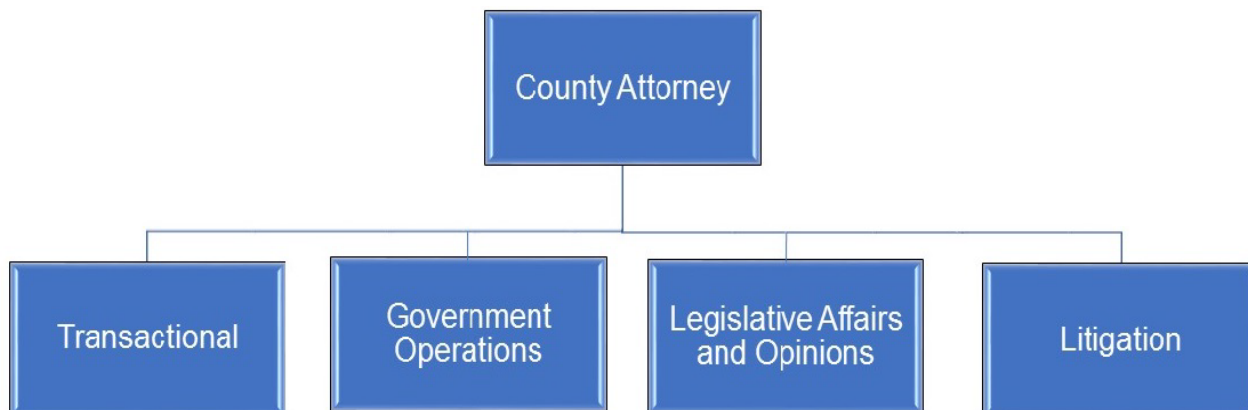


# Office of Law



## MISSION AND SERVICES

The Office of Law (OOL) provides legal services to the County Executive, the County Council and County agencies, boards and commissions to help ensure that County government is operating in a lawful manner.

### CORE SERVICES

- Represents the County in all civil actions before federal/State/local courts and administrative bodies
- Drafts legislative and transactional documents
- Provides legal advice to County government officials and employees

### FY 2024 KEY ACCOMPLISHMENTS

- Commenced use of new case management system.
- Assisted with the due diligence and operator contract for the proposed fieldhouse (to house sports and recreational activities) as a part of the Blue Line Corridor in Largo.
- Negotiated a memorandum of understanding between the County and the Maryland Stadium Authority in support of the Blue Line Corridor project.
- Assisted with the modernization and update of the County’s administrative procedures.
- Transitioned to a new hearing board system for law enforcement purposes.

### STRATEGIC FOCUS AND INITIATIVES FOR FY 2025

The office’s top priorities in FY 2025 are:

- Fill vacancies and increase retention, implement anticipated completion of attorney classification study and continue to work with the Office of Human Resources Management (OHRM) regarding overall classification study as it relates to OOL positions.
- Improve legal services for transaction services by increasing internal litigation assistance.
- Provide legal services for major economic development issues, including the Blue Line Corridor.

- Work efficiently and effectively to provide legal guidance to clients that will help them achieve their operational goals.
- Attempt to reduce the number of adverse decisions resulting from litigation against the County by monitoring cases to identify trends and addressing problems with the applicable agency.

## FY 2025 BUDGET SUMMARY

The FY 2025 proposed budget for the Office of Law is \$5,348,100, a decrease of -\$110,400 or -2.0% below the FY 2024 approved budget.

### Expenditures by Fund Type

Fund Types	FY 2023 Actual		FY 2024 Budget		FY 2024 Estimate		FY 2025 Proposed	
	Amount	% Total	Amount	% Total	Amount	% Total	Amount	% Total
General Fund	\$4,618,007	100.0%	\$5,458,500	100.0%	\$5,454,300	100.0%	\$5,348,100	100.0%
<b>Total</b>	<b>\$4,618,007</b>	<b>100.0%</b>	<b>\$5,458,500</b>	<b>100.0%</b>	<b>\$5,454,300</b>	<b>100.0%</b>	<b>\$5,348,100</b>	<b>100.0%</b>

