

**MUNICIPAL ATTORNEY**

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# MUNICIPAL ATTORNEY

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## Strategic Framework

**Mission:** To provide effective, quality legal services to the Municipality of Anchorage in a time-sensitive manner necessary to support and guide legally effective operating, administrative, and public safety functions of the Municipality

**Core Services that Enable the Mission:**

- ❑ Litigation counsel
- ❑ Non-litigation legal representation
- ❑ Legislative legal assistance and representation
- ❑ Hearing Officer

**Key Areas of Focus:**

- ❑ 1) Improve attorney staff's focus on specific legal issues raised, the legal risks to be evaluated and the legal services actually needed by the constituent
- ❑ 2) At the Division head and above level, improve client constituents' knowledge and understanding of legal fundamentals of Municipal government, Municipal government functions and the effective use of attorneys

**We Will Measure Our Success By:**

- ❑ Key Area 1-Cost per hour of instruction
- ❑ Key Area 1-Number of educational sessions offered; attendance per session; and decrease in average turnaround time
- ❑ Key Area 2-Cost per hour of instruction
- ❑ Key Area 2-Number of educational sessions offered; attendance per session; and decline in Requests for Legal Services

## 2002 Resource Plan

**Department: Municipal Attorney**

Division	<b>Financial Summary</b>		<b>Personnel Summary</b>							
	2001	2002	2001 Revised				2002 Approved			
	Revised	Approved	FT	PT	Temp	Total	FT	PT	Temp	Total
Civil	1,647,170	1,560,310	18			18	17			17
Criminal	1,838,690	1,901,970	31			31	30			30
Hearing Officer	133,890	139,970	2			2	2			2
Administration	201,830	284,210	2			2	3			3
<b>Operating Cost</b>	<b>3,821,580</b>	<b>3,886,460</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>53</b>	<b>52</b>	<b>0</b>	<b>0</b>	<b>52</b>
Add Debt Service	0	0								
<b>Direct Organization Cost</b>	<b>3,821,580</b>	<b>3,886,460</b>								
Charges From/(To) Others	(3,191,670)	(3,543,680)								
<b>Function Cost</b>	<b>629,910</b>	<b>342,780</b>								
Less Program Revenues	(406,400)	(342,600)								
<b>Net Program Cost</b>	<b>223,510</b>	<b>180</b>								
Grant Resources	0	56,600				0	1			1

### 2002 Resource Costs by Category

Division	Personal Services	Supplies	Other Services	Capital Outlay	Total Direct Cost
Civil	1,289,450	17,900	251,570	10,000	1,568,920
Criminal	1,829,250	12,930	66,270	10,000	1,918,450
Hearing Officer	130,510	2,330	5,830	1,300	139,970
Administration	239,010	400	43,300	1,500	284,210
<b>Operating Cost</b>	<b>3,488,220</b>	<b>33,560</b>	<b>366,970</b>	<b>22,800</b>	<b>3,911,550</b>
Less Vacancy Factor	(25,090)				(25,090)
Add Debt Service					0
<b>Total Direct Organization Cost</b>	<b>3,463,130</b>	<b>33,560</b>	<b>366,970</b>	<b>22,800</b>	<b>3,886,460</b>

<b>RECONCILIATION FROM 2001 REVISED BUDGET TO 2002 APPROVED BUDGET</b>
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**DEPARTMENT: MUNICIPAL ATTORNEY**

