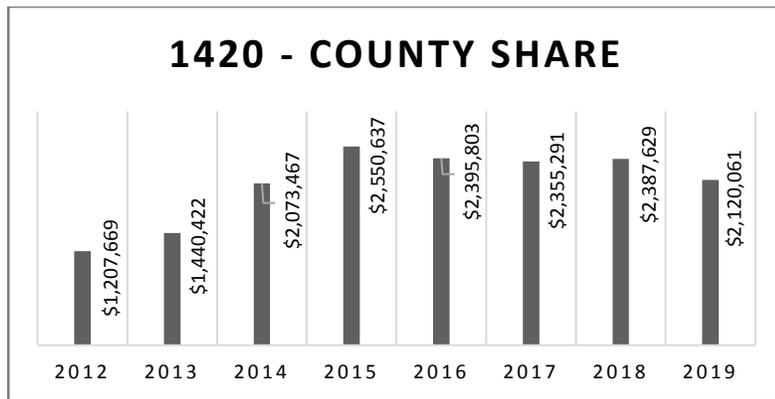


# LAW

1420



## MISSION STATEMENT

The Department of Law operates under the provisions of Article 11 of the NYS County Law and Article 15 of the Albany County Charter. The statutory language clearly defines the Department of Law's mission – "the County Attorney shall be the chief legal advisor for the County, and every agency and officer thereof, on all civil matters and proceedings and shall prosecute and defend on behalf of the County all civil actions and proceedings brought by or against the County, County officers and employees." In short, the Department of Law advises, reviews, enforces and defends all legal issues.

## WHO WE SERVE

The Department of Law's client is the corporation of Albany County and its officers.

## ABOUT OUR DEPARTMENT

The Department of Law has developed three bureaus: (1) the Civil Litigation Bureau which defends all civil and administrative actions brought against the County, (2) the Family Law Bureau which prosecutes abuse/neglect petitions, and juvenile delinquents, litigates adult protective issues and instigates action for resource recovery; (3) the Municipal Bureau which advises County Officers, renders legal opinions, review FOIL requests, drafts and reviews contracts and enforces all consumer affairs and health related laws.

## 2018 ACCOMPLISHMENTS AND CHALLENGES

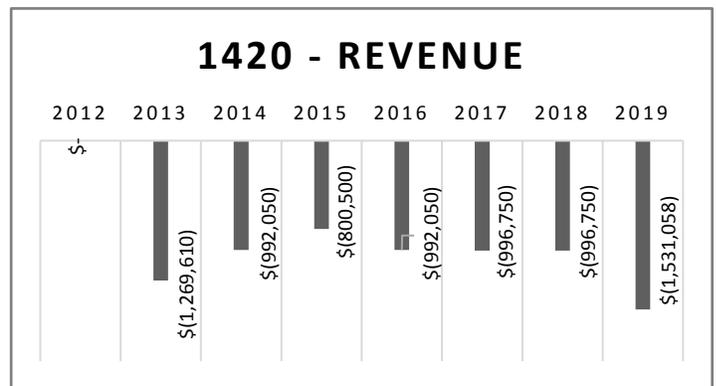
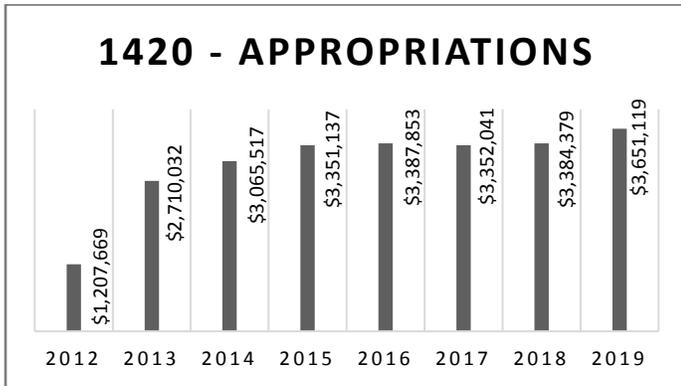
Department of Law attorneys by year-end will have appeared in Court on the County's behalf thousands of times. They will have reviewed and drafted hundreds of contracts for various departments, have provided opinions for agencies, departments and elected officials, have handled thousands of petitions from CYF and DSS, conducted hearings in both Supreme and Family Court, handled FOIL requests and hundreds of real property matters.

