

# OFFICE OF LAW - 21

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## MISSION AND SERVICES

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**Mission** - The Office of Law provides legal services to the County Executive, the County Council, and County agencies, boards and commissions to help ensure that the County is operating in a lawful manner.

### Core Services -

- Legal services, including representing the County in all civil actions before Federal, State and County courts and administrative bodies, legislative and transactional draftsman for the County, and serving as the legal advisor to the County Executive, the County Council, County agencies, boards and commissions

### Strategic Focus in FY 2014 -

The agency's top priorities in FY 2014 are:

- Reduce the amount of payouts resulting from litigation against the County by monitoring cases to identify trends and address problems with the applicable agency
- Reduce the number of cases utilizing outside counsel by ensuring attorneys are properly trained in legal strategy, effective and persuasive legal writing, and oral presentation
- Reduce the average response time of requests for transactional review by conducting training for agency personnel to ensure documents presented for legal review are complete

## FY 2014 BUDGET SUMMARY

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The FY 2014 approved budget for the Office of Law is \$3,545,600, a decrease of \$142,900 or 3.9% under the FY 2013 approved budget.

### Budgetary Changes -

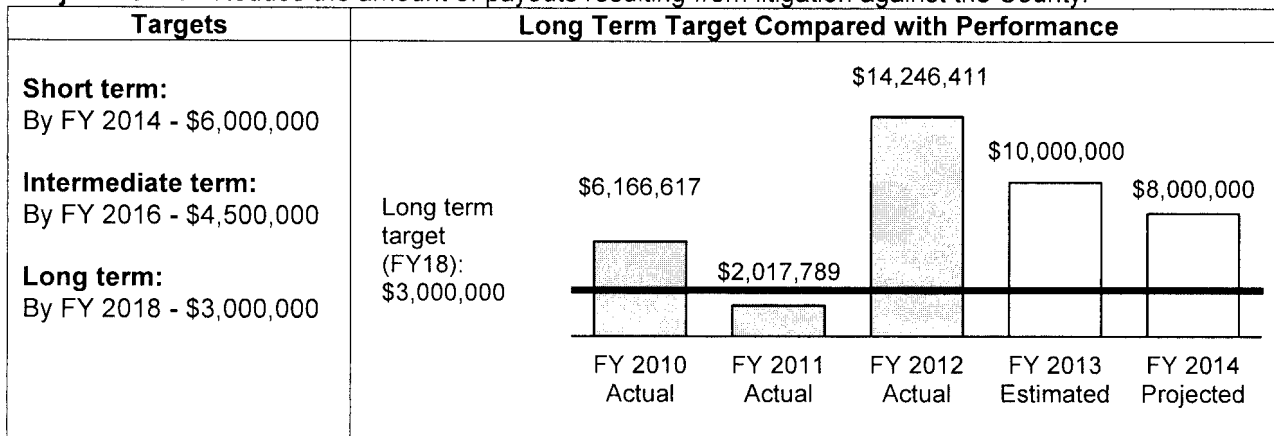
<b>FY 2013 APPROVED BUDGET</b>	<b>\$3,688,500</b>
Increase in printing per OCS charge	\$58,500
Reduction in cost recoveries	\$56,900
Decrease in various operating expenses	(\$13,300)
Decrease in office automation charges	(\$22,000)
Decrease in fringe benefits due to the change in complement	(\$46,600)
Decrease in contract related to the Department of Social Services	(\$63,400)
Decrease in compensation largely due to lapse and removal of one-time enhancement	(\$113,000)
<b>FY 2014 APPROVED BUDGET</b>	<b>\$3,545,600</b>

## SERVICE DELIVERY PLAN AND PERFORMANCE

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**GOAL 1** - To provide legal services to the County Executive, the County Council and County agencies in order to reduce the County's exposure to legal liability.

**Objective 1.1 - Reduce the amount of payouts resulting from litigation against the County.**



**Trend and Analysis** - The number and amount of payouts for lawsuits can vary between years due to multiple factors including: facts of the case, court room factors and the timing of a payout. The amount of payouts in FY 2012 increased due to \$9.5 million in payouts in cases involving the Police Department.

