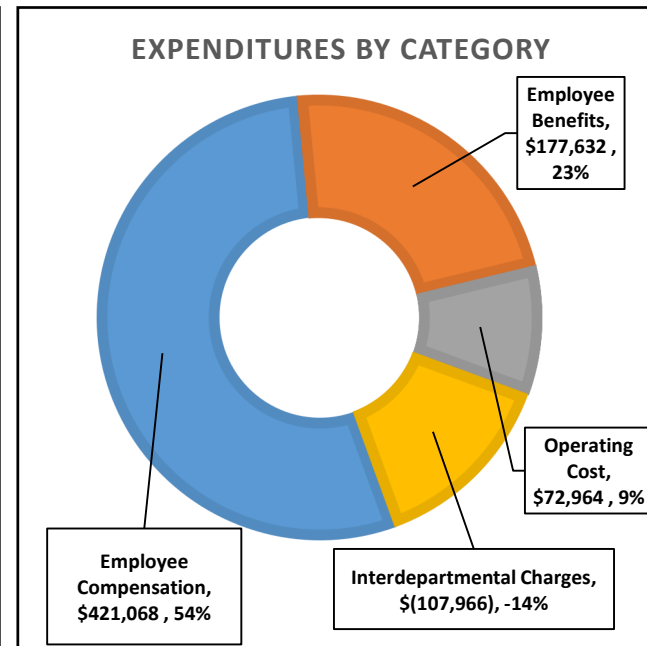
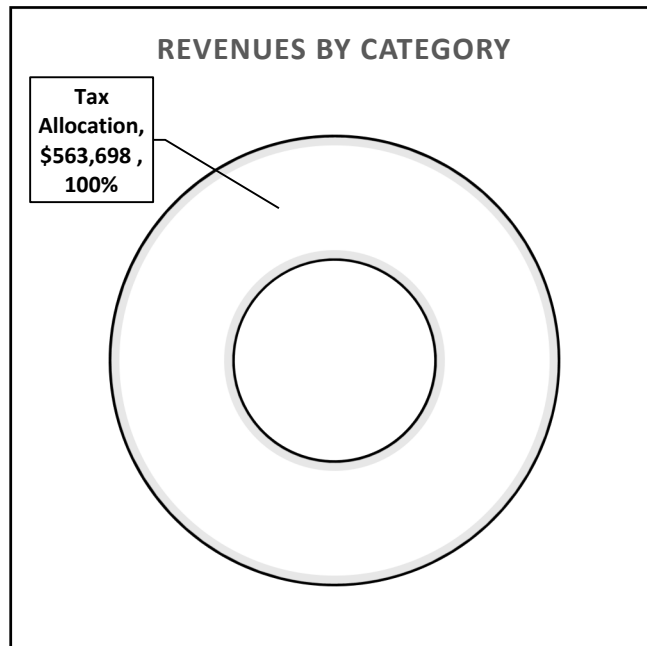


# FY 2018 Adopted Legal Services Budget \$563,698

**Service and Budgetary Highlights:**

- Review legal records for retention and disposition
- Process for enforcing easement rights

FTE By Division	Budgeted Expenditures By Division	Expenditures by Fund
Legal Department: 4.00	Legal Department: \$563,698	General Governmental Fund: \$563,698



# Legal Services

# Service Area Detail

## Service Area Mission

The mission of Legal Services is to provide legal counsel to the management, executive directors, and elected officials of Union County through direct and ready access to full time legal staff, and through such accessibility, to anticipate potential legal problems and prevent them before they occur, or having occurred, to resolve and mitigate their impacts. Legal, as a resource, is intended to help enable County staff to perform their duties within the confines of sound legal parameters, thus avoiding the time, expense, and intangible loss inherent in failure to comply with the law.

