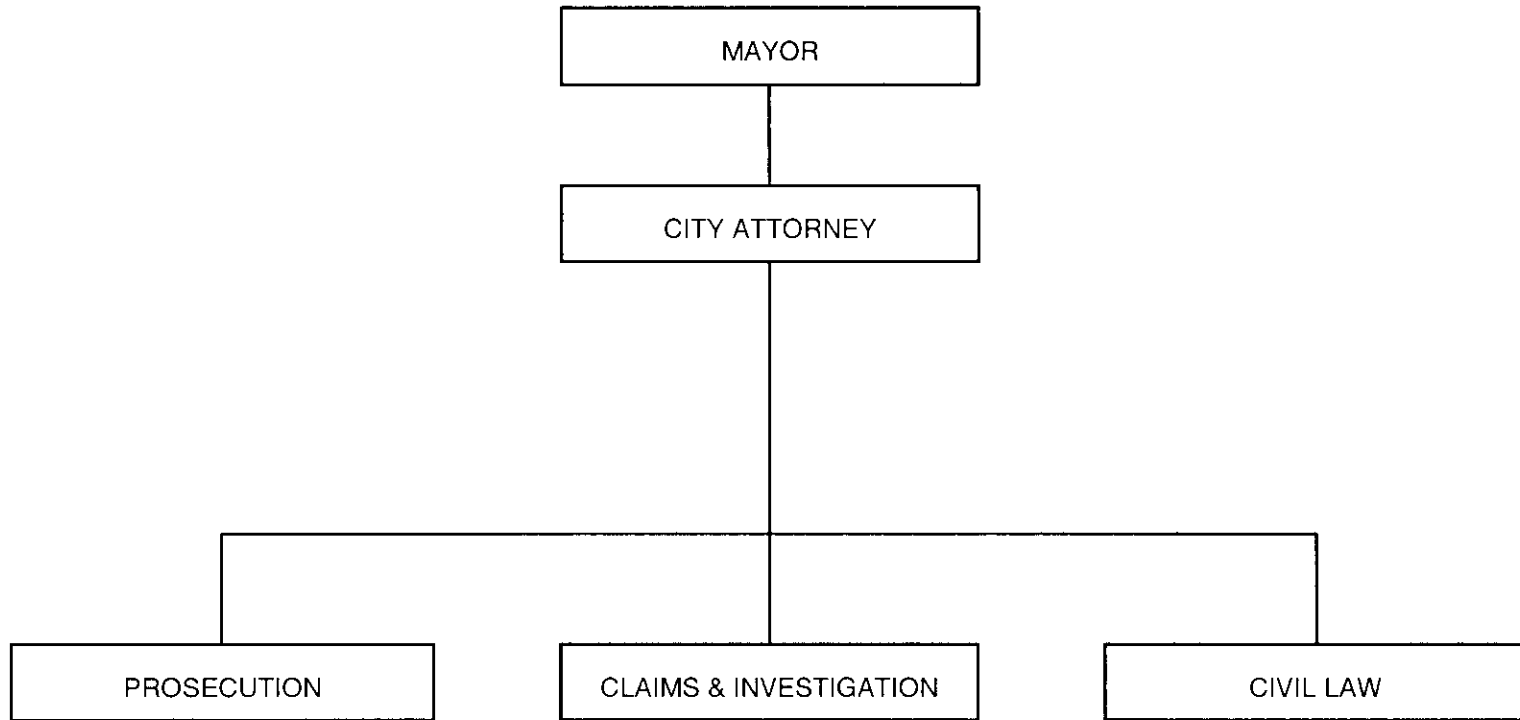


**LAW DEPARTMENT**



# **City of Omaha Law Department**

## **Mission Statement**

The Law Department serves the Mayor, the City Council and all City departments. It advises the Mayor and Council on legal matters and represents the City in litigation. The Law Department is responsible for drafting ordinances, contracts, franchises and other documents. In addition, it conducts outside investigations and handles all matters of claims or complaints against the City and prosecutes all violations designated as misdemeanors or traffic infractions.

## **Goals and Objectives**

1. To continue to provide outstanding service to the City of Omaha.
2. To improve productivity through the modernization and computerization of procedures and practices.
3. To continue reducing the number of pending cases.

