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TO: Lawrence Garcia, Corporate Counsel
Law Department

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: March 5, 2021

RE: 2021-2022 Budget Analysis

Attached is our budget analysis regarding your department's budget for the 2021-2022 Fiscal Year.

Please be prepared to respond to the issues/questions raised in our analysis during your scheduled hearing on **Monday, March 8, 2021 at 3:00 p.m.** We would then appreciate a written response to the issues/questions at your earliest convenience subsequent to your budget hearing. Please forward a copy of your responses to the Council members and the City Clerk's Office.

Please contact us if you have any questions regarding our budget analysis.

Thank you for your cooperation in this matter.

Attachments:
Issues and Questions
Agency Plan: Mission, Goals and Activity Summary
Budget Summary
Appropriation and Cost Center Expenditures
Revenues, Position Detail

cc: Councilmembers
Auditor General's Office
Jay Rising, Acting Chief Financial Officer
Tanya Stoudemire, Chief Deputy Chief Financial Officer
Steven Watson, Deputy CFO/Budget Director
James George, Agency CFO for Governmental Operation Departments
Avery Peoples, Mayor's Office

Law Department (32)
FY 2021-22 Budget Analysis by the Legislative Policy Division

Issues and Questions

1. Please briefly explain the Law Department's new expense initiatives, new capital funding requests, operational reform and savings proposals, and new revenue initiatives/proposals to be implemented in FY 2022. Please provide which appropriation/cost center the new initiative/request/proposal is impacting in FY 2022.
2. The OCFO's December 2020 monthly report shows 18 vacant positions for the Law Department. Please briefly describe the positions that are vacant as of February 28, 2021 and any difficulty of filling the vacancies. Also, please briefly explain the department's strategy to fill vacant positions.
3. The Mayor's FY 2022 recommended total appropriations for the Law Department is \$18.2 million a \$2.5 million increase from the \$15.7 million in FY 2021. The increase appears to be due to a \$2.1 million salaries expenses reduction in FY 2021 that is partially restored in FY 2022 and \$437,500 increase in legal services. Please explain the increases in salaries and legal services expenses.
4. Please briefly explain the position changes and any new positions for FY 2022.
5. Building rentals increased \$58,281 in FY 2022 to \$712,453 for Appropriation 29320 (Efficient and Innovative Operations Support - Law). Why did this expense increase?
6. Please list the contracts which comprise the FY 2021 and FY 2022 professional and contractual services budgets for the Law Department. Please list the services that the contracted professional provides. Also, list the amount of the contract expected to be expended for each contract in FY 2021 and FY 2022.
7. What are the projections for litigation settlements and payments for FY 2021 and FY 2022? There was a reduction in litigation expenses for Police (\$9.5 million) and Transportation (\$1.9 million) in FY 2020 compared to FY 2019. Are the mitigations that made this possible continuing in the current and future fiscal years?
8. What is the total number of open litigation cases against the City as of February 28, 2021 or the latest date where data is available? What is the total amount reserved for the open litigation cases?
9. On the revenue side, how much in lawsuit settlements and payouts revenue did the City benefit in the current fiscal year (FY 2021)? What other prosecution activities undertaken by the Law Department are expected to result in revenue or reimbursements to the City in FY 2021 and FY 2022?

LAW (32)**AGENCY PLAN****MISSION:**

The Law Department strives to deliver exceptional and efficient legal counsel and representation to the Executive and Legislative branches of City government as mandated by the City Charter. The Law Department is headed by the Corporation Counsel, who is appointed by the Mayor with approval by City Council.

The Department is required by Charter to represent the City of Detroit in all civil actions or proceedings filed against the City. The Corporation Counsel may also prosecute any action or proceeding in which the City has a legal interest, and is the City prosecutor on cases arising from the provisions of the Charter or City ordinances and prosecute all actions for the recovery of fines, penalties and forfeitures. The Department provides advice and opinions to the Mayor, members of City Council or the head of any City agency, approving the form and substance of all contracts, bonds and written instruments, and drafting, upon the request of the Mayor or any member of City Council, any ordinance or resolution for introduction.

