

SALT LAKE CITY COUNCIL STAFF REPORT
BUDGET ANALYSIS – FISCAL YEAR 2007-08

DATE: May 15, 2007
BUDGET FOR: CITY ATTORNEY'S OFFICE
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The City Attorney's Office contains three divisions: Civil Practice, City Prosecutor's Office, and Risk Management. Budgets relating to the Risk Management Division are analyzed separately with the Governmental Immunity Fund and the Insurance & Risk Management Fund.

The Mayor's Recommended Budget for the City Attorney's Office (General Fund) for fiscal year 2007-08 and proposed changes from fiscal year 2006-07 are as follows:

CITY ATTORNEY'S OFFICE PROPOSED BUDGET (General Fund)				
	Adopted 2006-07	Proposed 2007-08	Difference	Percent Change
Civil Practice				
Personal Services	1,784,357	2,066,958	282,601	15.84%
Other Operating Expenses	154,002	167,944	13,942	9.05%
Civil Practice Total	\$1,938,359	\$2,234,902	296,543	15.30%
City Prosecutor's Office				
Personal Services	1,770,972	1,883,323	112,351	6.34%
Other Operating Expenses	200,191	209,101	8,910	4.45%
Prosecutor's Office Total	\$1,971,163	\$2,092,424	\$121,261	6.15%
Attorney's Office Total	\$3,909,522	\$4,327,326	\$417,804	10.69%

The proposed increases are primarily a result of: (1) proposed additional airport attorney position to be reimbursed by the Department of Airports, (2) clerical support position added by budget amendment, (3) proposed cost-of-living salary adjustment, (4) health insurance premium increase, (5) pension rate increase, (6) and some operational expense increases.

CIVIL PRACTICE DIVISION - KEY ELEMENTS

The Civil Practice Division provides legal support for the City's departments, including the City Council and Mayor, and litigation defense of state and federal court lawsuits filed against the City as well as bringing lawsuits and administrative proceedings on behalf of the City.

The Division is organized into five teams or functions: Departmental Legal Support, Litigation, State Legislative Advocacy, Paralegal Support, and Administrative Support.

Some of the attorneys' time is spent on the Governmental Immunity Fund, and are reimbursed by that Fund, or are charged to the Insurance and Risk Management Fund. *Council staff will prepare separate staff reports on the budgets for these two separate funds.*

Staffing Adjustments (\$146,094, 2.0 FTE increase) –

For an increase of \$110,000 and 1.0 FTE, the Administration proposes adding a new attorney to support Airport operations. The cost of this position will be reimbursed by the airport.

\$22,928 and 1.0 FTE increase is due to the position added by the Council during Budget Amendment No. 3 for clerical support. This was a conversion from a part-time/seasonal position to assist with increased document management and other major projects.

\$13,166 and 0.3 FTE increase is due to additional reallocations of staff time from the Risk Fund. Council Members may remember that in the past few years, the Attorney's Office has made a considerable effort to more accurately allocate the attorneys time. The Risk Fund and Governmental Immunity Fund will continue to reimburse the General Fund for any of the Attorney's time as appropriate.

Personal Services Adjustments (\$136,507 increase) – The Administration has made some programming adjustments for projecting the cost of health insurance benefits, which has resulted in an increased cost to each department. This personal services increase is made up of these programming changes, an increase cost of the insurance premium, salary adjustments, and pension rate changes.

The personal services line for the Civil Division includes funds for retention payments in both the Civil and the Prosecutor's Office, and funds for creating a career structure in the Prosecutor's Office.

The Council may wish to ask about the staffing levels, turnover, and filling vacant positions in the Attorney's Office, since there have been various staffing changes this year.

Materials and Charges for Services (\$13,942 increase) – There are various minor increases related to technical books (\$7,235), court costs (\$4,300), postage (\$1,804), and other smaller increases.

CITY PROSECUTOR'S OFFICE – KEY ELEMENTS

The City Prosecutor's Office screens, charges, files, and prosecutes criminal violations. The City Prosecutor's Office is organized into teams as follows:

City Prosecutor Teams		
Team	Attorneys	Paralegal & Support Staff
Justice Court	8	5
District Court	3	1
Domestic Violence (funded by the YWCA)		2
Screening (also cover traffic calendars)	3	3
Filing, reception, other support		3
Management	1	1
Total	15	15

Staffing – there are no proposed staffing increases. The Administration is continuing its overall review of the Justice Court and may have recommendations for additional staffing changes when the review is concluded. This will certainly affect the Prosecutor's Office, but until those changes are implemented, the Administration is withholding requests for new corresponding positions in the Prosecutor's Office.

Personal Services Adjustments (\$112,351 increase) – The Administration has made some programming adjustments for projecting the cost of health benefits, which has resulted in an increased cost to each department. This increase is made up of these programming changes, an increase cost of the insurance premium, salary adjustments, and pension rate changes.

Other Operating Expenses (\$8,910 increase) – This increase is split between several items, including: \$2,500 for process service, \$2,300 for computer costs, \$1,250 for telephone lease costs, \$1,000 for education and training, and other miscellaneous materials and supplies.

QUESTIONS FOR CONSIDERATION

- 1. The Council may wish to ask about the progress of prosecuting nuisance abatement cases on both the civil and criminal side.**
- 3.2. The Council may wish to ask about the experience in the Prosecutor's Office in working with the newly created Police Department Fusion Center.**

LEGISLATIVE INTENT STATEMENTS

The Council has an open item, which states, “*It is the intent of the City Council that the Administration provide the Council with periodic reports on the development of nuisance cases.*” Some of this is satisfied through Council staff’s involvement with the CAT teams. In addition, the Administration has provided some statistics of the number of cases which involve Housing and Zoning. The Administration has also indicated that a report would be forthcoming.

No legislative intent statements are outstanding for the City Attorney’s Office.

The Council may wish to consider issuing some legislative intent statements relating to items discussed during the budget briefing.