## Service Area Services Provided

- **Drafting/Negotiation/Review of County Contracts:** The contract review process requires legal research and/or institutional knowledge regarding the following:
  - o The County's authority to enter into the agreement.
  - o Federal and/or State statutes or regulations applicable to contract terms (e.g. terms required by the State in DSS contracts, HIPAA business associate agreements, etc.).
  - o Federal and/or State law affecting liability to the County.
  - o Contractual obligations of the County as to the source of funding (e.g. grant requirements governing terms that must be included in subcontracts).
  - o Procedural requirements for approval of the contract (e.g. published notice, bidding requirements, analysis of bid irregularities, if any, review of performance/payment bonds).
- As part of the contract process, terms are negotiated, contracts are drafted and reviewed, and management and staff are counseled concerning specific provisions that may be less than intuitive, complex, or of special importance to confirm their understanding of the transaction.
- Legal prepares standard terms and conditions for use with routine agreements, including architectural/engineering contracts and horizontal/vertical construction, i.e. utility lines (adapting EJCDC contract forms) and buildings (adapting AIA contract forms).
- Contract responsibility also entails subsequent interpretation and enforcement of contract terms (e.g. early termination, whether repair/maintenance/upgrade covered under warranty, whether payment is due under contract terms).
- **Drafting/Review of Ordinances, Policies, Procedures, Resolutions, Special Legislation, Bylaws, Guidelines, Notices and Forms:** Examples would include the Water and Sewer Extension Ordinance, internet use policy, Board of Commissioners' rules of procedure, special legislation relative to public/private partnerships, economic incentive guidelines, public notices, and releases.
- **Legal Research/Opinion Writing:** Complex legal issues are often raised by the Board of Commissioners, County management, executive and/or division directors or they may arise in the context of preparation of ordinances, policies and other County legal documents. Legal staff members thoroughly research such issues and provide legal opinions through oral or written response, as appropriate.
- **Assistance with Litigation:** Legal processes lawsuits filed against the County to Risk Management for determination of coverage by the County's insurance carrier(s). If there is no coverage, the suit is forwarded to the County Attorney for defense. The Executive Attorney assists defense counsel, upon request, by review of responsive pleadings and appellate briefs, and discussions of strategy.
- **Legal Counsel to Board of Commissioners:** The Executive Attorney attends all meetings of the Board of Commissioners to provide legal support for the Board and staff.

## Service Area FY 2018 Discussion

Review of Legal Records for Retention and Disposition:

- Initiate and implement a process for reviewing legal records in storage
- Determine requirements for each record in State retention/disposition schedule
- Retain records of interest, dispose of those without interest and for which retention is no longer required

# Legal Services

# Service Area Detail

- Consider microfilming of permanent records for which there is no longer space
- Process for Enforcing Easement Rights Against Encroachment:
- Develop process, in conjunction with UCPW, to better identify and enforce access to easements (identified by UCPW as a significant problem)
  - Prepare tracking system and initiate regular periodic meetings to discuss encroachments
  - Assist, as appropriate, in prioritizing encroachments for further action, to include notices of encroachment from Legal,
  - Ultimately, coordination of legal action by the County Attorney, when necessary.

### Service Area Analysis

There is minimal change in Legal Services budget. This service area does not produce any revenue.

### Service Area Summary

Expenditure by Division		Actual FY 2013	Actual FY 2014	Actual FY 2015	Actual FY 2016	Revised FY 2017	Adopted FY 2018	\$ Change FY 2017 - 18	% Change FY 2017 - 18
415	Legal Department	356,312	437,266	484,588	519,341	566,626	563,698	-2,928	-0.52%
Total Expenditures		356,312	437,266	484,588	519,341	566,626	563,698	-2,928	-0.52%
Total Legal Services		356,312	437,266	484,588	519,341	566,626	563,698	-2,928	-0.52%

### Service Area FTE Summary

Full-Time Equivalent by Status		Actual FY 2013	Actual FY 2014	Actual FY 2015	Actual FY 2016	Revised FY 2017	Adopted FY 2018	\$ Change FY 2017 - 18	% Change FY 2017 - 18
Full-Time		4.00	4.00	4.00	4.00	4.00	4.00	0.00	0.00%
Total Legal Services		4.00	4.00	4.00	4.00	4.00	4.00	0.00	0.00%

