

**MUNICIPAL ATTORNEY**

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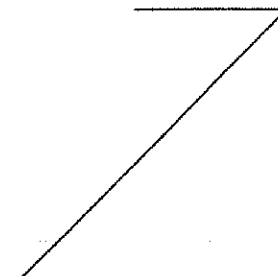
Mayor

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Municipal  
Attorney  
1150

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## 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

- Perform mandated executive support functions and serve as principal legal advisor to the Municipal Assembly
- Provide for the prosecution of all misdemeanor offenses committed in Southeast Midtown in accord with the voter-approved expansion of the Anchorage Police Service Area.
- Implement in-house program which provides for the administrative adjudication of zoning enforcement and vehicle inspection (i.e., I & M) citations.
- Perform non-bankruptcy and bankruptcy judicial collections services for the Anchorage Telephone Utility under contract through December 31, 1994.
- Assist the Department of Employee Relations in the conduct of upcoming labor contract negotiations.
- Enforce revised DWI vehicle forfeiture ordinance.

### Resources

	1993	1994
Direct Costs	\$ 3,170,730	\$ 3,801,720
Program Revenues	\$ 369,500	\$ 464,780
Personnel	43FT	53FT 2PT

1994 RESOURCE PLAN

DEPARTMENT: MUNICIPAL ATTORNEY

DIVISION	FINANCIAL SUMMARY		PERSONNEL SUMMARY			
	1993 REVISED	1994 BUDGET	1993 REVISED		1994 BUDGET	
			FT	PT	T	TOTAL
MUNICIPAL ATTORNEY	3,170,730	3,801,720	43			43
OPERATING COST	3,170,730	3,801,720	43			43
ADD DEBT SERVICE	0	0				
DIRECT ORGANIZATION COST	3,170,730	3,801,720				
ADD INTRAGOVERNMENTAL CHARGES FROM OTHERS	478,440	694,060				
TOTAL DEPARTMENT COST	3,649,170	4,495,780				
LESS INTRAGOVERNMENTAL CHARGES TO OTHERS	2,830,150	3,716,450				
FUNCTION COST	819,020	779,330				
LESS PROGRAM REVENUES	369,500	464,780				
NET PROGRAM COST	449,520	314,550				

1994 RESOURCES BY CATEGORY OF EXPENSE

DIVISION	PERSONAL SERVICES	SUPPLIES	OTHER SERVICES	CAPITAL OUTLAY	TOTAL DIRECT COST
MUNICIPAL ATTORNEY	3,369,510	40,370	261,810	170,220	3,841,910
DEPT. TOTAL WITHOUT DEBT SERVICE	3,369,510	40,370	261,810	170,220	3,841,910
LESS VACANCY FACTOR	40,190				40,190
ADD DEBT SERVICE					
TOTAL DIRECT ORGANIZATION COST	3,329,320	40,370	261,810	170,220	3,801,720

<b>RECONCILIATION FROM 1993 REVISED BUDGET TO 1994 BUDGET</b>
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**DEPARTMENT: MUNICIPAL ATTORNEY**

	<u>DIRECT COSTS</u>	<u>POSITIONS</u>		
		FT	PT	T
<b>1993 REVISED BUDGET:</b>	\$ 3,170,730	43		
<b>1993 ONE-TIME REQUIREMENTS:</b>				
- Tabbytite Case	(197,460)			
- Saunders Case	(37,000)			
- Vacancy Factor Reduction	(36,510)			
<b>AMOUNT REQUIRED TO CONTINUE EXISTING PROGRAMS IN 1994:</b>				
- Salaries and Benefits Adjustment	(17,350)			
- Non-Personnel Services Inflation Adjustment	6,740			
<b>1993 CONTINUATION LEVEL:</b>	<u>\$ 2,889,150</u>			
<b>UNFUNDED CURRENT SERVICE LEVELS:</b>				
- None				
<b>FUNDED NEW/EXPANDED SERVICE LEVELS:</b>				
- Additional Clerical Position for Non-Bankruptcy Collections Contract with ATU	40,390	1		
- Mandated Increase - Prosecution Costs Associated with Adding Basher and Southeast Midtown to the Police Service Area	141,050	2		
- New Zoning Enforcement and Vehicle Inspection Citations Hearing Officer Program	160,740	2		
- DWI Forfeiture Program	367,110	4	2	
<b>MISCELLANEOUS INCREASES (DECREASES):</b>				
- Add a Detective in the Prosecutor's Office	109,800	1		
- Personal Services Adjustment	21,990			
- Vacancy Factor Adjustment	22,940			
- Supplies	5,740			
- One-Time Professional Services	12,500			
- Communication	8,200			
- Litigation Support Costs	5,800			
- Dues and Subscriptions	3,920			
- LAN Software Upgrades	6,020			
- Other Capital Outlay	6,370			
<b>1994 BUDGET:</b>	<u>\$ 3,801,720</u>	<u>53FT</u>	<u>2PT</u>	<u>0T</u>

