

Law Department

Peter S. Holmes, City Attorney

Civil Division, (206) 684-8200; Criminal Division, (206) 684-7757

<http://www.seattle.gov/law/>

Department Overview

The Law Department serves as counsel to the City's elected officials and agencies, and as the prosecutor in Seattle Municipal Court. Peter S. Holmes, the Seattle City Attorney, is a nonpartisan elected official.

The Department provides legal advice to City officials to help them achieve their goals, represents the City in litigation, and protects the public health, safety, and welfare of the community by prosecuting violations of City criminal and civil ordinances and state law. The four department divisions are Administration, Civil, Criminal, and Precinct Liaisons.

The **Administration Division** provides executive leadership, communications, and operational support for the entire department. It is comprised of executives, human resources, finance, media relations, and information technology staff.

The **Civil Division** provides legal counsel and representation to the City's elected and appointed policymakers in litigation at all levels of county, state, federal courts, and administrative agencies. The Civil Division is organized into the following six specialized areas of practice: Employment, Environmental Protection, Land Use, Government Affairs, Torts, and Utilities & Contracts.

The **Criminal Division** prosecutes in Seattle Municipal Court misdemeanor crimes punishable by up to 364 days in jail, provides legal advice to City clients on criminal justice matters, monitors state criminal justice legislation of interest to the City, and participates in criminal justice policy development and management of the criminal justice system. In addition, the Criminal Division operates a Victims of Crime program which assists crime victims in obtaining restitution. The Criminal Division is comprised of a Trial Support Team, Domestic Violence Unit, Appellate/Filing Unit, Specialty Courts Unit (Mental Health, Community Court, Veterans' Court, DUI, and Infractions Program), and two trial teams.

The **Precinct Liaison** attorneys work in each of the City's five police precincts, providing legal advice to police and other City departments. In helping to address a variety of neighborhood and community problems, these attorneys coordinate with the Civil and Criminal divisions to ensure a consistent, thorough and effective approach to solving issues of concern to the community.

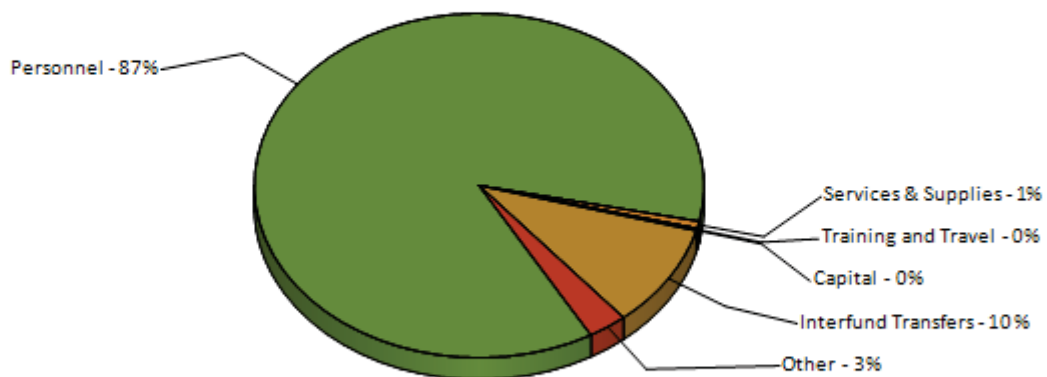
Law Department

Budget Snapshot

Department Support	2012 Actuals	2013 Adopted	2014 Endorsed	2014 Adopted
General Fund Support	\$18,735,652	\$20,421,422	\$21,025,559	\$22,384,095
Total Operations	\$18,735,652	\$20,421,422	\$21,025,559	\$22,384,095
Total Appropriations	\$18,735,652	\$20,421,422	\$21,025,559	\$22,384,095
Full-time Equivalent Total*	160.60	159.10	159.10	167.60

* FTE totals are provided for information purposes only. Changes in FTEs resulting from City Council or Personnel Director actions outside of the budget process may not be detailed here.

2014 Adopted Budget - Expenditure by Category



Budget Overview

The 2014 Adopted budget provides new discretionary resources to the Law Department allowing it to allocate the funds as it sees fit to continue meeting its mission. The budget also includes funding to implement the terms of a new labor agreement with Local 21-PA, the union for the Assistant City Prosecutors.

