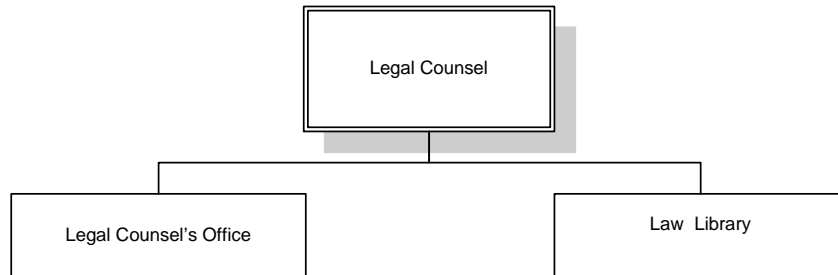


MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

LEGAL COUNSEL



MISSION STATEMENT

To support and sustain the effective implementation of countywide and departmental policies and management decisions through sound legal advice and diligent representation of our client, Marion County (legal counsel's office).

To provide the local legal community and the public with the best available legal resources and research services within the law library's fiscal and physical ability to do so (law library).

GOALS AND OBJECTIVES

- Goal 1. Providing excellent customer service to our clients.
- Goal 2. Assisting the board of commissioners and departments to review and revise county policies and ordinances in a timely fashion.
- Goal 3. Providing support to hearings officers so they can conduct administrative hearings and issue decisions in a professional manner.
- Goal 4. Providing cost effective resolutions in contested matters.
- Goal 5. Providing contract review and advice/representation for all departments.
- Goal 6. Supporting core administrative functions: human resources, risk management, financial services, and board of commissioners.
- Goal 7. Work with other county law libraries to enhance the sharing of resources via interlibrary loan.
- Goal 8. Foster better communication between the bar and the library by working closely with Marion County Bar Association library committee.
- Goal 9. Continue to work with the IT Department to keep the library technologically functioning at a level required by changing format of collection materials.
- Goal 10. Acquire materials in several formats to meet the diverse needs of our users.

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

DEPARTMENT OVERVIEW

The department is comprised of the legal counsel's office and the law library. Legal counsel's responsibility is to be exclusive civil lawyers and counselors for Marion County, appointed by the board of commissioners. Legal counsel serves the board of commissioners, elected officials, appointed department heads and their assistants, employees, and volunteer boards and commissions. The law library is a service authorized by state statute and funded by library fees paid by litigants and collected by the court clerk.

The legal counsel department total FY08-09 budget is \$2,001,064, a \$64,209 increase, or 3.3%, over FY07-08.

Resource and Requirement Summary

Legal Counsel	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Budget	FY 2008-09 Adopted	+/- %
Resources:					
General Funds	54,987	18,378	17,906	0	(100.0%)
Intergovernmental Funding:					
Other	82,915	120,395	98,500	116,300	18.1%
Fees & Charges	270,390	277,765	280,000	280,000	0.0%
Administrative Cost Recovery	965,871	953,814	1,066,949	1,208,653	13.3%
Other Funding	15,912	20,528	17,500	10,000	(42.9%)
Transfers In	0	0	30,000	0	(100.0%)
Net Working Capital:					
Unrestricted	432,777	462,014	426,000	386,111	(9.4%)
Total Resources	1,822,852	1,852,894	1,936,855	2,001,064	3.3%
Requirements:					
Personal Services:					
Salaries and Wages	718,102	782,047	888,669	955,220	7.5%
Fringe Benefits	302,494	286,942	329,680	376,108	14.1%
Subtotal Personal Services	1,020,596	1,068,989	1,218,349	1,331,328	9.3%
Materials and Services	213,020	192,545	199,086	179,811	(9.7%)
Administrative Charges	127,222	122,151	140,170	173,532	23.8%
Transfers Out	0	0	0	150,000	n.a.
Contingency	0	0	143,000	75,000	(47.6%)
Unapprop. Ending Fund Bal.	0	0	236,250	91,393	(61.3%)
Total Requirements	1,360,838	1,383,685	1,936,855	2,001,064	3.3%
FTE	10.90	11.70	11.80	12.25	3.8%

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

PROGRAMS

The legal counsel department budget is allocated to two programs that are shown on the following table.

