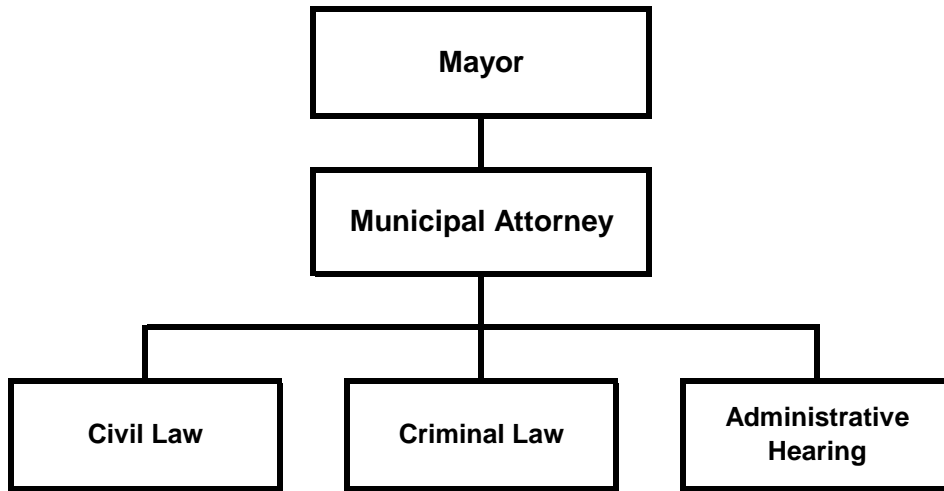


Municipal Attorney



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 Mission:



Strengthen Anchorage's Economy – Build a city that attracts and retains a talented workforce, the most innovative companies, and provides a strong environment for economic growth

- 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

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Division				
ATY Administration	1,628,770	1,658,704	1,640,479	(1.10%)
ATY Administrative Hearing	182,393	185,737	187,616	1.01%
ATY Civil Law	2,349,654	2,444,318	2,360,422	(3.43%)
ATY Criminal	3,154,280	3,173,704	3,183,582	0.31%
Direct Cost Total	7,315,097	7,462,462	7,372,099	(1.21%)
Intragovernmental Charges				
Charges by/to Other Departments	(5,529,019)	(5,627,839)	(5,443,092)	(3.28%)
Function Cost Total	1,786,079	1,834,623	1,929,007	5.14%
Program Generated Revenue	(930,777)	(938,582)	(849,582)	(9.48%)
Net Cost Total	855,301	896,041	1,079,425	20.47%
Direct Cost by Category				
Salaries and Benefits	5,693,436	5,730,218	5,660,963	(1.21%)
Supplies	28,368	27,470	27,034	(1.59%)
Travel	11,526	10,000	10,000	-
Contractual/Other Services	1,581,768	1,694,774	1,674,102	(1.22%)
Debt Service	-	-	-	-
Direct Cost Total	7,315,097	7,462,462	7,372,099	(1.21%)
Position Summary as Budgeted				
Full-Time	53	51	50	(1.96%)
Part-Time	-	-	-	-
Position Total	53	51	50	(1.96%)

**Municipal Attorney
Reconciliation from 2016 Revised Budget to 2017 Approved Budget**

	Direct Costs	Positions		
		FT	PT	Seas/T
2016 Revised Budget	7,462,462	51	-	-
Changes in Existing Programs/Funding for 2017				
- Salary and benefits adjustments	49,198	-	-	-
2017 Continuation Level				
	7,511,660	51	-	-
2017 One-Time Requirements				
- Reduction in fleet rental rates	(672)	-	-	-
2017 Proposed Budget Changes				
- Eliminate vacant legal secretary position	(118,453)	(1)	-	-
- Reduction to professional services	(20,000)	-	-	-
2017 Assembly Amendments				
- <i>Assembly Member Flynn, as amended by Assembly Member Weddleton</i> - Restore \$120,937 to the Library Department funded by specific reductions of 1.5958% to all departments' supply budgets except Police and Fire	(436)	-	-	-
2017 Approved Budget				
	7,372,099	50	-	-

