

**OFFICE OF LAW**

**FY2019**

**RECOMMENDED BUDGET**

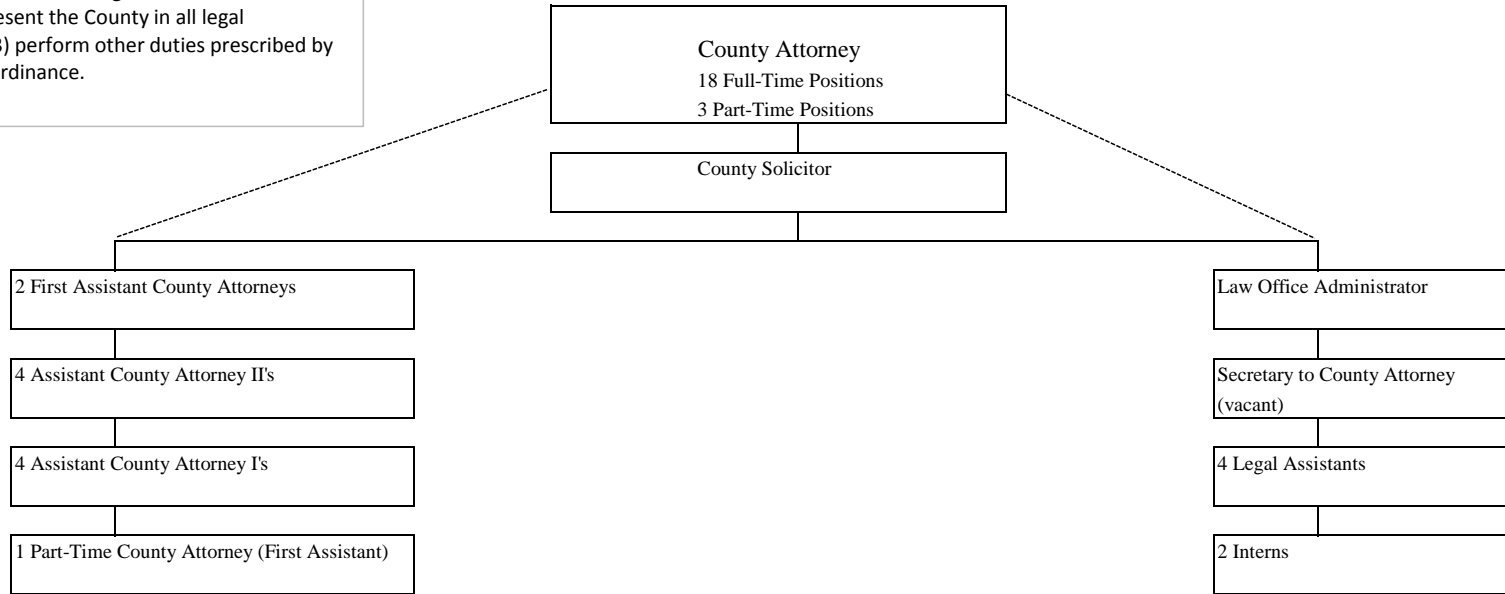
**TO COUNTY COUNCIL**



**NEW CASTLE COUNTY  
OFFICE OF LAW  
FY2019 ORGANIZATIONAL CHART**

**MISSION.....**

The Office of Law's State mandated mission is to: 1) serve as chief legal advisor to the County Executive, County Council and all County departments, boards, offices and agencies (which includes staffing board and commission meetings) ; 2) represent the County in all legal proceedings; and 3) perform other duties prescribed by title or by County ordinance.



<b>Administrative Proceedings</b>	<b>Finance Legal</b>	<b>Policy Analysis</b>	<b>Litigation</b>	<b>Contract Review</b>	<b>Freedom of Information Act (FOIA)</b>	<b>Public Safety</b>
<b>Land Use</b>	<b>Legislation</b>	<b>Code Prosecution</b>	<b>Representation of Boards and Commissions</b>	<b>Public Works</b>	<b>Community Services</b>	<b>Technology &amp; Administrative Services</b>

Note: These positions do not include 3 attorney positions administered and supervised by the Office of Law, but funded through the Department of Public Works.



