

General Government Program **Legal and Judicial Services Division**

General Government Program includes the services and activities of four City departments and one service area:

- ◆ City Manager's Office
- ◆ Finance Department
- ◆ Human Resources Department
- ◆ Information Technology Department, and
- ◆ Legal and Judicial Services Division.

Legal and Judicial Services Division

Programs:

City Attorney
City Prosecutor
Municipal Court

Legal and Judicial Services is \$1,395,844 or 23.16% of the General Government Program total operating budget of \$6,027,292.

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

The City Attorney's Office strives to provide practical legal advice, effectively interpret laws, reviews and drafts City ordinances, resolutions and contracts and works 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.

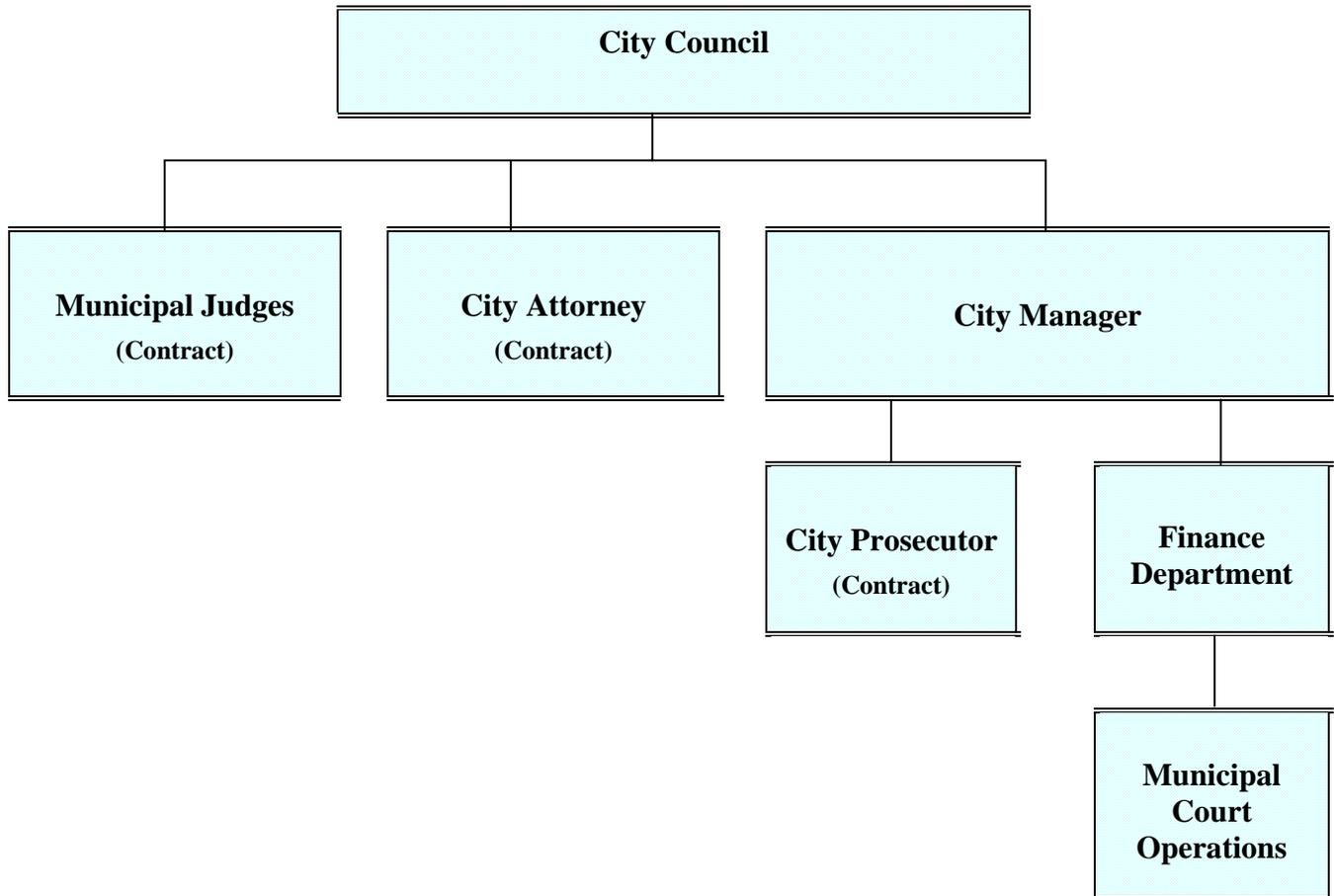
Municipal Court strives to maintain public confidence in the ability of the legal judicial system to impartially resolve legal contests in a timely manner and to compel compliance with the laws that protect the safety and quality of life in the community.

