

GENERAL GOVERNMENT PROGRAM

General Government Program includes the services and activities of five City departments and one service area: City Manager's Office, Finance Department, Human Resources Department, Information Technology Department, and Legal and Judicial Services.

Legal and Judicial Services

Programs:

City Attorney

City Prosecutor

Municipal Court

Legal and Judicial Services is \$1,273,322 or 24.1% of the General Government program total operating budget of \$5,280,593.

GENERAL GOVERNMENT PROGRAM**Legal and Judicial Services****Program:** City Attorney**Program Description:**

The City Council contracts with the firm of Harold, Leahy & Kieran for legal services. The City Attorney's Office is responsible for attending all City Council and Planning Commission meetings and for supplying the City Council and staff with legal opinions regarding existing or proposed City operations and activities. All ordinances, resolutions, contracts and activities having legal implications are reviewed and approved to assure compliance with intent, charter, state and federal laws, as well as the possibility of liability exposure or litigation.

Program Expenditures:	FY01 Actual	FY02 Actual	FY03 Adopted	FY04 Budget
City Attorney	\$ 281,027	\$ 264,520	\$ 267,898	\$ 275,629

Budget Highlights and Service Level Changes:**Highlights:** Revised time use computation to provide detailed time accounting information.**Service Level Changes:** No FY04 Changes to the program.

Program Outcomes and Indicators:	Actual FY01	Actual FY02	Estimated FY03	Budget FY04
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Provide effective legal representation to the City.

♦ Total hours contracted to provide counsel to City Council and Planning Commission	1,985	2,029.2	2,040	2,040
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Review all ordinances, resolutions, contracts and legal proposals.

♦ Total hours to draft and review resolutions	75	20	20	20
♦ Total hours to draft and review ordinances	125	101	150	150
♦ Total hours to draft and review contracts	125	141	270	270

**Program Outcomes and Indicators:
continued**

Actual FY01	Actual FY02	Estimated FY03	Budget FY04
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Counsel or represent the City in potential litigation; minimize exposure of the City to liability and legal expenses. Advise the City Council and staff on legal issues.

◆ Hours/write formal opinions	255	263	250	250
◆ Hours for written and oral informal opinions	355	366	350	350
◆ Hours in meetings and conference	600	630.2	500	500
◆ Hours of legal research	485.2	508	500	500

GENERAL GOVERNMENT PROGRAM**Legal Judicial Services****Program:** City Prosecutor**Program Description:**

The City contracts for Prosecution Services with David Logan. The City Prosecutor represents the City in Municipal Court and Appellate Courts. Prosecution services are provided for all misdemeanor criminal and traffic crimes and for any violation cases in which the defendant has retained counsel. Services provide for screening of reports filed, negotiations for settlement of cases and for representation of the City in trials by court or by jury. The City Prosecutor also recommends revisions to the Municipal Code to conform with case law and state statutes, provides legal advice and training for the police department and maintains the criminal law library.

Program Expenditures:	FY01 Actual	FY02 Actual	FY03 Adopted	FY04 Budget
City Prosecutor	\$ 162,102	\$ 165,952	\$ 169,962	\$ 210,333

Budget Highlights and Service Level Changes:

Highlights: Current economic factors and resulting social, mental health, and drug services cuts and continued lack of jail capacity may have a significant impact on prosecution services.

Service Level Changes: As part of the FY04 General Fund balancing strategy, a reduction of \$402 to materials and services was made to this program. The new voter approved Police Local Option Levy will provide \$37,000 in increased funding to this program (out of a total Legal and Judicial Services allocation of \$170,656. Balance of Legal and Judicial Services funding is noted in the Municipal Court Program). Funding is provided beginning FY04 through FY07.

Program Outcomes and Indicators:	Actual FY01	Actual FY02	Estimated FY03	Budget FY04
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Provide efficient case review and criminal case filings.