**NEW CASTLE COUNTY  
OFFICE OF LAW  
FY2018 ACCOMPLISHMENTS**

Successfully represented New Castle County before various federal and state courts and administrative tribunals on issues including, but not limited to, personal injury, civil rights (Section 1983), premises liability, land use, environmental liability, defamation, and employment;

Evaluated and brought cases or parts of cases in-house where it was reasonable, prudent and without conflict;

Eliminated the large, inherited backlog of tax exemption applications, working toward 30-day turnaround for 80 percent of applications (recognizing that 20 percent likely will require follow-up);

Restructured Office of Law to include intermediate managers and assignment of certain attorneys and legal assistants to other sites on designated days for enhanced efficiency, product quality and service;

Part of vacant housing working group that seeks to improve neighborhoods via legislation, prosecution and sheriff's sales; toward that end, selected two outside firms for one-year trial of sheriff's sales meeting specific criteria and will be increasing in-house sales;

More than 177 contracts drafted or reviewed and modified from July 1, 2017 to March 1, 2018;

Drafted for review and approval 132 written decisions, resolving 174 matters, for the Board of Adjustment and Board of Assessment Review from July 1, 2017 to March 1, 2018;

Successfully prosecuted and procured guilty pleas and compliance for numerous County code violations in Justice of the Peace Court 11;

Provided internal assistance and advice to County operating departments and branches of County Government, most notably assisting department heads in their launch of new and innovative programs and policies to better accomplish County goals;

Provided training sessions for Office of Law staff and implemented a tiered process of internal review to help increase efficiency, productivity and quality;

Researched and drafted legislation crossing all functional areas and conducted a legal review of legislation produced outside of the Office.



**NEW CASTLE COUNTY  
OFFICE OF LAW  
FY2019 GOALS**

Ensure high quality of research, advice, review and in-house representation for operating departments, row offices, and boards and commissions in light of reduced budget;

Aggressively defend the County's interest in pending and potential litigation and administrative matters;

Fairly and progressively prosecute and handle problem properties and quality of life issues;

Provide internal assistance and advice to all New Castle County operating departments and branches of the government, as well as to boards, commissions and row offices;

Provide legal review of all County contracts to promote the goals of County citizens at the least expense;

Draft and review legislation to promote clarity, avert legal challenge, implement new goals and programs, and reflect needed changes;

Proactively work with departments and the executive office to identify and craft legal solutions and innovations to increase efficiency and maximize savings.



**NEW CASTLE COUNTY  
OFFICE OF LAW  
FY2019 CHALLENGES**

To maintain and increase the quality of the research, advice, review and in-house representation for Office of Law clients considering limited budgetary authorization and increased demand for services;

To maintain a high success rate defending suits against New Castle County;