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



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.

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, economic development initiatives, code enforcement, Public Contracting amendments, Ballot Measure 37, Municipal Court, risk consultation and extensive general counsel to Council and staff.

Service Level Changes: No FY06 Changes to the program. Although actual recorded hours are 2,136.90 our experience with the City and professional studies indicate that approximately 10% to 15% of work rendered is not logged and is not included in the above.

Program Outcomes and Indicators:	Actual FY03	Actual FY04	Estimated FY05	Adopted FY06
Provide effective legal representation to the City.				
♦ Total hours contracted to provide counsel to City Council and Planning Commission	2,185	2,137	2,185	2,185
Review all ordinances, resolutions, contracts and legal proposals.				
♦ Total hours to draft and review resolutions	20	10	10	10
♦ Total hours to draft and review ordinances	130	130	130	130
♦ Total hours to draft and review contracts	300	250	250	250

Program Outcomes and Indicators: continued	Actual FY03	Actual FY04	Estimated FY05	Adopted FY06
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	250	200	200	200
♦ Hours for written and oral informal opinions	350	500	500	500
♦ Hours in meetings and conference	650	650	650	650
♦ Hours of legal research	485	445	445	445

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.

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) has provided increased funding to maintain services.

Program Outcomes and Indicators:	Actual FY03	Actual FY04	Estimated FY05	Adopted FY06
Provide efficient case review and criminal case filings.				
♦ Criminal Cases filed (non-traffic)	1,982	2,126	2,064	2,664
♦ No complaint filings	414	395	388	388
Provide effective prosecution and resolution of criminal cases.				
♦ % of misdemeanors set for trial	49 %	31 %	43 %	43 %
♦ Criminal cases prepared for trial	2,090	2,358	2,268	2,268
♦ Discovery provided	-	-	1,266	1,266
♦ Subpoenas issued	-	-	1,623	1,623
♦ Jury trials	3	2	6	6
♦ # of cases resolved by Diversions	453	430	372	418
♦ Warrant motion & affidavits	722	959	1,320	2,800
Provide effective prosecution and resolution of non-criminal cases.				
♦ Non-criminal trial cases prepared	982	857	963	963
♦ Coordinate trial by affidavits	-	-	19	19
♦ Miscellaneous motions & memos	-	-	62	62

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.

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. Program outcomes changed to National Center for State Court (NTC) performance standards to reflect movement towards meeting standards.

Service Level Changes:

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. The FY04 budget reduction of 1.0 FTE is now funded by the Levy. The .5 FTE Court Clerk hire will provide increased resources to maintain services. (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 FY03	Actual FY04	Estimated FY05	Adopted FY06
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The Court strives to meet National Trial Court Standards for expeditious & timely case processing (ALL CASES)

♦ % cases meeting Standard 2.1.2 (trend of 1:1 ratio of cases filed to disposed) (excludes pending cases)	100 %	100 %	97 %	100 %
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Program Outcomes and Indicators: Continued	Actual FY03	Actual FY04	Estimated FY05	Adopted FY06
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**The Court strives to meet National Trial Court Standards for expeditious & timely case processing.
(MISDEMEANOR CRIMES ONLY)**

♦ % cases meeting Standard 2.1.2 (consistent trend of 1:1 ratio of cases filed to disposed; excludes pending cases)	78 %	100 %	95 %	95 %
♦ Cases Filed	2,608	2,711	1,872	2,495
♦ % of cases considered as backlog (disposition pending) (Standard 2.1.3 avoid backlog)	10 %	20 %	16 %	16 %
♦ % cases meeting Standard for 100% disposition within 90 days (includes FTA days)	43 %	45 %	42 %	42 %
♦ # of Failure to Appear events	1,481	2,365	2,500	2,800
♦ % of trial cases set in fiscal year with more than 1 trial setting (Standard 2.1.4 dispo at first trial per case)	60 %	35 %	24 %	40 %