Summary of Department Programs

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Budget	FY 2008-09 Adopted	+/- %
RESOURCES	1,822,852	1,852,894	1,936,855	2,001,064	3.3%
REQUIREMENTS BY PROGRAM					
Legal Counsel	1,104,295	1,071,830	1,213,355	1,324,953	9.2%
LawLibrary	256,543	311,856	723,500	676,111	(6.5%)
Total	1,360,838	1,383,686	1,936,855	2,001,064	3.3%

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Legal Counsel

- Provide legal advice on specific matters, policy issues and emerging legal issues.
- Represent the county in negotiations, meetings and third-party matters.
- Prosecute and defend county decisions and actions in all courts and administrative forums.
- Retain and manage all outside legal counsel representing the county, exclusive of Worker's Compensation counsel.
- Support the county's hearings officers.
- Serve members of the public and other government units by providing information on how county processes work.

Department: Legal Counsel

Program: Legal Counsel Services

Fund: General

	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Budget	FY 2008-09 Proposed	+/- %
Resources:					
General Fund	54,987	18,378	17,906	0	-100.0%
Intergovernmental Funding:					
Other	82,915	120,395	98,500	116,300	18.1%
Fees & Charges	523	0	0	0	n.a.
Administrative Cost Recovery	870,871	933,057	1,066,949	1,208,653	13.3%
Transfers In	95,000	0	30,000	0	-100.0%
Total Resources	1,104,295	1,071,830	1,213,355	1,324,953	9.2%
Requirements:					
Personal Services:					
Salaries and Wages	633,698	688,447	780,467	838,386	7.4%
Fringe Benefits	262,762	246,944	285,743	316,734	10.8%
Subtotal	896,460	935,391	1,066,210	1,155,120	8.3%
Materials and Services	127,656	60,311	57,864	50,278	-13.1%
Administrative Charges	80,179	76,128	89,281	119,555	33.9%
Total Requirements	1,104,295	1,071,830	1,213,355	1,324,953	9.2%
FTE	9.00	10.00	10.00	9.95	-0.5%

Program: Legal Counsel	
Personnel Positions	
Title of Position	FTE
Legal Counsel	1.00
Sr. Assistant Legal Counsel	4.00
Paralegal	1.00
Senior Hearings Officer	1.00
Hearings Officer	1.00
Secretary to Legal Counsel	1.95
Total FTE	9.95

In addition to the above, there is .80 FTE temporary assistant legal counsel and .20 FTE temporary on-call hearing officer positions.

Legal Counsel Program Budget Analysis

The budget is a status quo. Temporary wages for an on call hearings officer and enforcement program lawyer continue.

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Law Library

- The law library serves the legal community, the courts, and the public.

Program Summary

Department: Legal Counsel		Program: Law Library			
		Fund: Law Library			
	FY 2005-06 Actual	FY 2006-07 Actual	FY 2007-08 Budget	FY 2008-009 Proposed	+/- %
Resources:					
Fees & Charges	269,867	277,765	280,000	280,000	0.0%
Other Funding	15,912	20,757	17,500	10,000	-42.9%
Net Working Capital:					
Unrestricted	432,777	462,014	426,000	386,111	-9.4%
Total Resources	718,556	760,536	723,500	676,111	-6.5%
Requirements:					
Personal Services:					
Salaries and Wages	84,404	93,600	108,202	116,834	8.0%
Fringe Benefits	39,732	39,998	43,937	59,374	35.1%
Subtotal	124,136	133,598	152,139	176,208	15.8%
Materials and Services	85,364	132,234	141,222	129,533	-8.3%
Administrative Charges	47,043	46,023	50,889	53,977	6.1%
Transfer	0	0	0	150,000	n.a.
Contingency	0	0	143,000	75,000	-47.6%
Unapprop. Ending Fund Bal.	0	0	236,250	91,393	-61.3%
Total Requirements	256,543	311,856	723,500	676,111	-6.5%
FTE	1.90	1.70	1.80	2.30	35.3%

Program: Law Library	
Personnel Positions	
Title of Position	FTE
Law Librarian	0.80
Library Assistant	1.00
Library Assistant	0.50
Total FTE	2.30

Law Library Program Budget Analysis

The material and services budget reflects changes in the costs for books and online services. For personal services there is an increase of \$24,569 reflecting the transition from temporary library assistants to the addition of a regular part time library assistant (0.50 FTE). \$150,000 is budgeted to transfer to the facility renovation fund. These funds will help defray a portion of the cost of replacing mechanical systems, windows, and lighting fixtures at the Courthouse.

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

FUNDS

The legal counsel department budget is comprised of two funds as shown in the table below.

