

City Attorney

Department Description

The Columbus City Charter best describes the City Attorney's Office:

Section 67. Powers and Duties. [The city attorney]...shall be the legal adviser of and attorney and counsel for the city, and for all officers and departments thereof in matters relating to their official duties. [The city attorney]...shall prosecute or defend all suits for and in behalf of the city, and shall prepare all contracts, bonds and other instruments in writing in which the city is concerned and shall certify in writing his approval of the form and correctness thereof. He may appoint such assistants, secretaries and clerks as council may authorize.

Section 68. Prosecuting attorney. The city attorney shall be the prosecuting attorney of municipal court. He may detail such of his assistants as he may deem proper to assist in such work. He shall prosecute all cases brought before such court and perform the same duties, so far as they are applicable thereto, as are required of the prosecuting attorney of the county.

Section 69. Representing city. The city attorney shall prosecute or defend for and in behalf of the city all complaints, suits and controversies in which the city is a party, and such other suits, matters and controversies relating to city affairs as he shall, by resolution or ordinance of council, be directed to prosecute or defend.

Section 70. Rendering Opinions. The council, the director of any department, or any officer, board, or commission not included within a department, may by request in writing, require the opinion of the city attorney upon any question of law involving their respective powers and duties.

Table of Organization

To fulfill the obligations placed on this office by the Charter, Columbus City Council has authorized 147 full-time and 48 part-time positions for the City Attorney's Office. However, the proposed 2010 budget provides funding for only 128 full-time and 39 part-time positions. Of the full-time positions, 61 are scheduled to be occupied by attorneys.

The office has five basic units as follows: Police Legal Advisor unit, Claims Division, Real Estate Division, Prosecutor Division and Civil Division, with the last-mentioned containing a Business and Regulation section, a Litigation section, a Labor and Employment section and a team of attorneys who focus on abating public nuisances. The Prosecutor Division contains a Prosecution Resources unit that evaluates citizens' requests to file criminal charges, that promotes mediation to resolve disputes short of litigation and that operates a bad check resolution program. Also within the Prosecutor Division is a Domestic Violence/Stalking unit devoted exclusively to the protection of victims of domestic violence and stalking.

Department Mission

To carry out the duties and responsibilities prescribed by the Columbus City Charter and Columbus City Codes in a professional and competent manner so that the office's clients and the public are well and fairly served.

Department Goals and Objectives

To handle every matter to a conclusion that is just and fair both to the City of Columbus and to any other parties involved.

Strategic Priorities for 2010

Every day the City Attorney's Office is engaged in the delivery of legal services, whether it is approving contracts as to form and correctness, defending the city against law suits, assuring that enacted legislation fits properly into the City Code, evaluating whether criminal charges should be filed, prosecuting traffic and criminal cases, providing oral and written opinions, conducting police recruit and in-service training or eliminating public nuisances that persist in the city's neighborhoods.

Consequently, the strategic priorities and budget issues mirror each other and reappear each budget year; and they are: securing adequate resources so that the best qualified people are in the appropriate positions performing at the highest levels so that the law firm representing the City of Columbus is able to carry out the responsibilities assigned to it by the Charter in a competent and professional manner. Proper staffing levels and adequate compensation will always be this office's major priorities and budget issues.

2010 Budget Notes

- Costs for legal settlements for general fund agencies as well as outside counsel for cases involving a conflict of interest are budgeted in Finance and Management's citywide account.
- A total of \$105,000 is budgeted for subscriptions to various legal research services and publications in 2010.

Budget and Program Summary

DEPARTMENT FINANCIAL SUMMARY					
DIVISION SUMMARY	2007 Actual	2008 Actual	2009 Original Appropriation	2009 Estimated Expenditures	2010 Proposed
City Attorney	\$ 10,164,795	\$ 10,157,121	\$ 10,321,636	\$ 10,167,188	\$ 9,916,538
Real Estate	355,289	344,847	220,095	188,763	229,941
Land Acquisition	695,624	716,163	904,900	765,835	887,671
TOTAL	\$ 11,215,708	\$ 11,218,131	\$ 11,446,631	\$ 11,121,786	\$ 11,034,150

