

Office of Law - Fiscal Year 2022 Budget Review Summary

Proposed FY 2022 Operating Budget

Expenditures by Fund Type

Fund	FY 2020 Actual	FY 2021 Approved	FY 2021 Estimated	FY 2022 Proposed	\$ Change	% Change
General Fund	\$ 4,408,560	\$ 4,469,300	\$ 3,926,700	\$ 4,140,000	\$ (329,300)	-7.4%
Total	\$ 4,408,560	\$ 4,469,300	\$ 3,926,700	\$ 4,140,000	\$ (329,300)	-7.4%

Authorized Staffing Count - General Fund

	FY 2021 Approved	FY 2022 Proposed	Change Amount	Percentage Change
Full-Time	57	59	2	3.5%
Total	57	59	2	3.5%

FY 2022 Proposed Budget – Key Highlights

- The FY 2022 Proposed Budget for the Office of Law is \$4,140,000, a decrease of \$329,300, or 7.4%, under the FY 2021 Approved Budget.
- *Decreased Compensation:* Due to an increase in salary lapse and staff attrition (\$197,700).
- *Decreased Fringe Benefits:* Due to anticipated reduction in compensation (\$48,400).
- *Increased Operating:* Due to increases in office automation costs to facilitate remote work (\$5,200).
- The authorized staffing level in the FY 2022 Proposed Budget is 59 full-time positions, which is an increase of two (2) position compared to the FY 2021 approved level.
- FY 2022 proposed recoveries are \$3,420,600, an increase of \$88,400, or 2.7%, above the FY 2021 approved budget level.
- The Office also successfully defended a lawsuit by volunteer fire companies that challenged the career fire department management's operational authority at the scene of emergencies.

Expenditures by Category

Category	FY 2020 Actual	FY 2021 Approved	FY 2021 Estimate	FY 2022 Proposed	\$ Change	% Change
Compensation	\$ 5,294,509	\$ 5,579,100	\$ 5,215,000	\$ 5,381,400	\$ (197,700)	-3.5%
Fringe Benefits	1,582,601	1,668,200	1,520,900	1,619,800	(48,400)	-2.9%
Operating Expenses	454,718	554,200	482,200	559,400	5,200	0.9%
Recoveries	(2,923,268)	(3,332,200)	(3,291,400)	(3,420,600)	(88,400)	2.7%
Total	\$ 4,408,560	\$ 4,469,300	\$ 3,926,700	\$ 4,140,000	\$ (329,300)	-7.4%



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

April 22, 2021

M E M O R A N D U M

TO: Calvin S. Hawkins, II, Chair
Committee of the Whole (COW)

THRU: David H. Van Dyke, County Auditor *DHV*
Turkessa M. Green, Deputy County Auditor *TMG*

FROM: Isabel Williams, Policy Analyst *IW*

RE: Office of Law
Fiscal Year 2022 Budget Review

Budget Overview

The FY 2022 Proposed Budget for the Office of Law is \$4,140,000, a decrease of \$329,300, or 7.4%, under the FY 2021 Approved Budget. This decrease is largely due to reduced compensation and staff attrition. The Office of Law expenditures are funded entirely by the General Fund, other than the Recoveries.

Budget Comparison - General Fund

Approved Fiscal Year 2021 to Proposed Fiscal Year 2022

Category	FY 2020 Actual	FY 2021 Approved	FY 2021 Estimate	% Change - Est vs App	FY 2022 Proposed	\$ Change	% Change
Compensation	\$ 5,294,509	\$ 5,579,100	\$ 5,215,000	-6.5%	\$ 5,381,400	\$(197,700)	-3.5%
Fringe Benefits	1,582,601	1,668,200	1,520,900	-8.8%	1,619,800	(48,400)	-2.9%
Operating Expenses	454,718	554,200	482,200	-13.0%	559,400	5,200	0.9%
Sub-Total	\$ 7,331,828	\$ 7,801,500	\$ 7,218,100	-7.5%	\$ 7,560,600	\$(240,900)	-3.1%
Recoveries	(2,923,268)	(3,332,200)	(3,291,400)	-1.2%	(3,420,600)	(88,400)	2.7%
Total	\$ 4,408,560	\$ 4,469,300	\$ 3,926,700	-12.1%	\$ 4,140,000	\$(329,300)	-7.4%

