

CORPORATION COUNSEL

DEPARTMENT MISSION

To protect the public health, safety and general welfare of Eau Claire County residents by providing quality legal services in an efficient and timely manner to the County, its boards, commissions, committees, departments and employees

DEPARTMENT BUDGET HIGHLIGHTS

In 2021 we have been fully staffed in our Legal Specialist positions, unlike in the years 2019 and 2020. In 2021 we are requesting the creation of an additional 1.0 FTE Assistant Corporation Counsel position. This position will be assigned to work with CHIPS/TPR cases to assist the Department of Human Services in reducing the backlog of TPR cases and achieving permanency for children, and to help reduce the out of home placement costs to DHS. In 2021 the Courts will be adding Branch 6, that will cause an increase in the workload in the office for all areas including mental commitments, guardianships and protective placements, CHPIS/JIPS/ TPRS and child support.

STRATEGIC DIRECTION AND PRIORITY ISSUES

Our strategic direction continues to be to realize increased efficiencies through the use of technology and training, to cross train employees so they are capable of doing multiple jobs within the office. Otherwise we continue to strive to always meet the goals of our Mission Statement of providing quality legal services to the County.

TRENDS AND ISSUES ON THE HORIZON

As the number of courts and population of Eau Claire County continues to grow so does our workload. The majority of this office works on issues that are representative of the needs of society: mental health commitments, guardianship and protective placements for the aging population, CHIPS/JIPS and TPR for children who do not receive appropriate care and/or supervision, child support to assist single parents. We also need to be aware that 50% of our current attorney staff will likely retire sometime in the next 5 years. We are working to cross train attorneys as part of our succession planning.

OPERATIONAL CHANGES IN 2021

Despite the pandemic we were able operate with all staff in the office during the first part of 2021. Many functions were converted to a virtual platform. The remainder of 2021 will be a transition back to in-person hearings, and meetings and returning many of the functions back to normal. We have and continue to provide all of the services that are mandated and required of our staff. From a budget standpoint some savings have been realized due to a lack of travel and training but in person meetings are returning in the second half of 2021.

OPERATIONAL CHANGES – WITH FISCAL IMPACT

In 2021 we saw little to no fiscal impact to our budget other than savings from less travel and training. For 2022 we are requesting the creation of a new Assistant Corporation Counsel position after consulting with the Department of Human Services and in recognition of the new Branch 6 court. The new position will add additional cost to the budget of the Corporation Counsel, but should assist the Department of Human Services budget as they are able to access Title IV-E funding for attorney time spent on Chapter 48 cases. In addition, being able to address CHIPS and TPR cases quicker as it allows more cases to be filed and prosecuted at the same time. This should provide some assistance to DHS with their out of home costs.

POSITION CHANGES IN 2022

We are requesting the creation of an additional 1.0 FTE Assistant Corporation Counsel Position.