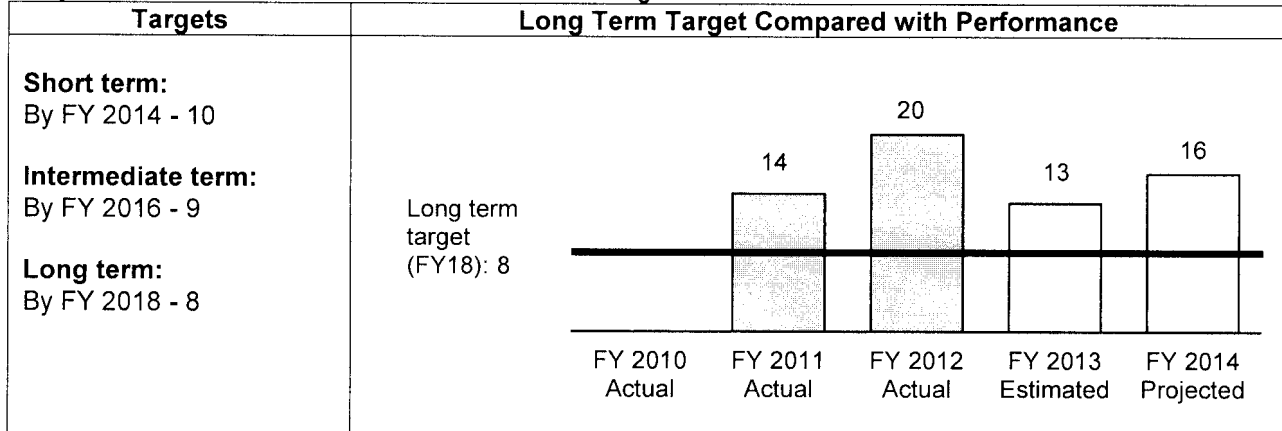
**Performance Measures -**

Measure Name	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimated	FY 2014 Projected
<b>Resources (input)</b>					
Number of litigation attorneys	9.3	8.6	9	9	9
<b>Workload, Demand and Production (output)</b>					
Number of new lawsuits received	133	115	150	110	120
Number of lawsuits closed	121	119	135	133	120
Number of active lawsuits	130	128	143	135	135
<b>Efficiency</b>					
Average number of active lawsuits per litigation attorney	14.0	14.9	15.9	15.0	15.0
Average number of new lawsuits per litigation attorney	14.3	13.4	16.7	13.3	13.3
<b>Quality</b>					
Percent of lawsuits closed at or below amount of money set aside by the County to pay for lawsuits	97%	95%	97%	97%	97%
<b>Impact (outcome)</b>					
Amount of payouts resulting from litigation against the County	\$6,166,617	\$2,017,789	\$14,246,411	\$10,000,000	\$8,000,000

**Strategies to Accomplish the Objective -**

- **Strategy 1.1.1** - Monitor cases to identify trends and address problems with the applicable agency
- **Strategy 1.1.2** - Ensure attorneys are properly trained in legal strategy, effective and persuasive legal writing and oral presentation
- **Strategy 1.1.3** - Recruit and retain lawyers with diverse subject matter expertise

**Objective 1.2** - Reduce the number of cases utilizing outside counsel.



**Trend and Analysis** - Because of caseload capacity and expertise levels within the office, Office of Law finds itself contracting with outside counsel throughout the year. However, due to reorganization, hiring of experienced litigators, and the institution of a continuing legal education component requirement, the number of non-conflict outside counsel contract cases is expected to decline. (Historical data, in some cases, is not available.)