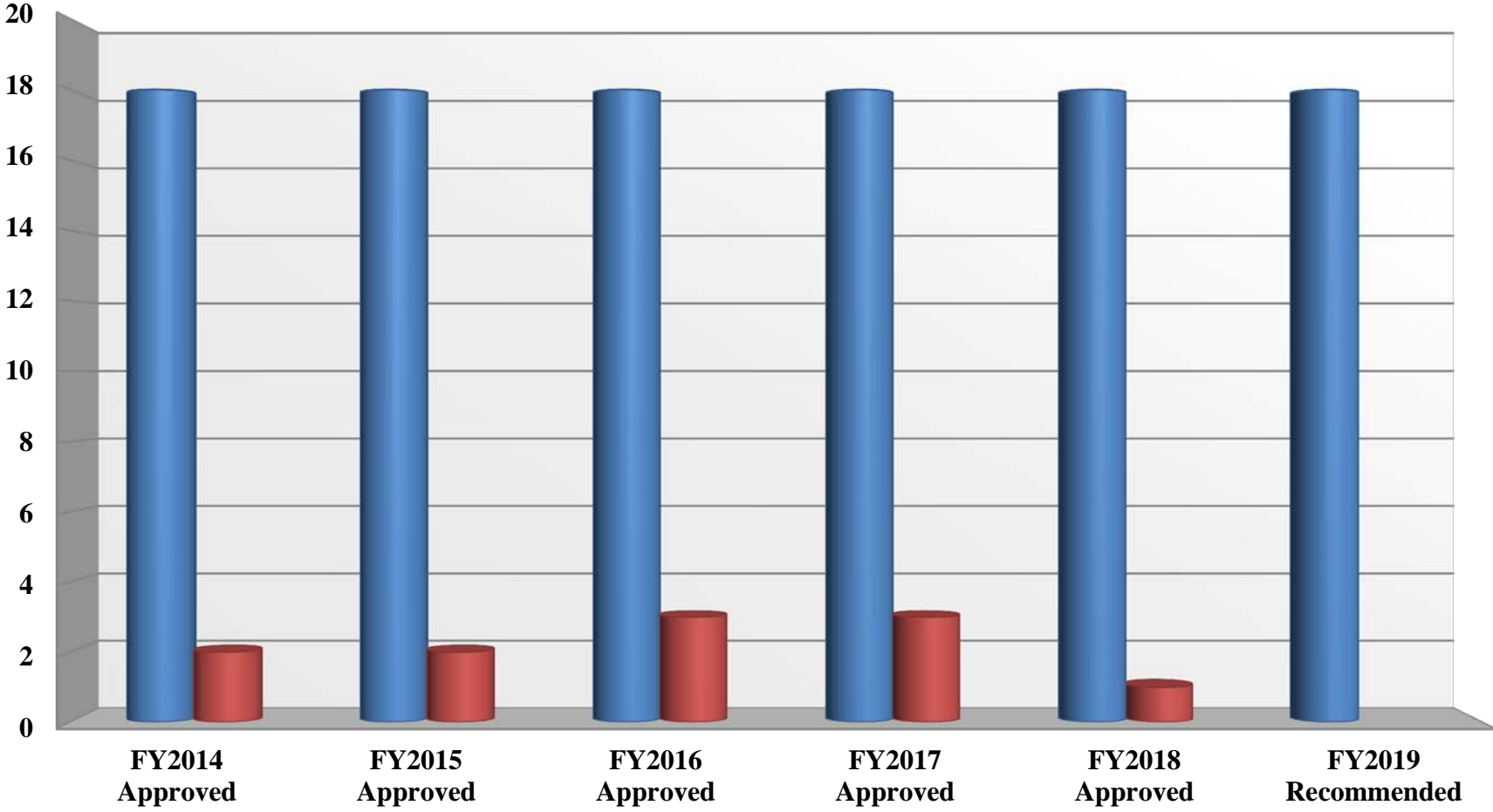
To reduce the reliance on outside legal counsel where prudent and productive in light of potential conflicts and other legal demands;

To continue the comprehensive review and revision of the *New Castle County Code*;

To increase opportunities for Continuing Legal Education (CLE) credit and professional training in a cost effective manner.

