FY 2017 Budget Hearings

Monica D. Joiner, City Attorney
August 2016

OFFICE OF THE CITY ATTORNEY

ALLPPT.com - Free PowerPoint Templates, Diagrams and Ch

MISSION STATEMENT

Mission Statem

The **City Attorney** serves as legal advisor and attorney for the City of Jackson. Our mission is to provide legal assistance and representation for the City of Jackson and its boards and commissions. Activities of the Office of the City Attorney include:

- Advising the Mayor, Chief Administrative Officer, City Council, department directors, and other City employees.
- Prosecuting misdemeanor complaints; attending City Council meetings and serving as legal counsel during such meetings.
- Supporting the legislative and administrative processes involving ordinances, litigation, contracts, legal research, legal opinions, and liens; and representing and defending the City's legal interests and rights before all judicial, legislative, and administrative tribunals.

The Office of the City Attorney does not provide legal advice to members of the public. The Office of the City Attorney is limited to providing legal advice, counsel and representation to the Mayor, City Council members, City officials, and departments in all civil matters regarding the City of Jackson.

GOALS & OBJECTIVES

Departmental Goals - FY 2

VISION STATEMENT

Lead and model in proactive & integrated research, legal ethics, and professionalism. Train and implement staff accountability, consistency and exemplary benchmark behavior. Provide the platform of law to support and empower the City of Jackson.

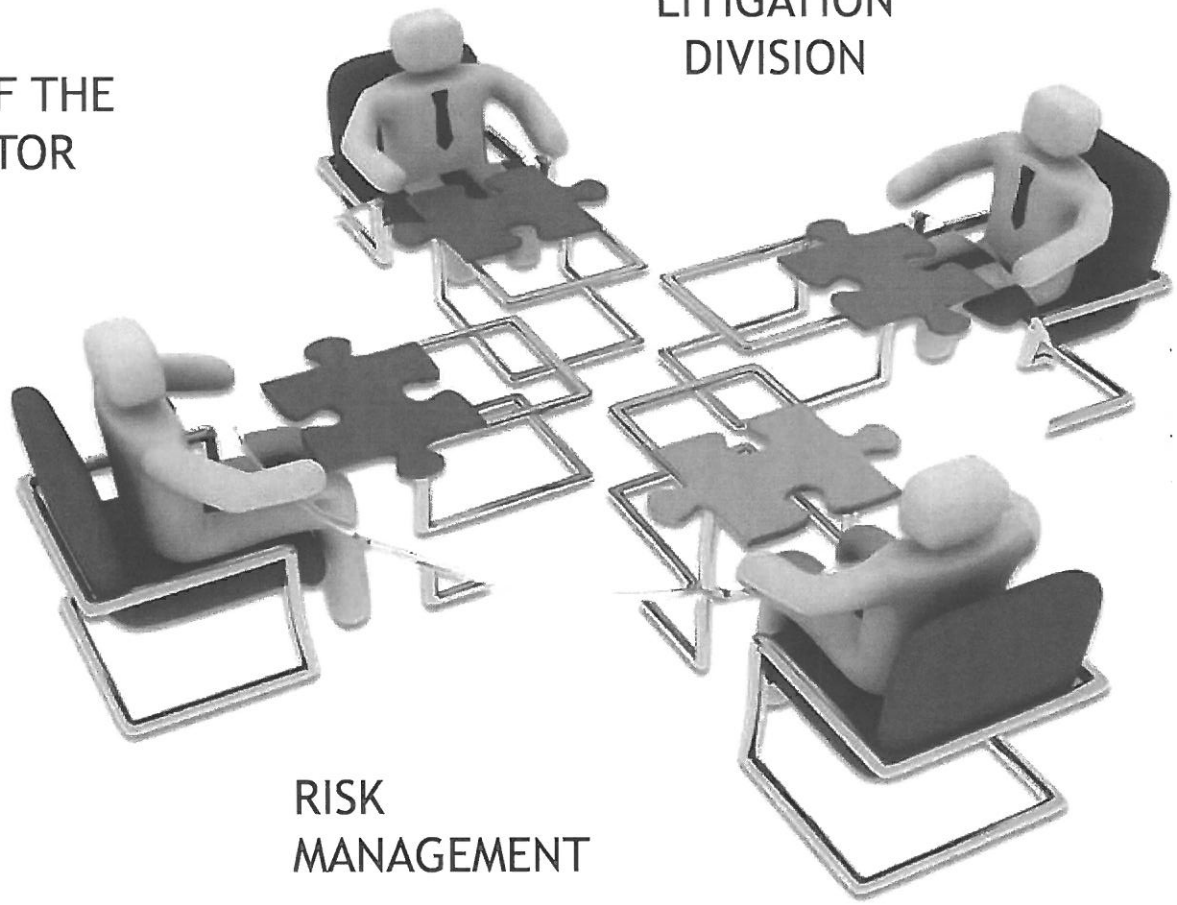
- Continue training and professional development of all attorneys/staff.
- Provide in house training for all departments on various matters.
- Reduce the time it takes to process items in Legal Department for purposes of efficiency.
- Streamline all City internal process to ensure State law is adhered to.
- Work with City Clerk's Office and Departments to more efficiently process open records requests.
- Procure necessary software for Office of the City Attorney (e.g. Legal Files for uniform contract and document tracking).
- Reduce active litigation caseload.
- Continue to identify cases which allow us to "create new law" through favorable rulings which can then apply to other cases.

