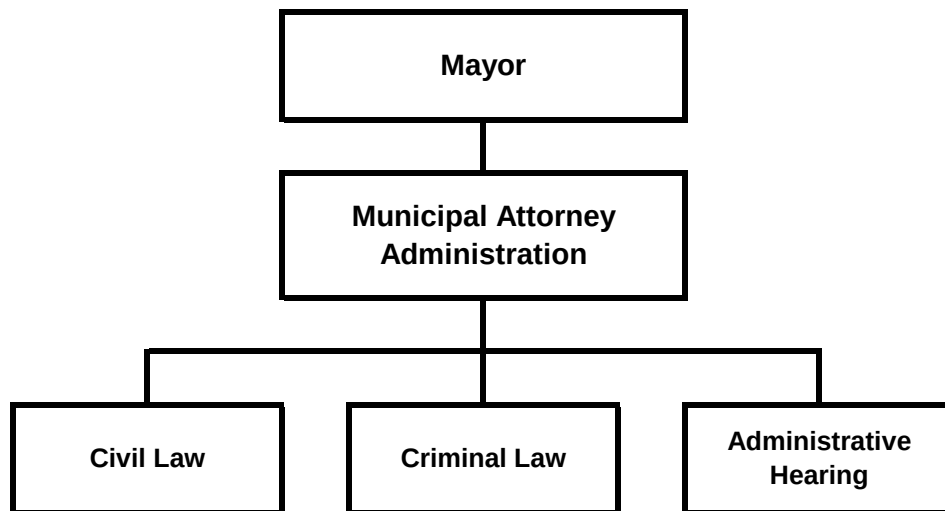


Municipal Attorney



Municipal Attorney's Office

Description

The legal department serves as chief legal counsel to the MOA-including the Mayor, the Assembly, and all executive departments, agencies, authorities, boards and commissions. The department supervises and controls all civil and criminal legal services performed by the department and contract counsel for MOA.

Department Services/Divisions

- Civil Law: Provide legal counsel, support, and advice on specific legislation, the Municipal Code, Charter, legislative procedures, the responsibilities and authority of the Municipality, represent the Municipality and its officials and employees in civil litigation, and create and review legal documents.
- Criminal Law (Prosecution): Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code. Includes aiding police investigation, evaluating and filing charges, conducting criminal trials, enforcing conditions of probation, motions and appeals, and assisting victims.
- Administrative Hearing Office (AHO): Provide for the adjudication of certain Municipal Code violations and conduct hearings on certain appeals of administrative actions of Municipal Agencies within the scope of its jurisdiction established by the code.

Department Goals that Contribute to Achieving the Mayor's Vision:

Vision:  **Exemplary Municipal Operations**

Municipal Attorney

- Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education

Municipal Attorney Department Summary

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Division				
Administrative Hearing	200,491	219,181	228,585	4.29%
Civil Law	2,362,198	2,615,103	2,676,648	2.35%
Criminal	3,246,970	3,284,755	3,197,541	<2.66%>
Muni Attorney Admin	1,511,843	1,626,912	1,637,279	0.64%
Direct Cost Total	7,321,503	7,745,952	7,740,053	<0.08%>
Intragovernmental Charges				
Charges by Other Departments	468,986	1,512,064	1,634,040	8.07%
Charges to Other Departments	(5,477,552)	(6,769,868)	(7,240,661)	6.95%
Function Cost Total	2,312,937	2,488,148	2,133,432	<14.26%>
Program Generated Revenue	(1,269,041)	(1,205,000)	(1,131,555)	<6.10%>
Net Cost Total	1,043,896	1,283,148	1,001,877	<21.92%>

Direct Cost by Category				
Salaries and Benefits	5,756,812	5,766,798	6,026,949	4.51%
Supplies	34,327	27,470	27,470	-
Travel	2,045	10,000	10,000	-
Contractual/Other Services	1,521,772	1,941,684	1,675,634	<13.70%>
Debt Service	-	-	-	-
Equipment, Furnishings	6,547	-	-	-
Direct Cost Total	7,321,503	7,745,952	7,740,053	<0.08%>