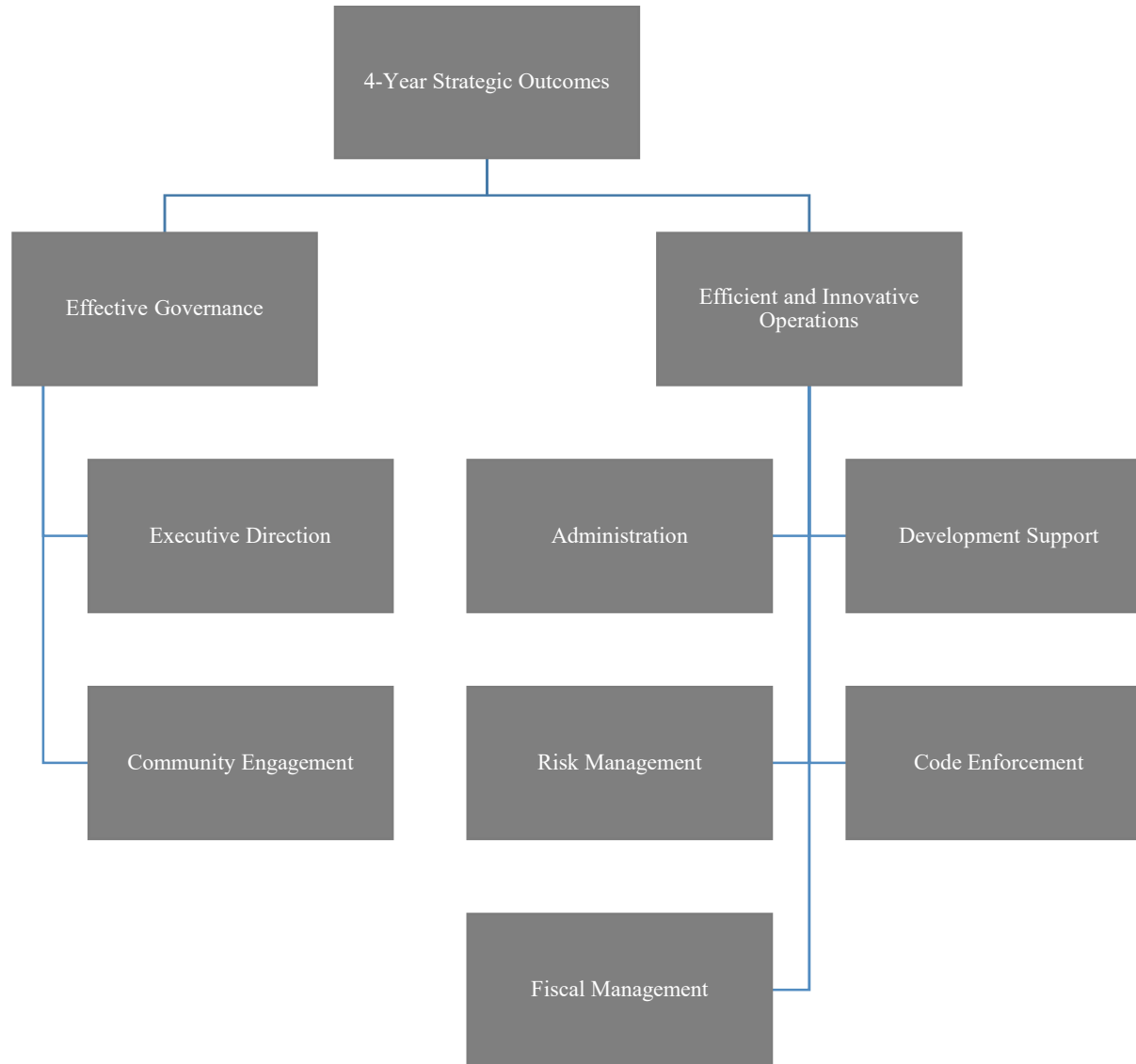
The Law Department is organized in seven divisions, responsible for matters arising from discrete areas of the law. The City engages the services of a legislative liaison in Lansing, and contracts for federal lobbyist services in Washington, D.C (overseen by the Mayor's Office).

