

City Attorney's Office

FY2012-2013 Final Strategic Operating Plan

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“We are committed to providing the City and its public officials and employees with cost effective legal services of the highest quality.”

City Attorney's Office FY2012-2013 Preliminary Strategic Operating Plan

I. Executive Summary

Introduction

The City Attorney's Office provides legal advice and representation to the Mayor, City Council, City Manager and other City officials, employees, and agencies. The Office represents the City, its officials and employees in litigation filed by or against them in their official capacities. Upon request, the Office provides legal opinions to City officials and employees on City-related matters.

All ordinances and resolutions adopted by the City Council are drafted or reviewed by the City Attorney's Office. Contracts, leases, deeds, franchises and other legal documents to which the City is a party are also reviewed or drafted by the Office. In addition, the City Attorney is involved in selecting and managing the services of outside counsel who represent the City, its officials and employees on City-related matters.

The City Attorney's Office is committed to providing the City and its public officials and employees with cost effective legal services of the highest quality.

Summary of Resource Needs

	FY2010 Budget	FY2011 Budget	FY2012 Request	FY2013 Request
Budget	\$1,696,953	\$1,883,589	\$2,230,482	\$2,503,142
Positions	27.5	28.5	29.5	29.5

*Increase FY2012 is due mainly to lower DTI projection

Vision and Mission

Vision: We will be the City of Charlotte's preferred provider of legal services. Our services will be consistently responsive and of the highest quality. We will be passionate in our pursuit of excellence and will always act in accordance with the highest professional and ethical standards.

Mission: We will ensure that appropriate legal services are always provided to our client, the City of Charlotte, in accordance with the values of the City Attorney's Office. This responsibility will be discharged by consulting regularly with our client and being familiar with its needs.

Key Issues and Challenges

For FY2012 -13 the Office of the City Attorney is anticipating the following issues and challenges. The list includes:

Enhance Customer Service

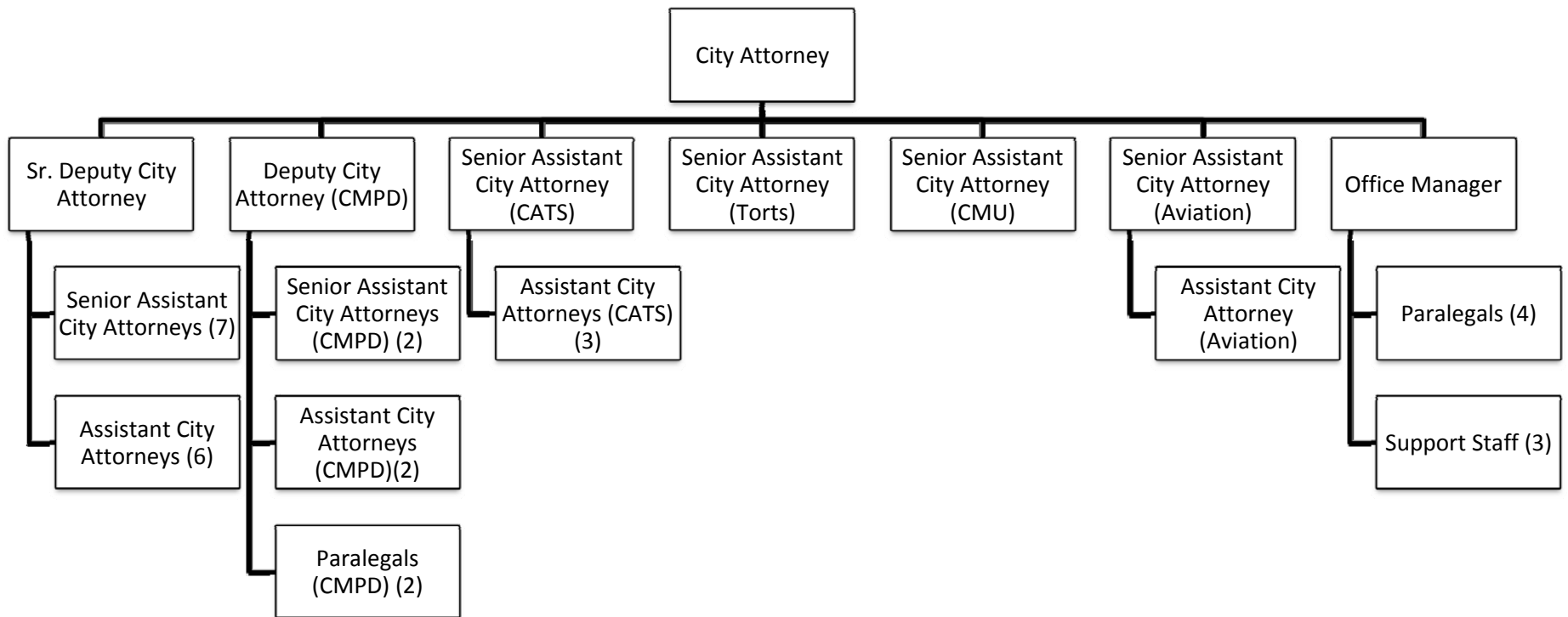
- *Increase In-House Legal Services* – To responsibly plan for future needs, the City Attorney envisions the need for additional resources to handle the increased workload associated with handling negotiating and litigating worker’s compensation claims and torts. We experience an increasing workload each year due to recent law changes and the ability of people to file lawsuits against the City with ease. We currently have insufficient resources available to meet the needs and demands of a growing City. Gaps are currently filled by contracting with private attorneys, almost always at a higher cost than providing the service with on staff attorneys. The additional resources are outlined below and a more complete explanation and justification to support these requests is contained in Section V – Request for Resources:

