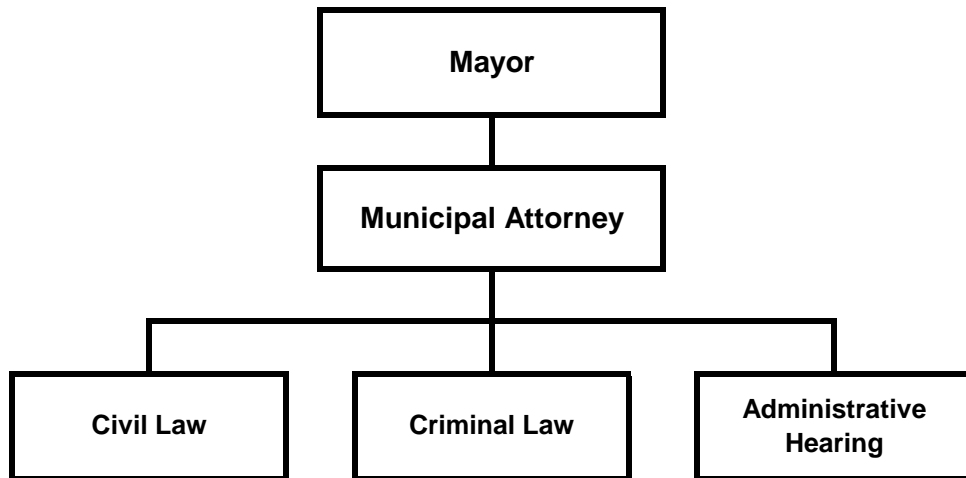


Municipal Attorney



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:



Economy – Build a city that attracts and retains a talented workforce, is hospitable to entrepreneurs, small business and established 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

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Division				
ATY Administration	1,608,266	1,640,479	1,626,755	(0.84%)
ATY Administrative Hearing	183,955	187,616	233,818	24.63%
ATY Civil Law	2,452,996	2,360,422	2,315,211	(1.92%)
ATY Criminal	3,245,038	3,183,537	3,277,122	2.94%
Direct Cost Total	7,490,255	7,372,054	7,452,907	1.10%
Intragovernmental Charges				
Charges by/to Other Departments	(5,749,943)	(5,442,607)	(5,650,300)	3.82%
Function Cost Total	1,740,312	1,929,447	1,802,607	(6.57%)
Program Generated Revenue	(660,001)	(890,582)	(639,340)	(28.21%)
Net Cost Total	1,080,311	1,038,865	1,163,267	11.97%
Direct Cost by Category				
Salaries and Benefits	5,843,966	5,660,963	5,766,272	1.86%
Supplies	33,797	27,034	27,034	-
Travel	2,578	10,000	10,000	-
Contractual/Other Services	1,609,914	1,674,057	1,649,601	(1.46%)
Debt Service	-	-	-	-
Direct Cost Total	7,490,255	7,372,054	7,452,907	1.10%
Position Summary as Budgeted				
Full-Time	50	49	48	(2.04%)
Part-Time	1	1	-	(100.00%)
Position Total	51	50	48	(4.00%)

Municipal Attorney Reconciliation from 2017 Revised Budget to 2018 Approved Budget

	Direct Costs	Positions		
		FT	PT	Seas/T
2017 Revised Budget	7,372,054	49	1	-
2017 One-Time Requirements				
- Remove 2017 Prop - ONE-TIME - Reduction in fleet rental rates	672	-	-	-
Changes in Existing Programs/Funding for 2018				
- Salary and benefits adjustments	274,353	-	-	-
- Fleet rental rates	1,472	-	-	-
2018 Continuation Level	7,648,551	49	1	-
2018 Proposed Budget Changes				
- Pause cost-of-living increase for Executive employees	(50,540)	-	-	-
- Eliminate one (1) full-time Legal Secretary position	(110,151)	(1)	-	-
- Eliminate one (1) full-time Special Administrative Assistant position	(122,760)	(1)	-	-
- Reduce legal services for outside counsel	(36,600)	-	-	-
2018 S Version Budget Changes				
- Hearing Officer from .8 FTE to 1 FTE	24,407	1	(1)	-
- Prosecutor's Office pay increase for staff attorneys and training to develop and improve trial skills	100,000	-	-	-
2018 Approved Budget	7,452,907	48	-	-

Municipal Attorney Division Summary

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	302,286	306,139	329,015	7.47%
Supplies	1,360	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,304,620	1,333,260	1,296,660	(2.75%)
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	1,608,266	1,640,479	1,626,755	(0.84%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,608,266	1,640,479	1,626,755	-
Intragovernmental Charges				
Charges by/to Other Departments	(337,005)	(359,615)	(334,577)	(6.96%)
Function Cost Total	1,271,261	1,280,864	1,292,178	0.88%
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	227,676	242,000	253,320	4.68%
Program Generated Revenue Total	227,676	242,000	253,320	4.68%
Net Cost Total	1,043,585	1,038,864	1,038,858	-

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)

