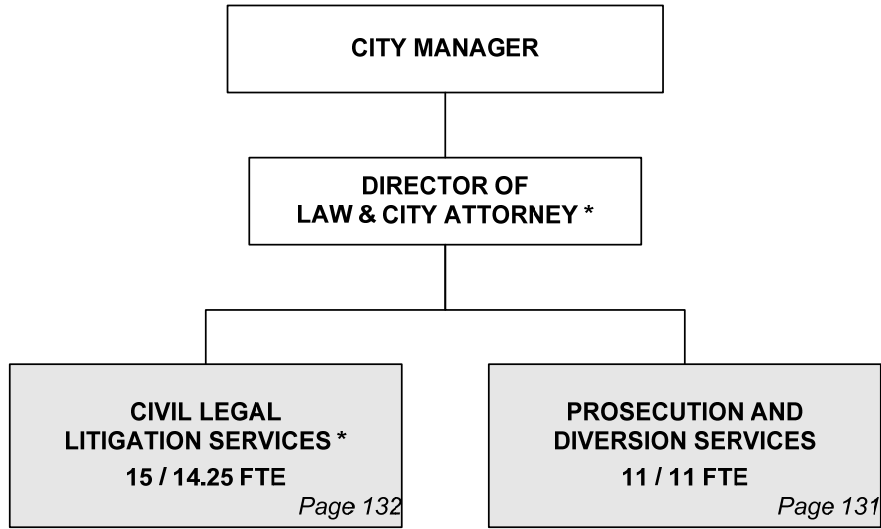




# ORGANIZATION CHART AND AUTHORIZED POSITIONS

## LAW DEPARTMENT



\* Position included with Civil Legal Litigation Services

**Total Authorized Positions/ Full-Time Equivalent = 26 / 25.25 FTE**

Authorized Positions	Range	2007	2008	2009
Department Director	E83	1	1	1
Chief Deputy City Attorney	D72	1	1	1
Deputy City Attorney <sup>1</sup>	D71	3	3	3
Chief Prosecutor	D61	1	1	1
Assistant City Attorney III	C45	4	4	4
Assistant City Attorney II	C44	2	2	2
Assistant City Attorney I	C43	5	5	5
Program Specialist	C41	1	1	1
Administrative Aide II	623	1	1	1
Administrative Secretary	621	1	1	1
Secretary	619	2	2	2
Legal Secretary	620	3	3	3
Cooperative Education Student (.25 FTE) <sup>2</sup>	410	1	1	1
<b>TOTAL AUTHORIZED POSITIONS</b>		<b>26</b>	<b>26</b>	<b>26</b>
<b>General Fund</b>		<b>26</b>	<b>26</b>	<b>26</b>

<sup>1</sup> 1.25 FTE is supported by Pension Fund and Economic Development Fund.

<sup>2</sup> The position is supported by the Wichita Bar Association.

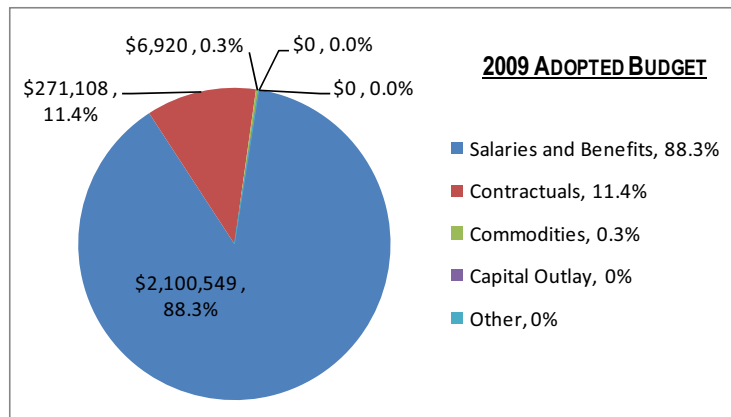


**MISSION**

To represent the City in all legal actions brought against the City or initiated by the City: provide legal advice to the City Council, the City Manager, the departments, and boards and agencies of the City; manage the City's diversion and deferred judgment programs; prepare and review ordinances, resolutions, contracts, bonds and other legal documents of significance to the City.

