City Attorney's Office

The mission of the Saint Paul City Attorney's Office is to fulfill its duty to represent the city in its legal affairs with integrity, professionalism and collegiality.

Integrity *means that we are loyal to the interests of the city and the laws under which it functions.*

Professionalism *means that we are thorough and creative in representing the interests of the city, respectful of the public process in which we function and courteous to all those with whom we interact.*

Collegiality *means working together, and with the elected and appointed officials of the city, to continuously seek improvements to the quality of legal services and the efficiency with which they are provided.*

City Attorney

1.0

General Administrative and Technical Support

- Office management
- Budget development
- Server administration, application support and consulting services for technology and business needs

2.0 FTE

Civil Division

- General civil practice representing
  - Mayor's Office
  - City Council
  - City Departments
  - HRA
  - PHA
  - Port Authority

19.0 FTE

Litigation Division

- Managing all civil litigation including federal and state court representation
- Compilation and submission of annual litigation report to Mayor, Council and Department and Office Directors

11.0 FTE

Criminal Division

- Screening and charging of defendants
- Court and jury trials
- Domestic abuse enforcement
- Community court
- Community liaison and prosecution
- Housing court

35.2 FTE

(Total 68.2 FTEs)

1/12/06

About the City Attorney's Office

What We Do (Description of Services)

CAO provides the highest level of legal services possible to the City and its clients, including the Mayor's Office, the City Council, HRA, PHA, RiverCentre Authority, Port Authority, Water Utility, Charter, Civil Service and Human Rights Commissions and each City department or office. Throughout the year, CAO staff:

- confer with and advise clients of the legal ramifications of their policy decisions,
- draft legal opinions,
- review and draft real estate documents, contracts, legislation, ordinances, and resolutions,
- negotiate labor-management agreements,
- represent City clients in labor-management disputes, arbitrations or other hearings,
- represent HRA in mortgage foreclosures,
- advise HRA as to bond issues,
- defend the city against law suits brought in federal and state courts,
- conduct investigations and file law suits against third parties on behalf of the City,
- prosecute thousands of criminal charges against defendants on behalf of the City and State of Minnesota,
- respond to citizen questions and complaints,
- file appellate appeals from decisions of the trial courts,
- conduct closed meetings, and
- attend Council meetings.

Statistical Profile

- Criminal Division staff handled 16,697 cases in 2004
- Community Court program has ordered offenders to serve at least 68,568 hours of community service since its inception in 1999.
- Handled 601 cases and the court ordered offenders to serve 12,568 hours of community service to the community.

2004-2005 Accomplishments

The CAO is proud of the following accomplishments in 2004:

- Criminal Division staff from the Domestic Abuse Team have worked successfully with St. Paul Intervention Project to encourage victim cooperation in prosecuting domestic abuse cases.
- Efforts are currently underway to create a Domestic Abuse Service Center in St. Paul that would serve as a one-stop-shop to assist victims of Domestic Abuse.
- Regular meetings have been held with the courts, the Ramsey County Attorney, and law enforcement personnel to improve cooperation among these agencies when dealing with criminal cases.
- In collaboration with the CAO, the Police Department made their Report Management System available to the CAO, eliminating the wait time and clerical staff time in faxing these reports to the CAO.
- An enhanced continuance for dismissal program in the Criminal Division, additional revenue was generated to support its current function and add revenues to the general fund budget.
- The CAO has continued to enhance the Community Prosecution Program. In June of 2004, a Spanish-speaking community prosecutor was added and expanded the program. Additionally, a female Hmong-speaking prosecutor was added.
- The Criminal Division has used interns and volunteers as law clerks where possible. This has been possible by working with William Mitchell Law School and the receipt of federal funding.
- An initiative exists to reduce public sexual activity in our City with a special focus on our city parks. In May of 2004, the Mayor announced an initiative to post photographs of those individuals convicted of indecent conduct on a web site maintained by the St. Paul Police Department.
- In collaboration with the district court, the CAO began work on a DWI court program established to address offenders with three or more DWI offenses.
- Placed into operation the Coordinated Traffic Court Calendar System.
- Exceeded its Affirmative Action hiring goals.

City Attorney’s Office Key Performance Measures

Performance Objective: Continue to provide outstanding legal services to the Mayor, City Council, and City departments on legislation, housing, development, licensing zoning, labor, and other governmental operations.
Performance Indicator:

MEASURES:	2003 Actual	2004 Actual	2005 Estimated	2006 Projected
Civil Legal Professional Hours	33,748	30,445	30,445	30,445
Civil Files Opened	511	356	350	350

Performance Objective: Make charging decisions on non-court screening cases within 30 days of assignment by clerical.
Performance Indicator:

MEASURES:	2003 Actual	2004 Actual	2005 Estimated	2006 Projected
Project Start date: Feburary 10, 2004:				
Cases sitting open more than 30 days without charges:		122		
As of June of 2005, cases sitting open more than 30 days without charges			41	?