Municipal Attorney Division Summary

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	332,473	304,364	306,139	0.58%
Supplies	1,389	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,294,909	1,353,260	1,333,260	(1.48%)
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	1,628,770	1,658,704	1,640,479	(1.10%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,628,770	1,658,704	1,640,479	-
Intragovernmental Charges				
Charges by/to Other Departments	(483,137)	(377,845)	(359,619)	(4.82%)
Function Cost Total	1,145,633	1,280,859	1,280,860	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	291,248	290,000	201,000	(30.69%)
Program Generated Revenue Total	291,248	290,000	201,000	(30.69%)
Net Cost Total	854,385	990,859	1,079,860	8.98%
Position Summary as Budgeted				
Full-Time	2	2	2	-
Position Total	2	2	2	-

**Municipal Attorney
Division Detail
ATY Administration**

(Fund Center # 115450, 115479, 115400)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	332,473	304,364	306,139	0.58%
Supplies	1,389	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,294,909	1,353,260	1,333,260	(1.48%)
Manageable Direct Cost Total	1,628,770	1,658,704	1,640,479	(1.10%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,628,770	1,658,704	1,640,479	(1.10%)
Intragovernmental Charges				
Charges by/to Other Departments	(483,137)	(377,845)	(359,619)	(4.82%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	291,248	290,000	201,000	(30.69%)
Program Generated Revenue Total	291,248	290,000	201,000	(30.69%)
Net Cost				
Direct Cost Total	1,628,770	1,658,704	1,640,479	(1.10%)
Charges by/to Other Departments Total	(483,137)	(377,845)	(359,619)	(4.82%)
Program Generated Revenue Total	(291,248)	(290,000)	(201,000)	(30.69%)
Net Cost Total	854,385	990,859	1,079,860	8.98%

Position Detail as Budgeted

	2015 Revised		2016 Revised		2017 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	-
Position Detail as Budgeted Total	2	-	2	-	2	-

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

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	182,393	185,737	187,616	1.01%
Travel	-	-	-	-
Manageable Direct Cost Total	182,393	185,737	187,616	1.01%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	182,393	185,737	187,616	-
Intragovernmental Charges				
Charges by/to Other Departments	(180,360)	(184,738)	(186,615)	1.02%
Function Cost Total	2,033	999	1,001	0.16%
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	2,103	1,000	1,000	-
Program Generated Revenue Total	2,103	1,000	1,000	-
Net Cost Total	(70)	(1)	1	(191.87%)

Position Summary as Budgeted

Full-Time	2	2	2	-
Position Total	2	2	2	-

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

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	182,393	185,737	187,616	1.01%
Travel	-	-	-	-
Manageable Direct Cost Total	182,393	185,737	187,616	1.01%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	182,393	185,737	187,616	1.01%
Intragovernmental Charges				
Charges by/to Other Departments	(180,360)	(184,738)	(186,615)	1.02%
Program Generated Revenue				
404220 - Miscellaneous Permits	10	-	-	-
406625 - Reimbursed Cost-NonGrant Funded	50	-	-	-
407050 - Other Fines and Forfeitures	2,043	1,000	1,000	-
Program Generated Revenue Total	2,103	1,000	1,000	-
Net Cost				
Direct Cost Total	182,393	185,737	187,616	1.01%
Charges by/to Other Departments Total	(180,360)	(184,738)	(186,615)	1.02%
Program Generated Revenue Total	(2,103)	(1,000)	(1,000)	-
Net Cost Total	(70)	(1)	1	(191.87%)

Position Detail as Budgeted

	2015 Revised		2016 Revised		2017 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Legal Secretary II	1	-	1	-	1	-
Municipal Attorney II	1	-	1	-	1	-
Position Detail as Budgeted Total	2	-	2	-	2	-

