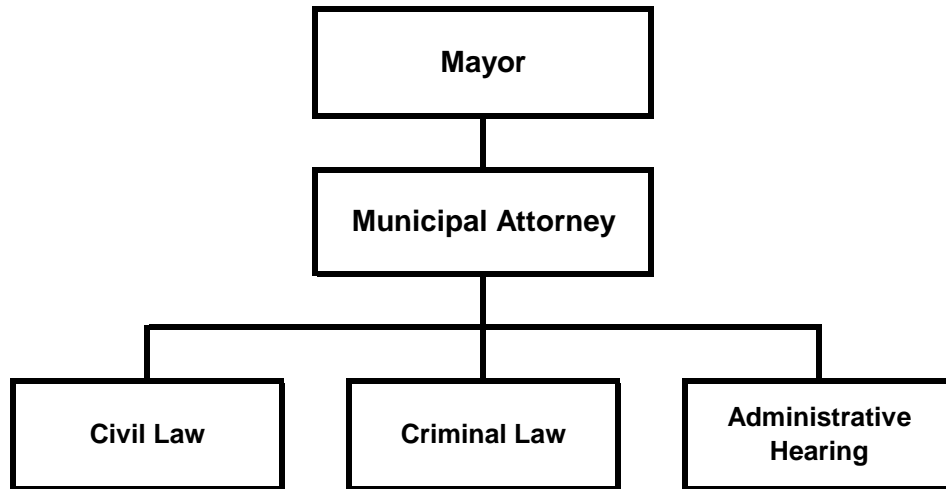


Municipal Attorney



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 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

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Division				
ATY Administration	1,456,702	1,614,133	1,595,375	(1.16%)
ATY Administrative Hearing	276,083	290,333	275,508	(5.11%)
ATY Civil Law	2,231,942	2,354,956	2,454,293	4.22%
ATY Criminal	3,354,731	3,396,467	3,684,453	8.48%
Direct Cost Total	7,319,458	7,655,889	8,009,629	4.62%
Intragovernmental Charges				
Charges by/to Other Departments	(5,799,137)	(5,935,961)	(6,440,581)	8.50%
Function Cost Total	1,520,321	1,719,928	1,569,048	(8.77%)
Program Generated Revenue	(624,986)	(819,340)	(594,340)	(27.46%)
Net Cost Total	895,335	900,588	974,708	8.23%
Direct Cost by Category				
Salaries and Benefits	5,893,333	5,957,377	6,335,170	6.34%
Supplies	31,501	27,034	27,034	-
Travel	13,342	10,000	10,000	-
Contractual/Other Services	1,381,282	1,661,478	1,637,425	(1.45%)
Debt Service	-	-	-	-
Direct Cost Total	7,319,458	7,655,889	8,009,629	4.62%
Position Summary as Budgeted				
Full-Time	48	48	48	-
Part-Time	-	-	-	-
Position Total	48	48	48	-

**Municipal Attorney
Reconciliation from 2019 Revised Budget to 2020 Approved Budget**

	Direct Costs	Positions		
		FT	PT	Seas/T
2019 Revised Budget	7,655,889	48	-	-
Changes in Existing Programs/Funding for 2020				
- Salaries and benefits adjustments including salary reconciliations for attorneys	352,685	-	-	-
- Fleet adjustment in line with projected fleet operations and vehicle purchases	1,055	-	-	-
2020 Continuation Level	8,009,629	48	-	-
2020 Proposed Budget Changes				
- None	-	-	-	-
2020 Approved Budget	8,009,629	48	-	-

Municipal Attorney Division Summary

ATY Administration

(Fund Center # 115450, 115479, 115400)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	316,127	316,393	322,743	2.01%
Supplies	470	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,140,105	1,296,660	1,271,552	(1.94%)
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	1,456,702	1,614,133	1,595,375	(1.16%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,456,702	1,614,133	1,595,375	-
Intragovernmental Charges				
Charges by/to Other Departments	116,851	(280,225)	(286,272)	2.16%
Function Cost Total	1,573,554	1,333,908	1,309,103	(1.86%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	292,231	433,320	283,320	(34.62%)
Program Generated Revenue Total	292,231	433,320	283,320	(34.62%)
Net Cost Total	1,281,323	900,588	1,025,783	13.90%
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)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	316,127	316,393	322,743	2.01%
Supplies	470	1,080	1,080	-
Travel	-	-	-	-
Contractual/Other Services	1,140,105	1,296,660	1,271,552	(1.94%)
Manageable Direct Cost Total	1,456,702	1,614,133	1,595,375	(1.16%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	1,456,702	1,614,133	1,595,375	(1.16%)
Intragovernmental Charges				
Charges by/to Other Departments	116,851	(280,225)	(286,272)	2.16%
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	292,231	433,320	283,320	(34.62%)
Program Generated Revenue Total	292,231	433,320	283,320	(34.62%)
Net Cost				
Direct Cost Total	1,456,702	1,614,133	1,595,375	(1.16%)
Charges by/to Other Departments Total	116,851	(280,225)	(286,272)	2.16%
Program Generated Revenue Total	(292,231)	(433,320)	(283,320)	(34.62%)
Net Cost Total	1,281,323	900,588	1,025,783	13.90%