FY2012

- Temporary Low Rate attorneys: We currently have two attorneys on staff working until they gain full-time employment elsewhere for an intern rate with no benefits. This has help tremendously with being able to keep cases in-house.

FY2013

- CATS attorney: We currently have four attorneys working full-time in CATS. One of the positions is funded through a grant for the Blue Line Extension (BLE). The funding ends at the end of FY2012. With plans for the BLE moving forward and the case load CATS carries, a permanent fourth position is needed. This position should be funded by CATS.



II. Strategy and KBU Planning

The City Attorney's Office provides legal advice and representation to the Mayor, City Council, City Manager, City officials and employees.

Links to Corporate Strategy

The City Attorney's Office will provide service that is consistent with the City's corporate strategy.

Serve the Customer. The City Attorney's Office will continue to focus on the client, be accessible and responsive, and maintain a thorough understanding of City operations, personnel and policies.

The City Attorney's Office will provide a high level of customer service to Key and Support Businesses, monitor and respond to feedback from our customers, and strive to be accessible and responsive to our customers.

Each attorney is required to conduct a client service interview with each of his or her client departments and develop a plan to provide the service.

The office will monitor and respond to feedback from customers.

Run the Business. The City Attorney's Office will continue to pursue excellence in the practice of law, be recognized experts in municipal law, and focus on preventive legal advice.

Three committees have been formed and meet regularly to review processes currently in place that deal with litigation, communication, and training to identify potential areas of improvement.

Manage Resources. The City Attorney's Office will continue to strive to provide legal services in a cost effective manner and at a lower cost than services provided by outside counsel.

Each attorney responsible for working with outside Counsel will review the bills submitted by those attorneys to ensure accuracy and fairness.

Develop Employees. The City Attorney's Office will continue to champion the City's interest, treat citizens and the Bar with respect, and maintain the highest professional and ethical standards.

The Attorney's Office will strive to increase the availability of skills in areas required to support City priorities, encourage staff to undertake activities or participate in organizations that strengthen and demonstrate our individual and collective commitment to professionalism and volunteerism.

We will support the Wellness initiative through nutritional education sponsored through the Wellness program and by making healthy food choices available at departmental events and meetings.

We will provide informative and helpful legal information to employees on various legal topics by publication of LegalEase on CNET.

Strategic Initiatives

- Ensure good customer service delivery through client service interviews.
- Be proactive regarding the provision of legal advice and opinions concerning the creation and interpretation of local ordinances, state and federal law. Administer all legal services, manage and coordinate all litigation matters and represent the City's legal positions with other agencies.
- Deliver competitive services by monitoring the services of outside counsel to ensure that the City is receiving the highest quality legal services at a reasonable cost.
- Promote learning and growth by providing the necessary resources and encouraging staff to undertake activities that demonstrate their commitment to professionalism and life long learning.

Technology Plan

The Office of the CIO and BSS/IT have been extremely helpful by analyzing our current processes and assisting in upgrading our technology and finding and implementing new legal systems our department needs to help ensure we are in full compliance with the law. With EnCase and Concordance, we are now in a position to make responding to discovery request and public records a little easier. We are also able to more efficiently preserve documents that maybe subject to a lawsuit.

Training and Development Plan

Customer Service Training: The City Attorney's Office will continue to conduct client surveys with the individual client departments to ensure that the staff attorneys are addressing the needs of the client and identify special needs. The office will strive to return telephone calls on the same day received and answer e-mail requests within a reasonable timeframe.

The office will continue to make Council member requests for service a high priority. We will research and provide written responses to Council members when received.

Technology Training: The City Attorney's Office emphasizes the importance of all staff members having an understanding of Outlook, that support staff develop and maintain superior word processing skills, and all attorneys should have an understanding of

Microsoft Outlook and Word. Particular staff members should develop and maintain expertise in relevant computer skills to assist and serve as a resource for other staff members in areas such as Word, Outlook, PowerPoint, Excel, Access and LexisNexis.

