

ATTORNEY

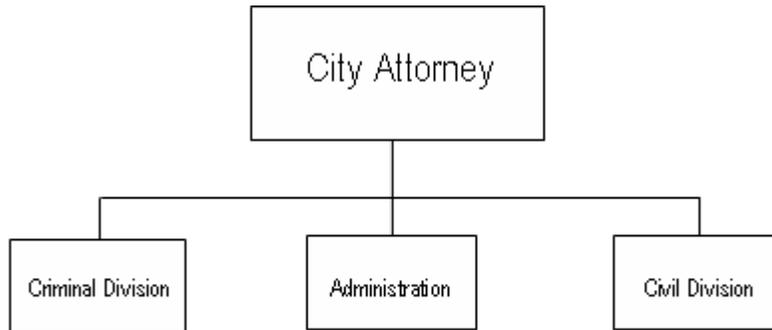
MISSION

To enhance public safety, serve justice and vigorously represent the interests of the City and its residents by holding criminal offenders accountable and delivering the highest quality, cost effective legal services.

BUSINESS LINES

- Enhancing public safety
- Delivering civil legal services

ORGANIZATION CHART



FIVE –YEAR DEPARTMENT GOALS AND OBJECTIVES		
City Goals & Strategies	Department Goal	Objective
A safe place to call home: A. Guns, Gangs, Graffiti gone B. Crime reduction C. Lifecycle housing One Minneapolis: C. Equitable City services Connect Communities: B. Walkable, Bikeable, Swimmable E. Streets & Avenues A premier destination: B. Reposition City C. Cleaner, greener, safer downtown E. Leverage our entertainment edge	Reduce crime in the City.	Perpetrators of gross misdemeanor weapons violations will be successfully prosecuted.
		Perpetrators of domestic violence will be successfully prosecuted.
		Chronic offenders receive appropriate and timely sanctions.
		Perpetrators of livability crimes will be successfully prosecuted.
		Successfully prosecute graffiti offenders. (New)
		Reduce crime and improve public perceptions of safety in the downtown area. (New)
		Support Blueprint to Reduce Youth Violence. (New)

<p>A safe place to call home: A. Guns, Gangs, Graffiti gone B. Crime reduction E. Youth: valued, challenged & engaged One Minneapolis: A. Close race & class gaps C. Equitable City services</p>	<p>Improve efficiency and responsiveness of the criminal justice system.</p>	<p>Successful partnerships with others in the criminal justice system.</p>
		<p>Full and accurate utilization of Practice Manager case management system.</p>
		<p>Successful integration of case management system with other criminal justice systems.</p>
<p>A safe place to call home: A. Guns, Gangs, Graffiti gone B. Crime reduction One Minneapolis: A. Close race & class gaps C. Equitable City services Connect Communities: B. Walkable, Bikeable, Swimmable E. Streets & Avenues A premier destination: B. Reposition City C. Cleaner, greener, safer downtown</p>	<p>Continued active collaboration with neighborhoods on community justice.</p>	<p>Address community concerns about misdemeanor crime in neighborhoods.</p>
<p>A safe place to call home: A. Guns, Gangs, Graffiti gone B. Crime reduction C. Lifecycle housing D. Make healthy choices One Minneapolis: A. Close race & class gaps B. Middle class C. Equitable City services Lifelong learning: B. Economic engine C. Skills for all 21-year-olds Connect Communities: A. Integrated, multimodal transportation B. Walkable, Bikeable, Swimmable C. Development services D. Northstar, Central Corridor, SW Corridor E. Streets & Avenues Enriched environment: C. Arts D. Upper Mississippi A premier destination: B. Reposition City C. Cleaner, greener, safer downtown</p>	<p>Assist the City in minimizing its financial exposure to claims and lawsuits.</p>	<p>Aggressively defend claims and lawsuits that result from the City's risk generating activities.</p>
		<p>Commence timely litigation to advance the City's adopted goals and policy objectives or to recover public monies.</p>
		<p>Identify risk generating activities and assist departments in finding solutions.</p>
	<p>Provide high quality legal services to the City's elected officials, its departments, independent boards and commissions, and staff.</p>	<p>Respond to requests for civil legal services in accordance with priorities in the adopted Business Plan.</p>
		<p>Ensure client satisfaction with the quality of services provided by the City Attorney's Office.</p>

