

**Legal  
Department**

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# Legal Department—Budget Overview

## Description

The Legal Department consists of the City Attorney's Office. The position of City Attorney is established by ordinance and specific duties and responsibilities are set forth in the Topeka City Code. The Legal Department represents the City in all legal matters, administers the risk management program, and prosecutes violation of city ordinances, including misdemeanors.

## Budget Summary by Program

	Actual 2004	Actual 2005	Adopted 2006	Estimated 2006	Adopted 2007
<i>Expenditures</i>					
City Attorney	1,508,204	1,511,539	1,644,300	1,643,569	1,609,796
<b>Total Expenditures</b>	<b>1,508,204</b>	<b>1,511,539</b>	<b>1,644,300</b>	<b>1,643,569</b>	<b>1,609,796</b>
Percent Change		0.2%	8.8%	8.7%	-2.1%
<i>Financing</i>					
General Fund	1,356,458	1,358,398	1,485,505	1,484,934	1,443,694
Special Liability Expense Fund	101,737	103,482	106,999	106,864	111,887
Workers Compensation Fund	50,009	49,659	51,796	51,771	54,215
<b>Total Revenues</b>	<b>1,508,204</b>	<b>1,511,539</b>	<b>1,644,300</b>	<b>1,643,569</b>	<b>1,609,796</b>

## Significant Features

- In 2006, the 1.0 FTE Labor Relations Director position was moved from the Human Resources budget to the City Attorney's Office. A reduction of \$40,000 was then made to reflect assumed savings in attorney fees paid to outside legal counsel representing the City in labor complaints and lawsuits. Since the Labor Relations Director is a direct report of the City Manager, the position is moved on to the Executive Department in 2007, reducing the Legal Department budget.
- The Special Liability Expense Fund expenditures is for salaries of attorneys and support staff who perform functions related to the defense of the City against claims. The Workers Compensation Fund finances the salary of the Risk Investigator/Safety Coordinator position.
- Employees are provided a 2.0 percent cost of living plus step movement in 2007.

## Personnel Summary by Program (in Full-Time Equivalents)

	Actual 2004	Actual 2005	Adopted 2006	Estimated 2006	Adopted 2007
City Attorney	21.50	21.50	22.50	22.50	21.50
<b>Total FTEs</b>	<b>21.50</b>	<b>21.50</b>	<b>22.50</b>	<b>22.50</b>	<b>21.50</b>

# Legal Department Program Details

## Budget Summary by Expenditure Category

	Actual 2004	Actual 2005	Adopted 2006	Estimated 2006	Adopted 2007
Personnel Services	1,285,732	1,304,713	1,466,039	1,465,308	1,431,535
Contractual Services	188,045	178,922	143,261	143,261	143,261
Commodities	34,427	27,904	35,000	35,000	35,000
Capital Outlay	-	-	-	-	-
<b>Total Program</b>	<b>1,508,204</b>	<b>1,511,539</b>	<b>1,644,300</b>	<b>1,643,569</b>	<b>1,609,796</b>

## Discussion

The City Attorney's Office represents the City of Topeka and its officials and employees in judicial cases where the City is a named party. The office defends the City and files lawsuits on behalf of the City; represents the City in actions before administrative agencies; and, handles claims filed against the City. Attorneys prosecute traffic cases, misdemeanor criminal cases, driving under influence cases and other city code violation cases in Municipal Court. All such cases, whether they originate at an administrative agency, municipal court, state district court, or federal district court, are handled through the appellate process.

Staff members draft contracts and other legal documents, review legal documents, and draft resolutions and ordinances for council consideration. Staff members also provide legal opinions and advice to city departments and representatives. The Department is organized as a single division. Most of the attorneys and support staff are involved in several areas of operation and one division is more reflective of the functional operation of the office.

The Risk Management Program manages the City's self-insurance workers' compensation and vehicle physical damage self-insurance programs. The program develops and maintains a comprehensive property insurance management program for the City; coordinates transactions with commercial insurers who provide coverage to the City in special circumstances; monitors and enforces programs designed to promote a safe work place; and administers the loss control program.

## Personnel Schedule (in Full-Time Equivalent)

Position Title	Actual 2004	Actual 2005	Adopted 2006	Estimated 2006	Adopted 2007
City Attorney	1.00	1.00	1.00	1.00	1.00
Attorney I	3.00	3.00	4.00	3.00	3.00
Attorney III	3.50	3.50	3.50	3.50	3.50
Attorney IV	2.00	2.00	2.00	3.00	2.00
Attorney V	1.00	1.00	1.00	1.00	1.00
Chief of Litigation	1.00	1.00	1.00	1.00	1.00
Paralegal	1.00	1.00	1.00	1.00	1.00
Legal Specialist I	1.00	1.00	1.00	1.00	1.00
Legal Specialist II	1.00	1.00	1.00	1.00	1.00
Office Assistant I	1.00	1.00	1.00	1.00	1.00
Office Assistant II	1.00	1.00	1.00	1.00	1.00
Office Assistant III	2.00	2.00	2.00	2.00	2.00
Rehabilitation Coordinator	1.00	1.00	1.00	1.00	1.00
Supervisor III	1.00	1.00	1.00	1.00	1.00
Risk Inv/Safety Coord.	1.00	1.00	1.00	1.00	1.00
<b>Total Program FTEs</b>	<b>21.50</b>	<b>21.50</b>	<b>22.50</b>	<b>22.50</b>	<b>21.50</b>

## Notes on Budget and Personnel

- The budget reflects the shift of the Attorney IV position to the Executive Department.

# Legal Department Program Performance

## Objectives and Performance Measures

Actual	Actual	Estimate	Estimate
2004	2005	2006	2007

**Objective:** To reduce workers compensation expenses.

<i>Measure:</i> Number of claims	314	275	325	325
<i>Measure:</i> Expenses/awards (both current and prior year claims)	\$ 836,045	\$ 726,789	No Est.	No Est.

**Objective:** Reduce civil claim exposure and costs.

<i>Measure:</i> Number of claims filed	168	128	150	150
<i>Measure:</i> Monetary amount of claims filed (in millions)	\$ 27M	\$ 11M	No Est.	No Est.
<i>Measure:</i> Number of claims approved	54	27	45	45
<i>Measure:</i> Monetary amount of claims paid	\$ 46,212	\$ 44,885	No Est.	No Est.

**Objective:** Reduce insurance costs increases.

<i>Measure:</i> Insurance premiums costs	\$ 943,574	\$ 946,580	\$ 954,945	\$ 1,022,300
<i>Measure:</i> Percentage increase/decrease in costs	6.3%	0.3%	0.8%	8.0%

## Activity Indicators

<i>Indicator:</i> Ordinances and Resolutions Prepared	201	192	200	200
<i>Indicator:</i> Charges and cases prosecuted	59,882	51,410	55,000	55,000