

Office of Law - Fiscal Year 2023 Budget Review Summary

Proposed FY 2023 Operating Budget							
Expenditures by Fund Type							
Fund	FY 2021 Actual	FY 2022 Approved	FY 2022 Estimated	FY 2023 Proposed	\$ Change	% Change	
General Fund	\$ 4,469,300	\$ 4,140,000	\$ 3,657,300	\$ 4,676,000	\$ 536,000	12.9%	
Total	\$ 4,469,300	\$ 4,140,000	\$ 3,657,300	\$ 4,676,000	\$ 536,000	12.9%	
Authorized Staffing Count - General Fund							
	FY 2022 Approved	FY 2023 Proposed	Change Amount	Percentage Change			
Full-Time	59	61	2	3.4%			
Total	59	61	2	3.4%			
FY 2022 Proposed Budget – Key Highlights							
<ul style="list-style-type: none"> • The FY 2023 Proposed Budget for the Office of Law is \$4,676,000, an increase of \$536,300, or 12.9%, above the FY 2022 Approved Budget. • <i>Increased Compensation:</i> Due to annualization of FY 2022 salary adjustments \$568,500, and the addition of two (2) new paralegal positions. • <i>Increased Fringe Benefits:</i> Due to in the fringe benefit rate from 30.1% to 32.9% to align with projected costs as well as funding for two new Paralegal 3G positions \$320,300. • <i>Increased Operating:</i> Due to increases in Office of Information Technology charges based on anticipated countywide costs \$18,000. • The authorized staffing level in the FY 2023 Proposed Budget is 61 full-time positions, which is an increase of two (2) position compared to the FY 2022 approved level. • FY 2023 proposed recoveries are \$3,764,400, an increase of \$343,800, or 10.1%, above the FY 2022 approved budget level. • During FY 2022, the Office developed training on civil liability for the Department of Corrections. • The Office also assisted with the drafting and negotiations of several essential commercial deals. 							
Expenditures by Category							
Category	FY 2021 Actual	FY 2022 Approved	FY 2022 Estimate	% Change - Est vs App	FY 2023 Proposed	\$ Change	% Change
Compensation	\$ 5,379,745	\$ 5,381,400	\$ 4,766,500	-11.4%	\$ 5,894,500	\$ 513,100	9.5%
Fringe Benefits	1,685,902	1,619,800	1,479,300	-8.7%	1,940,100	320,300	19.8%
Operating Expenses	418,537	559,400	532,200	-4.9%	605,800	46,400	8.3%
Recoveries	(3,014,884)	(3,420,600)	(3,120,700)	-8.8%	(3,764,400)	(343,800)	10.1%
Total	\$ 4,469,300	\$ 4,140,000	\$ 3,657,300	-11.7%	\$ 4,676,000	\$ 536,000	12.9%



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

April 14, 2022

MEMORANDUM

TO: Edward P. Burroughs, III, Chair
Government Operations and Fiscal Policy (GOFP)

THRU: Turkessa M. Green, County Auditor *JMG*

FROM: Isabel Williams, Policy Analyst *IWW*

RE: Office of Law
Fiscal Year 2023 Budget Review

Budget Overview

The FY 2023 Proposed Budget for the Office of Law is \$4,676,000, an increase of \$536,000, or 12.9%, over the FY 2022 Approved Budget. This increase is largely due to increased compensation and fringe benefits. The Office of Law expenditures are funded entirely by the General Fund, other than the Recoveries.

Budget Comparison - General Fund

Approved Fiscal Year 2022 to Proposed Fiscal Year 2023

Category	FY 2021 Actual	FY 2022 Approved	FY 2022 Estimate	% Change - Est vs App	FY 2023 Proposed	\$ Change	% Change
Compensation	\$ 5,379,745	\$ 5,381,400	\$ 4,766,500	-11.4%	\$ 5,894,500	\$ 513,100	9.5%
Fringe Benefits	1,685,902	1,619,800	1,479,300	-8.7%	1,940,100	320,300	19.8%
Operating Expenses	418,537	559,400	532,200	-4.9%	605,800	46,400	8.3%
Sub-Total	\$ 7,484,184	\$ 7,560,600	\$ 6,778,000	-10.4%	\$ 8,440,400	\$ 879,800	11.6%
Recoveries	(3,014,884)	(3,420,600)	(3,120,700)	-8.8%	(3,764,400)	(343,800)	10.1%
Total	\$ 4,469,300	\$ 4,140,000	\$ 3,657,300	-11.7%	\$ 4,676,000	\$ 536,000	12.9%