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	302,286	306,139	329,015	7.47%
Supplies	1,360	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,304,620	1,333,260	1,296,660	(2.75%)
Manageable Direct Cost Total	1,608,266	1,640,479	1,626,755	(0.84%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,608,266	1,640,479	1,626,755	(0.84%)
Intragovernmental Charges				
Charges by/to Other Departments	(337,005)	(359,615)	(334,577)	(6.96%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	227,676	242,000	253,320	4.68%
Program Generated Revenue Total	227,676	242,000	253,320	4.68%
Net Cost				
Direct Cost Total	1,608,266	1,640,479	1,626,755	(0.84%)
Charges by/to Other Departments Total	(337,005)	(359,615)	(334,577)	(6.96%)
Program Generated Revenue Total	(227,676)	(242,000)	(253,320)	4.68%
Net Cost Total	1,043,585	1,038,864	1,038,858	-

Position Detail as Budgeted

	2016 Revised		2017 Revised		2018 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)

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	183,955	187,616	233,818	24.63%
Travel	-	-	-	-
Manageable Direct Cost Total	183,955	187,616	233,818	24.63%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	183,955	187,616	233,818	-
Intragovernmental Charges				
Charges by/to Other Departments	(182,732)	(186,615)	(208,411)	11.68%
Function Cost Total	1,224	1,001	25,407	2438.75%
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	1,213	1,000	1,000	-
Program Generated Revenue Total	1,213	1,000	1,000	-
Net Cost Total	10	1	24,407	3141813.50%
Position Summary as Budgeted				
Full-Time	1	1	2	100.00%
Part-Time	1	1	-	(100.00%)
Position Total	2	2	2	-

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

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	183,955	187,616	233,818	24.63%
Travel	-	-	-	-
Manageable Direct Cost Total	183,955	187,616	233,818	24.63%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	183,955	187,616	233,818	24.63%
Intragovernmental Charges				
Charges by/to Other Departments	(182,732)	(186,615)	(208,411)	11.68%
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	20	-	-	-
407050 - Other Fines and Forfeitures	1,193	1,000	1,000	-
Program Generated Revenue Total	1,213	1,000	1,000	-
Net Cost				
Direct Cost Total	183,955	187,616	233,818	24.63%
Charges by/to Other Departments Total	(182,732)	(186,615)	(208,411)	11.68%
Program Generated Revenue Total	(1,213)	(1,000)	(1,000)	-
Net Cost Total	10	1	24,407	3141813.50 %

Position Detail as Budgeted

	2016 Revised		2017 Revised		2018 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	1	1	1	1	2	-

Municipal Attorney Division Summary

ATY Civil Law

(Fund Center # 115100)

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	2,316,501	2,192,762	2,147,551	(2.06%)
Supplies	13,135	10,930	10,930	-
Travel	2,578	10,000	10,000	-
Contractual/Other Services	120,782	146,730	146,730	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	2,452,996	2,360,422	2,315,211	(1.92%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,452,996	2,360,422	2,315,211	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,425,036)	(2,350,421)	(2,305,210)	(1.92%)
Function Cost Total	27,960	10,001	10,001	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	8,549	10,000	10,000	-
Program Generated Revenue Total	8,549	10,000	10,000	-
Net Cost Total	19,411	1	1	27.58%
Position Summary as Budgeted				
Full-Time	18	17	16	(5.88%)
Position Total	18	17	16	(5.88%)

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

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	2,316,501	2,192,762	2,147,551	(2.06%)
Supplies	13,135	10,930	10,930	-
Travel	2,578	10,000	10,000	-
Contractual/Other Services	120,782	146,730	146,730	-
Manageable Direct Cost Total	2,452,996	2,360,422	2,315,211	(1.92%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,452,996	2,360,422	2,315,211	(1.92%)
Intragovernmental Charges				
Charges by/to Other Departments	(2,425,036)	(2,350,421)	(2,305,210)	(1.92%)
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	8,549	10,000	10,000	-
Program Generated Revenue Total	8,549	10,000	10,000	-
Net Cost				
Direct Cost Total	2,452,996	2,360,422	2,315,211	(1.92%)
Charges by/to Other Departments Total	(2,425,036)	(2,350,421)	(2,305,210)	(1.92%)
Program Generated Revenue Total	(8,549)	(10,000)	(10,000)	-
Net Cost Total	19,411	1	1	27.58%

Position Detail as Budgeted

	2016 Revised		2017 Revised		2018 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	-	2	-	2	-
Municipal Attorney I	2	-	2	-	2	-
Municipal Attorney II	9	-	9	-	9	-
Special Admin Assistant I	1	-	1	-	-	-
Position Detail as Budgeted Total	18	-	17	-	16	-

Municipal Attorney Division Summary

ATY Criminal

(Fund Center # 115200)