Departmental Goals - FY 20

- Reduce the current back-log of County Court appeal in the Office of the City Prosecutor.
- Continue to work closely with the Court Services personnel to enable the prosecutors to prepare for each trial at least 30 days in advance of trial.
- Continue to work closely with the Court Services personnel to ensure that witness subpoenas are being issued at least 30 days prior to trial.
- To ensure that each prosecutor is adequately trained and receives continuing legal education hours in the area of criminal prosecutions to ensure that each prosecutor becomes expertly skilled in the prosecution of DUI's.
- Increase the percentage of successful prosecutions.
- Continue to conduct defensive driving classes.
- Continue to conduct safety meetings on a citywide basis.
- Continue to conduct Stress Management Seminar, Supervisory Safety Seminar, Conflict Resolution Seminar, Loss Control Seminar.
- Continue to conduct workshop for City Safety Captains.
- Reduce workers' compensation claims by 40%.
- Successfully complete Annual Workers' Compensation Claims Audit Review.

SERVICES AND CORE FUNCTIONS

OFFICE OF THE CITY ATTORNEY
Core Functions



FFICE OF THE
ROSECUTOR

Transactional Division

The **Transactional Division** provides legal advice and representation to the Mayor, Chief Administrative Officer, City council, and City departments, as well as other agencies, boards and commissions. The attorneys handle a variety of legal matters, including, but not limited to:

- Real property
- Open meetings
- Open records
- Housing, bond and finance
- Ordinances
- Elections
- Federally-funded programs
- Construction
- Environmental law
- Minority and women-owned business contracting
- Conflicts of interest and ethics matters
- Matters relating to economic development and neighborhood revitalization

Agenda Items & Contracts Processed

ADMINISTATION	53	51
FIRE	16	6
LEGAL	20	15
HUMAN & CULTRUAL	39	29
PARKS & REC.	7	5
PLANNING	69	79
POLICE	305	213
PUBLIC WORKS	147	157
GOVERNMENT	18	19
RISK MGMT.	19	215
PERSONNEL	3	15

Litigation Division

The **Litigation Division** handles all lawsuits in which the City of Jackson or any of its employees, elected officials, and agents are named as defendants and that have not been assigned to outside counsel. This includes all tort litigation and constitutional claims filed in federal or state court. One of the Division's primary responsibilities is to defend the City of Jackson and its employees in personal injury lawsuits. The Division also handles significant litigation other than personal injury cases, such as:

- Provides representation to employees subpoenaed to testify by deposition in cases in which the City is not a party.
- Provides advice to risk management in the handling of complex claims; investigates and makes recommendations on death claims made against the City.
- Water main ruptures and sewage spill incidents.
- Provides advice, assistance, and files suit, if necessary, to collect money owed to the City for property damage and workers' compensation benefits paid to City employees.