Authorized Staffing Count - General Fund

	FY 2021 Approved	FY 2022 Proposed	Change Amount	Percentage Change
Full-Time	57	59	2	3.5%
Total	57	59	2	3.5%

COVID-19 IMPACT & RESPONSE

- COVID-19 responses have included converting most employees to telework, remote hearings, and remote depositions.
- The Deputy for Transactions has overseen, and the Transactions Team has assisted, with the following agreements:
 - CARES Act initiatives
 - Business Relief Fund
 - Restaurant recovery assistance
 - Partnerships with vaccination partners
 - Establishment of vaccination sites
 - Purchase of personal protective equipment
 - Improving health information network systems
- The Office of Law notes the morale and emotional toll that the pandemic has taken on employees.

Staffing Changes and Compensation

- The authorized staffing level in the FY 2022 Proposed Budget is 59 full-time positions, which is an increase of two (2) position compared to the FY 2021 approved level. Funding is provided for one (1) Attorney 3G and one (1) Attorney 4G positions.
- The Proposed FY 2022 compensation is decreasing by \$197,700, or 3.5%, below the FY 2021 Approved Budget due to anticipated salary lapse and staff attrition.
- As of March 2021, the Office reported seven (7) vacant full-time positions. The Office reported that it is actively recruiting for those positions. The FY 2022 Proposed Budget includes funding for these positions.
- In FY 2021, the Office has two (2) Attorney III positions assigned to other County agencies. One is assigned to the Office of the County Executive and the other is assigned to the Police Department. These assignments are likely to continue in FY 2022.
- The Office reported that its current rate of attrition is 3%. The Office states that the attrition rate can be attributed to the pay inequality among regional compensation structures for similar positions.

Fringe Benefits

- Fringe benefit expenditures are proposed to decrease by \$48,400, or 2.9%, below the FY 2021 Approved Budget due to anticipated adjustments to compensation.

- A five-year trend analysis of fringe benefit expenditures is included below.

Fringe Benefits Historical Trend					
	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Fringe Benefit Expenditures	\$ 1,382,683	\$ 1,497,214	\$ 1,582,601	\$ 1,520,900	\$ 1,619,800
As a % of Compensation	28.5%	29.2%	29.9%	29.2%	30.1%

Operating Expenses

- FY 2022 proposed operating expenses are proposed at \$559,400 and are comprised of the following major items:
 - Office Automation \$298,100
 - General and Administrative Contracts 110,700
 - Miscellaneous 35,000
 - Mileage Reimbursement 25,000
 - General Office Supplies 20,000
- Overall, operating expenses are increasing by \$5,200, or 0.94%, over the FY 2021 Approved Budget. The accompanying table compares the FY 2022 Proposed Budget operating expenditures with the FY 2021 Approved Budget operating expenditures. FY 2022 Proposed Budget expenditures increase in two (2) categories compared to the FY 2021 Approved Budget. In five (5) of the categories, the FY 2022 proposed budget level remains unchanged. FY 2022 Proposed Budget expenditures decrease in five (5) of the categories.

Operating Objects	FY 2021 Budget	FY 2022 Proposed	FY 2021 - FY 2022	
			\$ Change	% Change
Training	\$ 28,000	\$ 18,900	\$ (9,100)	-32.5%
Membership Fees	15,000	10,000	(5,000)	-33.3%
Printing	20,000	15,000	(5,000)	-25.0%
Mileage Reimbursement	29,500	25,000	(4,500)	-15.3%
Travel: Non-Training	800	400	(400)	-50.0%
Telephone	12,000	12,000	-	0.0%
Miscellaneous	35,000	35,000	-	0.0%
Office and Operating Equipment Non-Capital	3,000	3,000	-	0.0%
General Office Supplies	20,000	20,000	-	0.0%
Periodicals	11,300	11,300	-	0.0%
General & Administrative Contracts	108,300	110,700	2,400	2.2%
Office Automation	271,300	298,100	26,800	9.9%
TOTAL	\$ 554,200	\$ 559,400	\$ 5,200	0.9%

- The most significant increase between the FY 2022 Proposed Budget and the FY 2021 Approved Budget is in Office Automation (\$26,800 increase) due to an increase in technology cost allocation charges.

