

SALT LAKE CITY COUNCIL STAFF REPORT
BUDGET ANALYSIS – FISCAL YEAR 2008-09

DATE: May 13, 2008
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 2008-09 and proposed changes from fiscal year 2007-08 are as follows:

CITY ATTORNEY’S OFFICE PROPOSED BUDGET (General Fund)				
	Adopted 2007-08	Proposed 2008-09	Difference	Percent Change
Civil Practice				
Personal Services	2,066,958	2,207,442	140,484	7.87%
Other Operating Expenses	167,944	118,915	-49,029	-31.84%
Civil Practice Total	\$2,234,902	\$2,326,357	\$91,455	4.72%
City Prosecutor’s Office				
Personal Services	1,883,323	2,401,614	518,291	29.27%
Other Operating Expenses	209,101	236,035	26,934	13.45%
Prosecutor's Office Total	\$2,092,424	\$2,637,649	\$545,225	27.66%
Attorney's Office Total	\$4,327,326	\$4,964,006	\$636,680	16.29%

The proposed increases are primarily a result of staff added during Budget Amendment No. 1 and No. 2, proposed cost-of-living salary adjustment, health insurance premium increase, and some operational expense increases. There is a purchase of software in the amount of \$100,000, which is being recommended in the Governmental Immunity Fund.

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 is reimbursed by that Fund, or is 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 (\$118,972; 1.0 FTE increase) – The Administration is not proposing to add any new positions in this annual budget, but is requesting the continuation of the new land use attorney added in Budget Amendment No. 1 in September. The annual cost of this position is \$118,972.

There are also various increases due to salary adjustments, as well as insurance rate and pension rate increases. There is also some funding for the career ladder.

A chief counsel is identified for each Department, and the Airport and Public Utilities enterprise funds. An organizational chart is attached, which shows how the attorneys' time is generally assigned.

Materials and Charges for Services (\$49,029 decrease) – There are a few minor increases to the cost of materials and services for the Civil Division, but they are largely offset by a decrease of \$60,860, which is a 36% reduction to this category. The reductions include: technical books (\$16,000); other expenses (\$15,290); court costs (\$9,000); capital equipment (\$7,403); legal fees (\$5,712); and educational training (\$1,000).

The various minor increases are related to computer leases: \$1,894; telephone lease: \$947; and other employee costs: \$300.

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 (the chart includes the positions added in Budget Amendment No. 2):

City Prosecutor Teams		
	Current	
<u>Team</u>	Attorneys	Paralegal & Support Staff
Justice Court	10	8
District Court	3	1
Domestic Violence (grant funded by the State of Utah Advocate)		1
Screening (also cover traffic calendars)	3	4
Filing, reception, other support		3
Management	1	1
Total	17	18*

*One support position is grant funded

Staffing (\$367,168 increase) – there are no proposed staffing increases; however, the Administration is recommending the continuation of the positions added during Budget Amendment No. 2. This added two prosecutors and four support staff positions for an annual cost of \$367,168.

Each of the positions have been filled, and there are no current prosecutor vacancies. According to the Administration, the positions and salary adjustments that were approved were successful in reducing the caseload per attorney, and increasing the morale of the staff.

Personal Services Adjustments (\$151,123 increase) – The remainder of the increase to personal services is due to pay adjustments, insurance rate increases and pension rate increases.

Other Operating Expenses (\$26,934 increase) – The largest portion of this increase is due to an additional \$16,156 for training. Previously, the Prosecutor's Office took advantage of federal money to cover training through the National College of District Attorneys. However, the federal money is no longer available, but the training is valuable enough that the Administration proposes adding funds to cover the cost. The training qualifies for the continuing education credits.

The rest of this increase is split between several items, including: \$5,152 for process service, \$2,311 for computer costs, \$2,500 for telephone lease costs, \$815 for memberships.

This also includes a \$12,000 reduction the capital budget for furniture replacement and equipment.

QUESTIONS FOR CONSIDERATION

- 1. The Council may wish to ask why the fee for process service continues to inch up in the Prosecutor's Office budget.**
- 2. The Council may wish to ask about the progress of prosecuting neighborhood and quality of life crimes, such as car prowls.**
- 3. The Council may wish to ask about the addition of the staff to the Prosecutor's Office, and how this has impacted covering the Justice Court calendars.**

LEGISLATIVE INTENT STATEMENTS

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.