City Council Changes to the Proposed Budget

The City Council made staffing additions to the Law Department 2014 Adopted Budget, including:

- One attorney position and one paralegal position in the Criminal Division, to assist with Driving Under the Influence (DUI) prosecutions;

Law Department

- One IT systems analyst and a 0.5 IT systems analyst in the Administration Division to provide on-going support for basic IT needs;
- Two senior paralegal positions in the Civil Division to help departments draft legislation; and,
- Two attorney positions and a senior paralegal position to staff the growing number of public disclosure requests and provide training and legal advice to departments to reduce the number of Public Records Act issues that result in litigation.

The Council also provided funding to increase the average pay for civil attorneys to a level comparable with in-state peers.

Incremental Budget Changes

Law Department

	2014	
	Budget	FTE
Total 2014 Endorsed Budget	\$ 21,025,559	159.10
Proposed Changes		
Support for Law Department Priorities	\$ 200,000	0.00
Funding for Prosecuting Attorney Contract	\$ 71,400	0.00
Proposed Technical Changes		
Eliminate Funding for Postini Spam Software	-\$ 1,778	0.00
Citywide Adjustments for Standard Cost Changes	-\$ 116,063	0.00
Council Changes		
Increase Staffing for DUI Prosecution	\$ 230,000	2.00
Fund Civil Division Attorneys Salary Market Adjustment	\$ 425,000	0.00
Staffing Public Disclosure Request Compliance	\$ 370,000	3.00
Technology Staffing	\$ 0	1.50
Staffing to Improve Legislation Drafting	\$ 180,000	2.00
Technical Adjustments	-\$ 23	0.00
Total Incremental Changes	\$ 1,358,536	8.50
2014 Adopted Budget	\$ 22,384,095	167.60

Law Department

Descriptions of Incremental Budget Changes

Proposed Changes

Support for Law Department Priorities - \$200,000

Council earmarked this funding for new information technology staffing. Refer to the Council Phase Changes section below. The Proposed Budget description follows:

The 2014 Proposed Budget allocates new discretionary resources to the Law Department. As a separately elected official, the budget leaves discretion to the Seattle City Attorney to specify how to allocate the funds to best meet the needs of the Law Department.

Funding for Prosecuting Attorney Contract - \$71,400

This item funds the anticipated salary schedule terms of the new Local 21 - PA contract.

Proposed Technical Changes

Eliminate Funding for Postini Spam Software - (\$1,778)

The City has adopted Microsoft Office 365 as its new software platform, and as a result City departments no longer need to purchase separate anti-spam software.

Citywide Adjustments for Standard Cost Changes - (\$116,063)

Citywide technical adjustments reflect changes due to inflation, central cost allocations, retirement, healthcare, workers' compensation, and unemployment costs. These adjustments typically reflect updates to preliminary cost assumptions established in the 2014 Endorsed Budget.

Council Changes

Increase Staffing for DUI Prosecution - \$230,000/2.00 FTE

This item adds two new positions in the Criminal Division for DUI (Driving Under the Influence) prosecutions. The new assistant city attorney and a paralegal will:

- Respond to new and more complex issues related to this crime, including several changes in state law;
- Focus on pre-conviction and post-conviction issues; and,
- Collect data to enable better management of both overall caseloads and individual high-risk defendants.

Fund Civil Division Attorneys Salary Market Adjustment - \$425,000

The Law Department and Personnel Department conducted a compensation study of Civil Division attorney salaries. The study indicated that the average pay for the City's attorneys is below the 50th percentile for government lawyer salaries compared to governments surveyed. This funding is approximately half of the amount requested by the City Attorney and will begin the process of salary adjustments for attorneys in the Civil Division.

Law Department

Staffing Public Disclosure Request Compliance - \$370,000/3.00 FTE

The 2014 Adopted Budget adds two assistant city attorneys and one senior paralegal to the Civil Division to work on public records compliance. Public Records Act requests have grown in recent years. Current staffing does not allow the Law Department to provide advice, train staff, assist with appeals, and otherwise curtail the growing litigation in this area. Training and early legal advice will help avoid litigation and minimize legal exposure. A portion of this funding (\$140,000) is transferred from the Seattle Police Department, which receives the most records requests among city departments.

