

Attorney

Agency Number: **02**
Budget Function: **Administration**

The mission of the City Attorney's Office is to provide legal representation for the City of Madison as an entity, by enforcing ordinances, drafting documents and advising City officials and managers as to how to carry out their policies in compliance with the law. The City Attorney negotiates on the City's behalf and uses legal procedures to support and defend the lawful decisions of City officials and agencies. If authorized to do so by the Common Council, the City Attorney defends actions brought against any officer or employee growing out of acts done or breaches of duty in the course of employment.

<u>Major Service</u>	<u>2000 Actual</u>	<u>2001 Budget</u>	<u>2001 Projected</u>	<u>2002 Request</u>	<u>2002 Executive</u>	<u>2002 Adopted</u>
Legal Counseling	\$ 465,915	\$ 572,681	\$ 572,681	\$ 557,885	\$ 559,885	\$ 578,839
Ordinance Enforcement	638,755	596,856	596,856	489,829	491,829	508,581
Civil Litigation	262,223	334,054	334,054	354,171	356,171	368,644
Contracts/Leases	197,558	250,136	250,136	322,731	324,731	336,215
Ordinance Revision	<u>184,825</u>	<u>174,080</u>	<u>174,080</u>	<u>203,118</u>	<u>205,118</u>	<u>212,829</u>
Agency Total	<u>\$ 1,749,275</u>	<u>\$ 1,927,807</u>	<u>\$ 1,927,807</u>	<u>\$ 1,927,734</u>	<u>\$ 1,937,734</u>	<u>\$ 2,005,108</u>

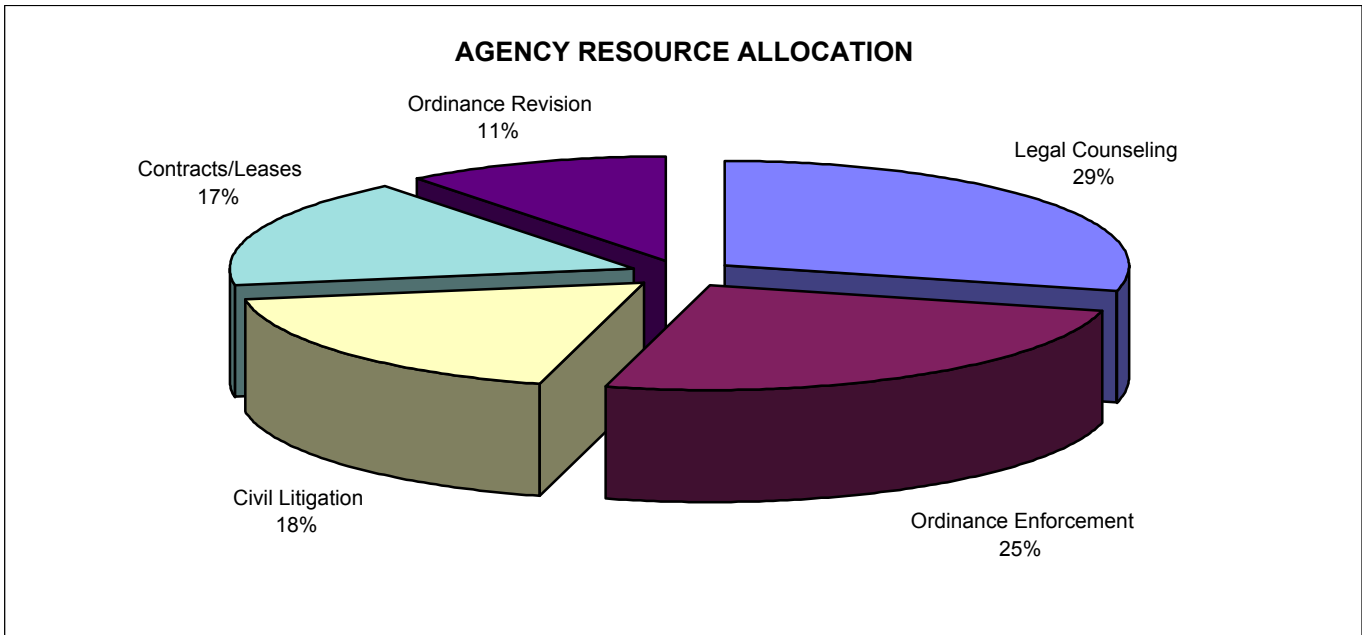
Adopted Budget Highlights

The Budget includes:

1. Continuation of existing services.

In addition to the Requested Budget amount shown above, the agency submitted supplemental budget requests totaling \$20,200.

