



Office of Mayor Sam Adams  
City of Portland

January 13, 2011

**INTEROFFICE MEMORANDUM**

TO: Financial Planning

FROM: Mayor Sam Adams

SUBJECT: Office of the City Attorney FY 2010-11 Winter Budget Monitoring Report

The City Attorney's Office will require some adjustments to the budget during the Winter Budget Monitoring Process. One adjustment will be funded through an interagency agreement with the affected bureau and the other adjustment is technical in nature. The office is not requesting additional general fund dollars.

The first request will increase the interagency amount with the Bureau of Environmental Services, convert a limited term attorney position to permanent and add a paralegal position. The City Attorney's office has been providing specialized legal services to BES for the Portland Harbor Superfund program for many years. The legal team has been utilizing contract and temporary paralegal staff and limited term attorney staff since FY08-09. The legal work is expected to increase and continue for at least 5-10 additional years. The legal team and the project will benefit from consistent staffing and low in-house costs compared to outside counsel. The additional funding for the paralegal position will be provided by BES.

The second request is technical in nature and transfers funds from External Materials and Services to Personal Services. These costs are for law clerks, temporary paralegal assistance and retirement payouts.

Finally, an increase in tort litigation work may require additional staffing needs before the end of the fiscal year. The workload will be monitored and, if necessary, an increase will be made to the interagency agreement with Risk Management during the Spring BMP.

Otherwise, overall expenses for the City Attorney's Office are comparable to prior year-to-date and are appropriate for current budget.

# BUDGET AMENDMENT REQUEST

Office of City Attorney

PERIOD Winter BuMP

FISCAL YEAR FY 2010-11

## **AT\_003 - Portland Harbor Legal Services**

This budget amendment request will add a full-time paralegal position and convert a limited term attorney position to permanent. Paralegal support for the Portland Harbor Superfund Program legal team formerly has been hired on a contract basis and a limited term attorney position was authorized in FY09. The legal work on the Portland Harbor Superfund Site is expected to increase and continue for many years. The legal team and the project will benefit from consistent legal staffing and low in-house costs compared to outside counsel. The positions will be funded through an interagency agreement with the Bureau of Environmental Services.

Dollar Amount: \$80,840

Type: New Request

Resources: New Revenues

## **AT\_004 - Technical Adjustments**

This request will transfer \$165,000 from External Materials and Services to Personal Services for temporary paralegal and law clerk staffing costs and retirement payout costs that were not budgeted in Personal Services.

Dollar Amount: \$0

Type: Technical Adjustment

Resources: Internal Transfer

## Business Area Projection Report

	Winter BuMP Revised Budget	FY 2010-11 Year to Date Actuals	Winter BuMP Year-End Projection	% of Projected Actuals to Revised Bud
<b>Office of City Attorney</b>				
<b>EXPENDITURES</b>				
Personal Services	\$7,602,124	\$3,087,459	\$7,602,124	100%
External Materials and Services	\$510,463	\$121,820	\$502,760	98%
Internal Materials and Services	\$731,572	\$295,202	\$723,485	99%
<b>TOTAL EXPENDITURES</b>	<b>\$8,844,159</b>	<b>\$3,504,481</b>	<b>\$8,828,369</b>	<b>100%</b>
<b>REVENUES</b>				
Charges for Services	\$0	\$723	\$0	0%
Interagency Revenue	\$4,523,704	\$1,851,193	\$0	0%
General Fund Discretionary	\$1,781,135	\$0	\$0	0%
General Fund Overhead	\$2,539,320	\$0	\$0	0%
<b>TOTAL REVENUES</b>	<b>\$8,844,159</b>	<b>\$1,851,917</b>	<b>\$0</b>	<b>0%</b>

### Bureau Projection Narrative

Expenses for the City Attorney's Office are appropriate for current budget and are comparable to prior year-to-date. The potential exists for over expenditure in Personal Services due to increased workloads in tort litigation. Staffing requirements will be monitored and interagency funding from Risk Management will be increased in the Spring BMP if necessary.

**City Attorney's Office  
Service Improvement Plan  
FY 2010-2011 Update  
January 2011**

- **Improve upon current efforts to provide timely responses to inquiries**  
The office has initiated a 24-hour goal for initial response to legal inquiries and will continue to work to achieve that goal on all matters. When immediate answers cannot be provided, attorneys will work with the client to agree on the timetable for response. The recent reorganization of the office into practice groups will assist attorneys in giving timely responses by providing additional back-up attorneys through information sharing and cross training. The Practice Management system currently being implemented will make it easier to retrieve information to provide timely responses.

**Status: Underway**

**Est. Date of Completion: Ongoing.**

**Summary:** The 24-hour response time goal for initial inquiries was implemented in 2008. The office conducts customer service surveys every two years and incorporated this goal into the survey to measure progress. In 2008 and 2010, over 80% of customers rated initial timeliness satisfaction at high or very high. Although 80% is commendable, the office plans to improve upon those numbers in the future. The respondents that rated timeliness at neutral or low have the option to comment and/or contact the City Attorney to discuss ideas for improvement. The City Attorney also meets with bureau directors to review the results for each bureau.

- **Provide consistent legal advice throughout bureaus and Council offices**  
One of the purposes of reorganizing into practice groups is to take advantage of the expertise of attorneys in the office and provide opportunities for sharing that knowledge. As the practice groups get more experience in operating as groups, attorneys can share more information and improve the office's ability to provide consistent advice. The Practice Management system will provide a repository for advice so that attorneys can quickly access that information and use it for giving consistent advice.

**Status: Underway**

**Est. Date of Completion: Ongoing.**

**Summary:** The office is in its second year of the reorganization into practice groups. Chief Deputy City Attorneys hold monthly practice group meetings to discuss legal issues and City projects. Although difficult to measure, it is expected that this additional internal communication will provide for more consistent legal advice. In addition, the office purchased and configured Practice Manager software to provide a base of information for all attorneys and staff. The software was implemented in September 2009, and after one year, is beginning to

be embraced by staff members. With a comprehensive software implementation such as this, it is estimated that at least one additional year will be needed to get necessary information into the database and get staff accustomed to the change. The office's change management team is continuing to develop best practices and to train staff on how to use the system to its full potential.

- **Providing additional training to bureaus and Council offices**

The office will increase use of technology and easily accessible media to provide training to bureaus and Council offices on matters of general government. This includes public records, public meetings and ethics as well as specific advice on employment, construction, tort liability and other matters. The office will seek to develop training materials that can be shared in an efficient and effective way. This will include web page materials, FAQs and other shared media, as well as personal trainings. Training programs help the City meet its obligations and avoid risk.

**Status: Underway**

**Est. Date of Completion: December 2011; with ongoing updates.**

**Summary:** The office exceeded its training goal by providing over 300 hours of training in FY10. This is a 62% increase over FY09. The office is working on an improved training program for City bureaus and council offices and will continue to keep training a high priority. Additionally, the City Attorney's office website now contains basic training materials and information and is in the planning stages for future development. Once an updated training program is in place and materials are completed, materials will be placed on the City Attorney website for access by City employees.