The office will conduct periodic surveys of staff members to ensure that they receive the training to keep them current on computer technology. Encourage support staff to pursue higher levels of training in Word, Access, Excel and PowerPoint.

Professional Development Training: Continue to provide resources and funding so that the attorneys will receive at least the 12 hours of Continuing Legal Education required by the Board of Continuing Legal Education of the North Carolina State Bar.

Provide funding for attorneys to attend conferences and seminars in their area of expertise, to maintain current competence in changing areas of the law.

Encourage attorneys to develop and conduct a seminar, or write a legal article for publication. The budget now provides for the City Attorney, the Senior Deputy City Attorney and a Senior Assistant City Attorney to attend the International Municipal Lawyers Association Mid-Winter Conference and the Annual Conference. If other attorneys are interested in attending one or both of these conferences, they will be required to write and give a speech at the conferences in order to attend.

Encourage all staff members to participate in some community service effort.

Customer Service Plan

The City Attorney's Office will continue to strive to be the City of Charlotte's preferred provider of legal services. We will continue to make every effort to retain the experienced attorneys that are now on staff. We will recruit and make every effort to retain the best-qualified support staff.

The Attorney's Office will encourage all new employees to take Customer Service training through Training Trax.

The Attorney's Office will make Council member requests for service a high priority.

III. Service Delivery

The City Attorney's Office provides all legal services for the City.

Core Service Areas

City Departments and Officials: Provide legal services to all City departments and City officials.

Service History and Trends

City departments and officials: These legal services include ongoing advice to city officials, preparation and review of legal documents, representation of the City and city officials in lawsuits. When warranted the City Attorney may contract with outside legal counsel for specialized expertise and services. The Attorney's Office will administer all legal services, manage and coordinate all litigation matters and represent the City's legal interests with other agencies.

Mayor and City Council: The Attorney's Office will direct and organize functions of the office in a manner that will support the goals and objectives of the City Council. We will continue developing criteria for the use of outside legal counsel to supplement various departmental activities. Continue to hire, train and develop internal staff to assume additional legal responsibility in support of City needs.

The Attorney's Office will develop and promote practices which are responsive to City Council priorities and initiatives while retaining accountability for completion of those initiatives. Also provide accurate, concise and timely information on which the Council may take appropriate action.

IV. BSC and Performance Measurement

The City Attorney's Office will continue its efforts to build a strong team and dedication to providing the citizens and employees of the City with the best possible legal services. The Attorney's Office will create an environment that rewards constructive candor and addresses conflicts skillfully and productively.

The Attorney's Office will exhibit outstanding professional skills and demonstrate the ability to lead and take strong action on initiatives while ensuring complete follow through. The Office will exhibit knowledge of municipal laws and ordinances, as well as in-depth understanding of state and federal procedures and substantive legal issues. The advice and actions from the City Attorney's Office will be based on the highest level of integrity and legal precedent.

The Attorney's Office will continue to reflect its strong philosophy with regard to professional development. Staff is encouraged to reach their fullest professional potential.

V. Request for Resources

Change to Current Level: In FY2012 we are only asking for one Change to the Current Level. We are requesting an increase in our 013 Salary and Wages – Temps to fund the opportunity to employ bright, young lawyers at a very low rate.

In FY2013 we are requesting that a current temporary attorney position in CATS that will lose funding at the end of FY2012 become a permanent position.

Service Level Change: The service level change in this budget request is highlighted below.

1. A request for service level change totals \$56,000 for funding for two part-time, temporary lawyers

Assistant City Attorney: Funding is requested to be able to continue to employ the two temporary lawyers we currently have that we are only paying an intern rate with no benefits. We also request the ability to replace them once they have been able to gain full-time employment elsewhere.

Link to BSC: *Enhance Customer Service*

Performance Measurement Outcome: Enhance customer service by increasing the turnaround time for legal opinions by having generalist available to help the front line department attorneys.

2. A request for service level change of \$120,000 permanent funding of a current temporary position. This position would be charged to CATS.

Assistant City Attorney: CATS currently has 4 attorneys that represent them. One of the positions is currently funded through a grant for the Blue Line Extension (BLE) project. The grant funding for that position will end at the close of FY2012. Since the BLE project is moving forward, in addition to the day to day legal workload of CATS, this position becoming permanent is essential.

The position becoming permanent is requested to continue the customer service to CATS and will avoid and increase in the amount of money paid for these services to outside counsel.

Link to BSC: *Enhance Customer Service: Deliver Competitive Services*

Performance Measurement Outcome: Enhance customer service. Control cost of legal services by keeping the work in-house.

V. Conclusion

The City Attorney's Office is committed to providing the City and its public officials and employees with cost effective legal services of the highest quality.