	<u>DIRECT COSTS</u>	<u>POSITIONS</u>		
		FT	PT	T
<b>2001 REVISED BUDGET:</b>	\$ 3,821,580	53		
<b>2001 ONE-TIME REQUIREMENTS:</b>				
- None				
<b>CHANGES FOR CONTINUATION OF EXISTING PROGRAMS IN 2002:</b>				
- Salaries and benefits adjustment for continuing employees	252,030			
- Non-rep wage increase	68,440			
<b>TRANSFERS (TO)/FROM OTHER AGENCIES:</b>				
- None				
<b>MISCELLANEOUS INCREASES (DECREASES):</b>				
- None				
<b>2002 PROGRAMMATIC BUDGET CHANGES:</b>				
- Relocation of Criminal Division	175,000			
- Reduce funding for contracts and legal services	(245,590)			
- Reduce funding for library books	(10,000)			
- Delete one vacant position and use salary savings for salary adjustments		(1)		
<b>2002 PROPOSED BUDGET:</b>	<u>4,061,460</u>	<u>52</u>	<u>0</u>	<u>0</u>
<b>2002 AMENDMENTS:</b>				
- Eliminate funding for relocation of Criminal Division	(175,000)			
<b>2002 APPROVED BUDGET:</b>	<u><u>\$ 3,886,460</u></u>	<u><u>52</u></u>	<u><u>0</u></u>	<u><u>0</u></u>

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION: LAW ADMIN  
PROGRAM: Administration

PURPOSE:

Chief legal counsel to the MOA including the Mayor, the Assembly, ASD and all executive, legislative, departments, agencies, boards and commissions. Supervise and control all civil and criminal legal services performed by the department and contract counsel for MOA.

2001 PERFORMANCES:

See Strategic Framework

2002 PERFORMANCE OBJECTIVES:

See Strategic Framework

## RESOURCES :

	2000	REVISED	2001	REVISED	2002	BUDGET
	FT	PT	T	FT	PT	T
PERSONNEL:	4	0	0	2	0	0
PERSONAL SERVICES	\$	268,050	\$	161,190	\$	239,010
SUPPLIES		400		400		400
OTHER SERVICES		44,390		39,390		43,300
CAPITAL OUTLAY		850		850		1,500
TOTAL DIRECT COST:	\$	313,690	\$	201,830	\$	284,210
PROGRAM REVENUES:	\$	8,200	\$	8,200	\$	8,200

WORK MEASURES:

See Strategic Framework	0	0	0
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14 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:

DEPARTMENT: MUNICIPAL ATTORNEY                      DIVISION: CIVIL  
PROGRAM: Civil Law

Chief legal counsel to the MOA including the Mayor, the Assembly, ASD and all executive, legislative, departments, agencies, boards and commissions. Supervise and control all civil and criminal legal services performed by the department and contract counsel for MOA.

See Strategic Framework

See Strategic Framework

	2000	REVISED	2001	REVISED	2002	BUDGET
	FT	PT	T	FT	PT	T
PERSONNEL:	19	0	0	17	0	0
PERSONAL SERVICES	\$ 1,199,350		\$ 1,289,570		\$ 1,280,840	
SUPPLIES		17,900		17,900		17,900
OTHER SERVICES		201,300		256,300		251,570
CAPITAL OUTLAY		48,400		83,400		10,000
TOTAL DIRECT COST:	\$ 1,466,950		\$ 1,647,170		\$ 1,560,310	
PROGRAM REVENUES:	\$ 343,700		\$ 343,700		\$ 229,400	

See Strategic Framework	0	0	0
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14 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:  
2, 3, 4, 5, 6, 7, 13

## 2002 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY                  DIVISION: CRIMINAL  
PROGRAM: Prosecution

PURPOSE:

Prosecute misdemeanor and traffic offenses 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.

2001 PERFORMANCES:

See Strategic Framework

2002 PERFORMANCE OBJECTIVES:

See Strategic Framework

## RESOURCES :

	2000	REVISED	2001	REVISED	2002	BUDGET
	FT	PT	T	FT	PT	T
PERSONNEL:	32	2	0	30	0	0
PERSONAL SERVICES	\$ 1,922,740			\$ 1,621,860		
SUPPLIES		14,130			12,930	
OTHER SERVICES		61,830			55,420	
CAPITAL OUTLAY		9,680			98,480	
TOTAL DIRECT COST:	\$ 2,008,380			\$ 1,788,690		
PROGRAM REVENUES:	\$ 54,500			\$ 54,500		
					\$ 105,000	