## **POSITION OVERVIEW**

**NEW CASTLE COUNTY  
OFFICE OF LAW  
POSITION HISTORY**



	<b>FY2014 Approved</b>	<b>FY2015 Approved</b>	<b>FY2016 Approved</b>	<b>FY2017 Approved</b>	<b>FY2018 Approved</b>	<b>FY2019 Recommended</b>
<b>■ Number of Positions</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>
<b>■ Vacancies</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>	



**NEW CASTLE COUNTY  
OFFICE OF LAW  
FY2019 POSITION ADJUSTMENTS**

<b>INCREASE</b>	
<b>#</b>	<b>Position Title</b>
1	Assistant County Attorney I
<b>1</b>	<b>TOTAL INCREASE</b>

<b>DECREASE</b>	
<b>#</b>	<b>Position Title</b>
(1)	Assistant County Attorney II
<b>(1)</b>	<b>TOTAL DECREASE</b>





**NEW CASTLE COUNTY  
OFFICE OF LAW  
CURRENT VACANCIES AS OF FEBRUARY 28, 2018**

<b>Position Title</b>	<b>Date Vacated</b>	<b>Fund Source</b>	<b>Comments</b>
<b>Section</b>			
Secretary to County Attorney	9/19/2016	General	
<b>Total Vacancies:</b>	<b>1</b>		
<b>Vacancy Rate:</b>	<b>6%</b>		



**NEW CASTLE COUNTY  
OFFICE OF LAW  
DIVERSITY SUMMARY FOR CY2017**

JOB CATEGORIES	NUMBER OF EMPLOYEES														Totals
	MALE							FEMALE							
	Hispanic or Latino	White (Non Hispanic or Latino)	Black or African American (Non Hispanic or Latino)	Asian (Non Hispanic or Latino)	Native Hawaiian or Other Pacific Islander (Non Hispanic or Latino)	American Indian or Alaska Native (Non Hispanic or Latino)	Two or More Races (Non Hispanic or Latino)	Hispanic or Latino	White (Non Hispanic or Latino)	Black or African American (Non Hispanic or Latino)	Asian (Non Hispanic or Latino)	Native Hawaiian or Other Pacific Islander (Non Hispanic or Latino)	American Indian or Alaska Native (Non Hispanic or Latino)	Two or More Races (Non Hispanic or Latino)	
Officials and Administrators															0
Professionals		3		1				1	5	1					11
Technicians															0
Paraprofessionals															0
Administrative Support									2	3					5
Skilled Craft Workers															0
Service-Maintenance															0
Certain Elected/Appointed Officials									1						1
<b>TOTAL</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17</b>

State and Local Government Information (EEO-4) Report Format: In advance of the September 30, 2017 deadline for filing the FY2017 EEO-4 Report, the Office of Human Resources implemented changes in ethnic group coding required by the Equal Employment Opportunity Commission (EEOC). In addition, job categories were reviewed on a county-wide basis, resulting in job category changes to approximately fifty (50) position titles.

Category	Males	Females	Total
# Total	4	13	17
% Total	24%	76%	100%
# Non White	1	5	6
% Non White	25%	38%	35%