Authorized Staffing Count - General Fund

	FY 2022 Approved	FY 2023 Proposed	Change Amount	Percentage Change
Full-Time	59	61	2	3.4%
Total	59	61	2	3.4%

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Staffing Changes and Compensation

- The authorized staffing level in the FY 2023 Proposed Budget is 61 full-time positions, which is an increase of two (2) positions compared to the FY 2022 approved level, which will handle the Maryland Public Information Act (MPIA) requests. Funding is provided for two (2) new paralegal positions.
- The Proposed FY 2023 compensation is increasing by \$513,100, or 9.5%, above the FY 2022 Approved Budget due to the addition of two (2) new paralegal positions, and the annualization of FY 2022 merit increases.
- As of March 2022, the Office reported ten (10) vacant full-time positions. The Office reported that it is actively recruiting for those positions. The FY 2023 Proposed Budget includes funding for these positions.
- In FY 2022, 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 2023. The attorney position assigned to the Police was vacant as of March 2022.
- The Office reported that its current rate of attrition is 20%. 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 increase by \$320,300, or 19.8%, above the FY 2022 Approved Budget due to anticipated adjustments to compensation.
- A five-year trend analysis of fringe benefit expenditures is included below.

	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Estimated	FY 2023 Proposed
Fringe Benefit Expenditures	\$ 1,497,214	\$ 1,582,601	\$ 1,685,902	\$ 1,479,300	\$ 1,940,100
As a % of Compensation	29.2%	29.9%	31.3%	31.0%	32.9%

Operating Expenses

- FY 2023 proposed operating expenses are proposed at \$605,800 and are comprised of the following major items:
 - Office Automation \$344,500
 - General and Administrative Contracts 110,700
 - Miscellaneous 35,000
 - Mileage Reimbursement 25,000
 - General Office Supplies 20,000

- Overall, operating expenses are increasing by \$46,400, or 8.3%, over the FY 2022 Approved Budget. The accompanying table compares the FY 2023 Proposed Budget operating expenditures with the FY 2022 Approved Budget operating expenditures. FY 2023 Proposed Budget expenditures increase in one (1) category compared to the FY 2022 Approved Budget. In eleven (11) of the categories, the FY 2023 proposed budget level remains unchanged.

Operating Objects	FY 2022 Budget	FY 2023 Proposed	FY 2022 - FY 2023	
			\$ Change	% Change
Training	\$ 18,500	\$ 18,500	\$ -	0.0%
Membership Fees	10,000	10,000	-	0.0%
Printing	15,000	15,000	-	0.0%
Mileage Reimbursement	25,000	25,000	-	0.0%
Travel: Non-Training	800	800	-	0.0%
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	110,700	110,700	-	0.0%
Office Automation	298,100	344,500	46,400	15.6%
TOTAL	\$ 559,400	\$ 605,800	\$ 46,400	8.3%

- The only increase between the FY 2023 Proposed Budget and the FY 2022 Approved Budget is in Office Automation (\$46,400 increase) due to an increase in Technology Cost Allocation charges.

Recoveries

- FY 2023 proposed recoveries are \$3,764,400, an increase of \$343,800, or 10.1%, above the FY 2022 approved budget level. The increase is due to an increase. The following recoveries are for legal services provided by the Office to various agencies:

Recoveries for FY 2022 and FY 2023				
Description	FY 2022 Estimated	FY 2023 Proposed	Difference	Fund*
Department of Social Services	\$ 221,200	\$ 237,200	\$ 16,000	STATE
Health Department	32,500	34,900	2,400	GF
Office of Central Services	206,900	221,800	14,900	CIP
Fire Department	32,500	34,900	2,400	GF
Housing Authority	39,000	41,900	2,900	GF
Department of the Environment	75,500	81,000	5,500	EF
Risk Management	2,513,100	3,112,700	599,600	IS
TOTALS	\$ 3,120,700	\$ 3,764,400	\$ 643,700	

