



DEPARTMENT OF LAW

# Administration - Law

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**Priority Outcome:** Innovative Government

**Service Number:** 860

**Fiscal 2021 Recommended:** \$1,361,662

## **Service Description**

This service provides for the overall direction and control of the Law Department. It works to successfully defend lawsuits against the City; generate revenue; advocate for the City's interests before State and federal public bodies; draft, negotiate and review contracts and proposed laws; and advise all City government actors.

## **Major Budget Items**

- The recommended budget defunds a vacant human resources position.

# Controversies

**Priority Outcome:** Innovative Government

**Service Number:** 861

**Fiscal 2021 Recommended:** \$7,565,473

## Service Description

This service provides the general litigation, labor and employment, land use, collections, and pre-litigation claims investigation services for the City. This service aims to steadily increase City revenue streams while avoiding or limiting liability payouts.

## Major Budget Items

- This service includes resources from both the General Fund and the Risk Management internal service fund, which supports the agency's work on legal liability claims resulting from auto accidents and other issues.
- The recommended budget defunds three positions and transfers one Paralegal position into this service from Service 872 Workers' Compensation Practice.
- The budget reclassifies three Assistant Solicitor positions to higher levels, reflecting the complexity of work being performed by these employees.

| Type          | Performance Measure  | FY16 Actual | FY17 Actual | FY18 Actual | FY19 Target | FY19 Actual | FY20 Target | FY21 Target |
|---------------|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Output        | # of lawsuits handled  | 389         | 411         | 444         | 460         | 484         | 460         | 460         |
| Effectiveness | % of repayment versus amount negotiated for collection cases | 113%        | 47%         | 73%         | 67%         | 113%        | 76%         | 85%         |
| Effectiveness | % payout of damages claimed                                  | 1.0%        | 1.0%        | 2.5%        | 2.5%        | 1.60%       | 2.5%        | 2.00%       |

# Transactions

**Priority Outcome:** Innovative Government

**Service Number:** 862

**Fiscal 2020 Recommended:** \$2,016,022

## Service Description

This service provides Charter mandated legal services essential for City operations and governance. With attorneys experienced and knowledgeable in the nuances of City government and municipal law, this group provides advice for the City's real estate, economic development, lending, and municipal finance activities. This service negotiates, drafts, and reviews all City contracts; processes Public Information Act (PIA) requests; and advises the Mayor's Office, the City Council, and all City agencies, boards and commissions on the entire range of legal issues facing the City.

## Major Budget Items

- The budget for this service includes a contract attorney working on real estate matters. Costs for this contract are shared with the Baltimore Development Corporation.
- The recommended funding will maintain the current level of service.

| Type          | Performance Measure                          | FY16<br>Actual | FY17<br>Actual | FY18<br>Actual | FY19<br>Target | FY19<br>Actual | FY20<br>Target | FY21<br>Target |
|---------------|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Outcome       | # of Public Information Act requests handled | 373            | 265            | 313            | 350            | 338            | 350            | 350            |
| Effectiveness | % of bill reports submitted on time          | 100%           | 100%           | 100%           | 90%            | 100%           | 90%            | 90%            |

# Minority and Women’s Business Opportunity Office

**Priority Outcome:** Innovative Government

**Service Number:** 869

**Fiscal 2020 Recommended:** \$511,170

## Service Description

This service is responsible for certification of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), maintaining a directory of certified businesses, investigating alleged violations of the MWBE ordinance, maintaining statistics on availability and utilization of MBEs and WBEs, setting annual participation goals, setting contract participation goals, setting participation goals on City-assisted projects, and providing assistance to bidders and developers in identifying MBE/WBE firms.

## Major Budget Items

- The recommended funding will maintain the current level of service.

| Type          | Performance Measure                               | FY16 Actual | FY17 Actual | FY18 Actual | FY19 Target | FY19 Actual | FY20 Target | FY21 Target |
|---------------|---|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Outcome       | # of applications approved                        | 106         | 160         | 252         | 150         | 172         | 150         | 165         |
| Effectiveness | Application review/process turnaround time (days) | 35          | 39          | 18          | 39          | 30          | 35          | 35          |
| Outcome       | # of MBE/WBE certified businesses                 | 1,137       | 1,197       | 1,462       | 1,550       | 1,588       | 1,550       | 1,565       |

# Police Legal Affairs

**Priority Outcome:** Public Safety

**Service Number:** 871

**Fiscal 2020 Recommended:** \$2,243,178

## Service Description

This service provides legal advice and handles all legal matters for the Baltimore Police Department (BPD). It defends the BPD in civil litigation in federal and State courts and in arbitrations. It represents the BPD in internal employee disciplinary proceedings, and civil citation, forfeiture, and City Code violation hearings. Attorneys provide legal advice and contract drafting, as well as oversight for BPD's Public Information Act requests. The attorneys engage in preventative lawyering by assisting with training, written directives review, analyzing trends in liability and advising the BPD concerning risks of future litigation and liability.

## Major Budget Items

- The budget includes funding to hire law students to assist with Maryland Public Information Act requests. These temporary personnel have been a cost-effective way for the agency to handle increased requests related to Police body cameras.
- The recommended funding will maintain the current level of service.

| Type          | Performance Measure                            | FY16 Actual | FY17 Actual | FY18 Actual | FY19 Target | FY19 Actual | FY20 Target | FY21 Target |
|---------------|--|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Output        | # of misconduct cases resolved                 | 134         | 100         | 192         | 180         | 84          | 180         | 200         |
| Effectiveness | % of cases resolved prior to hearing           | 75%         | 91%         | 92%         | 90%         | 76%         | 90%         | 90%         |
| Output        | % of clients rating services good or excellent | N/A         | 100%        | 88%         | 90%         | 89%         | 90%         | 90%         |

# Workers' Compensation

**Priority Outcome:** Innovative Government

**Service Number:** 872

**Fiscal 2020 Recommended:** \$4,476,049

## Service Description

This service was brought in-house in July 2018 to represent the Mayor and City Council in workers' compensation litigation. Attorneys assist claims adjusters at the City's external adjusting company by giving legal and practical advice on claim handling, and by issuing subpoenas and gathering and reviewing subpoenaed documents. The Workers' Compensation Group attorneys also attend regular meetings with City agencies to discuss claims, procedures and practices, and they prepare and argue multiple cases on a daily basis before the Maryland Workers' Compensation Commission.

## Major Budget Items

- The budget includes an additional \$3.4 million for contracts and one position transferred from Service 707: Risk Management for Employee Injuries in the Finance Department. The position is responsible for handling contracts related to workers' compensation claims adjustment.
- One Paralegal position was transferred to Service 861: Controversies.
- Funding for this service is provided by the Risk Management internal service fund.

| Type          | Performance Measure                | FY16 Actual | FY17 Actual | FY18 Target | FY19 Target | FY19 Actual | FY20 Target | FY21 Target |
|---------------|------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Output        | # of claims handled each year      | N/A         | N/A         | N/A         | N/A         | 4,267       | 4,000       | 4,000       |
| Effectiveness | % of "Yes/No" issues tried and won | N/A         | N/A         | N/A         | N/A         | N/A         | 5%          | 5%          |