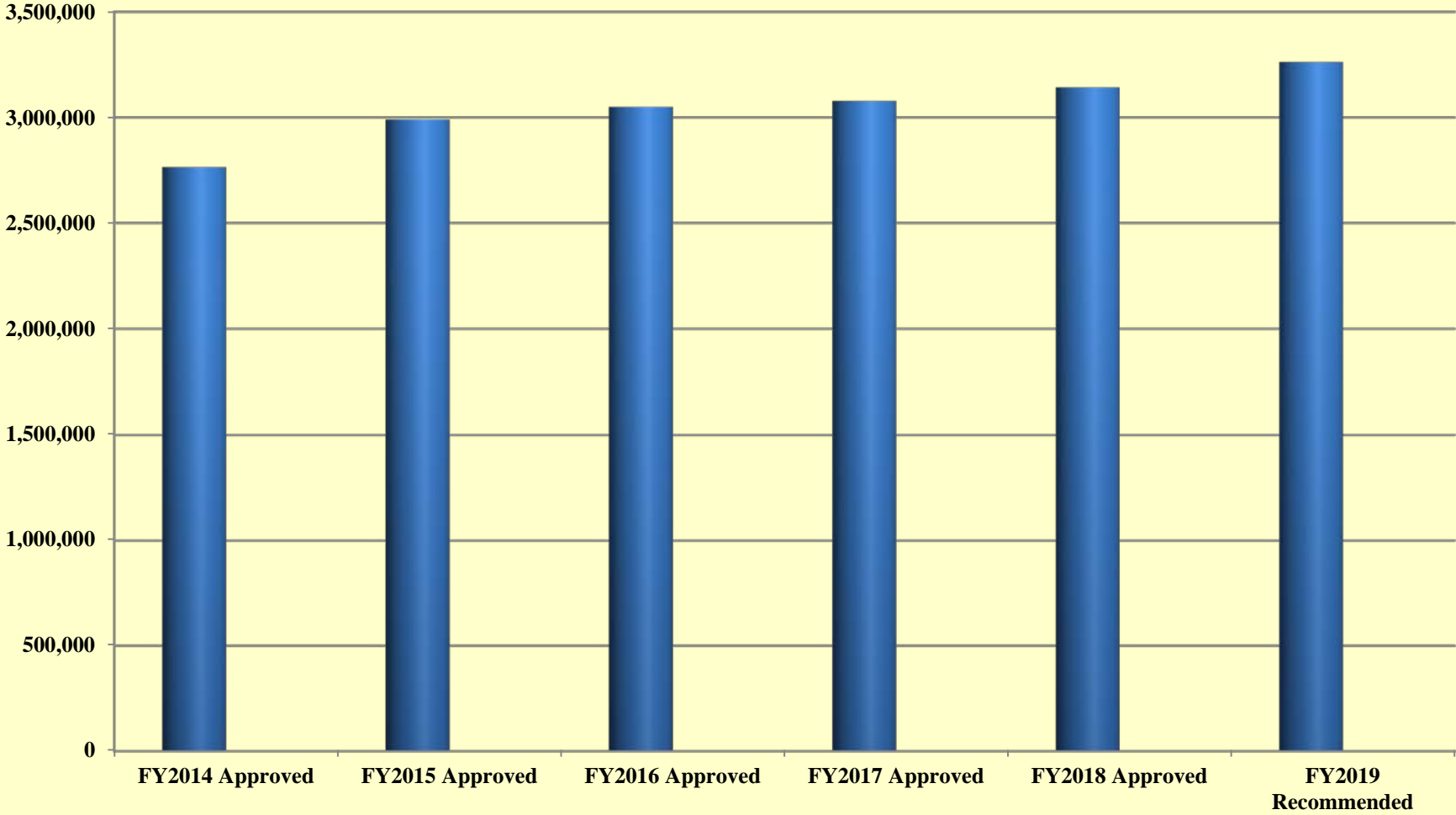
**NEW CASTLE COUNTY  
OFFICE OF LAW  
DIVERSITY SUMMARY FOR 2016-2014**

JOB CATEGORIES		NUMBER OF EMPLOYEES										
		Overall Totals (Sum of Col. B-K)	MALE					FEMALE				
			White (Not of Hispanic Origin)	Black (Not of Hispanic Origin)	Hispanic	Asian or Pacific Islander	American Indian or Alaskan Native	White (Not of Hispanic Origin)	Black (Not of Hispanic Origin)	Hispanic	Asian or Pacific Islander	American Indian or Alaskan Native
			A	B	C	D	E	F	G	H	I	J
Officials and Administrators	2016	0										
	2015	0										
	2014	0										
Professionals	2016	10	3	1				4	1	1		
	2015	9	2	1				4	1	1		
	2014	9	2	1				4	1	1		
Technicians	2016	0										
	2015	0										
	2014	0										
Paraprofessionals	2016	0										
	2015	0										
	2014	0										
Administrative Support	2016	5						2	3			
	2015	6						2	4			
	2014	7						3	4			
Skilled Craft Workers	2016	0										
	2015	0										
	2014	0										
Service-Maintenance	2016	0										
	2015	0										
	2014	0										
Certain Elected/Appointed Officials	2016	1		1								
	2015	1		1								
	2014	1		1								
TOTAL	2016	16	3	2	0	0	0	6	4	1	0	0
	2015	16	2	2	0	0	0	6	5	1	0	0
	2014	17	2	2	0	0	0	7	5	1	0	0

