

¹ Position included with Civil Legal Litigation Services

Total Authorized Positions/Full Time Equivalent = 27 / 25.75 FTE

Authorized Positions	Range	2010	2011	2012
Department Director	E83	1	1	1
Chief Deputy City Attorney	D72	1	1	1
Deputy City Attorney	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 ^{1,2}	C43	6	6	6
Program Specialist ³	C41	1	0	0
Legal Assistant ⁴	623	1	1	2
Administrative Secretary	621	1	1	1
Secretary	619	2	2	2
Legal Secretary ⁵	620	3	2	2
Legal Secretary (PT-50%) ⁵	620	0	1	1
Cooperative Edu. Student (PT-25%)	410	1	2	1
TOTAL AUTHORIZED POSITIONS		27	27	27
General Fund		27	27	27

¹ One Assistant City Attorney I position is grant funded to support the Mental Health Court and the grant expires in 2011.

² One Assistant City Attorney I position is added in the 2011 Revised Budget.

³ One Program Specialist is eliminated in the 2011 Adopted Budget.




⁴ One Legal Assistant position is added in the 2012 Adopted Budget.

⁵ One Legal Secretary is eliminated and one Legal Secretary (PT-50%) was added in the 2011 Adopted Budget.

MISSION: To represent the City in all legal actions, provide legal advice and manage the diversion and deferred judgment programs.

ENSURE PHYSICAL SAFETY	PROTECT PROPERTY	PROTECT PUBLIC INFRASTRUCTURE	CREATE A GROWING COMMUNITY
SUPPORT SERVICES			

Goal	DEPARTMENTAL GOALS	
	<ol style="list-style-type: none"> Continue to pursue excellence in the practice of law, be recognized experts in municipal law, and focus on preventive legal advice. Provide legal services in a cost effective manner and at a lower cost than services provided by comparable private law firms. Provide skilled prosecution to enforce and deter violations of municipal ordinances. Administer Diversion and Deferred Judgment programs to provide education and positive incentives to avoid recidivist behavior. 	
	STRATEGIES	
Strategy		
	<ol style="list-style-type: none"> Continually monitor and evaluate diversion and deferred judgment process to ensure successful completion of program mandates. Use research tools to review problems, in a timely manner, find solutions and suggest safer alternatives in keeping with policy level directives. Investigate facts alleged by the claimant and research the law to determine if the basic elements of tort are present, and if so, whether a specifically applicable municipal doctrine or statutory immunity negates the alleged liability of the City. 	
Result		

PERFORMANCE MEASURES	BENCHMARK	2008 ACTUAL	2009 ACTUAL	2010 ACTUAL	2011 TARGET	2012 TARGET	STRATEGY ALIGNMENT
Diversion and Deferred Judgment Applications Processed	 2,989	2,989	3,727	3,006	3,432	3,100	A
Civil Legal Services Processed within 30 Days	 94.0%	95.8%	97.0%	98.0%	95.1%	96.0%	B
Liability Claims per 10,000 Population	 7.46	NA	10.90	9.60	10.90	10.00	C

REVENUE BY FUND	2010 ACTUAL	2011 ADOPTED	2011 REVISED	2012 ADOPTED	2013 APPROVED
General Fund	2,360,891	2,455,059	2,454,869	2,507,544	2,549,261
TOTAL REVENUES	\$2,360,891	\$2,455,059	\$2,454,869	\$2,507,544	\$2,549,261
Salaries and Benefits	2,075,224	2,174,406	2,174,310	2,226,005	2,268,572
Contractuals	277,690	274,133	274,039	275,019	274,169
Commodities	7,977	6,520	6,520	6,520	6,520
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
TOTAL EXPENDITURES	\$2,360,891	\$2,455,059	\$2,454,869	\$2,507,544	\$2,549,261
TOTAL POSITIONS / FTE	27 / 25.75	*26 / 24.25	**27 / 25	***27 / 25.75	27 / 25.75

*One Program Specialist position and one Legal Secretary position were eliminated and one part-time Legal Secretary position was added in the 2011 Adopted Budget.

**One part time Assistant City Attorney I position is eliminated in the 2011 Revised Budget due to the expiration of the Mental Health Court Grant. One full time Assistant City Attorney I position is added in the 2011 Revised Budget.




***One Community Service Worker position is a summer intern with costs reimbursed by the Wichita Bar Association (WBA). The WBA is funding two interns in 2011. One Legal Assistant position is added in the 2012 Adopted Budget.

MISSION: To conduct prosecution in 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 assist with the operation of the Mental Health Court, to provide training to Police officers on charging and procedural issues, and to oversee Victim Rights and Domestic Violence Advocacy program contractors.

SERVICE DESCRIPTION: Prosecution and Diversion Services is responsible for the prosecution of all misdemeanor crimes and traffic offenses that occur within the City of Wichita. There are over 100,000 cases filed each year in Municipal Court. The crimes include traffic offenses, theft, battery, weapons violations, environmental crimes, code offenses, and sex offenses.

Diversion programs, offer alternatives to traditional prosecution for violators of driving under the influence of alcohol and/or drugs, theft, drug, speeding, minor in possession of alcohol, and domestic violence offenses. These alternatives concentrate on rehabilitation of the offender, in order to discourage future criminal conduct. A diversion program is also available for those interested in participating in the Mental Health Court program, which is designed to assist offenders whose criminal conduct is linked to ongoing mental health issues. The Mental Health Court program also focuses on those convicted of crimes, but needing the stability and continuity of the mental health court program to be successful on probation.

