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**Administration Division**  
**Municipal Attorney's Office**  
*Anchorage: Performance. Value. Results.*

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**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>
<b>2015</b>	1/16	6.3%	2/11	9.1%	0%
<b>2016</b>	1/15	6.7%	2/10	20%	0%
<b>2017</b>	3/15	20%	1/10	10%	0%
<b>2018 1<sup>st</sup> qtr</b>	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%.**

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018 1<sup>st</sup> qtr</b>
Total Credits	240	243	200	0
# of Attorneys	27	27	27	27
Average Credits	8.9	9.0	7.4	0
% Greater than 9	99%	100%	82%	0%

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%

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018 1<sup>st</sup> qtr</b>
Total Credits	159	162	144	0
# of Attorneys	27	27	27	27
Average Credits	5.9	6.0	5.3	0
% Greater than 6	98%	100%	88%	0%

CLE – 6 credit average without ethics

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**Civil Division**  
**Municipal Attorney's Office**  
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**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>
<b>2015</b>	0/83	0%	0%	0/230	0%	0%
<b>2016</b>	12/57	21%	0%	12/198	6%	0%
<b>2017</b>	2/56	3.6%	0%	2/191	1%	0%
<b>2018 1<sup>st</sup></b>	2/22	9.1%	0%	2/59	3.4%	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>
<b>2015</b>	1/60	0%	1.6%
<b>2016</b>	5/45	11.1%	2.2%
<b>2017</b>	1/62	1.6%	0%
<b>2018 1<sup>st</sup> qtr</b>	0/5	0%	0%

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

	<b>10 days</b>	<b>% in 10 days</b>	<b>20 days</b>	<b>% in 20 days</b>	<b>45 days</b>	<b>% in 45 days</b>
<b>2015</b>	30/30	100%	28/28	100%	2/2	100%
<b>2016</b>	16/16	100%	27/27	100%	1/2	50%
<b>2017</b>	29/30	97%	31/31	100%	1/1	100%
<b>2018 1<sup>st</sup> qtr</b>	5/5	100%	0/0	0%	0/0	0%

\* 45 days is DHHS; 20 days is Animal Control; 10 days is everything else

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**Criminal Division**  
**Municipal Attorney's Office**  
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**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)**

		<b>Performance Measures</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018 1st</b>
PM	7	Open	5363	6380	5430	1228
PM	8	Declined	1651	1851	1670	512
PM	9	Dismissals	1292	1344	1115	232
PM	10	Closed/Probation	4122	9403	8115	1041
PM	11	Response to defense				
		Motions Granted	31	48	5	10
		Motions Denied	5	7	60	0
		Motions Open	21	25	44	9
		Withdrawn	4	3	0	0
		Appeals Upheld	6	5	8	2
		Appeals Withdrawn by Defense	3	0	2	1
		Appeals Open	13	6	14	2
PM	12	Trial CASES	14	18	30	5
		Outcome by count: Not Guilty	16	14	16	0
		Outcome by count: Guilty	44	20	20	5
		Outcome by count: Hung Jury	3	0	7	2
PM	13	Probation Violations Filed	1034	1553	960	198
PM	14	Victim Contact (all cases)	3127	3128	3189	773
PM	15	Domestic Violence counts	2832	2639	2699	756
PM	16	Minor Offenses (violations)		156	82	10

<b>Cases Received</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018 1st</b>
<b>Domestic Violence Unit</b>	2,063	2047	2101	565
<b>General Trial Unit</b>	7,121	5609	5017	1384
<b>Minor Offense &amp; Traffic</b>	37	156	82	10
Total cases by Quarter	9,221	7,812	7,200	1,959

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**Performance Measure Methodology Sheet**  
**Administration Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Administration Division**  
**Municipal Attorney's Office**

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**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.



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**Performance Measure Methodology Sheet**  
**Administration Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Civil Division**  
**Municipal Attorney's Office**

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**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.

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

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**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.

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

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**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 gauge if adjustments need to be made.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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<b>Measure #8: Declines at the end of the reporting period.</b>
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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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<b>Measure #9: Dismissals at the end of the reporting period.</b>
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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
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**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.



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**Performance Measure Methodology Sheet**  
**Criminal Division**  
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<b>Measure #11: Number of motions filed during the reporting period.</b>
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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.

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**Performance Measure Methodology Sheet**  
**Criminal Division**  
**Municipal Attorney's Office**

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**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.