OPERATIONAL CHANGES – WITHOUT FISCAL IMPACT

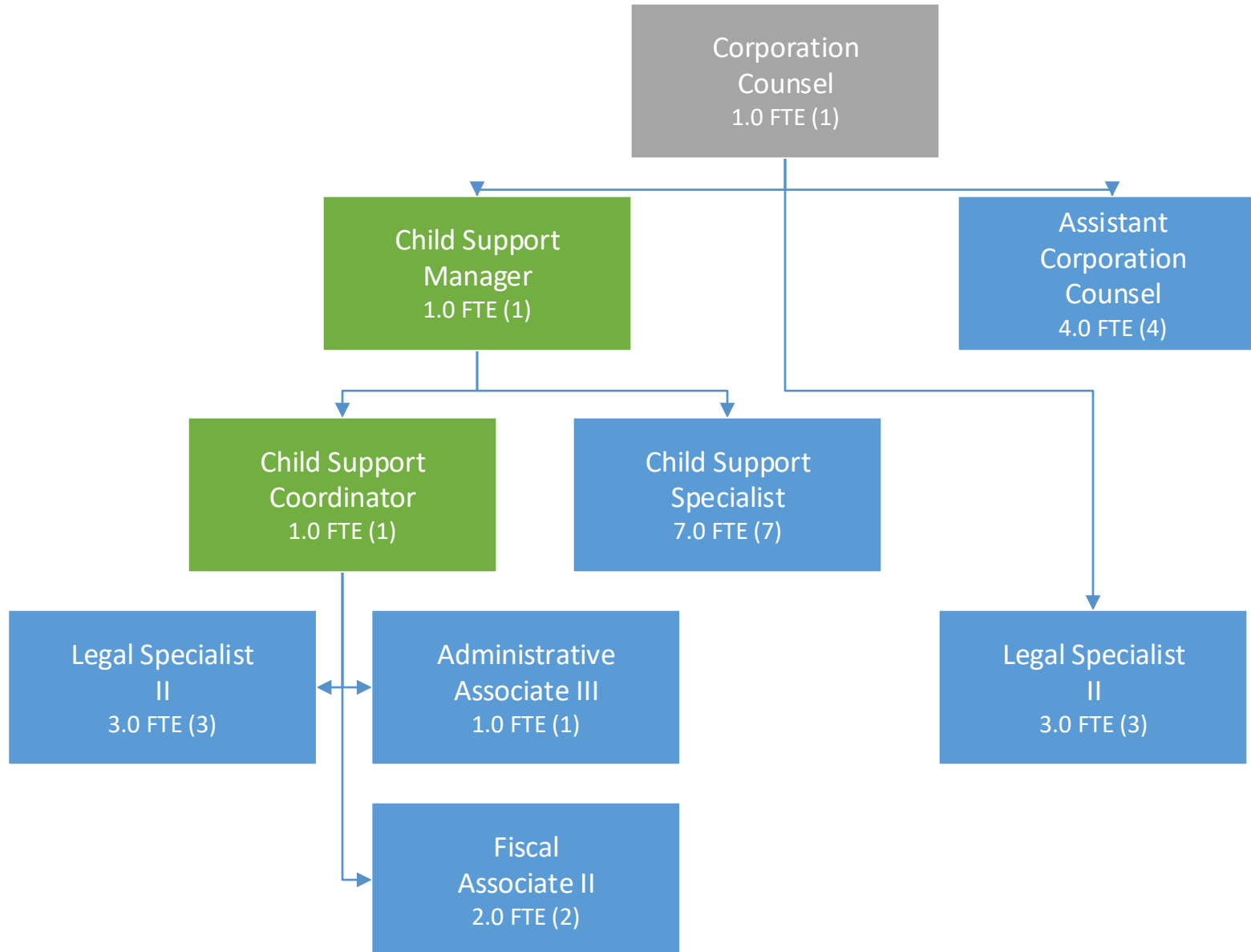
Continued implementation of technology to increase efficiencies and compliance with court guidelines.

POTENTIAL RISKS

Case load. This office has no ability to control its case load. We handle all the cases that are referred to us from the other departments and agencies of the county, or that come to us from the community through law enforcement. With the addition of a 6th judge that means our staff will be scheduling more hearings in a new court. Many of our cases are regulated by strict statutory time limits, that often cannot be extended without the court losing jurisdiction over the matter. These time limits often require our staff to respond immediately. We will be requesting additional staff to meet this current and future need.

We still have not addressed the problem realized in 2019 and 2020 of the difficulty in hiring for the legal specialist position due to a discrepancy between pay for the county and private sector. Over the years we have lost a number of qualified candidates due to a lack of pay. Qualified legal specialists are essential to the operation of this office.

Corporation Counsel



Year	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
FTE	22.35	22.50	21.00	21.00	21.50	21.50	21.50	22.00	22.00	22.00	22.00	23.00

General Legal Services

Provide contract review and drafting, legal advice to departments and county board and training to county employees. Protect county interests and reduce liability risk.

