
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> |
|-------------|-----------------|-------------------|--------------|----------------|---------------------|
| 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 | 3/15 | 20% | 1/12 | 8.3% | 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 |
|--------------------------|-------------|-------------|-------------|-------------|
| Total Credits | 224 | 240 | 243 | 200 |
| # of Attorneys | 27 | 27 | 27 | 27 |
| Average Credits | 8.3 | 8.9 | 9.0 | 7.4 |
| % Greater than 9 credits | 92% | 99% | 100% | 82% |

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 |
|------------------|-------------|-------------|-------------|-------------|
| Total Credits | 143 | 159 | 162 | 144 |
| # of Attorneys | 27 | 27 | 27 | 27 |
| Average Credits | 5.3 | 5.9 | 6.0 | 5.3 |
| % Greater than 6 | 88% | 98% | 100% | 88% |

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 | 2/56 | 3.6% | 0% | 2/191 | 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 | 1/62 | 1.6% | 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 | 29/30 | 97% | 31/31 | 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)

| | | Performance Measures | 2015 | 2016 | 2017 | 2018 |
|----|----|------------------------------|------|------|------|------|
| PM | 7 | Open | 5363 | 6380 | 5430 | |
| PM | 8 | Declined | 1651 | 1851 | 1670 | |
| PM | 9 | Dismissals | 1292 | 1344 | 1115 | |
| PM | 10 | Closed/Probation | 4122 | 9403 | 8115 | |
| PM | 11 | Response to defense | | | | |
| | | Motions Granted | 31 | 48 | 5 | |
| | | Motions Denied | 5 | 7 | 60 | |
| | | Motions Open | 21 | 25 | 44 | |
| | | Withdrawn | 4 | 3 | 0 | |
| | | Appeals Upheld | 6 | 5 | 8 | |
| | | Appeals Withdrawn by Defense | 3 | 0 | 2 | |
| | | Appeals Open | 13 | 6 | 14 | |
| PM | 12 | Trial CASES | 14 | 18 | 30 | |
| | | Outcome by count: Guilty | 44 | 20 | 20 | |
| | | Outcome by count: Not Guilty | 16 | 14 | 16 | |
| | | Outcome by count: Hung Jury | 3 | 0 | 7 | |
| PM | 13 | Probation Violations Filed | 1034 | 1553 | 960 | |
| PM | 14 | Victim Contact (all cases) | 3127 | 3128 | 3189 | |
| PM | 15 | Domestic Violence counts | 2832 | 2639 | 2699 | |
| PM | 16 | Minor Offenses (violations) | | 156 | 82 | |

| Cases Received | 2015 | 2016 | 2017 | 2018 |
|------------------------------------|-------|-------|-------|------|
| Domestic Violence Unit | 2,063 | 2047 | 2101 | |
| General Trial Unit | 7,121 | 5609 | 5017 | |
| Minor Offense & Traffic | 37 | 156 | 82 | |
| Total cases by Quarter | 9,221 | 7,812 | 7,200 | - |

Performance Measure Methodology Sheet
Administration Division
Municipal Attorney's Office

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

Type

Effectiveness

Accomplishment Goal Supported

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.

Definition

The measure reports the turnover rate of professional staff. A low turnover rate results in both high quality and efficient legal work. Retirement as a percentage of turnovers is also reflected.

Data Collection Method

Track turnover rate

Frequency

Quarterly

Measured By

The information will be generated by Admin staff and research with comparable agencies\national statistics.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Administration Division
Municipal Attorney's Office

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

Type

Effectiveness

Accomplishment Goal Supported

Maintain high quality, efficient production of legal services through successful completion of subject matter training\continuing legal education.

Definition

The measure reports shows completed CLE credits professional staff. On-going education keeps the professional staff abreast of current trends.

Data Collection Method

Maintain records for each attorney's completion of CLE and other professional training opportunities.

Frequency

As courses are taken and reported.

Measured By

The information will be maintained within a department wide spreadsheet by the professional staff's assistant.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to see if professional staff is staying current regarding legal issues.

Performance Measure Methodology Sheet
Administration Division
Municipal Attorney's Office

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%.

Type

Effectiveness

Accomplishment Goal Supported

Maintain high quality, efficient production of legal services through successful completion of subject matter training\continuing legal education.

Definition

The measure reports shows completed CLE credits professional staff. Ongoing education keeps the professional staff abreast of current trends.

Data Collection Method

Maintain records for each attorney's completion of CLE and other professional training opportunities.

Frequency

As courses are taken and reported.

Measured By

The information will be maintained within a department wide spreadsheet by the professional staff's assistant.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to see if professional staff is staying current regarding legal issues.

Performance Measure Methodology Sheet
Civil Division
Municipal Attorney's Office

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

Type

Effectiveness

Accomplishment Goal Supported

Low incidence of remand or reversal on appeal

Definition

The measure tracks appeal type compared to total active matters. A low incidence of remand or reversal on appeal is beneficial to the city.

Data Collection Method

Case Management System tracks all matters, including appeals of administrative decisions and other civil litigation. Report generator will be modified to include Disposition on Appeal (won, lost, remand) to track results.

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information will be generated by a report within Civil's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to gage if adjustments to litigation personnel or work flow need to be made.

