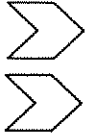


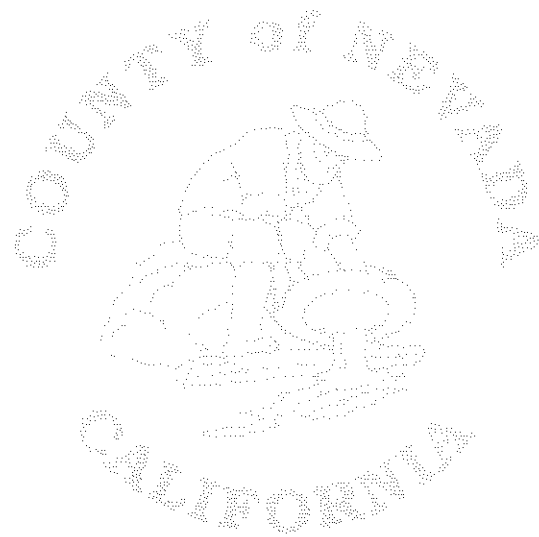
COUNTY COUNSEL
Robert Shulman, County Counsel



Legal Counsel (10301) \$ 1,071,660

Total \$ 1,071,660





County Counsel Summary

	<u>06/07</u> <u>Actual</u>	<u>07/08</u> <u>Adopted</u>	<u>07/08</u> <u>Estimated</u>	<u>08/09</u> <u>Proposed</u>	<u>08/09</u> <u>Adopted</u>	<u>% Change</u> <u>From Prior</u> <u>Adopted</u>
Revenues						
Taxes	-	-	-	-	-	NA
Licenses, Permits & Franchises	-	-	-	-	-	NA
Fines, Forfeitures, & Penalties	-	-	-	-	-	NA
Use of Money & Property	-	-	-	-	-	NA
Federal/State Intergovernmental	-	-	-	-	-	NA
Charges for Services	94,648	46,000	46,500	30,625	30,625	-33.4%
Miscellaneous Revenues	2,144	-	4	-	-	NA
Other Financing Sources	-	-	-	-	-	NA
General Fund Transfers	-	-	-	-	-	NA
General Fund Allocation	845,811	915,652	842,056	1,041,035	1,041,035	13.7%
Total Revenues	942,603	961,652	888,560	1,071,660	1,071,660	11%
Expenses						
Salaries & Benefits	991,345	1,065,558	999,094	1,185,084	1,185,084	11.2%
Services & Supplies	80,466	95,537	88,909	95,318	95,318	-0.2%
Other Charges	-	-	-	-	-	NA
Overhead Cost Allocation (A87)	-	-	-	-	-	NA
Capital Assets	-	-	-	-	-	NA
Other Financing Uses	-	-	-	-	-	NA
Interfund Activity	(129,208)	(199,443)	(199,443)	(208,742)	(208,742)	4.7%
Contingency	-	-	-	-	-	NA
Total Expenses	942,603	961,652	888,560	1,071,660	1,071,660	11%
Fund Balance Added (Used)	-	-	-	-	-	
Staffing:	8.30	8.30	8.30	8.30	8.30	

	June 30, 2008 Projected Fund Balance	FY 08/09 Revenue	FY 08/09 Expense	FY 08/09 Net Change	June 30, 2009 Projected Fund Balance
General Fund	Fund # 0101 *	1,071,660	1,071,660	-	*
		1,071,660	1,071,660	-	

* See General Fund Balance and Reserves in Section 1 for the FY 2008-09 General Fund analysis.



Legal Counsel

Mission Statement:

The mission of the County Counsel's Office is to provide high quality legal services to the Board of Supervisors, County Executive Officer, and other County departments, as well as Supervisor-governed districts.

Service Description:

The County Counsel's Office renders legal services to the Board of Supervisors, all County departments, and a few special districts. In addition, subject to direction from the Board of Supervisors, the County Counsel's Office defends lawsuits brought against the County and initiates lawsuits on behalf of the County.

The services provided typically include: civil litigation (including coordination with other counties having similar lawsuits), County contracting problems, Human Services Agency programs, Human Resource Department personnel matters, Sheriff's Department services, Community Development Agency programs and issues, road and transportation issues, constituent referrals from members of the Board of Supervisors, tax collection and bankruptcy matters, County-dependent special districts, and a variety of other legal issues.