**The court strives to meet National Trial Court Standard 4.5 for Courts take appropriate
responsibility for enforcement of orders to avoid patterns of systematic failure to fulfill criminal
sentences which are contrary to the purpose of courts, undermine the rule of law and diminish
public trust and confidence in the courts.**

♦ Fines Imposed	\$885,772	\$1,010,240	\$1,148,400	\$1,144,606
♦ Total Collected (includes state & county fees)	\$1,196,106	\$1,076,386	\$1,214,208	\$1,246,608
♦ Fines Collected	\$823,680	\$786,667	\$869,532	\$892,571
♦ # Show Cause Orders issued	812	934	987	1,020
♦ # Warrants issued	722	959	1,211	1,512
♦ # Matrix releases from Lane County Jail (jail statistics)	3,594	4,653	3,444	4,000

Program Outcomes and Indicators: continued	Actual FY03	Actual FY04	Estimated FY05	Adopted FY06
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The Court strives to meet National Trial Court Standard 4.5 for Courts to respond appropriately to emergent public issues to provide a stabilizing force in society by acting consistently within its role of maintaining the rule of law. Driving Under the Influence charges are managed at a high priority level.

♦ # of DUII charges filed	340	330	322	338
♦ # of DUII trials set	371	434	379	479
♦ # of DUII disposed	353	368	249	240
♦ # of Diversion Agreements (1 st offender program)	215	212	196	194
♦ # of DUII dismissed (agreement completed or other reason)	237	234	145	130
♦ # of agreements revoked	51	54	57	48

The Court strives to meet National Trial Court Standard 4.5 for Courts to respond appropriately to emergent public issues to provide a stabilizing force in society by acting consistently within its role of maintaining the rule of law. Assault charges are managed at a high priority level.

♦ # of Assault Charges Filed	40	49	39	58
♦ # of Trials Scheduled	47	49	45	67
♦ # of Assaults Disposed	47	42	43	64

Legal and Judicial Services

FTE Summary by Fund

Number of Full-Time Equivalents	Adopted FY04	Adopted FY05	Adopted FY06
General	6.55	5.55	5.54
Police Local Option Levy	.00	2.00	2.01
Total	6.55	* 7.55	** 7.55

* Overall FTE addition of 1.0 FTE as follows: (1.00) General Fund Reduction Strategy (Court Clerk)
+2.00 Police Local Option Levy Addition (Court Clerk)

** FY05 General Fund Reduction: Pro-tem Judicial Contract (\$15,677) (fund through levy)

Position Summary

Job Title/Classification:	Adopted FY03	Adopted FY04	Adopted FY05	Adopted FY06
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

Legal and Judicial Services

Financial Summary

	Actual FY03	Actual FY04	Adopted FY05	Adopted FY06
Expenditures by Category:				
Personal Services	\$ 393,332	\$ 429,767	\$495,398	\$ 514,713
Materials and Services	\$ 740,745	\$ 711,566	\$824,630	\$ 881,131
Capital Outlay	\$ 4,217	\$ 4,920	\$ 250	\$ -
Total	<u>\$ 1,138,294</u>	<u>\$ 1,146,253</u>	<u>\$ 1,320,278</u>	<u>\$ 1,395,844</u>
Expenditures by Fund:				
General	\$ 1,134,589	\$ 1,086,984	\$ 1,128,269	\$ 1,179,920
Police Local Option Levy	\$ -	\$ 56,729	\$ 191,759	\$ 206,624
Vehicle and Equipment	\$ 3,705	\$ 2,540	\$ 250	\$ 9,300
Total	<u>\$ 1,138,294</u>	<u>\$ 1,146,253</u>	<u>\$ 1,320,278</u>	<u>\$ 1,395,844</u>
Expenditures by Sub-Program:				
City Attorney	\$ 290,938	\$ 262,438	\$ 284,244	\$ 291,613
City Prosecutor	\$ 170,703	\$ 175,398	\$ 214,272	\$ 219,541
Municipal Court	\$ 676,653	\$ 708,417	\$ 821,762	\$ 884,690
Total	<u>\$ 1,138,294</u>	<u>\$ 1,146,253</u>	<u>\$ 1,320,278</u>	<u>\$ 1,395,844</u>

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