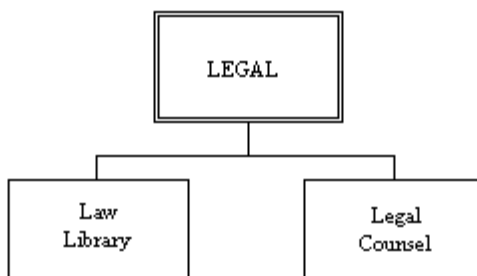


MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

LEGAL



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.

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

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 FY09-10 budget is \$1,738,974 a \$262,090 decrease, or -13.1%, under FY08-09.

Resource and Requirement Summary

Legal	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Budget	FY 2009-10 Proposed	+/- %
Resources:					
General Funds	18,378	17,906	0	0	n.a
Intergovernmental Funding:					
Other	120,395	98,575	116,300	130,900	12.6%
Fees & Charges	277,765	280,547	280,000	275,000	-1.8%
Other Funding	953,814	1,068,972	1,218,653	1,151,535	-5.5%
Net Working Capital:					
Unrestricted	462,014	448,680	386,111	181,539	-53.0%
Total Resources	1,832,366	1,914,681	2,001,064	1,738,974	-13.1%
Requirements:					
Personal Services:					
Salaries and Wages	782,047	877,717	955,220	897,853	-6.0%
Fringe Benefits	286,942	313,061	376,108	376,086	0.0%
Subtotal Personal Services	1,068,989	1,190,778	1,331,328	1,273,939	-4.3%
Materials and Services	192,545	180,098	179,811	126,282	-29.8%
Administrative Charges	122,151	133,548	173,532	182,608	5.2%
Transfers	0	0	150,000	0	-100.0%
Contingency	0	0	75,000	30,500	-59.3%
Unappropriated:					
Ending Fund Balance	0	0	91,393	125,645	37.5%
Total Requirements	1,383,686	1,504,424	2,001,064	1,738,974	-13.1%
FTE	11.70	11.80	12.25	12.05	-1.6%

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

PROGRAMS

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

Summary of Programs

	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Budget	FY 2009-10 Proposed	+/- %
Resources:					
Legal Counsel	1,071,830	1,166,964	1,324,953	1,277,435	-3.6%
Law Library	760,536	747,717	676,111	461,539	-31.7%
Total Resources	1,832,366	1,914,681	2,001,064	1,738,974	-13.1%
Requirements:					
Legal Counsel	1,071,830	1,166,964	1,324,953	1,277,435	-3.6%
Law Library	311,856	337,460	676,111	461,539	-31.7%
Total Requirements	1,383,686	1,504,424	2,001,064	1,738,974	-13.1%

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

Legal Counsel Program

- 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.

Program Summary

Legal

Program: Legal Counsel

	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Budget	FY 2009-10 Proposed	+/- %
Resources:					
General Fund	18,378	17,906	0	0	n.a.
Intergovernmental Funding:					
Other	120,395	98,575	116,300	130,900	12.6%
Other Funding	933,057	1,050,482	1,208,653	1,146,535	-5.1%
Total Resources	1,071,830	1,166,964	1,324,953	1,277,435	-3.6%
Requirements:					
Personal Services:					
Salaries and Wages	688,447	771,787	838,386	792,324	-5.5%
Fringe Benefits	246,944	268,266	316,734	310,302	-2.0%
Subtotal	935,391	1,040,053	1,155,120	1,102,626	-4.5%
Materials and Services	60,311	42,155	50,278	47,764	-5.0%
Administrative Charges	76,128	84,756	119,555	127,045	6.3%
Total Requirements	1,071,830	1,166,964	1,324,953	1,277,435	-3.6%
FTE	10.00	10.00	9.95	9.95	0.0%

MARION COUNTY FY2009-10 BUDGET
 BY DEPARTMENT
 LEGAL

FTE By Classification Title By Program

Program: Legal Counsel	
Classification Title	FTE
Hearings Officer	1.00
Hearings Officer Sr	1.00
Legal Counsel	1.00
Legal Counsel-Asst Sr	4.00
Paralegal-Legal Counsel	1.00
Secretary to Legal Counsel	1.95
Program Legal Counsel FTE Total:	9.95

- The FTE count includes .20 temp positions that are budgeted for this program.

Legal Counsel Program Budget Justification

The budget is a status quo. Budget reflects reductions required in budget instructions.