- Appeals – Tax Appeals
- Criminal Enforcement/Qualify of Life
- Government Affairs – including FOIA and Municipal
- Labor & Employment
- Litigation
- Transactions and Economic Development
- Workers' Compensation
- Other sections within these divisions include: Claims, Blight Litigation, Expungement, and Special Projects (Blight and Revitalization).

STRATEGIC PRIORITIES:

1. Maximize the level of client satisfaction with department services.
2. Provide effective advice and counsel to assist the clients in achieving their business objectives with minimal legal exposure.
3. Ensure attorney preparedness for all legal proceedings and client contacts, demonstrating professionalism and integrity at all times.
4. Provide necessary professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered.
5. Provide effective legal representation in claims and litigation and timely advice and counsel in commercial and development transactions.
6. Assist with community empowerment through vigorous prosecution of misdemeanor crimes, including ordinance and blight violation matters.

LAW (32)



Department Name: Law Department

Department #: 32

Budget Summary:

	FY2020 Actual		FY2021 Adopted		FY2022 Mayor	
	General Fund	All Funds	General Fund	All Funds	General Fund	All Funds
Total Revenues	1,662,307	2,502,505	2,039,000	2,039,000	2,079,000	2,079,000
Total Expenditures	14,491,987	15,332,185	15,654,398	15,654,398	18,170,435	18,170,435
Net Tax Cost	12,829,680	12,829,680	13,615,398	13,615,398	16,091,435	16,091,435

	FY2023 Forecast		FY2024 Forecast		FY2025 Forecast	
	General Fund	All Funds	General Fund	All Funds	General Fund	All Funds
Total Revenues	2,120,000	2,120,000	2,161,000	2,161,000	2,202,797	2,202,797
Total Expenditures	17,204,398	17,204,398	17,414,157	17,414,157	17,628,111	17,628,111
Net Tax Cost	15,084,398	15,084,398	15,253,157	15,253,157	15,425,314	15,425,314

Positions (by FTE):	1/1/2021 Actual	FY2021 Adopted	FY2022 Mayor	FY2023 Forecast	FY2024 Forecast	FY2025 Forecast
General Fund	109	127	121	121	121	121
Non-General Fund	2	-	-	-	-	-
Total Positions	111	127	121	121	121	121

**CITY OF DETROIT
BUDGET DEVELOPMENT
EXPENDITURES BY SUMMARY CATEGORY - ALL FUNDS
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name Summary Category	FY2021 Adopted	FY2022 Mayor	FY2023 Forecast	FY2024 Forecast	FY2025 Forecast
32 - Law Department	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111
Salaries & Wages	7,423,550	9,277,840	8,865,796	9,075,555	9,289,509
Employee Benefits	3,244,588	3,500,999	3,500,999	3,500,999	3,500,999
Professional & Contractual Services	2,804,465	3,232,992	2,769,989	2,769,989	2,769,989
Operating Supplies	356,573	338,744	338,744	338,744	338,744
Operating Services	1,805,222	1,800,860	1,709,870	1,709,870	1,709,870
Other Expenses	20,000	19,000	19,000	19,000	19,000
Grand Total	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111

**CITY OF DETROIT
BUDGET DEVELOPMENT
REVENUES BY SUMMARY CATEGORY - ALL FUNDS
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name Summary Category	FY2021 Adopted	FY2022 Mayor	FY2023 Forecast	FY2024 Forecast	FY2025 Forecast
32 - Law Department	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
Sales & Charges for Services	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
Grand Total	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797

**CITY OF DETROIT
BUDGET DEVELOPMENT
EXPENDITURES BY SUMMARY CATEGORY - FUND DETAIL
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name Fund # - Fund Name Summary Category	FY2021 Adopted	FY2022 Mayor	FY2023 Forecast	FY2024 Forecast	FY2025 Forecast
32 - Law Department	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111
1000 - General Fund	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111
Salaries & Wages	7,423,550	9,277,840	8,865,796	9,075,555	9,289,509
Employee Benefits	3,244,588	3,500,999	3,500,999	3,500,999	3,500,999
Professional & Contractual Services	2,804,465	3,232,992	2,769,989	2,769,989	2,769,989
Operating Supplies	356,573	338,744	338,744	338,744	338,744
Operating Services	1,805,222	1,800,860	1,709,870	1,709,870	1,709,870
Other Expenses	20,000	19,000	19,000	19,000	19,000
Grand Total	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111