Position Summary as Budgeted

Full-Time	53	52	54
Part-Time	5	2	-
Position Total	58	54	54

2014 Proposed position total will be 563 at 12/31/2014 due to reduction of 1 full-time position, mid-year.

Municipal Attorney

Reconciliation from 2013 Revised Budget to 2014 Approved Budget

	Direct Costs	Positions		
		FT	PT	T
2013 Revised Budget	7,745,952	52	2	-
2013 One-Time Requirements				
- Reverse one-time funding of eDiscovery part of JusticeWeb software package	(266,050)	-	-	-
Changes in Existing Programs/Funding for 2014				
- Salary and benefits adjustments	175,918	-	-	-
2014 Continuation Level	7,655,820	52	2	-
2014 Proposed Budget Changes				
- Efficiencies - reduce clerk position mid-year due to eDiscovery automation	(43,500)	(1)	-	-
- Fully fund position that was previously partially funded with Justice Assistance Grant (JAG) that ends 9/30/13. Funds efforts to reduce crime and improve public safety	76,999	1	(1)	-
- Fully fund position that was previously partially funded with Anti-Gang grant that ended 6/30/13. Funds anti-gang prosecutor specifically trained in prosecution under federal laws, focusing on gang-related crimes. Gang members prosecuted under federal law typically are processed more quickly with more severe consequences, than under state law, removing gang members from Anchorage streets	50,734	1	(1)	-
2014 Approved Budget	7,740,053	53	-	-

Municipal Attorney
Division Summary
Administrative Hearing
(Fund Center # 115300)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	200,491	219,181	228,585	4.29%
Travel	-	-	-	
Manageable Direct Cost Total	200,491	219,181	228,585	4.29%
Debt Service	-	-	-	
Direct Cost Total	200,491	219,181	228,585	4.29%

Revenue by Fund			
Fund 101000 - Areawide General	1,633	-	-
Revenue Total	1,633	-	-

Positions as Budgeted

	2012 Revised		2013 Revised		2014 Approved	
	<u>Full Time</u>	<u>Part Time</u>	<u>Full Time</u>	<u>Part Time</u>	<u>Full Time</u>	<u>Part Time</u>
Legal Secretary II	1	-	1	-	1	-
Municipal Attorney II	1	-	1	-	1	-
Positions as Budgeted Total	2	-	2	-	2	-

Municipal Attorney
Division Detail
Administrative Hearing
(Fund Center # 115300)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	200,491	219,181	228,585	4.29%
Travel	-	-	-	-
Manageable Direct Cost Total	200,491	219,181	228,585	4.29%
Debt Service	-	-	-	-
Direct Cost Total	200,491	219,181	228,585	4.29%
Intra-Governmental Charges				
Charges by Other Departments	11,287	41,655	42,722	2.56%
Charges to Other Departments	(209,748)	(260,838)	(271,306)	4.01%
Program Generated Revenue				
407050 - Oth Fines & Forf	1,633	-	-	-
Program Generated Revenue Total	1,633	-	-	-
Net Cost				
Manageable Direct Cost	200,491	219,181	228,585	4.29%
Debt Service	-	-	-	-
Charges by Other Departments	11,287	41,655	42,722	2.56%
Charges to Other Departments	(209,748)	(260,838)	(271,306)	4.01%
Program Generated Revenue	(1,633)	-	-	-
Net Cost Total	398	(2)	1	<184.05%>

Municipal Attorney Division Summary

Civil Law

(Fund Center # 115100)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	2,205,999	2,447,443	2,508,988	2.51%
Supplies	15,145	10,930	10,930	-
Travel	2,045	10,000	10,000	-
Contractual/Other Services	132,463	146,730	146,730	-
Equipment, Furnishings	6,547	-	-	
Manageable Direct Cost Total	2,362,198	2,615,103	2,676,648	2.35%
Debt Service	-	-	-	
Direct Cost Total	2,362,198	2,615,103	2,676,648	2.35%
Revenue by Fund				
Fund 101000 - Areawide General	9,404	-	-	
Revenue Total	9,404	-	-	

Positions as Budgeted

	2012 Revised		2013 Revised		2014 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Deputy Municipal Attorney	2	-	2	-	2	-
Legal Secretary II	3	-	3	-	3	-
Legal Secretary III	3	-	3	-	3	-
Municipal Attorney I	3	-	3	-	3	-
Municipal Attorney II	7	-	7	-	7	-
Special Admin Assistant I	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Positions as Budgeted Total	20	-	20	-	20	-