Performance Measure Methodology Sheet
Administrative Hearing Office
Municipal Attorney's Office

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

Type

Effectiveness

Accomplishment Goal Supported

Low incidence of remand or reversal on appeal

Definition

The measure tracks appeal type compared to total active matters. A low incidence of remand or reversal on appeal is beneficial to the city.

Data Collection Method

Case Management System tracks all Matters, including appeals of administrative decisions and. Report generator will be modified to include Disposition on Appeal (won, lost, remand) to track results.

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information will be generated by a report within Civil's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to gage if adjustments to litigation personnel or work flow need to be made.

Performance Measure Methodology Sheet
Administrative Hearing Office
Municipal Attorney's Office

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

Type

Effectiveness

Accomplishment Goal Supported

Improve timeframe between hearing and decision.

Definition

The measure tracks how fast decisions are rendered after hearing. Timely decisions tend to increase citizen satisfaction with the process.

Data Collection Method

Case Management System tracks all Matters, including hearings and decisions. Report generator will be modified to include time measure to track results.

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information will be generated by a report within AHO's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to gage if adjustments need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

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

Type

Effectiveness in determining overall count of cases received and accepted for prosecution, as well as age of case and/or caseload.

Accomplishment Goal Supported

Maintain a high conviction rate to deter crime and hold offenders accountable.

Definition

Open = all non adjudicated criminal cases; including pending screening, pending arraignment, pre-trial status, bench warrant, arrest warrant, deferred prosecution and Pre-Trial Diversion active

Data Collection Method

Case Management System

Frequency

The information will be captured in the data system as cases are added.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

| |
|---|
| Measure #8: Declines at the end of the reporting period. |
|---|

Type

Effectiveness in managing resources and maintaining an acceptable volume of declines for prosecution.

Accomplishment Goal Supported

Effective and reasonable workload management.

Definition

Decline = Prosecution Declined or transfer to State.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as dispositions are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #9: Dismissals at the end of the reporting period.

Type

Effectiveness, assessing if prosecution is likely at intake versus post-charging

Accomplishment Goal Supported

Minimize post-charging dismissals in favor of pre-charging declines.

Definition

Dismissal = dismissal by Court, dismissal by prosecution, PTD complete, Transfer to State after charged.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as dispositions are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

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

Type

Effectiveness of prosecution resulting in conviction.

Accomplishment Goal Supported

Effective caseload management resulting in a high rate of conviction.

Definition

Closed Case = Cases from Change of Plea hearing or Trial

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

Percentage change in the conviction rate at the end of the reporting period

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to measure successful prosecution.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #11: Number of motions filed during the reporting period.

Type

Effectiveness in defending law enforcement and prosecution action from motions to suppress or dismiss; effectively advocating for court actions at the request of prosecution.

Accomplishment Goal Supported

Maintain a high rate of success at motion practice which allows criminal cases to proceed to conviction.

Definition

Filed = Motions initiated by prosecution and responses to motions filed by defense resulting in defense motion granted, defense motion denied and other resolution.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information to measure successful prosecution.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #12: Percentage of cases adjudicated via trial during the reporting period.

Type

Effectiveness at maintaining a manageable rate of trial work for the caseload.

Accomplishment Goal Supported

Maintain a high conviction rate to deter crime and hold offenders accountable.

Definition

Trial = Bench or jury trials that resulted in guilty, not guilty, guilty of a lesser charge, hung jury, and mistrial.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #13: Number of petitions to revoke probation (PTR) filed during the reporting period.

Type

Effectiveness at keeping offenders accountable while on non-monitored misdemeanor probation.

Accomplishment Goal Supported

Maintain a high conviction rate to deter crime and hold offenders accountable.

Definition

PTR = petition to revoke probation for failure to comply with conditions of probation.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #14: Number of crime victims contacted for court proceedings and assisted with restitution requests.

Type

Effectiveness at complying with constitutional and statutory obligations for victim contact and restitution.

Accomplishment Goal Supported

Consistently contact victims as required and provide effective notice of and assistance with the restitution process.

Definition

Crime victims contacted for participation at hearings, community referrals, and assistance with restitution.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #15: Break down of domestic violence cases received during the reporting period.

Type

Effectiveness of caseload management and resource allocation based on case complexity and staffing needs.

Accomplishment Goal Supported

Maintain sufficient staffing and support of the domestic violence unit to enable effective prosecution of offenders and to deter future criminal conduct.

Definition

Domestic violence cases = DV assault, criminal mischief, family violence, child neglect, child abuse, violating a protective order, interfering with report of a crime, etc. Cases declined, dismissed, adjudicated, and trial.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

Performance Measure Methodology Sheet
Criminal Division
Municipal Attorney's Office

Measure #16: Minor offense (violations) at the reporting period.

Type

Effectiveness of caseload management and resource allocation based on case complexity and staffing needs.

Accomplishment Goal Supported

Maintain sufficient staffing and support for minor offense violations to enable effective prosecution of offenders and deter future criminal conduct.

Definition

Minor offense = lesser violations that result in sentences of fines only, rather than jail time. Treated as quasi-criminal charges in the court system.

Data Collection Method

Case Management System reporting

Frequency

The information will be captured in the data system as cases are decided.

Measured By

The information is generated by a report within Criminal's case management system.

Reporting

Quarterly

Used By

The Municipal Attorney will use this information as one tool in seeing if adjustments to personnel or work flow need to be made.

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.

