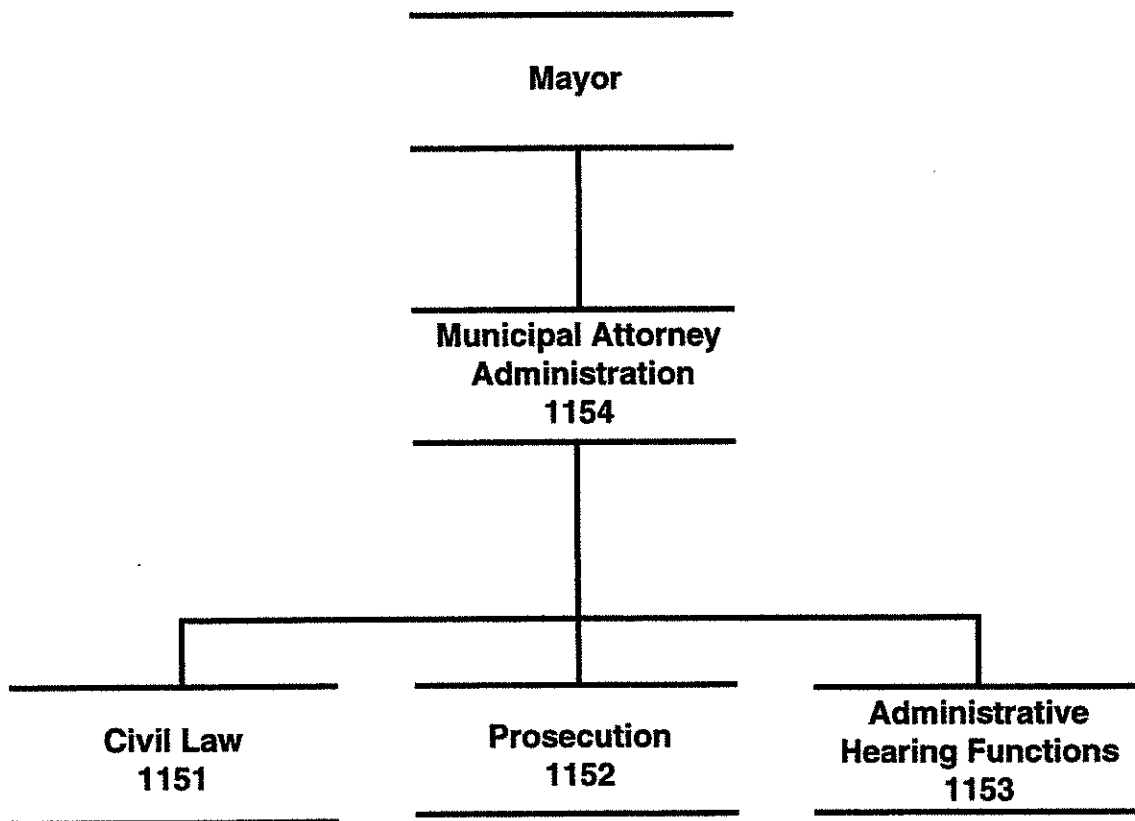


MUNICIPAL ATTORNEY

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; the judicial prosecution of misdemeanor criminal offenses in direct support of enforcement activities carried out by the Anchorage Police Department; and the resolution of certain civil and criminal code violations through the use of an Administrative Hearing Officer.

Major Program Highlights

- Perform mandated executive support functions and serve as principal legal advisor to the Mayor and Municipal Assembly.
- Continue program to aggressively prosecute all DWI offenders and implement cooperative procedures to assist State District's Attorney's office in the prosecution of felony DWI cases.
- Resolve all open lawsuits arising from construction of the Alaska Center for the Performing Arts.
- Perform non-bankruptcy and bankruptcy judicial collection services for the Anchorage Telephone Utility under contract through December 31, 1997.
- Recognize and respond to increased duties and responsibilities arising from establishment of the New Anchorage Police Service Area.
- Assume additional administrative hearing functions as directed by the Administration; required by new enabling legislation; or in direct response to requests for assistance from enforcement agencies.
- Assist in promulgating 1997 legislative crime package.

