Division Direct Services

- Assist\advise Anchorage Police Department (APD) regarding warrants, DV arrests, and related investigatory matters.
- Prosecute cases initiated by APD or transferred from State.
- Pursue or defend appeals from trial courts.
- Assist victims through witness coordination, notice regarding proceedings, and restitution.

Accomplishment Goals

- Improved conviction rate to deter crime and punish offenders.

Performance Measures

Progress in achieving goals will be measured by:

Measure #7: Percentage of open cases at the end of the reporting period.

Measure #8: Percentage of declines at the end of the reporting period.

Measure #9: Percentage of dismissals at the end of the reporting period.

Measure #10: Percentage of cases that result in conviction.

JustWare Database

	2012	2013	2014	2015 2nd q
Open	3,675	2,671	3,844	1,846
Declines	2,579	2,599	1,858	784
Dismissed	854	2,003	673	286
Adjudicated	5,878	1,688	6,402	2,928
Not Guilty	16	25	29	12
Disposition per Statue	13,002	8,986	13,695	5,388

Percentages

		2012	2013	2014	2015 1st q
Open	PM 7	28.3%	29.7%	45.6%	45.4%
Declines	PM 8	19.8%	28.9%	22.1%	22.3%
Dismissals	PM 9	6.6%	22.3%	8.0%	8.2%
Conviction	PM 10	45.3%	44.3%	65.5%	65.3%

Measure #11: Percentage of convictions sustained on appeal during the reporting period.

Prosecution Appeal Rate of Remand / Reversal

	<u>Cases</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2012	1/13,002	0.00%	0.00%
2013	1/8,986	0.00%	0.00%
2014	0/8,422	0.00%	0.00%
2015 2nd qtr	0/4,222	0.00%	0.00%

PVR Measure WC: Managing Workers' Compensation Claims

Reducing job-related injuries is a priority for the Administration by ensuring safe work conditions and safe practices. By instilling safe work practices we ensure not only the safety of our employees but reduce the potential for injuries and property damage to the public. The Municipality is self-insured and every injury poses a financial burden on the public and the injured worker's family. It just makes good sense to WORK SAFE.

Results are tracked by monitoring monthly reports issued by the Risk Management Division.