Major Accomplishments in 2007-08:

- Provided effective advice during the transition in the Office of Clerk-Recorder, especially as regards election matters.
- Uncovered financial irregularities by an employee entrusted to manage conservatees' funds, and assisted in the successful prosecution.
- Performed a variety of tasks for the County Sanitation District No. 1 regarding construction projects in three zones.
- Assisted the Airport in renewing permits and leases, including ground leasing of Lot 5.
- Successfully defended a lawsuit arising from a conveyance of land between private parties, who alleged County error in parcel division.
- Assisted CDA and Planning in a variety of projects, including: zoning code revision; sign ordinance; CDA-DOTS reorganization; DFEH

complaint on second unit restrictions; and the Deer Creek Park II subdivision.

- Achieved level of assignment intake and completion (74 per month) as forecasted in the 07-08 Budget.

Objectives & Performance Measures for 2008-09:

Objective: To ensure attorney responsiveness and effective problem solving in the delivery of legal services.

Performance Measures:

- Attorney participation in Administration, Agenda Review, the Contracts and Insurance Forum, the Risk Management Committee, the Wildwood Estates Workout, the Court Facilities Transfers Group, the Law Library Trustees, and others.
- Cross-training of attorneys for dependable back-up in all areas of legal practice when the primary attorney is unavailable, achieving 90% coverage within 48 hours.
- Procedure for legal assignment tracking, turnaround and completion within 48 hours in most situations, unless time extensions are arranged.
- Follow up on any complaints about the quality of work or the time of service, and hold staff accountable for correction and future prevention.
- Measure calendar year intake and completion of assignments. Consistent trend over the past four years at 65-75 per month. 2007 averaged 74 per month. Expect 75 per month in 2008.

Objective: To increase effective use of office technology in legal document handling, legal research, and as applied in county administration.

Performance Measures:

- Document frequent training by staff in Word, Excel, E-works, DocuShare, and Infonet.
- Continue to emphasize attorney and staff training in legal research through Lexis-Nexis, Coconet, and Shared Legal Resources ("SLRS").
- Consistent attendance by all staff at the county's in-house training sessions conducted by IGS and HR.



Legal Counsel

- Hold monthly office meetings at which information is shared from departmental and Board workshops, especially pertaining to technology advances that are here, or are coming, or need initiation through the COI process.

Objective: Management of private property held in decedents' estates by the County through intervention by two offices: Public Administrator/Coroner (I), and Public Guardian - (II). Such management, with legal assistance, should meet the highest standards of fiduciary conduct, and can result in substantial court-awarded revenue.

Performance Measures:

- For (I and II), timely search for heirs, assets and debts; preservation of assets, including animals; acceptance/rejection of creditor's claims, valuation and sale of inventory, and tax filing (current and past individual income tax).
- For (I), timely (100% of the time) tax returns for post-death estate income, and--for sizeable estates--the Estate Tax 706 return.
- For (I), cost-effective (preserving 90%+ of assets) handling of lawsuits arising before death and after death, usually involving contracts or personal injury.
- For (II), resolution of disputes (3-4 per year) involving rent, eviction, foreclosure; petitions for removal of errant trustees; and, establishment of Special Needs Trusts with removal of property from prior trust.
- Recovery of court-ordered fees for County departments and attorney time should be accurate and timely received; and for (I), after the assets are marshaled, the debts/taxes paid, and the estate is ready to distribute; and for (II), at the time of accounting for an LPS conservatorship, and biennially for a probate conservatorship.

Objective: Initiate staffing changes in the coverage of CDA, Planning, and the Planning Commission by introduction of a new deputy and two-year deputy, with transitional oversight and mentoring by the County Counsel and Assistant County Counsel.

Performance Measures:

- By July 1, 2008, notify the Planning Commission and Planning Dept. of new

assignment of legal counsel, with County Counsel and two deputies sharing the workload.

