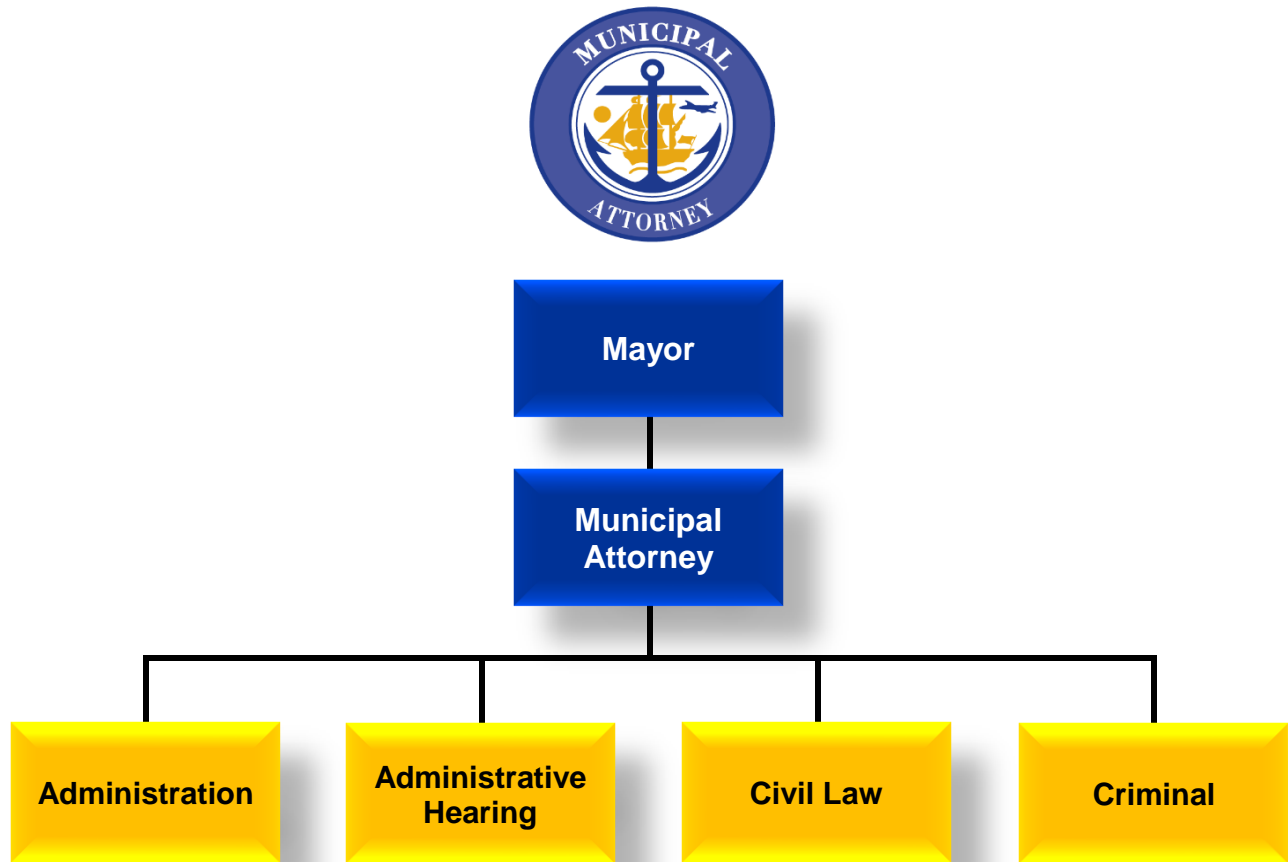


Municipal Attorney



Municipal Attorney

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 supervises contract counsel for MOA, including indigent defense.

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:



Good Government – Staffing up departments, balancing the budget, and delivering better services.

- Develop and maintain institutional knowledge through effective recruitment and retention of attorneys and legal staff.
- Provide timely, effective, ethical advice to all municipal departments to help them better serve municipal employees and the public.
- 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.
- Effectively defend or pursue municipal interests through negotiation, communication, and litigation where necessary.
- Avoid or mitigate undue municipal liability.
- Litigate efficiently by building in-house expertise, with the goal of improving timeframe between hearing and decision and achieving a low incidence of remand or reversal on appeal in litigation.
- Oversee indigent defense contracts to ensure that defendants' constitutional rights are protected.
- Provide speedy and just resolution in administrative hearings.
- Build and maintain public trust in the Municipality by ensuring lawful, ethical municipal operations.



