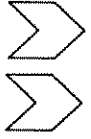


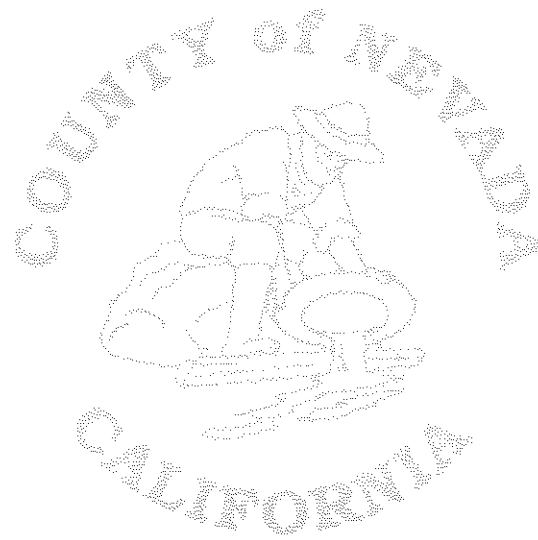
**COUNTY COUNSEL**  
Robert Shulman, County Counsel



Legal Counsel (10301) \$ 961,652

**Total** \$ 961,652





## County Counsel Summary

	<u>05/06</u> <u>Actual</u>	<u>06/07</u> <u>Adopted</u>	<u>06/07</u> <u>Estimated</u>	<u>07/08</u> <u>Proposed</u>	<u>07/08</u> <u>Adopted</u>	<u>% Change</u> <u>From Prior</u> <u>Adopted</u>
<i>Revenues</i>						
Taxes	-	-	-	-	-	NA
Licenses, Permits & Franchises	-	-	-	-	-	NA
Fines, Forfeitures, & Penalties	-	-	-	-	-	NA
Use of Money & Property	-	-	-	-	-	NA
Federal/State Intergovernmental	-	-	-	-	-	NA
Charges for Services	16,224	38,000	80,000	46,000	46,000	21.1%
Miscellaneous Revenues	827	-	-	-	-	NA
Other Financing Sources	-	-	-	-	-	NA
General Fund Transfers	-	-	-	-	-	NA
General Fund Allocation	857,721	891,729	813,169	915,652	915,652	2.7%
<b>Total Revenues</b>	<b>874,772</b>	<b>929,729</b>	<b>893,169</b>	<b>961,652</b>	<b>961,652</b>	<b>3%</b>
<i>Expenses</i>						
Salaries & Benefits	984,671	1,051,733	1,014,694	1,065,558	1,065,558	1.3%
Services & Supplies	78,884	95,824	88,475	95,537	95,537	-0.3%
Other Charges	-	-	-	-	-	NA
Overhead Cost Allocation (A87)	-	-	-	-	-	NA
Capital Assets	-	-	-	-	-	NA
Other Financing Uses	-	-	-	-	-	NA
Interfund Activity	(188,783)	(217,828)	(210,000)	(199,443)	(199,443)	-8.4%
Contingency	-	-	-	-	-	NA
<b>Total Expenses</b>	<b>874,772</b>	<b>929,729</b>	<b>893,169</b>	<b>961,652</b>	<b>961,652</b>	<b>3%</b>
<b>Fund Balance Added (Used)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Staffing:</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	

		June 30, 2007 Projected Fund Balance	FY 07/08 Revenue	FY 07/08 Expense	FY 07/08 Net Change	June 30, 2008 Projected Fund Balance
General Fund	Fund #0101	*	961,652	961,652	-	*
		<b>961,652</b>		<b>961,652</b>	<b>-</b>	

\* See General Fund Balance and Reserves in Section 1 for the FY 2007-08 General Fund analysis.



# Legal Counsel

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## 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 2006-07:

- Comprehensive on-line availability of the County Sanitation District No. 1 Code, including drawings.
- Obtained judicial decisions with favorable results in three significant litigated cases, in Nevada Superior Court, the Third District Court of Appeal, and U.S. District Court-E.D.
- Provided effective legal services to Sheriff's Office helping to prevent County liability; also represented Sheriff as Public Administrator in two complex cases in Nevada Superior Court.
- Consistent guidance on various road-related issues, particularly the public/private issues, and worked on the successful Thoroughbred Loop assessment and paving project.
- Worked closely with IGS and HSA to overcome a software contract problem as to Medi-Cal billings, and minimized service disruption and cost.

- Provided effective legal services to County Sanitation District No. 1, especially for Zone 2 (EDU reservation by public entities) and Zone 8 (strategic advice on bidding procedures).