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

Law Library Program

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

Program Summary

Legal	Program: Law Library				
	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Budget	FY 2009-10 Proposed	+/- %
Resources:					
Fees & Charges	277,765	280,547	280,000	275,000	-1.8%
Other Funding	20,757	18,490	10,000	5,000	-50.0%
Net Working Capital:					
Unrestricted	462,014	448,680	386,111	181,539	-53.0%
Total Resources	760,536	747,717	676,111	461,539	-31.7%
Requirements:					
Personal Services:					
Salaries and Wages	93,600	105,930	116,834	105,529	-9.7%
Fringe Benefits	39,998	44,795	59,374	65,784	10.8%
Subtotal	133,598	150,725	176,208	171,313	-2.8%
Materials and Services	132,234	137,943	129,533	78,518	-39.4%
Administrative Charges	46,023	48,792	53,977	55,563	2.9%
Transfers	0	0	150,000	0	-100.0%
Contingency	0	0	75,000	30,500	-59.3%
Unappropriated:					
Ending Fund Balance	0	0	91,393	125,645	37.5%
Total Requirements	311,856	337,460	676,111	461,539	-31.7%
FTE	1.70	1.80	2.30	2.10	-8.7%

FTE By Classification Title By Program

Program: Law Library	
Classification Title	FTE
Law Librarian	0.80
Library Assistant	1.30
Program Law Library FTE Total:	2.10

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

Law Library Program Budget Justification

The Budget assumes lower revenue from filing fees. The number of court filings is likely to decrease due to Friday court closures and, of those filings, fewer fees will be collected due to an increasing number of fee waivers. Also, the library's share of the overall filing fee revenues decreased by 15% in the 2007 legislative session.

MARION COUNTY FY2009-10 BUDGET
 BY DEPARTMENT
 LEGAL

FUNDS

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

Department Budget by Fund

Fund Name	FY 2006-07 Actual	FY 2007-08 Actual	FY 2008-09 Budget	FY 2009-10 Proposed	% of Total
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Resources:

Law Library	760,536	747,717	676,111	461,539	26.5%
Central Services	1,071,830	1,166,964	1,324,953	1,277,435	73.5%
Total Resources	1,832,366	1,914,681	2,001,064	1,738,974	100.0%

Requirements:

Law Library	311,856	337,460	676,111	461,539	26.5%
Central Services	1,071,830	1,166,964	1,324,953	1,277,435	73.5%
Total Requirements	1,383,686	1,504,424	2,001,064	1,738,974	100.0%

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

KEY DEPARTMENT ACCOMPLISHMENTS

- Emergency Preparedness - continued to support the ongoing efforts of the Health Department and Emergency Management Division of the Public Works Department to prepare for the possibility of an influenza pandemic; assisted the Board of Commissioners in declaring a state of emergency for the cities of Detroit and Idanha in order to facilitate snow removal during inclement winter weather; implemented a new statewide process for seeking and enforcing quarantine and isolation orders in the event of a public health event by way of a statewide forms and instructions; developed a departmental business continuity plan in conjunction with a countywide business continuity planning project; assisted with a mock declaration of a state of emergency during an earthquake drill conducted by Emergency Management
- Enforcement - assisted the Building Inspection, Planning, and Environmental Services divisions of the Public Works Department in enforcing county codes and ordinances; maintained over 30 open enforcement cases; 21 have been resolved through compliance since July 1, 2008
- General - advised the Sheriff's Office regarding interactions with Drug and Alcohol treatment facilities, compliance with the ADA and implementation of the ORPAT program; worked with the Health Department regarding financial collapse of Cascadia Behavioral healthcare system; assisted the Clerk's office with 2008 election issues; assisted Facilities in energy savings performance contracting process
- Litigation - obtained a monetary settlement from the State of Oregon arising out of an explosion at the Marion County Waste to Energy Facility in Brooks; obtained judgment against lessees on a piece of county-owned ground adjoining the Woodburn ashfill for breach of contract; promptly evaluated 12 tort claim notices submitted to the county since July 1, 2008; successfully defended one discrimination and one civil rights case, as well as three discrimination charges filed with the Bureau of Labor and Industries; filed employer responses in two BOLI complaints; appropriately settled one employment, one civil rights and one negligence case; worked with DOJ on federal case upholding validity of initiative petition process; defended the county in seven LUBA appeals; successfully defended the Sheriff's Office in appeals of five concealed handgun revocations
- Ordinances and Policies - assisted in the development of a backyard burning ordinance; worked with Dog Control to refine and improve the dog control ordinance; worked with Code Enforcement to revise and improve noise and off road vehicle ordinances; advised Building Inspection and the Board of Commissioners on the creation of IGAs for the collection of construction excise taxes on behalf of school districts within the county, assisted Building Inspection in the creation of a standardized IGA form; advised Public Works and the Board of Commissioners on the use of the discretionary immunity defense in the context of road maintenance policies; drafted a sexual misconduct policy for the MCSO; revised County Litigation Defense Policy and Procedures; assisted Building Inspection in the revision of the county Building Code and Dangerous Building Ordinance, as well as the creation of an enforcement prioritization policy
- Training - co-trained over 1,200 staff on Ethics; presented Medicaid fraud, waste and abuse training to Health Department staff; provided four sessions for volunteer boards and commissions on ethics, public meetings and public records; semi-annually co-presented MDS module on non-discrimination and harassment; participated in OACES panel at AOC summer conference on discretionary immunity; presentation for county and ODOT surveyors on legal research; recommended training for Public Works staff supervising inmate workers
- Hearings - Marion County Hearings Officers have conducted hearings and issued decisions concerning 120 dog control cases, 21 land use applications, six M49 applications, eight tow challenges, and one nuisance abatement order since July 1, 2008
- Law Library - Law librarian conducted a collection analysis and made cuts to printed materials that are also available online in order to save money and space. Staff attended online research training to improve search skills in order to better serve patrons; the librarian started a new listservice for all Oregon county law libraries that provides improved communication and sharing of resources.