RESOURCES

	1996	1997
Direct Costs	\$3,598,150	\$3,910,040
Program Revenues	\$ 413,700	\$ 418,400
Personnel	57FT	61FT 1PT

1997 RESOURCE PLAN

DEPARTMENT: MUNICIPAL ATTORNEY

DIVISION	FINANCIAL SUMMARY		PERSONNEL SUMMARY							
	1996 REVISED	1997 BUDGET	1996 REVISED		1997 BUDGET					
			FT	PT	T	TOTAL	FT	PT	T	TOTAL
CIVIL	1,345,310	1,407,030	19			19	19			19
PROSECUTION	1,791,900	1,974,140	32			32	35			35
HEARING OFFICER	189,520	250,490	3			3	4	1		5
LAW ADMIN	263,580	270,540	3			3	3			3
OPERATING COST	3,590,310	3,902,200	57			57	61	1		62
ADD DEBT SERVICE	7,840	7,840								
DIRECT ORGANIZATION COST	3,598,150	3,910,040								
ADD INTRAGOVERNMENTAL CHARGES FROM OTHERS	1,808,810	1,881,660								
TOTAL DEPARTMENT COST	5,406,960	5,791,700								
LESS INTRAGOVERNMENTAL CHARGES TO OTHERS	4,744,600	5,124,260								
FUNCTION COST	662,360	667,440								
LESS PROGRAM REVENUES	413,700	418,400								
NET PROGRAM COST	248,660	249,040								

1997 RESOURCES BY CATEGORY OF EXPENSE

DIVISION	PERSONAL SERVICES	SUPPLIES	OTHER SERVICES	CAPITAL OUTLAY	TOTAL DIRECT COST
CIVIL	1,252,800	14,140	106,670	43,650	1,417,260
PROSECUTION	1,871,190	13,690	72,040	37,220	1,994,140
HEARING OFFICER	213,380	6,300	12,500	18,310	250,490
LAW ADMIN	248,270	400	20,670	1,200	270,540
DEPT. TOTAL WITHOUT DEBT SERVICE	3,585,640	34,530	211,880	100,380	3,932,430
LESS VACANCY FACTOR	30,230				30,230
ADD DEBT SERVICE					7,840
TOTAL DIRECT ORGANIZATION COST	3,555,410	34,530	211,880	100,380	3,910,040

RECONCILIATION FROM 1996 REVISED BUDGET TO 1997 BUDGET

DEPARTMENT: MUNICIPAL ATTORNEY

	<u>DIRECT COSTS</u>	<u>POSITIONS</u>		
		FT	PT	T
1996 REVISED BUDGET:	\$ 3,598,150	57	0	0
1996 ONE-TIME REQUIREMENTS:				
- Equipment Purchases for New Positions	(25,000)			
- Space Cost for New Positions	(6,250)			
AMOUNT REQUIRED TO CONTINUE EXISTING PROGRAMS IN 1997:				
- Police Full-Year Additional Costs	98,920			
- Salaries and Benefits Adjustment	132,160			
- Non-Personal Services Inflation Adjustment	8,800			
1996 CONTINUATION LEVEL:	<u>\$ 3,806,780</u>	<u>57</u>	<u>0</u>	<u>0</u>
FUNDED NEW/EXPANDED SERVICE LEVELS:				
- Part-year Prosecution Costs Associated with the New Police Service Area	89,870	3		
- Part-year Hearing Officer Costs Associated with the New Anchorage Police Service Area	49,290	1	1	
UNFUNDED CURRENT SERVICE LEVELS:				
- None				
MISCELLANEOUS INCREASES (DECREASES)				
- Miscellaneous Personnel Cost Reductions	(25,340)			
- Non-Personal Services Inflation Absorption	(8,800)			
- Other Miscellaneous Reductions	(1,760)			
1997 BUDGET:	<u><u>\$ 3,910,040</u></u>	<u><u>61 FT</u></u>	<u><u>1 PT</u></u>	<u><u>0 T</u></u>

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Administration

DIVISION: LAW ADMIN

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.

1996 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 code update services contract in direct consultation with the Municipal Clerk's Office.
- Co-ordinated functioning of DWI Vehicle Impounds Forfeiture Ordinance (Civil, Prosecution, Administrative Hearing Officer, and APD.)
- Monitored all legal service contracts and assisted client agencies in preparation and processing of Assembly actions and contract documents.
- Designed, tested and installed comprehensive legal management software application as wholesale replacement for existing patchwork of automated and manual case management systems.

1997 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 code update services contract in direct consultation with the Municipal Clerk's Office.
- Monitor all legal service contracts and assist client agencies in preparation and processing of 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 1996.
- Supervise functioning of DWI Vehicle Impound Forfeiture Ordinance (Civil, Prosecution, Administrative Hearing Office, and APD.)