Position Detail as Budgeted

	2018 Revised		2019 Revised		2020 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)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	276,083	290,333	275,508	(5.11%)
Travel	-	-	-	-
Manageable Direct Cost Total	276,083	290,333	275,508	(5.11%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	276,083	290,333	275,508	-
Intragovernmental Charges				
Charges by/to Other Departments	(288,295)	(289,333)	(274,508)	(5.12%)
Function Cost Total	(12,213)	1,000	1,000	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	3,559	1,000	1,000	-
Program Generated Revenue Total	3,559	1,000	1,000	-
Net Cost Total	(15,771)	-	-	-
Position Summary as Budgeted				
Full-Time	2	2	2	-
Position Total	2	2	2	-

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

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	276,083	290,333	275,508	(5.11%)
Travel	-	-	-	-
Manageable Direct Cost Total	276,083	290,333	275,508	(5.11%)
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	276,083	290,333	275,508	(5.11%)
Intragovernmental Charges				
Charges by/to Other Departments	(288,295)	(289,333)	(274,508)	(5.12%)
Program Generated Revenue				
407050 - Other Fines and Forfeitures	3,559	1,000	1,000	-
Program Generated Revenue Total	3,559	1,000	1,000	-
Net Cost				
Direct Cost Total	276,083	290,333	275,508	(5.11%)
Charges by/to Other Departments Total	(288,295)	(289,333)	(274,508)	(5.12%)
Program Generated Revenue Total	(3,559)	(1,000)	(1,000)	-
Net Cost Total	(15,771)	-	-	-

Position Detail as Budgeted

	2018 Revised		2019 Revised		2020 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)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	2,105,954	2,187,296	2,286,633	4.54%
Supplies	7,325	10,930	10,930	-
Travel	11,788	10,000	10,000	-
Contractual/Other Services	106,876	146,730	146,730	-
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	2,231,942	2,354,956	2,454,293	4.22%
Debt Service	-	-	-	-
Depreciation/Amortization	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,231,942	2,354,956	2,454,293	-
Intragovernmental Charges				
Charges by/to Other Departments	(2,328,070)	(2,344,956)	(2,444,293)	4.24%
Function Cost Total	(96,128)	10,000	10,000	-
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	37,068	10,000	10,000	-
Program Generated Revenue Total	37,068	10,000	10,000	-
Net Cost Total	(133,196)	-	-	-
Position Summary as Budgeted				
Full-Time	16	16	16	-
Position Total	16	16	16	-

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

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	2,105,954	2,187,296	2,286,633	4.54%
Supplies	7,325	10,930	10,930	-
Travel	11,788	10,000	10,000	-
Contractual/Other Services	106,876	146,730	146,730	-
Manageable Direct Cost Total	2,231,942	2,354,956	2,454,293	4.22%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	2,231,942	2,354,956	2,454,293	4.22%
Intragovernmental Charges				
Charges by/to Other Departments	(2,328,070)	(2,344,956)	(2,444,293)	4.24%
Program Generated Revenue				
406625 - Reimbursed Cost-NonGrant Funded	29,308	10,000	10,000	-
408580 - Miscellaneous Revenues	7,760	-	-	-
Program Generated Revenue Total	37,068	10,000	10,000	-
Net Cost				
Direct Cost Total	2,231,942	2,354,956	2,454,293	4.22%
Charges by/to Other Departments Total	(2,328,070)	(2,344,956)	(2,444,293)	4.24%
Program Generated Revenue Total	(37,068)	(10,000)	(10,000)	-
Net Cost Total	(133,196)	-	-	-

Position Detail as Budgeted

	2018 Revised		2019 Revised		2020 Approved	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Deputy Municipal Attorney	1	-	1	-	1	-
Legal Secretary II	2	-	1	-	-	-
Legal Secretary III	2	-	3	-	4	-
Municipal Attorney I	2	-	3	-	3	-
Municipal Attorney II	9	-	8	-	8	-
Position Detail as Budgeted Total	16	-	16	-	16	-

Municipal Attorney Division Summary

ATY Criminal

(Fund Center # 115200)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	3,195,170	3,163,355	3,450,286	9.07%
Supplies	23,707	15,024	15,024	-
Travel	1,554	-	-	-
Contractual/Other Services	134,301	218,088	219,143	0.48%
Equipment, Furnishings	-	-	-	-
Manageable Direct Cost Total	3,354,731	3,396,467	3,684,453	8.48%
Debt Service	-	-	-	-
Depreciation/Amortization	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,354,731	3,396,467	3,684,453	-
Intragovernmental Charges				
Charges by/to Other Departments	(3,299,622)	(3,021,447)	(3,435,508)	13.70%
Function Cost Total	55,109	375,020	248,945	(33.62%)
Program Generated Revenue by Fund				
Fund 101000 - Areawide General	292,129	375,020	300,020	(20.00%)
Program Generated Revenue Total	292,129	375,020	300,020	(20.00%)
Net Cost Total	(237,020)	-	(51,075)	100.00%