Municipal Attorney**Division Detail****Civil Law**

(Fund Center # 115100)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	2,205,999	2,447,443	2,508,988	2.51%
Supplies	15,145	10,930	10,930	-
Travel	2,045	10,000	10,000	-
Contractual/Other Services	132,463	146,730	146,730	-
Equipment, Furnishings	6,547	-	-	-
Manageable Direct Cost Total	2,362,198	2,615,103	2,676,648	2.35%
Debt Service	-	-	-	-
Direct Cost Total	2,362,198	2,615,103	2,676,648	2.35%
Intra-Governmental Charges				
Charges by Other Departments	189,244	562,296	606,938	7.94%
Charges to Other Departments	(2,545,473)	(3,177,399)	(3,283,586)	3.34%
Program Generated Revenue				
406620 - Rmb Cost-NonGrntFund	9,404	-	-	-
Program Generated Revenue Total	9,404	-	-	-
Net Cost				
Manageable Direct Cost	2,362,198	2,615,103	2,676,648	2.35%
Debt Service	-	-	-	-
Charges by Other Departments	189,244	562,296	606,938	7.94%
Charges to Other Departments	(2,545,473)	(3,177,399)	(3,283,586)	3.34%
Program Generated Revenue	(9,404)	-	-	-
Net Cost Total	(3,434)	-	-	<179.05%>

Municipal Attorney Division Summary

Criminal

(Fund Center # 115200)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	3,058,408	2,807,601	2,986,437	6.37%
Supplies	16,854	15,460	15,460	-
Travel	-	-	-	
Contractual/Other Services	171,708	461,694	195,644	<57.62%>
Manageable Direct Cost Total	3,246,970	3,284,755	3,197,541	<2.66%>
Debt Service	-	-	-	
Direct Cost Total	3,246,970	3,284,755	3,197,541	<2.66%>
Revenue by Fund				
Fund 101000 - Areawide General	861,438	925,000	851,555	<7.94%>
Revenue Total	861,438	925,000	851,555	<7.94%>

Positions as Budgeted

	2012 Revised		2013 Revised		2014 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Administrative Officer	2	-	-	-	-	-
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Clerk I	1	-	-	-	-	-
Legal Clerk II	6	-	6	-	6	-
Legal Secretary I	1	-	1	-	1	-
Legal Secretary II	4	-	5	-	5	-
Legal Secretary III	2	-	2	-	2	-
Municipal Attorney I	9	1	9	-	9	-
Municipal Attorney II	3	3	3	2	5	-
Principal Office Associate	-	1	-	-	-	-
Senior Admin Officer	-	-	1	-	1	-
Positions as Budgeted Total	29	5	28	2	30	-

Municipal Attorney
Division Detail
Criminal

(Fund Center # 115200)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	3,058,408	2,807,601	2,986,437	6.37%
Supplies	16,854	15,460	15,460	-
Travel	-	-	-	-
Contractual/Other Services	171,708	461,694	195,644	<57.62%>
Manageable Direct Cost Total	3,246,970	3,284,755	3,197,541	<2.66%>
Debt Service	-	-	-	-
Direct Cost Total	3,246,970	3,284,755	3,197,541	<2.66%>
Intra-Governmental Charges				
Charges by Other Departments	229,025	727,782	782,181	7.47%
Charges to Other Departments	(2,618,706)	(3,087,535)	(3,128,167)	1.32%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	570,617	600,000	526,555	<12.24%>
406620 - Rmb Cost-NonGrntFund	18,675	10,000	10,000	-
407060 - Pre-Trial Div Cost	272,105	315,000	315,000	-
460070 - MOA Property Sales	41	-	-	-
Program Generated Revenue Total	861,438	925,000	851,555	<7.94%>
Net Cost				
Manageable Direct Cost	3,246,970	3,284,755	3,197,541	<2.66%>
Debt Service	-	-	-	-
Charges by Other Departments	229,025	727,782	782,181	7.47%
Charges to Other Departments	(2,618,706)	(3,087,535)	(3,128,167)	1.32%
Program Generated Revenue	(861,438)	(925,000)	(851,555)	<7.94%>
Net Cost Total	(4,149)	2	-	<108.78%>