RESULTS MINNEAPOLIS MEASURES, DATA AND TARGETS TABLE						
Measure Name	2004 Data	2005 Data	2006 Data	2007 Data	2008 Target	2011 Target
Number of "Top 200" chronic offenders convicted	83	81	129	130	145	200
Conviction rate of domestic violence cases	48%	48%	58%	54%	60%	60%
Percentage gross misdemeanor weapons cases charged result in a conviction	N/A	N/A	86%	84%	87%	95%
Number of community meetings attended and in person contacts made by community attorneys	N/A	3,495	7,176	11,405	11,975	13,862
Percentage of convicted "Top 200" Chronic Offenders for whom community impact statements were solicited and presented	N/A	N/A	N/A	N/A	65%	95%
Number of cases referred to neighborhood restorative justice programs	247	612	880	600 (Number was limited by capacity of providers)	630	729
Liability payouts resulting from certain of the City's risk generating activities	\$3.7 M	\$1.9M	\$1.7M	\$9.3M	\$1.8M	\$1.5M
Outside counsel costs	N/A	N/A	N/A	Litigation Matters: \$1.4M	\$500,000	\$400,000

What key trends and challenges does the department face and how will each be addressed?

Success of the Community Attorney/Chronic Offender Prosecution Model: Beginning in 2002, the Office implemented a community prosecution model for addressing livability crime. This included assigning a criminal attorney and a paralegal to be housed in each of the five police department precincts. The Community Attorney program became fully staffed in 2008 with the assignment of a full-time paralegal to the 5th Precinct. The Community Attorneys and paralegals work closely with community and neighborhood groups and businesses, the police, the County Attorney's Office and other criminal justice system stakeholders. Five out of the Office's 29 criminal prosecutors (17%) and five of the 13.5 criminal division paralegals (37%) are dedicated to the Community Attorney program. While the Community Attorneys prosecute certain chronic offender cases, they do not carry regular caseloads.

In addition to the Community Attorney initiative, the Office implemented an intensive prosecution model for individuals identified as chronic offenders – those who commit repeated offenses and seriously impact the livability of our neighborhoods and communities. The chronic offender list initially included 100 individuals. This list was expanded in 2006 to include the “Top 200” chronic offenders. The Office utilizes a higher staffing ratio for the prosecution of the top 200 chronic offenders, with three prosecutors and two paralegals assigned to these cases. This model provides greater accountability and more certain consequences for this group of offenders.

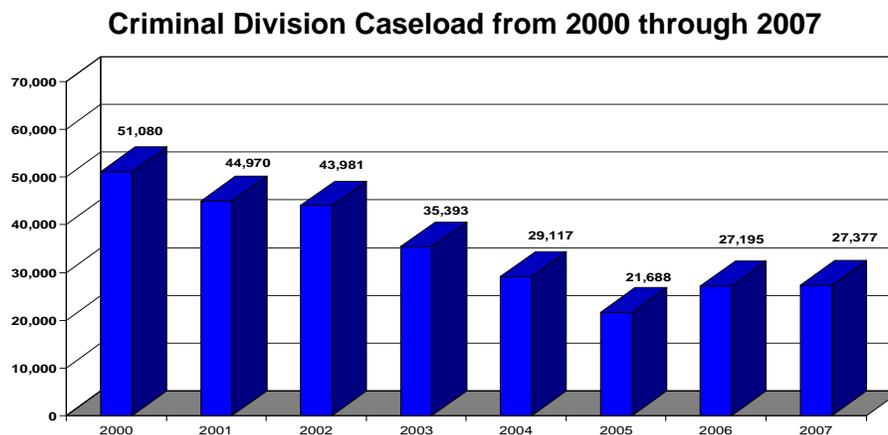
In 2007 the Office handled a total of 901 cases involving the Office’s “Top 200” chronic offenders, including 800 misdemeanor cases and 101 gross misdemeanor cases. The Minneapolis Police Department arrested/cited 178 of the “Top 200” list in 2007. The CAO prosecuted all 178 and was able to obtain convictions against 130 of them in calendar year 2007 (a conviction rate of 73%). This represents a 35% increase in convicted chronic offenders over 2006. Following conviction, the top offenders were ordered to serve a total of 14,631 jail days (44 average jail days per conviction), with another 23,425 days (70 average days) of stayed jail time. Stayed jail time was ordered in a total of 210 cases in 2007. In 82 of these cases, the City Attorney’s Office succeeded in obtaining a revocation of the stayed sentence due to probation violations, resulting in an additional 6,730 days of jail time served.