DIVISION SUMMARY BY CHARACTER					
CITY ATTORNEY GENERAL FUND EXPENDITURES SUMMARY	2007 Actual	2008 Actual	2009 Original Appropriation	2009 Estimated Expenditures	2010 Proposed
Personnel	\$ 9,285,259	\$ 9,505,838	\$ 9,839,265	\$ 9,548,156	\$ 9,506,735
Materials & Supplies	96,267	160,718	65,750	111,207	65,750
Services	650,301	410,243	416,621	354,520	344,053
Other Disbursements	35,482	-	-	63,243	-
Transfers	97,486	80,322	-	90,062	-
TOTAL	\$ 10,164,795	\$ 10,157,121	\$ 10,321,636	\$ 10,167,188	\$ 9,916,538
REAL ESTATE GENERAL FUND EXPENDITURES SUMMARY	2007 Actual	2008 Actual	2009 Original Appropriation	2009 Estimated Expenditures	2010 Proposed
Personnel	\$ 355,289	\$ 344,847	\$ 220,095	\$ 188,763	\$ 229,941
TOTAL	\$ 355,289	\$ 344,847	\$ 220,095	\$ 188,763	\$ 229,941

DIVISION SUMMARY BY CHARACTER					
LAND ACQUISITION LAND ACQUISITION FUND EXPENDITURES SUMMARY	2007 Actual	2008 Actual	2009 Original Appropriation	2009 Estimated Expenditures	2010 Proposed
Personnel	\$ 647,321	\$ 671,607	\$ 790,456	\$ 696,915	\$ 798,288
Materials & Supplies	3,294	9,497	17,300	17,036	17,300
Services	45,009	35,059	97,144	51,884	72,083
TOTAL	\$ 695,624	\$ 716,163	\$ 904,900	\$ 765,835	\$ 887,671

DEPARTMENT SUMMARY BY FUND					
FUND SUMMARY	2007 Actual	2008 Actual	2009 Original Appropriation	2009 Estimated Expenditures	2010 Proposed
General	\$ 10,520,084	\$ 10,501,968	\$ 10,541,731	\$ 10,355,951	\$ 10,146,479
Land Acquisition	695,624	716,163	904,900	765,835	887,671
TOTAL	\$ 11,215,708	\$ 11,218,131	\$ 11,446,631	\$ 11,121,786	\$ 11,034,150

DEPARTMENT PERSONNEL SUMMARY					
DIVISION	FT/PT*	2007 Actual	2008 Actual	2009 Authorized	2010 Authorized
City Attorney	FT	108	111	119	119
	PT	29	29	46	46
Real Estate	FT	4	4	7	7
Land Acquisition	FT	6	6	7	8
	PT	1	1	1	1
TOTAL		148	151	180	181

*FT=Full-Time PT=Part-Time

**2010 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2007 Budget	2008 Budget	2009 Budget	2010 Proposed	2007 FTEs	2008 FTEs	2009 FTEs	2010 FTEs
Administration	To provide management and support through the offices of the City Attorney.	\$ 1,360,391	\$ 1,078,089	\$ 846,468	\$ 1,119,997	9	5	6	6
Civil Prosecution	To provide support personnel to assist attorneys in the civil division by preparing legal documents, maintaining the case database, scheduling depositions and appointments and other duties that maintain the organized flow of legal documents.	\$ 345,050	\$ 452,014	\$ 407,489	\$ 372,238	5	7	6	6
Civil Part-Time	To provide law student interns who perform legal research for the attorneys in the civil division.	\$ 159,239	\$ 139,112	\$ 107,135	\$ 101,565	0	0	0	0
Appellate	To appeal misdemeanor prosecutions to the Franklin County Court of Appeals, and defend misdemeanor criminal appeals filed against the city.	\$ 441,720	\$ 425,441	\$ 368,464	\$ 354,174	3	3	3	3
Intake	To assist citizens requesting the filing of criminal misdemeanor complaints by assisting, advising and making appropriate referrals.	\$ 643,775	\$ 665,714	\$ 572,082	\$ 507,209	2	4	3	2

