

OFFICE OF LAW - 121

MISSION AND SERVICES

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 County government is operating in a lawful manner.

Core Services -

- Represents the County in all civil actions before federal/State/local courts and administrative bodies
- Drafts legislative and transactional documents along with providing legal advice and counsel to the County Executive, County Council, and County agencies, boards and commissions

Strategic Focus in FY 2017 -

The agency's top priorities in FY 2017 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 average response time of requests for transactional review and legal opinions by conducting training for agency personnel to ensure documents presented for legal review are complete.

FY 2017 BUDGET SUMMARY

The FY 2017 approved budget for the Office of Law is \$3,828,900, an increase of \$74,000 or 2.0% over the FY 2016 approved budget.

Budgetary Changes -

FY 2016 APPROVED BUDGET	\$3,754,900
Increase in compensation for one new attorney in the Transactional Division	\$90,000
Additional increase in compensation to reflect FY 2017 salary requirements	\$54,700
Increase in office automation charge and the annual fee required for maintaining the legal files	\$22,600
Increase in operating expenses to support membership fees, periodicals, and training to assist in meeting continuing legal education requirements	\$12,300
Increase in contracts and administration for new Westlaw software	\$7,000
Decrease in telephones, general office supplies and printing to align with operational needs	(\$7,800)
Decrease in fringe rate from 31.0% to 29.8%	(\$12,600)
Increase in recoveries to capture higher rates for Risk Management Fund	(\$92,200)
FY 2017 APPROVED BUDGET	\$3,828,900

SERVICE DELIVERY PLAN AND PERFORMANCE

GOAL 1 - To provide legal representation and advice 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.

Targets	Long Term Target Compared with Performance												
<p>Short term: By FY 2017 - \$5 million</p> <p>Intermediate term: By FY 2019 - \$4 million</p> <p>Long term: By FY 2021 - \$3 million</p>	<p>Long term target (FY21): \$3.0 (millions)</p> <table border="1"> <thead> <tr> <th>Fiscal Year</th> <th>Actual / Estimated / Projected Payout (\$ millions)</th> </tr> </thead> <tbody> <tr> <td>FY 2013</td> <td>Actual: \$10.09</td> </tr> <tr> <td>FY 2014</td> <td>Actual: \$2.05</td> </tr> <tr> <td>FY 2015</td> <td>Actual: \$2.30</td> </tr> <tr> <td>FY 2016</td> <td>Estimated: \$2.00</td> </tr> <tr> <td>FY 2017</td> <td>Projected: \$2.00</td> </tr> </tbody> </table>	Fiscal Year	Actual / Estimated / Projected Payout (\$ millions)	FY 2013	Actual: \$10.09	FY 2014	Actual: \$2.05	FY 2015	Actual: \$2.30	FY 2016	Estimated: \$2.00	FY 2017	Projected: \$2.00
Fiscal Year	Actual / Estimated / Projected Payout (\$ millions)												
FY 2013	Actual: \$10.09												
FY 2014	Actual: \$2.05												
FY 2015	Actual: \$2.30												
FY 2016	Estimated: \$2.00												
FY 2017	Projected: \$2.00												

Trend and Analysis -

The number and amount of payouts for lawsuits can vary from year to year due to multiple factors including: facts of the case, court room factors and the timing of a payout. FY 2014 saw an 80% reduction in payouts compared to FY 2013. The Office of Law has continued to maintain that level of activity in FY 2015 and to date in FY 2016. In addition, the Office of Law continues to close the vast majority of litigation against the County at or below the estimated reserve.

