

**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 2002	Actual 2003	Adopted 2004	Estimated 2004	Adopted 2005
<i>Expenditures</i>					
City Attorney	1,374,326	1,358,522	1,544,437	1,542,610	1,548,313
Total Expenditures	1,374,326	1,358,522	1,544,437	1,542,610	1,548,313
Percent Change		-1.1%	13.7%	13.6%	0.3%
<i>Financing</i>					
General Fund	1,374,326	1,358,522	1,395,033	1,391,792	1,394,915
Special Liability Expense Fund	-	-	101,732	101,880	103,643
Workers Compensation Fund	-	-	47,672	48,938	49,755
Total Revenues	1,374,326	1,358,522	1,544,437	1,542,610	1,548,313

Significant Features

- The 2005 Proposed Budget is flat with a slight reduction in General Fund support. Employees are budgeted to receive a 1.5 percent salary increase.
- Beginning in 2004, the budget reflects significant shifts in funding from the General Fund to the Special Liability Expense Fund and the Workers Compensation Fund. The costs shifted to the Special Liability Expense Fund represent salaries of employees who perform functions related to the defense of the City against claims. The Workers Compensation Fund is financing the salary and costs of the Risk Investigator/Safety Coordinator position. The latter was approved in the 2003 Adopted Budget.
- 2.0 FTE Office Assistant II positions were eliminated in 2004.

Personnel Summary by Program (in Full-Time Equivalents)

	Actual 2002	Actual 2003	Adopted 2004	Estimated 2004	Adopted 2005
City Attorney	22.50	23.50	21.50	21.50	21.50
Total FTEs	22.50	23.50	21.50	21.50	21.50

Legal Department Program Details

Budget Summary by Expenditure Category

	Actual 2002	Actual 2003	Adopted 2004	Estimated 2004	Adopted 2005
Personnel Services	1,215,564	1,235,469	1,317,135	1,319,258	1,341,328
Contractual Services	120,022	77,570	187,502	183,552	164,985
Commodities	38,740	45,483	39,800	39,800	42,000
Capital Outlay	-	-	-	-	-
Total Program	1,374,326	1,358,522	1,544,437	1,542,610	1,548,313

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 2002	Actual 2003	Adopted 2004	Estimated 2004	Adopted 2005
City Attorney	1.00	1.00	1.00	1.00	1.00
Attorney I	3.00	3.00	3.00	3.00	3.00
Attorney III	4.50	3.50	3.50	3.50	3.50
Attorney IV	2.00	2.00	2.00	2.00	2.00
Attorney V	0.00	1.00	1.00	1.00	1.00
Chief of Litigation	1.00	1.00	1.00	1.00	1.00
Paralegal	0.00	1.00	1.00	1.00	1.00
Legal Specialist I	1.00	1.00	1.00	1.00	1.00
Legal Specialist II	2.00	1.00	1.00	1.00	1.00
Office Assistant I	1.00	1.00	1.00	1.00	1.00
Office Assistant II	3.00	3.00	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.	0.00	1.00	1.00	1.00	1.00
Total Program FTEs	22.50	23.50	21.50	21.50	21.50

Notes on Budget and Personnel

- There are no significant changes in 2005.

Legal Department Program Performance

Objectives and Performance Measures

Actual	Actual	Estimate	Estimate
2002	2003	2004	2005

Objective: To reduce workers compensation expenses

<i>Measure:</i> Number of claims	437	378	365	350
<i>Measure:</i> Expenses/awards (both current and prior year claims)	\$ 878,259	\$ 913,574	No Est.	No Est.

Objective: Reduce civil claim exposure and costs

<i>Measure:</i> Number of claims filed	148	151	145	145
<i>Measure:</i> Monetary amount of claims filed (in millions)	12	6	No Est.	No Est.
<i>Measure:</i> Number of claims approved	44	50	45	45
<i>Measure:</i> Monetary amount of claims paid	\$ 43,514	\$ 114,344	No Est.	No Est.

Objective: Reduce insurance costs increases

<i>Measure:</i> Insurance premiums costs	\$ 607,842	\$ 883,942	\$ 907,821	\$ 983,235
<i>Measure:</i> Percentage increase/decrease in costs	38.0%	45.0%	16.0%	8.3%

Activity Indicators

<i>Indicator:</i> Ordinances and Resolutions Prepared	183	198	200	200
<i>*Indicator:</i> Charges and cases prosecuted	48,498	42,165	44,000	44,000

* 2004 and 2005 are Budget Office estimates.