In 2007, the MPD and CAO identified 274 top offenders. Following prosecution by the CAO, 57 (21%) did not reoffend during 2007. Given that these offenders typically commit multiple offenses during a year, this result is significant.

The community prosecution model implemented by the Office reflects best practices and research in addressing livability crime. The results achieved by the Office through this model support its continued application and, depending on availability of resources, potential future expansion.

Caseload Trends and Staffing

There has been an upward trend in the criminal caseload beginning in 2006, with an increase of 21% in the number of criminal cases compared to 2005. The caseload continued at this increased level in 2007 for a total of 27,377 cases. The Office has absorbed this caseload increase without additional staffing, while also reallocating a position in 2008 to complete the staffing model for the Community Attorney program.



2008 Caseload Indicators

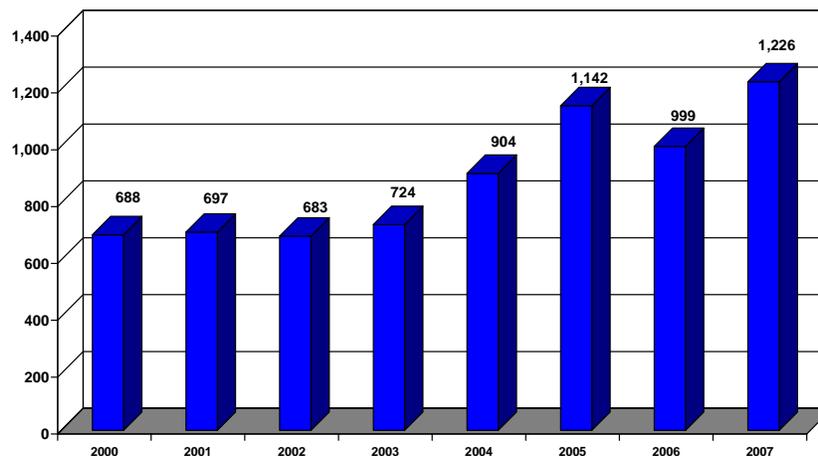
First Quarter Numbers: The first quarter caseload numbers for 2008 show a significant increase in numbers of cases (9,138 cases) compared to the first quarter of 2007 (6,331 cases), an increase of over forty percent. It is unknown if the case numbers will continue at this rate, but the Office anticipates an increase in the number of cases over 2007.

The Civil Division workload remains heavy, both in the number of matters handled by the Division, as well as the complexity of those matters. In 2007, for example, the City Attorney's Office was successfully involved in the following initiatives:

- The Minneapolis Public Library merger with Hennepin County
- The closing on the sale of five municipal parking ramps for a total sale price of approximately \$65 million
- The successful conclusion of the airport litigation.

Matters of this complexity require a significant expenditure of attorney time. The City Attorney's Office also has absorbed the Ethics Officer position, which now accounts for 50% of the workload of one of our senior civil attorneys. In 2008, a number of other issues, such as ranked choice voting, are likely to continue to require significant attorney involvement.

Civil Litigation Matters



“Span of Control:” Need for Supervising Attorneys: The Criminal Deputy has 49 direct reports (29 attorneys and 19.5 paralegals, investigators and other staff) and the Civil Deputy has 34 direct reports (28 attorneys and 6 paralegals and other staff). This ratio of management to staff is substantially out of line with comparable public law offices and is contrary to best practices for management of such offices. The norm for comparable public law offices is a ratio of no more than one supervisory attorney for an average of 7 to 12 staff.

The Office has functioned with this management structure by utilizing “team leaders.” Team leaders are Assistant City Attorneys who have agreed to take on the responsibilities of directing the flow of work. They are peer bargaining unit members, however, and do not have the authority to conduct performance reviews or engage in other oversight and personnel activities that are inherent in a management/ supervisory position.

