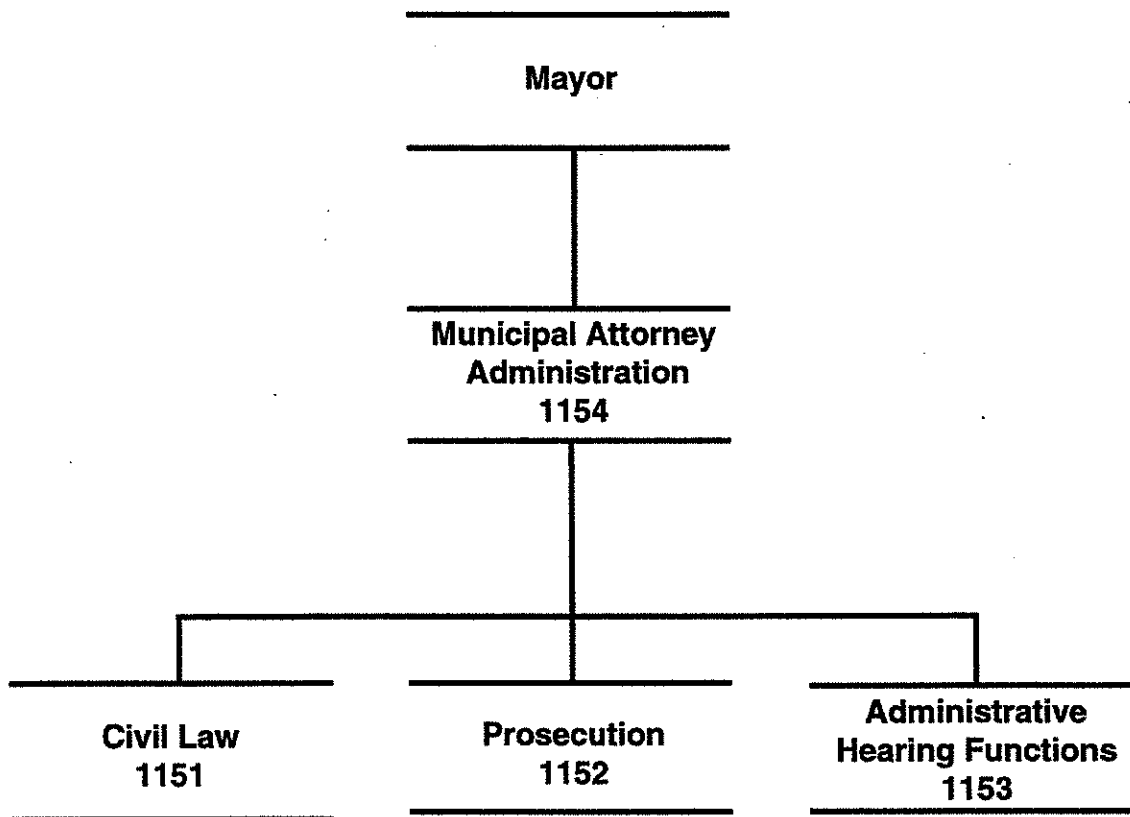


MUNICIPAL ATTORNEY

MUNICIPAL ATTORNEY



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 Program Highlights

- Perform mandated executive support functions and serve as principal legal advisor to the Mayor and Municipal Assembly.
- Assist the Department of Employee Relations in the conduct of ongoing labor contract negotiations.
- Administer ongoing code update services contract in direct consultation with the Municipal Clerk's Office.
- Continue reliance on in-house staff to oversee the management and resolution of outstanding civil complaints associated with construction of the Alaska Center for the Performing Arts.
- Provide for the prosecution of all misdemeanor offenses committed within the Anchorage Police Service Area.
- Continue the aggressive prosecution of domestic violence offenders to include the identification and implementation of a means to verify their completion of court ordered programs.
- Provide in-house administrative hearing officer for initial adjudication of citations issued under AMC Title 14 with a continuing emphasis on the resolution of zoning complaints and I/M Vehicle Inspection violations.