WORK MEASURES:

See Strategic Framework	0	0	0
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14 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:  
8, 9, 10, 11, 12

# 2002 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 State court proceedings.

## 2001 PERFORMANCES:

See Strategic Framework

## 2002 PERFORMANCE OBJECTIVES:

See Strategic Framework

## RESOURCES:

	2000 REVISED			2001 REVISED			2002 BUDGET		
	FT	PT	T	FT	PT	T	FT	PT	T
PERSONNEL:	2	0	0	2	0	0	2	0	0
PERSONAL SERVICES	\$	133,220		\$	123,840		\$	130,510	
SUPPLIES		2,330			2,330			2,330	
OTHER SERVICES		6,420			6,420			5,830	
CAPITAL OUTLAY		1,300			1,300			1,300	
TOTAL DIRECT COST:	\$	143,270		\$	133,890		\$	139,970	

## WORK MEASURES:

See Strategic Framework 0 0 0

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

14



**MUNICIPAL  
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**OPERATING GRANT FUNDED PROGRAMS**

GRANT PROGRAM	FY 2001 (Grants beginning in 2000)				FY 2002 (Grants beginning in 2001)				LATEST GRANT PERIOD
	Amount	FT	PT	T	Amount	FT	PT	T	
GRANT FUNDING	\$ -	0	0	0	\$ 56,600	1	0	0	
MUNICIPAL ATTORNEY DEPARTMENT GENERAL GOVERNMENT OPERATING BUDGET	\$ 3,821,580	53	0	0	\$ 3,886,460	52	0	0	
	\$ 3,821,580	53	0	0	\$ 3,943,060	53	0	0	
GRANT FUNDING REPRESENTED	0.0%	OF THE DEPARTMENT'S REVISED 2001 DIRECT COST OPERATING BUDGET.							
GRANT FUNDING WILL REPRESENT	1.5%	OF DEPARTMENT'S DIRECT COST IN THE MAYOR'S 2002 OPERATING BUDGET.							
WELLNESS COURT CASE COORDINATOR GRANT	\$				\$ 56,600	1	0	0	02/01- 01/02
- To provide an employee to coordinate cases for the Wellness Court.									
Total	\$ -	0	0	0	\$ 56,600	1	0	0	

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DEPT: 06 -MUNICIPAL ATTORNEY

DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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1	1154-LAW ADMIN		CB	1	Chief legal counsel to Municipality
	0372-Administration			OF	including the Mayor, Assembly, School
	SOURCE OF FUNDS, THIS SVC LEVEL:			2	Dist & all executive, legislative, school
	IGC SUPPORT				dist depts, commissions, boards & agen-
	PROGRAM REVENUES	8,200			cies. Supervise & control all civil &
					criminal legal products & services per-
					formed by the dept & contract counsel
					for the Municipality. Supervise & admin-
					ister dept's financial procurement,
					billing, ontracts & personnel budgets.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
3	0	0	239,010	400	43,300	0	1,500	284,210

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2	1151-CIVIL		CB	1	Provide legal counsel, support & advice
	0146-Civil Law			OF	to the Assembly on specific legislation,
	SOURCE OF FUNDS, THIS SVC LEVEL:			8	the Municipal Code, Charter and legisla-
	IGC SUPPORT				tive procedures, responsibilities and
					authority of the Municipality and its
					executive, legislative, education and
					quasi-judicial functions. Legal repre-
					sentation of the Assembly in litigation.
					Draft legislation & regulations.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
1	0	0	94,260	0	21,000	0	0	115,260

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3	1151-CIVIL		CO	2	Analyze & assess merit of liability
	0146-Civil Law			OF	claims against the Municipality & deter-
	SOURCE OF FUNDS, THIS SVC LEVEL:			8	mine available defenses; provide and
	IGC SUPPORT				supervise in-house or contract counsel
					for litigation defense; provide legal
					support/advice to the Risk Mgmt Office
					& General Liability Self-Insurance Fund;
					Analyze & assess the merits of & prose-
					cute liability, counter & cross-claims
					of the Municipality.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	149,790	650	22,600	0	0	173,040