The Criminal Division should have a supervising attorney for each of the four prosecution teams in addition to the Criminal Deputy position. This would provide a ratio of 11 direct reports (6 attorneys/5 paralegals and other staff) per supervising attorney and would reduce the number of the criminal deputy's direct reports to six. The supervising attorneys would be expected to carry a 50% caseload and devote the balance of their time to supervision, operations management and training. This would allow for true accountability in the criminal prosecution activities of the Office, insuring consistency in charging, plea bargaining and trials.

In light of the complexity of civil litigation matters handled by the Office and the liability at stake, both monetarily and in terms of protecting against negative court rulings that can limit the authority of the City to take actions to further the City's goals, the civil litigation function of the Office warrants a management level position. The position would be tasked with not only managing and assigning the litigation matters, but with a broader responsibility to minimize civil liability of the City through analysis of existing and past matters and recommendations to prevent future liability and to train and mentor less experienced litigators.

Costs of Technology Improvements: The City Attorney's Office has greatly improved the Office's technological capability through the installation of its new case management system, outlined in greater detail in the City Attorney's Office's 2007-2011 Business Plan. The new case management system implemented for the Office has increased efficiencies and opportunities for data management and accountability. It has also made possible the required integration with the court and police department systems. The systems are dynamic, requiring updates and changes as the systems of our criminal justice partners are modified and our case management vendor issues modifications and upgrades.

As another example, e-discovery – providing discovery in criminal cases electronically to the public defender's office, instead of manual copying and mailing – is a project of the Hennepin Justice Integration Project ("HJIP") to be implemented in 2008. While funding for system integration between the City Attorney's Office and the Public Defender's Office is being provided through the HJIP budget, the City Attorney's Office will need to purchase or develop the software module and, after implementation, will be responsible for maintenance of the system and future upgrades for the City Attorney's Office portion of the project. The project will provide efficiencies, freeing staff time, but also adds to technology maintenance costs.

FINANCIAL ANALYSIS

EXPENDITURE

The department's 2009 budget is \$13.9 million, an 8.9% or \$1.1 million increase over the 2008 adopted budget. Please Note: the Ethical Practices Board is fully funded (\$13,000).

REVENUE

The expenditure and revenue information does not reflect the total amount of revenue because a significant portion of revenue is shared with the police department. This revenue is from the Justice Assistance Grants (JAG) and Grants to Assist Arrests.

FUND ALLOCATION

The primary funding sources for the department are the general fund (56%) and the self-insurance fund (41%). The remaining 3% of funding is derived from the federal, state or other grant funds. The 2009 general fund budget for the department increases by 10.7%, the self-insurance fund budget increases by 5.0%, and the special revenue fund budget increases by 31.1%.

ORIGINAL BUDGET

The Mayor recommended \$280,000 in additional funding to add 2 criminal manager positions in 2009. The Mayor also recommended the addition of a litigation manager position in 2010. No reductions to growth were required from this department. The Council included \$140,000 in one-time money in 2009 for increased costs of workhouse billing. The Council did not approve the Mayor's recommendation of a litigation manager position, and directed the City Attorney to delete the position authority for the Litigation Manager position in 2010 and reallocate the funding for the position to ongoing resources for workhouse billing. Additionally, the Council increased funding by \$75,000 on a one-time basis for a youth prostitution prevention pilot program.

MAYOR'S REVISED BUDGET

The Mayor recommended a reduction of \$330,000. This reduction may be temporarily offset by the receipt of federal Byrne grant resources in 2009 and 2010.

The Mayor directed the Attorney's Office, Finance, and Police to explore the feasibility of implementing other collection processes including administrative citations for the 2010 budget. To the extent possible, implementation should begin in 2009.

COUNCIL REVISED BUDGET

The Council concurs with the Mayor's recommendations.

The Council further directs Public Works to decrease the revenue budget by \$850,000 to reflect removal of the street light fee implementation in 2009. Public Works is to decrease the proposed expenditure appropriation by \$850,000. To offset this \$850,000 reduction, the following one-time funding allocations are to be eliminated:

- CPED: \$100,000 for the promotion of the City goal of Connected Communities by advancing the project of reopening of Nicollet Avenue at Lake Street (BR112)
- Capital project: \$250,000 for the Hiawatha LRT Signal Improvements project (TR019)
- Attorney: \$75,000 for a youth prostitution prevention pilot program
- Regulatory Services: \$25,000 for contract spay and neuter services
- Public Works: \$400,000 for ballpark area pedestrian improvements

The budget for this department includes a reduction of BIS charges of \$31,500 due to the Council's actions to reduce the BIS budget by \$725,000. This reduction in BIS charges will subsequently reduce the department's appropriation by the same amount. Backing out this reduction in charges, the 2009 supplemental budget for Attorney is \$13.5 million, a 5% increase over the 2008 Adopted budget.