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Administration
 RESOURCES:

DIVISION: LAW ADMIN

	1995 REVISED			1996 REVISED			1997 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	3	0	0	3	0	0	3	0	0
PERSONAL SERVICES			\$ 240,070			\$ 243,800			\$ 248,270
SUPPLIES			600			600			400
OTHER SERVICES			19,120			18,060			20,670
CAPITAL OUTLAY			2,480			1,120			1,200
TOTAL DIRECT COST:			\$ 262,270			\$ 263,580			\$ 270,540
PROGRAM REVENUES:			\$ 14,200			\$ 14,200			\$ 14,200
WORK MEASURES:									
- Attorney billings processed			15,500			13,000			13,000
- Assembly meetings/worksessions attended			50			40			48
- No. of MOA code subscriptions			130			135			135
- Client agencies served			96			96			102
- Contract counsel files maintained			45			54			45
- Procurement actions processed			1,350			1,400			1,400
- Active civil litigation & matters files (avg./month.)			30			60			60

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

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Prosecution

DIVISION: 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.

1996 PERFORMANCES:

- Provided for the prosecution of all misdemeanor offenses committed within the Anchorage Police Service Area.
- Updated & amended the Anchorage Penal Code to achieve better uniformity with corresponding state and federal statutes.
- 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.
- Continued program to aggressively prosecute all DWI offenders and effectively integrate expanded DWI Impound/Forfeiture case management requirements.
- Continued the aggressive prosecution of domestic violence offenders to include the identification and implementation of a means to verify completion of court ordered programs.
- Provided guidance for 1996 legislative crime package.

1997 PERFORMANCE OBJECTIVES:

- Provide for the prosecution of all misdemeanor offenses committed within the new Police Service Area.
- Review & amend the Anchorage Penal Code, as necessary, 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 implement cooperative procedures to assist State District's Attorney's office in the prosecution of felony DWI cases.
- Establish system to provide continued training for all staff, and mechanisms to achieve and maintain desired standards of performance.
- Provide for integration of APD "Tiberon" paperless recordkeeping system.
- Recognize and respond to increased duties and responsibilities arising from establishment of new Anchorage Police Service Area.
- Assist in promulgating 1997 legislative crime package.

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Prosecution
 RESOURCES:

DIVISION: PROSECUTION

	1995 REVISED			1996 REVISED			1997 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	29	0	0	32	0	0	35	0	0
PERSONAL SERVICES	\$ 1,497,050			\$ 1,672,410			\$ 1,851,190		
SUPPLIES	10,720			12,070			13,690		
OTHER SERVICES	65,580			69,130			72,040		
DEBT SERVICE	7,840			7,840			7,840		
CAPITAL OUTLAY	18,880			38,290			37,220		
TOTAL DIRECT COST:	\$ 1,600,070			\$ 1,799,740			\$ 1,981,980		
PROGRAM REVENUES:	\$ 54,500			\$ 54,500			\$ 54,500		
WORK MEASURES:									
- Counts screened	10,600			10,800			15,650		
- Counts filed	9,400			9,600			14,040		
- Trial appearances	265			350			450		
- Documents prepared/ processed, (incl., motions, appeals, etc.)	10,280			10,350			13,360		
- Followup investigations conducted	270			480			580		
- Pretrial Diversion Program: number of participants	205			210			325		
- Pretrial Diversion Program: hrs. of public work service completed	4,400			4,500			5,560		
- DWI Impound/Forfeiture cases administered	1,100			1,690			2,740		

18 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 4, 6, 7, 11, 12, 14, 17, 18

1997 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Civil Law

DIVISION: CIVIL

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 defendant or plaintiff.

1996 PERFORMANCES:

- Retained in-house litigation specialists in the areas of risk management, public safety civil liability, construction litigation & employment law.
- Continued aggressive adjudication efforts with regard to enforcement and revision of the DWI Impound/Forfeiture ordinance.
- Revised in-house contract review procedures to assume a greater role in assuring that substantive provisions are sound.
- Performed non-litigation civil law advisory and consultation functions in direct support of all general government and enterprise operations.
- Performed non-bankruptcy and bankruptcy judicial collection services for the Anchorage Telephone Utility under contract through December 31, 1996.
- Achieved negotiated settlement of Anchorage Center for the Performing Arts "roof case," resulting in payments for damages to the Municipality of approximately \$1.0 million.
- Expanded services performed for Parking Authority and Equal Rights Comm.
- Provided input to and supported through testimony the 1996 Legislative Package.