Department Budget by Fund

<u>Fund Name</u>	FY2005-06 Actual	FY2006-07 Actual	FY2007-08 Budget	FY 2008-09 Adopted	% of Total
RESOURCES					
Central Services Fund	1,104,295	1,071,830	1,213,355	1,324,953	66%
Law Library Fund	718,556	760,536	723,500	676,111	34%
Total	1,822,851	1,832,366	1,936,855	2,001,064	100%
REQUIREMENTS					
Central Services Fund	1,104,295	1,071,830	1,213,355	1,324,953	66%
Law Library Fund	256,543	311,856	723,500	676,111	34%
Total	1,360,838	1,383,686	1,936,855	2,001,064	100%

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

KEY DEPARTMENT ACCOMPLISHMENTS FY2007-08

- Appointments – research and advice enabled Board of Commissioners to smoothly perform its duties when it and the Clackamas County and Linn County Boards of Commissioners had to fill a vacancy in the Oregon Senate
- Dog Control – worked with Dog Control to refine and improve the dog control ordinance and establish policies and practices for the operation of the Marion County Dog Shelter
- Emergency Preparedness – continued to support the on going efforts of the Health Department and the Emergency Management Division of the Public Works Department to prepare for the possibility of an influenza pandemic; provided input to statewide workgroup drafting proposed changes to the state public health laws; participated in TOPOFF exercise
- Enforcement – assisted the Building Inspection, Planning, and Environmental Services divisions of the Public Works Department in enforcing county codes and ordinances; have maintained over 40 open enforcement case; 27 have been resolved through compliance since July 1, 2007; money judgments totaling approximately \$23,000 were obtained
- Litigation – promptly evaluated and issued legal opinions regarding 13 tort claim notices filed with the county since July 1, 2007; successfully defended three negligence cases, three civil rights violation cases and three complains filed with the Bureau of Labor and Industries, and appropriately settled on civil rights case; assisted in obtaining necessary ROW including condemnation actions in circuit court for the Jefferson-Marion Road overpass
- Sheriff's Office and Juvenile – assisted in reviewing the agreement between the Sheriff's office and juvenile services at Chemawa Indian School; advised board and Sheriff's office regarding appointment of new sheriff and management changes
- Ordinances – assisted in the development of a backyard burning ordinance and amending the zoning ordinance to deal with problem kennels; assisted in the development of a Parks ordinance and the formation of a M.C. Weed District; drafted new Employee Ethics Policy; drafted ordinance on determination of vested rights under M49
- Hearings – Marion County Hearings Officers have conducted hearings and issued decisions concerning 147 dog control cases, 37 land use applications, four M49 applications, and nine tow challenges since July 1, 2007
- Evaluated the effect of a 2007 legislative change to ORS 21.350 that reduced the percentage of the filing fees that law libraries can collect and responded to Joint Judiciary Committees' request for information by preparing a report showing trends in library revenue and expenditures
- Added the *BarBooks Online*, a new service of the Oregon State Bar at the Law Library
- Created a conference room for the use by attorneys and by court-related mediation/arbitration services at the Law Library
- Completed the archiving of thousands of documents belonging to the Marion County Bar Association and the Inns of Court

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Resources by Fund Detail

Department: Legal Counsel				
580 - Central Services	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
General Fund				
38101 Transfer from General Fund	54,987	18,378	17,906	0
General Fund Total	54,987	18,378	17,906	0
Intergovernmental - Other				
33510 MC Housing Authority	0	0	2,000	3,400
33521 East Salem Service District	0	0	800	500
33523 Brooks Community Service	0	0	300	100
33524 Fargo Interchange Service	0	0	200	300
33590 From Other Agencies-	82,915	120,395	95,200	112,000
Intergovernmental - Other Total	82,915	120,395	98,500	116,300
Fees and Charges				
34490 Other Reimbursement	523	0	0	0
Fees and Charges Total	523	0	0	0
Other - Transfers In				
38102 Transfer from Lottery	95,000	0	0	0
38199 Transfer from Other Funds	0	0	30,000	0
Other - Transfers In Total	95,000	0	30,000	0
Administrative Cost Recovery				
48100 Legal Services Allocation	870,871	933,057	1,066,949	1,208,653
Administrative Cost Recovery Total	870,871	933,057	1,066,949	1,208,653
Legal Counsel Fund 100 Total	1,104,295	1,071,830	1,213,355	1,324,953

