

MUNICIPAL ATTORNEY

MUNICIPAL ATTORNEY

Mayor

**Municipal
Attorney
1150**

DEPARTMENT SUMMARY

DEPARTMENT

MUNICIPAL ATTORNEY

MISSION

To provide for the delivery of legal services to all phases of Municipal government operations; management of all civil litigation to which the Municipality is a party; and the judicial prosecution of misdemeanor criminal offenses in direct support of enforcement activities carried out by the Anchorage Police Department.

MAJOR PROGRAMMING HIGHLIGHTS

- Institute an oversight program to monitor and evaluate the prosecution of driving-related misdemeanor offenses by the State District Attorney's office following the transfer of funding responsibility, effective 1/1/92.
- Perform mandated executive support functions and serve as principle legal advisor to the Municipal Assembly.
- Complete the acquisition and installation of Management Information Systems (MIS) facilities identified in Phase II of the current Information Systems plan.
- Continue an aggressive policy with respect to the prosecution of domestic violence assault and child abuse cases where a majority of the cases submitted for potential prosecution are filed for further action.
- Continue to perform a wide range of services in support of the Labor Relations Department, including: advocacy at court proceedings; arbitrations; Equal Rights Board and Equal Rights Commission hearings; and labor negotiations.
- Assist in the development of a comprehensive automated criminal case management systems which takes full advantage of the new installed MIS local Area Network Facility.

RESOURCES

	1991	1992
Direct Costs	\$ 2,252,470	\$ 2,401,000
Program Revenues	\$ 329,000	\$ 329,000
Personnel	40FT	37FT

1992 RESOURCE PLAN

DEPARTMENT: MUNICIPAL ATTORNEY

DIVISION	FINANCIAL SUMMARY		PERSONNEL SUMMARY							
	1991 REVISED	1992 BUDGET	1991 REVISED				1992 BUDGET			
			FT	PT	T	TOTAL	FT	PT	T	TOTAL
MUNICIPAL ATTORNEY	2,252,470	2,401,000	40			40	37			37
OPERATING COST	2,252,470	2,401,000	40			40	37			37
ADD DEBT SERVICE	0	0								
DIRECT ORGANIZATION COST	2,252,470	2,401,000								
ADD INTRAGOVERNMENTAL CHARGES FROM OTHERS	350,750	371,520								
TOTAL DEPARTMENT COST	2,603,220	2,772,520								
LESS INTRAGOVERNMENTAL CHARGES TO OTHERS	2,166,980	2,224,930								
FUNCTION COST	436,240	547,590								
LESS PROGRAM REVENUES	329,000	329,000								
NET PROGRAM COST	107,240	218,590								

1992 RESOURCES BY CATEGORY OF EXPENSE

DIVISION	PERSONAL SERVICES	SUPPLIES	OTHER SERVICES	CAPITAL OUTLAY	TOTAL DIRECT COST
MUNICIPAL ATTORNEY	2,260,620	15,400	138,160	54,640	2,468,820
DEPT. TOTAL WITHOUT DEBT SERVICE	2,260,620	15,400	138,160	54,640	2,468,820
LESS VACANCY FACTOR	67,820				67,820
ADD DEBT SERVICE					
TOTAL DIRECT ORGANIZATION COST	2,192,800	15,400	138,160	54,640	2,401,000

RECONCILIATION FROM 1991 REVISED TO 1992 BUDGET REQUEST
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DEPARTMENT: MUNICIPAL ATTORNEY

	<u>DIRECT COSTS</u>	<u>POSITIONS</u>		
		FT	PT	T
1991 REVISED BUDGET:	\$ 2,252,470	40		
1991 ONE-TIME REQUIREMENTS:				
- None				
AMOUNT REQUIRED TO CONTINUE EXISTING PROGRAMS IN 1992:				
- Salaries and Benefits Adjustment	273,690			
- Non-Personal Services Inflation Adjustment	6,090			
TRANSFERS TO/FROM OTHER DEPARTMENTS:				
- In House Tort Litigation Capabilities from Finance	81,210	1		
REDUCTIONS IN EXISTING PROGRAMS:				
- Transfer Prosecution of Driving Related Misdemeanors to State	(191,620)	(4)		
- Non-Personal Services Inflation Absorption	(6,090)			
EXPANSIONS IN EXISTING PROGRAMS:				
- None				
NEW PROGRAMS:				
- None				
MISCELLANEOUS INCREASES (DECREASES):				
- Vacancy Factor Increase	(10,300)			
- Miscellaneous	(4,450)			
1992 BUDGET REQUEST	<u>\$ 2,401,000</u>	<u>37FT</u>	<u>0PT</u>	<u>0T</u>

1992 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Administration

DIVISION:

PURPOSE:

Oversee all departmental activities; provide policy guidance; and perform centralized financial management, procurement, client billing, and clerical support functions. Provide direct case management assistance, consultation, and clerical pursuant to execution of all civil law functions.