OUTPUTS	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>YTD* 2021</u>
Number of Child Abuse Restraining Orders opened	29	32	25	11
Number of claims reviewed	34	45	13	3
Number of contracts reviewed	92	73	39	20
Number of contacts (All) Maintained	257	255	257	254
Number of county ordinance violations pretrials held	29	28	13	12
Number of foreclosure cases reviewed	5	3	6	1
Number of ordinances and resolutions drafted	41	36	50	24
Number or ordinances and resolutions reviewed and/or revised	149	115	140	51
Number of Minor guardianship cases opened	3	17	21	6

**YTD indicates Jan-July Results*

OUTCOMES	Benchmark	2018	2019	2020	YTD* 2021
97% of contracts will be reviewed within 7 days of receipt.	97%	100%	100%	85%	100%
97% of resolutions and ordinances referred for drafting will be returned for review or additional information within 7 days.	97%	100%	100%	96%	100%
100% of in-house legal services will be provided at a rate less expensive than local private attorney rates as illustrated in local attorney rate survey.	100%	100%	100%	100%	100%
95% of claims filed against the county will be processed within 2 days of receipt of the claim by Corporation Counsel, excluding weekends and holidays.	95%	100%	100%	100%	100%

**YTD indicates Jan-Jun Results*

CHIPS, JIPS, TPR's and DHS Legal Services

Provide legal counsel and representation to the Department of Human Services (DHS) by processing children in need of protection and services (CHIPS) cases, juveniles in need of protection and services (JIPS) cases, and termination of parental rights (TPR'S) cases. Protect children and allow them to thrive. Maintain families when possible.

OUTPUTS	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>YTD* 2021</u>
Number of CHIPS cases opened	165	128	120	75
Number of CHIPS cases involving Meth	88	67	79	31
Number of JIPS cases opened	182	146	100	70
Number of TPR cases opened	26	18	2/17NA	2/4 NA

**YTD indicates Jan-July Results*

OUTCOMES	Benchmark	2018	2019	2020	YTD* 2021
100% of CHIPS and JIPS referrals will be responded to within 20 days of Corporation Counsel's receipt.	100%	100%	100%	100%	100%
100% of in-house legal services will be provided at a rate less expensive than local private attorney rates as illustrated in local attorney rate survey.	100%	100%	100%	100%	100%

**YTD indicates Jan-July Results*

Chapters 51, 54, and 55 and Annual Reviews

Provide legal counsel and representation to the Department of Human Services (DHS) by drafting and review of legal documents, court representation in matters prosecuting Chapter 51 mental commitments, Chapters 54 and 55 temporary guardianships, guardianships and protective placements and annual protective placement reviews. Protect individuals with mental illness and the residents of the county. Protect vulnerable adults from abuse / neglect.

OUTPUTS	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>YTD* 2021</u>
Number of Chapter 51 cases opened	371	360	382	168
Number of Chapter 51 (New) cases committed	48	63	41	16
Number of Chapter 51 recommitment cases continued	53	51	35	24
Continued signed stipulation	40	41	22	20
Continued via court appearances	13	10	13	4
Number of Chapters 54 and 55 cases opened	32	52	51	40
Number of Chapter 54 Temporary Guardianship cases opened	24	29	26	22
Number of Protective Placement Annual reviews scheduled	297	305	318	159
Total fees collected from 54, 55 and Annual Reviews	\$25,095	\$31,480	\$24,775	\$12,025

**YTD indicates Jan-July Results*

OUTCOMES	Benchmark	2018	2019	2020	YTD* 2021
100% of Chapter 51 emergency detentions and recommitments, and Chapter 54 annual protective placement reviews will be processed and completed within the statutory time requirements.	100%	100%	100%	100%	100%
100% of Chapter 54 guardianship and protective placement petitions will be completed within the statutory time requirement.	100%	100%	100%	100%	100%
100% of in-house legal services will be provided at a rate less expensive than local private attorney rates as illustrated in annual local attorney rate survey.	100%	100%	100%	100%	100%

**YTD indicates Jan-July Results*

Building, Zoning, and Health Code Enforcement

Provide legal counsel and representation to the Planning and Development Department and the City-County Health Department. Ensure the public health, safety and general welfare of Eau Claire County residents.

OUTPUTS		<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>YTD* 2021</u>	
Number of Building, Zoning and Health Code cases opened during year		3	1	3	1	
Number of Building, Zoning and Health Code cases resolved during year		1	0	2	1	
<i>*YTD indicates Jan-July Results</i>						
OUTCOMES		Benchmark	2018	2019	2020	YTD* 2021
100% of zoning matters referred will be reviewed on a monthly basis with zoning staff until resolved.		100%	100%	100%	100%	100%
100% of in-house legal services will be provided at a rate less expensive than local private attorney rates as illustrated in local attorney rate survey.		100%	100%	100%	100%	100%
<i>*YTD indicates Jan-July Results</i>						

Collections

Provide legal counsel and representation to any department of the county requiring assistance in pursuing collection and reimbursement.