*State and Local Government Information (EEO-4) Report Format*

## **BUDGET OVERVIEW**

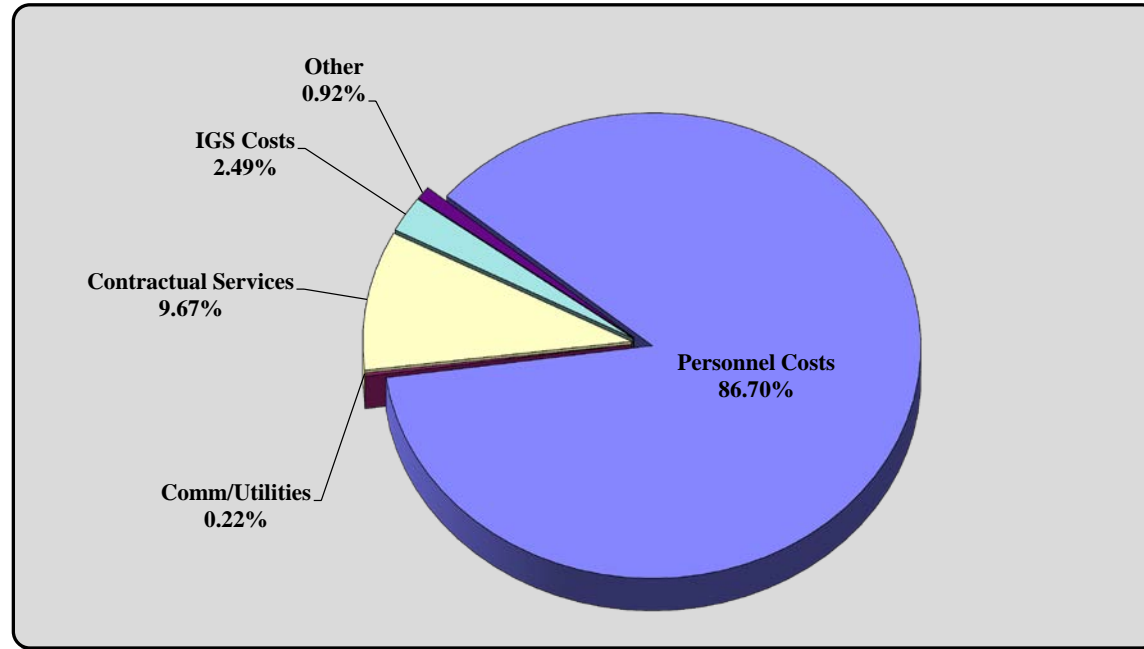
**NEW CASTLE COUNTY  
OFFICE OF LAW  
BUDGET HISTORY**



	FY2014 Approved	FY2015 Approved	FY2016 Approved	FY2017 Approved	FY2018 Approved	FY2019 Recommended
<b>OFFICE OF LAW</b>	2,764,735	2,990,927	3,049,839	3,078,233	3,141,819	3,262,187
<b>% Change over PY</b>	3.24%	8.18%	1.97%	0.93%	2.07%	3.83%



**NEW CASTLE COUNTY  
OFFICE OF LAW  
BUDGET OVERVIEW**



<u>Object Level</u>	<u>FY2019 Recommended</u>
Personnel Costs	\$2,828,292
Comm/Utilities	7,131
Contractual Services	315,422
IGS Costs	81,142
*Other	30,200
<b><u>Total Law Budget:</u></b>	<b><u>\$3,262,187</u></b>

\* Other Includes: training, and civic affairs, materials and supplies and equipment replacement.