## 1994 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION:  
PROGRAM: Administration

### 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.

### 1993 PERFORMANCES:

- Performed mandated executive support functions and served as principal legal advisor to the Municipal Assembly.
- Provided policy guidance and promoted staff development activities directed toward maximizing the utilization of in-house resources.
- Performed centralized financial management, client billing, procurement, and other department-wide administrative support functions.
- Decentralized selected litigation management support functions to better utilize available staff and improve overall client services.
- Monitored all legal service contracts and assisted client agencies in the preparation and processing of associated Assembly actions and contract documents.
- Coordinated the installation of Phase II of the department's MIS Local Area Network enhancement project.
- Adopted modified billing procedures to recover extraordinary litigation support costs paid on behalf of client agencies.

### 1994 PERFORMANCE OBJECTIVES:

- Perform mandated executive support functions and serve as principal legal advisor to the Municipal Assembly.
- Provide policy guidance and promote staff development activities directed toward maximizing the utilization of in-house resources.
- Perform centralized financial management, client billing, procurement, and other department-wide administrative support functions.
- Provide direct clerical support, as needed, to Civil Law Office.
- Monitor all legal service contracts and assist client agencies in the preparation and processing of associated Assembly actions and contract documents.
- Significantly expand the utilization of automated administrative techniques and procedures as a means to more effectively manage all aspects of civil litigation, including cost accounting and client billing.

1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY  
 PROGRAM: Administration  
 RESOURCES:

DIVISION:

	1992 REVISED			1993 REVISED			1994 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	3	0	0	3	0	0	3	0	0
PERSONAL SERVICES	\$	226,830		\$	248,160		\$	245,180	
SUPPLIES		400			400			1,120	
OTHER SERVICES		11,460			9,100			8,850	
CAPITAL OUTLAY		800			0			1,870	
TOTAL DIRECT COST:	\$	239,490		\$	257,660		\$	257,020	

WORK MEASURES:

- Contract counsel files maintained.		32		30		30
- Client agencies served.		79		79		79
- Attorney billings processed		15,100		14,000		14,000
- Assembly meetings/work sessions attended		50		50		50

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

1

## 1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION:  
PROGRAM: Prosecution

### 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.

### 1993 PERFORMANCES:

- Continued an aggressive policy with respect to the prosecution of individuals charged with domestic violence assault and/or child abuse.
- Retained a specialist on staff to assist victims of domestic violence assault and child abuse, and facilitate the investigation, prosecution, and on-going monitoring of cases.
- Administered a Pretrial Diversion Program to facilitate prosecution of minor property crimes (primarily shoplifting) by providing a cost-effective alternative to incarceration for selected offenders.
- Substantially increased the amount of revenue generated from operation of the Pretrial Diversion Program without a measurable drop in the frequency of participation.
- Acquired a comprehensive prosecution case management mainframe application at a nominal cost from Spokane County, WA.
- Modified Title 9 non-DWI prosecution policies to achieve a significant reduction in the number of criminal complaints filed for further action.

### 1994 PERFORMANCE OBJECTIVES:

- Provide for the prosecution of all misdemeanor offenses committed in Southeast Midtown in accord with the voter-approved expansion of the Anchorage Police Service Area.
- Complete needed program modifications, testing, and installation of the prosecution case management mainframe application acquired in CY 1993.
- Continue an aggressive policy with respect to the prosecution of individuals charged with domestic violence assault and/or child abuse.
- Provide additional staff to assist victims of domestic violence assault and child abuse, and facilitate the investigation, prosecution, and on-going monitoring of cases.
- Administer a Pretrial Diversion Program to facilitate prosecution of minor property crimes (primarily shoplifting) by providing a cost-effective alternative to incarceration for selected offenders.
- Enforce revised DWI vehicle forfeiture ordinance.