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
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Resource by Fund Detail

260 - Law Library	Actual FY 06-07	Actual FY 07-08	Budget FY 08-09	Proposed FY 09-10
Fees and Charges				
34106 Law Library Fees	277,765	280,547	280,000	275,000
Fees and Charges Total	277,765	280,547	280,000	275,000
Other - Interest				
36100 Investment Interest	20,528	17,696	10,000	5,000
Other - Interest Total	20,528	17,696	10,000	5,000
Other - Miscellaneous				
37100 Miscellaneous	229	794	0	0
Other - Miscellaneous Total	229	794	0	0
Net Working Capital				
39200 Unrestricted Net Working Capital	462,014	448,680	386,111	181,539
Net Working Capital Total	462,014	448,680	386,111	181,539
Law Library Total	760,536	747,717	676,111	461,539
580 - Central Services				
General Fund				
38101 Transfer from General Fund	18,378	17,906	0	0
General Fund Total	18,378	17,906	0	0
Intergovernmental - Other				
33510 MC Housing Authority	0	0	3,400	0
33521 East Salem Service District	0	0	500	0

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

580 - Central Services	Actual FY 06-07	Actual FY 07-08	Budget FY 08-09	Proposed FY 09-10
Intergovernmental - Other				
33523 Brooks Community Service District	0	0	100	0
33524 Fargo Interchange Service District	0	0	300	0
33590 From Other Agencies-Miscellaneous	120,395	98,575	112,000	130,900
Intergovernmental - Other Total	120,395	98,575	116,300	130,900
Other - Miscellaneous				
37200 Over and Short	0	(1)	0	0
Other - Miscellaneous Total	0	(1)	0	0
Other - Transfers In				
38199 Transfer from Other Funds	0	30,000	0	0
Other - Transfers In Total	0	30,000	0	0
Administrative Cost Recovery				
48100 Legal Services Allocation	933,057	1,020,483	1,208,653	1,146,535
Administrative Cost Recovery Total	933,057	1,020,483	1,208,653	1,146,535
Central Services Total	1,071,830	1,166,964	1,324,953	1,277,435
Legal Grand Total	1,832,366	1,914,681	2,001,064	1,738,974