RESOURCES

	1995	1996
Direct Costs	\$3,474,150	\$3,582,890
Program Revenues	\$ 413,700	\$ 413,700
Personnel	56FT	56FT 1PT

1996 RESOURCE PLAN

DEPARTMENT: MUNICIPAL ATTORNEY

DIVISION	FINANCIAL SUMMARY		PERSONNEL SUMMARY			
	1995 REVISED	1996 BUDGET	1995 REVISED		1996 BUDGET	
			FT	PT	T	TOTAL
CIVIL	1,478,000	1,329,190	22		22	18 1 19
PROSECUTION	1,592,230	1,795,540	29		29	32 32
HEARING OFFICER	133,810	190,840	2		2	3 3
LAW ADMIN	262,270	259,480	3		3	3 3
OPERATING COST	3,466,310	3,575,050	56		56	56 1 57
ADD DEBT SERVICE	7,840	7,840				
DIRECT ORGANIZATION COST	3,474,150	3,582,890				
ADD INTRAGOVERNMENTAL CHARGES FROM OTHERS	1,653,400	1,798,820				
TOTAL DEPARTMENT COST	5,127,550	5,381,710				
LESS INTRAGOVERNMENTAL CHARGES TO OTHERS	4,465,400	4,719,320				
FUNCTION COST	662,150	662,390				
LESS PROGRAM REVENUES	413,700	413,700				
NET PROGRAM COST	248,450	248,690				

1996 RESOURCES BY CATEGORY OF EXPENSE

DIVISION	PERSONAL SERVICES	SUPPLIES	OTHER SERVICES	CAPITAL OUTLAY	TOTAL DIRECT COST
CIVIL	1,184,190	13,300	105,700	42,820	1,346,010
PROSECUTION	1,695,770	12,070	69,130	38,290	1,815,260
HEARING OFFICER	179,710	2,800	8,870	2,300	193,680
LAW ADMIN	243,590	600	18,060	1,120	263,370
DEPT. TOTAL WITHOUT DEBT SERVICE	3,303,260	28,770	201,760	84,530	3,618,320
LESS VACANCY FACTOR	43,270				43,270
ADD DEBT SERVICE					7,840
TOTAL DIRECT ORGANIZATION COST	3,259,990	28,770	201,760	84,530	3,582,890

RECONCILIATION FROM 1995 REVISED BUDGET TO 1996 BUDGET

DEPARTMENT: MUNICIPAL ATTORNEY

	<u>DIRECT COSTS</u>	<u>POSITIONS</u>		
		FT	PT	T
1995 REVISED BUDGET:	\$ 3,474,150	56	0	0
1995 ONE-TIME REQUIREMENTS:				
- None				
AMOUNT REQUIRED TO CONTINUE EXISTING PROGRAMS IN 1996:				
- Police Full-Year Additional Costs (Prosecutor and Secretary)	104,800			
- Salaries and Benefits Adjustment	60,660			
- Non-Personal Services Inflation Adjustment	9,210			
1995 CONTINUATION LEVEL:	<u>\$ 3,648,820</u>	<u>56</u>	<u>0</u>	<u>0</u>
FUNDED NEW/EXPANDED SERVICE LEVELS:				
- Supplies & Equipment for Supplemental Prosecution Staffing Related to the Federal Police Grant	2,990			
- Additional Prosecution Staff Related to the 22 New Police Officers	100,120	3		
UNFUNDED CURRENT SERVICE LEVELS:				
- Eliminate Risk Management Legal Assistant	(55,690)	(1)		
- Eliminate One Secretarial Position in Civil Law	(42,540)	(1)		
- Reduce a Paralegal in Civil Law to Part-Time	(21,630)	(1)	1	
MISCELLANEOUS INCREASES (DECREASES)				
- Position Reclassification & Longevity Cost Reductions -- Prosecution	(12,630)			
- Miscellaneous Personnel Cost Reductions	(9,520)			
- Non-Personal Services Inflation Absorption	(9,210)			
- Miscellaneous Increases/Reductions	(18,840)			
- Advertise for Service of DWI Impound/Forfeiture Cases	1,020			
1996 BUDGET REQUEST:	<u>\$ 3,582,890</u>	<u>56 FT</u>	<u>1 PT</u>	<u>0 T</u>

1996 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 support pursuant to execution of all civil law functions.

1995 PERFORMANCES:

- Performed mandated executive support functions and served as principal legal advisor to the Mayor and Municipal Assembly.
- Provided policy guidance and promoted staff development activities directed toward maximizing the utilization of in-house resources.
- Performed centralized financial management, procurement, client billing, and other department-wide administrative support functions.
- Provided direct clerical support to the Civil Law Office.
- Administered ongoing code update services contract in direct consultation with the Municipal Clerk's Office.
- Monitored all legal service contracts and assisted client agencies in the preparation and processing of associated Assembly actions and contract documents.
- Completed the design, installation, and initial on-site testing of a new comprehensive automated legal management system serving the Civil Law, Administrative Hearing, and Administrative Divisions.