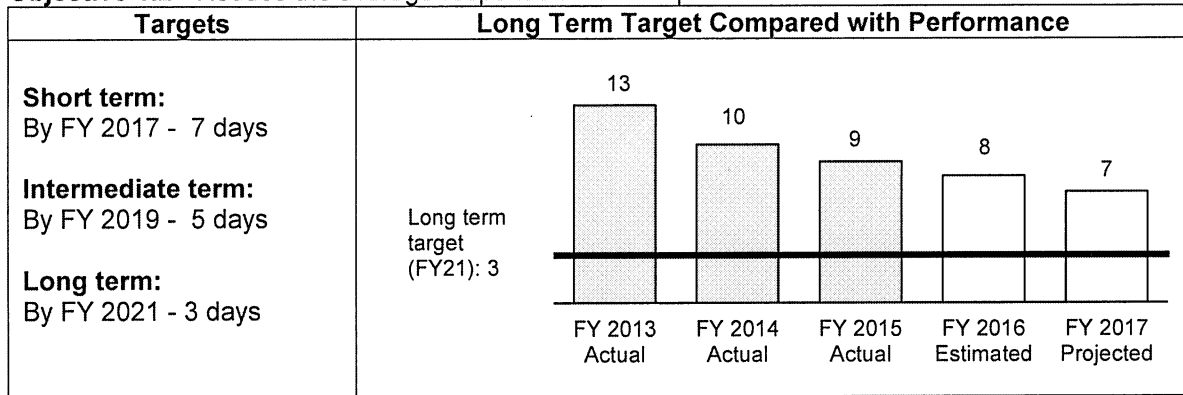
Performance Measures -

Measure Name	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimated	FY 2017 Projected
Resources (input)					
Number of litigation attorneys	9	9	9	9	9
Workload, Demand and Production (output)					
Number of new lawsuits received	115	110	88	130	130
Number of lawsuits closed	137	102	95	108	110
Number of active lawsuits	126	132	123	137	137
Efficiency					
Average number of active lawsuits per litigation attorney	14.0	14.7	13.7	15.2	15.2
Average number of new lawsuits per litigation attorney	12.8	12.2	9.8	14.5	14.5
Quality					
Percent of lawsuits closed at or below amount of money set aside by the County to pay for lawsuits	98%	99%	90%	95%	97%
Impact (outcome)					
Amount of payouts resulting from litigation against the County (in millions)	\$10.09	\$2.05	\$2.30	\$2.00	\$2.00

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 average response time to requests for transactional review.



Trend and Analysis -

The timetable for transactional review can range from three to ten business days depending on the complexity of the matter. The vast majority of requests are completed within that range and are closed by the designated due date. Longer response times and/or additional reviews have been necessary for agencies submitting more complex requests or requests which require substantial changes prior to approval for legal sufficiency. Continued inter-agency collaboration is necessary in order to limit the number of requests requiring lengthy review times or substantial changes. Transactional requests received increased by 6% from FY 2014 to FY 2015. This is after an 11% increase from FY 2011 to FY 2014. So far in FY 2016, the Office of Law has seen a 30% increase in requests from last fiscal year. The increased requests and staffing levels may impact response times for transactional review requests.