**City of Omaha**  
**2011 Law Department Budget**  
**Appropriated Summary**

By Organization	Positions		Funding		
	2010	2011	2010 Appropriated	2011 Recommended	2011 Appropriated
Civil Law			1,904,656	1,738,749	-
Claims & Investigation			191,022	158,219	-
Prosecution			1,638,602	1,847,787	-
<b>Total</b>	<u>39</u>	<u>37</u>	<u>3,734,280</u>	<u>3,744,755</u>	<u>-</u>
<b>By Expenditures Category</b>					
Employee Compensation			3,505,270	3,513,955	-
Non-Personal Services			229,010	230,800	-
<b>Total</b>			<u>3,734,280</u>	<u>3,744,755</u>	<u>-</u>
<b>By Source of Funds</b>					
General			3,638,730	3,649,205	-
Sewer Revenue			70,550	70,550	-
Omaha Convention Hotel Fund			25,000	25,000	-
<b>Total</b>			<u>3,734,280</u>	<u>3,744,755</u>	<u>-</u>

## Expenditure Summary by Organization

Department	Law		
Division	Law	Department No	104000

	Comparative Budget Appropriations			
Organization Description and Major Object Summary	2009 Expended	2010 Appropriated	2011 Recommended	2011 Appropriated

### Civil Law 104011

Members of the Law Department advise the Mayor and the City Council on legal matters, represent the City in litigations, provide written legal opinions on official matters when requested to do so by the Mayor, City Council or other City Officials; draft and review ordinances, contracts, resolutions and other documents for legal correctness; and perform such other duties as assigned by the Mayor or the City Council.

The 2011 equipment of \$4,500 is for office equipment and furniture.

Employee Compensation	1,442,529	1,718,196	1,563,849	-
Non-Personal Services	107,674	186,460	174,900	-
<b>Organization Total</b>	<b>1,550,203</b>	<b>1,904,656</b>	<b>1,738,749</b>	-

### Claims & Investigation 104012

The Law Department routinely handles all claims filed against the City, its employees or agents where there is potential liability. This activity includes locating and interviewing witnesses, taking photographs, seeking out evidence, taking statements, and generally providing support assistance in litigation. Other activities include conducting internal investigations and other special investigations as administratively assigned by the Mayor or City Council.

Employee Compensation	203,333	190,472	155,319	-
Non-Personal Services	2,164	550	2,900	-
<b>Organization Total</b>	<b>205,497</b>	<b>191,022</b>	<b>158,219</b>	-

### Prosecution 104013

Members of the Law Department prosecute all violations designated as misdemeanors or traffic infractions. Additionally, they interview, investigate and issue private warrants, handle all appeals of municipal convictions to the District Court, enforce provisions of the City Code, advise the Police Department on search and seizure, and handle appeals on issues of law to the District and State Supreme Court.

Employee Compensation	1,516,723	1,596,602	1,794,787	-
Non-Personal Services	28,607	42,000	53,000	-
<b>Organization Total</b>	<b>1,545,330</b>	<b>1,638,602</b>	<b>1,847,787</b>	-

<b>Department Total</b>	<b>3,301,030</b>	<b>3,734,280</b>	<b>3,744,755</b>	-
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## Performance Summary By Division

Department	Law		
Division	Law	Department No	104000
<b>Performance Measures</b>		<b>2009 Actual</b>	<b>2010 Planned</b>
			<b>2011 Goal</b>
% of Class I, Routine Claims, Answered Within 30 Days		54%	90%
% of Class II, Non-Routine Claims, Answered Within 60 Days		49%	90%
% of Log book Assignments Answered within 15 days		82%	85%
% of Log Book Assignments Answered within 30 days		90%	100%
% of Medical Answered 20 Days of Receipt of Report		95%	100%
*Target Cities: Overland Park, KS; Milwaukee, WI and Minneapolis, MN			
Maintain Current Case-to-Prosecutor Ratios at or Above Target Cities*		2,500 to 1	2,500 to 1
			2,500 to 1
<b>Program Outputs</b>		<b>2009 Actual</b>	<b>2010 Planned</b>
			<b>2011 Goal</b>
Civil Active Cases		241	175
Civil Cases Closed		86	150
Civil New Lawsuits		141	120
Claims Against City - Non Litigated		444	500
Claims by City - Non Litigated		168	150
Litigated Judgments Against City		\$140,445	750,000
Litigation Settlements paid by City		\$559,744	750,000
Paid in Claims Against City		\$549,218	500,000
Prosecution Complaints Handled		33,000	45,000
Recovered in Claims by City		\$232,164	160,000
Requests Made by Other City Departments		248	300