1997 PERFORMANCE OBJECTIVES:

- Retain in-house litigation specialists in the areas of risk management, public safety civil liability, construction litigation & employment law.
- Continue aggressive adjudication efforts with regard to enforcement of the DWI Impound/Forfeiture ordinance.
- 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, 1997.
- Further enhance the department's in-house capabilities relative to managing the litigation and resolution of complex civil complaints in all areas.
- Provide support for 1997 legislative efforts.
- Resolve all open lawsuits arising from construction of the Alaska Center for the Performing Arts.

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Civil Law
 RESOURCES:

DIVISION: CIVIL

	1995 REVISED			1996 REVISED			1997 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	22	0	0	19	0	0	19	0	0
PERSONAL SERVICES	\$ 1,308,940			\$ 1,183,490			\$ 1,242,570		
SUPPLIES	13,800			13,300			14,140		
OTHER SERVICES	109,770			105,700			106,670		
CAPITAL OUTLAY	45,490			42,820			43,650		
TOTAL DIRECT COST:	\$ 1,478,000			\$ 1,345,310			\$ 1,407,030		
PROGRAM REVENUES:	\$ 345,000			\$ 345,000			\$ 349,700		
WORK MEASURES:									
- Total bankruptcy & non-bankruptcy collections	2,080,000			1,800,000			1,800,000		
- Hours of legal services billed	18,720			17,740			17,900		
- Active civil litigation & matters files (avg./month)	1,800			1,850			1,850		
- Contract and Assembly documents processed	975			970			980		
- Docketed attorney assignments	740			880			890		
- DWI Impound/Forfeiture: No. of cases filed	1,540			1,700			2,100		
- DWI Impound/Forfeiture: No. of cars auctioned	0			430			490		

18 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 2, 8, 9, 15, 16

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION: HEARING OFFICER
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.

1996 PERFORMANCES:

- Provided in-house administrative hearing officer for civil adjudication of complaints issued under the DWI Vehicle Impound/Forfeiture ordinance.
- Provided in-house administrative hearing officer for initial adjudication of complaints issued under AMC Title 14 with a continuing emphasis on the resolution of zoning and I/M Vehicle Inspection violations.
- Assumed responsibility for the initial resolution of complaints filed under the newly adopted curfew ordinance.
- Served as in-house Administrative Hearing Officer for the Anchorage Transportation Commission.
- Assisted the Department of Finance in the resolution of tax appeals.
- Assisted the Department of Health and Human Services in the resolution of various matters involving the execution of their code review and enforcement functions.

1997 PERFORMANCE OBJECTIVES:

- Provide in-house administrative hearing officer for civil adjudication of complaints issued under the DWI Vehicle Impound/Forfeiture ordinance.
- Provide in-house administrative hearing officer for initial adjudication of complaints issued under AMC Title 14 with a continuing emphasis on the resolution of zoning and I/M Vehicle Inspection violations.
- Serve as Administrative Hearing Officer for the Anchorage Transportation Commission.
- Continue to assist the Department of Finance in the resolution of tax appeals.
- Provide in-house administrative hearing officer for initial adjudication of citations issued under the curfew ordinance.
- Continue to assist the Department of Health and Human Services in the resolution of various matters involving the execution of their code review and enforcement functions.
- Assume additional administrative hearing functions as directed by the Administration or required by the passage of enabling ordinances.

1997 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION: HEARING OFFICER
 PROGRAM: Administrative Hearing Functions
 RESOURCES:

	1995 REVISED			1996 REVISED			1997 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	2	0	0	3	0	0	4	1	0
PERSONAL SERVICES	\$	121,230		\$	175,550		\$	213,380	
SUPPLIES		3,300			2,800			6,300	
OTHER SERVICES		7,830			8,870			12,500	
CAPITAL OUTLAY		1,450			2,300			18,310	
TOTAL DIRECT COST:	\$	133,810		\$	189,520		\$	250,490	
WORK MEASURES:									
- AMC Title 14 complaints received			300		1,100			1,350	
- DWI Impound/Forfeiture complaints received			1,300		1,300			1,800	
- Active administrative hearing files maintained (avg./mo.)			400		580			630	
- Active DWI Impound/Forfeiture civil files maintained (avg./mo.)			270		290			320	
- Hearings conducted			50		220			230	
- Curfew complaints received			0		1,000			1,250	

18 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 5, 10, 13