

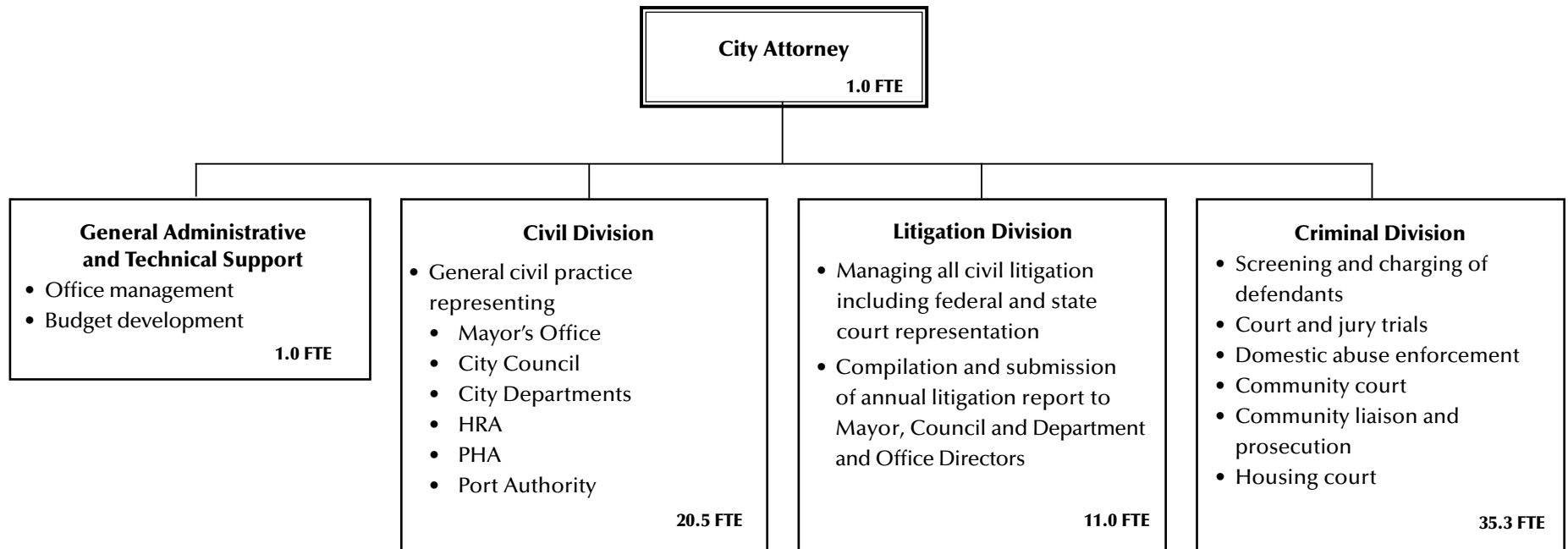
City Attorney's Office

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.



(Total 68.8 FTEs)

8/5/08

About the City Attorney's Office

What We Do (Description of Services)

The CAO provides a number of services to further the City's goals and objectives. The CAO plays an integral part in the City's public safety goals & objectives by prosecuting petty misdemeanor, misdemeanor & gross misdemeanor crimes that occur within the City. Some of our most important prosecutions involve domestic abuse, guns, DWI, drugs, housing code violations, theft & other livability crimes such as prostitution, graffiti and noise violations. In addition, the CAO is committed to maintaining public safety & the City's livability through its Community Prosecution Program.

The CAO also defends the City in civil lawsuits and provides legal counsel to the City & its clients, including the Mayor's Office, the City Council, HRA, PHA, RiverCentre Authority, Port Authority, Water Utility, Charter Commission, Civil Service & Human Rights Commissions & each City department or office. Throughout the year, CAO staff confer with & advise clients on the legal issues surrounding their policy decisions. Some of the CAO's civil legal functions include the following:

- Draft legal opinions; Review & draft real estate documents, contracts, legislation, ordinances & resolutions.
- Civil enforcement of public nuisance issues.
- Represent City clients in labor-management negotiations, disputes, arbitrations or other hearings.
- Represent and advise HRA in mortgage foreclosures and public finance issues.
- Advise and assist the Police Department in developing policies and procedures.
- Conduct investigations & file civil law suits on behalf of the City.
- Respond to citizen questions and complaints.
- File appellate appeals from decisions of the trial courts.
- Conduct closed meetings.
- Attend public meetings such as the City Council, Charter Commission, Planning Commission and HRA.
- Conduct community education and community outreach on legal issues identified by the City's elected officials and community.

