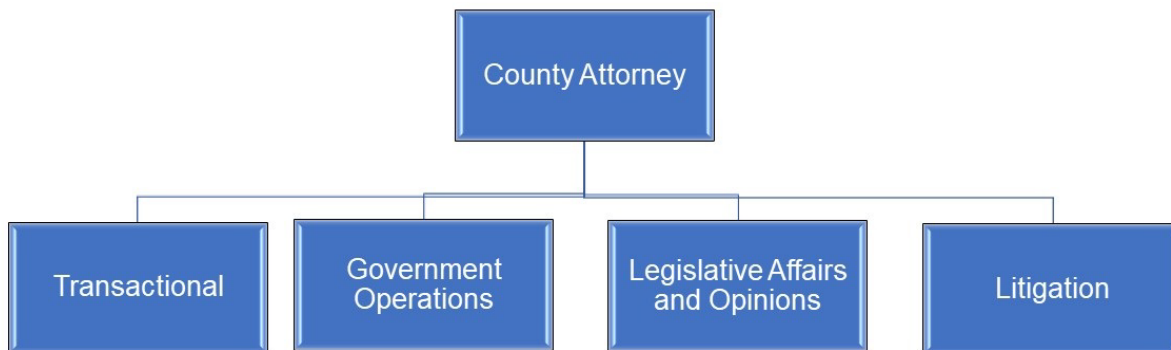


Office of Law



MISSION AND SERVICES

The Office of Law 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 2023 KEY ACCOMPLISHMENTS

- Advised and provided counsel to the Police Reform Workgroup – in which the County Attorney drafted and presented key legislation to implement State Police reform mandates.
- Supported the County in the completion of the Comcast Cable franchise negotiations.
- Developed the Transparency Division to assist agencies in handling public information act requests; and focus on assisting agencies/boards with public meeting compliance and ethics issues.
- Assisted with the re-engineering of the Police Departments officer promotions process.
- Drafted the agreement and provided consultation for the Emergency Rental Assistance Program.

STRATEGIC FOCUS AND INITIATIVES FOR FY 2024

The office’s top priorities in FY 2024 are:

- Fully implement a new case management system.
- Continue to improve efficiency in responding to public information requests.
- Provide efficient and effective legal guidance to clients to help achieve their operational goals.

- Attempt to reduce the amount of adverse decisions resulting from litigation against the County by monitoring cases to identify trends and addressing problems with the applicable agency.

FY 2024 BUDGET SUMMARY

The FY 2024 proposed budget for the Office of Law is \$5,222,400, an increase of \$227,800 or 4.6% above the FY 2023 approved budget.

Expenditures by Fund Type

Fund Types	FY 2022 Actual		FY 2023 Budget		FY 2023 Estimate		FY 2024 Proposed	
	Amount	% Total	Amount	% Total	Amount	% Total	Amount	% Total
General Fund	\$4,140,000	100.0%	\$4,994,600	100.0%	\$4,246,300	100.0%	\$5,222,400	100.0%
Total	\$4,140,000	100.0%	\$4,994,600	100.0%	\$4,246,300	100.0%	\$5,222,400	100.0%

Reconciliation from Prior Year

	Expenditures
FY 2023 Approved Budget	\$4,994,600
Increase Cost: Compensation - Mandated Salary Requirements — Annualization of FY 2023 and planned FY 2024 salary adjustments	\$359,600
Increase Cost: Fringe Benefits — Increase in fringe benefits costs to align with projected costs; the fringe benefit rate remains unchanged at 33.0%	120,000
Increase Cost: Operating - Technology Cost Allocation — Increase in OIT charges based on anticipated countywide costs for technology	36,000
Decrease Cost: Recovery Increase — Increase in recoveries to align with projected costs	(48,400)
Decrease Cost: Recovery Increase — New recovery from the Police Department	(239,400)
FY 2024 Proposed Budget	\$5,222,400

STAFF AND BUDGET RESOURCES

Authorized Positions	FY 2022 Budget	FY 2023 Budget	FY 2024 Proposed	Change FY23-FY24
General Fund				
Full Time - Civilian	59	62	62	0
Full Time - Sworn	0	0	0	0
Subtotal - FT	59	62	62	0
Part Time	0	0	0	0
Limited Term	0	0	0	0
TOTAL				
Full Time - Civilian	59	62	62	0
Full Time - Sworn	0	0	0	0
Subtotal - FT	59	62	62	0
Part Time	0	0	0	0
Limited Term	0	0	0	0

Positions By Classification	FY 2024		
	Full Time	Part Time	Limited Term
Administrative Assistant	4	0	0
Administrative Support	11	0	0
Attorney	36	0	0
Deputy Director	3	0	0
Director	1	0	0
Investigator	1	0	0
Law Clerk	3	0	0
Paralegal	3	0	0
TOTAL	62	0	0