*Type of Fund: General Fund (GF) and Internal Service (IS), Enterprise Fund (EF), and Capital Improvement Program (CIP)

Highlights

- During FY 2022, the Office developed training on civil liability for the Department of Corrections.
- During FY 2022, the Office also assisted with the drafting, review, and presentation of major legislative proposals/executive orders pertaining to resolutions for the continued Declaration of Emergency-Coronavirus (“Covid-19”), hazard pay for employees, vaccination policy and numerous other proposals necessary to continue and modify government operations.
- The Office also assisted with drafting and negotiation of several essential commercial deals.
- The Office provided legal guidance and training on the implementation of police reform legislation.
- The Litigation Division successfully defended a lawsuit against the Department of Corrections for alleged failure to protect inmates from SARS 2 Coronavirus. A settlement favorable to the County was negotiated, and revised policies dealing with COVID-19 protection in the jail were implemented.
- 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 2022, approximately 22 legal services contracts are in place totaling \$1.1 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**.
- The Office reported that the estimated aggregated potential exposure from lawsuits totals \$13.6 million.
- COVID-19 responses have included converting operations to a hybrid and in-person/teleworking module to reduce physical presence of staff to reduce the spread of the virus.
- During the pandemic the Office reported significant employee turnover that put tremendous stress on the Office’s resources, but recent new hires have helped reduce that stress.
- The Office had some challenges responding due to the viral work environment. They used technology to assist in this transition. The Office is working with OIT to utilize what is already offered but need additional technology.
- The Office of Law notes the morale and emotional toll that the pandemic has taken on employees.
- The Office of Law received \$26,700 in American Rescue Plan funding in FY 2022 to cover Hazard and Premium pay related to the pandemic.

Attachment 1

FY 2022 LEGAL SERVICES CONTRACT			
VENDOR	CONTRACT SERVICE/CASE	FY22 CONTRACT AMOUNT	FUNDED BY
Alexander & Cleaver	Board of License Commissioners	\$42,000	BOLC
Best Best & Krieger LLP	Cable Franchise - Comcast	\$114,000	OIT
Carl A. Harris	County Transfer and State Recordation Tax	\$50,000	Office of Finance
Carl A. Harris	Personal Property Tax		Office of Finance
Carl A. Harris	Tax Sale and Treasury Matters	\$10,000	Office of Finance
Emerson Davis, Sr.	Board of Appeals	\$25,600	County Council
Garner Law PLLC	Office of Human Rights	\$25,000	OHR
Grant & Eisenhofer	PCB Contamination		N/A
Grant & Eisenhofer	PFAS Contamination		N/A
Gross, Romanick, Dean, & DeSimone	Judgement Case (CAL16-31691)		N/A
Jackson & Associates	Towing Hearing Officer	\$23,250	DOE
Johnine Clark	Dept. of Social Services	\$62,700	DSS
Karpel, Link, & Caporaletti	Worker's Compensation	\$150,000	RISK MGMT
Karpinski, Cornbrooks & Karp	Electrical Board	\$6,000	DPIE
Karpinski, Cornbrooks & Karp	Judgement Case (No. 8:20-cv-00919)	\$50,000	Corvel
Karpinski, Cornbrooks & Karp	Judgement Case (No.0502-0019644)		Corvel
Karpinski, Cornbrooks & Karp	Judgement Case (No. CAL20-14849)	\$50,000	Corvel
Marva Jo Camp	Citizen Complaint	\$20,000	CCOP
Robert R. Castro	Exelon/Pepco	\$65,000	OCS
Robert G. McGinley	Board of Elections	\$60,000	Board of Elections
Robinson & Geraldo	Personnel Board	\$40,000	Personnel Board
Shawe & Rosenthal	Judgement Case (TDC19-cv-03821)	\$125,000	Various
Shipley & Horne	Historic Preservation Commission	\$25,000	HPC
Whiteford, Taylor & Preston	Redevelopment Authority	\$75,000	Redevelopment Authority
TOTAL		\$1,018,550	