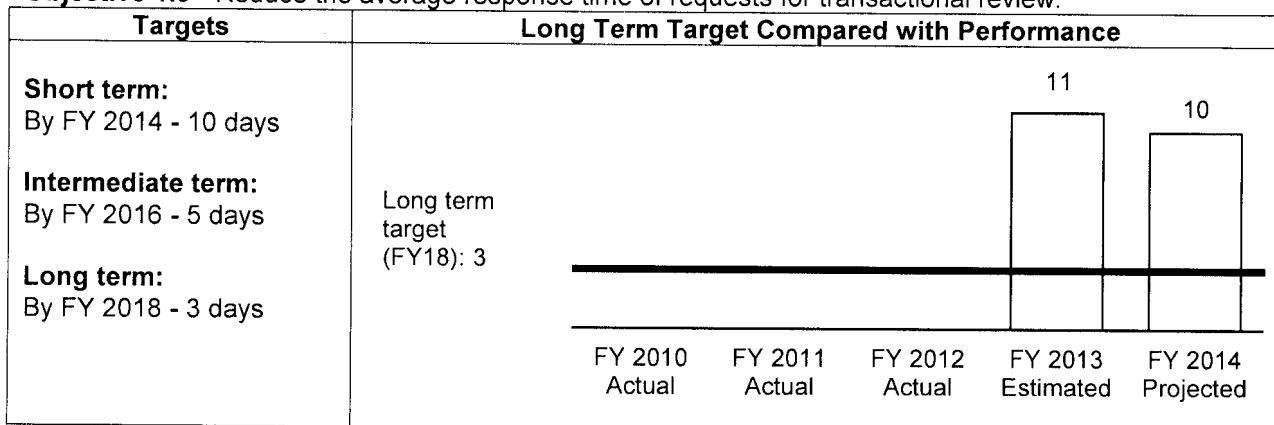
**Performance Measures -**

Measure Name	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimated	FY 2014 Projected
<b>Resources (input)</b>					
Number of senior litigation attorneys				4	4
<b>Workload, Demand and Production (output)</b>					
Number of complex cases received				6	6
Number of complex cases handled in-house				6	6
<b>Efficiency</b>					
Average number of complex cases received per senior litigation attorney				1.5	1.5
<b>Impact (outcome)</b>					
Number of new contract attorney cases		14	20	13	16

**Strategies to Accomplish the Objective -**

- **Strategy 1.2.1** - Ensure attorneys are properly trained in legal strategy, effective and persuasive legal writing and oral presentation
- **Strategy 1.2.2** - Recruit and retain lawyers with diverse subject matter expertise

**Objective 1.3 - Reduce the average response time of requests for transactional review.**



**Trend and Analysis** - The standard due date range for transactional reviews is three to seven business days, depending on the complexity of the matter. The office projects an improvement in the number of days for a transactional review to new employees becoming more proficient, the Administrative Review Committee process going online, and faster interagency interaction. The percentage of transactional documents reviewed by the due date hovers between 84% and 93%. (Historical data, in some cases, is not available.)