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DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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4	1151-CIVIL	CO	3	Perform bankruptcy and non-bankruptcy
	0146-Civil Law		OF	judicial collections warranting legal
	SOURCE OF FUNDS, THIS SVC LEVEL:		8	counsel on behalf of all Municipal
				agencies, and enterprise functions.
	IGC SUPPORT			
	PROGRAM REVENUES	0		

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	129,490	2,000	20,040	0	5,000	156,530

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5	1151-CIVIL	CB	4	Provide non-enterprise dept/agency legal
	0146-Civil Law		OF	advice & litigation support on a wide
	SOURCE OF FUNDS, THIS SVC LEVEL:		8	range of legal subjects & issues,
				including municipal law, contracts,
	IGC SUPPORT			real estate, finance and taxation,
	PROGRAM REVENUES	0		public works, land use regulation,
				education, transactional and environ-
				mental issues. Ordinance and document
				preparation and litigation and
				regulatory representation and support.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
7	0	0	537,740	11,000	168,400	0	5,000	722,140

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6	1151-CIVIL	CO	5	Police/fire/emergency management and
	0146-Civil Law		OF	health functions. Specialized legal ser-
	SOURCE OF FUNDS, THIS SVC LEVEL:		8	vices dictated by the unique needs of
				those functions including employe rela-
	IGC SUPPORT			tions & operating procedures. Provide
				dept/agency legal advice & litigation
				support on a wide range of subjects,
				incl municipal law, finance, taxation,
				Code & criminal law enforcement.
				Ordinance & document preparation.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	180,680	650	3,190	0	0	184,520

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DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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7	1151-CIVIL	CB	6	Provide legal support and staff for
	0146-Civil Law		OF	implementation and operation of the DWI
	SOURCE OF FUNDS, THIS SVC LEVEL:		8	Vehicle Impound/Forfeiture program and
				the adjudication of all DWI Vehicle
	IGC SUPPORT			Impound/Forfeiture cases in State
				District Court.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
3	0	0	188,880	3,600	16,340	0	0	208,820

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8	1152-CRIMINAL	CB	1	Prosecute misdemeanor DWI offenses under
	0643-Prosecution		OF	AMC Title 9 committed within the Munici-
	SOURCE OF FUNDS, THIS SVC LEVEL:		7	pality, including initial case intake,
				evaluation, and preparation and prosecu-
	IGC SUPPORT			tion to trial and through sentencing and
				enforcement of conditions of probation
				and deferred prosecution.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
6	0	0	393,940	3,400	27,640	0	10,000	434,980

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9	1152-CRIMINAL	CB	2	Prosecute misdemeanor Domestic Violence
	0643-Prosecution		OF	Assault, Stalking and Child Abuse under
	SOURCE OF FUNDS, THIS SVC LEVEL:		7	AMC Title 8 committed within MOA. This
				service continues the comprehensive
	IGC SUPPORT			targeted approach to all incidents in-
				volving the commission of acts of family
				violence incl initial case intake, eval,
				prep, prosecution at trial & through
				sentencing & enforcement of conditions
				of probation & deferred prosecution.

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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
6	0	0	367,440	3,630	24,980	0	0	396,050

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DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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10	1152-CRIMINAL 0643-Prosecution SOURCE OF FUNDS, THIS SVC LEVEL:  IGC SUPPORT PROGRAM REVENUES	105,000	CB	3 OF 7	Prosecute criminal misdemeanor viola- tions of AMC Title 8 (other than DWI & Domestic Violence) committed within the MOA including initial case intake, evaluation & preparation and prosecution to trial and through sentencing and enforcement of conditions of probation and deferred prosecution.
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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
15	0	0	844,790	5,900	13,250	0	0	863,940