Statistical Profile

- Criminal Division staff handled 14,580 cases in 2007.
- In 2007, Criminal Division handled over 3,100 cases involving neighborhood & livability issues.
- In 2007, total civil litigation payouts, including settlement & civil judgments, were \$47,750, historical lows for the City.

2007-2008 Accomplishments

The CAO is proud of the following 2007-2008 accomplishments:

- Civil Division provides legal advice to City in a multitude of matters. Significant civil legal issues include city-wide RNC planning, developing legal strategies to mitigate housing foreclosures, emergency response planning, instant runoff voting, negotiation of District Heating & Cooling franchises, Equal Access Audit, new department issues, & livability issues such as housing code enforcement & adverse licensing actions.
- In 2007, Civil Litigation Division concluded 28 cases. Six of those cases were classified as significant because they involved important policy issues or the potential for an award against the City in excess of \$50,000. The City prevailed in five (5) such 2007 cases including two wrongful death cases presented to the 8th Circuit Court of Appeals, a labor relations challenge to the Fire Department's sick leave policy, a state appellate court challenge to City's increase in the pawn shop transaction fee, & a federal suit challenging City's compliance with federal criteria on HUD grant projects. In 2007, the City paid only \$47,750 toward settlements, a 94% decrease from the 2006 payout total.
- The Criminal Division staff handled 14,580 cases in 2007.
- In conjunction with the Police department, the CAO started a "Bad Check" diversion program to serve St. Paul business.
- In 2008, continued special emphasis on addressing domestic abuse in Saint Paul. Criminal Division is a partner in the Bridges to Safety Center & is working with partners to create a framework to coordinate the systemic response to domestic violence with the goals of offender accountability & victim safety.
- Community Prosecution Program continues to be nationally recognized & has formed important partnerships with the Police Department & the Community. 2007-2008 highlights of the Program include: continuance of special emphasis on problem properties & nuisances, creation & implementation of a coordinated response to chronic offenders & the way these cases are handled in the criminal justice system, partnership with federally funded program that works to reduce number of violent crimes by gang members & enhancement of community court to include resource information for jobs & training for offenders.
- Continued partnership with MN Network on Abuse in Later Life to train law enforcement, Judges & prosecutors to recognize signs of abuse & exploitation in elderly residents.

City Attorney

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

| | | 2006 | 2007 | 2008 | 2009 | 2009 | Change from | |
|----------------------------------|-------------------------------------|------------------|------------------|------------------|------------------|------------------|---------------|----------------|
| | | 2nd Prior | Last Year | Adopted | Mayor's | Council | Mayor's | 2008 |
| | | Exp. & Enc. | Exp. & Enc. | | Proposed | Adopted | Proposed | Adopted |
| Spending By Unit | | | | | | | | |
| 001 | GENERAL FUND | 5,616,443 | 5,795,610 | 6,015,776 | 6,402,117 | 6,399,367 | -2,750 | 383,591 |
| 025 | CITY ATTORNEY:OUTSIDE SERVICES FUND | 1,037,511 | 1,036,875 | 1,104,652 | 1,193,682 | 1,193,682 | | 89,030 |
| | Total Spending by Unit | 6,653,954 | 6,832,485 | 7,120,428 | 7,595,799 | 7,593,049 | -2,750 | 472,621 |
| Spending By Major Object | | | | | | | | |
| | SALARIES | 4,516,313 | 4,703,819 | 4,936,632 | 5,265,724 | 5,265,724 | | 329,092 |
| | SERVICES | 562,857 | 460,076 | 501,633 | 512,234 | 512,234 | | 10,601 |
| | MATERIALS AND SUPPLIES | 80,643 | 66,865 | 74,197 | 72,553 | 72,553 | | -1,644 |
| | EMPLOYER FRINGE BENEFITS | 1,413,455 | 1,548,154 | 1,541,497 | 1,643,431 | 1,640,681 | -2,750 | 99,184 |
| | MISC TRANSFER CONTINGENCY ETC | 80,686 | 53,571 | 66,469 | 101,857 | 101,857 | | 35,388 |
| | DEBT | | | | | | | |
| | STREET SEWER BRIDGE ETC IMPROVEMENT | | | | | | | |
| | EQUIPMENT LAND AND BUILDINGS | | | | | | | |
| | Total Spending by Object | 6,653,954 | 6,832,485 | 7,120,428 | 7,595,799 | 7,593,049 | -2,750 | 472,621 |
| | Percent Change from Previous Year | | 2.7% | 4.2% | 6.7% | 0.0% | 0.0% | 6.6% |
| Financing By Major Object | | | | | | | | |
| | GENERAL FUND | 5,616,443 | 5,795,610 | 6,015,776 | 6,402,117 | 6,399,367 | -2,750 | 383,591 |
| | SPECIAL FUND | | | | | | | |
| | TAXES | | | | | | | |
| | LICENSES AND PERMITS | | | | | | | |
| | INTERGOVERNMENTAL REVENUE | | | | | | | |
| | FEES, SALES AND SERVICES | 883,920 | 1,036,830 | 1,104,652 | 1,193,682 | 1,193,682 | | 89,030 |
| | ENTERPRISE AND UTILITY REVENUES | | | | | | | |
| | MISCELLANEOUS REVENUE | 73,946 | 2,000 | | | | | |
| | TRANSFERS | 20,000 | | | | | | |
| | FUND BALANCES | | | | | | | |
| | Total Financing by Object | 6,594,309 | 6,834,440 | 7,120,428 | 7,595,799 | 7,593,049 | -2,750 | 472,621 |
| | Percent Change from Previous Year | | 3.6% | 4.2% | 6.7% | 0.0% | 0.0% | 6.6% |