DEPARTMENTAL GOAL		CITY GOAL ALIGNMENT
1	Continue to pursue excellence in the practice of law, be recognized experts in municipal law, and focus on preventive legal advice.	Internal Perspective
2	Provide a high level of customer service to key and support officials and employees, monitor and respond to feedback from our clients, and strive to be accessible and responsive to our clients.	Internal Perspective
3	Administer Diversion and Deferred Judgment programs to provide mechanisms for first-time offender education and positive incentives to avoid recidivist behavior.	Safe & Secure Community

SERVICES EXPENDITURES BY FUND	FUND	2007 ACTUAL	2008 ADOPTED	2008 REVISED	2009 ADOPTED	2010 APPROVED
Prosecution and Diversion Services	General Fund	780,314	915,360	945,559	930,422	938,070
Civil Legal Litigation Services	General Fund	1,447,130	1,463,040	1,436,895	1,448,155	1,463,559
<b>TOTAL EXPENDITURES</b>		<b>\$2,227,444</b>	<b>\$2,378,400</b>	<b>\$2,382,454</b>	<b>\$2,378,577</b>	<b>\$2,401,629</b>
	<b>2009 ADOPTED %</b>					
<b>TOTAL GENERAL FUND</b>	<b>100.0%</b>	<b>\$2,227,444</b>	<b>\$2,378,400</b>	<b>\$2,382,454</b>	<b>\$2,378,577</b>	<b>\$2,401,629</b>



The Law Department is 100% funded from property tax and diversion charges. Salaries and benefits comprise 88% of the total expenditure budget. These funds support 25 total positions. The Economic Development Fund, and the Pension Fund provide partial compensation for two Deputy City Attorneys.

The Law Department contracts for the administration of Domestic Violence Services and Victim's Rights Services. These two services comprise the majority of the remainder of the budgeted expenditures.

**DEPARTMENT PERFORMANCE HIGHLIGHTS - 2009 ADOPTED BUDGET:**

- ◆ The Diversion and Deferred judgment programs are continuing to grow. In 2006 3,254 diversion and deferred judgment applications were processed. The Law Department hopes to reach 3,384 applications in 2009.
- ◆ The Civil Legal Litigation Division continues to strive to provide excellent service by providing quick turnaround for legal services to City departments. During 2009, the Law Department will strive to turnaround civil legal services within 30 days for 98% of all cases.

# PROSECUTION AND DIVERSION SERVICES

## LAW DEPARTMENT

### MISSION

To conduct prosecution in the Municipal Court, to manage the City's diversion and deferred judgment programs in accordance with the requirements of applicable laws and the policy decisions of the City Council, to provide training to Police officers on charging and procedural issues, and to oversee and act as liaison with the Victim Rights and Domestic Violence Advocacy program contractors.

### SERVICE DESCRIPTION

The Prosecution section is responsible for the prosecution of all misdemeanor crimes and traffic offenses that occur within the City of Wichita. Approximately 115,000 cases are filed each year in the municipal court: traffic offenses, theft, battery, weapons violations, environmental crimes, code offenses, and sex offenses. Diversion programs, or alternatives to traditional prosecution, exist for first offense violators of driving under the influence of alcohol and/or drugs, theft, drug, and domestic violence offenses. The alternatives concentrate on rehabilitation of the offender in order to discourage future criminal conduct. By prosecuting criminal and traffic violations, prosecutors assist in removing those defendants from the streets, who show a very low regard for the laws. At the same time, prosecutors also send a message that such actions will not be tolerated, thus deterring future crime and contributing to public safety.

SERVICE OBJECTIVES		DEPT. GOAL ALIGNMENT
A	Continue to pursue excellence in the practice of law, be recognized experts in municipal law, and focus on preventive legal advice.	1
B	Maintain a credible threat of successful prosecution to further enforcement and deter violations of municipal ordinances.	3
C	Administer Diversion and Deferred Judgment programs to provide mechanisms for first-time offender education and positive incentives to avoid recidivist behavior.	3

PERFORMANCE MEASURES	OBJECTIVE ALIGNMENT	2006		2007		2008	2009
		TARGET	ACTUAL	TARGET	ACTUAL	TARGET	TARGET
Number of Cases Resolved after Prosecution Action	B	NA	21,400	24,000	19,842	21,755	21,755
Revenues Generated through Diversion and Deferred Judgment Programs	C	NA	\$293,000	NA	\$290,913	\$291,957	\$291,957
Diversion/Deferred Judgment Applications Processed	C	NA	3,254	3,250	3,773	3,384	3,384

### STRATEGIC HIGHLIGHTS

- ◆ Effectively used computer record access and certifications submitted by program participants to track the progress of participants in the Diversion and Deferred Judgment programs, in order to appropriately determine whether the participant has achieved a successful outcome.