1996 PERFORMANCE OBJECTIVES:

- Perform mandated executive support functions and serve as principal legal advisor to the Mayor and Municipal Assembly.
- Provide policy guidance and promote staff development activities directed toward maximizing the utilization of in-house resources.
- Perform centralized financial management, procurement, client billing, and other department-wide administrative support functions.
- Provide direct clerical support to the Civil Law Office.
- Administer ongoing code update services contract in direct consultation with the Municipal Clerk's Office.
- Monitor all legal service contracts and assist client agencies in the preparation and processing of associated Assembly actions and contract documents.
- Complete necessary procedural and program modifications to allow for full utilization of the comprehensive legal management software application initially installed and tested in the fall of 1995.

1996 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Administration
 RESOURCES:

DIVISION:

	1994 REVISED			1995 REVISED			1996 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	3	0	0	3	0	0	3	0	0
PERSONAL SERVICES	\$	243,790		\$	240,070		\$	239,700	
SUPPLIES		1,120			600			600	
OTHER SERVICES		8,850			19,120			18,060	
CAPITAL OUTLAY		1,870			2,480			1,120	
TOTAL DIRECT COST:	\$	255,630		\$	262,270		\$	259,480	
PROGRAM REVENUES:	\$	0		\$	14,200		\$	14,200	
WORK MEASURES:									
- Attorney billings processed		14,000			15,500			15,000	
- Assembly meetings/worksessions attended		45			50			50	
- No. of code subscribers		285			285			285	
- Client agencies served		79			79			79	
- Contract counsel files maintained		30			25			20	
- Procurement actions processed		1,450			1,350			1,350	

42 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 1, 3

1996 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION:
PROGRAM: Prosecution

PURPOSE:

Prosecute criminal misdemeanors under the Anchorage Municipal Code. Effective prosecution includes aiding the police investigation; evaluating and filing charges; conducting criminal trials; enforcing conditions of probation; writing motions and appeals; and assisting victims.

1995 PERFORMANCES:

- Provided for the prosecution of all misdemeanor offenses committed within the Anchorage Police Service Area.
- Completed necessary procedural and program modifications to allow for full utilization of the misdemeanor criminal case management software application first installed and tested in the fall of 1994.
- Instituted an expanded effort to insure victims receive negotiated and/or court ordered restitution.
- Continued program to aggressively prosecute all DWI offenders.
- Secured first conviction under new "Stalking Ordinance."
- Extended community involvement and other assistance activities to include UAA, Counsel on Domestic Violence, and CAPP Crime Committee.
- Assumed additional case oversight and management responsibilities relative to criminal prosecution of owner/drivers under the revised DWI Impound/Forfeiture Ordinance.
- Formally recognized a designated group of staff members as the Domestic Violence Assault Unit.

1996 PERFORMANCE OBJECTIVES:

- Provide for the prosecution of all misdemeanor offenses committed within the Anchorage Police Service Area.
- Update & amend the Anchorage Criminal Code to achieve better uniformity with corresponding State and Federal statutes.
- 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.
- Continue program to aggressively prosecute all DWI offenders and effectively integrate the expanded DWI Impound/Forfeiture case management requirements.
- Continue the aggressive prosecution of domestic violence offenders to include the identification and implementation of a means to verify completion of court ordered programs.
- Implement an appropriate procedural response to the growing danger posed individuals who fail to exercise their right to own personal firearms in a responsible manner.

1996 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Prosecution
 RESOURCES:

DIVISION:

	1994 REVISED			1995 REVISED			1996 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	27	0	0	29	0	0	32	0	0
PERSONAL SERVICES	\$ 1,599,520			\$ 1,497,050			\$ 1,676,050		
SUPPLIES	15,050			10,720			12,070		
OTHER SERVICES	123,400			65,580			69,130		
DEBT SERVICE	0			7,840			7,840		
CAPITAL OUTLAY	51,050			18,880			38,290		
TOTAL DIRECT COST:	\$ 1,789,020			\$ 1,600,070			\$ 1,803,380		
PROGRAM REVENUES:	\$ 54,500			\$ 54,500			\$ 54,500		
WORK MEASURES:									
- Counts screened	9,536			11,000			13,090		
- Counts filed	8,229			9,580			11,390		
- Trial appearances	162			215			253		
- Documents prepared/ processed, (incl., motions, appeals, etc.)	7,797			8,180			9,690		
- Followup investigations conducted	250			650			770		
- Pretrial Diversion Program: number of participants	379			395			408		
- Pretrial Diversion Program: hrs. of public work service assigned	9,392			9,760			10,090		
- DWI Impound/Forfeiture cases administered	0			1,000			1,470		

42 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 4, 6, 7, 11, 12, 15, 16, 17

1996 PROGRAM PLAN

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.