2009 Budget Plan

2009 Priorities

- Continue providing outstanding legal services to the Mayor, the City Council, & City departments on housing, development, licensing, zoning, labor & other governmental operations.
- Pursue civil prosecutions involving livability, public safety and mortgage foreclosors.
- Continue the office's long-term reorganization efforts in the Criminal Division by developing a management system that is purpose driven, accountable & effective.
- In 2008 the State Trial Court Information System (TCIS) was replaced by the Minnesota State Court Information System (MNCIS). The CAO successfully integrated its criminal case management system (Legal Edge) with MNCIS. By doing this the CAO will seek greater clerical efficiencies, better case management and develop prosecution data so that management & front line prosecutors may be more effective in their work.
- Continue to support Community Prosecution Program & encourage every attorney in the office to recognize & work toward our goal of making Saint Paul the most livable city in the nation.
- Re-organize victim services and notification in criminal matters. Ensure all victims & witnesses are contacted & informed of their rights.
- Update domestic charging manual & set guidelines for case disposition. Goals of offender accountability & victim safety will be highlighted. Continue to revise office policies dealing with charging decisions to ensure efficient & uniform screening of cases.
- Continue participation in the Praxis Audit & review all internal policies & protocols to ensure victim safety & offender accountability within the Domestic Unit.
- Continue to look for grant funding to meet the expanding needs of the Criminal Division and supporting specialty and problem solving courts.
- Further develop its volunteer internship & clerkship programs.
- Explore diversion programs and alternative methods of addressing invalid license cases to ensure accountability, greater efficiencies and better inter-agency coordination for the public.
- Continue emphasis on domestic abuse & elder abuse cases & fully support & consider expanding the Joint Prosecution Unit

in collaboration with the Ramsey County Attorney's Office.

- Retain skilled & experienced civil litigation attorneys to provide quality legal representation to the City of St. Paul to reduce the need for outside counsel.
- Review & evaluate all civil litigation resolved during 2006 - 2007 & prepare written recommendations to assist departments with the development of acceptable resolutions which will support each department's overall goals & prevent similar litigation in the future.
- Continue to work toward diversifying the office to reflect the community we serve.

2009 Budget Explanation

Base Adjustments

The 2008 adopted budget was adjusted to set the budget base for 2009. The base includes the anticipated growth in salaries and fringes for 2009 for employees related to the bargaining process. It also includes inflation on services and materials.

Mayor's Recommendation

The City Attorney's proposed general fund budget for 2009 is \$6,402,117, an increase of \$386,341 from the 2008 adopted budget. The proposed special fund budget is \$1,193,682, an increase of \$89,030 from the 2008 adopted budget.

Most of the proposed expenditure increases are due to inflationary growth in salaries and benefits. The largest non-inflationary increase included in this proposed budget is funding for one additional prosecutor (\$98,100 for salary and benefits). This position will allow the City Attorney to expand the scope of its nationally-recognized community prosecution program and other public safety initiatives such as elder and domestic abuse prosecutions.

Council Actions

The City Council adopted the City Attorney's Office budget and recommendation as proposed by the Mayor, and approved the following changes:

- Reduced projected Workers Comp expenses by \$2,750 to reflect anticipated trend