**NEW CASTLE COUNTY  
OFFICE OF LAW  
BUDGET SUMMARY**

	<b>FY2018 Approved</b>	<b>FY2019 Recommended</b>	<b>FY2018 Approved vs. FY2019 Recommended</b>	<b>% Increase/ (Decrease) over FY2018 Approved</b>
Salaries and Wages	\$1,686,699	\$1,798,599	\$111,900	6.63%
Employee Benefits	\$920,140	\$1,029,693	\$109,553	11.91%
Training and Civic Affairs	\$14,500	\$14,500	\$0	0.00%
Communications/Utilities	\$7,900	\$7,131	(\$769)	-9.73%
Materials and Supplies	\$14,700	\$14,700	\$0	0.00%
Contractual Services	\$401,650	\$315,422	(\$86,228)	-21.47%
Equipment Replacement	\$1,000	\$1,000	\$0	0.00%
Intergovernmental Service Charges	\$95,230	\$81,142	(\$14,088)	-14.79%
<b>Total:</b>	<b>\$3,141,819</b>	<b>\$3,262,187</b>	<b>\$120,368</b>	<b>3.83%</b>



**NEW CASTLE COUNTY  
OFFICE OF LAW  
BUDGET DETAILS**

Object Level	FY2018 Approved	FY2019 Requested	\$ Change	% Change
<b>Salaries and Wages:</b>	<b>\$1,686,699</b>	<b>\$1,798,599</b>	<b>\$111,900</b>	<b>6.63%</b>
<p>\$111,900 increase attributed to filled positions and step increases/cost of living adjustments raises for eligible employees.</p>				
<b>Employee Benefits:</b>	<b>\$920,140</b>	<b>\$1,029,693</b>	<b>\$109,553</b>	<b>11.91%</b>
<p>\$109,553 calculated based on employee benefit rates: 60.111% for full-time and 10.922% for part-time.</p>				
<b>Training and Civic Affairs:</b>	<b>\$14,500</b>	<b>\$14,500</b>	<b>\$0</b>	<b>0.00%</b>
<p>No change recommended.</p> <p>Expenditures in this line include: Conference and seminar fees and expenses, bar membership and dues, mileage and fees, and mandatory continuing legal education through Westlaw, Delaware State Bar Association, the National Business Institute, etc.</p>				
<b>Communication and Utilities:</b>	<b>\$7,900</b>	<b>\$7,131</b>	<b>(\$769)</b>	<b>-9.73%</b>
<p>(\$769) decrease represents reduction in telephone costs.</p> <p>Expenditures in this line include: Postage, overnight express postage, and all telephone services.</p>				
<b>Materials and Supplies:</b>	<b>\$14,700</b>	<b>\$14,700</b>	<b>\$0</b>	<b>0.00%</b>
<p>No change recommended.</p> <p>Expenditures in this line include: Books and subscriptions, Westlaw's online legal research, office supplies, computer and printer cartridges.</p>				
<b>Contractual Services:</b>	<b>\$401,650</b>	<b>\$315,422</b>	<b>(\$86,228)</b>	<b>-21.47%</b>
<p>(\$86,228) decrease represents a reduction in outside counsel fees.</p> <p>Expenditures in this line include: Equipment repair, service contracts, printing and related expenses, outside counsel, other professional services (i.e., title searches, transcripts, Prothonotary, Sheriff and District Court filing fees, etc.)</p>				
<b>Equipment Replacement:</b>	<b>\$1,000</b>	<b>\$1,000</b>	<b>\$0</b>	<b>0.00%</b>
<p>No change recommended.</p> <p>Expenditures in this line include: Any safety or office equipment replacement.</p>				
<b>Intergovernmental Service Costs:</b>	<b>\$95,230</b>	<b>\$81,142</b>	<b>(\$14,088)</b>	<b>-14.79%</b>
<p>Information Systems - \$71,856 (decrease of \$850) Photocopies - \$4,521 (decrease of \$9,479) Printing - \$500 (no change)</p>				