1995 PERFORMANCES:

- Retained in-house litigation specialists in the areas of risk management and public safety civil liability.
- Continued aggressive adjudication efforts with regard to enforcement of the DWI Impound/Forfeiture ordinance.
- Assisted the Department of Employee Relations in the conduct of ongoing labor contract negotiations.
- Performed a wide variety of non-litigation civil law advisory and consultation functions in direct support of all general government operations and enterprise activities.
- Performed non-bankruptcy and bankruptcy judicial collection services for the Anchorage Telephone Utility under contract through December 31, 1995.
- Completed and implemented major rewrite of DWI Impound/Forfeiture ordinance to address concerns raised regarding "double jeopardy" rulings.
- Initiated or undertook the direct management of several civil complaints associated with construction of the Alaska Center for the Performing Arts.

1996 PERFORMANCE OBJECTIVES:

- Retain in-house litigation specialists in the areas of risk management and public safety civil liability.
- Continue aggressive adjudication efforts with regard to enforcement of the DWI Impound/Forfeiture ordinance.
- Assist the Department of Employee Relations in the conduct of ongoing labor contract negotiations.
- Perform a wide variety of non-litigation civil law advisory and consultation functions in direct support of all general government operations and enterprise activities.
- Perform non-bankruptcy and bankruptcy judicial collection services for the Anchorage Telephone Utility under contract through December 31, 1996.
- Continue reliance on in-house staff to oversee the management and resolution of outstanding civil complaints associated with construction of the Alaska Center for the Performing Arts.

1996 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Civil Law
 RESOURCES:

DIVISION:

	1994 REVISED			1995 REVISED			1996 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	21	0	1	22	0	0	18	1	0
PERSONAL SERVICES	\$ 1,264,840			\$ 1,308,940			\$ 1,167,370		
SUPPLIES	14,400			13,800			13,300		
OTHER SERVICES	123,890			109,770			105,700		
CAPITAL OUTLAY	71,690			45,490			42,820		
TOTAL DIRECT COST:	\$ 1,474,820			\$ 1,478,000			\$ 1,329,190		
PROGRAM REVENUES:	\$ 345,000			\$ 345,000			\$ 345,000		
WORK MEASURES:									
- Hours of legal service billed (Civil Law)	16,500			19,100			17,990		
- Active civil litigation & matters files (avg./mo.)	1,900			1,950			2,190		
- Contract and Assembly documents processed	724			930			930		
- Legal opinions issued (Civil Law)	97			100			105		
- Docketed attorney assignments	670			1,350			1,365		
- Total Bankruptcy & Non-Bankruptcy Collections (\$)	1,800,940			1,805,000			1,790,000		
- DWI vehicle impound/forfeiture program fees (\$)	102,500			178,000			178,000		
- DWI vehicle impound/forfeiture cases reviewed	1,417			1,420			1,420		
- DWI vehicle impound/forfeiture cases filed	1,198			1,130			1,150		

42 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 2, 8, 9, 13, 14

1996 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION:
PROGRAM: Administrative Hearing Functions

PURPOSE:

Provide for the initial adjudication of municipal code violations utilizing an administrative hearing officer in lieu of securing redress through formal State court proceedings.

1995 PERFORMANCES:

- Provided in-house administrative hearing officer for civil adjudication of citations issued under the DWI Vehicle Impound/ Forfeiture ordinance.
- Provided in-house administrative hearing officer for initial adjudication of citations issued under AMC Title 14 with a continuing emphasis on the resolution of zoning complaints and I/M Vehicle Inspection violations.
- Initiated discussions with other municipal agencies regarding the implementation of new administrative hearing alternatives to existing complaint resolution procedures.

1996 PERFORMANCE OBJECTIVES:

- Provide in-house administrative hearing officer for civil adjudication of citations issued under the DWI Vehicle Impound/ Forfeiture ordinance.
- Provide in-house administrative hearing officer for initial adjudication of citations issued under AMC Title 14 with a continuing emphasis on the resolution of zoning complaints and I/M Vehicle Inspection violations.
- Assume additional administrative hearing functions as directed by the Administration or required by the passage of enabling ordinances.

RESOURCES:

	1994 REVISED			1995 REVISED			1996 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	3	1	0	2	0	0	3	0	0
PERSONAL SERVICES	\$	195,780		\$	121,230		\$	176,870	
SUPPLIES		9,800			3,300			2,800	
OTHER SERVICES		5,670			7,830			8,870	
CAPITAL OUTLAY		45,610			1,450			2,300	
TOTAL DIRECT COST:	\$	256,860		\$	133,810		\$	190,840	

WORK MEASURES:

- AMC Title 14 complaints received		90		300		350
- DWI Impound/Forfeiture complaints received		1,210		1,170		1,100
- Active administrative hearing files maintained (avg./mo.)		220		300		330
- Active DWI Impound/Forfeiture civil files maintained (avg./mo.)		240		220		210
- Case inquires (avg./day)		0		30		30

42 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 5, 10