Municipal Attorney Division Summary

Muni Attorney Admin

(Fund Center # 115400, 115479, 115450)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	291,914	292,572	302,939	3.54%
Supplies	2,328	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,217,601	1,333,260	1,333,260	-
Manageable Direct Cost Total	1,511,843	1,626,912	1,637,279	0.64%
Debt Service	-	-	-	-
Direct Cost Total	1,511,843	1,626,912	1,637,279	0.64%
Revenue by Fund				
Fund 101000 - Areawide General	396,568	280,000	280,000	-
Revenue Total	396,568	280,000	280,000	-

Positions as Budgeted

	2012 Revised		2013 Revised		2014 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Municipal Attorney	1	-	1	-	1	-
Special Admin Assistant II	1	-	1	-	1	-
Positions as Budgeted Total	2	-	2	-	2	-

Municipal Attorney**Division Detail****Muni Attorney Admin**

(Fund Center # 115400, 115479, 115450)

	2012 Actuals	2013 Revised	2014 Approved	14 v 13 % Chg
Direct Cost by Category				
Salaries and Benefits	291,914	292,572	302,939	3.54%
Supplies	2,328	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,217,601	1,333,260	1,333,260	-
Manageable Direct Cost Total	1,511,843	1,626,912	1,637,279	0.64%
Debt Service	-	-	-	-
Direct Cost Total	1,511,843	1,626,912	1,637,279	0.64%
Intra-Governmental Charges				
Charges by Other Departments	39,430	180,331	202,199	12.13%
Charges to Other Departments	(103,625)	(244,096)	(557,602)	128.44%
Program Generated Revenue				
406620 - Rmb Cost-NonGrntFund	396,568	280,000	280,000	-
Program Generated Revenue Total	396,568	280,000	280,000	-
Net Cost				
Manageable Direct Cost	1,511,843	1,626,912	1,637,279	0.64%
Debt Service	-	-	-	-
Charges by Other Departments	39,430	180,331	202,199	12.13%
Charges to Other Departments	(103,625)	(244,096)	(557,602)	128.44%
Program Generated Revenue	(396,568)	(280,000)	(280,000)	-
Net Cost Total	1,051,081	1,283,147	1,001,876	<21.92%>

Anchorage: Performance. Value. Results

Administration Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Chief legal counsel to the MOA including the Mayor, Assembly, and all executive, departments, agencies, boards and commissions.

Supervise and control all civil and criminal legal services performed by the department and contract counsel for MOA.

Core Services

- Budgetary management
- Staff supervision
- Program and policy oversight

Accomplishment Goals

Maintain high quality, efficient production of legal services through low turnover rate of professional staff, and successful completion by attorneys of subject matter training/continuing legal education.

Performance Measures

Progress in achieving goals will be measured by:

Measure #1: Turnover rate equal to or less than that in government sector legal offices of similar situation.

	<u>Criminal</u>	<u>Criminal %</u>	<u>Civil</u>	<u>Civil %</u>	<u>Retirement %</u>
2010	3/14	21%	2/11	18%	4%
2011	5/16	31%	0/11	0%	21%
2012	5/16	31%	0/11	0%	0%
2013 3rd Q	2/16	12.5%	0/11	0%	0%

Turnover Rate: National average is 19.5% of which contributing factors are pay, benefits, and student loans. Retirements are indicated as a separate percentage.

Measure #2: Percent of professional staff that complete at least 9 Continuing Legal Education credits each year, with a goal of 50%.

	2010	2010	2012	2013 3rd Q
Total Credits	369	284	246	145
# of Attorneys	24	27	27	27
Average Credits	15.38	10.52	9.11	5.4
% Greater than 9	100%	100%	100%	50%

Continuation Legal Education (9 credits) completion percentage – Goal is 50%

Measure #3: Percent of professional staff that complete at least 6 Continuing Legal Education credits per year in their core practice areas, not including required ethics training, with a goal of 100%.

CLE (3 credits) completion percentage – goal is 100%

	2010	2011	2012	2013 3rd Q
Total Credits	297	204	165	90
# of Attorneys	24	27	27	27
Average Credits	12.38	7.56	6.11	3.3
% Greater than 6	100%	100%	100%	55%

CLE – 6 credit average without ethics

Civil Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Provide legal counsel, support, and advice on specific legislation, the Municipal Code, Charter, legislative procedures, and the responsibilities and authority of the Municipality. Represent the Municipality and its officials and employees in civil litigation.