### Reconciliation from Prior Year

	Expenditures
<b>FY 2024 Approved Budget</b>	<b>\$5,458,500</b>
<b>Increase Cost: Recovery Decrease</b> — Decrease due to a reduction in recoveries from the Maryland Department of Human Services and the risk management fund	\$190,400
<b>Increase Cost: Fringe Benefits</b> — Increase in the fringe benefit rate from 33.0% to 35.0% to align with projected costs	28,000
<b>Increase Cost: Technology Cost Allocation</b> — Increase in OIT charges based on anticipated countywide costs for technology	20,100
<b>Increase Cost: Operating</b> — Increase in legal services contract to support operational needs	12,000
<b>Decrease Cost: Operating</b> — Net operating decrease in printing, mileage, membership fees, court filing and appeal fee to align with historical spending	(60,100)
<b>Decrease Cost: Compensation</b> — Decrease in compensation due to an increase in budgeted attrition offset by the annualization of FY 2024 salary adjustments	(300,800)
<b>FY 2025 Proposed Budget</b>	<b>\$5,348,100</b>

### STAFF AND BUDGET RESOURCES

Authorized Positions	FY 2023 Budget	FY 2024 Budget	FY 2025 Proposed	Change FY24-FY25
<b>General Fund</b>				
Full Time - Civilian	62	64	64	0
Full Time - Sworn	0	0	0	0
Subtotal - FT	62	64	64	0
Part Time	0	0	0	0
Limited Term	0	0	0	0
<b>TOTAL</b>				
Full Time - Civilian	62	64	64	0
Full Time - Sworn	0	0	0	0
Subtotal - FT	62	64	64	0
Part Time	0	0	0	0
Limited Term	0	0	0	0

Positions By Classification	FY 2025		
	Full Time	Part Time	Limited Term
Administrative Assistant	4	0	0
Administrative Aide	10	0	0
Attorney	37	0	0
Clerk Typist	1	0	0
Deputy Director	3	0	0
Director	1	0	0
Executive Administrative Aide	1	0	0
Investigator	1	0	0
Law Clerk	2	0	0
Paralegal	4	0	0
<b>TOTAL</b>	<b>64</b>	<b>0</b>	<b>0</b>

**Expenditures by Category - General Fund**

Category	FY 2023 Actual	FY 2024 Budget	FY 2024 Estimate	FY 2025 Proposed	Change FY24-FY25	
					Amount (\$)	Percent (%)
Compensation	\$5,194,267	\$6,668,300	\$6,117,400	\$6,367,500	\$(300,800)	-4.5%
Fringe Benefits	1,714,590	2,200,600	2,123,400	2,228,600	28,000	1.3%
Operating	533,859	641,800	640,900	613,800	(28,000)	-4.4%
Capital Outlay	—	—	—	—	—	
<b>SubTotal</b>	<b>\$7,442,716</b>	<b>\$9,510,700</b>	<b>\$8,881,700</b>	<b>\$9,209,900</b>	<b>\$(300,800)</b>	<b>-3.2%</b>
Recoveries	(2,824,709)	(4,052,200)	(3,427,400)	(3,861,800)	190,400	-4.7%
<b>Total</b>	<b>\$4,618,007</b>	<b>\$5,458,500</b>	<b>\$5,454,300</b>	<b>\$5,348,100</b>	<b>\$(110,400)</b>	<b>-2.0%</b>

In FY 2025, compensation expenditures decrease -4.5% below the FY 2024 budget primarily due to the annualization of prior year salary adjustments offset by an increase in the budgeted attrition rate to align with historical vacancy trends. The compensation budget includes funding for all 64 full time employees. Fringe benefit expenditures increase 1.3% above the FY 2024 budget to align with a fringe rate adjustment and projected costs.

Operating expenses decrease -4.4% below the FY 2024 budget due to a decrease in printing, mileage, membership fees and the court filing and appeal fee. Funding is provided for legal research and legal services contracts.

Recoveries decrease -4.7% below the FY 2024 budget, primarily due to the reduction in recoveries from the Maryland Department of Human Services and the risk management fund.

## SERVICE DELIVERY PLAN AND PERFORMANCE

**Goal 1** — To provide legal representation and advice to the County Executive, the County Council, and County agencies in order to reduce the County's exposure to legal liability.

**Objective 1.1** — Reduce the amount of payouts resulting from litigation against the County (millions).

FY 2029 Target	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected	Trend
\$8.0	\$11.5	\$11.3	\$10.5	\$10.0	↓

### Trend and Analysis

The payouts referenced below reflect claims not handled by the County's third-party risk management administrator nor employment matters where funding came from the impacted agency/department. The payouts include claims including tort issues, civil rights infringements, and physical injuries and excludes subrogation and forfeiture cases handled by the Office of Law. The total amount of the payouts are affected by a number of things including specific case facts, applicable laws, courtroom factors, and payment timings. In previous years, a small number of cases were increased to the total payout amount.

The Office handled its operations with reduced staff capacity for much of FY 2023. Progress was made to increase staffing in the tort litigation division. Although there is no direct link between the number of attorneys and payouts, lower staff levels make it difficult to effectively manage the cases coming in.

