



OFFICE OF LAW

FY2014

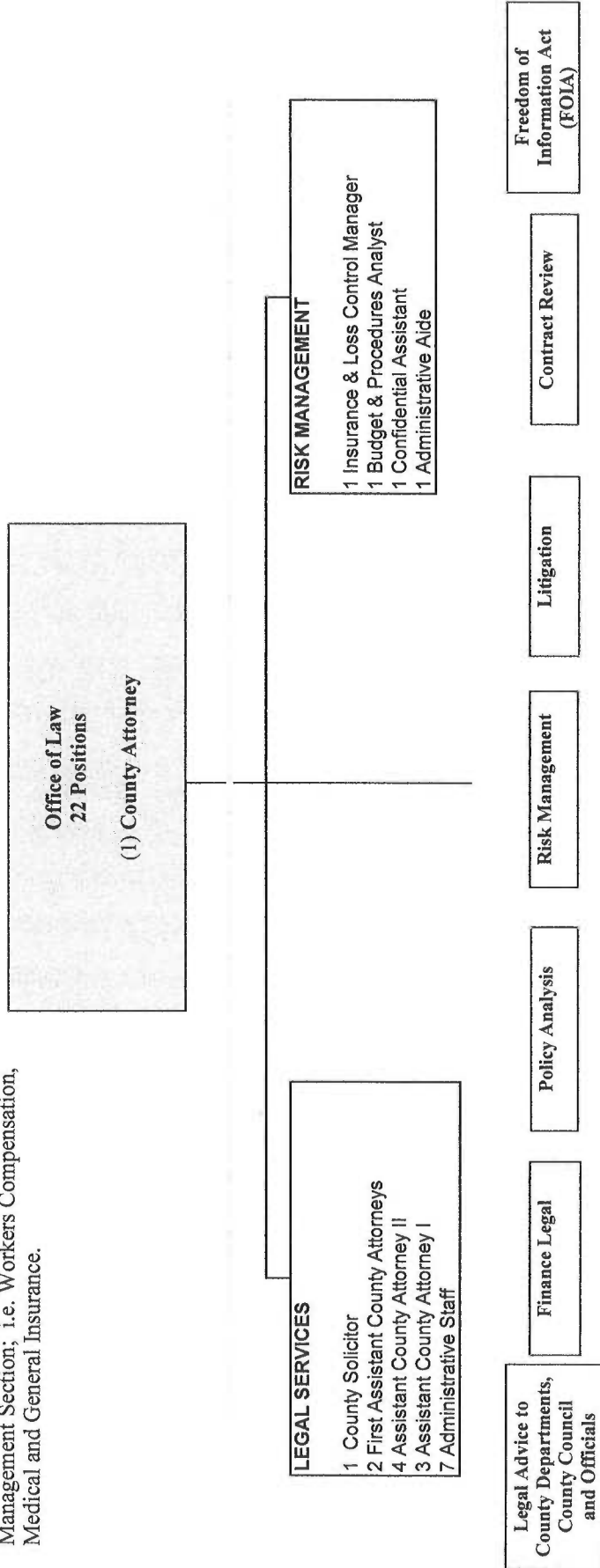
BUDGET REQUEST

COUNTY COUNCIL

May 13, 2013

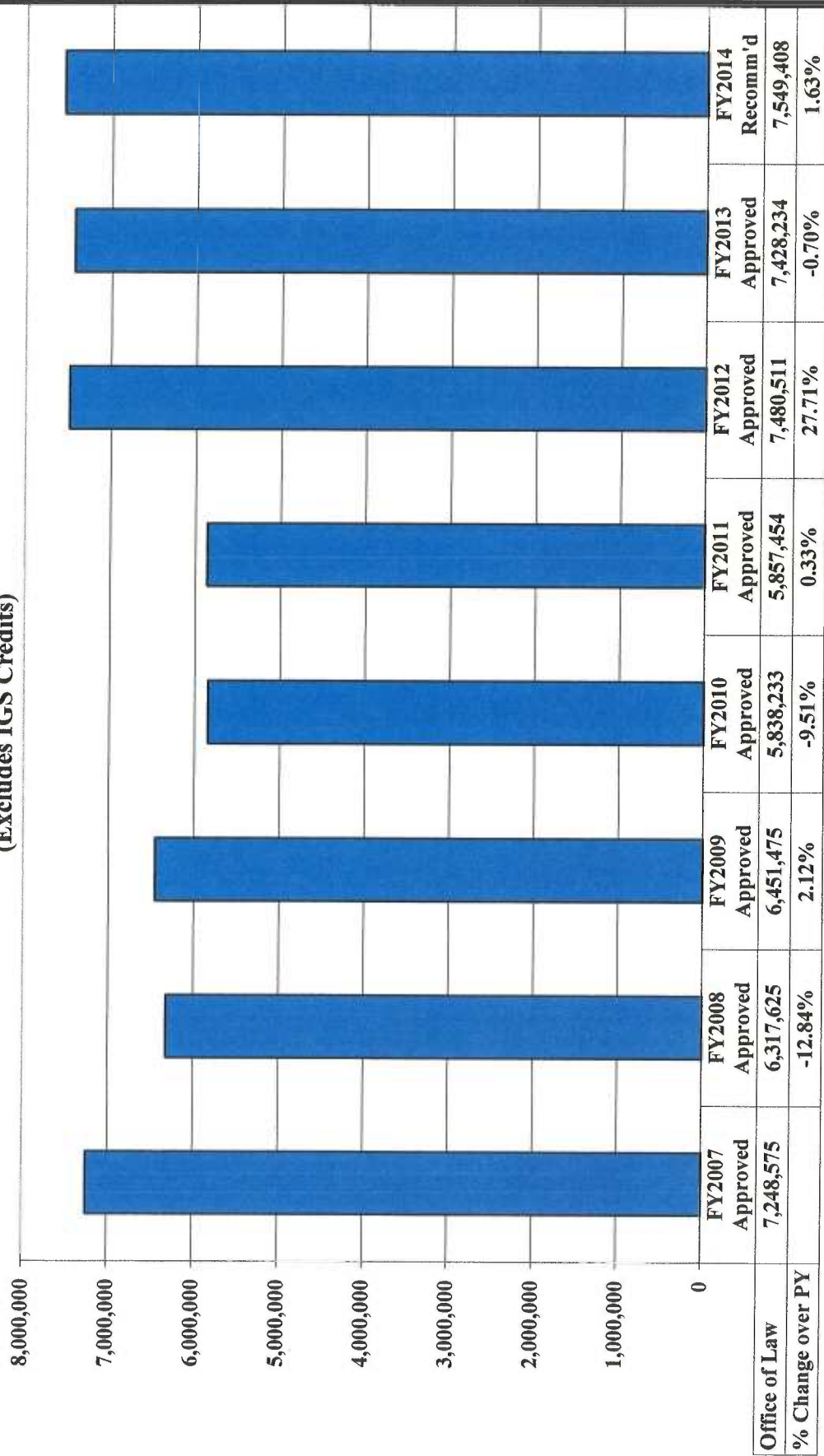
MISSION.
 The Office of Law, State mandated mission is to: 1) serve as chief legal advisor to the County Executive, County Council and all County departments, boards, offices and agencies (which includes staffing board and commission meetings) 2) represent the County in all legal proceedings 3) perform other duties prescribed by title or by County ordinance, 4) perform duties of the Risk Management Section; i.e. Workers Compensation, Medical and General Insurance.

