

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 approval of the form and correctness thereof. The city attorney 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 149 full-time and 49 part-time positions for the City Attorney's Office. However, the proposed 2012 budget provides funding for only 113 full-time and 36 part-time positions. Of these positions 60 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 General Counsel 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 2012

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.

2012 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 the Department of Finance and Management's citywide account.
- The 2012 budget provides funding for 113 full-time and 36 part-time employees. One additional position was added for an attorney to assist with problematic and abandoned housing in Columbus.
- A total of \$80,000 is budgeted for subscriptions to various legal research services and publications.

Budget and Program Summary

DEPARTMENT FINANCIAL SUMMARY					
<u>DIVISION SUMMARY</u>	<u>2009 Actual</u>	<u>2010 Actual</u>	<u>2011 Original Appropriation</u>	<u>2011 Estimated Expenditures</u>	<u>2012 Proposed</u>
City Attorney	\$ 10,075,531	\$ 10,035,090	\$ 10,204,737	\$ 10,332,403	\$ 10,703,099
Real Estate	186,010	255,619	212,953	211,795	212,038
Land Acquisition	735,297	740,238	899,624	721,024	734,005
TOTAL	\$ 10,996,838	\$ 11,030,947	\$ 11,317,314	\$ 11,265,222	\$ 11,649,142

DIVISION SUMMARY BY OBJECT LEVEL ONE					
CITY ATTORNEY GENERAL FUND EXPENDITURES SUMMARY	2009 Actual	2010 Actual	2011 Original Appropriation	2011 Estimated Expenditures	2012 Proposed
Personnel	\$ 9,426,536	\$ 9,579,586	\$ 9,793,342	\$ 9,865,628	\$ 10,280,986
Materials & Supplies	111,032	65,459	67,864	64,754	69,233
Services	348,166	306,445	343,531	335,979	352,880
Other	63,243	-	-	-	-
Transfers	126,554	83,600	-	66,042	-
TOTAL	\$ 10,075,531	\$ 10,035,090	\$ 10,204,737	\$ 10,332,403	\$ 10,703,099

DIVISION SUMMARY BY OBJECT LEVEL ONE					
REAL ESTATE GENERAL FUND EXPENDITURES SUMMARY	2009 Actual	2010 Actual	2011 Original Appropriation	2011 Estimated Expenditures	2012 Proposed
Personnel	\$ 186,010	\$ 255,619	\$ 212,953	\$ 211,795	\$ 212,038
TOTAL	\$ 186,010	\$ 255,619	\$ 212,953	\$ 211,795	\$ 212,038

DIVISION SUMMARY BY OBJECT LEVEL ONE					
LAND ACQUISITION LAND ACQUISITION FUND EXPENDITURES SUMMARY	2009 Actual	2010 Actual	2011 Original Appropriation	2011 Estimated Expenditures	2012 Proposed
Personnel	\$ 692,218	\$ 709,267	\$ 820,586	\$ 673,014	\$ 665,073
Materials & Supplies	3,737	2,147	15,500	10,204	15,500
Services	39,342	28,824	63,538	37,806	53,432
TOTAL	\$ 735,297	\$ 740,238	\$ 899,624	\$ 721,024	\$ 734,005

DEPARTMENT SUMMARY BY FUND					
FUND SUMMARY	2009 Actual	2010 Actual	2011 Original Appropriation	2011 Estimated Expenditures	2012 Proposed
General	\$ 10,261,541	\$ 10,290,709	\$ 10,417,690	\$ 10,544,198	\$ 10,915,137
Land Acquisition	735,297	740,238	899,624	721,024	734,005
TOTAL	\$ 10,996,838	\$ 11,030,947	\$ 11,317,314	\$ 11,265,222	\$ 11,649,142

DEPARTMENT PERSONNEL SUMMARY					
DIVISION	FT/PT*	2009 Actual	2010 Actual	2011 Authorized	2012 Authorized
City Attorney	FT	105	104	134	134
	PT	31	35	47	47
Real Estate	FT	1	2	6	6
	PT	0	1	1	1
Land Acquisition	FT	8	8	8	8
	PT	2	2	1	1
TOTAL		147	152	197	197

*FT=Full-Time PT=Part-Time

**2012 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
Administration	To provide management and support through the offices of the City Attorney.	\$ 846,468	\$ 1,119,997	\$ 1,105,128	\$ 1,401,312	6	6	6	7
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.	\$ 407,489	\$ 372,238	\$ 332,274	\$ 404,136	6	6	5	6
Civil Part-Time	To provide law student interns who perform legal research for the attorneys in the civil division.	\$ 107,135	\$ 101,565	\$ 108,638	\$ 111,376	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.	\$ 368,464	\$ 354,174	\$ 378,684	\$ 396,673	3	3	3	3
Intake	To assist citizens requesting the filing of criminal misdemeanor complaints by assisting, advising and making appropriate referrals.	\$ 572,082	\$ 507,209	\$ 539,704	\$ 557,327	3	2	3	3
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.	\$ 1,177,623	\$ 1,072,206	\$ 1,148,995	\$ 1,143,706	17	16	16	16

**2012 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
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.	\$ 911,740	\$ 856,476	\$ 724,123	\$ 740,150	8	7	6	7
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.	\$ 786,905	\$ 675,759	\$ 825,160	\$ 840,761	6	5	6	6
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.	\$ 570,611	\$ 547,673	\$ 688,742	\$ 697,400	5	5	6	6

**2012 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
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.	\$ 369,983	\$ 287,937	\$ 245,506	\$ 255,061	4	3	2	2
Claims	To handle pre-litigation claims against the city as well as the collection of funds owed to the city.	\$ 548,244	\$ 526,673	\$ 623,822	\$ 664,689	6	6	7	7
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.	\$ 902,858	\$ 864,126	\$ 923,430	\$ 957,600	15	15	14	15
Zone Initiative	To handle cases relating to housing, building, health and zoning code violations as well as nuisance abatement actions.	\$ 560,532	\$ 470,773	\$ 352,479	\$ 329,348	7	6	4	4
Criminal Prosecution	To provide attorneys in the prosecution of misdemeanor traffic and criminal cases including domestic violence, DUI and assault cases.	\$ 2,191,502	\$ 2,159,732	\$ 2,208,052	\$ 2,203,560	23	24	23	23
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.	\$ 220,095	\$ 229,941	\$ 212,953	\$ 212,038	4	2	2	2

**2012 Operating Budget
City Attorney**

Program	Mission	Financial History by Program				Personnel by Program			
		2009 Budget	2010 Budget	2011 Budget	2012 Proposed	2009 FTEs	2010 FTEs	2011 FTEs	2012 FTEs
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.	\$ 904,900	\$ 887,671	\$ 899,624	\$ 734,005	7	8	8	6
		\$ 11,446,631	\$ 11,034,150	\$ 11,317,314	\$ 11,649,142	120	114	111	113