Municipal Attorney Division Summary

ATY Civil Law

(Fund Center # 115100)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	2,296,259	2,276,658	2,192,762	(3.69%)
Supplies	9,208	10,930	10,930	-
Travel	11,526	10,000	10,000	-
Contractual/Other Services	32,661	146,730	146,730	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	2,349,654	2,444,318	2,360,422	(3.43%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,349,654	2,444,318	2,360,422	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,331,463)	(2,529,136)	(2,350,421)	(7.07%)
Function Cost Total	18,191	(84,818)	10,001	(111.79%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	17,205	10,000	10,000	-
Program Generated Revenue Total	17,205	10,000	10,000	-
Net Cost Total	986	(94,818)	1	(100.00%)
Position Summary as Budgeted				
Full-Time	19	18	17	(5.56%)
Position Total	19	18	17	(5.56%)

Municipal Attorney
Division Detail
ATY Civil Law
(Fund Center # 115100)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	2,296,259	2,276,658	2,192,762	(3.69%)
Supplies	9,208	10,930	10,930	-
Travel	11,526	10,000	10,000	-
Contractual/Other Services	32,661	146,730	146,730	-
Manageable Direct Cost Total	2,349,654	2,444,318	2,360,422	(3.43%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,349,654	2,444,318	2,360,422	(3.43%)
Intragovernmental Charges				
Charges by/to Other Departments	(2,331,463)	(2,529,136)	(2,350,421)	(7.07%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	17,205	10,000	10,000	-
Program Generated Revenue Total	17,205	10,000	10,000	-
Net Cost				
Direct Cost Total	2,349,654	2,444,318	2,360,422	(3.43%)
Charges by/to Other Departments Total	(2,331,463)	(2,529,136)	(2,350,421)	(7.07%)
Program Generated Revenue Total	(17,205)	(10,000)	(10,000)	-
Net Cost Total	986	(94,818)	1	(100.00%)

Position Detail as Budgeted

	2015 Revised		2016 Revised		2017 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Secretary II	2	-	2	-	2	-
Legal Secretary III	3	-	3	-	2	-
Municipal Attorney I	2	-	2	-	2	-
Municipal Attorney II	9	-	9	-	9	-
Special Admin Assistant I	1	-	1	-	1	-
Special Admin Assistant II	1	-	-	-	-	-
Position Detail as Budgeted Total	19	-	18	-	17	-

Municipal Attorney Division Summary

ATY Criminal

(Fund Center # 115200)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	2,882,311	2,963,460	2,974,446	0.37%
Supplies	17,771	15,460	15,024	(2.82%)
Travel	-	-	-	-
Contractual/Other Services	254,198	194,784	194,112	(0.34%)
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	3,154,280	3,173,704	3,183,582	0.31%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,154,280	3,173,704	3,183,582	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,534,058)	(2,536,120)	(2,546,437)	0.41%
Function Cost Total	620,221	637,584	637,145	(0.07%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	620,221	637,582	637,582	-
Program Generated Revenue Total	620,221	637,582	637,582	-
Net Cost Total	-	2	(437)	(28842.27%)
Position Summary as Budgeted				
Full-Time	30	29	29	-
Position Total	30	29	29	-

Municipal Attorney
Division Detail
ATY Criminal
(Fund Center # 115200)

	2015 Actuals	2016 Revised	2017 Approved	17 v 16 % Chg
Direct Cost by Category				
Salaries and Benefits	2,882,311	2,963,460	2,974,446	0.37%
Supplies	17,771	15,460	15,024	(2.82%)
Travel	-	-	-	-
Contractual/Other Services	254,198	194,784	194,112	(0.34%)
Manageable Direct Cost Total	3,154,280	3,173,704	3,183,582	0.31%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,154,280	3,173,704	3,183,582	0.31%
Intragovernmental Charges				
Charges by/to Other Departments	(2,534,058)	(2,536,120)	(2,546,437)	0.41%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	513,505	507,582	507,582	-
406580 - Copier Fees	359	-	-	-
406625 - Reimbursed Cost-NonGrant Funded	11,007	10,000	10,000	-
407060 - Pre-Trial Diversion Cost	95,350	120,000	120,000	-
Program Generated Revenue Total	620,221	637,582	637,582	-
Net Cost				
Direct Cost Total	3,154,280	3,173,704	3,183,582	0.31%
Charges by/to Other Departments Total	(2,534,058)	(2,536,120)	(2,546,437)	0.41%
Program Generated Revenue Total	(620,221)	(637,582)	(637,582)	-
Net Cost Total	-	2	(437)	(28842.27%)