Safe Streets and Trails – Tackling homelessness, staffing up the Anchorage Police Department, and improving public safety for everyone.

- Provide effective, timely assistance to law enforcement (APD and AFD).
- Assist law enforcement in increasing transparency in accordance with federal, state, and municipal law.

- Support Municipal Prosecution to ensure that misdemeanor crimes affecting daily life and safety within Anchorage are handled appropriately, either through prosecution or diversion programs to reduce recidivism.
- Support the Homelessness Coordinator, administration, municipal departments, and Assembly in creating and applying effective and legally sound laws and policies to address issues arising from homelessness.



Building Our Future – Delivering better economic opportunities, more housing, affordable childcare, and a reliable energy future.

- Support departments with a role in Anchorage’s economic, energy and housing development.
- Assist departments, administration, and Assembly in efforts to communicate and coordinate on shared goals.
- Advise administration on policies and proposed code changes to improve the Municipality’s ability to recruit and retain qualified employees.

Municipal Attorney Department Summary

	2023 Actuals Unaudited	2024 Revised	2025 Approved	25 v 24 % Chg
Direct Cost by Division				
ATY Administration	1,931,481	1,864,057	2,338,651	25.46%
ATY Administrative Hearing	287,812	308,457	314,347	1.91%
ATY Civil Law	2,111,067	2,954,246	2,955,849	0.05%
ATY Criminal	2,848,249	3,943,526	3,963,908	0.52%
Direct Cost Total	7,178,609	9,070,286	9,572,755	5.54%
Intragovernmental Charges				
Charges by/to Other Departments	(5,074,142)	(7,116,287)	(7,168,367)	0.73%
Function Cost Total	2,104,466	1,953,999	2,404,388	23.05%
Program Generated Revenue	(726,322)	(717,320)	(717,320)	-
Net Cost Total	1,378,144	1,236,679	1,687,068	36.42%
Direct Cost by Category				
Salaries and Benefits	5,232,486	7,235,032	7,287,501	0.73%
Supplies	42,896	27,034	27,034	-
Travel	5,692	10,000	10,000	-
Contractual/OtherServices	1,879,793	1,798,220	2,248,220	25.02%
Debt Service	-	-	-	-
Equipment, Furnishings	17,742	-	-	-
Direct Cost Total	7,178,609	9,070,286	9,572,755	5.54%
Position Summary as Budgeted				
Full-Time	46	46	46	-
Part-Time	-	-	-	-
Position Total	46	46	46	-

Municipal Attorney Reconciliation from 2024 Revised Budget to 2025 Approved Budget

	Direct Costs	Positions		
		FT	PT	Seas/T
2024 Revised Budget	9,070,286	46	-	-
Changes in Existing Programs/Funding for 2025				
- Salaries and benefits adjustments	52,469	-	-	-
2025 Continuation Level	9,122,755	46	-	-
2025 Proposed Budget Changes				
- Prosecution recruitment and retention	75,000	-	-	-
- Public defender contract increase	375,000	-	-	-
2025 Approved Budget	9,572,755	46	-	-

Administration Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Mission

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>
2017	3/15	20%	1/12	10%	0%
2018	2/15	13%	1/13	7%	0%
2019	3/15	20%	1/14	7%	0%
2020	1/15	6%	1/14	7%	0%
2021	2/15	13%	1/14	7%	0%
2022					
2022 1Q	1/15	6%	1/13	7%	7%
2022 2Q	0/15	0%	0/11	0%	0%
2022 3Q	2/15	7.5%	1/11	11%	0%
2022 4Q	4/15	26.6%	2/11	18.2%	0%
2024 2Q	1/14	7%	1/13	7%	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%.

	2017	2018	2019	2020	2021	2022 1Q	2022 2Q	2022 3Q	2022 4Q	2024 2Q
Total Credits	200	260	218	249	234	63	39	36	60	80
# of Attorneys	27	28	29	29	27	27	27	26	22	18
Average Credits	7.4	9.2	7.5	8.6	8.6	2.3	1.4	1.4	2.7	4.4
% Greater than 9	82.2%	100%	83.3%	95.4%	103.8%	38.5%	15.5%	15.3%	30.3%	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%

	2017	2018	2019	2020	2021	2022 1Q	2022 2Q	2022 3Q	2022 4Q	2024 2Q
Total Credits	144	174	168	108	136	18	18	24	18	18
# of Attorneys	27	28	29	29	27	27	27	26	22	18
Average Credits	5.3	6.2	5.8	3.7	5.0	.66	.66	.92	.81	1
% Greater than 6	88.3%	100%	96.7%	99.3%	119.1%	11.1%	11.1%	29.6%	13.6%	16.6%

CLE – 6 credit average without ethics

Civil Division Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Mission

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 (lit cases).