**CITY OF DETROIT
BUDGET DEVELOPMENT
REVENUES BY SUMMARY CATEGORY - FUND DETAIL
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name Fund # - Fund Name Summary Category	FY2021 Adopted	FY2022 Mayor	FY2023 Forecast	FY2024 Forecast	FY2025 Forecast
32 - Law Department	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
1000 - General Fund	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
Sales & Charges for Services	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
Grand Total	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797

**CITY OF DETROIT
BUDGET DEVELOPMENT
FINANCIAL DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER - EXPENDITURES
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name	FY2021	FY2022	FY2023	FY2024	FY2025
Fund # - Fund Name	Adopted	Mayor	Forecast	Forecast	Forecast
Appropriation # - Appropriation Name					
Cost Center # - Cost Center Name					
32 - Law Department	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111
1000 - General Fund	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111
00527 - Law Administration & Operations	14,990,583	-	-	-	-
320010 - Law Administration	14,990,583	-	-	-	-
20250 - Consolidated Legislative Services	663,815	-	-	-	-
320055 - Legislative Services	663,815	-	-	-	-
28320 - Effective Governance - Legislative Services	-	1,412,971	997,772	1,005,523	1,013,429
320055 - Legislative Services	-	1,412,971	997,772	1,005,523	1,013,429
29320 - Efficient and Innovative Operations Support - Law	-	16,757,464	16,206,626	16,408,634	16,614,682
320010 - Law Administration	-	16,757,464	16,206,626	16,408,634	16,614,682
Grand Total	15,654,398	18,170,435	17,204,398	17,414,157	17,628,111

**CITY OF DETROIT
BUDGET DEVELOPMENT
FINANCIAL DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER - REVENUES
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name	FY2021	FY2022	FY2023	FY2024	FY2025
Fund # - Fund Name	Adopted	Mayor	Forecast	Forecast	Forecast
Appropriation # - Appropriation Name					
Cost Center # - Cost Center Name					
32 - Law Department	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
1000 - General Fund	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797
00527 - Law Administration & Operations	2,039,000	-	-	-	-
320010 - Law Administration	2,039,000	-	-	-	-
29320 - Efficient and Innovative Operations Support - Law	-	2,079,000	2,120,000	2,161,000	2,202,797
320010 - Law Administration	-	2,079,000	2,120,000	2,161,000	2,202,797
Grand Total	2,039,000	2,079,000	2,120,000	2,161,000	2,202,797

**CITY OF DETROIT
BUDGET DEVELOPMENT
POSITION DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name					
Fund # - Fund Name					
Appropriation # - Appropriation Name	FY2021	FY2022	FY2023	FY2024	FY2025
Cost Center # - Cost Center Name	Adopted	Mayor	Forecast	Forecast	Forecast
Job Code - Job Title					
32 - Law Department	127	121	121	121	121
1000 - General Fund	127	121	121	121	121
00527 - Law Administration & Operations	123	0	0	0	0
320010 - Law Administration	123	0	0	0	0
010104 - Deputy Corporation Counsel	1	0	0	0	0
010127 - Corporation Counsel - Election Commissioner	1	0	0	0	0
011705 - Executive Manager - Law	1	0	0	0	0
012031 - Senior Clerk	3	0	0	0	0
012051 - Head Clerk	1	0	0	0	0
012086 - Records Manager	1	0	0	0	0
012249 - Administrative Assistant - Grade II-Law	1	0	0	0	0
013325 - Legal Secretary	14	0	0	0	0
013326 - Senior Legal Secretary	4	0	0	0	0
013376 - Executive Administrative Assistant II	1	0	0	0	0
091142 - Assistant Corporation Counsel	34	0	0	0	0
091152 - Senior Assistant Corporation Counsel	27	0	0	0	0
091157 - Supervising Assistant Corporation Counsel	8	0	0	0	0
091191 - Assistant Corporation Counsel - Exempted	3	0	0	0	0
091192 - Senior Assistant Corporation Counsel - Exempted	1	0	0	0	0
091941 - Legal Assistant	12	0	0	0	0
111003 - Project Manager & Analytics Specialist III	1	0	0	0	0
13111004 - Project Manager Analytics Specialist IV	1	0	0	0	0
931419 - Chief Legal Counsel - Capital & Infrastructure	1	0	0	0	0