1991 PERFORMANCES:

- Performed centralized financial management, client billing, procurement and other administrative support functions.
- Performed mandated executive functions; provided policy guidance; and promoted staff development directed toward improving the prospects for long-term staff and, therein, improved overall performance by all personnel.
- Reviewed all requests for contract legal services and performed ongoing contract monitoring functions.
- Completed the acquisition and installation of MIS "Local Area Network" facilities identified under Phase I of the department's current Information Systems Plan.
- Provided direct case management assistance, consultation, and clerical support pursuant to execution of the department's civil law functions.
- Oversee the revision of AMC Title 9 concurrent with the elimination of municipally-funded prosecution of driving-related misdemeanor offenses.

1992 OBJECTIVES:

- Perform mandated executive support functions and serve as principle legal advisor to the Municipal Assembly.
- Provide policy guidance and promote staff development efforts directed toward maximizing in-house capabilities and overall job satisfaction.
- Perform centralized financial management, client billing, procurement, and other department-wide administrative support functions.
- Complete the acquisition and installation of MIS facilities identified in Phase II of the current Information Systems Plan.
- Institute an oversight program to monitor and evaluate the prosecution of driving-related misdemeanor offenses by the State District Attorney's office following the transfer of funding responsibility, effective 1/1/92.
- Review all requests for contract legal services and perform ongoing contract monitoring functions.
- Modify operating policies and procedures, where appropriate, to maximize the benefits realized from installation of the department's MIS Local Area Network facilities.

1992 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Administration
RESOURCES:

DIVISION:

	1990	REVISED	1991	REVISED	1992	BUDGET
	FT	PT	T	FT	PT	T
PERSONNEL:	3	0	0	3	0	0
PERSONAL SERVICES	\$	206,710	\$	210,960	\$	226,220
SUPPLIES		320		320		400
OTHER SERVICES		6,520		9,200		11,460
CAPITAL OUTLAY		1,000		800		800
TOTAL DIRECT COST:	\$	214,550	\$	221,280	\$	238,880

PERFORMANCE MEASURES:

- Contract counsel files maintained.	32	32	32
- Client agencies served.	40	40	40
- Attorney billings processed	12,500	14,000	14,000
- Assembly meetings/work sessions attended	40	45	50

6 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:

1

1992 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Prosecution

DIVISION:

PURPOSE:

Prosecute misdemeanor criminal complaints consistent with applicable Municipal ordinances. Provide the personnel and resources necessary to properly evaluate cases; file charges; conduct criminal trials; enforce probation stipulations; prepare motions and appeals; and assist victims.

1991 PERFORMANCES:

- Provided for the prosecution of all misdemeanor criminal offenses consistent with applicable Municipal ordinances.
- Continued an aggressive policy with respect to the prosecution of domestic violence assault, child abuse, and DWI cases, where a majority of the cases submitted for potential prosecution were filed for further action.
- Continued expanded monitoring and follow-up activities directed toward identifying and prosecuting those individuals found in non-compliance of probation.
- Maintained a cost-effective pre-trial diversion program designed to offer a wider range of sentencing alternatives in determining the final disposition of cases involving minor misdemeanor offenses.
- Maintained an on-site Victim/Witness Assistance Program to facilitate the investigation, prosecution, and follow-up of cases involving the commission of serious misdemeanor offenses (e.g. domestic violence assault).
- Assisted the District Attorney's Office regarding state prosecution of all local driving-related misdemeanor offenses, effective 1/1/92.

1992 OBJECTIVES:

- Provide for the prosecution of all misdemeanor criminal offenses consistent with applicable Municipal ordinances.
- Continue an aggressive policy with respect to the prosecution of domestic violence assault and child abuse cases where a majority of the cases submitted for potential prosecution are filed for further action.
- Assist in the development of a comprehensive automated criminal case management system which takes full advantage of the newly installed MIS Local Area Network Facility.
- Maintain a cost-effective pre-trial diversion program designed to offer a wider range of sentencing alternatives in determining the disposition of cases involving minor misdemeanor offenses.
- Maintain an on-site Victim/Witness Assistance Program to facilitate the investigation, prosecution, and follow-up of cases involving the commission of serious misdemeanor offenses (e.g. domestic violence assault).
- Assist the District Attorney's Office in completing a smooth transition to state prosecution of all driving-related misdemeanors, effective 1/1/92.