STRATEGIES		GOAL ALIGNMENT
A	Utilize knowledge, experience, research skills, case assessment, current trends, and information gained from continuing legal education to evaluate and provide advice on criminal justice policies and procedures, in order to successfully respond to and prosecute municipal ordinance violations.	3
B	Review and prepare all docketed cases in advance of hearings and trial in order to make appropriate recommendations for plea, sentencing and other case disposition.	3
C	Continually monitor and evaluate diversion and deferred judgment process to ensure successful completion of program mandates.	4

PERFORMANCE MEASURES	BENCHMARK	2008 ACTUAL	2009 ACTUAL	2010 ACTUAL	2011 TARGET	2012 TARGET	STRATEGY ALIGNMENT
Total Number of Cases Resolved Requiring Prosecution Action	 109,039	109,039	118,953	117,960	120,000	119,000	A
Revenues Generated through Diversion and Deferred Judgment Programs	 \$354,027	\$355,027	\$398,596	\$403,722	\$383,800	\$399,000	C
Diversion and Deferred Judgment Applications Processed	 2,989	2,989	3,727	3,006	3,432	3,100	C

REVENUES BY SOURCES / EXPENDITURES BY CATEGORY	2010 ACTUAL	2011 ADOPTED	2011 REVISED	2012 ADOPTED	2013 APPROVED
General Fund	839,702	866,264	886,149	924,938	955,393
TOTAL REVENUES	\$839,702	\$866,264	\$886,149	\$924,938	\$955,393
Salaries and Benefits	717,168	761,932	778,727	817,204	848,721
Contractuals	121,226	101,812	104,902	105,214	104,698
Commodities	1,308	2,520	2,520	2,520	2,520
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
TOTAL EXPENDITURES	\$839,702	\$866,264	\$886,149	\$924,938	\$955,393
TOTAL POSITIONS / FTE	12 / 11.5	*11 / 10.5	**11 / 11.0	***12 / 12.0	****12 / 12.0

*One Program Specialist position was eliminated in the 2011 Adopted Budget.




**One part time Assistant City Attorney I position was eliminated in the 2011 Revised Budget due to the expiration of the Mental Health Court Grant. One full time Assistant City Attorney I position is added in the 2011 Revised Budget.

***One Legal Assistant position was added in the 2012 Adopted Budget.

MISSION: To represent the City in all legal actions brought against the City or initiated by the City, including court actions as well as administrative and tax matters, to provide claims management and litigation services required by the City, to provide required legal research and advice to the City Council, City Manager, and the departments, boards and agencies of the City, to prepare and review all ordinances and resolutions required by the City to accomplish the policies adopted by the City Council, and to prepare or review all contracts, bonds and other legal documents of significance to the City.

SERVICE DESCRIPTION: The Civil Legal/Litigation Service Unit provides research, advice and legal representation to the City of Wichita and its various departments, boards and agencies in lawsuits, claims and cases, and in the drafting and review of legislative and transactional documents, with the aim to help implement City programs, to 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 appeals of Municipal Court cases proceeding in the district courts and Kansas appellate courts. Those aspects of the service that relate to representation in legal actions and evaluation of claims are mandated by Kansas statutes.

STRATEGIES		GOAL ALIGNMENT
A	Use research tools to review problems, in a timely manner, find solutions and suggest safer alternatives in keeping with policy level directives.	1
B	Investigate facts alleged by the claimant and research the law to determine if the basic elements of tort are present, and if so, whether a specifically applicable municipal doctrine or statutory immunity negates the alleged liability of the City.	1
C	Limit costs incurred in regular operations through the use of technology and recover costs where possible.	2

PERFORMANCE MEASURES	BENCHMARK	2008 ACTUAL	2009 ACTUAL	2010 ACTUAL	2011 TARGET	2012 TARGET	STRATEGY ALIGNMENT
Liability Claims per 10,000 Population	 7.46	NA	10.9	9.6	10.9	10.0	B
Percentage of General Liability Claims that Proceed to Litigation	 8.9%	NA	0.5%	0.6%	0.5%	0.5%	B
Percentage of Claims Resolved without Payment	 67.0%	87.0%	72.3%	80.0%	77.9%	80.0%	B

REVENUES BY SOURCES / EXPENDITURES BY CATEGORY	2010 ACTUAL	2011 ADOPTED	2011 REVISED	2012 ADOPTED	2013 APPROVED
General Fund	1,521,189	1,588,795	1,568,720	1,582,606	1,593,322
TOTAL REVENUES	\$1,521,189	\$1,588,795	\$1,568,720	\$1,582,606	\$1,593,322
Salaries and Benefits	1,358,056	1,412,474	1,395,583	1,408,801	1,419,851
Contractuals	156,463	172,321	169,137	169,805	169,471
Commodities	6,670	4,000	4,000	4,000	4,000
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
TOTAL EXPENDITURES	\$1,521,189	\$1,588,795	\$1,568,720	\$1,582,606	\$1,593,322
TOTAL POSITIONS / FTE	15 / 14.25	*15 / 13.75	**16 / 14.00	**15 / 13.75	15 / 13.75

*One Legal Secretary position was eliminated and one part-time Legal Secretary position was added in the 2011 Adopted Budget.

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