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Requirements by Fund Detail

Department: Legal Counsel				
580 - Central Services	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
Personal Services				
Salaries and Wages				
51102 COLA - Budget	0	0	7,906	0
51111 Regular Wages	506,514	542,563	682,189	733,514
51112 Temporary Wages	12,163	5,440	38,000	47,806
51113 Vacation Pay	28,795	31,248	0	0
51114 Sick Pay	14,931	23,261	0	0
51115 Holiday Pay	24,867	29,201	0	0
51116 Comp Time Pay	0	1,402	0	0
51121 Compensation Credits	45,517	54,175	52,372	56,466
51124 Leave Payoff	309	555	0	0
51128 Cell Phone Pay	602	602	0	600
Salaries and Wages Total	633,698	688,447	780,467	838,386
Fringe Benefits				
51201 Fringe Benefits-Budget	0	0	0	0
51211 PERS	66,964	58,084	58,764	63,198
51212 401(k)	20,172	20,953	22,196	23,697
51213 PERS Debt Service	27,417	21,943	29,382	35,548
51220 FICA	47,753	51,898	55,599	63,267
51231 Medical Insurance	84,840	76,671	102,480	109,361
51232 Dental Insurance	8,917	8,266	9,456	12,540
51233 Life Insurance	1,894	2,027	1,851	2,560
51234 Disability Insurance	1,723	1,674	2,736	3,033
51240 Unemployment	2,584	2,798	2,939	3,160
51252 WC-Hourly Rate	275	254	340	370
51260 Wellness	163	385	0	0
51261 EAP	60	190	0	0
51261 EAP	0	1,800	0	0
Fringe Benefits Total	262,762	246,944	285,743	316,734
Personal Services Total	896,460	935,391	1,066,210	1,155,120
Materials and Services				
52101 Office Supplies	10,489	2,894	3,000	4,000
52107 Departmental Supplies	0	120	0	0
52118 Books	105	0	0	0
52119 Magazines & Publications	0	2,264	800	2,813
52121 Gasoline	41	1	50	0
52301 Telephones	2,720	2,426	2,500	50
52303 Fax	(63)	(92)	100	100
52304 Data Connections	0	0	0	0
52305 Postage	901	1,225	1,200	1,200
52308 Telecomm Charges	0	0	5,973	0
52503 Legal Services	95,792	27,306	23,123	20,000
52541 Witness	0	257	200	100
52542 Interpreters	75	0	0	0
52544 Printing Services	137	162	1,000	600
52561 Mail Services	35	0	0	0
52579 Electronic Subscription Services	4,339	4,376	4,200	4,960

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Requirements by Fund Detail

Department: Legal Counsel				
	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
580 - Central Services				
52599 Miscellaneous Contractual Services	3,337	8,190	5,228	4,050
52605 Maint - Building & Grounds	448	10	20	20
52701 Vehicle Rental	0	164	100	0
52704 Equipment Rental	10	50	20	20
52721 Motor Pool Mileage	0	0	0	600
52911 Mileage-Employee	904	752	1,400	1,000
52913 Meals	49	98	100	150
52914 Lodging	536	1,705	800	1,000
52921 Meetings	23	515	50	100
52922 Conferences	3,532	3,563	4,000	5,000
52930 Dues and Memberships	4,017	4,253	4,000	4,515
52965 Pre-Employment Investigations	70	70	0	0
52988 Recording Charges	23	0	0	0
52999 Miscellaneous-Other	137	3	0	0
Materials and Services Total	127,656	60,311	57,864	50,278
Administrative Charges				
60100 Board of Commissioners Allocation	7,155	7,508	7,985	8,257
60200 Business Services Allocation	4,332	3,518	3,822	0
60250 Risk Management Allocation	3,868	3,070	4,223	2,388
60260 Liability Insurance Allocation	4,500	4,100	5,000	5,100
60270 Workers Comp Insurance Allocation	2,500	2,500	3,700	3,900
60300 Human Resources Allocation	8,092	7,923	9,364	0
60350 Facilities Management Allocation	11,317	11,574	12,871	18,220
60352 Custodial Charges	6,321	6,159	7,540	10,625
60353 Courier	399	414	440	576
60354 Utilities Allocation	9,175	9,628	9,724	12,440
60400 Financial Services Allocation	2,527	2,903	3,385	9,621
60450 Information Technology Allocation	11,342	14,383	18,791	21,604
60451 Information Technology Direct	6,483	0	0	0
60452 FIMS Allocation	2,168	2,448	2,436	6,707
Administrative Charges Total	80,179	76,128	89,281	119,555
Legal Counsel Fund 100 Total	1,104,295	1,071,830	1,213,355	1,324,953

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Resources by Fund Detail

Department: Law Library				
260 - Law Library	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
Fees and Charges				
34106 Law Library Fees	271,748	277,765	280,000	280,000
34177 Law Library Computer Fees	670	0	0	0
34490 Other Reimbursement	(2,551)	0	0	0
Fees and Charges Total	269,867	277,765	280,000	280,000
Other - Interest				
36100 Investment Interest	15,912	20,528	17,000	10,000
Other - Interest Total	15,912	20,528	17,000	10,000
Other - Miscellaneous				
37100 Miscellaneous	0	229	500	0
Other - Miscellaneous Total	0	229	500	0
Net Working Capital				
39200 Unrestricted Net Working	432,777	462,014	426,000	386,111
Net Working Capital Total	432,777	462,014	426,000	386,111
Law Library Fund 260 Total	718,556	760,536	723,500	676,111