1992 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Prosecution
RESOURCES:

DIVISION:

	1990 REVISED			1991 REVISED			1992 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	18	0	0	18	0	0	14	0	0
PERSONAL SERVICES	\$	755,490		\$	825,720		\$	775,570	
SUPPLIES		4,740			8,500			6,700	
OTHER SERVICES		27,950			46,250			44,680	
CAPITAL OUTLAY		16,600			13,300			9,100	
TOTAL DIRECT COST:	\$	804,780		\$	893,770		\$	836,050	
PROGRAM REVENUES:	\$	14,000		\$	14,000		\$	14,000	
PERFORMANCE MEASURES:									
-Case Intakes		6,852			7,537			4,966	
-Cases Filed		5,737			6,331			4,170	
-Pettitions to Revoke Probation Filed		1,393			1,477			175	
-Other Motions Filed		927			536			136	
-Appeals Filed		25			31			18	
-Trials		93			94			60	
Subpoenas: Traffic and Minor Offense Court		2,311			2,500			0	
Applications & Responses; Traffic & Minor Offense Court.		335			364			0	

6 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:

3

1992 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Civil Law

DIVISION:

PURPOSE:

Provide for the delivery of legal services to all municipal agencies, enterprise activities, and the Municipal Assembly; and manage the litigation of all civil actions to which the Municipality of Anchorage is party as either a defendant or plaintiff.

1991 PERFORMANCES:

- Assisted the Employee Relations Department in labor negotiations and all aspects of employment law, including: advocacy at court proceedings; arbitration hearings; ERB hearings; and Equal Rights Commission hearings.
- Implemented new document processing guidelines and procedures designed to improve the delivery of services to client agencies.
- Continued ongoing efforts to reduce the municipality's utilization of contract legal services in all areas.
- Enhanced the department's ability to meet the needs of the Municipal Assembly by designating a single Assistant Municipal Attorney ongoing liaison duties and responsibilities.
- Enhanced the Municipality's ability to more effectively manage and, in so doing, reduce the overall cost of litigating risk management lawsuits.
- Initiated steps to identify and collect "dead file" utility debts where full recovery was not achieved by previous contract counsel.
- Continued policy of screening all requests for assistance to assure only essential non-litigation legal services were performed.

1992 OBJECTIVES:

- Continue to perform a wide range of services in support of the Labor Relations Department, including, advocacy at court proceedings; arbitrations; ERB and Equal Rights Commission hearings; and labor negotiations.
- Enhance the case tracking and statistical reporting capabilities of the existing automated civil litigation management system to better accommodate special area litigation requirements.
- Continue efforts to promote further staff development and expand the availability of in-house litigation specialists through cross-training, joint-counsel defense assignments, and other team building personnel management techniques.
- Continue policy of screening all requests for assistance to assure that only essential non-litigation legal services are performed.
- Identify additional areas where outside contract expenses could be reduced through the greater utilization of in-house personnel.

1992 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY

DIVISION:

PROGRAM: Civil Law

RESOURCES:

	1990 REVISED			1991 REVISED			1992 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
	19	0	0	19	0	0	20	0	0
PERSONNEL:									
PERSONAL SERVICES	\$	920,500		\$	1,005,320		\$	1,191,010	
SUPPLIES		8,500			9,000			8,300	
OTHER SERVICES		83,080			82,600			82,020	
CAPITAL OUTLAY		31,800			40,500			44,740	
TOTAL DIRECT COST:	\$	1,043,880		\$	1,137,420		\$	1,326,070	
PROGRAM REVENUES:	\$	228,000		\$	315,000		\$	315,000	
PERFORMANCE MEASURES:									
- Hours of legal service billed (Civil Law)		14,500			14,900			16,580	
- Active civil litigation and matters files (avg. /mo.)		1,800			2,350			2,450	
- Contract and Assembly documents processed		760			770			800	
- Legal opinions issued (Civil Law)		110			115			120	

6 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
2, 4, 5, 6

BPAB010R
09/19/91
153117

M U N I C I P A L I T Y O F A N C H O R A G E
1992 DEPARTMENT RANKING

DEPT: 06 -MUNICIPAL ATTORNEY
EPT BUDGET UNIT/
RANK PROGRAM

Funding Line at Rank # 6

SVC
LVL

1 1150-MUNICIPAL ATTORNEY
0372-Administration
SOURCE OF FUNDS, THIS SVC LEVEL:
TAX SUPPORT
IGC SUPPORT

1 1 Oversee all departmental activities;
OF provide policy guidance; and perform
8 centralized administrative, financial
management, procurement, client billing
and clerical support functions. Provid
direct case management assistance and
legal advice pursuant to execution of
the department's civil law functions.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
3	0	0	226,220	400	11,460	0	800	238,880

2 1150-MUNICIPAL ATTORNEY
0146-Civil Law
SOURCE OF FUNDS, THIS SVC LEVEL:
TAX SUPPORT
IGC SUPPORT
PROGRAM REVENUES 15,000

