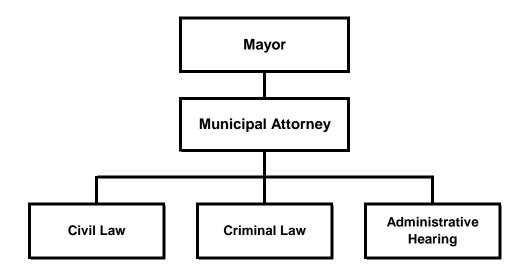
Municipal Attorney



Municipal Attorney

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:



Economy – Build a city that attracts and retains a talented workforce, is hospitable to entrepreneurs, small business and established 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

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Division				
ATY Administration	1,443,729	1,626,755	1,614,133	(0.78%)
ATY Administrative Hearing	213,730	233,818	290,333	24.17%
ATY Civil Law	2,359,750	2,315,211	2,354,956	1.72%
ATY Criminal	3,117,421	3,273,999	3,396,467	3.74%
Direct Cost Total	7,134,631	7,449,784	7,655,889	2.77%
Intragovernmental Charges				
Charges by/to Other Departments	(6,582,329)	(5,771,580)	(5,937,694)	2.88%
Function Cost Total	552,302	1,678,204	1,718,195	2.38%
Program Generated Revenue	(521,556)	(647,340)	(687,340)	6.18%
Net Cost Total	30,746	1,030,864	1,030,855	-
Direct Cost by Category				
Salaries and Benefits	5,754,179	5,766,272	5,957,377	3.31%
Supplies	24,871	27,034	27,034	-
Travel	8,442	10,000	10,000	-
Contractual/OtherServices	1,347,139	1,646,478	1,661,478	0.91%
Debt Service	-	-	-	-
Direct Cost Total	7,134,631	7,449,784	7,655,889	2.77%
Position Summary as Budgeted				
Full-Time	49	48	48	-
Part-Time	1	-	-	-
Position Total	50	48	48	-

Municipal Attorney Reconciliation from 2018 Revised Budget to 2019 Proposed Budget

		Po	sitions	5
	Direct Costs	FT	PT	Seas/T
2018 Revised Budget	7,449,784	48	-	-
Changes in Existing Programs/Funding for 2019 - Salaries and benefits adjustments	191,105	-	-	-
2019 Continuation Level	7,640,889	48	-	-
2019 Proposed Budget Changes - Justware upgrade on-site support	15,000	-	-	-
2019 Proposed Budget	7,655,889	48	_	

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	324,917	329,015	316,393	(3.84%)
Supplies	1,627	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,117,186	1,296,660	1,296,660	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	1,443,729	1,626,755	1,614,133	(0.78%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,443,729	1,626,755	1,614,133	-
Intragovernmental Charges				
Charges by/to Other Departments	(1,098,666)	(334,572)	(281,958)	(15.73%)
Function Cost Total	345,063	1,292,183	1,332,175	3.09%
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	213,699	261,320	301,320	15.31%
Program Generated Revenue Total	213,699	261,320	301,320	15.31%
Net Cost Total	131,364	1,030,863	1,030,855	-
Position Summary as Budgeted				
Full-Time	2	2	2	-
Position Total	2	2	2	-

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	324,917	329,015	316,393	(3.84%)
Supplies	1,627	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,117,186	1,296,660	1,296,660	-
Manageable Direct Cost Total	1,443,729	1,626,755	1,614,133	(0.78%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,443,729	1,626,755	1,614,133	(0.78%)
Intragovernmental Charges				
Charges by/to Other Departments	(1,098,666)	(334,572)	(281,958)	(15.73%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	212,254	261,320	301,320	15.31%
408580 - Miscellaneous Revenues	1,445	-	-	-
Program Generated Revenue Total	213,699	261,320	301,320	15.31%
Net Cost				
Direct Cost Total	1,443,729	1,626,755	1,614,133	(0.78%)
Charges by/to Other Departments Total	(1,098,666)	(334,572)	(281,958)	(15.73%)
Program Generated Revenue Total	(213,699)	(261,320)	(301,320)	15.31%
Net Cost Total	131,364	1,030,863	1,030,855	•

	2017 Revised		2018	Revised	2019 Proposed		
	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	-	

ATY Administrative Hearing

(Fund Center # 115300)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	213,730	233,818	290,333	24.17%
Travel	-	-	-	-
Manageable Direct Cost Total	213,730	233,818	290,333	24.17%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	213,730	233,818	290,333	-
Intragovernmental Charges				
Charges by/to Other Departments	(217,249)	(232,819)	(289,333)	24.27%
Function Cost Total	(3,519)	999	1,000	0.08%
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	940	1,000	1,000	-
Program Generated Revenue Total	940	1,000	1,000	-
Net Cost Total	(4,459)	(1)	-	(100.00%)
Position Summary as Budgeted				
Full-Time	1	2	2	-
Part-Time	1	-	-	-
Position Total	2	2	2	-