Expenditures by Category - General Fund

Category	FY 2022 Actual	FY 2023 Budget	FY 2023 Estimate	FY 2024 Proposed	Change FY23-FY24	
					Amount (\$)	Percent (%)
Compensation	\$4,670,443	\$6,131,200	\$4,961,100	\$6,490,800	\$359,600	5.9%
Fringe Benefits	1,417,031	2,022,000	1,510,100	2,142,000	120,000	5.9%
Operating	484,031	605,800	605,800	641,800	36,000	5.9%
Capital Outlay	—	—	—	—	—	
SubTotal	\$6,571,505	\$8,759,000	\$7,077,000	\$9,274,600	\$515,600	5.9%
Recoveries	(2,431,505)	(3,764,400)	(2,830,700)	(4,052,200)	(287,800)	7.6%
Total	\$4,140,000	\$4,994,600	\$4,246,300	\$5,222,400	\$227,800	4.6%

In FY 2024, compensation expenditures increase 5.9% over the FY 2023 budget primarily due to the annualization of prior year salary adjustments and FY 2024 merit and COLA increases. The compensation budget includes funding for all 62 full time employees. Fringe benefit expenditures increase 5.9% above the FY 2023 budget to align with the projected costs.

Operating expenses increase 5.9% over the FY 2023 budget due to an increase in the technology allocation charge.

Recoveries increase 7.6% above the FY 2023 budget primarily due to the new recovery from the Police Department.

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 2028 Target	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected	Trend
\$11.5	\$21.0	\$11.5	\$11.5	\$11.5	↔

Trend and Analysis

The number and amount of payouts for lawsuits can vary from year to year due to multiple factors including facts of the case, applicable law, courtroom factors, and the timing of a payout. Another significant factor are recent police-involved events throughout the country that have revised contemporary views on police misconduct issues. The Maryland General Assembly amended the Local Government Tort Claims Act to increase the cap on the County's liability for police intentional torts and violations of the Maryland Declaration of Rights to \$890,000 for all claims arising out of an incident and increased the cap for wrongful death actions for police misconduct to \$1,335,000. This will likely result in an upward trend of payouts in subsequent fiscal years. One or two litigation cases can greatly impact the amount of payouts in any given reporting period. While there are several pending cases which have the probability of a potential payout of \$400,000 or more, the Office of Law anticipates staying within our projections for the fiscal years noted under this objective. The Office of Law continues to monitor cases to identify trends and address problems with the applicable agency, to include agency training, in an attempt to minimize the impact of litigation on the County.

Performance Measures

Measure Name	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected
Resources (Input)					
Litigation attorneys	9	7	8	8	8
Workload, Demand and Production (Output)					
New lawsuits received	57	60	74	85	85
Lawsuits closed	68	41	88	88	88
Active lawsuits	107	163	109	120	120
Number of new Administrative Hearing cases received	59	59	110	130	130
Maryland Public Information Act (MPIA) requests received	252	558	112	112	112
Department of Social Services (DSS) cases received	202	164	179	180	180
Workers' Compensation Cases Received	1,221	1,660	1,126	1,126	1,126
Efficiency					
Active lawsuits per litigation attorney	14	23	14	15	15
New lawsuits per litigation attorney	6	7	9	9	9

Performance Measures *(continued)*

Measure Name	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected
Quality					
Lawsuits closed at or below amount of money set aside to pay for lawsuits	0%	1%	0%	0%	0%
Impact (Outcome)					
Payouts resulting from litigation against the County	\$4.1	\$21.0	\$11.5	\$11.5	\$11.5

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

FY 2028 Target	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected	Trend
38	7	30	38	38	↔

Trend and Analysis

The timetable for transactional reviews range from three to ten business days depending on the complexity of the matter and condition of items received. The Office of Law receives over 1,400 transactional review requests per fiscal year. In FY 2022, the transactional review requests received were over 1,600. The Office of Law continues to experience an upward trend each year in the number of transactional review requests. In addition, the Office of Law is experiencing an increase in the number of complex requests, which require additional handling time. Finally, under current Administration the Office of Law has been the "owner" or originator of the legal documents, as opposed to the outside entity. This requires more time by the Office of Law, which also continues to experience difficulty hiring new attorneys.

Performance Measures

Measure Name	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected
Resources (Input)					
Transactional attorneys	6	7	5	7	7
Workload, Demand and Production (Output)					
Transactional related inter-agency trainings conducted	2	5	1	1	3
Transactional review requests received	1,796	1,623	1,623	1,675	1,675
Efficiency					
Transactional reviews per attorney	299	232	325	232	232
Quality					
Transactional documents reviewed on or before due	1%	1%	96%	90%	97%
Impact (Outcome)					
Days to complete requests for transactional review	6	7	30	38	38

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

FY 2028 Target	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected	Trend
30	7	30	30	30	↔

Trend and Analysis

The standard timetable for fulfilling non-complex requests for legal opinions is 10-15 business days, and for formal legal opinions it is 30 days. The complexity of the matter and the number of requests can increase the response time. Police reform changes is an example of one of the driving factors that has increased the need for legal opinions.

Performance Measures

Measure Name	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Projected
Resources (Input)					
Legislative attorneys	4	4	4	4	5
Workload, Demand and Production (Output)					
Legislative review requests received	223	352	205	205	205
Legislative related inter-agency trainings conducted	3	3	1	1	3
Efficiency					
Legislative and advice reviews per attorney	56	56	52	52	41
Quality					
Legislative and advice requests reviewed on or before due date	85%	85%	85%	85%	85%
Impact (Outcome)					
Days to complete requests for legal opinions	7	7	30	30	30