Performance Objective: Manage all litigation with the CAO, identify the most significant cases, and prioritize resources to insure the litigation is handled effectively and efficiently.
Performance Indicator:

MEASURES:	2003 Actual	2004 Actual	2005 Estimated	2006 Projected
Total litigation settlements and judgments	$186,601	$1,299,595	$570,000	$570,000
Concluded Cases	31	46	40	40
New Cases	39	45	40	40
Cases in which City Prevailed	17 (55%)	19 (59%)	20 (50%)	20 (50%)

Performance Objective: Screen, charge and manage criminal cases through disposition.
Performance Indicator:

MEASURES:	2003 Actual	2004 Actual	2005 Estimated	2006 Projected
Number of Cases	17,618	16,697	17,000	17,000

City Attorney

Department/Office Director: **MANUEL J CERVANTES**

	2003 2nd Prior Exp. & Enc.	2004 Last Year Exp. & Enc.	2005 Adopted	2006 Mayor's Proposed	2006 Council Adopted	Change from Mayor's Proposed	Change from 2005 Adopted
Spending By Unit							
001 GENERAL FUND	5,030,829	5,063,375	5,258,531	5,425,062	5,441,370	16,308	182,839
025 CITY ATTORNEY:OUTSIDE SERVICES FUND	858,706	841,095	971,928	1,049,649	1,042,110	-7,539	70,182
Total Spending by Unit	**5,889,535**	**5,904,470**	**6,230,459**	**6,474,711**	**6,483,480**	**8,769**	**253,021**
Spending By Major Object							
SALARIES	4,034,210	4,054,023	4,397,835	4,580,635	4,626,080	45,445	228,245
SERVICES	460,299	432,080	409,599	394,866	394,866		-14,733
MATERIALS AND SUPPLIES	75,716	62,795	102,093	75,093	75,093		-27,000
EMPLOYER FRINGE BENEFITS	1,301,078	1,355,572	1,320,250	1,423,476	1,386,800	-36,676	66,550
MISC TRANSFER CONTINGENCY ETC	608		682	641	641		-41
DEBT							
STREET SEWER BRIDGE ETC IMPROVEMENT							
EQUIPMENT LAND AND BUILDINGS	17,624						
Total Spending by Object	**5,889,535**	**5,904,470**	**6,230,459**	**6,474,711**	**6,483,480**	**8,769**	**253,021**
Percent Change from Previous Year		**0.3%**	**5.5%**	**3.9%**	**0.1%**	**0.1%**	**4.1%**
Financing By Major Object							
GENERAL FUND	5,030,829	5,063,375	5,258,531	5,425,062	5,441,370	16,308	182,839
SPECIAL FUND							
TAXES							
LICENSES AND PERMITS							
INTERGOVERNMENTAL REVENUE	25,185						
FEES, SALES AND SERVICES	740,953	723,461	742,685	871,310	864,532		121,847
ENTERPRISE AND UTILITY REVENUES							
MISCELLANEOUS REVENUE	69,988	74,491	75,841	78,339	77,730		1,889
TRANSFERS	26,404	22,954	153,402	20,000	19,848		-133,554
FUND BALANCES				80,000	80,000		80,000
Total Financing by Object	**5,893,359**	**5,884,281**	**6,230,459**	**6,474,711**	**6,483,480**	**8,769**	**253,021**
Percent Change from Previous Year		**-0.2%**	**5.9%**	**3.9%**	**0.1%**	**0.1%**	**4.1%**

2006 Budget Plan

2006 Priorities

- Continue providing outstanding legal services to the Mayor, the City Council, and City departments on housing, development, licensing, zoning, labor, and other governmental operations.
- Continue training prosecutors to improve effectiveness and efficiency through inter-office opportunities with prosecutors from other jurisdictions and expanding the use of technological resources available to prosecutors.
- Continue to explore volunteer attorney and internship programs. Aggressively explore partnership with area law schools to add additional resources to our office.
- Continue to revise office policies dealing with charging decisions to ensure efficient and uniform screening of cases.
- Ensure that all victims and witnesses are contacted and informed of their rights.
- Work with Traffic Violations Bureau to increase efficiency of Traffic Court. Roll out coordinated scheduling system for petty court trials and develop a tool to analyze the effectiveness of the program on the reduction of Police over-time usage.
- Work with Ramsey County to strengthen the Community Prosecution program and find creative ways to solve livability crimes. Monitor results.
- Strengthen the Joint Prosecution Unit to help break the cycle of violence in families.
- Continue to work toward diversifying the office to reflect the community we serve.
- Review all litigation resolved during 2005 and prepare close-out memos to departments with suggestions for reducing the likelihood of similar suits.
- Work diligently to keep the Community Court cases current and continue to partner with Community Prosecutors and Housing Prosecutor to strengthen the services we provide to citizens.
- Track the results of initiatives such as the indecent conduct web site and the prostitution reduction project to determine how to best use our available resources to reduce crimes related to quality of life in our City.
- Obtain and implement a file management system for legal opinions and court filings.
- Continue to work with the Police Department to become more efficient in the electronic exchange of information.

2006 Budget Explanation

Base Adjustments

The 2005 adopted budget was adjusted to set the budget base for 2006. The base includes the anticipated growth in salaries and fringes for 2006 for employees related to the bargaining process. It also includes 2% inflation growth applied to utilities. The allotted spending restraint for CAO in 2006 was $59,068.

Mayor's Recommendations

The City Attorney's proposed general fund budget for 2006 is $5,425,062, an increase of $166,531 from the 2005 adopted. The budget increases staff by 1.5 FTEs which is funded with additional continuance for dismissal revenue, but does eliminate one vacant Clerk II position resulting in an overall increase of .4 FTEs. Included is a spending shift of $80,000 from the City Attorney's general fund to their special fund. This shift will provide ample time to restructure and permanently reduce costs associated with civil enforcement.

The proposed special fund budget is $1,049,649, an increase of $77,721 from the 2005 adopted budget.

Continuance for dismissal (CFD) revenues continue to increase which provides much of the ability to support additional attorney staff time required for the court calendaring process.

Council Actions

The City Council adopted the City Attorney budget and recommendations as proposed by the Mayor, and approved the following changes:

- Increase financing by $59,889 for salary and fringes associated with hiring an Assistant City Attorney.
- Increase Continuance for Dismissal fees, which will generate an additional $277,487 in General Fund revenue.
- Decrease in fringe benefit costs resulting from retiree insurance savings.

The 2006 adopted budget is $5,441,370 for the general fund, and $1,042,110 in special funds.