ATY Administrative Hearing

(Fund Center # 115300)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	213,730	233,818	290,333	24.17%
Travel	-	-	-	-
Manageable Direct Cost Total	213,730	233,818	290,333	24.17%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	213,730	233,818	290,333	24.17%
Intragovernmental Charges				
Charges by/to Other Departments	(217,249)	(232,819)	(289,333)	24.27%
Program Generated Revenue				
406600 - Late Fees	59	-	-	-
406625 - Reimbursed Cost-NonGrant Funded	10	-	-	-
407050 - Other Fines and Forfeitures	871	1,000	1,000	-
Program Generated Revenue Total	940	1,000	1,000	-
Net Cost				
Direct Cost Total	213,730	233,818	290,333	24.17%
Charges by/to Other Departments Total	(217,249)	(232,819)	(289,333)	24.27%
Program Generated Revenue Total	(940)	(1,000)	(1,000)	-
Net Cost Total	(4,459)	(1)	-	(100.00%)

	2017 Revised		2018 Revised			2019 Proposed		
	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	1	1		2	-		2	-

ATY Civil Law

(Fund Center # 115100)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	2,219,063	2,147,551	2,187,296	1.85%
Supplies	9,484	10,930	10,930	-
Travel	8,442	10,000	10,000	-
Contractual/Other Services	122,761	146,730	146,730	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	2,359,750	2,315,211	2,354,956	1.72%
Debt Service		-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,359,750	2,315,211	2,354,956	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,378,643)	(2,305,210)	(2,344,956)	1.72%
Function Cost Total	(18,892)	10,001	10,000	(0.01%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	20,206	10,000	10,000	-
Program Generated Revenue Total	20,206	10,000	10,000	-
Net Cost Total	(39,098)	1	_	(100.00%)
Position Summary as Budgeted				
Full-Time	17	16	16	-
Position Total	17	16	16	-

ATY Civil Law

(Fund Center # 115100)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	2,219,063	2,147,551	2,187,296	1.85%
Supplies	9,484	10,930	10,930	-
Travel	8,442	10,000	10,000	-
Contractual/Other Services	122,761	146,730	146,730	-
Manageable Direct Cost Total	2,359,750	2,315,211	2,354,956	1.72%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,359,750	2,315,211	2,354,956	1.72%
Intragovernmental Charges				
Charges by/to Other Departments	(2,378,643)	(2,305,210)	(2,344,956)	1.72%
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	20,206	10,000	10,000	-
Program Generated Revenue Total	20,206	10,000	10,000	
Net Cost				
Direct Cost Total	2,359,750	2,315,211	2,354,956	1.72%
Charges by/to Other Departments Total	(2,378,643)	(2,305,210)	(2,344,956)	1.72%
Program Generated Revenue Total	(20,206)	(10,000)	(10,000)	-
Net Cost Total	(39,098)	1	-	(100.00%)

	2017 Revised		2018 Revised			2019 Proposed		
	Full Time	Part Time		Full Time	Part Time		Full Time	Part Time
Deputy Municipal Attorney	1	-		1	-		1	-
Legal Secretary II	2	-		2	-		1	-
Legal Secretary III	2	-		2	-		3	-
Municipal Attorney I	2	-		2	-		3	-
Municipal Attorney II	9	-		9	-		8	-
Special Admin Assistant I	1	-		-	-		-	-
Position Detail as Budgeted Total	17	-		16	-		16	-

ATY Criminal

(Fund Center # 115200)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	2,996,469	3,055,887	3,163,355	3.52%
Supplies	13,760	15,024	15,024	-
Travel	-	-	-	-
Contractual/Other Services	107,191	203,088	218,088	7.39%
Equipment, Furnishings	<u> </u>	-	-	-
Manageable Direct Cost Total	3,117,421	3,273,999	3,396,467	3.74%
Debt Service	<u> </u>	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,117,421	3,273,999	3,396,467	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,887,771)	(2,898,979)	(3,021,447)	4.22%
Function Cost Total	229,650	375,020	375,020	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	286,711	375,020	375,020	-
Program Generated Revenue Total	286,711	375,020	375,020	-
Net Cost Total	(57,061)	-	_	(100.00%)
Position Summary as Budgeted				
Full-Time	29	28	28	-
Position Total	29	28	28	-

ATY Criminal

(Fund Center # 115200)