Technology Staffing/1.50 FTE

This item converts an existing part-time IT systems analyst position to full-time status and adds another full-time position to the Law Department. IT staffing has not kept pace with a recent staffing additions and the move to electronic court records. The new IT staff will:

- Enhance the department's user account setup and desktop support capabilities;
- Help support 15 applications and databases;
- Assist with the Civil Division's electronic case and project management systems upgrades; and,
- Help upgrade the Criminal Division's electronic case management system to include e-discovery.

Staffing to Improve Legislation Drafting - \$180,000/2.00 FTE

Council added two new senior paralegal positions to the Civil Division to assist department staff with legislation drafting. This addition leverages the relatively more costly time of lawyers and City Council Central Staff.

Technical Adjustments - (\$23)

Council made technical adjustments during their budget deliberations. These include corrections to central costs, appropriations, position counts, and other non-policy changes to the Proposed Budget.

City Council Provisos

There are no Council provisos.

Law Department

Expenditure Overview

Appropriations	Summit Code	2012 Actuals	2013 Adopted	2014 Endorsed	2014 Adopted
Administration Budget Control Level	J1100	1,744,476	1,953,005	2,012,668	2,198,827
Civil Budget Control Level	J1300	10,378,201	11,394,926	11,733,147	12,627,502
Criminal Budget Control Level	J1500	6,218,864	6,547,298	6,736,333	6,992,413
General Fund Supported BCLs					
Precinct Liaison Attorneys Budget Control Level	J1700	394,112	526,193	543,411	565,353
Department Total		18,735,652	20,421,422	21,025,559	22,384,095

Department Full-time Equivalents Total* **160.60** **159.10** **159.10** **167.60**

** FTE totals are provided for information purposes only. Changes in FTEs resulting from City Council or Personnel Director actions outside of the budget process may not be detailed here.*

Appropriations By Budget Control Level (BCL) and Program

Administration Budget Control Level

The purpose of the Administration Budget Control Level is to provide the financial, technological, administrative and managerial support for the Department.

	2012 Actuals	2013 Adopted	2014 Endorsed	2014 Adopted
Program Expenditures				
Administration	1,744,476	1,953,005	2,012,668	2,198,827
Total	1,744,476	1,953,005	2,012,668	2,198,827
Full-time Equivalents Total*	13.30	13.80	13.80	15.30

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Law Department

Civil Budget Control Level

The purpose of the Civil Budget Control Level is to provide legal advice to the City's policy-makers, and to defend and represent the City, its employees, and officials before a variety of county, state, federal courts, and administrative bodies.

Program Expenditures	2012	2013	2014	2014
	Actuals	Adopted	Endorsed	Adopted
Civil	10,378,201	11,394,926	11,733,147	12,627,502
Total	10,378,201	11,394,926	11,733,147	12,627,502
Full-time Equivalents Total*	84.80	83.80	83.80	88.80

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Criminal Budget Control Level

The purpose of the Criminal Budget Control Level includes prosecuting ordinance violations and misdemeanor crimes, maintaining case information and preparing effective case files for the court appearances of prosecuting attorneys, and assisting and advocating for victims of domestic violence throughout the court process.

Program Expenditures	2012	2013	2014	2014
	Actuals	Adopted	Endorsed	Adopted
Criminal	6,218,864	6,547,298	6,736,333	6,992,413
Total	6,218,864	6,547,298	6,736,333	6,992,413
Full-time Equivalents Total*	58.50	57.50	57.50	59.50

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Precinct Liaison Attorneys Budget Control Level

The purpose of the Precinct Liaison Program is to support a program where attorneys work in each of the City's five precincts, providing legal advice to police and other City departments. In helping to address a variety of neighborhood and community problems, the precinct liaison attorneys coordinate with the Civil and Criminal divisions with the goal of providing a consistent, thorough and effective approach.

Program Expenditures	2012	2013	2014	2014
	Actuals	Adopted	Endorsed	Adopted
Precinct Liaison Program	394,112	526,193	543,411	565,353
Total	394,112	526,193	543,411	565,353
Full-time Equivalents Total*	4.00	4.00	4.00	4.00

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