Direct Services

- Provide opinions and code revisions
- Conduct civil litigation

Accomplishment Goals

- Low incidence of remand or reversal on appeal

Performance Measures

Progress in achieving the goal shall be measured by:

Measure #4: Number of matters remanded or reversed on appeal.

Appeal rate of remand or reversal

	<u>Lit Only</u>	<u>Appeals</u>	<u>Rem/Rev</u>	<u>w/ NonLit</u>	<u>Appeals</u>	<u>Rem/Rev</u>
2010	2/91	2%	0%	2/352	1%	0%
2011	2/73	3%	0%	2/235	1%	0%
2012	0/73	0%	0%	0/293	0%	0%
2013 3rd Q	0/82	0%	0%	0/210	0%	0%

Administrative Hearing Office Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Purpose

Provide for the adjudication of certain Municipal Code violations and conduct hearings on certain appeals of administrative actions of Municipal Agencies within the scope of its jurisdiction established by the code.

Direct Services

- Adjudicate matters.
- Conduct hearings, if requested.

Accomplishment Goals

- Low incidence of remand or reversal on appeal
- Improve timeframe between hearing and decision

Performance Measures

Progress in achieving goals shall be measured by:

Measure #5: Percent of matters appealed and remanded or reversed on appeal, as a percentage of total active matters within the fiscal year.

Appeal rate of remand or reversal

	<u>Hearings</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2010	3/157	1.9%	0.0%
2011	1/114	1.0%	0.0%
2012	0/109	0.0%	0.0%
2013 3rd qtr	0/97	0.0%	0.0%

Measure #6: Percent of decisions rendered within code authorized number of days of their hearings (10, 20, 45 days depending on type*).

	10 days	% in 10 days	20 days	% in 20 days	45 days	% in 45 days
2010	91/126	72%	30/30	100%	1/1	100%
2011	74/82	90%	29/29	100%	2/3	66%
2012	61/65	94%	42/42	100%	2/2	100%
2013 3rd Q	62/62	100%	32/32	100%	3/3	100%

* 45 days is DHHS; 20 days is Animal Control; 10 days is everything else

Criminal Division
Municipal Attorney's Office
Anchorage: Performance. Value. Results.

Purpose

Prosecute misdemeanor and traffic offenses under the Anchorage Municipal Code.

Division Direct Services

- Assist\advise Anchorage Police Department (APD) regarding warrants, DV arrests, and related investigatory matters.
- Prosecute cases initiated by APD or transferred from State.
- Pursue or defend appeals from trial courts.
- Assist victims through witness coordination, notice regarding proceedings, and restitution.

Accomplishment Goals

- Improved conviction rate to deter crime and punish offenders.

Performance Measures

Progress in achieving goals will be measured by:

Measure #7: Percentage of open cases at the end of the reporting period.

Measure #8: Percentage of declines at the end of the reporting period.

Measure #9: Percentage of dismissals at the end of the reporting period.

Measure #10: Percentage of cases that result in conviction.

JustWare Database

	2010	2011	2012	2013 2nd qtr
Open	3,308	2,864	3,675	1,997
Declines	3,321	3,345	2,579	1,995
Dismissed	3,052	3,098	854	1,540
Adjudicated	4,784	4,512	5,878	1,266
Not Guilty	3	13	16	22
Disposition per Statue	14,468	13,832	13,002	6,820

Percentages

		2010	2011	2012	2013 3rd qtr
Open	PM 7	22.9%	21.1%	28.3%	29.3%
Declines	PM 8	23.0%	24.6%	19.8%	29.3%
Dismissals	PM 9	21.0%	22.8%	6.6%	22.6%
Conviction	PM 10	33.1%	31.5%	45.3%	43.5%

Measure #11: Percentage of convictions sustained on appeal during the reporting period.
Prosecution Appeal Rate of Remand / Reversal

	<u>Cases</u>	<u>Appeal</u>	<u>Rem/Rev</u>
2010	0/14,468	0.00%	0.00%
2011	1/13,832	0.00%	0.00%
2012	1/13,002	0.00%	0.00%
2013 3rd qtr	1/6,820	0.00%	0.00%

This page intentionally left blank.