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

Requirements by Fund Detail

	Actual	Actual	Budget	Proposed
260 - Law Library	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Personal Services				
Salaries and Wages				
51111 Regular Wages	67,646	72,180	108,718	101,103
51112 Temporary Wages	9,063	12,711	0	0
51113 Vacation Pay	4,235	5,883	0	0
51114 Sick Pay	3,088	4,222	0	0
51115 Holiday Pay	3,345	4,823	0	0
51116 Comp Time Pay	158	0	0	0
51121 Compensation Credits	6,065	6,111	8,116	4,426
Salaries and Wages Total	93,600	105,930	116,834	105,529
Fringe Benefits				
51211 PERS	7,383	8,274	9,347	12,136
51212 401(k)	1,019	1,183	1,305	1,244
51213 PERS Debt Service	2,811	4,395	5,258	4,749
51220 FICA	6,680	7,857	8,690	7,797
51231 Medical Insurance	18,721	19,336	30,327	34,308
51232 Dental Insurance	2,330	2,539	3,080	4,104
51233 Life Insurance	262	324	378	316
51234 Disability Insurance	243	273	450	630
51240 Unemployment	372	424	467	422
51252 WC-Hourly Rate	51	53	72	78
51260 Wellness	80	79	0	0
51261 EAP	47	59	0	0
Fringe Benefits Total	39,998	44,795	59,374	65,784
Personal Services Total	133,598	150,725	176,208	171,313
Materials and Services				
52101 Office Supplies	1,254	1,332	1,200	1,300
52107 Departmental Supplies	60	0	0	0
52119 Magazines & Publications	71,748	71,511	70,000	47,000

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

	Actual	Actual	Budget	Proposed
260 - Law Library	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Materials and Services				
52217 Computer Equipment (<\$5,000)	89	30	0	0
52301 Telephones	990	0	0	0
52304 Data Connections	54,074	1,300	768	768
52305 Postage	78	82	100	100
52579 Electronic Subscription Services	0	61,440	54,500	26,500
52605 Maint - Building & Grounds	419	8	0	0
52703 Building Rental - Private	600	0	0	0
52911 Mileage-Employee	133	0	150	100
52912 Commercial Carrier	475	298	650	500
52913 Meals	0	37	200	200
52914 Lodging	814	358	600	600
52921 Meetings	200	30	100	100
52922 Conferences	525	839	625	700
52930 Dues and Memberships	666	678	640	650
52986 Permits	109	0	0	0
Materials and Services Total	132,234	137,943	129,533	78,518
Administrative Charges				
60100 County Administration Allocation	1,959	1,953	1,826	1,736
60110 Governing Body Allocation	0	0	833	926
60200 Business Services Allocation	693	717	0	0
60250 Risk Management Allocation	536	588	350	422
60260 Liability Insurance Allocation	600	600	700	800
60270 Workers Comp Insurance Allocation	300	500	500	700
60300 Human Resources Allocation	1,551	1,794	2,752	2,994
60350 Facilities Management Allocation	12,711	13,323	17,027	16,953

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

	Actual	Actual	Budget	Proposed
260 - Law Library	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Administrative Charges				
60352 Custodial Charges	5,970	6,894	8,659	8,014
60353 Courier	80	86	114	159
60354 Utilities Allocation	9,933	9,912	10,578	11,945
60400 Financial Services Allocation	3,867	5,408	4,126	3,993
60410 Legal Services	2,844	3,332	4,755	3,902
60420 MCBEE Allocation	0	0	0	589
60450 Information Technology Allocation	2,736	821	0	0
60452 FIMS Allocation	2,243	2,863	1,757	2,430
Administrative Charges Total	46,023	48,792	53,977	55,563
Transfers Out				
56480 Transfer to Capital Improvement Projects	0	0	150,000	0
Transfers Out Total	0	0	150,000	0
Contingency				
55100 Contingency	0	0	75,000	30,500
Contingency Total	0	0	75,000	30,500
Unappropriated Ending Fund Bal				
57100 Undesignated Ending Fund Balance	0	0	91,393	125,645
Unappropriated Ending Fund Bal Total	0	0	91,393	125,645
260 Total	311,856	337,460	676,111	461,539