Position Detail as Budgeted

	2015 Revised		2016 Revised		2017 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Administrative Officer	1	-	1	-	1	-
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Clerk II	6	-	5	-	5	-
Legal Secretary I	1	-	1	-	1	-
Legal Secretary II	6	-	6	-	6	-
Legal Secretary III	1	-	1	-	1	-
Municipal Attorney I	9	-	9	-	9	-
Municipal Attorney II	5	-	5	-	5	-
Position Detail as Budgeted Total	30	-	29	-	29	-

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>
2013	2/16	12.5%	1/11	9%	0%
2014	2/16	12.5%	2/11	0%	18%
2015	1/16	6.3%	1/11	9.1%	0%
2016 2nd	1/15	6.7%	0/12	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%.

	2013	2014	2015	2016 2nd
Total Credits	243	224	240	135
# of Attorneys	27	27	27	27
Average Credits	9.00	8.3	8.9	5.0
% Greater than 9	100%	100%	99%	56%

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%

	2013	2014	2015	2016 2nd
Total Credits	162	143	159	81
# of Attorneys	27	27	27	27
Average Credits	6.0	5.3	5.9	0.0
% Greater than 6	100%	100%	98%	50%

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.
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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>
2013	3/103	3%	0%	3/251	1%	0%
2014	0/92	0%	0%	0/256	0%	0%
2015	0/83	0%	0%	0/230	0%	0%
2016 2nd	7/25	28%	0%	7/96	7.3%	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>
2013	0/103	0.0%	0.0%
2014	0/112	0.0%	0.0%
2015	1/60	0.0%	1.6%
2016 2nd	3/27	11.11%	3.7%

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
2013	68/68	100%	32/32	100%	3/3	100%
2014	43/43	100%	67/67	100%	2/2	100%
2015	30/30	100%	28/28	100%	2/2	100%
2016 2nd	12/12	100%	15/15	100%	0/0	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: Opened cases

Measure #8: Declined cases

Measure #9: Dismissed cases

Measure #10: Closed/Probation cases

Measure #11: Response to defense

Measure #12: Trial cases

Measure #13: Probation Violations Filed

Measure #14: Victim Contact (all cases)

Measure #15: Domestic Violence counts

Measure #16: Minor Offense (violations) **new for 2016**

		Performance Measures	2015	2016 2nd	2017	2018
PM	7	Open	5363	3561		
PM	8	Declined	1651	853		
PM	9	Dismissals	1292	688		
PM	10	Closed/Probation	4122	4680		
PM	11	Response to defense				
		Motions Granted	31	24		
		Motions Denied	5	3		
		Motions Open	21	15		
		Withdrawn	4	0		
		Appeals Upheld	6	2		
		Appeals Withdrawn by Defense	3	0		
		Appeals Open	13	2		
PM	12	Trial CASES	14	11		
		Outcome by count: Guilty	44	14		
		Outcome by count: Not Guilty	16	26		
		Outcome by count: Hung Jury	3	0		
PM	13	Probation Violations Filed	1034	678		
PM	14	Victim Contact (all cases)	3127	1613		
PM	15	Domestic Violence counts	2832	1407		
PM	16	Minor Offenses (violations)		94		

Cases Received	2015	2016 2nd	2017	2018
Domestic Violence Unit	2,063	1,066		
General Trial Unit	7,121	1,407		
Minor Offense & Traffic	37	94		
Total cases by Quarter	9,221	4,285	-	-

PVR Measure WC: Managing Workers' Compensation Claims

Reducing job-related injuries is a priority for the Administration by ensuring safe work conditions and safe practices. By instilling safe work practices we ensure not only the safety of our employees but reduce the potential for injuries and property damage to the public. The Municipality is self-insured and every injury poses a financial burden on the public and the injured worker's family. It just makes good sense to WORK SAFE.

Results are tracked by monitoring monthly reports issued by the Risk Management Division.