Office of Law FY 2014



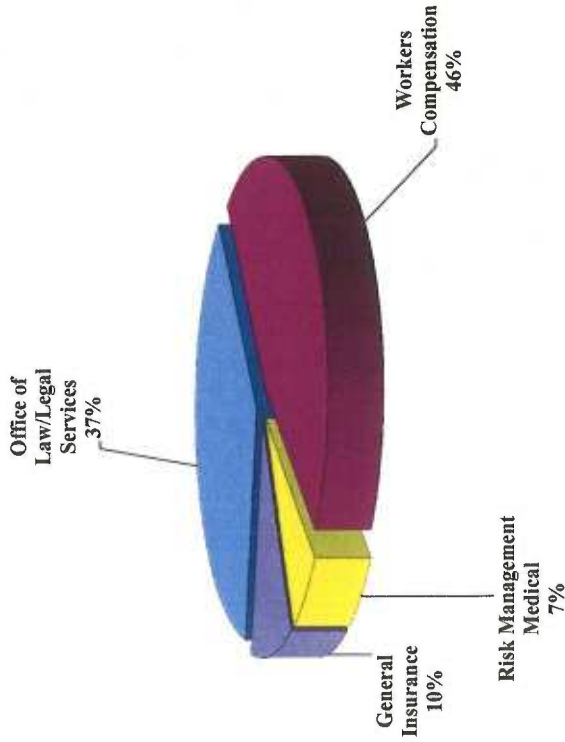
Note: These positions do not include 3 Attorney positions administered and supervised by the Law Department but funded through Special Services.

**Office of Law
Budget History
FY2007 Approved through FY2014
Recommended
(Excludes IGS Credits)**



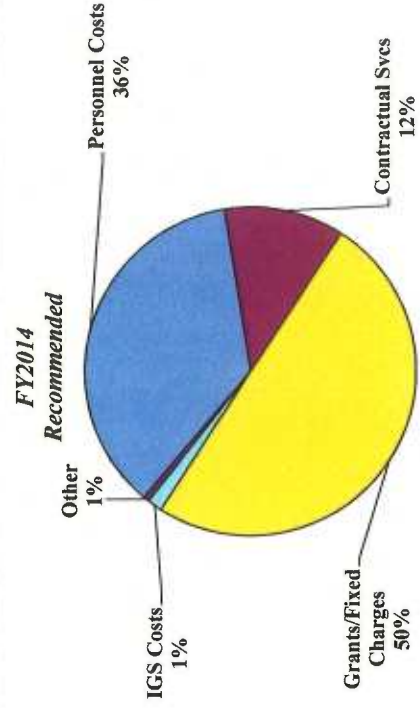


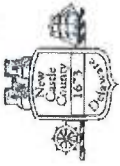
NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 BUDGET RECOMMENDATION



| Division | FY2014 RECOMMENDED |
|--------------------------------------|--------------------|
| Office of Law/Legal Services | \$2,764,735 |
| Workers Compensation | 3,449,954 |
| General Insurance | 792,000 |
| Risk Management/ Medical | 542,719 |
| Total Office of Law's Budget: | \$7,549,408 |