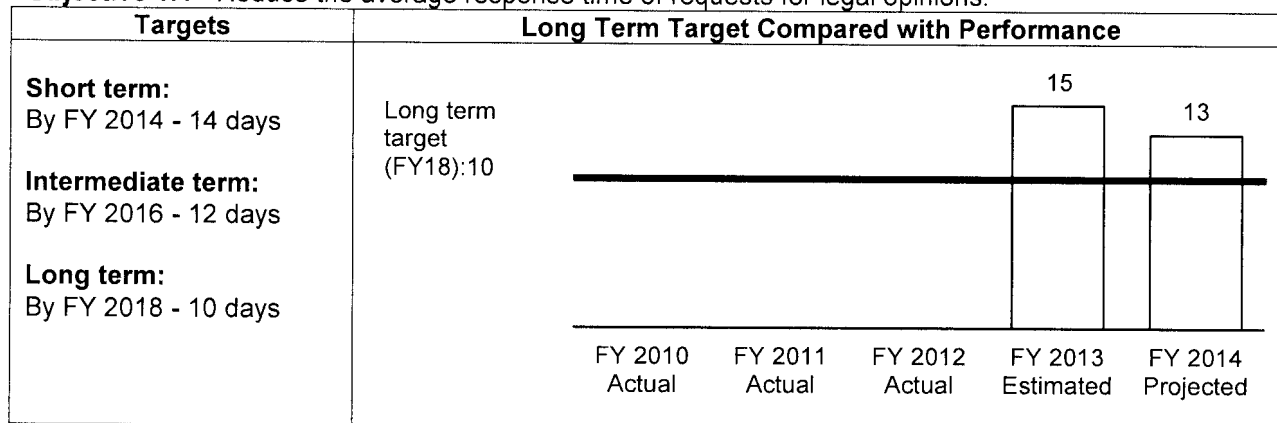
**Performance Measures -**

Measure Name	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimated	FY 2014 Projected
<b>Resources (input)</b>					
Number of transactional attorneys	6	6	6	6	6
<b>Workload, Demand and Production (output)</b>					
Number of transactional related inter-agency trainings conducted	0	0	0	1	1
Number of transactional review requests received	1,184	1,197	1,284	1,400	1,400
<b>Efficiency</b>					
Average number of transactional reviews per attorney	197	200	214	233	233
<b>Quality</b>					
Percent of transactional documents reviewed on or before due date	84%	93%	90%	85%	90%
<b>Impact (outcome)</b>					
Number of days to complete requests for transactional reviews				11	10

**Strategies to Accomplish the Objective -**

- **Strategy 1.3.1** - Conduct training for agency personnel to ensure documents presented for legal review are complete
- **Strategy 1.3.2** - Institute a uniform and consistent response time for review for legal sufficiency
- **Strategy 1.3.3** - Ensure that attorneys are proficient in different practice areas

**Objective 1.4** - Reduce the average response time of requests for legal opinions.



**Trend and Analysis** - The standard due date range for legal opinions is 10-15 business days, depending on the complexity of the matter. The office advised that a baseline due date is established for all opinions that may be adjusted because of a variety of factors specific to each task. The Office of Law has improved the percentage of legislative review requests reviewed by the due date with the utilization of a case management system. The percentage of transactional documents reviewed by the due date hovers between 89% and 97%. (Historical data, in some cases, is not available.)

**Performance Measures -**

Measure Name	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimated	FY 2014 Projected
<b>Resources (input)</b>					
Number of legislative attorneys	2	2	2	2	2
<b>Workload, Demand and Production (output)</b>					
Number of legislative review requests received	218	208	273	350	300
Number of legislative related inter-agency trainings conducted	0	0	0	1	1
<b>Efficiency</b>					
Average number of legislative and advice reviews per attorney	109	104	136.5	175	150
<b>Quality</b>					
Percent of legislative and advice requests reviewed on or before due date	89%	97%	94%	94%	95%
<b>Impact (outcome)</b>					
Number of days to complete requests for legal opinions				15	13

**Strategies to Accomplish the Objective -**

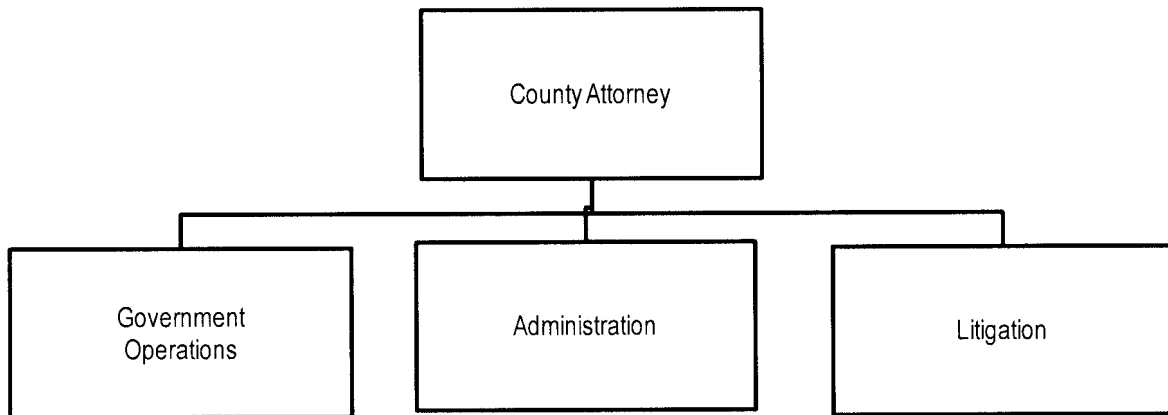
- **Strategy 1.4.1** - Conduct training for agency personnel to ensure documents presented for legal review are complete
- **Strategy 1.4.2** - Institute a uniform and consistent response time for review for legal sufficiency
- **Strategy 1.4.3** - Ensure that attorneys are proficient in different practice areas

**FY 2013 KEY ACCOMPLISHMENTS**

- Negotiated an unprecedented settlement agreement with a major insurance company due to the development companies' failure to fulfill obligations under construction permits.
- The Court of Special Appeals upheld the Circuit Court's verdict in favor of the County in the case of *Harding v. Prince George's County* on the issue of the plaintiff's arrest record.
- The Office of Law defeated a challenge to the County's authority to impose and collect County real estate transfer tax on deeds of trust saving the County a large amount of tax revenue.