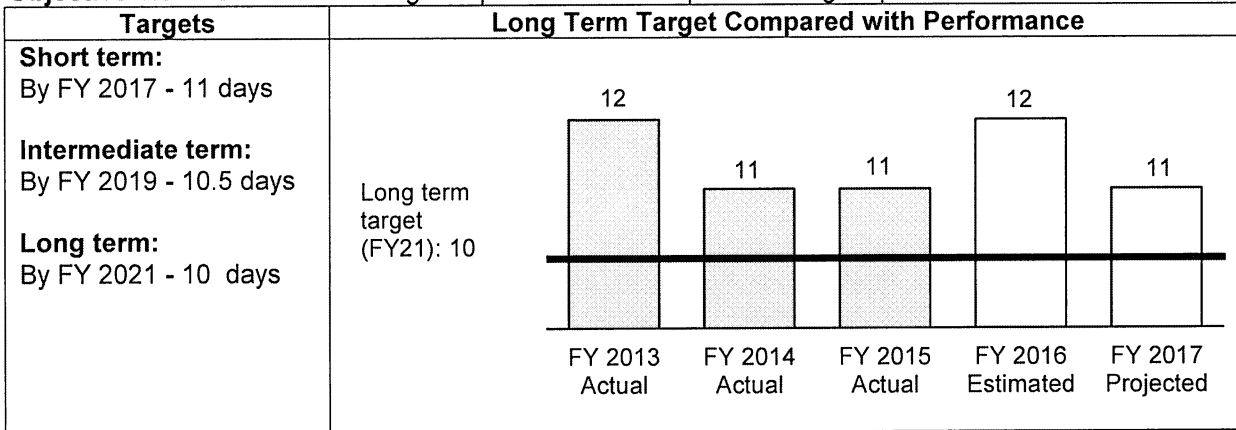
Performance Measures -

Measure Name	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimated	FY 2017 Projected
Resources (input)					
Number of transactional attorneys	6	5	5	5	6
Workload, Demand and Production (output)					
Number of transactional related inter-agency trainings conducted	0	0	0	1	2
Number of transactional review requests received	1,358	1,329	1,419	2,000	2,000
Efficiency					
Average number of transactional reviews per attorney	226	266	284	400	333
Quality					
Percent of transactional documents reviewed on or before due date	69%	73%	89%	89%	90%
Impact (outcome)					
Number of days to complete requests for transactional reviews	13	10	9	8	7

Strategies to Accomplish the Objective -

- **Strategy 1.2.1** - Conduct training for agency personnel to ensure that documents presented for legal review are complete
- **Strategy 1.2.2** - Institute a uniform and consistent response time for legal sufficiency reviews
- **Strategy 1.2.3** - Ensure that attorneys are equipped with the knowledge of sector-specific practices for legal counsel to service the varied operational needs of County government agencies

Objective 1.3 - Reduce the average response time for requests for legal opinions.



Trend and Analysis - The standard timetable for fulfilling non-complex requests for legal opinions is 10-15 business days. The complexity of the matter can greatly increase the response time. The Office of Law averaged 10.9 days in FY 2015 to complete requests for legal opinions. The Office of Law is experiencing an upward trend in response times to date due to the complexity of several requests and/or the need of additional information from the requesting agency. If this trend continues, the average response time may increase.

Performance Measures -

Measure Name	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimated	FY 2017 Projected
Resources (input)					
Number of legislative attorneys	2	1.5	2	2	2
Workload, Demand and Production (output)					
Number of legislative review requests received	295	230	259	260	260
Number of legislative related inter-agency trainings conducted	1	6	4	4	4
Efficiency					
Average number of legislative and advice reviews per attorney	148	153	130	130	130
Quality					
Percent of legislative and advice requests reviewed on or before due date	97%	96%	97%	97%	97%
Impact (outcome)					
Number of days to complete requests for legal opinions	12	11	11	12	11

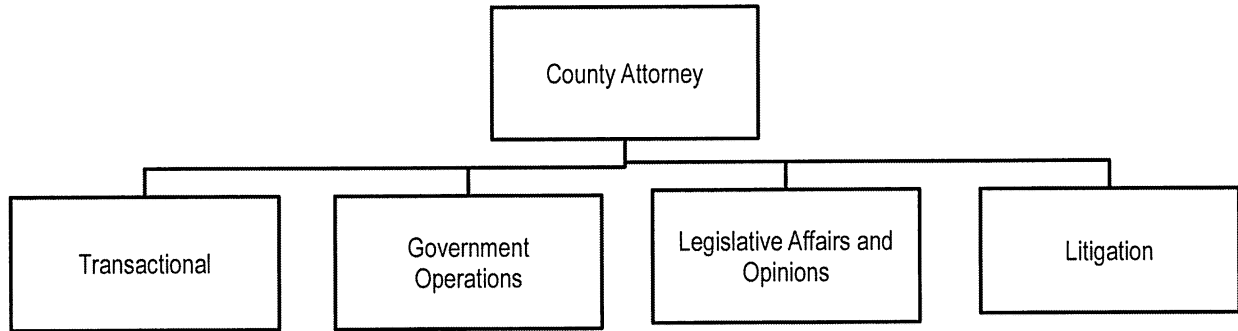
Strategies to Accomplish the Objective -

- **Strategy 1.3.1** - Conduct training for agency personnel to ensure that documents presented for legal review are accurate and concise
- **Strategy 1.3.2** - Ensure that attorneys are equipped with the knowledge of sector-specific practices for legal counsel to service the varied operational needs of County government agencies

