



April 13, 2023

MEMORANDUM

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

THRU: Josh Hamlin
Director of Budget and Policy Analysis

FROM: David Williams
Legislative Budget and Policy Analyst

RE: Office of Law
Fiscal Year 2024 Budget Review

Budget Overview

The FY 2024 Proposed Budget for the Office of Law is \$5,222,400, an increase of \$227,800 or 4.6% above the FY 2023 approved budget. The increase is due to equal parts compensation, fringe benefits, and operating expenses. The Office of Law is funded entirely by the General Fund.

Budget Comparison

Actual FY 2023 to Proposed FY 2024

Category	FY 2022 Actual	FY 2023 Approved	FY 2023 Estimate	% Change - Est vs App	FY 2024 Proposed	\$ Change	% Change
Compensation	\$ 4,670,443	\$ 6,131,200	\$ 4,961,100	-19.1%	\$ 6,490,800	\$ 359,600	5.9%
Fringe Benefits	1,417,031	2,022,000	1,510,100	-25.3%	2,142,000	120,000	5.9%
Operating Expenses	484,031	605,800	605,800	0.0%	641,800	36,000	5.9%
Sub-Total	\$ 6,571,505	\$ 8,759,000	\$ 7,077,000	-19.2%	\$ 9,274,600	\$ 515,600	5.9%
Recoveries	(2,431,505)	(3,764,400)	(2,830,700)	-24.8%	(4,052,200)	(287,800)	7.6%
Total	\$ 4,140,000	\$ 4,994,600	\$ 4,246,300	-15.0%	\$ 5,222,400	\$ 227,800	4.6%

Authorized Staffing Count - General Fund

	FY 2023 Approved	FY 2024 Proposed	Change Amount	Percentage Change
Full-Time	62	62	0	0.0%
Total	62	62	0	0.0%

Staffing and Compensation

- The proposed staffing level for FY 2024 shows no changes in staffing levels from the previous year. There is currently a vacancy rate of 29% with 18 positions that have yet to be filled. At least six of the vacant positions are likely to be filled by the end of FY 2023, as three offers have been extended, and three other recruitments are at the interview stage.
- Proposed FY 2024 compensation is increasing by \$359,600 or 5.9% above the FY 2023 Approved Budget due to salary adjustments with merits and COLA increases.
- As of March 2023, the Office reported an attrition rate of 15%. Experienced attorneys and support staff are most affected. The most common cited reasons for this are listed as compensation and new job opportunities.
- The Office has one Attorney 3G that is assigned to the County Executive.

Fringe Benefits

- Fringe benefit expenditures are proposed to increase by \$120,000 or 5.9% above the FY 2023 Approved Budget due to anticipated adjustments to compensation.
- A five-year trend analysis of fringe benefit expenditures is included below.

	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimated	FY 2024 Proposed
Fringe Benefit Expenditures	\$ 1,582,601	\$ 1,685,902	\$ 1,417,031	\$ 1,510,100	\$ 2,142,000
As a % of Compensation	30.8%	31.3%	30.3%	30.4%	33.0%

Operating Expenses

- FY 2024 proposed operating expenses are estimated at \$641,800, a 5.9% increase from the estimated FY 2023 amount.
- The top spending areas are:
 - ◆ Office Automation \$380,500
 - ◆ General and Administrative \$110,700
 - ◆ Miscellaneous \$35,000
 - ◆ Mileage Reimbursement \$25,000
 - ◆ General Office Supplies \$20,000

- The accompanying table compares the FY 2024 proposed budget operating expenditures with the FY 2023 approved operating expenditures. FY 2024 proposed expenditures increase in one category compared to the FY 2023 approved budget.

Operating Objects	FY 2023 Budget	FY 2024 Proposed	FY 2024 - FY 4	
			\$ 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	344,500	380,500	36,000	10.4%
TOTAL	\$ 605,800	\$ 641,800	\$ 36,000	5.9%

- The only increase between the FY 2024 proposed budget and FY 2023 budget is the Office Automation (\$36,000 increase) due to a countywide increase in technology allocation charges.

Recoveries

- FY 2024 proposed recoveries are \$4,052,200 an increase of \$287,800 or 7.6% from the FY 2023 approved budget level, and \$1,221,500 or 43.1% over FY 2023 estimated. There was a noticeable increase in recoveries due to the new recovery from the Police Department, as well as substantial increases from the Department of Social Services and Risk Management.
- The following is a three-year display of the Office's recoveries classified by the source and fund type:

Recoveries for FY 2023 and FY 2024				
Description	FY 2023 Estimated	FY 2024 Proposed	Difference	Fund*
Department of Social Services	\$ 221,200	\$ 472,300	\$ 251,100	STATE
Health Department	32,500	37,900	5,400	GF
Office of Central Services	206,900	246,000	39,100	GF
Fire Department	32,500	37,900	5,400	GF
Housing Authority	39,000	45,500	6,500	GF
Department of the Environment	75,500	87,900	12,400	GF
Police Department	-	239,400	239,400	GF
Risk Management	2,223,100	2,885,300	662,200	GF
TOTALS	\$ 2,830,700	\$ 4,052,200	\$ 1,221,500	