1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY  
 PROGRAM: Prosecution  
 RESOURCES:

DIVISION:

	1992 REVISED			1993 REVISED			1994 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	20	0	0	20	0	0	27	0	0
PERSONAL SERVICES	\$ 1,053,380			\$ 1,185,240			\$ 1,611,980		
SUPPLIES	8,570			9,000			15,050		
OTHER SERVICES	67,190			52,790			123,400		
CAPITAL OUTLAY	35,500			6,980			51,050		
TOTAL DIRECT COST:	\$ 1,164,640			\$ 1,254,010			\$ 1,801,480		
PROGRAM REVENUES:	\$ 14,000			\$ 54,500			\$ 54,500		
WORK MEASURES:									
- Counts screened	10,232			8,500			9,461		
- Counts filed	8,120			7,050			7,847		
- Trials	72			116			193		
- Motions filed, incl. appeals & petitions to revoke probation	2,600			3,060			3,608		
- Pretrial Diversion Program: number of participants	380			390			400		
- Pretrial Diversion Prog.: hrs. of public work service performed	7,420			7,590			7,780		

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:  
 3, 4, 7, 8, 12, 15, 17

## 1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION:  
PROGRAM: Civil Law

### 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.

### 1993 PERFORMANCES:

- Performed a wide range of representation/advocacy functions and other advisory activities for the Department of Labor Relations, including a number of support services associated with passage of the Americans with Disabilities Act of 1991 (ADA).
- Performed only essential non-litigation advisory and consultation services to insure that limited in-house staff resources are available to carry out direct litigation and administrative hearing representation responsibilities.
- Adopted a new co-counsel policy with respect the utilization of contract legal services in the management of major employee benefit litigation.
- Assisted the Department of Finance in achieving a significant cost savings in the conduct and resolution of claims against the municipal Self-Insurance Fund.
- Performed non-bankruptcy and bankruptcy judicial litigation and collection services for all municipal general government agencies and municipally-owned enterprise functions (incl. ATU).

### 1994 PERFORMANCE OBJECTIVES:

- Retain designated in-house litigation specialists in the areas of risk management, labor, and public safety.
- Perform a wide variety of non-litigation civil law advisory and consultation functions in direct support of all general government operations and enterprise activities.
- Support the enforcement of the revised DWI forfeiture ordinance through aggressive litigation of resulting civil complaints.
- Assist the Department of Employee Relations in the conduct of upcoming labor contract negotiations to the extent existing staff resources can be made available.
- Perform non-bankruptcy and bankruptcy judicial collections services for the Anchorage Telephone Utility under contract through December 31, 1994.
- Substantially improve existing in-house litigation capabilities through the introduction of a comprehensive automated civil law case management system which takes full advantage of the department's expanded Local Area Network facilities.

1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY  
 PROGRAM: Civil Law  
 RESOURCES:

DIVISION:

	1992 REVISED			1993 REVISED			1994 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	21	0	0	20	0	0	21	0	0
PERSONAL SERVICES	\$ 1,250,020			\$ 1,268,050			\$ 1,274,530		
SUPPLIES		8,900			8,900			14,400	
OTHER SERVICES		103,170			333,020			123,890	
CAPITAL OUTLAY		55,240			49,090			71,690	
TOTAL DIRECT COST:	\$ 1,417,330			\$ 1,659,060			\$ 1,484,510		
PROGRAM REVENUES:	\$ 315,000			\$ 315,000			\$ 345,000		
WORK MEASURES:									
- Hours of legal service billed (Civil Law)		15,880			15,500			16,980	
- Active civil litigation & matters files (avg./mo.)		2,060			2,180			2,260	
- Contract and Assembly documents processed		660			670			675	
- Legal opinions issued (Civil Law)		144			120			136	
- Docketed attorney assignments		517			700			1,215	

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:  
 2, 5, 6, 9, 10, 11, 14

1994 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION:  
 PROGRAM: Administrative Hearing Functions

PURPOSE:

Provide for the administrative adjudication of zoning enforcement, vehicle inspection, and DWI forfeiture citations as an alternative to initial resolution through formal State civil court proceedings.

1993 PERFORMANCES:

1994 PERFORMANCE OBJECTIVES:

- Implement in-house program which provides for the administrative adjudication of zoning enforcement, vehicle inspection and DWI forfeiture citations as an alternative to initial resolution through formal State civil court proceedings.

RESOURCES:

	1992 REVISED			1993 REVISED			1994 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	0	0	0	0	0	0	2	2	0
PERSONAL SERVICES			\$ 0			\$ 0			\$ 197,630
SUPPLIES			0			0			9,800
OTHER SERVICES			0			0			5,670
CAPITAL OUTLAY			0			0			45,610
TOTAL DIRECT COST:			\$ 0			\$ 0			\$ 258,710
PROGRAM REVENUES:			\$ 0			\$ 0			\$ 65,280

WORK MEASURES:

- Zoning citations received			0			0			140
- Vehicle inspection citations received			0			0			530
- Hearings conducted			0			0			600
- DWI forfeiture citations received			0			0			1,400

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:  
 13, 16