FY 2016 KEY ACCOMPLISHMENTS

- Conducted negotiations for public infrastructure development that will allow for the opening of a Whole Foods near College Park, among other major development in the area.
- Drafted and negotiated documents for and closed approximately \$8.4 million in EDIF loans.
- Assisted County with roadway repair and buyout of properties associated with Piscataway Slope Failure.
- Leveraged the Comcast/Time Warner merger proposal to negotiate favorable terms in a Settlement Agreement with Comcast of Maryland under its Franchise Renewal Agreement.
- Assisted the Department of Permitting, Inspections, and Enforcement with legal review of approximately 30 building demolition cases in calendar year 2015, furthering the Transforming Neighborhoods Initiative by eliminating blight.
- Managed the County's daily social service court dockets and implemented a quarterly training cycle in partnership with the Department of Social Services to facilitate social worker training.

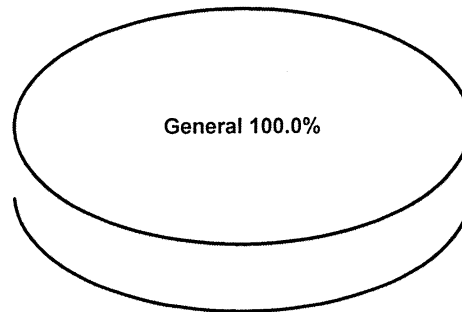
ORGANIZATIONAL CHART



	FY2015 ACTUAL	FY2016 BUDGET	FY2016 ESTIMATED	FY2017 APPROVED	CHANGE FY16-FY17
TOTAL EXPENDITURES	\$ 3,666,839	\$ 3,754,900	\$ 3,632,600	\$ 3,828,900	2%
EXPENDITURE DETAIL					
Office Of Law	6,499,678	6,495,500	6,373,200	6,661,700	2.6%
Recoveries	(2,832,839)	(2,740,600)	(2,740,600)	(2,832,800)	3.4%
TOTAL	\$ 3,666,839	\$ 3,754,900	\$ 3,632,600	\$ 3,828,900	2%
SOURCES OF FUNDS					
General Fund	\$ 3,666,839	\$ 3,754,900	\$ 3,632,600	\$ 3,828,900	2%
Other County Operating Funds:					
TOTAL	\$ 3,666,839	\$ 3,754,900	\$ 3,632,600	\$ 3,828,900	2%

