

FY 2015-2016
Budget Presentation to
Board of Representatives
Fiscal Committee

Department of
Legal Affairs/Corporation Counsel
Director Kathryn Emmett

March 30, 2015

Department Highlights

- Major Services
 - Provide all legal services to city officials, departments, boards, commissions and agencies
 - Litigate cases in-house (excluding real estate tax foreclosures)
 - Manage contract process
 - Manage claim process
 - Issue Legal Opinions
 - Draft Ordinances/Resolutions
 - Resolve Delinquent Tax Accounts
 - Respond to Freedom of Information Requests
 - Review Easements
 - Property Damage Collections
- Major Department accomplishments and highlights
 - \$2,657,601.89 in delinquent tax revenue collected.
 - Implemented Citylaw, a document management software specific to municipal Law Departments
 - Reviewed, approved and processed approximately 900 contracts, agreements, RFP's & bid waivers
 - 191 pending lawsuits as of 3/2015
 - 268 Lawsuits were filed in 2013/2014
 - 140 claims were filed in 2013/2014
 - \$15,853 collected in damages on behalf of the City for damage to City property
 - From November 2013-June 2014 more than 264 FOI requests were handled by the part-time Assistant Corporation Counsel

Department Overview

- Goals for 2015-16
 - Continue to develop in house capabilities to reduce use of outside counsel
 - Improve contracting process; upgrade construction contracts; identify contracting weaknesses and rectify
 - Implement document retention process citywide
 - Develop systematic approach to providing feedback to departments concerning claims and litigation to enhance communication and be proactive to prevent future claims and litigation
 - Improve enforcement in land use matters

Department Overview

- Benchmark – City of Stamford Law Department compared to similarly sized cities and neighboring towns

	Stamford (pop. 125K)	New Haven (pop. 130K)	Hartford (pop. 125K)	Bridgeport (pop. 146K)	Waterbury (pop. 110K)	Greenwich (pop. 61K)	Norwalk (pop. 87K)
Corp Counsel	1	1	1	1	1	1	1
Deputy Corp. Counsel	1	2	1	1	1		1
Ass't Corp. Counsel	5	6	9	10	8	4	3
P/T Ass't Corp. Counsel	1	1					1
Executive Assistant	1	1	1		1		
Paralegal	2	4	2	2	2	4	
Legal Secretary		1	1	2	2	3	3
Other Staff			1 Confidential Secretary 1 Senior Admin Assistant 1 Principal Administrative Analyst 1 Claims Investigator 2 Board & Commissions (Exec Assist & Senior Admin Assistant).	2 (collection aides)		1 (office supervisor)	
Total	11	16	20 full-time	16	15	12	9
Budget for outside Professional legal services 13/14	\$600,000 (FY 14/15 to date)	\$375,000 (FY 12/13)	2014/15 Adopted	\$650,000 (FY 2013)	\$545,000 (FY 2013)	\$945,000 (FY 13/14)	\$161,793 (FY 13/14)