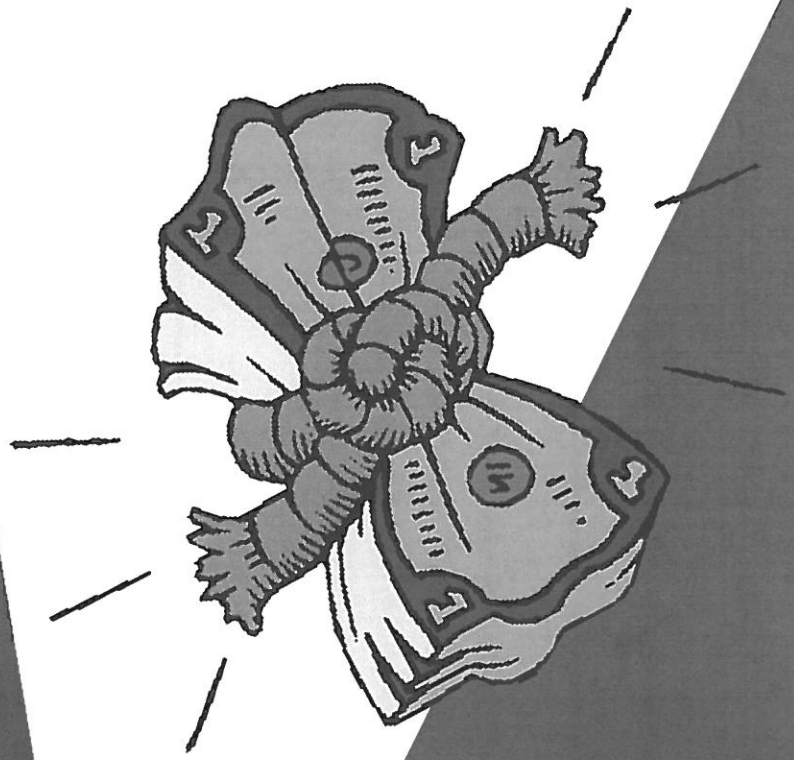
The Litigation Division of the Office of the City Attorney closed 25 cases between October 1, 2015 and July 31, 2016.

The Office of the City Attorney successfully litigated a case in the Hinds County Circuit Court with an appeal to the MS Supreme Court resulting in the overthrow of a $250,000.00 verdict against the City of Jackson resulting in a "0" verdict.

The total demand amount for the completed cases during fiscal year 2016 was $3,172,333.00 and the actual payout was $545,285.40, netting a savings of $2,017,047.60.

Litigation Division

The Litigation roughly saved about $2,017,047.60 in settlements.



9 Settled

13 Dismissed (October 2015 to present)

136 Open Cases

Cases Since October 2015

Office of the City Prosecutor

The **Criminal Prosecution Division** is responsible for prosecuting all misdemeanor offenses that occur within the City of Jackson. Misdemeanor offenses range from traffic violations and DUI to domestic violence and simple assault. In addition to criminal violations of state law, the Criminal Prosecution Division also prosecutes violations of the City's ordinances (*i.e. public nudity, noise control, junked vehicles, etc.*).

All misdemeanor trials take place at the City of Jackson Municipal Court. Cases that are appealed from the Jackson Municipal Court are further prosecuted at the Hinds County Court and Hinds Circuit Court levels. The Criminal Prosecution Division also handles drug forfeiture cases in the Hinds County Court where property has been confiscated through arrests made by the Jackson Police Department.

Increase in service level as an influx of DUI cases have been prosecuted.

Guilty	Trial Date	Remanded	Contempt	Amended Charge
3,376	5,767	197	492	1

Trials Total

Guilty	Remand	Dismissal	Continued	Warrants	Total
1,813	1,045	1,633	2,668	4,761	11,920

Traffic Arraignments

Guilty	Trial Date	Remand blue ticket	Dismissed proof of insurance
1,893	1,740	201	173

Risk Management

The **Risk Management Division** coordinates the safety and risk management functions for the City of Jackson. These functions include:

- Employee safety and loss control programs
- Contractual risk transfer provisions
- Procurement of insurance to protect the City's assets
- Claims adjusting in the areas of property, liability and workers' compensation.

Risk Management

The Risk Management Division has saved the City $915,292.06 by utilizing the Mississippi Workers' Compensation Fee Schedule. The Risk Management Division has purchased software to assist in expediting the utilization of the Mississippi Workers' Compensation Fee Schedule. Further, the Risk Management Division is currently researching services which will aide in reduction of prescription costs.

The Risk Management Safety Coordinator has installed and regularly meets/confers with Safety Captains in each City Department in order to coordinate the implementation of safety programs and distribute safety information. The Safety Coordinator routinely provides Department Directors with pertinent data on the various losses that occurred in his/her department the past three years in order to reduce such losses in the future.