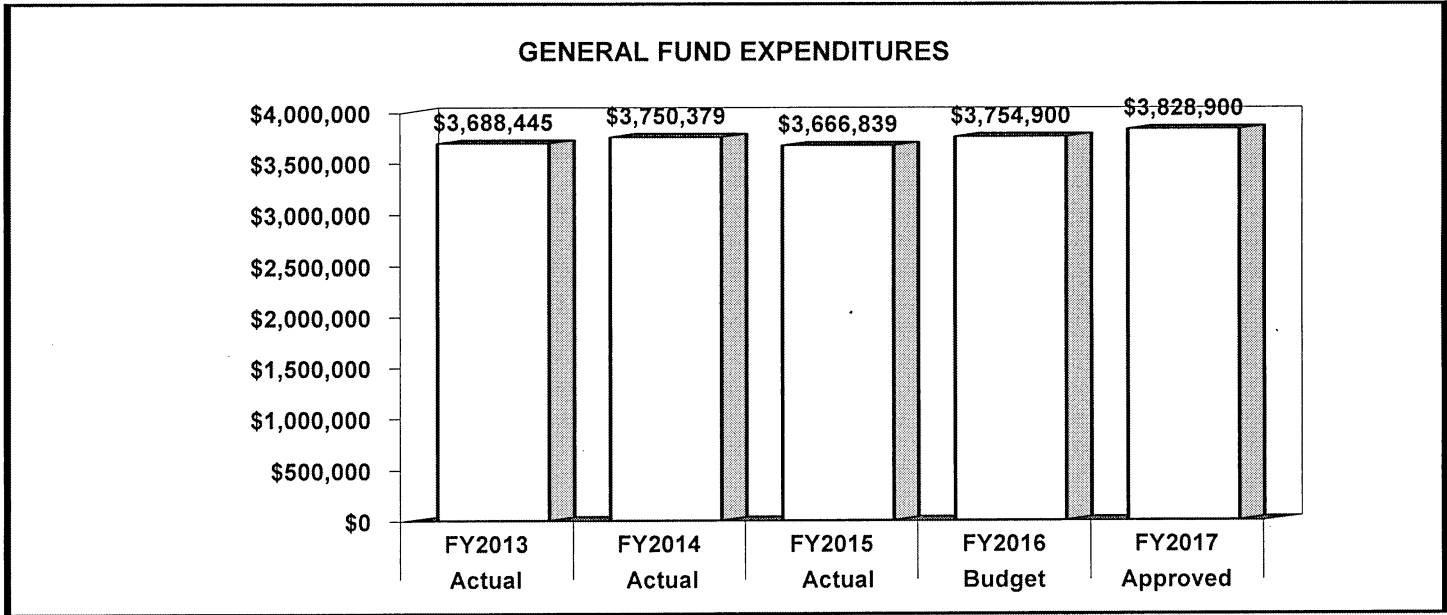
FY2017 SOURCES OF FUNDS

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

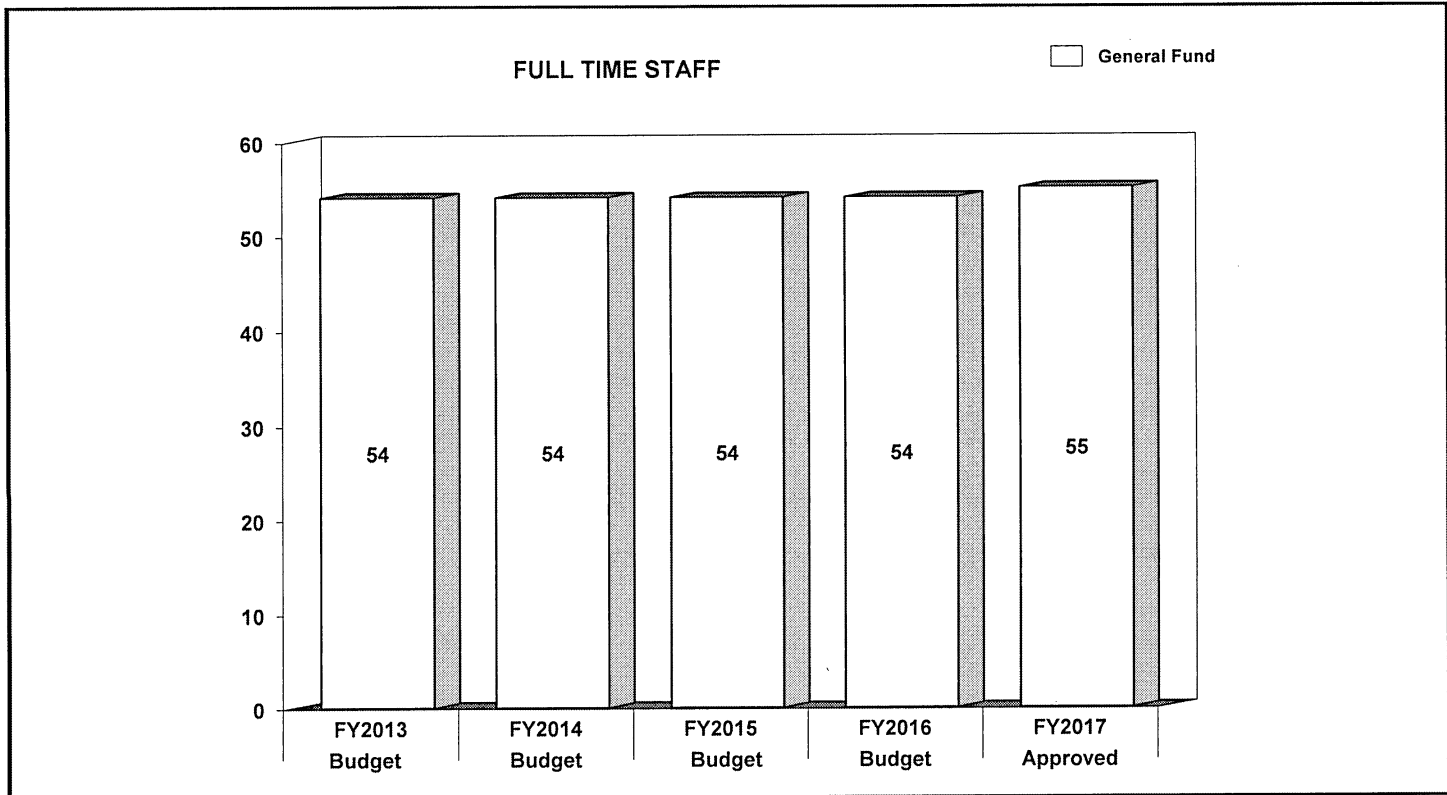


	FY2015 BUDGET	FY2016 BUDGET	FY2017 APPROVED	CHANGE FY16-FY17
GENERAL FUND STAFF				
Full Time - Civilian	54	54	55	1
Full Time - Sworn	0	0	0	0
Part Time	0	0	0	0
Limited Term	0	0	0	0
OTHER STAFF				
Full Time - Civilian				
Full Time - Sworn				
Part Time				
Limited Term Grant Funded				
TOTAL				
Full Time - Civilian	54	54	55	1
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	32	0	0
Administrative Assistants	3	0	0
Investigators	2	0	0
Law Clerks	2	0	0
Administrative Support	12	0	0
TOTAL	55	0	0



The agency's expenditures decreased 0.6% from FY 2013 to FY 2015 due to recovery rate increase from 85% to 100%. The FY 2017 approved budget is 2.0% more than the FY 2016 approved budget due to increase in staffing and adding a new contract.



The agency's staffing remained flat from FY 2013 to FY 2016. The FY 2017 approved budget staffing increases by one attorney.

	FY2015 ACTUAL	FY2016 BUDGET	FY2016 ESTIMATED	FY2017 APPROVED	CHANGE FY16-FY17
EXPENDITURE SUMMARY					
Compensation	\$ 4,720,966	\$ 4,647,500	\$ 4,597,300	\$ 4,792,200	3.1%
