



Department of Law Budget Presentation

Budget & Finance Committee

March 15, 2021

Law Department Budget History

General Fund Operating Budget FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	\$ 4,628,870	\$ 4,863,190	\$ 5,115,120	\$ 4,976,990	\$ 4,870,100
Fringe Benefits	\$ 1,491,740	\$ 1,522,778	\$ 1,763,520	\$ 1,684,510	\$ 1,662,680
Non-Personnel Expenses	\$ 621,570	\$ 750,457	\$ 640,070	\$ 708,160	\$ 637,510
Total	\$6,742,180	\$7,136,425	\$7,518,710	\$7,369,660	\$7,170,290

Law Department Budget History

Restricted Funds* Operating Budget FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	\$ 444,290	\$ 717,395	\$ 758,660	\$ 898,460	\$ 1,085,790
Fringe Benefits	\$ 136,450	\$ 139,874	\$ 205,400	\$ 257,040	\$ 340,550
Non-Personnel Expenses	\$ 213,910	\$ 213,190	\$ 217,440	\$ 221,900	\$ 293,700
Total	\$ 794,650	\$ 1,070,459	\$ 1,181,500	\$ 1,377,400	\$ 1,720,040

*Includes Property Management Fund 209, Income Tax-Infrastructure Fund 302, Streetcar Operations Fund 455, and Income Tax-Transit Fund 759

The Client: The City of Cincinnati, an Ohio
municipal corporation
= Administration + Council + Mayor



Law Department Significant Issues

Staffing

Current responsibilities/required legal services of
Law Department attorneys and staff
(estimated FY 2021 impacts)

	<u>FY20</u>	<u>Estimated FY21</u>	<u>% Change</u>
Requests for Legal Services	1400	2250	↑ 60.71%
Legislation	300	475	↑ 58.33%
Opinions	170	275	↑ 61.76%
Public Records Requests	175	280	↑ 60.00%

Prosecution and case management of approximately **36,000** misdemeanor cases in Hamilton County Municipal Court, including domestic violence, assault and OVI (Operating a Vehicle while Impaired).

Office of Administrative Hearings (OAH) – OAH has adjudicated roughly **1,100** individual code enforcement violations to date in FY 2021, which comprises approximately 27% of the roughly **4,000** code enforcement violations issued to date in FY 2021 by Buildings & Inspections, Public Services, Health & Cincinnati Police.

Parking Violations Bureau (PVB) – PVB has adjudicated roughly **5,400** individual parking citations to date in FY 2021, arising from appeals of approximately 12% of the 47,000+ parking citations issued by the Cincinnati Police Department and the City's Parking Enforcement staff.

Law Department Significant Issues

Staffing

Is the workload expanding? Yes, absolutely.

- As Departments across the City have felt the strain of past budget cuts and staffing reductions, they must become focused on core service delivery. There is less capacity to focus on long-term thinking training, office policies, best practices, and long-term thinking. Law helps to pick up the load.
- When new issues, complex projects, and crises hits the City – the Law Department does the research, develops the knowledge base, advises on the response, and helps to pick up the load as project managers and subject matter experts.
- As elected officials and the administration propose legislative programs or ambitious projects, the Law Department plays a central role at the outset (we hope!) to research and develop ideas on the “how to” and the “how not to” – and we are there to defend the program if it comes to litigation. As government takes on more, we see more litigation and more complex transactions, the Law Department helps to pick up the load.
- In the 10 years that I have been at the City, the attorneys and staff in the Law Department have steadily taken on more and more – and there has not been a busier time.

Law Department Significant Issues

Staffing

We need more funding and more people for three simple reasons:

- 1. The City will lose its best staff and attorneys to the private sector if we can't promise a better work/life balance. This will create a negative feedback loop within the Department with long-term consequences for the City.*
- 2. We need more qualified attorneys to help provide timely advice and enhanced support to our clients, particularly in the areas of litigation, legal research and opinion writing, ethics and elections issues, and legislative research and drafting.*
- 3. We need to hire additional paralegal support so that our attorneys can focus on the practice of law and delegate more of the critical but non-legal aspects of the work to legally trained support staff.*

Law Department Significant Issues Staffing

Litigation	1 Attorney 1 Paralegal	Specialized litigation skill sets related to contract disputes, First Amendment, land use, and appellate practice.
Quality of Life	1 Attorney	Develop expertise in affirmative litigation related to consumer rights, human rights, childhood health, payday lending, and training of City staff regarding effective code enforcement.
General Counsel	2 Attorneys 1 Paralegal	Ongoing large-scope legal services related to Cincinnati Retirement System, complex construction and technology contracts, state ethics requirements, and primary care services regarding City Health clinics.
OAH/PVB	1 Paralegal	Coordinating case management, customer interaction, and payment collection and processing.
Law Clerks	\$25,000 in program funding	Paid summer internships to maximize legal research and drafting as well as providing a reasonable salary to ensure that all students have an opportunity to participate regardless of financial circumstances.

Law Department Significant Issues Staffing

Public Records Office

3 additional FTE are needed to coordinate responses for the City's public records requests. These additional positions could be housed in the CMO or the Law Department.

The Law Department is also highly supportive of the CPD request for two additional FTE in their Police Records Section, to maximize efficiency in review of Body Worn Camera (BWC) footage. These two positions are in addition to two other FTE that CPD will be moving into the Records Section from other divisions. These additional staff positions will help to clear the current backlog of footage that is currently under review by Police Records for purposes of criminal discovery and municipal court prosecutions.

- *Current Need in Law (or CMO): 1 Attorney; 2 Support Staff*

Law Department Significant Issues Staffing

To Summarize:

The Law Department's workload continues to increase, while staffing remains the same or, in some cases, has been significantly reduced in recent years. The increased workloads reduce our ability to service our clients in as timely a manner as we would prefer, increases stress among staff, decreases work/life balance, and is a contributing factor in turnover. Based on the unique role of the Law Department and the myriad legal functions that our office performs on an ongoing basis, this staffing imbalance directly affects all City offices and City departments as well as City residents.

Law Department Significant Issues Non-Personnel

Capital Budget Requests:

- Build out the office space in Room 206 with workspaces that better insulate sound and allow for additional privacy.
- Public Records Request software that allows for reviewing multiple databases, sorting responsive and privileged documents, making redactions, and other functions needed to timely respond to public records requests.
- An audio system that allows the Boards, Law Department, and Buildings & Inspections staff to effectively conduct business and hearings virtually/remotely.

QUESTIONS?