Since Consolidation occurred in 2012, the Department of Law has reduced the reliance on outside counsel and streamlined the services provided. Except in rare instances, staff attorneys under the supervision of the County Attorney handle new litigation. Last year the Department of Law, through its attorneys responsibly settled several litigation cases and handled dozens more saving the County hundreds of thousands of dollars in outside counsel costs.

The Department of Law continues to dedicate resources in training our attorneys and support staff so that they can meet the needs of our clients. There is a continuous challenge to retain our attorneys and support staff in the Department instead of losing them to higher paying jobs with other government agencies or through retirement. The Department of Law continues to struggle and to meet the challenge of maintaining a continuity of operations while keeping the pay for staff in line and competitive to other federal, state and local agencies in a budget friendly way.

Additionally, the Department of Law will continue to face the challenge of implementing the Raise the Age Bill which raised the age of criminal responsibility, ensuring that 16 and 17 year-olds who commit non-violent crimes are processed as juveniles in the State's justice system. These 16 and 17 year-olds will now receive intervention and evidence-based treatment and will no longer be housed in adult facilities or jails. The law went into effect on October 1, 2018 for 16-year-olds and October 1, 2019 for 17 year-olds and will have a significant impact on the Law Department's staffing needs. Additional staff is necessary to handle the hundreds of new cases that will now be handled by the Law Department through Assistant County Attorney's. These cases will no longer be handled by the District Attorney's Office.

# LAW – 1420



## 2019 GOALS AND PERFORMANCE TARGETS

- To continue to provide legal services to all branches of Albany County Government in an efficient and effective manner.
- Continue implementation of the requirements under Raise the Age
- To continue to handle litigation in-house and to continue to reduce the need to employ outside counsel while minimizing the County's liabilities in the most effective manner possible.
- To continue to train and cross train lawyers within the Department of Law to maximize our abilities and reduce duplicative work while paying them consistently with their colleagues in other federal, state and local agencies.

## SUMMARY OF BUDGET CHANGES

The forecasted demands of the Raise the Age Bill have caused a need for additional staffing. Beginning October 1, 2018, misdemeanor and non-violent felony cases committed by 16 year olds, which were prosecuted by the District Attorney's Office in Criminal Court, will shift to Family Court and will now be prosecuted by the Department of Law. On October 1, 2019, this will also be the case for 17 year olds. In order to provide effective legal counsel, the Department of Law needs additional staffing to handle the several hundred new cases being handled by the office each year.

The DOL continues to address the goals of consolidation. Reliance upon outside counsel has been almost eliminated and those functions have been absorbed by Department of Law staff. The proposed budget includes continued funding for the handling of costs of litigation claims, including but not limited to, supplies, stenographers, expert witnesses, mileage, and other necessary litigation costs.

Last year, the Department of Law in collaboration with the Probation Department continued the County Executive's Project Growth restorative justice program. The Project Growth program involves the juvenile and young adult populations who owe restitution for their crimes. No basic career curriculum program exists for an important sub-population of probationers.

The Albany County Probation Department has instituted the implementation of the DCJS career curriculum, Career University, which will address this need. The Career University curriculum consist of modules focusing on such topics as employer expectations, barriers and resources, job retention and other related career related modules. This curriculum will be combined with hands on instruction from professionals and service projects. The purpose of this program is to engage young adults, ages 14-18, in a 4 week, 28 hour module consisting of the Career University curriculum and the service projects. The program will provide the participants with important skills to further their opportunities with education and improve future employment and career attainment. The identified probationers will receive a stipend for their involvement and additional monies will be applied towards their restitution owed.

The goal of this program is for all participants to complete the Career University curriculum, earn monies to pay restitution owed through service programming, produce a personal updated resume, have an understanding of basic Microsoft computer skills, and obtain the understanding of the proper steps necessary to enter the workforce, all of which will decrease their chances of recidivism.