### Performance Measures

Measure Name	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected
<b>Resources (Input)</b>					
Litigation attorneys	7	8	6	8	8
<b>Workload, Demand and Production (Output)</b>					
New lawsuits received	60	74	48	60	60
Lawsuits closed	41	88	82	80	80
Active lawsuits	163	109	95	100	100
Number of new Administrative Hearing cases received	59	110	85	50	65
Maryland Public Information Act (MPIA) requests received	558	112	654	500	500
Department of Social Services (DSS) cases received	164	179	220	235	235
Workers' Compensation cases received	1,660	1,126	796	1,000	1,000
<b>Efficiency</b>					
Active lawsuits per litigation attorney	23	14	15	13	13
New lawsuits per litigation attorney	7	9	8	8	8

**Performance Measures** *(continued)*

Measure Name	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected
<b>Quality</b>					
Lawsuits closed at or below amount of money set aside to pay for lawsuits	98%	21%	30%	50%	55%
<b>Impact (Outcome)</b>					
Payouts resulting from litigation against the County (millions)	\$21.0	\$11.5	\$11.3	\$10.5	\$10.0

**Objective 1.2** — Reduce the average response time to requests for transactional review.

FY 2029 Target	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected	Trend
7	7	7	7	7	↔

**Trend and Analysis**

The timetable for transactional reviews range from three to 10 business days depending on the complexity of the matter and condition of items received. Most requests are completed within that range and are closed by the designated due date, with an average of seven days in FY 2023. The Office receives approximately 1,400-1,700 transactional review requests per fiscal year. The Office expects an increase in reviews as well as an increase in the complexity of assignments given the anticipated creation of a stand-alone Office of Procurement and the need to make improvements to its legal documentation, procedures and regulations. In addition, the Office will be assisting with clarifying and improving some areas in the Department of Permitting, Inspections and Enforcement (DPIE) processing. The Office anticipates there will be an increase in certain areas such as bond review requests as well as requests from the Treasury Office.

In addition, the Office is experiencing an increase in the number of complex matters and regular matters requiring substantial changes prior to approval for legal sufficiency. These will most likely fall outside the statistical periods referenced above. The Office is experiencing staffing challenges which also impact review times. A reduction in the number of attorneys available to handle transactional matters impacts the review times.

**Performance Measures**

Measure Name	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected
<b>Resources (Input)</b>					
Transactional attorneys	7	5	6	6	7
<b>Workload, Demand and Production (Output)</b>					
Transactional related inter-agency trainings conducted	5	1	2	2	3
Transactional review requests received	1,623	1,623	1,360	1,700	1,750
<b>Efficiency</b>					
Transactional reviews per attorney	232	325	227	283	250

**Performance Measures** *(continued)*

Measure Name	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected
<b>Quality</b>					
Transactional documents reviewed on or before due	83%	83%	80%	85%	85%
<b>Impact (Outcome)</b>					
Days to complete requests for transactional review	7	7	7	7	7

**Objective 1.3** — Reduce the average response time for requests for legal opinions (days).

FY 2029 Target	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected	Trend
30	30	30	45	30	↔

**Trend and Analysis**

The response time for legal opinions is estimated to be higher for FY 2024 due to current staffing shortages. In FY 2023 and FY 2024, the Office operated with only two to three attorneys. The standard timetable for fulfilling non-complex requests for legal opinions is 10 to 15 business days, and for formal legal opinions it is 30 days. The complexity of the matter, staffing resources and the number of requests can increase the response time. To note, the sudden increase in outcome measure from seven in 2021 to 30 is driven by a change in how the Office approaches legal opinions. While previously only non-complex issues and their response times were accounted for, now the Office also includes complex issues. The addition of complex issues raised response times.

The data below regarding legislation reflects mostly County Council matters. It does not include General Assembly legislation, or matters that may be reviewed but never submitted to the lawmaking body. The legal opinions data reflected below involves all areas of advice.

**Performance Measures**

Measure Name	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimated	FY 2025 Projected
<b>Resources (Input)</b>					
Legislative attorneys	4	4	3	4	4
<b>Workload, Demand and Production (Output)</b>					
Legislative review requests received	352	205	204	205	205
Legislative related inter-agency trainings conducted	3	1	1	1	2
<b>Efficiency</b>					
Legislative and advice reviews per attorney	56	52	51	51	51
<b>Quality</b>					
Legislative and advice requests reviewed on or before due date	85%	85%	80%	85%	85%
<b>Impact (Outcome)</b>					
Days to complete requests for legal opinions	7	30	30	45	30