♦ Criminal Cases filed (non-traffic)	2,075	2,021	2,016	2,298
♦ “No” or “rejected” complaint filings	N/A	317	361	411

Provide effective prosecution and resolution of criminal cases.

♦ Cases prepared for trial	2,043	2,110	2,136	2,435
♦ Jury trials	3	4	4	6
♦ Diversion checks	409	426	450	513
♦ Arrest Warrants prepared	881	1,225	1,396	1,591

GENERAL GOVERNMENT PROGRAM**Legal and Judicial Services****Program:** Municipal Court**Program Description:**

The Municipal Court has jurisdiction over misdemeanor criminal, traffic crimes and violations cited by the Springfield Police Department, Nuisance Code Enforcement, and Parking Control officers. The Court provides judicial services for the administration of justice, case and jury management, appointments of attorneys for indigent defense and interpreters, probation monitoring and enforcement and collection of bail, fines, and fees. The Court strives to maintain public confidence in the ability of the legal judicial system to resolve legal contests in a timely manner and to compel compliance with the laws that protect the safety and quality of life in the community.

Program Expenditures:	FY01 Actual	FY02 Actual	FY03 Adopted	FY04 Budget
Municipal Court	<u>\$ 567,766</u>	<u>\$ 649,462</u>	<u>\$ 670,318</u>	<u>\$ 787,360</u>

Budget Highlights and Service Level Changes:

Highlights: Since adoption of state statutes in November of 1997, case filings at the municipal rather than state level has ensured prosecution of misdemeanor crimes committed in the City of Springfield. Current economic factors and resulting social, mental health, and drug services cuts and continued lack of jail capacity may have a significant impact on court services.

Service Level Changes: Program funding was increased in the General Fund by \$12,257: \$8,000 for additional funding for indigent representation (bringing the total cost to \$77,179); \$3,757 for the increase in the jail contract (bring the total contract to \$155,689); and \$500 increased funding for interpreter fees. As part of the FY04 General Fund balancing strategy, a reduction of 1.0 FTE and \$48,391 was made to this program, as follows: a 1.0 FTE and \$47,184 reduction to personal services costs (\$497 in changes to estimates used for PERS and COLA rates and \$46,687 and 1.0 FTE reduction) and a \$1,207 reduction to materials and services.

The voter approved four year Police Local Option Levy provided funding for the addition of 2.0 FTE and \$133,656 to this program (for a total of \$170,656 to Legal and Judicial Services Program from an operations overall levy funding of 22.0 FTE and \$1,632,968 to the City). Funding is provided beginning FY04 through FY07. (See also Public Safety Program/Police Department/Patrol Bureau and Investigations and Records Bureau Program for the remaining levy funding information.)

Program Outcomes and Indicators:	Actual FY01	Actual FY02	Estimated FY03	Budget FY04
Timely and expeditious case flow management is maintained for effective resolution of cases.				
◆ Number of cases filed	11,528	11,026	10,994	12,533
◆ Number of cases terminated	11,610	11,092	11,372	12,964
◆ % of total caseload closed	80.9%	80.9%	82.1%	81.30%
◆ % cases resolved by diversion	14.7%	14.8%	17.7%	20.19%

Timely and effective trial docket management is aggressively maintained to avoid unnecessary delay in resolution of legal contests. (note: misdemeanor cases only)

◆ % misdemeanors set for trial	38.8%	37.2%	36.8%	41.9%
◆ Average days to trial setting	74	69.8	70.6	80
◆ Average days to closure by trial	226	303	210.71	300
◆ % of cases with more than one setting	32.4%	38%	42.8%	48.7%
◆ % of cases with prior failure to appear	31%	31%	37.1%	42.2%

Aggressive collections and probation monitoring and enforcement services are maintained to compel and enforce compliance with sentence directives.

◆ Fines collected	\$716,123	\$778,994	\$780,000	\$780,000
◆ Bail collected	\$242,698	\$222,443	\$229,223	\$231,456
◆ Number of warrants issued	881	934	1,268	1,445