

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:

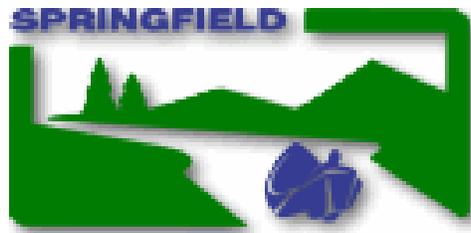
City Attorney

City Prosecutor

Municipal Court

Legal and Judicial Services is \$ 1,320,278 or 23.6 % of the General Government program total operating budget of \$5,595,918.

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LEGAL AND JUDICIAL SERVICES

Service Description

The City Attorney, City Prosecutor and the Municipal Court comprise the service area identified as Legal and Judicial Services. The City Council oversees City Attorney services via a contract with an outside legal firm. The program reports directly to the City Council and 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 by the City Attorney to assure compliance with intent, charter, state and federal laws as well as the possibility of liability exposure or litigation.

The City Manager's Office oversees the City Prosecutor services via a contract. 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. The City Prosecutor represents the City in trials by court or by jury.

The Municipal Judges report to the City Council. The operations of the Municipal Court report to the Finance Department. The Municipal Court provides judicial services for the administration of justice, case and jury management, the appointment of attorneys for indigent defense, probation monitoring, providing interpreters, and the enforcement and collection of bail, fines, and fees. The Municipal Court has jurisdiction over misdemeanor criminal, traffic crimes and violations cited by the Springfield Police Department, nuisance code enforcement, animal control and parking control officers.

Mission

Municipal Court strives to maintain public confidence in the ability of the legal judicial system to impartially 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.

The City Attorney's Office strives to provide sound legal advice; to effectively interpret and implement laws; drafts and reviews City ordinances, resolutions and contracts; and participates to minimize the City's exposure to liability and legal expenses.

The City Prosecutor's Office strives to maintain public confidence in the ability of the legal judicial system to pursue prosecution of criminal conduct 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.

Outcomes

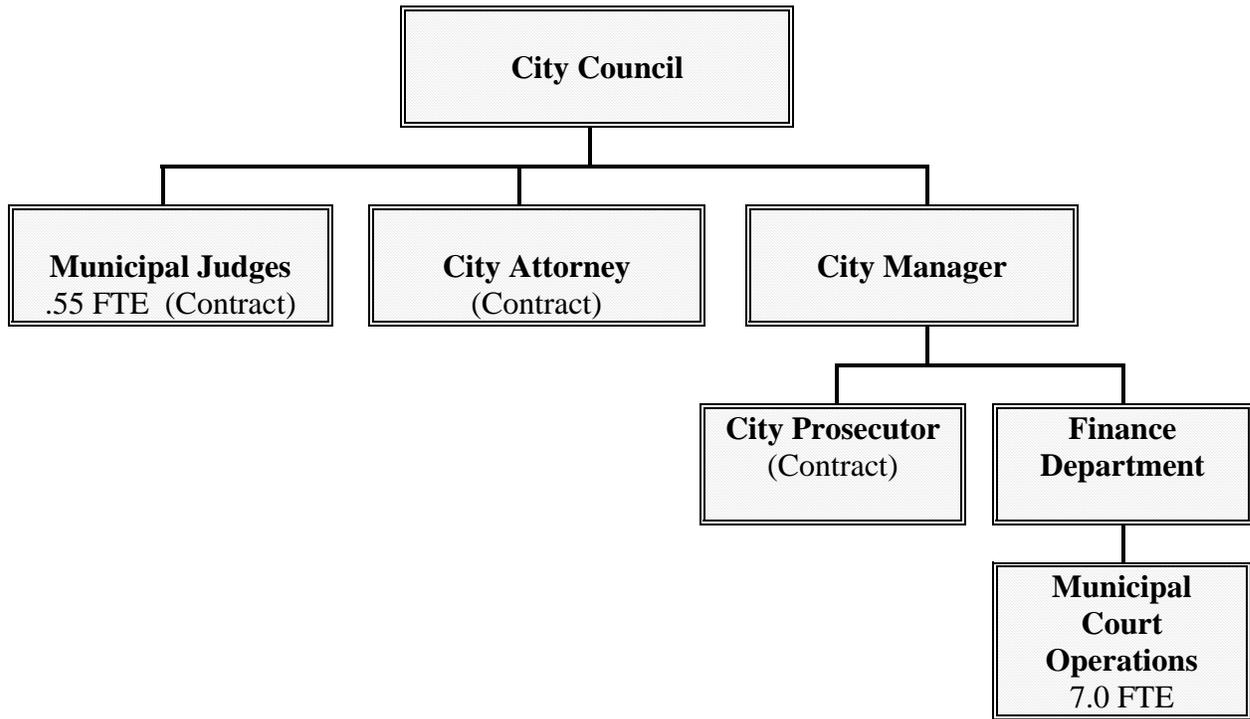
The City Attorney's Office provided legal advice to the City Council and City staff, reviewed all ordinances, resolutions, contracts and legal proposals and represented the City in litigation not arising under the City's insurance coverage.