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11	1152-CRIMINAL 0643-Prosecution SOURCE OF FUNDS, THIS SVC LEVEL:  IGC SUPPORT		CO	4 OF 7	Provide probation supervision and enforcement of court imposed probation terms and conditions. Provide alterna- tive resolution of violations committed by first time offenders when altern- tives to trial and sentencing are war- ranted to effectuate rehabilitation and prevent repeat offenses.
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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	115,710	0	400	0	0	116,110

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12	1152-CRIMINAL 0643-Prosecution SOURCE OF FUNDS, THIS SVC LEVEL:  IGC SUPPORT		CO	5 OF 7	Prosecute traffic violations and infractions of AMC Title 9 committed within the MOA including initial case intake, evaluation and preparation and prosecution to trial and through sentencing and enforcement of conditions of probation and deferred prosecution.
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PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
1	0	0	90,890	0	0	0	0	90,890

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DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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13	1151-CIVIL		8	Revenues for increased fines/fees
	0146-Civil Law		OF	for DWI cases.
	SOURCE OF FUNDS, THIS SVC LEVEL:		8	

PROGRAM REVENUES 114,400

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	0	0	0	0

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14	1153-HEARING OFFICER		CB	1	Provide Administrative Hearing Officer
	0705-Administrative Hearing Fu			OF	and staff for the adjudication and
	SOURCE OF FUNDS, THIS SVC LEVEL:			2	resolution of civil violations of the
	IGC SUPPORT				Anchorage Municipal Code in lieu of
					State court actions, including enforce-
					ment of land use, animal, health and
					other Municipal rules, regulations and
					requirements.

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
2	0	0	130,510	2,330	5,830	0	1,300	139,970

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SUBTOTAL OF FUNDED SERVICE LEVELS, MUNICIPAL ATTORNEY . . . . .

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
52	0	0	3,463,130	33,560	366,970	0	22,800	3,886,460

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----- DEPARTMENT OF MUNICIPAL ATTORNEY FUNDING LINE -----  
. . . . . 3,886,460

15	1152-CRIMINAL		7	Funds the relocation of Criminal
	0643-Prosecution		OF	Division.
	SOURCE OF FUNDS, THIS SVC LEVEL:		7	

IGC SUPPORT

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	175,000	0	0	175,000

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DEPT	BUDGET UNIT/ RANK	PROGRAM	SL CODE	SVC LVL
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16	1151-CIVIL	0146-Civil Law	QT	7	Provides additional funding for expert legal services, Westlaw computer
		SOURCE OF FUNDS, THIS SVC LEVEL:		8	assisted legal research and Municipal Code changes.
		IGC SUPPORT			

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	190,000	0	0	190,000

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17	1152-CRIMINAL	0643-Prosecution		6	Funds additional library book purchases
		SOURCE OF FUNDS, THIS SVC LEVEL:		OF	for the Criminal Division.
		IGC SUPPORT		7	

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	0	0	10,000	10,000

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18	1153-HEARING OFFICER	0705-Administrative Hearing Fu		2	Additional funding for Westlaw computer
		SOURCE OF FUNDS, THIS SVC LEVEL:		OF	assisted legal research.
		IGC SUPPORT		2	

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	590	0	0	590

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19	1154-LAW ADMIN	0372-Administration		2	Additional funding for legal services.
		SOURCE OF FUNDS, THIS SVC LEVEL:		OF	
		IGC SUPPORT		2	

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
0	0	0	0	0	55,000	0	0	55,000

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DEPT	BUDGET UNIT/	SL	SVC
RANK	PROGRAM	CODE	LVL

TOTALS FOR DEPARTMENT OF MUNICIPAL ATTORNEY , FUNDED AND UNFUNDED . . . . .

PERSONNEL			PERSONAL		OTHER	DEBT	CAPITAL	
FT	PT	T	SERVICE	SUPPLIES	SERVICES	SERVICE	OUTLAY	TOTAL
52	0	0	3,463,130	33,560	787,560	0	32,800	4,317,050