

# **City of Omaha Law Department**

## **Mission Statement**

The Law Department serves the Mayor, the City Council and all City departments. It advises the Mayor and Council on legal matters and represents the City in litigation. The Law Department is responsible for drafting ordinances, contracts, franchises and other documents. In addition, it conducts outside investigations and handles all matters of claims or complaints against the City and prosecutes all violations designated as misdemeanors or traffic infractions.

## **Goals and Objectives**

1. To continue to provide outstanding service to the City of Omaha.
2. To improve productivity through the modernization and computerization of procedures and practices.
3. To continue reducing the number of pending cases.

**City of Omaha**  
**2012 Law Department Budget**  
**Appropriated Summary**

By Organization	Positions		Funding		
	2011	2012	2011 Appropriated	2012 Recommended	2012 Appropriated
Civil Law			1,738,749	1,648,079	1,648,079
Claims & Investigation			158,217	163,726	163,726
Prosecution			1,846,289	1,992,256	1,992,256
<b>Total</b>	<u>37</u>	<u>37</u>	<u><b>3,743,255</b></u>	<u><b>3,804,061</b></u>	<u><b>3,804,061</b></u>
<b>By Expenditures Category</b>					
Employee Compensation			3,513,955	3,587,971	3,587,971
Non-Personal Services			229,300	216,090	216,090
<b>Total</b>			<u><b>3,743,255</b></u>	<u><b>3,804,061</b></u>	<u><b>3,804,061</b></u>
<b>By Source of Funds</b>					
General			3,647,705	3,708,511	3,708,511
Omaha Convention Hotel Fund			25,000	25,000	25,000
Sewer Revenue			70,550	70,550	70,550
<b>Total</b>			<u><b>3,743,255</b></u>	<u><b>3,804,061</b></u>	<u><b>3,804,061</b></u>

## Expenditure Summary by Organization

Department	Law		
Division	Law	Department No	104000

Organization Description and Major Object Summary	Comparative Budget Appropriations			
	2010 Actual	2011 Appropriated	2012 Recommended	2012 Appropriated
<b>Civil Law</b>	<b>104011</b>			
Members of the Law Department advise the Mayor and the City Council on legal matters, represent the City in litigations, provide written legal opinions on official matters when requested to do so by the Mayor, City Council or other City Officials; draft and review ordinances, contracts, resolutions and other documents for legal correctness; and perform such other duties as assigned by the Mayor or the City Council.				
The 2012 equipment of \$2,850 is for furniture replacement.				
Employee Compensation	1,499,872	1,563,849	1,483,669	1,483,669
Non-Personal Services	124,648	174,900	164,410	164,410
<b>Organization Total</b>	<b>1,624,520</b>	<b>1,738,749</b>	<b>1,648,079</b>	<b>1,648,079</b>
 <b>Claims &amp; Investigation</b>	 <b>104012</b>			
The Law Department routinely handles all claims filed against the City, its employees or agents where there is potential liability. This activity includes locating and interviewing witnesses, taking photographs, seeking out evidence, taking statements, and generally providing support assistance in litigation. Other activities include conducting internal investigations and other special investigations as administratively assigned by the Mayor or City Council.				
Employee Compensation	179,170	155,317	160,971	160,971
Non-Personal Services	2,052	2,900	2,755	2,755
<b>Organization Total</b>	<b>181,222</b>	<b>158,217</b>	<b>163,726</b>	<b>163,726</b>
 <b>Prosecution</b>	 <b>104013</b>			
Members of the Law Department prosecute all violations designated as misdemeanors or traffic infractions. Additionally, they interview, investigate and issue private warrants, handle all appeals of municipal convictions to the District Court, enforce provisions of the City Code, advise the Police Department on search and seizure, and handle appeals on issues of law to the District and State Supreme Court.				
Employee Compensation	1,457,177	1,794,789	1,943,331	1,943,331
Non-Personal Services	154,741	51,500	48,925	48,925
<b>Organization Total</b>	<b>1,611,918</b>	<b>1,846,289</b>	<b>1,992,256</b>	<b>1,992,256</b>
 <b>Department Total</b>	<b>3,417,660</b>	<b>3,743,255</b>	<b>3,804,061</b>	<b>3,804,061</b>