ORGANIZATIONAL CHART

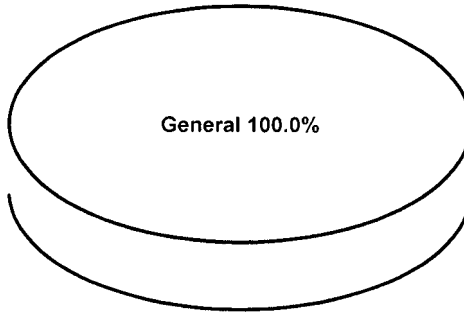
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	FY2012 ACTUAL	FY2013 BUDGET	FY2013 ESTIMATED	FY2014 APPROVED	CHANGE FY13-FY14
<b>TOTAL EXPENDITURES</b>	\$ 3,659,443	\$ 3,688,500	\$ 3,739,400	\$ 3,545,600	-3.9%
<b>EXPENDITURE DETAIL</b>					
Office Of Law	6,131,379	6,170,700	6,221,600	5,970,900	-3.2%
Recoveries	(2,471,936)	(2,482,200)	(2,482,200)	(2,425,300)	-2.3%
<b>TOTAL</b>	\$ 3,659,443	\$ 3,688,500	\$ 3,739,400	\$ 3,545,600	-3.9%
<b>SOURCES OF FUNDS</b>					
General Fund	\$ 3,659,443	\$ 3,688,500	\$ 3,739,400	\$ 3,545,600	-3.9%
Other County Operating Funds:					
<b>TOTAL</b>	\$ 3,659,443	\$ 3,688,500	\$ 3,739,400	\$ 3,545,600	-3.9%

**FY2014 SOURCES OF FUNDS**

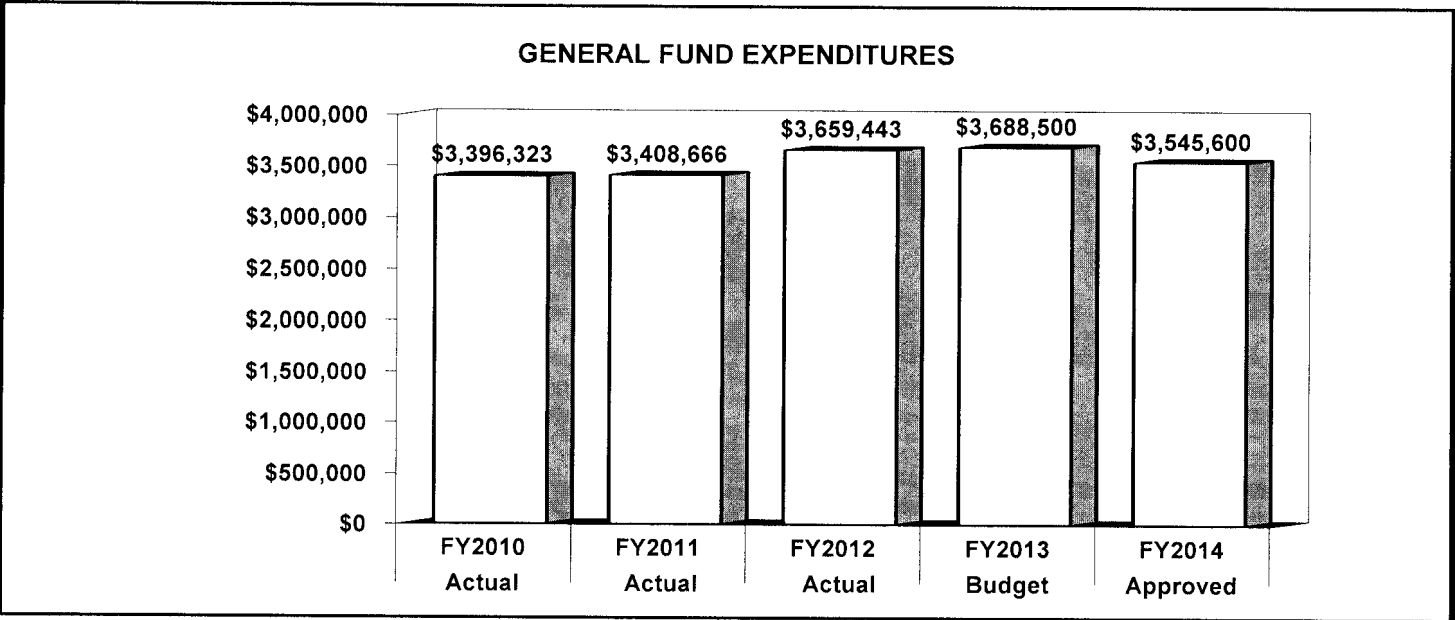
This agency's funding is derived from the County's General Fund. A portion of the costs are allocated to other sources through recoveries.