Position Summary as Budgeted

Full-Time	28	28	28	-
Position Total	28	28	28	-

Municipal Attorney**Division Detail****ATY Criminal**

(Fund Center # 115200)

	2018 Actuals	2019 Revised	2020 Approved	20 v 19 % Chg
Direct Cost by Category				
Salaries and Benefits	3,195,170	3,163,355	3,450,286	9.07%
Supplies	23,707	15,024	15,024	-
Travel	1,554	-	-	-
Contractual/Other Services	134,301	218,088	219,143	0.48%
Manageable Direct Cost Total	3,354,731	3,396,467	3,684,453	8.48%
Debt Service	-	-	-	-
Non-Manageable Direct Cost Total	-	-	-	-
Direct Cost Total	3,354,731	3,396,467	3,684,453	8.48%
Intragovernmental Charges				
Charges by/to Other Departments	(3,299,622)	(3,021,447)	(3,435,508)	13.70%
Program Generated Revenue				
406490 - DWI Impnd/Admin Fees	246,804	245,020	245,020	-
406625 - Reimbursed Cost-NonGrant Funded	3,642	10,000	5,000	(50.00%)
407060 - Pre-Trial Diversion Cost	41,684	120,000	50,000	(58.33%)
Program Generated Revenue Total	292,129	375,020	300,020	(20.00%)
Net Cost				
Direct Cost Total	3,354,731	3,396,467	3,684,453	8.48%
Charges by/to Other Departments Total	(3,299,622)	(3,021,447)	(3,435,508)	13.70%
Program Generated Revenue Total	(292,129)	(375,020)	(300,020)	(20.00%)
Net Cost Total	(237,020)	-	(51,075)	100.00%

Position Detail as Budgeted

	2018 Revised		2019 Revised		2020 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	-	2	-	2	-
Legal Secretary I	2	-	1	-	1	-
Legal Secretary II	4	-	8	-	8	-
Legal Secretary III	1	-	1	-	1	-
Municipal Attorney I	9	-	12	-	12	-
Municipal Attorney II	5	-	2	-	2	-
Position Detail as Budgeted Total	28	-	28	-	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>
2016	1/15	6.7%	2/10	20%	0%
2017	3/15	20%	1/10	10%	0%
2018	2/15	13%	1/10	7%	0%
2019 2nd q	3/15	20%	1/14	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%.

	2016	2017	2018	2019 2nd q
Total Credits	243	200	260	100
# of Attorneys	27	27	29	29
Average Credits	9.0	7.4	8.9	3.4
% Greater than 9	100%	82%	99%	3.8%

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%

	2016	2017	2018	2019 2nd Q
Total Credits	162	144	174	0
# of Attorneys	27	27	29	29
Average Credits	6.0	5.3	6.0	0
% Greater than 6	98%	100%	88%	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>
2016	12/57	21%	0%	12/198	6%	0%
2017	2/56	3.6%	0%	2/191	1%	0%
2018	3/78	3.8%	0%	3/190	1.6%	0%
2019 2nd q	2/47	4.2%	0%	2/101	2%	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>
2016	5/45	11.1%	2.2%
2017	1/62	1.6%	0%
2018	0/35	0%	0%
2019	0/20	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
2016	16/16	100%	27/27	100%	1/2	100%
2017	29/30	97%	31/31	100%	1/1	50%
2018	18/20	90%	15/15	100%	0/0	100%
2019 2nd q	11/12	92%	8/8	100%	0/0	0%

* 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	2016	2017	2018	2019 2q
PM	7	Open	6380	5430	6342	2639
PM	8	Declined	1851	1670	2033	1298
PM	9	Dismissals	1344	1115	1309	668
PM	10	Closed/Probation	9403	8115	5231	3481
PM	11	Response to defense				
		Motions Granted	48	5	5	6
		Motions Denied	7	60	41	12
		Motions Open	25	44	24	15
		Withdrawn	3	0	0	0
		Appeals Upheld	5	8	3	0
		Appeals Withdrawn by Defense	0	2	7	11
		Appeals Open	6	14	8	8
PM	12	Trial CASES	18	30	31	0
		Outcome by count: Not Guilty	14	16	4	6
		Outcome by count: Guilty	20	20	31	6
		Outcome by count: Hung Jury	0	7	2	0
PM	13	Probation Violations Filed	1553	960	801	312
PM	14	Victim Contact (all cases)	3128	3189	3269	1756
PM	15	Domestic Violence counts	2639	2699	3265	1785
PM	16	Minor Offenses (violations)	156	82	22	0

Cases Received	2016	2017	2018	2019 2q
Domestic Violence Unit	2047	2101	2548	1376
General Trial Unit	5609	5017	5456	2786
Minor Offense & Traffic	156	82	22	0
Total cases by Quarter	7812	7200	8026	4162

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.