## Performance Summary By Division

Department	Law			
Division	Law	Department No	104000	
<b>Performance Measures</b>		<b>2010 Actual</b>	<b>2011 Planned</b>	<b>2012 Goal</b>
% of Class I, Routine Claims, Answered Within 30 Days		48%	90%	90%
% of Class II, Non-Routine Claims, Answered Within 60 Days		58%	90%	90%
% of Log book Assignments Answered within 15 days		82%	85%	85%
% of Log Book Assignments Answered within 30 days		90%	100%	100%
% of Medical Answered 20 Days of Receipt of Report		95%	100%	100%
*Target Cities: Overland Park, KS; Milwaukee, WI and Minneapolis, MN				
Maintain Current Case-to-Prosecutor Ratios at or Above Target Cities*		2,500 to 1	2,500 to 1	2,500 to 1
<b>Program Outputs</b>		<b>2010 Actual</b>	<b>2011 Planned</b>	<b>2012 Goal</b>
*\$1,775,000 in three cases.				
Civil Active Cases		245	175	175
Civil Cases Closed		136	150	150
Civil New Lawsuits		127	120	120
Claims Against City - Non Litigated		749	500	500
Claims by City - Non Litigated		161	150	150
Litigated Judgments Against City		2,000	750,000	750,000
Litigation Settlements paid by City		2,104,350*	750,000	750,000
Number of 1099's Mailed (MISC & S)		370	370	370
Paid in Claims Against City		609,200	500,000	500,000
Prosecution Complaints Handled		57,071	45,000	45,000
Recovered in Claims by City		339,605	160,000	160,000
Requests Made by Other City Departments		248	300	300

## Division Summary of Personal Services

Department Law  
 Division Law Department No 104000

Class Title	Class Code	Comparative Budget Appropriations					
		2010 Actual	2011 Auth.	2012 Recommended		2012 Appropriated	
Executive Secretary - Law	4010	1	1	1	53,289	1	53,289
Dep City Attorney	4083	4	4	4	506,032	4	506,032
Senior Attorney	4082	7	8	8	781,295	8	781,295
Attorney	4081	9	9	9	617,594	9	617,594
City Attorney	4086	1	1	1	173,455	1	173,455
Paralegal Assistant	4080	1	1	1	56,486	1	56,486
Legal Investigator	0810	-	1	1	59,059	1	59,059
Administrative Assistant III	3060	4	4	4	186,120	4	186,120
Senior Administrative Clerk	3030	-	1	1	33,846	1	33,846
Administrative Clerk	3020	4	7	7	231,080	7	231,080
Part-Time and Seasonal					72,447		72,447
Longevity					14,738		14,738
Attrition					(154,058)		(154,058)
Reimbursements					(50,000)		(50,000)
Other Pay					36,497		36,497
<b>Department Total</b>		<b>31</b>	<b>37</b>	<b>37</b>	<b>2,617,880</b>	<b>37</b>	<b>2,617,880</b>

**Explanatory Comments:**

The Law Department receives a grant from the Omaha Safety Council.

## Division Summary of Major Object Expenditures

Department	Law	
Division	Law	Department No 104000

Major Object Expenditures	Comparative Budget Appropriations			
	2010 Actual	2011 Appropriated	2012 Recommended	2012 Appropriated
<b>Employee Earnings</b>				
Classified Regular	2,352,846	2,634,747	2,734,753	2,734,753
Part-Time and Seasonal	72,229	72,443	72,447	72,447
Overtime	10,331	-	-	-
Longevity	13,053	15,125	14,738	14,738
Attrition	-	(131,933)	(154,058)	(154,058)
Reimbursements	(34,071)	(50,000)	(50,000)	(50,000)
<b>Total Employee Earnings</b>	<b>2,414,388</b>	<b>2,540,382</b>	<b>2,617,880</b>	<b>2,617,880</b>
<b>Employee Benefits</b>				
FICA	173,854	203,493	205,447	205,447
Pension	242,545	305,022	325,026	325,026
Insurance	347,759	498,390	478,595	478,595
Reimbursements	(42,327)	(33,332)	(38,977)	(38,977)
<b>Total Employee Benefits</b>	<b>721,831</b>	<b>973,573</b>	<b>970,091</b>	<b>970,091</b>
<b>Total Employee Compensation</b>	<b>3,136,219</b>	<b>3,513,955</b>	<b>3,587,971</b>	<b>3,587,971</b>
<b>Non-Personal Services</b>				
Purchased Services	84,523	112,100	99,175	99,175
Supplies	111,296	112,700	114,065	114,065
Equipment	85,622	4,500	2,850	2,850
<b>Total Non-Personal Services</b>	<b>281,441</b>	<b>229,300</b>	<b>216,090</b>	<b>216,090</b>
<b>Capital</b>				
	-	-	-	-
<b>Total Capital</b>	-	-	-	-
<b>Department Total</b>	<b>3,417,660</b>	<b>3,743,255</b>	<b>3,804,061</b>	<b>3,804,061</b>
<b>Source of Funds</b>				
General (Ref. B-1)	3,322,110	3,647,705	3,708,511	3,708,511
Sewer Revenue (Ref. B-39-1)	70,550	70,550	70,550	70,550
Omaha Convention Hotel Fund (Ref. B-48)	25,000	25,000	25,000	25,000
	<b>3,417,660</b>	<b>3,743,255</b>	<b>3,804,061</b>	<b>3,804,061</b>