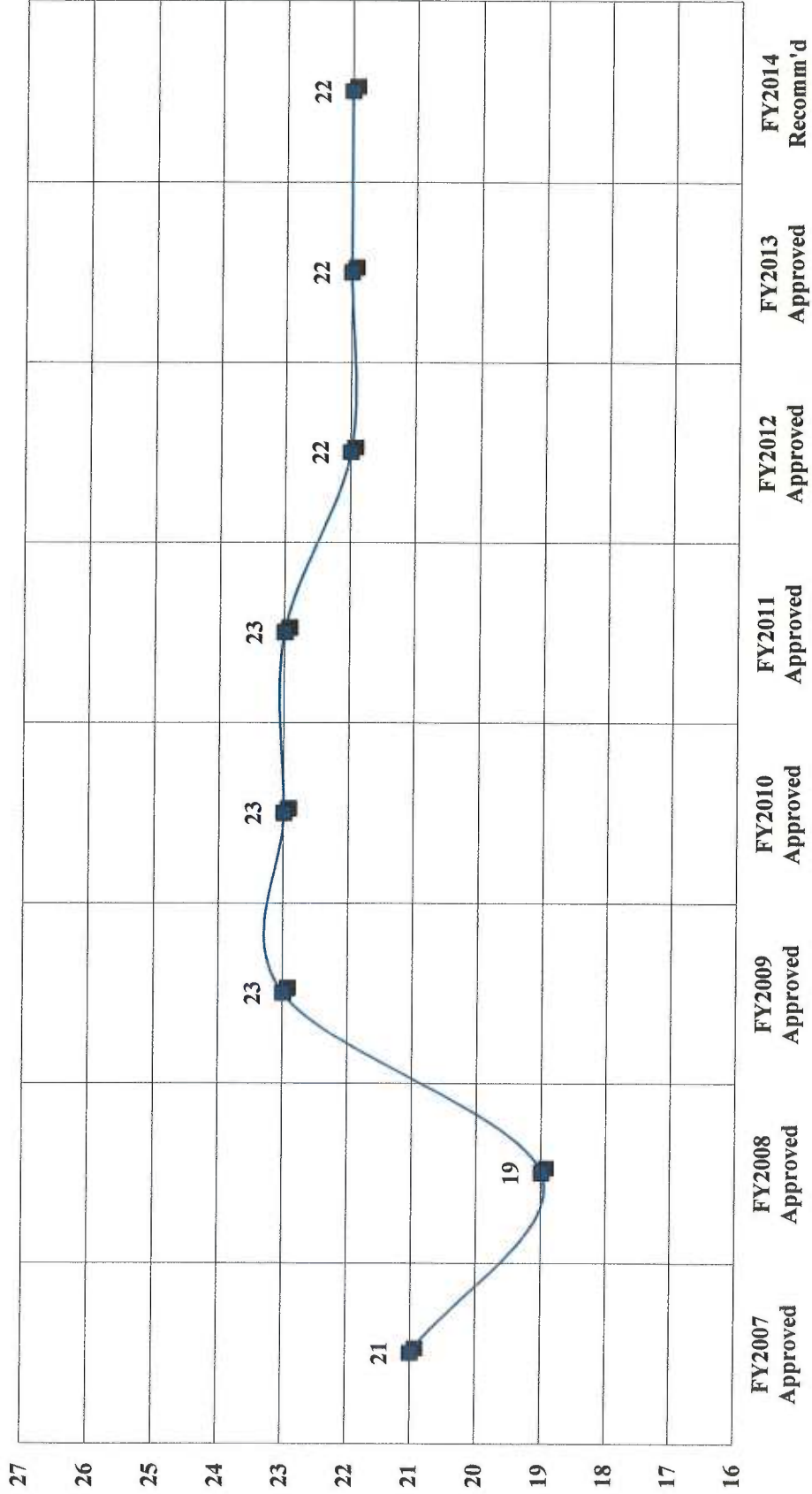
| Object Level | FY2014 Recommended |
|----------------------|--------------------|
| Personnel Costs | \$2,739,453 |
| Contractual Svcs | 888,995 |
| IGS Costs | 107,740 |
| Grants/Fixed Charges | 3,766,100 |
| Other | 47,120 |
| Total Budget | \$7,549,408 |





NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 BUDGET PRESENTATION

OFFICE OF LAW
Position History Fiscal Years 2007 through 2014



NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 BUDGET PRESENTATION

DIVERSITY COMPARISON 2010 - TO PRESENT

| JOB CATEGORIES | NUMBER OF EMPLOYEES | | | | | | | | | | | | |
|-------------------------------------|----------------------------------|----------------------------------|----------------------------------|------------|-----------------------------|-------------------------------------|----------------------------------|----------------------------------|------------|-----------------------------|-------------------------------------|---|---|
| | Overall Totals (Sum of Col. B-K) | MALE | | | | | | FEMALE | | | | | |
| | | White (Not of Hispanic Origin) B | Black (Not of Hispanic Origin) C | Hispanic D | Asian or Pacific Islander E | American Indian or Alaskan Native F | White (Not of Hispanic Origin) G | Black (Not of Hispanic Origin) H | Hispanic I | Asian or Pacific Islander J | American Indian or Alaskan Native K | | |
| Officials and Administrators | 2012 | 0 | | | | | | | | | | | |
| | 2011 | 0 | | | | | | | | | | | |
| | 2010 | 0 | | | | | | | | | | | |
| Professionals | 2012 | 11 | 3 | 1 | | | | | | | 5 | 1 | 1 |
| | 2011 | 12 | 5 | | | | | | | | 5 | 1 | 1 |
| | 2010 | 13 | 5 | | | | | | | | 7 | | 1 |
| Technicians | 2012 | 0 | | | | | | | | | | | |
| | 2011 | 0 | | | | | | | | | | | |
| | 2010 | 0 | | | | | | | | | | | |
| Paraprofessionals | 2012 | 0 | | | | | | | | | | | |
| | 2011 | 0 | | | | | | | | | | | |
| | 2010 | 0 | | | | | | | | | | | |
| Administrative Support | 2012 | 10 | 1 | | | | | | | | 5 | 4 | |
| | 2011 | 8 | 1 | | | | | | | | 7 | | |
| | 2010 | 8 | 1 | | | | | | | | 7 | | |
| Skilled Craft Workers | 2012 | 0 | | | | | | | | | | | |
| | 2011 | 0 | | | | | | | | | | | |
| | 2010 | 0 | | | | | | | | | | | |
| Service-Maintenance | 2012 | 0 | | | | | | | | | | | |
| | 2011 | 0 | | | | | | | | | | | |
| | 2010 | 0 | | | | | | | | | | | |
| Certain Elected/Appointed Officials | 2012 | 1 | 1 | | | | | | | | | | |
| | 2011 | 1 | | | | | | | | | | | |
| | 2010 | 1 | 1 | | | | | | | | | | |
| TOTAL | 2012 | 22 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 5 | 1 |
| | 2011 | 21 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | 0 | 0 |
| | 2010 | 21 | 6 | 1 | 0 | 0 | 13 | 0 | 0 | 0 | 13 | 0 | 0 |

State and Local Government Information (EEO-4) Report Format
The Office of Law is committed to workforce diversity. Currently our numbers reflect gender and racial diversity



**Office of Law
BUDGET RECOMMENDATION**

| Object Level | FY2013 Approved | FY2014 Recomm'd | FY2013 Approved vs. FY2014 Recomm'd | % Incr (Decr) over FY2013 Approved |
|-----------------------------|--------------------|--------------------|--|---|
| Salaries and Wages | \$1,786,065 | \$1,857,878 | 71,813 | 4.02% |
| Employee Benefits | 835,652 | 881,575 | 45,923 | 5.50% |
| Training and Civic Affairs | 13,840 | 13,840 | 0 | 0.00% |
| Communication and Utilities | 13,640 | 13,150 | (490) | -3.59% |
| Materials and Supplies | 18,135 | 18,130 | (5) | -0.03% |
| Contractual Services | 889,145 | 888,995 | (150) | -0.02% |
| Equipment Replacement | 1,300 | 2,000 | 700 | 53.85% |
| Fixed Charges | 3,766,100 | 3,766,100 | 0 | 0.00% |
| Land/Structures | - | | 0 | |
| Contingency | - | | 0 | |
| IGS Costs | 104,357 | 107,740 | 3,383 | 3.24% |
| Total: | \$7,428,234 | \$7,549,408 | 121,174 | 1.63% |



**NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 BUDGET DETAILS**

| Object Level | FY2014 Recommended | \$ Change | % Change |
|---|-----------------------|-----------------|---------------|
| Salaries and Wages : | \$1,857,878 | \$71,813 | 4.02% |
| Increase attributed to: Merit increases for eligible employees. County Attorney I reaching County Attorney II status | | | |
| Employee Benefits: | \$881,575 | \$45,923 | 5.50% |
| Net Increase attributed to: The salary increases and benefit rate. | | | |
| Training and Civic Affairs: | \$13,840 | \$0 | 0.00% |
| Expenditures in this line include: Conference and seminar fees and expenses, membership and dues, mileage and parking fees | | | |
| Communication and Utilities: | \$13,150 | (\$490) | -3.59% |
| Expenditures in this line include: Local postage, overnight express postage, and all telephone service | | | |
| Materials and Supplies: | \$18,130 | (\$5) | -0.03% |
| Expenditures in this line include Books and subscriptions, office supplies, computer and printer cartridges | | | |
| Contractual Services: | \$888,995 | (\$150) | -0.02% |
| Expenditures in this line include: Equipment repair, service contracts, printing and related expenses, Other Professional Services (i.e., title searches, transcriptions) Prothonotary, Sheriff and District Court filing fees; outside law firms; Third Party Administrator; Health Care Provider for new employee physicals, return to work, fit for duty assessments, annual and preplacement physicals for EMS and Public Safety, CDL examinations, after hours blood draws, Actuarial Fees in General Insurance, etc. Reduction in cost for TPA will be offset by increase in Fleet and General Insurance OCA's. | | | |



**NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 BUDGET DETAILS**

| Object Level | FY2014 Recommended | | \$ Change | % Change |
|--------------|-----------------------|--|-----------|----------|
|--------------|-----------------------|--|-----------|----------|

| | | | | |
|--|----------------|--|--------------|---------------|
| Equipment Replacement: | \$2,000 | | \$700 | 53.85% |
| Expenditures in this line include: Any safety or office equipment replacement | | | | |

| | | | | |
|---|--------------------|--|------------|--------------|
| Fixed Charges: | \$3,766,100 | | \$0 | 0.00% |
| Expenditures in this line include: The Workers Compensation section bears the major increase with a budget of : WC Medical Expenses \$140,000; WC Indemnification payments \$445,000; Insurance Premiums \$150,000; Insurance Settlements \$336,100, etc. Delaware Compensation Insurance Tax \$140,000 - NCC makes quarterly payments to the State of Delaware, Treasurer's Office. The tax is assessed to all self-insured entities and is directly related to salary costs. The General Insurance section also encompasses a major portion of the budget; Insurance Premiums \$523,000; Retention & fees \$30,000; Settlements \$176,000 and Self Insurance damages and expenses \$5,000. | | | | |

| | | | | |
|--|------------------|--|----------------|--------------|
| IGS Costs: | \$107,740 | | \$3,383 | 3.24% |
| Net increase attributed to: Legal Services: IS Data Processing charges from \$74,456 to \$78,650. Workers Compensation - IS Data Processing charges from \$5,619 to \$5,642. Risk Medical: IS Data Processing from \$5,554 to \$5,651 | | | | |



NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 FT POSITION ADJUSTMENTS

| | | | | | |
|--------------------------|-------------------|--------------------------|--------------------------|------------------|--------------------------|
| <input type="checkbox"/> | Position addition | <input type="checkbox"/> | <input type="checkbox"/> | Positin Deletion | <input type="checkbox"/> |
|--------------------------|-------------------|--------------------------|--------------------------|------------------|--------------------------|

| INCREASE | |
|----------------------------|------------------------------|
| # | Title |
| 1 | Secretary to County Attorney |
| 1 | Assistant County Attorney I |
| 1 | Assistant County Attorney I |
| 3.00 TOTAL INCREASE | |

| DECREASE | |
|------------------------------|------------------------------|
| # | Title |
| (1) | Assistant County Attorney II |
| (1) | Assistant County Attorney II |
| (1) | Legal Assistant |
| (3.00) TOTAL DECREASE | |



**NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 NEW/DELETED PROGRAMS/SERVICES**

NEW PROGRAMS/SERVICES:

N/A

DELETED PROGRAMS/SERVICES:

N/A



**NEW CASTLE COUNTY
OFFICE OF LAW
FY 2013 ACCOMPLISHMENTS**

The Office of Law's mission is set by State and County law. The duties are to:
1) serve as chief legal advisor to the County Executive, County Council and all County departments, boards, offices and agencies; 2) represent the County in all legal proceedings; and 3) perform other duties prescribed by State law or County ordinance.

With expanding legal challenges and State and County initiatives, the Office nonetheless has succeeded in bringing more litigation in-house to reduce costs, in training and staffing 10 boards and commissions to meet the needs of citizens while reducing the risk of litigation, in administering a workers' compensation system that responds to employees while minimizing unwarranted payments; in addressing the grievance backlog and succeeding in PERB cases, in reducing risk through identifying problem areas and conducting training, in processing hundreds of contracts essential to County Operations with an eye toward averting litigation, in advising departments and offices in a wide array of legal issues to prevent litigation, in proactively addressing problem properties to safeguard neighborhoods and numerous areas.