2 2 Provide in-house legal services to all
OF municipal agencies. Ongoing servies
8 include: preparing draft ordinances;
reviewing oother Assembly actions and
agency contract documents; issuing lega
opinions; and monitoring legal services
contracts. This level also maintains
the minimum number of Assistant Muni-
pal Attorneys needed to perform
gecurring general civil litigation.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
14	0	0	823,680	7,000	69,060	0	40,000	939,740

3 1150-MUNICIPAL ATTORNEY
0643-Prosecution
SOURCE OF FUNDS, THIS SVC LEVEL:
IGC SUPPORT
PROGRAM REVENUES 14,000

3 3 Prosecute all non-driving misdemeanor
OF offenses currently recognized under the
8 Anchorage Municipal Code. This level
does not provide for the prosecution of
driving offenses addressed under Title 9
Responsibilities include: initial case
intake and evaluation; filing and
adjudication; responding to motions and
appeals; and enforcing conditions of
probation through revocation.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
14	0	0	775,570	6,700	44,680	0	9,100	836,050

BPAB010R
09/19/91
153117

M U N I C I P A L I T Y O F A N C H O R A G E
1992 DEPARTMENT RANKING

DEPT: 06 -MUNICIPAL ATTORNEY

DEPT BUDGET UNIT/
RANK PROGRAM

SVC
LVL

4 1150-MUNICIPAL ATTORNEY
 0146-Civil Law
 SOURCE OF FUNDS, THIS SVC LEVEL:

4 Provide the minimum professional legal
OF staff necessary to maintain a viable
8 in-house bankruptcy litigation function
 relative to the collection of delinquent
 real and personal property taxes, and
 related debts.

PROGRAM REVENUES 300,000

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
3	0	0	170,970	500	3,200	0	800	175,470

5 1150-MUNICIPAL ATTORNEY
 0146-Civil Law
 SOURCE OF FUNDS, THIS SVC LEVEL:

5 Provide the minimum professional legal
OF staff needed to effectively operate
8 a dedicated in-house judicial non-
 bankruptcy debt collections function
 capable of assuming all general
 government referrals and municipal
 utility referrals in excess of \$500
 for ML&P and \$750 for ATU.

IGC SUPPORT

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	115,870	800	7,880	0	3,640	128,190

6 1150-MUNICIPAL ATTORNEY
 0146-Civil Law
 SOURCE OF FUNDS, THIS SVC LEVEL:

6 Provide continuation funding for design-
OF nated in-house attorney to assist in
8 the management and direct litigation of
 lawsuits subject to settlement as claims
 against the Municipality's General
 Liability Self-Insurance Fund. Achieve
 significant "hard dollar" cost savings
 through the expanded utilization of in-
 house legal staff; enhanced contract
 oversight; and expedited settlement.

IGC SUPPORT

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
1	0	0	80,490	0	1,880	0	300	82,670

BPAB010R
09/19/91
153117

M U N I C I P A L I T Y O F A N C H O R A G E
1992 DEPARTMENT RANKING

DEPT: 06 -MUNICIPAL ATTORNEY
DEPT BUDGET UNIT/
RANK PROGRAM

SVC
LVL

SUBTOTAL OF FUNDED SERVICE LEVELS, MUNICIPAL ATTORNEY

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
37	0	0	2,192,800	15,400	138,160	0	54,640	2,401,000

----- DEPARTMENT OF MUNICIPAL ATTORNEY FUNDING LINE -----
. 2,401,000

7 1150-MUNICIPAL ATTORNEY
0643-Prosecution
SOURCE OF FUNDS, THIS SVC LEVEL:

IGC SUPPORT

7 Prosecute all driving-related misde-
OF meanor offenses currently recognized
8 under Title 9 of the Anchorage Municipal
Code. Responsibilities include:
initial case intake and evaluation;
filing and adjudication; responding to
motions and appeals; and enforcing
petitons to revoke. Additional support
is also provided to APD regarding the
processing of minor offenses.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
4	0	0	201,170	970	5,510	0	600	208,250

8 1150-MUNICIPAL ATTORNEY
0643-Prosecution
SOURCE OF FUNDS, THIS SVC LEVEL:

IGC SUPPORT

8 Prosecute misdemeanor criminal offenses,
OF consistence with apillicable ordinances,
8 perpetrated within the boundaries of the
proposed Hillside Police Service Area.
Provide the personnel and resources
necessary to properly evalauate cases;
file charges; conduct criminal trials;
enforce probation stipulations; prepare
motions anand appeals; and maintain
related case files.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
3	0	0	158,890	1,500	41,070	0	16,100	217,560

TOTALS FOR DEPARTMENT OF MUNICIPAL ATTORNEY , FUNDED AND UNFUNDED

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
44	0	0	2,552,860	17,870	184,740	0	71,340	2,826,810