**BUDGET BY OBJECT LEVEL 3**



**New Castle County  
OFFICE OF LAW  
FY2019 Budget by Object Code**

<b>Object Level 1</b>	<b>Object Level 3</b>	<b>FY2019 Recommended</b>
11 Salaries & Wages	1001 Salaries & Wages-Permanent	\$1,693,975
	1002 Salaries & Wages-Part-Time	\$104,624
<b>11 Salaries &amp; Wages Total</b>		<b>\$1,798,599</b>
15 Employee Benefits	1500 Emp. Bene.-Regular Overhead	\$1,018,266
	1520 Emp. Bene.-Part time	\$11,427
<b>15 Employee Benefits Total</b>		<b>\$1,029,693</b>
22 Training /Civic Affairs	2002 Train fare	\$50
	2003 Taxi and/or shuttle	\$50
	2004 Mileage reimbursement	\$350
	2005 Tolls	\$25
	2006 Parking fees	\$500
	2007 Tips, ATM charges, misc exp	\$100
	2008 Car Rental	\$100
	2010 Hotel accommodations	\$400
	2020 Meals	\$275
	2101 Conference fees	\$1,000
	2102 Seminar fees	\$7,000
	2301 Membership dues	\$4,500
	2310 Catering	\$150
<b>22 Training/Civic Affairs Total</b>		<b>\$14,500</b>
23 Comm /Utilities	3100 Postage	\$3,300
	3110 Overnight express	\$300
	3200 Telephone service	\$2,531
	3210 Cellular service	\$1,000
<b>23 Communication/Utilities Total</b>		<b>\$7,131</b>
24 Materials /Supplies	4000 Books and subscriptions	\$8,000
	4101 Office supplies	\$3,700
	4104 Computer supplies	\$3,000
<b>24 Materials/Supplies Total</b>		<b>\$14,700</b>
25 Contractual Services	5101 Equipment repair	\$300
	5300 Printing & related costs	\$500
	5400 Legal fees	\$55,000
	5406 Other professional services	\$70,000
	5408 Attorney fees	\$188,772
	5800 Advertising services	\$400
	5810 Food services	\$450
<b>25 Contractual Services Total</b>		<b>\$315,422</b>
26 Equipment	6201 Office furniture	\$1,000
<b>26 Equipment Total</b>		<b>\$1,000</b>
30 IGS Charges	5900 IS Contrac-Data Processing	\$71,856
	5901 IS Contrac-Photocopies	\$4,521
	5902 IS Contrac-Printing & Dupl.	\$500
	5904 IS Fleet	\$4,265
<b>30 IGS Charges Total</b>		<b>\$81,142</b>
<b>Grand Total</b>		<b>\$3,262,187</b>

**CONTRACTUAL SERVICES DETAIL**



**NEW CASTLE COUNTY  
OFFICE OF LAW  
CONTRACTUAL SERVICES DETAIL**

OCA	OCA Title	Object Level	Object Level 3 Title	FY2019 Recommended Budget	Explanation
030101	Contractual Services	5101	Equipment repair	\$ 300	Printers, office equipment
		5300	Printing & related costs	\$ 500	Envelopes, business cards, stationary, etc.
		5400	Legal Fees	\$ 55,000	Title searches, expert fees
		5406	Other Professional Services	\$ 70,000	Private investigation, surveillance, deposition/court transcripts, court reporters, electronic case research and filing services
		5408	Attorney fees	\$ 188,772	Legal services for defense and prosecution of cases
		5800	Advertising services	\$ 400	Employment ads, legal notices
		5810	Food Services	\$ 450	Service award ceremony
			<b>Total</b>	<b>\$315,422</b>	