Highlights

- In FY 2023, the Office:
 - ❖ advised and provided council to the Police Reform Workgroup and prepared legislation to implement the State Police reform mandates;
 - ❖ supported the County in the aid of Comcast Cable franchise negotiations;
 - ❖ developed the Transparency Division, with four paralegals, to handle the influx of MPIA requestions and assist agencies, boards and commissions with public meeting and ethics issues;
 - ❖ assisted with the re-engineering of the Police Department's officer promotion process;
 - ❖ provided consultation on the Prince George's ERAP program;
- The Office reported a number of workload challenges:
 - ❖ New police reform legislation has contributed to a substantial increase in the number of MPIA and the evidentiary requirements of such requests.
 - ❖ Litigation discovery has become more extensive.
 - ❖ The number of subpoenas for law enforcement internal affairs records and related litigation has increased significantly since 2021.
 - ❖ The Office has assumed work for tax sales after the retirement of outside counsel.
- For FY 2024, the Office's priorities include:
 - ❖ full implementation of a new case management system;
 - ❖ continued to efficiency improvements in responding to Public Information Act requests via the Transparency Division;
 - ❖ reduction in the amount of adverse decisions resulting from litigation against the County by monitoring cases to identify trends and addressing problems with applicable agencies.

The Office's FY 2023 legal services contracts are shown on the table below:

FY 2023 LEGAL SERVICES CONTRACTS			
VENDOR	CONTRACT SERVICE/CASE	FY23 CONTRACT AMOUNT	FUNDED BY
Alexander & Cleaver	Board of License Commissioners	\$42,000	BOLC
Baker, Donelson, Bearman, Caldwell & Berkowitz	EDI Fund Loan – Iverson Mall	\$25,000	Economic Development Corporation
Best Best & Krieger	Cable Franchise - Comcast	\$114,000	OIT
Carl A. Harris & Associates	Personal Property Tax	30% up to \$1M; 25% after \$1M	Non-D Office of Finance
Carl A. Harris & Associates	Tax Sale and Treasury Matters	\$10,000	Non-D Office of Finance
Davis, Agnor, Rapaport & Skalny	DHCD	\$130,000	DHCD
DeCaro Doran Siciliano Gallagher and DeBlasis	Jaime v. Macklin	\$50,000	Risk Management
DeCaro Doran Siciliano Gallagher and DeBlasis	PCG v. Hills-Carnes Engineering Associates, Inc.	\$50,000	DPIE
Emerson Davis, Sr., Esquire	Board of Appeals	\$25,600	County Council
Gabriel Christian and Associates	Office of Human Rights	\$25,000	OHR
Grant & Eisenhofer	PCB Contamination	25% of gross recovery	N/A – Class Action
Grant & Eisenhofer	PFAS Contamination	25% of gross recovery	N/A – Class Action
Gross, Romanick, Dean, & DeSimone	CAL16-31691 Peter Kormorowski – Judgment Case	20% of monies allocated	Finance
Jackson & Associates	Towing Hearing Officer	\$23,250	DOE
Johnine Clark, The Law Offices of	Office of Law	\$74,700	Office of Law
Karpel, Link, & Caporaletti	Worker's Compensation	\$150,000	RISK MGMT
Karpinski, Cornbrooks & Karp	Kara L. McMurray v PGC	\$50,000	Risk Management
Karpinski, Cornbrooks & Karp	Daniella Ramoutar v PFC Dorian Michael Johnson	\$50,000	Risk Management
Marva Jo Camp	Police Accountability Board	\$20,000	PAB
Robert R. Castro, Law Office of	Exelon/Pepco	\$65,000	Non-D
Robinson & Geraldo	Personnel Board	\$35,000	Personnel Board
Roger C. Thomas, The Law Office of	Young v. PCG	\$50,000	Risk Management
Roger C. Thomas, The Law Office of	Administrative Charging Committee	\$20,000	ACC
Rosenberg Martin Greenberg LLP	National Harbor MGM Tax Litigation	\$485,000 (incl. expert)	Non-D; M-NCPPC paying 23%
Sasscer Claggett & Butcher	Board of Elections	\$60,00	Board of Elections
Shawe & Rosenthal	Lynne Strange v. PGC	\$125,000	Non-D
Shipley & Horne	Historic Preservation Commission	\$50,000	Non-D
Thatcher Law Firm	Investigation Allegations of Discrimination	\$100,000	Non-D
Whiteford, Taylor & Preston	Redevelopment Authority	\$75,000	Redevelopment Authority