SIGNIFICANT ACCOMPLISHMENTS

THE OFFICE:

Prosecuted numerous disorderly premises cases and met with the problem property owners and tenants to reduce police calls;

Litigated and brought to conclusion several dozen workers' compensation claims through settlement or hearings;

Defended the County's interest and represented County Defendants in numerous litigation matters in State and Federal courts pertaining to Section 1983, personal injury, premises liability, employment and other matters;

Provided legal assistance and advice to all County operating departments;

Processed FOIA requests and provided legal assistance with FOIA policies and procedures;

Assisted with the establishment and growth of Safety Committees at Special Services and Public Safety;

Worked with our Insurance Broker to tailor the Liability insurance coverage to enhance its compatibility with the State sovereign immunity law covering counties, so as to not create a larger potential for awards than the law allows by over-insuring;

Continue to prosecute prevailing wage violations;

Brought several litigation items involving the Department to successful resolution;



**NEW CASTLE COUNTY
OFFICE OF LAW
FY 2013 ACCOMPLISHMENTS**

Accomplishments continued

Changed General Liability and Property Insurance carriers to a single carrier with a savings over prior years premiums;

Defended the County's interest in enforcing workforce housing requirements;

Restructured Office of Law to increase efficiency.



**NEW CASTLE COUNTY
OFFICE OF LAW
FY2014 CHALLENGES**

FY2014 CHALLENGES

To maintain the quality of the research, advice, review and in-house representation for departments, boards and commissions.

To defend the County's interest in pending and potential litigation.

To reduce reliance on, and budget for, outside counsel where prudent.

To proactively work problem properties in an effort to stabilize neighborhoods.

To contain cost of medical treatment for injured workers.

To ease the return of rehabilitated employees to the workforce.

To reduce the processing time for tax exemption applications.

To obtain required CLE (Continuing Legal Education) credit in a cost efficient manner.

To move open space parcels without clear maintenance responsibility into the hands of responsible parties.

To stabilize insurance premium by using aggressive risk control methods and analyzing alternative insurance programs.

To control General Insurance costs by improving education, training, and safety programs for New Castle County employees.

General Insurance

Service Narrative/Budget Highlights

General Insurance is administered by Risk Management through the Office of Law. Responsibilities encompass the development, coordination, and administration of a comprehensive insurance program comprising property, liability and other special coverage necessary to protect New Castle County and its employees. This includes overall management of existing self-insurance programs, acquisition of a broad range of insurance, and development of operational strategies to accommodate the County's Insurance needs.

The following risks have been covered with the purchase of seven (7) general insurance contracts; deductibles listed are for Fiscal Year 2014:

| <u>Description</u> | <u>Deductible</u> |
|--|-------------------|
| Workers Compensation | 1,000,000 |
| General Insurance (GL) | 500,000 |
| Excess Liability | GL Limits |
| Public Official and Employee Legal Liability | 500,000 |
| Public Entity Management Liability | 500,000 |
| Employee Benefit Plan Liability | 500,000 |
| Police Professional Liability | 500,000 |
| Crime | 50,000 |
| Property/Inland Marine | 100,000 |
| Auto Physical Damage | 10,000 |
| Boiler /Machinery | 100,000 |
| Row Office Performance Bond | 0 |
| NCC Officials Bond | 0 |
| Fiduciary Liability-Pension Board | 0 |

Claims administered by Risk Management

Property damage
Bodily injury
General Liability litigation
Workers Compensation

New Castle County
Office of Law
VACANCIES

| | | | |
|---------------------|------------------------------------|---------------------|-----------------------|
| | | | |
| Department | ADMINISTRATION/ OFFICE OF LAW | | |
| | | | |
| | | | |
| Division | Description | Date Vacated | # Of positions |
| Legal Services | First Assistant County Attorney | 6/1/2008 | 1 |
| | Insurance and Loss Control Manager | 3/1/2013 | 1 |
| | | | |
| Office of Law Total | | | 2 |



CONTRACTUAL SERVICES