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	3,041,224	2,974,446	3,055,887	2.74%
Supplies	19,302	15,024	15,024	-
Travel	-	-	-	-
Contractual/Other Services	184,512	194,067	206,211	6.26%
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	3,245,038	3,183,537	3,277,122	2.94%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,245,038	3,183,537	3,277,122	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,805,171)	(2,545,956)	(2,802,102)	10.06%
Function Cost Total	439,867	637,581	475,020	(25.50%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	422,562	637,582	375,020	(41.18%)
Program Generated Revenue Total	422,562	637,582	375,020	(41.18%)
Net Cost Total	17,305	(1)	100,000	(19372429.38%)
Position Summary as Budgeted				
Full-Time	29	29	28	(3.45%)
Position Total	29	29	28	(3.45%)

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

	2016 Actuals	2017 Revised	2018 Approved	18 v 17 % Chg
Direct Cost by Category				
Salaries and Benefits	3,041,224	2,974,446	3,055,887	2.74%
Supplies	19,302	15,024	15,024	-
Travel	-	-	-	-
Contractual/Other Services	184,512	194,067	206,211	6.26%
Manageable Direct Cost Total	3,245,038	3,183,537	3,277,122	2.94%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,245,038	3,183,537	3,277,122	2.94%
Intragovernmental Charges				
Charges by/to Other Departments	(2,805,171)	(2,545,956)	(2,802,102)	10.06%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	351,578	507,582	245,020	(51.73%)
406625 - Reimbursed Cost-NonGrant Funded	5,694	10,000	10,000	-
407060 - Pre-Trial Diversion Cost	65,291	120,000	120,000	-
Program Generated Revenue Total	422,562	637,582	375,020	(41.18%)
Net Cost				
Direct Cost Total	3,245,038	3,183,537	3,277,122	2.94%
Charges by/to Other Departments Total	(2,805,171)	(2,545,956)	(2,802,102)	10.06%
Program Generated Revenue Total	(422,562)	(637,582)	(375,020)	(41.18%)
Net Cost Total	17,305	(1)	100,000	(19372429.38%)

Position Detail as Budgeted

	2016 Revised		2017 Revised		2018 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	5	-	5	-	5	-
Legal Secretary I	1	-	1	-	2	-
Legal Secretary II	6	-	6	-	4	-
Legal Secretary III	1	-	1	-	1	-
Municipal Attorney I	9	-	9	-	9	-
Municipal Attorney II	5	-	5	-	5	-
Position Detail as Budgeted Total	29	-	29	-	28	-

Anchorage: Performance. Value. Results

Administration
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>
2014	2/16	12.5%	2/11	0%	18%
2015	1/16	6.3%	2/11	9.1%	0%
2016	1/15	6.7%	2/10	0%	0%
2017 2nd	3/15	20%	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%.

	2014	2015	2016	2017 2nd qtr
Total Credits	224	240	243	81
# of Attorneys	27	27	27	27
Average Credits	8.3	8.9	9.0	3.0
% Greater than 9	100%	100%	100%	33%

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%

	2014	2015	2016	2017 2nd qtr
Total Credits	143	159	162	0
# of Attorneys	27	27	27	27
Average Credits	5.3	5.9	6.0	0.0
% Greater than 6	100%	100%	100%	0%

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>
2014	0/92	0%	0%	0/256	0%	0%
2015	0/83	0%	0%	0/230	0%	0%
2016	12/57	21%	0%	12/198	6%	0%
2017 2nd	1/25	4%	0%	1/96	1%	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>
2014	0/112	0.0%	0.0%
2015	1/60	0.0%	1.6%
2016	5/45	11.1%	2.2%
2017 2nd	1/36	2.8%	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
2014	43/43	100%	67/67	100%	2/2	100%
2015	30/30	100%	28/28	100%	2/2	100%
2016	16/16	100%	27/27	100%	1/2	50%
2017 2 qtr	21/21	100%	14/14	100%	1/1	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)

2018 Approved General Government Operating Budget

		Performance Measures	2015	2016	2017 2nd	2018
PM	7	Open	5363	6380	2887	
PM	8	Declined	1651	1851	819	
PM	9	Dismissals	1292	1344	514	
PM	10	Closed/Probation	4122	9403	4225	
PM	11	Response to defense				
		Motions Granted	31	48	25	
		Motions Denied	5	7	4	
		Motions Open	21	25	30	
		Withdrawn	4	3	0	
		Appeals Upheld	6	5	3	
		Appeals Withdrawn by Defense	3	0	1	
		Appeals Open	13	6	8	
PM	12	Trial CASES	14	18	15	
		Outcome by count: Guilty	44	20	12	
		Outcome by count: Not Guilty	16	14	9	
		Outcome by count: Hung Jury	3	0	2	
PM	13	Probation Violations Filed	1034	1553	648	
PM	14	Victim Contact (all cases)	3127	3128	1629	
PM	15	Domestic Violence counts	2832	2639	1353	
PM	16	Minor Offenses (violations)		156	55	

Cases Received	2015	2016	2017 2nd	2018
Domestic Violence Unit	2,063	2047	1049	
General Trial Unit	7,121	5609	2535	
Minor Offense & Traffic	37	156	55	
Total cases by Quarter	9,221	7,812	3,639	-

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.

