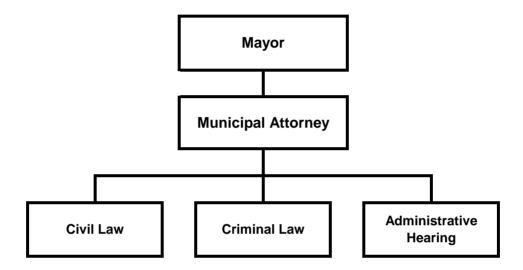
### **Municipal Attorney**



#### **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<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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)       | (819,340)        | 26.57%           |
| Net Cost Total                  | 30,746          | 1,030,864       | 898,855          | (12.81%)         |
| 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 Approved Budget

|   |              | Po | sitions | 6      |
|---|--------------|----|---------|--------|
|   | 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       | -  | -       | -      |
|   | 7,655,889    | 48 | _       | -      |

#### **ATY Administration**

(Fund Center # 115450, 115479, 115400)

|  | 2017<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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         | 433,320          | 65.82%           |
| <b>Program Generated Revenue Total</b> | 213,699         | 261,320         | 433,320          | 65.82%           |
| Net Cost Total                         | 131,364         | 1,030,863       | 898,855          | (12.81%)         |
| Position Summary as Budgeted           |                 |                 |                  |                  |
| Full-Time                              | 2               | 2               | 2                | -                |
| Position Total                         | 2               | 2               | 2                | -                |

#### **ATY Administration**

(Fund Center # 115450, 115479, 115400)

|  | 2017<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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         | 433,320          | 65.82%           |
| 408580 - Miscellaneous Revenues          | 1,445           | -               | -                | -                |
| Program Generated Revenue Total          | 213,699         | 261,320         | 433,320          | 65.82%           |
| 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)       | (433,320)        | 65.82%           |
| Net Cost Total                           | 131,364         | 1,030,863       | 898,855          | (12.81%)         |

|                                   | 2017 Revised |           | 2018 F    | Revised   | 2019 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             | -         |  |

#### **ATY Administrative Hearing**

(Fund Center # 115300)

|                                   | 2017<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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 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 | 1            | 1         |              | 2         | -         |               | 2         | -         |

#### **ATY Civil Law**

(Fund Center # 115100)

|                                   | 2017<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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 F    | Revised   | 2018 Revised |           | 2019 Approved |           |
|-----------------------------------|-----------|-----------|--------------|-----------|---------------|-----------|
|                                   | 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<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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                 | -               | -               | -                | -                |
| 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        | -                |
| 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          | -                |
| <b>Program Generated Revenue Total</b> | 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<br>Actuals | 2018<br>Revised | 2019<br>Approved | 19 v 18<br>% 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 Approved |           |
|-----------------------------------|--------------|-----------|---------|--------------|-----------|---------------|-----------|
|                                   | Full Time    | Part Time |         | 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            | -         | $\prod$ | 1            | -         | 1             | -         |
| Municipal Attorney I              | 9            | -         | П       | 9            | -         | 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 | w/ NonLit | <b>Appeals</b> | 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<br>days | 20 days | % in 20<br>days | 45 days | % in 45<br>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%              |

<sup>\* 45</sup> 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.

