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

1.0 FTE

Civil Division

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

18.5 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

35.3 FTE

(Total 66.8 FTEs)

7/31/06

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, 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 on the legal issues surrounding 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 public finance issues
- defend the city against lawsuits brought in federal and state courts
- conduct investigations and file lawsuits 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
- attend Council meetings
- conduct community education and community outreach on legal issues identified by the community
- support and participate in numerous problem solving courts and initiatives aimed at crime prevention, crime reduction and community strengthening.

Statistical Profile

- Criminal Division staff handled 15,932 cases in 2005.
- Community Court Program has ordered offenders to serve at least 78,400 hours of community service since its inception in 1999.
- In 2005, Community Court submitted 524 new cases to probation and court ordered offenders provided 9,837 hours of community service to the community.

2005-2006 Accomplishments

The CAO is proud of the following 2005-2006 accomplishments:

- Civil Division provided 43,751 hours of legal advice to the Mayor, Council, departments and agencies, opened 453 files, including Holman Field site plan/variances, Super Target parking variance, Grand Ave rezoning, smoking ban, development and police matters and Xcel Franchise.
- Criminal Division staff handled 15,932 cases in 2005.
- Honors: Criminal Division recognized by MADD for support to the problem-solving DWI Court. Deputy-Policy Setter Prosecutor Award and Special Courts Prosecutor-Front Line Prosecutor Award.
- Domestic Team assisted in creating a Domestic Abuse Service Center for victims of domestic violence in the City of Saint Paul.
- Purchased unlimited licenses for case management system, Legal Edge, allowing police to check status of cases and help with property room evidence management.
- One position added to community prosecution team. All members received national training scholarships, a site visit and program development assistance from American Prosecutors Research Institute. Work with communities and agencies to address concerns to ensure their voices are heard during the court process. Involved in programs like the Police Homeless Outreach Program, community education and intervention efforts and outreach to communities of color.
- Added a prosecutor to the Housing Unit for the summer of 2005 to assist with the CARE detail to address chronic problem properties using civil and criminal prosecution tools.
- CAO will generate additional revenues to support functions and add revenues to the general fund. In 2005, generated $729,387.
- Community Court Program ordered offenders to serve at least 78,400 hours of community service since 1999, DWI Court has 23 participants and Mental Health Court has had more than 60 referrals for 25 slots. There are 21 active participants.
- Criminal Division used interns and volunteers as law clerks, and worked with Hamline Law School to supervise volunteer interns.
- Criminal Division continues to support the Joint Prosecution Unit (JPU). In 2005 the JPU received money and was able to contract with Wilder Foundations Violence Prevention
- Continue to meet or exceed Affirmative Action hiring goals.
- Civil Litigation Division concluded 28 cases in 2005. Of those, eight were classified as significant because of important policy issues or the potential for an award against the City in excess of $50,000.
- Submitted the 2005 Annual Litigation Report.
- Litigation settlements/payouts: 45% lower than the previous year.

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:	2004 Actual	2005 Actual	2006 Estimated	2007 Projected
Civil Legal Professional Hours	30,445	43,751	43,751	43,751
Civil Files Opened	356	453	453	453

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

MEASURES:	2004 Actual	2005 Actual	2006 Estimated	2007 Projected
Project Start Date: February 10, 2004				
Cases sitting open more than 30 days without charges:	122			
As of June of 2005, cases sitting open more than 30 days wtithout charges:		41		
As of July 12, 2006, cases sitting open more than 30 days without charges:			69	69

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:	2004 Actual	2005 Actual	2006 Estimated	2007 Projected
Total litigation settlements and judgments	$1,299,595	$714,700	$585,000	$585,000
Concluded Cases	46	28	40	40
New Cases	45	42	40	40
Cases in which City prevailed	19 (59%)	15 (54%)	20 (50%)	20 (50%)

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

MEASURES:	2004 Actual	2005 Actual	2006 Estimated	2007 Projected
Criminal Cases	16,697	15,932	15,932	15,932