- Provide in-house training in land use law and CEQA, with documentation of monthly assignments running from June 2008 through February 2009.
- By January 30, 2009, notify the Planning Comm. and Planning Dept. of a new assignment of legal counsel to one deputy county counsel.
- Convene quarterly meetings in FY 08-09 with CDA staff, in order to assess the effectiveness of legal representation to the Planning Department and other CDA departments.
- Convene quarterly meetings in FY 08-09 between the Chair of the Planning Commission and the County Counsel in order to ensure the effectiveness of transitional legal services to the Commission.

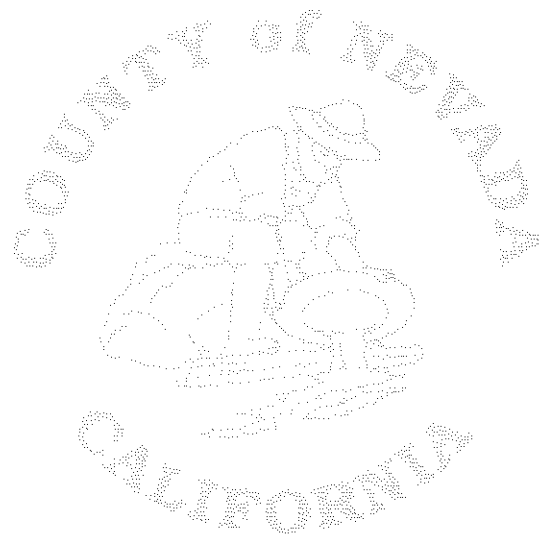
Objective: Strengthen the in-house capacity for litigation and defense of injury and damage claims against the County.

Performance Measures:

- By June 2008, form a Litigation Working Group ("LWG") consisting of three attorneys and a legal secretary.
- By November 2008 the LWG will establish written litigation procedures for the Office, including initial and periodic notification to Board of Supervisors.
- From July 2008 through March 2009, the LWG will undergo in-house training with documented assignments covering case defense strategy and budgeting, case file organization, document production, holding depositions, and pre-trial and trial practice.
- In May of 2009, a report will be issued detailing the results, cost-effective or not, obtained in each case handled in FY 08-09.

Service Budget Unit Code	- 10301
Office/Department	- County Counsel
Major Service Area	- General Government/County Counsel





Legal Counsel (10301)

	06/07 <u>Actual</u>	07/08 <u>Adopted</u>	07/08 <u>Estimated</u>	08/09 <u>Proposed</u>	08/09 <u>Adopted</u>	% Change From Prior <u>Adopted</u>
Revenues						
Taxes	-	-	-	-	-	NA
Licenses, Permits & Franchises	-	-	-	-	-	NA
Fines, Forfeitures, & Penalties	-	-	-	-	-	NA
Use of Money & Property	-	-	-	-	-	NA
Federal/State Intergovernmental	-	-	-	-	-	NA
Charges for Services	94,648	46,000	46,500	30,625	30,625	-33.4%
Miscellaneous Revenues	2,144	-	4	-	-	NA
Other Financing Sources	-	-	-	-	-	NA
General Fund Transfers	-	-	-	-	-	NA
General Fund Allocation	845,811	915,652	842,056	1,041,035	1,041,035	13.7%
Total Revenues	942,603	961,652	888,560	1,071,660	1,071,660	11%
Expenses						
Salaries & Benefits	991,345	1,065,558	999,094	1,185,084	1,185,084	11.2%
Services & Supplies	80,466	95,537	88,909	95,318	95,318	-0.2%
Other Charges	-	-	-	-	-	NA
Overhead Cost Allocation (A87)	-	-	-	-	-	NA
Capital Assets	-	-	-	-	-	NA
Other Financing Uses	-	-	-	-	-	NA
Interfund Activity	(129,208)	(199,443)	(199,443)	(208,742)	(208,742)	NA
Contingency	-	-	-	-	-	NA
Total Expenses	942,603	961,652	888,560	1,071,660	1,071,660	11%
Fund Balance Added (Used)	-	-	-	-	-	
Staffing:	8.30	8.30	8.30	8.30	8.30	
2008-09 Fund Analysis:						
					Fund Balance	
		Revenues	Expenses		Added (Used)	
General Fund	Fund # 0101	1,071,660	1,071,660		-	
		1,071,660	1,071,660		-	

Comments/Analysis of Differences:

Public Hearing Comments:

Adopted as proposed.