**CITY OF DETROIT
BUDGET DEVELOPMENT
POSITION DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name					
Fund # - Fund Name					
Appropriation # - Appropriation Name	FY2021	FY2022	FY2023	FY2024	FY2025
Cost Center # - Cost Center Name	Adopted	Mayor	Forecast	Forecast	Forecast
Job Code - Job Title					
931420 - Chief Legal Counsel For Transactional and Economic	1	0	0	0	0
931421 - Chief Administrative Corporation Counsel	3	0	0	0	0
931422 - Chief of Staff - Law	1	0	0	0	0
931423 - Chief of Litigation	1	0	0	0	0
931424 - Chief of Criminal Enforcement and Quality of Life	1	0	0	0	0
20250 - Consolidated Legislative Services	4	0	0	0	0
320055 - Legislative Services	4	0	0	0	0
13111002 - Project Manager Analytics Specialist II	1	0	0	0	0
929102 - Administrative Special Services Staff II	2	0	0	0	0
929103 - Administrative Special Services Staff III	1	0	0	0	0
28320 - Effective Governance - Legislative Services	0	4	4	4	4
320055 - Legislative Services	0	4	4	4	4
13111002 - Project Manager Analytics Specialist II	0	1	1	1	1
929102 - Administrative Special Services Staff II	0	2	2	2	2
929103 - Administrative Special Services Staff III	0	1	1	1	1
29320 - Efficient and Innovative Operations Support - Law	0	117	117	117	117
320010 - Law Administration	0	117	117	117	117
010104 - Deputy Corporation Counsel	0	1	1	1	1
010127 - Corporation Counsel - Election Commissioner	0	1	1	1	1
011705 - Executive Manager - Law	0	1	1	1	1
012031 - Senior Clerk	0	3	3	3	3
012086 - Records Manager	0	1	1	1	1
012249 - Administrative Assistant - Grade II-Law	0	1	1	1	1

**CITY OF DETROIT
BUDGET DEVELOPMENT
POSITION DETAIL BY DEPARTMENT, FUND, APPROPRIATION, & COST CENTER
DEPARTMENT 32 - LAW DEPARTMENT**

Department # - Department Name					
Fund # - Fund Name					
Appropriation # - Appropriation Name		FY2021	FY2022	FY2023	FY2024
Cost Center # - Cost Center Name		Adopted	Mayor	Forecast	Forecast
Job Code - Job Title					FY2025
					Forecast
013325 - Legal Secretary		0	14	14	14
013326 - Senior Legal Secretary		0	3	3	3
013376 - Executive Administrative Assistant II		0	1	1	1
091142 - Assistant Corporation Counsel		0	30	30	30
091152 - Senior Assistant Corporation Counsel		0	27	27	27
091157 - Supervising Assistant Corporation Counsel		0	8	8	8
091191 - Assistant Corporation Counsel - Exempted		0	3	3	3
091192 - Senior Assistant Corporation Counsel - Exempted		0	1	1	1
091941 - Legal Assistant		0	11	11	11
111003 - Project Manager & Analytics Specialist III		0	1	1	1
11931424 - Chief Of Criminal Enforcement And Quality Of Lif		0	1	1	1
13111004 - Project Manager Analytics Specialist IV		0	1	1	1
81012051 - Head Clerk		0	1	1	1
81091941 - Legal Assistant		0	1	1	1
931420 - Chief Legal Counsel For Transactional and Economic		0	1	1	1
931421 - Chief Administrative Corporation Counsel		0	3	3	3
931422 - Chief of Staff - Law		0	1	1	1
931423 - Chief of Litigation		0	1	1	1
Grand Total		127	121	121	121