## Division Summary of Personal Services

Department	Law						Department No 104000		
Division	Law								
		Comparative Budget Appropriations							
Class Title	Pay Range	2009 Actual	2010 Auth.	2011 Recommended		2011 Appropriated			
Dep City Attorney	ATTY3	4	4	4	530,812	-	-		
Senior Attorney	ATTY2	7	8	8	783,639	-	-		
Attorney	ATTY1	8	10	9	617,717	-	-		
City Attorney	39 AEC	1	1	1	167,582	-	-		
Paralegal Assistant	13 AEC	1	1	1	54,573	-	-		
Executive Secretary - Law	SEC1	1	1	1	49,596	-	-		
Legal Investigator	18.2 MC	-	1	1	56,843	-	-		
Administrative Assistant III	14FC	4	5	4	186,118	-	-		
Senior Administrative Clerk	11FC	-	1	1	33,717	-	-		
Administrative Clerk	9FC	5	7	7	228,730	-	-		
Part-Time and Seasonal					72,447		-		
Longevity					15,125		-		
Attrition					(131,933)		-		
Reimbursements					(50,000)		-		
Interdepartmental Charge					(74,583)		-		
<b>Department Total</b>		<b>31</b>	<b>39</b>	<b>37</b>	<b>2,540,382</b>	<b>-</b>	<b>-</b>		

**Explanatory Comments:**

The 2011 complement was decreased by two positions from the 2010 authorized. An Attorney in Prosecution and an Administrative Assistant III from Civil Law were removed.

The Law Department receives a grant from the Omaha Safety Council.

The Interdepartmental Charge is for the Police Department for the provision of one attorney to schedule and monitor police court scheduling and attendance to minimize court time costs.

## Division Summary of Major Object Expenditures

Department	Law				
Division	Law	Department No 104000			
		Comparative Budget Appropriations			
Major Object Expenditures	2009 Expended	2010 Appropriated	2011 Recommended	2011 Appropriated	
<b>Employee Earnings</b>					
Classified Regular	2,296,582	2,622,933	2,634,743	-	
Part-Time and Seasonal	170,242	21,671	72,447	-	
Overtime	11,617	-	-	-	
Longevity	12,091	13,291	15,125	-	
Attrition	-	-	(131,933)	-	
Reimbursements	(45,543)	(50,000)	(50,000)	-	
<b>Total Employee Earnings</b>	<b>2,444,989</b>	<b>2,607,895</b>	<b>2,540,382</b>	<b>-</b>	
<b>Employee Benefits</b>					
FICA	176,917	191,395	203,493	-	
Pension	220,561	291,597	305,022	-	
Insurance	363,050	436,450	498,390	-	
Reimbursements	(42,932)	(22,067)	(33,332)	-	
<b>Total Employee Benefits</b>	<b>717,596</b>	<b>897,375</b>	<b>973,573</b>	<b>-</b>	
<b>Total Employee Compensation</b>	<b>3,162,585</b>	<b>3,505,270</b>	<b>3,513,955</b>	<b>-</b>	
<b>Non-Personal Services</b>					
Purchased Services	66,009	117,110	113,600	-	
Supplies	71,585	106,400	112,700	-	
Equipment	851	9,000	4,500	-	
Reimbursements	-	(3,500)	-	-	
<b>Total Non-Personal Services</b>	<b>138,445</b>	<b>229,010</b>	<b>230,800</b>	<b>-</b>	
<b>Capital</b>					
	-	-	-	-	
<b>Total Capital</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Department Total</b>	<b>3,301,030</b>	<b>3,734,280</b>	<b>3,744,755</b>	<b>-</b>	
<b>Source of Funds:</b>					
General (Ref. B-1)	3,205,480	3,638,730	3,649,205	-	
Sewer Revenue (Ref. B-39-1)	70,550	70,550	70,550	-	
Omaha Convention Hotel Fund (Ref. B-48)	25,000	25,000	25,000	-	
	<b>3,301,030</b>	<b>3,734,280</b>	<b>3,744,755</b>	<b>-</b>	