The City Prosecutor's Office reviewed all reports, filed criminal cases, and provided prosecution of all criminal charges filed.

The Municipal Court provided case flow and trial docket management for resolution of legal contests and maintained aggressive collection and probation enforcement services to compel compliance with laws.

LEGAL AND JUDICIAL SERVICES

Organization Chart: 7.55 FTE



LEGAL AND JUDICIAL SERVICES

FTE Summary by Fund

Number of Full Time Equivalentents	FY03 Adopted	FY04 Adopted	FY05 Adopted
General	6.55	5.55	5.54
Police Local Option Levy	.00	2.00	2.01
Total	6.55	* 7.55	** 7.55

* FY04

Overall FTE addition of 1.0 FTE as follows:

(1.0) General Fund reduction strategy (Court Clerk)

2.0 Police Local Option Levy addition (Court Clerk)

** FY05

General Fund reduction:

3% Pro-tem judicial contract

(fund through Levy)

Position Summary

Job Title/Classification:	FY02 Actual	FY03 Actual	FY04 Adopted	FY05 Adopted
Court Clerk	4.00	4.00	5.00	5.00
Court Clerk, Senior	1.00	1.00	1.00	1.00
Court Supervisor	1.00	1.00	1.00	1.00
Judge	.50	.50	.50	.50
Judge Pro-Tem	.05	.05	.05	.05
Total FTE	6.55	6.55	7.55	7.55

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:	FY02 Actual	FY03 Actual	FY04 Adopted	FY05 Adopted
City Attorney	\$ 264,520	\$290,938	\$275,629	\$284,244

Budget Highlights and Service Level Changes:

Highlights: Provided extensive general counsel to City Council, Planning Commission and staff regarding hospital plan amendment and development proposals and extensive general counsel to Council and staff regarding potential formation of fire district.

Service Level Changes: No FY05 Changes to the program.

Program Outcomes and Indicators:	Actual FY02	Actual FY03	Estimated FY04	Adopted FY05
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Provide effective legal representation to the City.

♦ Total hours contracted to provide counsel to City Council and Planning Commission	2,029.2	2185	2210	2210
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Review all ordinances, resolutions, contracts and legal proposals.

♦ Total hours to draft and review resolutions	20	20	30	30
♦ Total hours to draft and review ordinances	101	130	130	130
♦ Total hours to draft and review contracts	141	300	300	300

**Program Outcomes and Indicators:
continued**

Actual FY02	Actual FY03	Estimated FY04	Adopted FY05
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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	263	250	250	250
♦ Hours for written and oral informal opinions	366	350	350	350
♦ Hours in meetings and conference	630.2	650	650	650
♦ Hours of legal research	508	485	500	500

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:	FY02 Actual	FY03 Actual	FY04 Adopted	FY05 Adopted
Municipal Court	<u>\$ 649,462</u>	<u>\$ 676,653</u>	<u>\$ 787,360</u>	<u>\$ 822,256</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. Eight police officer hires (levy funded) is anticipated to increase caseload by 20% to 30%. Current economic factors and resulting social, mental health, and drug services cuts and continued lack of jail capacity will have a significant impact on court services.

