

Lane County - Service Option Sheet - FY 16-17 Proposed

SOS C13 Legal Services

Service Category: Central Services

Dept: County Counsel

Mandate: None **Related** SHALL

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Leverage: None Some HIGH

Executive Summary

The Lane County Office of County Counsel is Lane County legal representative in almost all legal matters involving the County, its departments, employees and elected officials. The staff of this office advises the Board of County Commissioners, all other elected officials, County departments, and other County employees governed by the Board of Commissioners. The office reviews and evaluates tort claims against the County. The County Counsel's office represents the legal interests of County in a wide range of civil actions including, tort actions, labor grievances and arbitrations, administrative actions, land use matters. The staff provides day to day legal advice by reviewing County ordinances, Board orders, Lane Code amendments, resolutions, contracts, leases and other legal matters. This service includes the evaluation review, drafting and assistance to staff in the preparation of legal documents.

Service Level Descriptions (Read from bottom up. Level 1 = minimum viable service level.)

	Other Funds	Expense Total	General Fund	FTE
Proposed Budget Total	\$1,451,421	\$1,539,014	\$87,593	8.00
Reduction		(\$33,200)	(\$33,200)	

Reduced Extra Help - no FTE reduction.

Level 2:	\$0	\$66,492	\$66,492	0.00
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Provide avoidance and mitigation advice to reduce or prevent filed litigation against the County; perform basic required research for litigation and advice. Minimal written legal opinions. Affirmative litigation at Board discretion. Basic legal advice to the Board and departments within 1 week of inquiry; Provide training to managers and supervisors to reduce or prevent employment claims and grievances. Complete in-house legal representation of the County. Unclassified, no FTE.

Level 1: Threshold - reductions to this level result in elimination of service	\$1,451,421	\$1,505,722	\$54,301	8.00
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Investigate and defend litigation against the County, settling where reasonable; prepare all land use records. Crisis based litigation response only. Basic legal advice to the Board, elected officials & departments on policies & daily operational issues & personnel matters if/when workload permits; review contracts & agenda material. Code & Manual Maintenance. Paralegals and legal assistants are used to prepare large volumes of records and documents allowing the office to leverage attorney time. The support staff gives the office the opportunity in some cases to provide immediate assistance to clients. This level may require contracting with outside counsel (at great expense) if the number and/or type of active litigation exceeds staff capacity.

State/Federal Mandate

ORS 203.145 authorizes appointing counsel. ORS 9.320 requires cases be defended by a named party or attorney. ORS 30.285-.287 require public bodies defend & indemnify officers & employees for torts. ORS 197.830 requires assembling land use records within 21 days of service. If cases aren't defended or records are not delivered, the risk is an unchallenged monetary judgment or fine against the County.

Leverage Details

The General Fund portion of this program leverages the following:

\$0	back to the General Fund
\$0	into other County Funds
\$0	directly to community members via service provided

For the purpose of this comparison, only include leveraged funds that are dependent on General Fund revenue. Do not include funds that would still be leveraged if the General Fund portion of the service were decreased or eliminated.