2010 Operating Budget City Attorney
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Program	Mission	<u>Financial History by Program</u>				<u>Personnel by Program</u>			
		2007 Budget	2008 Budget	2009 Budget	2010 Proposed	2007 FTEs	2008 FTEs	2009 FTEs	2010 FTEs
Victim-Witness Assistance	To prosecute domestic violence offenders and assist victims by providing them with immediate resources, and to educate and train all city and county law enforcement officers on the issue of domestic violence.	\$ 970,730	\$ 1,099,065	\$ 1,177,623	\$ 1,072,206	16	16	17	16
Business	To assist in the legal review and implementation of vital city development projects, give legal assistance to city officials with respect to city services, legislation, contracts, zoning, and relations with the suburbs, to assist city agencies in complying with state and federal environmental laws, and to take legal action against industrial facilities that fail to comply with water pollution laws and other environmental requirements.	\$ 963,334	\$ 877,280	\$ 911,740	\$ 856,476	9	8	8	7

**2010 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2007 Budget	2008 Budget	2009 Budget	2010 Proposed	2007 FTEs	2008 FTEs	2009 FTEs	2010 FTEs
Litigation	To defend the city and its employees in contract disputes, claims for personal injury or property damage, constitutional violations, wrongful death, tax disputes, and claims requesting money damages; as well as provide legal education, training, advice, and counsel.	\$ 726,541	\$ 799,177	\$ 786,905	\$ 675,759	6	6	6	5
Labor	To handle all labor and employment-related litigation, render legal advice to city officials on labor and employment matters, defend the city in employment litigation filed in federal and state courts, and counsel various city departments on day-to-day personnel matters.	\$ 572,672	\$ 549,840	\$ 570,611	\$ 547,673	5	5	5	5
Police Legal Bureau	To advise the Division of Police on legal and policy matters, serve as liaison for civil and criminal litigation involving police, and provide training on legal topics associated with law enforcement.	\$ 337,311	\$ 343,824	\$ 369,983	\$ 287,937	4	4	4	3

**2010 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2007 Budget	2008 Budget	2009 Budget	2010 Proposed	2007 FTEs	2008 FTEs	2009 FTEs	2010 FTEs
Claims	To handle pre-litigation claims against the city as well as the collection of funds owed to the city.	\$ 574,070	\$ 554,517	\$ 548,244	\$ 526,673	7	6	6	6
Legal Assistance	To provide clerical support to the prosecutors in the Franklin County Municipal Court, send out subpoenas and ensure that all case files have necessary paperwork for each prosecutor's daily docket.	\$ 849,143	\$ 888,719	\$ 902,858	\$ 864,126	15	15	15	15
Dispute Resolution	To solve problems and conflicts outside of the judicial process through the use of trained mediators, to bring students, parents, and educators together to develop a specific plan to keep children in school, and to assist in the collection of money lost to merchants due to the passing of bad checks.	\$ 57,897	\$ -	\$ -	\$ -	1	0	0	0
Zone Initiative	To handle cases relating to housing, building, health and zoning code violations as well as nuisance abatement actions.	\$ 135,956	\$ 539,800	\$ 560,532	\$ 470,773	2	7	7	6

**2010 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2007 Budget	2008 Budget	2009 Budget	2010 Proposed	2007 FTEs	2008 FTEs	2009 FTEs	2010 FTEs
Criminal Prosecution	To provide attorneys in the prosecution of misdemeanor traffic and criminal cases including domestic violence, DUI and assault cases.	\$ 2,220,726	\$ 2,077,937	\$ 2,191,502	\$ 2,159,732	26	24	23	24
Real Estate Administration	To provide management and support for acquisition of all real property needed by city departments and legal assistance in all real estate matters.	\$ 371,339	\$ 390,405	\$ 220,095	\$ 229,941	4	4	4	2
Land Acquisition	To provide management and support for acquisition of all real property needed by city departments and legal assistance in all real estate matters.	\$ 803,847	\$ 864,143	\$ 904,900	\$ 887,671	7	7	7	8
		\$ 11,533,741	\$ 11,745,077	\$ 11,446,631	\$ 11,034,150	121	121	120	114

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