Recoveries

- FY 2022 proposed recoveries are \$3,420,600, an increase of \$88,400, or 2.7%, above the FY 2021 estimated budget level. The increase is due to an increase related to salary adjustments. The following recoveries are for legal services provided by the Office to various agencies:

Recoveries for FY 2021 and FY 2022				
Description	FY 2021 Estimated	FY 2022 Proposed	Difference	Fund*
Department of Social Services	\$ 218,900	\$ 221,200	\$ 2,300	GF
Health Department	32,400	32,500	100	GF
Office of Central Services	208,600	206,900	(1,700)	GF
Fire Department	32,800	32,500	(300)	GF
Housing Authority	38,900	39,000	100	GF
Department of the Environment	70,000	75,500	5,500	GF
Risk Management	2,689,800	2,813,000	123,200	GF
TOTALS	\$ 3,291,400	\$ 3,420,600	\$ 129,200	

*Type of Fund: General Fund (GF)

Highlights

- During FY 2021, the Litigation Division successfully defended a lawsuit against a developer who argued that they were not required to pay the full amount of the school facility surcharge fee. The ruling awarded approximately \$2.651 million dollars in school surcharge fees.
- During FY 2021, the Office also increased police training on civil liability and employment discrimination issues.
- The Office also successfully defended a lawsuit by volunteer fire companies that challenged the career fire department management’s operational authority at the scene of emergencies.
- The Office assisted in drafting, reviewing, and presenting major legislative proposals pertaining to resolutions for the continued Declaration of Emergency-Coronavirus (COVID-19) hazard.
- The Office of Law stated that one of its top priorities of FY 2022 is attempting to reduce the amount of payouts and adverse decisions resulting from litigation against the County by monitoring cases to identify trends and consultation with the applicable agency.
- In serving the County’s legal needs, the Office of Law manages and utilizes several legal services contracts in various areas of specialty. The Office reports that in FY 2021, approximately 18 legal services contracts are in place totaling \$6.7 million. These contracts support a variety of County agencies and are budgeted within the respective agencies where services are provided. Several vendors have multiple contracts with the County. See **Attachment 1**.

Attachment 1

FY 2021 LEGAL SERVICES CONTRACTS			
VENDOR	CONTRACT SERVICE/CASE	FY21 CONTRACT AMOUNT	FUNDED BY
AquaLaw	Anacostia River Sediment Project	\$35,000	DoE
Robert Castro	Representation for MD Public Service Commission	\$65,000	NON-D
Best Best & Krieger LLP	Comcast Cable Franchise & Transfer Services	\$114,000	OIT
Carl A. Harris	Tax Sale and Treasury Matters	\$10,000	NON-D
Carl A. Harris	County Transfer and State Recordation	\$50,000	NON-D
Carl A. Harris	Personal Property Tax		NON-D
Camp, Marva Jo	Citizen Complaint Oversight Panel/CCOP	\$20,000	CCOP
Jackson & Associates/Dawn Jackson	Tow Hearing Officer	\$23,250	DoE
Emerson Davis, Sr.	Board of Appeals	\$25,600	County Council
Karpinski, Cornbrooks & Karp	<i>Electrical Board</i>	\$6,000	DPIE
Karpinski, Cornbrooks & Karp	Stephen Downey v Andre Verdier	\$50,000	RISK MGMT
Law Offices of Johnine Clark	Dept. of Social Services/OAH	\$62,700	LAW
Harris Jones & Malone/Sean Malone	Human Relations Commission	\$30,000	HRC
Robinson & Geraldo	Personnel Board Counsel	\$40,000	PERS BD
Shipley & Horne (Bradley Farrar)	Historic Preservation Comm.	\$25,000	NON-D
Venable: HNLEA	Hispanic National Law Enforcement Assoc.	\$6,000,000	Police Department
Venable: DOJ		\$75,000	Police Department
Whiteford, Taylor & Preston	Redevelopment Authority	\$75,000	Redevelopment Authority
TOTAL		\$6,706,550	