Service Level Changes: Program funding was increased in the General fund by \$7,000 additional funding for the jail contract (total contract \$165,803). As part of FY05 General Fund balancing strategy, a (3%) \$15,677 reduction was made in the Pro-tem Judges contract (to be funded through Levy)

(The voters approved a four year Police Local Levy Option effective FY04 through FY07: funding for the addition of 2 FTE and M&S funding for the Municipal Court. FY04 budget reduction of 1 FTE now funded by Levy. 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 FY02	Actual FY03	Estimated FY04	Adopted FY05
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Timely and expeditious case flow management is maintained for effective resolution of cases.

◆ Number of cases filed	11,026	10,453	8,260	13,588
◆ Number of cases terminated	11,092	10,443	8,826	13,575
◆ % of total caseload closed	80.9%	80.2%	65.8%	80.9%

◆ % cases resolved by diversion	14.8%	17.3%	14.0%	22.9%
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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	37.2%	46.7%	35.0%	41.9%
◆ Average days to trial setting	69.8	69.7	77.7	100
◆ Average days to closure by trial	303	229	212	279
◆ % of cases with more than one setting	38.0%	45%	45.0%	45.0%
◆ % of cases with prior failure to appear	31%	37.9%	37.2%	37.9%

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

◆ Fines collected	\$778,994	\$825,039	711,444	853,732
◆ Bail collected	\$222,443	\$233,498	197,496	236,995
◆ Number of warrants issued	934	718	1,140	1,482

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:	FY02 Actual	FY03 Actual	FY04 Adopted	FY05 Adopted
City Prosecutor	<u>\$ 165,952</u>	<u>\$ 170,703</u>	<u>\$ 210,333</u>	<u>\$ 214,373</u>

Budget Highlights and Service Level Changes:

Highlights: Eight police officer hires (levy funded) is anticipated to increase caseload by 22% to 30%. Current economic factors and resulting social, mental health, and drug services cuts and continued lack of jail capacity will have a significant impact on prosecution services.

Service Level Changes: 1 FTE secretary (voter approved Police Local Option Levy) will provide increased funding to maintain services.

Program Outcomes and Indicators:	Actual FY02	Actual FY03	Estimated FY04	Adopted FY05
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Provide efficient case review and criminal case filings.

♦ Criminal Cases filed (non-traffic)	2,021	1,979	1,854	2,410
♦ “No” or “rejected” complaint filings	317	414	422	549

Provide effective prosecution and resolution of criminal cases.

♦ Cases prepared for trial	2,110	2,225	2,216	2,881
♦ Jury trials	4	3	6	7
♦ Diversion checks	426	452	370	481
♦ Arrest Warrants prepared	1,225	718	1,140	1,482

LEGAL AND JUDICIAL SERVICES

Financial Summary

Actual FY02	Actual FY03	Adopted FY04	Adopted FY05
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Expenditures by Category:

Personal Services	\$ 373,250	\$ 393,332	\$ 471,443	\$ 495,398
Materials and Services	\$ 698,900	\$ 740,745	\$ 798,085	\$ 824,630
Capital Outlay	\$ 7,784	\$ 4,217	\$ 3,794	\$ 250
Total	<u>\$ 1,079,934</u>	<u>\$ 1,138,294</u>	<u>\$ 1,273,322</u>	<u>\$ 1,320,278</u>

Expenditures by Fund:

General	\$ 1,074,858	\$ 1,134,589	\$ 1,099,872	\$ 1,128,269
Police Local Option Levy	\$ -	\$ -	\$ 170,656	\$ 191,759
Vehicle and Equipment	\$ 5,076	\$ 3,705	\$ 2,794	\$ 250
Total	<u>\$ 1,079,934</u>	<u>\$ 1,138,294</u>	<u>\$ 1,273,322</u>	<u>\$ 1,320,278</u>

Expenditures by Program:

City Attorney	\$ 264,520	\$ 290,938	\$ 275,629	\$ 284,244
City Prosecutor	\$ 165,952	\$ 170,703	\$ 210,333	\$ 214,272
Municipal Court	\$ 649,462	\$ 676,653	\$ 787,360	\$ 821,762
Total	<u>\$ 1,079,934</u>	<u>\$ 1,138,294</u>	<u>\$ 1,273,322</u>	<u>\$ 1,320,278</u>