REVENUES BY SOURCES / EXPENDITURES BY CATEGORY	2007 ACTUAL	2008 ADOPTED	2008 REVISED	2009 ADOPTED	2010 APPROVED
Program Fees/Charges	385,367	364,800	393,380	408,700	419,850
General Fund Allocation	394,947	550,560	552,179	521,722	518,220
<b>TOTAL PROGRAM REVENUES</b>	<b>\$780,314</b>	<b>\$915,360</b>	<b>\$945,559</b>	<b>\$930,422</b>	<b>\$938,070</b>
Salaries and Benefits	622,116	766,180	771,529	758,391	766,039
Contractuals	134,944	146,660	171,510	169,511	169,511
Commodities	23,254	2,520	2,520	2,250	2,250
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
<b>TOTAL PROGRAM EXPENDITURE</b>	<b>\$780,314</b>	<b>\$915,360</b>	<b>\$945,559</b>	<b>\$930,422</b>	<b>\$938,070</b>
<b>TOTAL POSITIONS / FTE</b>	<b>11 / 11</b>	<b>11 / 11</b>	<b>11 / 11</b>	<b>11 / 11</b>	<b>11 / 11</b>



### MISSION

To represent the City in all legal actions, to provide required legal research and legal advice, and to prepare and review all legal documents of significance to the City including ordinances, resolutions, contracts, bonds, etc.

### SERVICE DESCRIPTION

The Civil Legal Litigation Service Unit provides research, advice and legal representation to the City of Wichita in lawsuits, claims and cases, and in the drafting and review of legislative and transactional documents, with the aim to help implement City programs, which improve City program quality, and prevent or limit unintended City legal or financial exposures. It also provides assistance to the Prosecution function in connection with diversion programs and appeals of Municipal Court cases proceeding in the district courts and Kansas appellate courts. Aspects of the service that relate to representation in legal actions and evaluation of claims are mandated by Kansas statutes.

SERVICE OBJECTIVES		DEPT. GOAL ALIGNMENT
A	Continue to pursue excellence in the practice of law, be recognized experts in municipal law, and focus on preventive legal advice.	1
B	Provide a high level of customer service to key and support officials and employees, monitor and respond to feedback from our clients, and strive to be accessible and responsive to our clients.	2
C	Continue to provide legal services in a cost effective manner and at a lower cost than services provided by comparable private law firms.	2

PERFORMANCE MEASURES	OBJECTIVE ALIGNMENT	2006		2007		2008	2009
		TARGET	ACTUAL	TARGET	ACTUAL	TARGET	TARGET
Claims Resolved without Payment	A	NA	79.6%	80%	67%	69.5%	69.5%
Lawsuits Resolved in Favor of the City or within Established Settlement Range	B	NA	74.5%	75%	77%	71.9%	71.9%
Turnaround Time for Processing Civil Legal Services, 0-30 Days	C	NA	94%	96.2%	95.5%	98.0%	98.0%

### STRATEGIC HIGHLIGHTS

- ◆ As the City continues to support special projects and pursue major enhancements in service delivery, the Law Department will need to deal with the attendant additional technical and logistical burdens of supporting these projects and service efforts.

REVENUES BY SOURCES / EXPENDITURES BY CATEGORY	2007 ACTUAL	2008 ADOPTED	2008 REVISED	2009 PROPOSED	2010 PROJECTED
Program Fees/Charges	0	0	0	0	0
General Fund Allocation	1,447,131	1,463,040	1,436,895	1,448,155	1,463,599
<b>TOTAL PROGRAM REVENUES</b>	<b>\$1,447,131</b>	<b>\$1,463,040</b>	<b>\$1,436,895</b>	<b>\$1,448,155</b>	<b>\$1,463,599</b>
Salaries and Benefits	1,292,371	1,356,010	1,331,170	1,342,158	1,357,562
Contractuals	151,532	102,380	101,325	101,597	101,597
Commodities	3,228	4,650	4,400	4,400	4,400
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
<b>TOTAL PROGRAM EXPENDITURE</b>	<b>\$1,447,131</b>	<b>\$1,463,040</b>	<b>\$1,436,895</b>	<b>\$1,448,155</b>	<b>\$1,463,599</b>
<b>TOTAL POSITIONS / FTE</b>	<b>15 / 14.25</b>	<b>15 / 14.25</b>	<b>15 / 14.25</b>	<b>15 / 14.25</b>	<b>15 / 14.25</b>