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>
2017	2/56	3.6%	0%	2/191	1%	0%
2018	3/78	3.8%	0%	3/190	1.6%	0%
2019	5/82	6.1%	0%	5/188	2.7%	0%
2020	3/76	3.9%	0%	1/49	2%	0%
2021	20/63	31.7%	1.5%	0/67	0%	0%
2022 1Q	21/70	30.0%	0%	0/72	0%	0%
2022 2Q	21/70	30.0%	0%	0/72	0%	0%
2022 3Q	22/75	29.3%	0%	0/103	0%	0%
2022 4Q	20/87	23%	0%	0/154	0%	0%
2024 2Q	?			0/77	0%	0%

Administrative Hearing Office Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Mission

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>
2017	1/62	1.6%	0%
2018	0/35	0%	0%
2019	0/42	0%	0%
2020	0/17	0%	0%
2021	0/16	0%	0%
2022 1Q	0/4	0%	0%
2022 2Q	0/9	0%	0%
2022 3Q	0/4	0%	0%
2022 4Q	0/8	0%	0%
 2024 2Q	 0/7	 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
2017	29/30	97%	31/31	100%	1/1	50%
2018	18/20	90%	15/15	100%	0/0	0%
2019	18/21	86%	21/21	100%	0/0	0%
2020	8/12	66.66%	5/5	100%	0/0	0%
2021	5/32	15%	10/11	100%	5/6	100%
2022 1Q	2/4	50%	2/2	100%	0/0	0%
2022 2Q	6/9	66.66%	3/9	33.33%	1/1	100%
2022 3Q	4/4	100%	4/4	100%	0/0	0%
2022 4Q	3/3	100%	2/2	100%	3/3	100%
2024 2Q	4/4	100%	2/2	100%	1/1	100%

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

Criminal Division Municipal Attorney's Office

Anchorage: Performance. Value. Results.

Mission

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

2025 Approved General Government Operating Budget

		2018	2019	2020	2021	2022	2023 1Q	2023 2Q	2023 3Q	2023 4Q
PM	7	Open (all new cases)	6,342	6,740	6,887	7,998	7,621	1,769	1,717	
PM	8	Declined (new & on going)	2,033	2,318	1,180	1,254	1,317	471	529	
PM	9	Dismissals (new & on going)	1,309	1,300	363	1,310	1,326	483	254	
PM	10	Closed/Probation (new & on going)	5,231	6,123	2,142	4,143	3,229	749	707	
PM	11	Motion (response to defense)								
		Defense Motions Granted	5	6	9	5	9	10	20	
		Defense Motions Denied	41	30	25	22	36	14	17	
		Motions Open	24	25	35	31	67	14	16	
		Withdrawn	-	-	13	-	6	-	4	
		Defense Appeals Upheld	3	4	-	1	2	-	-	
		Appeals Withdrawn by Defense	7	17	2	3	4	1	-	
		Appeals Open	8	18	8	15	19	4	4	
PM	12	Trial								
		Total Cases	31	32	6	4	-	5	3	
		Outcome of case by count : Not Guilty	4	13	3	-	-	1	3	
		Outcome of case by count : Guilty	31	28	7	6	9	5	1	
		Outcome of case by count : Hung Jury	2	2	-	-	-	-	-	
PM	13	Probation Violations Filed	801	504	505	202	392	170	59	
PM	14	Victim Contact (bail notice)	3,269	3,389	3,126	2,995	2,966	640	737	
PM	15	Domestic Violence counts filed	3,265	3,458	3,033	3,279	2,267	533	585	
PM	16	Minor Offenses (violations)	22	-	2	-	-	-	-	
		2018	2019	2020	2021	2022	2023 1Q	2023 2Q	2023 3Q	2023 4Q
	Cases Received									
	General Trial Unit	2,548	2,353	3,115	3,933	3,879	1,062	1,089		
	Domestic Violence Unit	5,456	4,643	3,641	2,033	1,956	421	474		
	Total cases by Quarter	8,004	6,996	6,756	5,966	5,835	1,483	1,563	-	-

PM 7 Due to continued staffing shortages and lack of OT funding, closing cases has stopped while staff attempt to keep
PM 10 vacant positions afloat. Numbers reflected in JustWare are off by 5,000 - 6,000 cases in need of closing.

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.