## Objectives & Performance Measures for 2007-08:

### Objective:

Ensure efficiency and effectiveness in legal services delivery and dispute prevention

### Performance Measures:

- Regular provision of legal guidance in the County's Contracts and Insurance Forum, allowing departmental representatives to share problems and solutions.
- Cross-train attorneys so that there is continual back-up in areas of legal specialization, and also to minimize time delays to less than 3 days when the primary attorney is unavailable.
- Assignment turnaround and completion by attorneys should be done within 48 hours, with 80% of items, unless further time arrangements or extensions are made with the client.
- Monitor and seek accountability for any complaints or other feedback about the quality or time of service.
- Closely monitor outstanding assignments to ensure that none fall through the cracks. Intake of assignments has consistently fluctuated over the past three years at 60-75 per month, with 2006 averaging 71 per month. Expect to handle, on average, 72 per month in 2007-08.

### Objective:

Increase use of office technology through training in software use and in research and information-sharing websites.

### Performance Measures:

- Encourage frequency of training by clerical staff in Excel, E-works, Docushare, and Infonet.
- Continue to emphasize attorney and staff training in Word and Lexis-Nexis.
- Require periodic attendance by all staff at the IGS training sessions.
- Encourage regular visits to the statewide website for county counsels, and its shared legal resources archive.



## Legal Counsel

- Use information from department head meetings to alert staff to opportunities flowing from information technology.

### 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:
  - 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:

Provide proactive legal representation to the County Sanitation District No. 1 as concerns the upgrade, expansion, and/or replacement of wastewater treatment plants in Zones 1, 2, 6, and 8.

### Performance Measures:

- Communicate with District staff and advocacy team as to legislative relief efforts, including identification of allies and sharing of legal information with counsel from other jurisdictions needing relief.

- Mentor and train a deputy county counsel who can work directly with the District staff, advocacy team, and governing board.
- Precautionary investigation into potential problem areas involving zone-specific legal counsel, recovery of monies loaned by the County, enforcement proceedings by state attorney general, and, if warranted, bankruptcy protection from creditors.
- Research and advise District staff on a range of relevant topics including environmental and land use issues, financing, zone accounting, insurance through CSAC-EIA, contracting, construction, Prop. 218 rate-setting procedures, and finally, compliance and appeal procedures of the Central Valley Regional Water Quality Control Board.

### Objective:

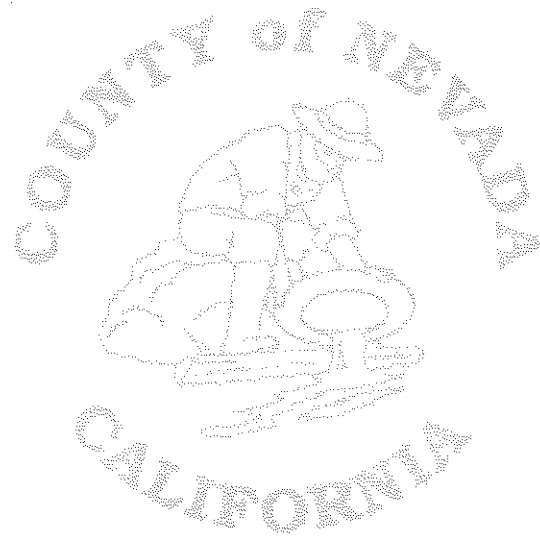
Provide proactive, high quality legal assistance to the County elections process.

### Performance Measures:

- Ensure that a deputy county counsel is assigned to elections with a high degree of training and experience in the subject, and related subjects such as contracts, Government Code, and Education Code.
- Provide consistent legal guidance on the continuing effort to finalize a method to allocate costs between the County, schools and special districts.
- Assist in developing procedures and time frames for mailed ballot elections needed by special districts, especially the smaller, County-dependent ones like County Service Areas.
- Give high priority attention to all contracting needs of the elections office, including acquisition of HAVA-compliant equipment

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





## Legal Counsel (10301)

	<u>05/06</u> <u>Actual</u>	<u>06/07</u> <u>Adopted</u>	<u>06/07</u> <u>Estimated</u>	<u>07/08</u> <u>Proposed</u>	<u>07/08</u> <u>Adopted</u>	<u>% Change</u> <u>From Prior</u> <u>Adopted</u>
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<b>Fund Balance Added (Used)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Staffing:</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	<b>8.30</b>	
<b>2007-08 Fund Analysis:</b>						
					Fund Balance	
		Revenues	Expenses		Added (Used)	
General Fund	Fund #0101	961,652	961,652		-	
		<b>961,652</b>	<b>961,652</b>		<b>-</b>	

### Comments/Analysis of Differences:

Recommended as submitted.

### Public Hearing Comments:

Approved as proposed.