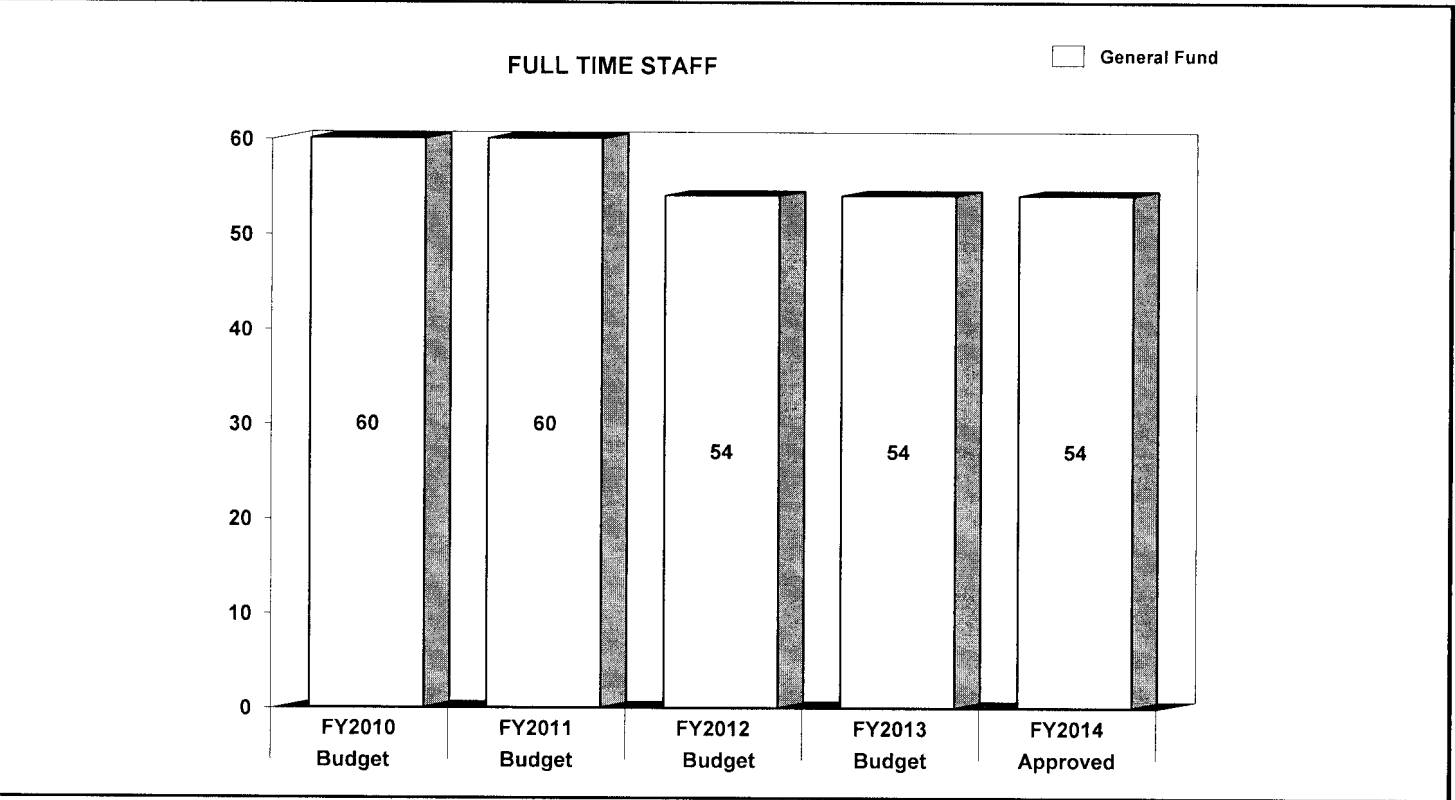


	FY2012 BUDGET	FY2013 BUDGET	FY2014 APPROVED	CHANGE FY13-FY14
<b>GENERAL FUND STAFF</b>				
Full Time - Civilian	54	54	54	0
Full Time - Sworn	0	0	0	0
Part Time	0	0	0	0
Limited Term	0	0	0	0
<b>OTHER STAFF</b>				
Full Time - Civilian				
Full Time - Sworn				
Part Time				
Limited Term Grant Funded				
<b>TOTAL</b>				
Full Time - Civilian	54	54	54	0
Full Time - Sworn	0	0	0	0
Part Time	0	0	0	0
Limited Term	0	0	0	0

POSITIONS BY CATEGORY	FULL TIME	PART TIME	LIMITED TERM
Directors	1	0	0
Deputy Directors	3	0	0
Attorneys	31	0	0
Administrative Assistants	3	0	0
Investigators	2	0	0
Law Clerks	2	0	0
Administrative Support	12	0	0
Administrative Specialist			
<b>TOTAL</b>	<b>54</b>	<b>0</b>	<b>0</b>



The agency's budget increased 7.7% from FY 2010 to FY 2012 due to an increase in staff work related to Risk Management. The FY 2014 approved budget is 3.9% below the FY 2013 approved budget due to lapse savings and various operating reductions.



The agency's staffing complement decreased by six from FY 2010 to FY 2013, mainly due to eliminating vacant positions. The FY 2014 staffing remains unchanged from FY 2013.

	FY2012 ACTUAL	FY2013 BUDGET	FY2013 ESTIMATED	FY2014 APPROVED	CHANGE FY13-FY14
<b>EXPENDITURE SUMMARY</b>					