Attorney



Budget Service Descriptions:

Legal Counseling

Goal: To help City officials and agencies carry out their policies in compliance with law.

Service Priorities: 1. Prepare, publish, and distribute formal opinions and reports on legal issues affecting City policy. Inform officials and agencies of current legal developments. 2. Prepare and present formal and informal training sessions for City officials and staff. 3. Answer informal legal questions from City officials, staff, and committees. 4. Attend meetings of staff teams and public bodies to provide legal advice.

Objectives: 1. Agencies, boards and commissions act according to law. 2. City officials and staff request and use City Attorney training to improve their programs. Maximize compliance with laws and minimize exposure to liability. 3. Agencies are encouraged to consider legal issues in planning their programs. 4. Programs and policies incorporate legal advice, and court challenges are minimized.

Service Summary			
	2000 Actual	2001 Budget	2002 Adopted
Total Expenditures	\$ 535,877	\$ 640,029	\$ 648,208
Less Inter-Agency Billings	69,962	67,348	69,369
Net Total	\$ 465,915	\$ 572,681	\$ 578,839

Ordinance Enforcement

Goal: To improve citizens' quality of life by helping enforcement agencies deter conduct which is dangerous or interferes with public health and welfare.

Service Priorities: 1. Prosecuting civil enforcement actions including nuisance and injunctive actions as necessary. 2. Providing advice and training to enforcement staff. 3. Researching legal issues raised by new enforcement techniques, recent case law developments and changes in state law. 4. Identifying legal solutions to enforcement problems and drafting appropriate ordinance amendments. 5. Conducting appellate proceedings.

Objectives: 1. Conviction of individuals and corporations charged with violations. 2. Fewer tickets and complaints dismissed because of formal or substantive deficiencies. 3. Successful use of new legal mechanisms as well as up to date enforcement techniques (e.g. laser radar, drug nuisance actions, intoxilyzers, in-squad videos). 4. Achieve maximum compliance with ordinances. 5. City prevails in appeals.

Service Summary			
	2000 Actual	2001 Budget	2002 Adopted
Total Expenditures	\$ 709,069	\$ 664,204	\$ 577,953
Less Inter-Agency Billings	70,315	67,348	69,372
Net Total	\$ 638,755	\$ 596,856	\$ 508,581

Civil Litigation

Goal: To see to it that courts uphold the decisions of the Mayor and the Council, and of those officials and agencies authorized by the Mayor and Council to make decisions.

Service Priorities: 1. Represent the City in uninsured litigation. Uninsured litigation is conducted by members of the City Attorney's staff. Uninsured litigation arises when decisions of the Common Council or City boards, commissions and committees are challenged by affected parties. Uninsured litigation could also arise out of contract disputes, out of ordinance or contract enforcement procedures, or out of disciplinary actions that are challenged by employees. Examples of uninsured litigation are challenges to annexations, zoning and other land use decisions, and appeals to Circuit Court from decisions of the Board of Review, Plan Commission, Equal Opportunities Commission, Personnel Board, Zoning Board of Appeals, and similar agencies. 2. Tender insured cases and oversee work of outside counsel. 3. Represent the City in administrative proceedings before City agencies. Examples are Police and Fire Commission proceedings on disciplinary actions brought by the Police Chief and Fire Chief, Public Health Commission proceedings and charges of code violations brought by the Public Health Director, liquor license proceedings before the Alcohol License Review Committee, and Board of Review proceedings on property tax appeals. 4. Represent the Community Development Authority Housing Operations Unit in all of its uninsured litigation. This includes evictions, tenant grievance hearings and appeals, Section 8 claims, lease disputes, contract actions and other litigation. 5. Represent the City in collection actions.