City Attorney

Department/Office Director: **JOHN J CHOI**

	2004 2nd Prior Exp. & Enc.	2005 Last Year Exp. & Enc.	2006 Adopted	2007 Mayor's Proposed	2007 Council Adopted	Change from Mayor's Proposed	Change from 2006 Adopted
Spending By Unit							
001 GENERAL FUND	5,063,378	5,318,128	5,441,370	5,772,924	5,772,924		331,554
025 CITY ATTORNEY:OUTSIDE SERVICES FUND	841,092	923,129	1,042,110	973,054	973,054		-69,056
Total Spending by Unit	**5,904,469**	**6,241,258**	**6,483,480**	**6,745,978**	**6,745,978**	**0**	**262,498**
Spending By Major Object							
SALARIES	4,054,022	4,275,306	4,626,080	4,756,551	4,756,551		130,471
SERVICES	432,080	474,827	394,866	416,882	416,882		22,016
MATERIALS AND SUPPLIES	62,796	135,861	75,093	73,453	73,453		-1,640
EMPLOYER FRINGE BENEFITS	1,355,572	1,354,572	1,386,800	1,445,464	1,445,464		58,664
MISC TRANSFER CONTINGENCY ETC		691	641	53,628	53,628		52,987
DEBT							
STREET SEWER BRIDGE ETC IMPROVEMENT							
EQUIPMENT LAND AND BUILDINGS							
Total Spending by Object	**5,904,469**	**6,241,258**	**6,483,480**	**6,745,978**	**6,745,978**	**0**	**262,498**
Percent Change from Previous Year		**5.7%**	**3.9%**	**4.0%**	**0.0%**	**0.0%**	**4.0%**
Financing By Major Object							
GENERAL FUND	5,063,378	5,318,128	5,441,370	5,772,924	5,772,924		331,554
SPECIAL FUND							
TAXES							
LICENSES AND PERMITS							
INTERGOVERNMENTAL REVENUE							
FEES, SALES AND SERVICES	723,461	785,751	864,532	973,054	973,054		108,522
ENTERPRISE AND UTILITY REVENUES							
MISCELLANEOUS REVENUE	74,491	75,600	77,730				-77,730
TRANSFERS	22,954	14,911	19,848				-19,848
FUND BALANCES			80,000				-80,000
Total Financing by Object	**5,884,284**	**6,194,390**	**6,483,480**	**6,745,978**	**6,745,978**	**0**	**262,498**
Percent Change from Previous Year		**5.3%**	**4.7%**	**4.0%**	**0.0%**	**0.0%**	**4.0%**

2007 Budget Plan

2007 Priorities

- Continue providing outstanding legal services to the Mayor, City Council, and City departments on housing, development, licensing, zoning, labor, and other governmental operations.
- Reorganize the Criminal Division to provide 2 supervisory positions to assist in the daily oversight of the Community Prosecution Unit, the Domestic Unit and the Trial Unit.
- Review the duties of the paralegals in the Criminal Division; reorganize to ensure maximum support for attorneys and full utilization of their skills.
- Address upcoming issues with the Minnesota State Court Information System (MINCIS).
- Conduct Praxis Audit; review all internal policies and protocols to ensure victim safety and offender accountability within the Domestic Unit.
- Look for grant funding to meet expanding needs of the Criminal Division.
- Continue work to make the Domestic Abuse Service Center a reality.
- Explore volunteer attorney and internship programs, and partnerships with area law schools to add additional resources to the office.
- Revise office policies dealing with charging decisions to ensure efficient and uniform screening of cases.
- Ensure all victims and witnesses are contacted and informed of their rights.
- Work with the police department and courts to reduce police overtime through more efficent management of resources.
- Support and encourage Community Prosecution Team; work with the American Prosecutors Research Institute to ensure our city is aware of national trends and developments in the community prosecution arena.
- Continue to support the Joint Prosecution Unit.
- Continue to work toward diversifying the office to reflect the community.
- Review all litigation resolved during 2006; 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 the Housing Prosecutor to strengthen the services provided to citizens.
- Track results of initiatives such as the police homeless outreach project, DWI and Mental Health court.
- Obtain and implement a file management system for legal opinions and court filings.
- Work with the Police Department to become more efficient in the electronic information exchange.

2007 Budget Explanation

Base Adjustments

The 2006 adopted budget was adjusted to set the budget base for 2007. The base includes the anticipated growth in salaries and fringes for 2007 for employees related to the bargaining process. It also includes 2% inflation growth on goods and services. The allocated spending restraint for CAO in 2007 was $30,736.

Mayor’s Recommendation

The City Attorney's proposed general fund budget for 2007 is $5,772,924, an increase of $331,554 from the 2006 adopted budget. Staffing levels of attorneys are maintained in this budget consistent with the priority for public safety. In addition to the spending restraint of $30,736, an additional $80,000 spending reduction carried over from 2006 needed to be met. This was achieved through a reduction in salary costs due to staff turnover. Additional spending was included to provide for reorganization of the Criminal Division. Continuance for dismissal (CFD) revenues are projected to increase, reflecting a change in the distribution method between the Courts and City. This increased revenue provides the resources to avoid the potential loss of a prosecutor position.

The proposed special fund budget is $973,054, a decrease of $69,056 from the 2006 adopted budget. The budget reduces staff by 1.4 FTEs (one Office Manager, which was contracted with the State and is now vacant, as well as .4 of an FTE in response to a loss of the associated funding source. The proposed budget reflects the changes, as indicated above, as well as a reduction in spending for cell phone expenses.

Council Actions

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

- Added $25,000 in additional revenue for recovery of costs related to excessive consumption.