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

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**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>
<b>2007</b>	2/15	13%	2/12	17%	4%
<b>2008</b>	2/15	13%	1/12	8%	0%
<b>2009</b>	2/15	13%	0/11	0%	0%
<b>2010</b>	3/14	21%	2/11	18%	4%
<b>2011 YTD</b>	5/16	31%	0/11	0%	19%
<b>2012 proj.</b>	3/16	19%	1/11	9%	4%

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%.**

	<b>2009</b>	<b>2010</b>	<b>2011 YTD</b>	<b>2012 proj.</b>
Total Credits	311	369	213	350
# of Attorneys	22	24	27	27
Average Credits	14.14	15.38	7.89	12.96
% Greater than 9	100%	100%	88%	100%

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%

	<b>2009</b>	<b>2010</b>	<b>2011 YTD</b>	<b>2012 proj.</b>
Total Credits	245	297	153	280
# of Attorneys	22	24	27	27
Average Credits	11.14	12.38	5.67	10.37
% Greater than 6	100%	100%	94%	100%

CLE – 6 credit average without ethics

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**Civil Division**  
**Municipal Attorney's Office**  
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**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>
<b>2008</b>	5/106	5%	0%	5/215	2%	0%
<b>2009</b>	6/93	7%	0%	6/204	3%	0%
<b>2010</b>	2/91	2%	0%	2/352	1%	0%
<b>2011 YTD</b>	2/67	3%	0%	2/218	1%	0%
<b>2012 proj.</b>	2/97	2%	0%	2/220	1%	0%

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# Administrative Hearing Office Municipal Attorney's Office

*Anchorage: Performance. Value. Results.*

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## 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>
<b>2008</b>	3/223	1.30%	0.40%
<b>2009</b>	5/198	2.50%	0.00%
<b>2010</b>	3/157	1.90%	0.00%
<b>2011 YTD</b>	1/83	1.20%	0.00%
<b>2012 proj.</b>	3/192	1.60%	0.00%

**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
<b>2009</b>	112/174	70%	22/22	100%	0/2	0%
<b>2010</b>	91/126	72%	30/30	100%	1/1	100%
<b>2011 YTD</b>	54/62	87.1%	28/28	100%	1/3	33.33%
<b>2012 proj.</b>	120/150	80%	40/40	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

	2007	2008	2009	2010	2011*
Open	944	1,574	3,263	3,308	4,800
Declines	1,865	3,496	3,636	3,321	5,333
Dismissed	4,521	3,680	3,136	3,052	3,866
Adjudicated	6,889	5,922	4,766	4,564	6,100
Reduced	397	514	371	220	520
Not Guilty	17	5	5	3	6
Disposition per Statute	14,633	15,191	15,177	14,468	20,625

\*Projections

### Percentages

		2007	2008	2009	2010	2011*
Open	<b>PM 7</b>	6.45%	10.36%	21.50%	22.86%	23.30%
Declines	<b>PM 8</b>	12.75%	23.01%	23.96%	22.95%	25.90%
Dismissals	<b>PM 9</b>	30.90%	24.22%	20.66%	21.09%	18.70%
Conviction	<b>PM 10</b>	49.79%	42.37%	33.85%	33.07%	32.10%
Not Guilty		0.12%	0.03%	0.03%	0.02%	0.00%
		100.00%	100.00%	100.00%	100.00%	100.00%

\*Projections

**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>
<b>2007</b>	6/14,633	0.00%	0.00%
<b>2008</b>	0/15,191	0.00%	0.00%
<b>2009</b>	1/15,177	0.00%	0.00%
<b>2010*</b>	0/14,468	0.00%	0.00%
<b>2011*</b>	2/20,625	0.00%	0.00%

\*projection

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**Performance Measure Methodology Sheet**  
**Administration Division**  
**Municipal Attorney's Office**

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

**Type**

Effectiveness

**Accomplishment Goal Supported**

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.

**Definition**

The measure reports the turnover rate of professional staff. A low turnover rate results in both high quality and efficient legal work. Retirement as a percentage of turnovers is also reflected.

**Data Collection Method**

Track turnover rate

**Frequency**

Quarterly

**Measured By**

The information will be generated by Admin staff and research with comparable agencies\national statistics.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

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**Performance Measure Methodology Sheet**  
**Administration Division**  
**Municipal Attorney's Office**

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

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain high quality, efficient production of legal services through successful completion of subject matter training\continuing legal education.

**Definition**

The measure reports shows completed CLE credits professional staff. On-going education keeps the professional staff abreast of current trends.

**Data Collection Method**

Maintain records for each attorney's completion of CLE and other professional training opportunities.