The Safety Coordinator and Claims Supervisor consistently conduct the following classes for City employees: Defensive Driving, Workers' Compensation Training, Managing Workplace Stress, Slip Trip and Fall, Proper Lifting, and Safety Leadership Training.

The Risk Management Division played a major role in declaring June as National Safety Month in the City of Jackson. This allowed the City to be part of a nationwide initiative spear headed by the National Safety Council.

The Risk Management Department is being restructured to operate more efficiently, making better use of the employees and resources in the division to expedite claims while cutting costs and protecting the City from liability.

EXPENDITURES

EXPENDITURES

Explanation of FY2017 Proposed Budget in Comparison to FY2016

2016

- 4 Attorneys Positions will be unfunded: -$82,278.34
- Increase in Property Insurance: +$1,011,269
- Increase in Workers' Comp Medical Drug Testing: +$320,000
- Increase in Claims against the City: +$667,985

2017

- 3 positions will be reorganized: -$113,416.44
- Increase in Property Insurance: +$77,154.00
- Increase in Workers' Comp Medical Drug Testing: 0
- Proposed Claims against the City: +1,925,000

Total increase in Budget for Expenditures: $ (22.8%)

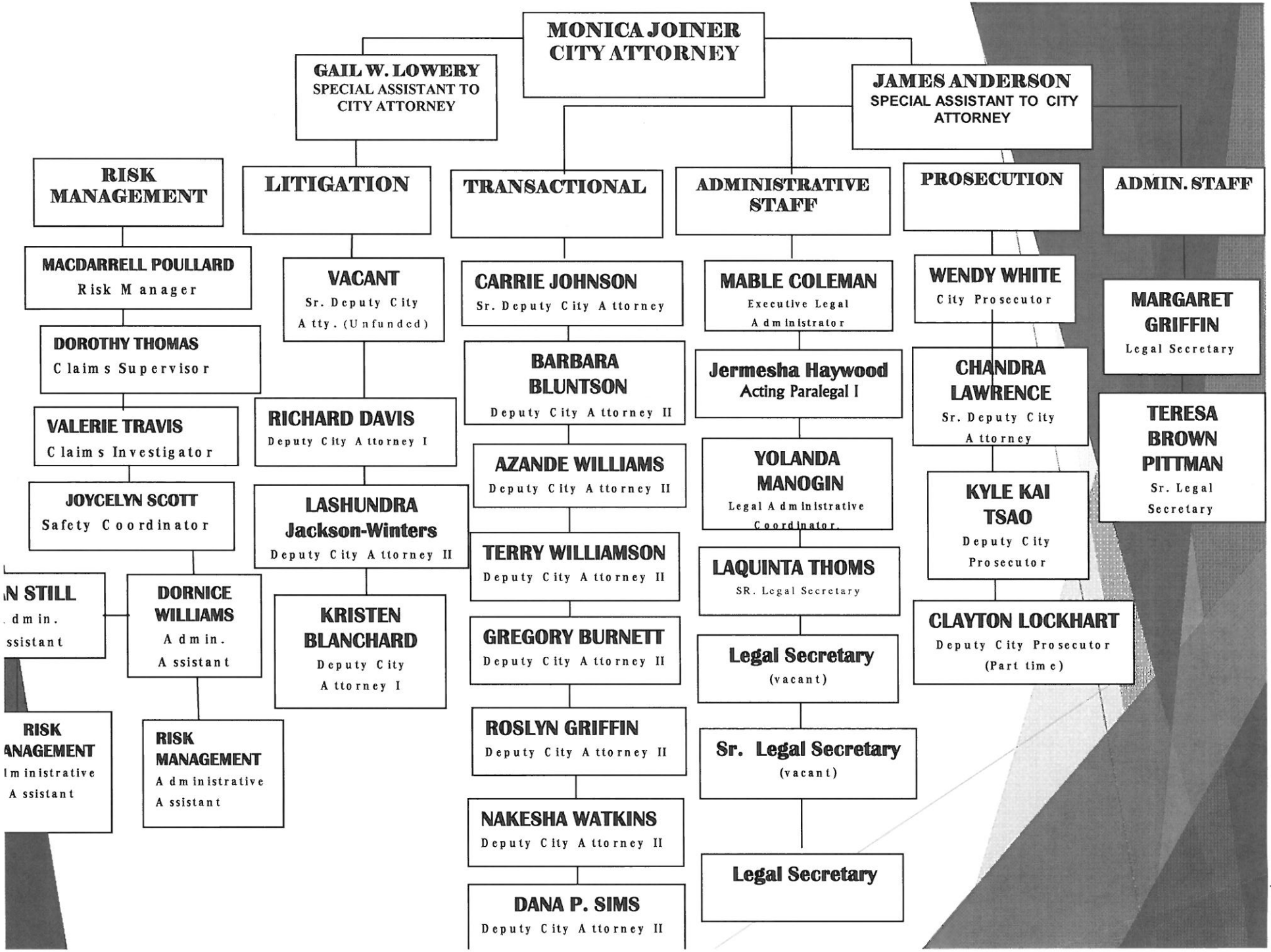
CLAIMS

	AMT PAID	TOTAL #
LIABILITY CLAIMS		
Total Liability Claims from 10/1/15 – 8/22/16	$55,448.00	954
Total Pothole Claims 10/1/15 – 8/22/16	$36,290.72	730
Total other Claims 10/1/15 – 8/22/16	$19,157.28	440
TOTAL PAID LIABILITY CLAIMS	**$110,896.00**	**$2,124**
WORKERS' COMPENSATION		
Benefits Only - Total Filed for this Fiscal Year	$363,985.67	165
Total Benefits Paid this Fiscal Year (includes claims dating back to 1996)	$512,494.33	
Pharmacy Expenses	$106,598.00	
Medical Expenses	$583,546.57	
Other Professional Expenses	$26,841.27	
Total Worker's Comp	**$1,229,480.17**	