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

	Actual	Actual	Budget	Proposed
580 - Central Services	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Personal Services				
Salaries and Wages				
51111 Regular Wages	542,563	577,834	733,514	737,746
51112 Temporary Wages	5,440	42,306	47,806	11,043
51113 Vacation Pay	31,248	48,333	0	0
51114 Sick Pay	23,261	20,064	0	0
51115 Holiday Pay	29,201	28,806	0	0
51116 Comp Time Pay	1,402	388	0	0
51121 Compensation Credits	54,175	53,452	56,466	42,935
51124 Leave Payoff	555	0	0	0
51128 Cell Phone Pay	602	604	600	600
Salaries and Wages Total	688,447	771,787	838,386	792,324
Fringe Benefits				
51201 Fringe Benefits-Budget	0	0	0	(11,756)
51211 PERS	58,084	59,539	63,198	89,779
51212 401(k)	20,953	22,102	23,697	23,468
51213 PERS Debt Service	21,943	30,772	35,548	35,131
51220 FICA	51,898	58,368	63,267	60,026
51231 Medical Insurance	76,671	78,361	109,361	91,488
51232 Dental Insurance	8,266	8,965	12,540	10,944
51233 Life Insurance	2,027	2,416	2,560	2,342
51234 Disability Insurance	1,674	1,893	3,033	4,660
51240 Unemployment	2,798	3,150	3,160	3,123
51252 WC-Hourly Rate	254	270	370	406
51260 Wellness	385	396	0	297
51261 EAP	190	235	0	394
51270 County HSA Contributions	1,800	1,800	0	0
Fringe Benefits Total	246,944	268,266	316,734	310,302
51999 Vacancy Savings	0	0	0	0
Personal Services Total	935,391	1,040,053	1,155,120	1,102,626

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

	Actual	Actual	Budget	Proposed
580 - Central Services	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Materials and Services				
52101 Office Supplies	2,894	7,167	4,000	4,000
52107 Departmental Supplies	120	211	0	0
52118 Books	0	(599)	0	4,440
52119 Magazines & Publications	2,264	4,666	2,813	429
52121 Gasoline	1	0	0	0
52217 Computer Equipment (<\$5,000)	0	1,949	0	0
52218 Software	0	242	0	0
52301 Telephones	2,426	12	50	0
52303 Fax	(92)	(53)	100	0
52305 Postage	1,225	1,150	1,200	1,200
52308 Telecomm Charges	0	5,506	0	0
52503 Legal Services	27,306	0	20,000	18,000
52541 Witness	257	36	100	50
52544 Printing Services	162	396	600	200
52575 Subscription Services	0	18	0	0
52579 Electronic Subscription Services	4,376	4,825	4,960	4,960
52585 Consultations	0	1,000	0	0
52599 Miscellaneous Contractual Services	8,190	3,346	4,050	3,700
52605 Maint - Building & Grounds	10	24	20	0
52701 Vehicle Rental	164	132	0	0
52704 Equipment Rental	50	11	20	0
52721 Motor Pool Mileage	0	0	600	130
52911 Mileage-Employee	752	976	1,000	1,000
52912 Commercial Carrier	0	45	0	0
52913 Meals	98	122	150	100
52914 Lodging	1,705	391	1,000	800
52921 Meetings	515	43	100	100
52922 Conferences	3,563	6,387	5,000	4,000
52930 Dues and Memberships	4,253	4,111	4,515	4,655
52935 Write-Off Expense	0	1	0	0
52965 Pre-Employment Investigations	70	35	0	0

MARION COUNTY FY2009-10 BUDGET
BY DEPARTMENT
LEGAL

	Actual	Actual	Budget	Proposed
580 - Central Services	FY 06-07	FY 07-08	FY 08-09	FY 09-10
Materials and Services				
52999 Miscellaneous-Other	3	6	0	0
Materials and Services Total	60,311	42,155	50,278	47,764
Administrative Charges				
60100 County Administration Allocation	7,508	7,369	8,257	7,323
60110 Governing Body Allocation	0	0	0	3,902
60200 Business Services Allocation	3,518	3,295	0	0
60250 Risk Management Allocation	3,070	3,434	2,388	2,430
60260 Liability Insurance Allocation	4,100	5,000	5,100	5,100
60270 Workers Comp Insurance Allocation	2,500	3,700	3,900	4,500
60300 Human Resources Allocation	7,923	9,142	13,900	12,914
60350 Facilities Management Allocation	11,574	12,342	18,220	18,002
60352 Custodial Charges	6,159	7,296	10,625	9,013
60353 Courier	414	421	576	685
60354 Utilities Allocation	9,628	9,724	12,440	14,048
60400 Financial Services Allocation	2,903	3,168	9,621	8,786
60420 MCBEE Allocation	0	0	0	2,322
60450 Information Technology Allocation	14,383	17,361	21,604	22,510
60452 FIMS Allocation	2,448	2,505	6,707	9,300
60453 Telecommunications Allocation	0	0	6,217	6,210
Administrative Charges Total	76,128	84,756	119,555	127,045
580 Total	1,071,830	1,166,964	1,324,953	1,277,435
Legal Grand Total	1,383,686	1,504,424	2,001,064	1,738,974