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Requirements by Fund Detail

Department: Law Library				
260 - Law Library	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
Personal Services				
Salaries and Wages				
51111 Regular Wages	65,606	67,646	89,603	108,718
51112 Temporary Wages	3,805	9,063	13,101	0
51113 Vacation Pay	3,853	4,235	0	0
51114 Sick Pay	2,667	3,088	0	0
51115 Holiday Pay	3,062	3,345	0	0
51116 Comp Time Pay	254	158	0	0
51121 Compensation Credits	5,157	6,065	5,498	8,116
Salaries and Wages Total	84,404	93,600	108,202	116,834
Fringe Benefits				
51211 PERS	8,646	7,383	7,608	9,347
51212 401(k)	986	1,019	1,243	1,305
51213 PERS Debt Service	3,536	2,811	3,804	5,258
51220 FICA	5,936	6,680	7,389	8,690
51231 Medical Insurance	17,521	18,721	20,496	30,327
51232 Dental Insurance	2,188	2,330	2,364	3,080
51233 Life Insurance	255	262	239	378
51234 Disability Insurance	232	243	354	450
51240 Unemployment	338	372	380	467
51252 WC-Hourly Rate	50	51	60	72
51260 Wellness	33	80	0	0
51261 EAP	12	47	0	0
Fringe Benefits Total	39,732	39,998	43,937	59,374
Personal Services Total	124,135	133,598	152,139	176,208
Materials and Services				
52101 Office Supplies	489	1,254	1,000	1,200
52107 Department Supplies	0	60	0	0
52119 Magazines & Publications	51,516	71,748	70,000	70,000
52217 Computer Equipment	939	89	0	0
52218 Software	0	0	3,000	0
52301 Telephones	800	990	0	0
52304 Data Connections	28,561	54,074	1,920	768
52305 Postage	152	78	130	100
52579 Electronic Subscription Services	0	0	61,472	54,500
52601 Maint - Office Equipment	1,450	419	0	0
52703 Building Rental - Private	0	600	0	0
52911 Mileage-Employee	209	133	200	150
52912 Commercial Carrier	0	475	800	650
52913 Meals	0	0	250	200
52914 Lodging	307	814	1,200	600
52921 Meetings	409	200	300	100
52922 Conferences	0	525	450	625
52923 Training	0	0	0	0
52930 Dues and Memberships	498	666	500	640
52965 Pre-Employment Investigations	35	0	0	0
52986 Permits	0	109	0	0
Materials and Services Total	85,364	132,234	141,222	129,533

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

Requirements by Fund Detail

Department: **Law Library**

260 - Law Library	Actual FY 2006	Actual FY 2007	Budget FY 2008	Adopted FY 2009
Administrative Charges				
60100 Board of Commissioners	1,967	1,959	2,099	1,826
60110 Governing Body Allocation	0	0	0	833
60200 Business Services Allocation	877	693	815	0
60250 Risk Management Allocation	635	536	722	350
60260 Liability Insurance Allocation	500	600	600	700
60270 Workers Comp Insurance	300	300	500	500
60300 Human Resources Allocation	1,596	1,551	1,843	2,752
60350 Facilities Management	12,798	12,711	13,925	17,027
60352 Custodial Charges	5,892	5,970	7,159	8,659
60353 Courier	82	80	91	114
60354 Utilities Allocation	9,519	9,933	9,917	10,578
60400 Financial Services Allocation	3,502	3,867	5,853	4,126
60410 Legal Services	3,784	2,844	3,468	4,755
60450 Information Technology	2,820	2,736	1,090	0
60451 Information Technology Direct	778	0	0	0
60452 FIMS Allocation	1,993	2,243	2,807	1,757
Administrative Charges Total	47,043	46,023	50,889	53,977
Transfer Out				
56590 Transfer to Other Funds	0	0	0	150,000
Contingency				
55100 Contingency	0	0	143,000	75,000
Contingency Total	0	0	143,000	75,000
Unappropriated Ending Fund Bal				
57100 Undesignated Ending Fund	0	0	236,250	91,393
Unappropriated Ending Fund Bal	0	0	236,250	91,393
Law Library Fund 260 Total	256,543	311,856	723,500	676,111

MARION COUNTY FY2008-09 BUDGET
BY DEPARTMENT
LEGAL COUNSEL

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