Budget Highlights

General Fund Expenditures	2015 ACTUAL BUDGET	2016 ACTUAL BUDGET	2017 PROPOSED BUDGET
Personal Services	$ 1,950,558	$ 1,834,884	$ 1,831,557
Supplies and Materials	$ 157,557	$ 220,981	$ 145,981
Other Services and Charges	$ 3,583,387	$ 4,906,571	$ 6,574,734
Capital Outlay	$ 2,434	$ 0	$ 0
Total Expenditures	**$ 5,693,936**	**$ 6,962,436**	**$ 8,552,272**

OFFICE OF THE
CITY ATTORNEY
STAFFING


MONICA JOINER
CITY ATTORNEY
GAIL W. LOWERY
SPECIAL ASSISTANT TO CITY ATTORNEY
JAMES ANDERSON
SPECIAL ASSISTANT TO CITY ATTORNEY
RISK MANAGEMENT
LITIGATION
TRANSACTIONAL
ADMINISTRATIVE STAFF
PROSECUTION
ADMIN. STAFF
MACDARRELL POULLARD
Risk Manager
DOROTHY THOMAS
Claims Supervisor
VALERIE TRAVIS
Claims Investigator
JOYCELYN SCOTT
Safety Coordinator
N STILL
dmin.
ssistant
DORNICE WILLIAMS
Admin.
Assistant
RISK
ANAGEMENT
Im inistrative
Assistant
RISK MANAGEMENT
Administrative
Assistant
VACANT
Sr. Deputy City
Atty. (Unfunded)
RICHARD DAVIS
Deputy City Attorney I
LASHUNDRA Jackson-Winters
Deputy City Attorney II
KRISTEN BLANCHARD
Deputy City
Attorney I
CARRIE JOHNSON
Sr. Deputy City Attorney
BARBARA BLUNTSON
Deputy City Attorney II
AZANDE WILLIAMS
Deputy City Attorney II
TERRY WILLIAMSON
Deputy City Attorney II
GREGORY BURNETT
Deputy City Attorney II
ROSLYN GRIFFIN
Deputy City Attorney II
NAKESHA WATKINS
Deputy City Attorney II
DANA P. SIMS
Deputy City Attorney II
MABLE COLEMAN
Executive Legal
Administrator
Jermesha Haywood
Acting Paralegal I
YOLANDA MANOGIN
Legal Administrative
Coordinator.
LAQUINTA THOMS
SR. Legal Secretary
Legal Secretary
(vacant)
Sr. Legal Secretary
(vacant)
Legal Secretary
WENDY WHITE
City Prosecutor
CHANDRA LAWRENCE
Sr. Deputy City
Attorney
KYLE KAI TSAO
Deputy City
Prosecutor
CLAYTON LOCKHART
Deputy City Prosecutor
(Part time)
MARGARET GRIFFIN
Legal Secretary
TERESA BROWN PITTMAN
Sr. Legal
Secretary