Summary of Operating Budget

Fiscal Year 2015/2016 - Department/Division Summary by Category

Fund: 0001 General Fund
 Office: 004 Legal Affairs
 Dept/Div: 0401 Legal Affairs

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Category	FY 13/14 Actual	FY 14/15			FY 15/16					FY 16/17 Estimate	FY 17/18 Estimate
		Adopted Budget	Revised Budget	Projected Exp & Enc	Department Request	Mayor's Proposed	% of Total	\$ Var Adopted	% Var Adopted		
Expense											
Full Time Salary	1,175,380	1,212,368	1,208,168	1,208,805	1,237,182	1,237,182	46.26%	24,814	2.0%	1,274,297	1,312,526
Other Salary	52,693	82,692	86,892	87,899	120,895	115,895	4.33%	33,203	40.2%	119,372	122,954
Overtime	233	491	491	1,372	1,000	1,000	0.04%	509	103.7%	1,030	1,061
Employee Benefits	298,505	325,544	325,544	325,737	309,519	309,136	11.56%	-16,408	-5.0%	330,357	353,409
Retiree Benefits	65,313	277,442	277,442	277,442	313,162	313,162	11.71%	35,720	12.9%	351,375	394,652
Payments to Insurance Fund	2,888	3,078	3,078	3,078	3,039	3,039	0.11%	-39	-1.3%	3,161	3,287
Purchased Other Services	1,636	2,806	2,806	1,593	2,806	2,806	0.10%	0	0.0%	2,862	2,919
Purchased Professional Services	617,176	373,000	373,000	373,000	628,000	628,000	23.48%	255,000	68.4%	640,560	653,371
Purchased Property Services	5,500	10,080	10,080	10,080	12,080	12,080	0.45%	2,000	19.8%	12,322	12,568
Professional Development	1,611	2,500	2,500	2,500	2,500	2,500	0.09%	0	0.0%	2,550	2,601
Utilities & Commodities	5,799	3,975	3,975	5,904	3,975	3,975	0.15%	0	0.0%	4,055	4,136
Supplies	36,093	42,500	42,500	42,500	42,500	42,500	1.59%	0	0.0%	43,350	44,217
Other	3,140	2,850	2,850	2,850	2,850	2,850	0.11%	0	0.0%	2,907	2,965
Total Expense	2,265,967	2,339,326	2,339,326	2,342,760	2,679,508	2,674,125	100.00%	334,799	14.3%	2,788,198	2,910,666
Revenue											
Legal Affairs	570,641	75,000	75,000	407,117	59,000	59,000	100.00%	-16,000	-21.3%	59,000	59,000
Net Operating Cost	1,695,326	2,264,326	2,264,326	1,935,643	2,620,508	2,615,125		350,799	15.5%	2,729,198	2,851,666

Summary of Budget Changes

Full Time Salary

New Assistant Corporation Counsel	\$ 118,282
Less: BOE Chargeback	<u>(118,282)</u>
Net Cost to City Budget	0
Contractual increases	<u>24,814</u>

Total Full Time Salary \$ 24,814

Other Salary

P/T Legal Secretary	\$ 28,617
Contractual Increases	<u>4,586</u>

Total Other Salary \$ 33,203

Overtime	509
Employee Benefits	\$ (16,408)
Retiree Benefits	35,720
Payments to Insurance Fund	(39)
Purchased Professional Services	255,000
Purchased Property Services	2,000

Budget Increase \$ 334,799
Less: Error in Purchased Professional Fees (250,000)

Net Adjusted Budget Increase \$ 84,799 3.48%

Cost and Revenue Summary

- Costs

- Request for a full-time Attorney to enhance land use capabilities and, in particular, land use enforcement; to improve interface and coordination with Board of Education regarding legal claims and representation.
- Request for a part-time Legal Secretary (19 hours per week). The Law Department does not have a Legal Secretary. The Legal Secretary would handle general office duties such as filing, document preparation, copying, printing, preparing envelopes & letters. The lack of a Legal Secretary infringes on the time of and thereby reduces the skill-based productivity of the legal staff and limits the capacity of the Law Department.
- Request for Purchased Professional Services is, after salaries, the largest request. In the budget book, the FY 14/15 amount is incorrect -- It should reflect that \$623,000 (not \$373,000) was appropriated for outside counsel and other professional services. The Purchased Professional Services is a variable cost line item which fluctuates depending on the existence of claims which present conflicts which require the Law Department to retain outside counsel and the need for expert witnesses, professional consultants, and outside counsel with expertise in particular areas of law. Additionally, the outside counsel representing the City in union contract negotiations is paid from this line item.

- Revenue

- The Law Department revenue consists of billing to the WPCA and the Board of Education for legal services.
- While not counted as revenue to the Law Department, the Law Department generates revenue for the City by collecting delinquent real estate taxes, delinquent personal property taxes, and by recovering damages for destruction of or injury to City property. The Law Department also seeks recovery of workers compensation payments made in fraudulent claims and from third party tortfeasors.
- The Law Department is also in the process of establishing a 501(c)(3) in order to enable the City to accept donations for the Animal Control Center by insuring that donated funds will be used only for the benefit of the animals and the ACC.
- If the Law Department has adequate staff to enhance land use enforcement, it can be expected to generate additional revenue for the City.

Department Operating Plans and Budget Highlights

- Explanation of Budget Request-- explain the impact and benefit(s) of the budget request
 - Addition of one full-time Assistant Corporation Counsel (\$118,282) and one part-time Legal Secretary (\$28,617)
 - Enhanced delivery of services by Law Department and savings for expense of outside counsel
- Department challenges
 - Relatively small staff to handle the volume of work/the number of clients served (see benchmarks at p.3)