Fringe Benefits	1,344,609	1,440,700	1,370,300	1,428,100	-0.9%
Operating Expenses	434,103	407,300	405,600	441,400	8.4%
Capital Outlay	0	0	0	0	0%
	\$ 6,499,678	\$ 6,495,500	\$ 6,373,200	\$ 6,661,700	2.6%
Recoveries	(2,832,839)	(2,740,600)	(2,740,600)	(2,832,800)	3.4%
TOTAL	\$ 3,666,839	\$ 3,754,900	\$ 3,632,600	\$ 3,828,900	2%
STAFF					
Full Time - Civilian	-	54	-	55	1.9%
Full Time - Sworn	-	0	-	0	0%
Part Time	-	0	-	0	0%
Limited Term	-	0	-	0	0%

In FY 2017, compensation expenditures increase 3.1% over the FY 2016 approved budget due to an increase in the staffing complement. Compensation includes funding for 53 out of 55 full-time employees. Fringe benefit expenditures decrease 0.9% under the FY 2016 approved budget due to rate reduction that reflects actual costs.

Operating expenses increase 8.4% over the FY 2016 approved budget due to office automation charges, new Westlaw contract, training and membership fees.

Recoveries increase 3.4% over the FY 2016 approved budget due to higher recovery rates in the Risk Management Fund.

MAJOR OPERATING EXPENDITURES FY2017	
Office Automation	\$ 207,400
General and Administrative	\$ 94,700
Contracts	
Miscellaneous	\$ 33,000
Training	\$ 28,000
Operating and Office Supplies	\$ 20,000