RESULTS IMPLICATIONS

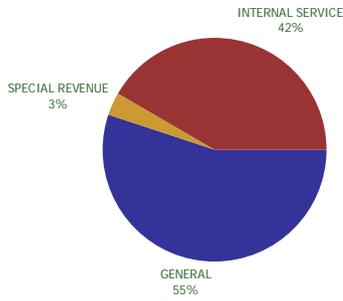
The department anticipates it can absorb the Council's revised cuts while minimizing impacts to its core services.

ATTORNEY EXPENSE AND REVENUE INFORMATION

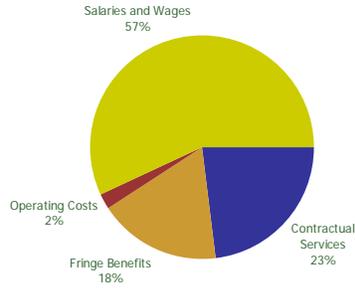
EXPENSE	2006 Actual	2007 Actual	2008 Adopted Budget	2009 Revised Budget	Percent Change	Change
GENERAL						
Salaries and Wages	3,262,295	3,473,419	3,743,719	3,873,965	3.5%	130,246
Fringe Benefits	787,374	915,203	1,116,741	1,192,752	6.8%	76,011
Contractual Services	1,627,026	1,613,958	2,052,437	2,177,393	6.1%	124,956
Operating Costs	223,208	159,470	182,027	183,266	0.7%	1,239
TOTAL GENERAL	5,899,903	6,162,050	7,094,924	7,427,376	4.7%	332,452
SPECIAL REVENUE						
Salaries and Wages	295,278	274,407	272,689	339,306	24.4%	66,617
Fringe Benefits	62,049	66,078	69,027	108,662	57.4%	39,635
TOTAL SPECIAL REVENUE	357,327	340,485	341,716	447,968	31.1%	106,252
INTERNAL SERVICE						
Salaries and Wages	3,060,948	3,477,161	3,435,285	3,467,670	0.9%	32,385
Fringe Benefits	743,184	795,363	1,004,867	1,097,047	9.2%	92,180
Contractual Services	863,493	997,788	787,591	918,060	16.6%	130,469
Operating Costs	188,016	133,722	136,650	140,476	2.8%	3,826
TOTAL INTERNAL SERVICE	4,855,641	5,404,034	5,364,393	5,623,253	4.8%	258,860
TOTAL EXPENSE	11,112,871	11,906,569	12,801,033	13,498,598	5.4%	697,565

REVENUE	2006 Actual	2007 Actual	2008 Adopted Budget	2009 Revised Budget	Percent Change	Change
GENERAL						
Charges for Service	15,274	9,603	17,000	17,000	0.0%	0
Other Misc Revenues	1,202	48	3,000	3,000	0.0%	0
TOTAL GENERAL	16,476	9,651	20,000	20,000	0.0%	0
SPECIAL REVENUE						
Federal Government	49,258	309,418	0	0	0.0%	0
TOTAL SPECIAL REVENUE	49,258	309,418	0	0	0.0%	0
INTERNAL SERVICE						
Charges for Service	39,785	1,506	20,000	20,000	0.0%	0
Other Misc Revenues	3,883	10,357	10,000	10,000	0.0%	0
TOTAL INTERNAL SERVICE	43,668	11,863	30,000	30,000	0.0%	0
TOTAL REVENUE	109,402	330,931	50,000	50,000	0.0%	0