Objectives: 1. Support decisions made by City officials and agencies. 2. Work with insurer and with outside counsel to limit the City's exposure to economic loss. 3. Help City staff achieve compliance with rules and laws they are responsible for enforcing. 4. Improve living conditions for residents of CDA housing by achieving court approval of CDA management decisions. 5. Obtain revenue and encourage voluntary payment of sums owed to the City.

Service Summary			
	2000 Actual	2001 Budget	2002 Adopted
Total Expenditures	\$ 332,993	\$ 401,402	\$ 438,018
Less Inter-Agency Billings	<u>70,770</u>	<u>67,348</u>	<u>69,374</u>
Net Total	<u>\$ 262,223</u>	<u>\$ 334,054</u>	<u>\$ 368,644</u>

Contracts/Leases

Goal: To protect the City's policy and economic interests in its purchase of services and its other economic and financial dealings.

Service Priorities: 1. Draft form contracts and train City staff in their use. 2. Assist agencies in negotiations with contractors, developers, et al., and draft or approve language to which parties agree. 3. Draft and approve other legal documents. 4. Approve signed contracts as to form.

Objectives: 1. Ensure that form contracts protect the City's policy and economic interests and that form contracts are used regularly. 2. Ensure that individually negotiated agreements protect the City's policy and economic interests; that agreed upon language accurately sets forth the intentions of the parties; and that the requirements of applicable ordinances, statutes, regulations and Council policies are met. 3. Achieve the same objectives as in item 2 for other legal documents. 4. Ensure that contracts do not contain formal deficiencies which might affect their enforceability.

Service Summary			
	2000 Actual	2001 Budget	2002 Adopted
Total Expenditures	\$ 267,505	\$ 317,484	\$ 405,589
Less Inter-Agency Billings	<u>69,947</u>	<u>67,348</u>	<u>69,374</u>
Net Total	<u>\$ 197,558</u>	<u>\$ 250,136</u>	<u>\$ 336,215</u>

Ordinance Revision

Goal: To see to it that Madison ordinances accurately express the policies chosen by the Mayor and Common Council and that current ordinances are easily available to the public.

Service Priorities: 1. Draft ordinances requested by the Mayor and alderpersons. 2. Research issues raised by ordinance requests, such as constitutionality, municipal authority, etc., and report the information to the Mayor and Council. 3. Prepare ordinance amendments required by changing state and federal legislation. 4. Publish revised, current ordinances.

Objectives: 1. Provide language needed for consideration of ordinance changes. 2. Provide staff, Mayor and Council with information they need in order to make policy choices. 3. Ensure that ordinances are up to date and take advantage of (or protect against) changes made in state and federal law. 4. Make ordinances as current as possible and as available as possible.

Service Summary			
	2000 Actual	2001 Budget	2002 Adopted
Total Expenditures	\$ 254,772	\$ 241,451	\$ 282,204
Less Inter-Agency Billings	69,947	67,371	69,375
Net Total	\$ 184,825	\$ 174,080	\$ 212,829

Attorney Summary by Major Object of Expenditure

	2000 Actual	2001 Budget	2001 Projected	2002 Request	2002 Executive	2002 Adopted
Permanent Salaries	\$ 1,503,959	\$ 1,568,424	\$ 1,568,424	\$ 1,585,300	\$ 1,585,300	\$ 1,632,864
Hourly Employee Pay	41,835	15,525	15,525	15,000	15,000	15,450
Overtime Pay	0	0	0	0	0	0
Fringe Benefits	412,516	525,593	525,593	531,170	531,170	550,450
Purchased Services	76,968	102,318	102,318	98,018	105,618	110,048
Supplies	45,558	42,200	42,200	34,600	37,000	37,000
Inter-Departmental Charges	10,641	10,510	10,510	10,510	10,510	6,160
Debt/Other Financing Uses	0	0	0	0	0	0
Fixed Assets	8,739	0	0	0	0	0
Total Expenditures	\$ 2,100,216	\$ 2,264,570	\$ 2,264,570	\$ 2,274,598	\$ 2,284,598	\$ 2,351,972
Inter-Agency Billings	350,941	336,763	336,763	346,864	346,864	346,864
Net Budget	\$ 1,749,275	\$ 1,927,807	\$ 1,927,807	\$ 1,927,734	\$ 1,937,734	\$ 2,005,108