**Frequency**

As courses are taken and reported.

**Measured By**

The information will be maintained within a department wide spreadsheet by the professional staff's assistant.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to see if professional staff is staying current regarding legal issues.

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

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain high quality, efficient production of legal services through successful completion of subject matter training\continuing legal education.

**Definition**

The measure reports shows completed CLE credits professional staff. Ongoing education keeps the professional staff abreast of current trends.

**Data Collection Method**

Maintain records for each attorney's completion of CLE and other professional training opportunities.

**Frequency**

As courses are taken and reported.

**Measured By**

The information will be maintained within a department wide spreadsheet by the professional staff's assistant.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to see if professional staff is staying current regarding legal issues.

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**Performance Measure Methodology Sheet**  
**Civil Division**  
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**Measure #4: Number of matters remanded or reversed on appeal.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Low incidence of remand or reversal on appeal

**Definition**

The measure tracks appeal type compared to total active matters. A low incidence of remand or reversal on appeal is beneficial to the city.

**Data Collection Method**

Case Management System tracks all matters, including appeals of administrative decisions and other civil litigation. Report generator will be modified to include Disposition on Appeal (won, lost, remand) to track results.

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

The information will be generated by a report within Civil's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to gauge if adjustments to litigation personnel or work flow need to be made.

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**Performance Measure Methodology Sheet**  
**Administrative Hearing Office**  
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**Measure #5: Percentage of matters appealed and remanded or reversed on appeal, as a percentage of total active matters within the fiscal year.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Low incidence of remand or reversal on appeal

**Definition**

The measure tracks appeal type compared to total active matters. A low incidence of remand or reversal on appeal is beneficial to the city.

**Data Collection Method**

Case Management System tracks all Matters, including appeals of administrative decisions and. Report generator will be modified to include Disposition on Appeal (won, lost, remand) to track results.

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

The information will be generated by a report within Civil's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to gage if adjustments to litigation personnel or work flow need to be made.

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

**Type**

Effectiveness

**Accomplishment Goal Supported**

Improve timeframe between hearing and decision.

**Definition**

The measure tracks how fast decisions are rendered after hearing. Timely decisions tend to increase citizen satisfaction with the process.

**Data Collection Method**

Case Management System tracks all Matters, including hearings and decisions. Report generator will be modified to include time measure to track results.

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

The information will be generated by a report within AHO's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to gage if adjustments need to be made.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
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**Measure #7: Percentage of open cases at the end of the reporting period.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain a high conviction rate to deter crime and punish offenders.

**Definition**

Open = all non adjudicated criminal cases; including pending screening, pending arraignment, pre-trial status, bench warrant, arrest warrant, deferred prosecution and Pre-Trial Diversion active

**Data Collection Method**

Case Management System reporting

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

The information is generated by a report within Criminal's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

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**Performance Measure Methodology Sheet**  
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**Measure #8: Percentage of declines at the end of the reporting period.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain a high conviction rate to deter crime and punish offenders.

**Definition**

Decline = Prosecution Declined, transfer to State or Pre-Charging Services completion

**Data Collection Method**

Case Management System reporting

**Frequency**

The information will be captured in the data system as dispositions are decided.

**Measured By**

The information is generated by a report within Criminal's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

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**Performance Measure Methodology Sheet**  
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**Measure #9: Percentage of dismissals at the end of the reporting period.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain a high conviction rate to deter crime and punish offenders.

**Definition**

Dismissal = dismissal by Court, dismissal by prosecution, and PTD complete, Transfer to State

**Data Collection Method**

Case Management System reporting

**Frequency**

The information will be captured in the data system as dispositions are decided.

**Measured By**

The information is generated by a report within Criminal's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

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**Performance Measure Methodology Sheet**  
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**Measure #10: Percentage of closed cases that result in conviction.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Improved conviction rate to deter crime and punish offenders.

**Definition**

Closed Case = Cases from Change of Plea hearing or Trial

**Data Collection Method**

Case Management System reporting

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

Percentage change in the conviction rate at the end of the reporting period

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information to measure successful prosecution.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
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**Measure #11: Number of motions filed during the reporting period.**

**Type**

Effectiveness

**Accomplishment Goal Supported**

Maintain a high conviction rate to deter crime and punish offenders.

**Definition**

Filed = Responses to motions filed by defense resulting in defense motion granted, defense motion denied and other resolution

**Data Collection Method**

Case Management System reporting

**Frequency**

The information will be captured in the data system as cases are decided.

**Measured By**

The information is generated by a report within Criminal's case management system.

**Reporting**

Quarterly

**Used By**

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.