	2017 Actuals	2018 Revised	2019 Proposed	19 v 18 % Chg
Direct Cost by Category				
Salaries and Benefits	2,996,469	3,055,887	3,163,355	3.52%
Supplies	13,760	15,024	15,024	=
Travel	-	-	-	-
Contractual/Other Services	107,191	203,088	218,088	7.39%
Manageable Direct Cost Total	3,117,421	3,273,999	3,396,467	3.74%
Debt Service	-	-	-	=
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,117,421	3,273,999	3,396,467	3.74%
Intragovernmental Charges				
Charges by/to Other Departments	(2,887,771)	(2,898,979)	(3,021,447)	4.22%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	236,429	245,020	245,020	-
406625 - Reimbursed Cost-NonGrant Funded	7,587	10,000	10,000	-
407060 - Pre-Trial Diversion Cost	42,695	120,000	120,000	-
Program Generated Revenue Total	286,711	375,020	375,020	-
Net Cost				
Direct Cost Total	3,117,421	3,273,999	3,396,467	3.74%
Charges by/to Other Departments Total	(2,887,771)	(2,898,979)	(3,021,447)	4.22%
Program Generated Revenue Total _	(286,711)	(375,020)	(375,020)	-
Net Cost Total	(57,061)	-	-	(100.00%)

	2017 Revised			2018 Revised			2019 Proposed	
	Full Time	Part Time	<u> </u>	Full Time	Part Time		Full Time	Part Time
Administrative Officer	1	-		1	-		1	-
Deputy Municipal Attorney	1	-		1	-		1	-
Legal Clerk II	5	-		5	-		2	-
Legal Secretary I	1	-		2	-		1	-
Legal Secretary II	6	-		4	-		8	-
Legal Secretary III	1	-		1	-		1	-
Municipal Attorney I	9	-		9	-	П	12	-
Municipal Attorney II	5	-		5	-		2	-
Position Detail as Budgeted Total	29	-		28	-		28	-

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:

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

	<u>Criminal</u>	Criminal %	<u>Civil</u>	Civil %	Retirement %
2015	1/16	6.3%	2/11	9.1%	0%
2016	1/15	6.7%	2/10	20%	0%
2017	3/15	20%	1/10	10%	0%
2018 2 qtr	0/15	0%	1/12	8.3%	0%

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

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

	2015	2016	2017	2018 2 qtr
Total Credits	240	243	200	100
# of Attorneys	27	27	27	27
Average Credits	8.9	9.0	7.4	3.7
% Greater than 9	99%	100%	82%	41%

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%

	2015	2016	2017	2018 2 qtr
Total Credits	159	162	144	70
# of Attorneys	27	27	27	27
Average Credits	5.9	6.0	5.3	2.6
% Greater than 6	98%	100%	88%	29%

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

	Lit Only	<u>Appeals</u>	Rem/Rev	<u>w/ NonLit</u>	<u>Appeals</u>	Rem/Rev
2015	0/83	0%	0%	0/230	0%	0%
2016	12/57	21%	0%	12/198	6%	0%
2017	2/56	3.6%	0%	2/191	1%	0%
2018 2nd	3/39	7.7%	0%	3/102	2.9%	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:

<u>Measure #5:</u> 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>	Rem/Rev
2015	1/60	0%	1.6%
2016	5/45	11.1%	2.2%
2017	1/62	1.6%	0%
2018 2 qtr	16/16	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
2015	30/30	100%	28/28	100%	2/2	100%
2016	16/16	100%	27/27	100%	1/2	50%
2017	29/30	97%	31/31	100%	1/1	100%
2018 2 qtr	10/10	100%	6/6	100%	0/0	0%

^{* 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: Opened cases

Measure #8: Declined cases

Measure #9: Dismissed cases

Measure #10: Closed/Probation cases

Measure #11: Response to defense

Measure #12: Trial cases

Measure #13: Probation Violations Filed

Measure #14: Victim Contact (all cases)

Measure #15: Domestic Violence counts

Measure #16: Minor Offense (violations) new for 2016

		Performance Measures	2015	2016	2017	2018 2nd
PM	7	Open	5363	6380	5430	3112
PM	8	Declined	1651	1851	1670	1032
PM	9	Dismissals	1292	1344	1115	782
PM	10	Closed/Probation	4122	9403	8115	2442
PM	11	Response to defense				19
		Motions Granted	31	48	5	10
		Motions Denied	5	7	60	0
		Motions Open	21	25	44	9
		Withdrawn	4	3	0	0
		Appeals Upheld	6	5	8	2
		Appeals Withdrawn by Defense	3	0	2	1
		Appeals Open	13	6	14	2
PM	12	Trial CASES	14	18	30	19
		Outcome by count: Not Guilty	16	14	16	1
		Outcome by count: Guilty	44	20	20	17
		Outcome by count: Hung Jury	3	0	7	1
PM	13	Probation Violations Filed	1034	1553	960	359
PM	14	Victim Contact (all cases)	3127	3128	3189	1630
PM	15	Domestic Violence counts	2832	2639	2699	1600
PM	16	Minor Offenses (violations)		156	82	21

Cases Received	2015	2016	2017	2018 2nd
Domestic Violence Unit	2,063	2047	2101	1202
General Trial Unit	7,121	5609	5017	2844
Minor Offense &Traffic	37	156	82	21
Total cases by Quarter	9,221	7,812	7,200	4,067

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.