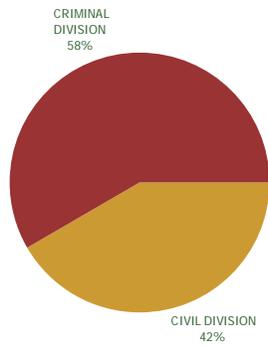
Expense by Fund, 2009 Revised Budget



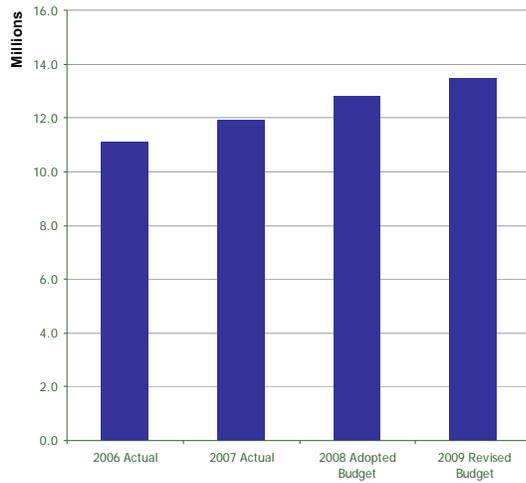
Expense by Category, 2009 Revised Budget



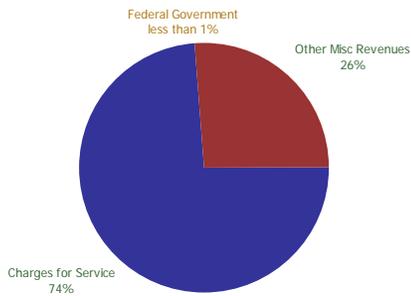
Expense by Division, 2009 Revised Budget



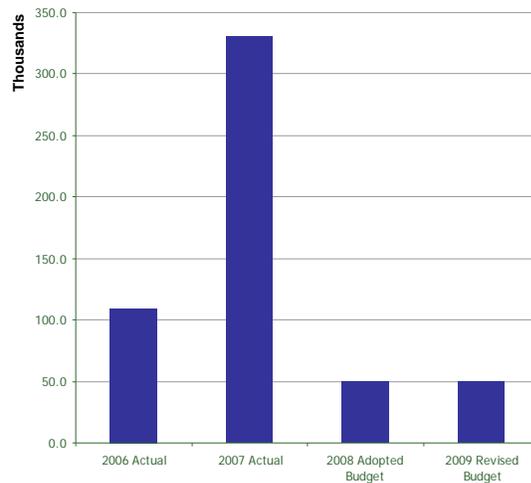
Expense 2006 - 2009



Direct Revenue by Type, 2009 Revised Budget



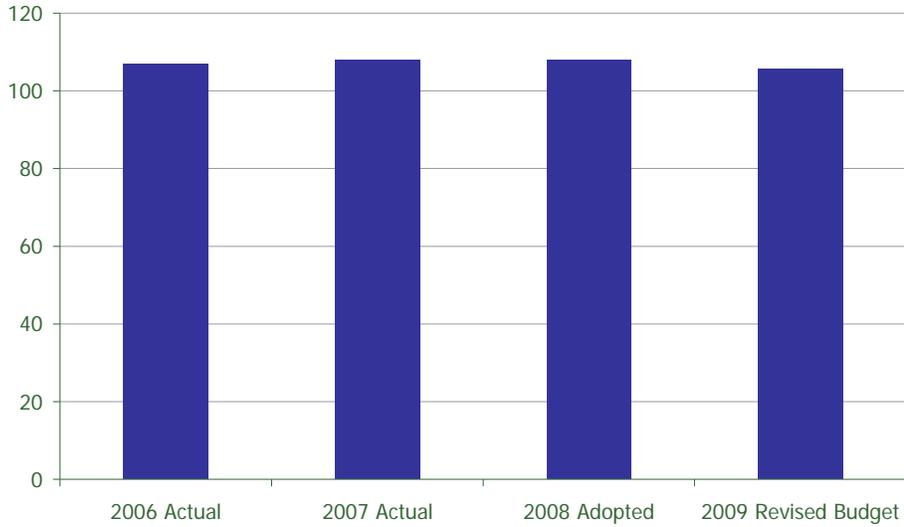
Revenue 2006 - 2009



ATTORNEY Staffing Information

Expense	2006 Actual	2007 Actual	2008 Adopted	2009 Revised	% Change	Change
CIVIL DIVISION	45	45	45	45	-1.1%	(1)
CRIMINAL DIVISION	62	63	63	61	-3.2%	(2)
TOTAL	107	108	108	106	-2.3%	(3)

Positions 2006-2009



Positions by Division, 2009 Revised Budget