Compensation	\$ 4,499,384	\$ 4,441,600	\$ 4,447,600	\$ 4,328,600	-2.5%
Fringe Benefits	1,220,616	1,266,400	1,246,600	1,219,800	-3.7%
Operating Expenses	411,379	462,700	527,400	422,500	-8.7%
Capital Outlay	0	0	0	0	0%
	\$ 6,131,379	\$ 6,170,700	\$ 6,221,600	\$ 5,970,900	-3.2%
Recoveries	(2,471,936)	(2,482,200)	(2,482,200)	(2,425,300)	-2.3%
<b>TOTAL</b>	<b>\$ 3,659,443</b>	<b>\$ 3,688,500</b>	<b>\$ 3,739,400</b>	<b>\$ 3,545,600</b>	<b>-3.9%</b>
<b>STAFF</b>					
Full Time - Civilian	-	54	-	54	0%
Full Time - Sworn	-	0	-	0	0%
Part Time	-	0	-	0	0%
Limited Term	-	0	-	0	0%

The FY 2014 approved budget decreases 3.9% under the FY 2013 approved budget. Compensation decreases 2.5% under the FY 2013 budget due to hiring new personnel at lower salaries. Fringe benefits decrease by 3.7% under the FY 2013 budget to reflect the salaries.

Operating expenses decrease 8.7% under the FY 2013 budget due to a reduction in the office automation charges and a decrease in a contract related to the Department of Social Services.

Recoveries decrease 2.3% under the FY 2013 budget due to non-recoverable projects.

MAJOR OPERATING EXPENDITURES	
FY2014	
Office Automation	\$ 203,700
Printing and Reproduction	\$ 68,500
Training	\$ 47,200
General and Administrative	\$ 23,100
Contracts	
Operating and Office Supplies	\$ 20,000