OUTPUTS		<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>YTD* 2021</u>	
Number of collections cases referred and files opened		0	0	0	0	
Number of tax intercepts filed		0	16	16	15	
Amount of payments received from tax intercept		\$8,638	\$6,242	\$7,220	\$5,157	
Amount of payments received, excluding tax intercepts		\$1,599	\$1,069	\$165	\$90	
Total amount collected: + Bottom figure includes collections for lumber for P&F on past due accts		\$10,237 +\$85,237	\$7,311 +48,370	\$7385	\$5,247	
<i>*YTD indicates Jan-July Results</i>						
OUTCOMES		Benchmark	2018	2019	2020	YTD* 2021
95% of tax intercept cases that qualify will be referred to the Department of Revenue ("DOR") within 7 days.		95%	100%	100%	NA	NA
The cost of collections will be less than the amount of money collected.		Yes	Yes	Yes	Yes	Yes
<i>*YTD indicates Jan-July Results</i>						

Corporation Counsel

Overview of Revenues and Expenditures

Revenues	2020	2021	2021	2022	2022	2022	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Adopted	Change
01-Tax Levy/General Revenue Allocation	\$652,138	\$607,043	\$607,043	\$764,021	\$755,519	\$755,519	24%
05-Intergovernmental Charges for Services	\$2,373	\$2,750	\$2,100	\$2,200	\$2,200	\$2,200	-20%
06-Public Charges for Services	\$31,851	\$34,250	\$29,750	\$32,250	\$32,250	\$32,250	-6%
Total Revenues:	\$686,362	\$644,043	\$638,893	\$798,471	\$789,969	\$789,969	23%

Expenditures	2020	2021	2021	2022	2022	2022	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Adopted	Change
01-Regular Wages	\$442,645	\$465,801	\$465,801	\$587,829	\$593,597	\$593,597	27%
02-OT Wages	\$178	-	\$200	\$200	\$200	\$200	
03-Payroll Benefits	\$142,718	\$161,077	\$161,077	\$191,751	\$177,481	\$177,481	10%
04-Contractual Services	\$1,920	\$2,000	\$1,920	\$2,240	\$2,240	\$2,240	12%
05-Supplies & Expenses	\$4,898	\$11,840	\$10,868	\$11,250	\$11,250	\$11,250	-5%
09-Equipment	\$392	\$3,325	\$3,325	\$5,201	\$5,201	\$5,201	56%
Total Expenditures:	\$592,750	\$644,043	\$643,191	\$798,471	\$789,969	\$789,969	23%

Net Surplus/(Deficit)- Corporation Counsel	\$93,612	\$0	(\$4,298)	\$0	\$0	\$0	
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Corporation Council

Budget Analysis

	2021 Adjusted Budget	2022 Position Changes	Cost to Continue Operations in 2022	2022 Requested Budget
01-Tax Levy/General Revenue Allocation	\$607,043	\$143,253	\$13,725	\$764,021
05-Intergovernmental Charges for Services	\$2,750	-	(\$550)	\$2,200
06-Public Charges for Services	\$34,250	-	(\$2,000)	\$32,250
Total Revenues	\$644,043	\$143,253	\$11,175	\$798,471

01-Regular Wages	\$465,801	\$98,301	\$23,727	\$587,829
02-OT Wages	-	-	\$200	\$200
03-Payroll Benefits	\$161,077	\$44,952	(\$14,278)	\$191,751
04-Contractual Services	\$2,000	-	\$240	\$2,240
05-Supplies & Expenses	\$11,840	-	(\$590)	\$11,250
09-Equipment	\$3,325	-	\$1,876	\$5,201
Total Expenditures	\$644,043	\$143,253	\$11,175	\$798,471

Corportation Counsel

Revenue Assumptions

	2020	2021	2021	2022	2022	2022		
Revenue Source	Actual	Budget	Estimate	Request	Recom- mended	Adopted	Assumptions	Confidence Level %
County Tax Levy	652,138	607,043	607,043	764,021	755,519	755,519		0%
Corp Counsel Fees	285	250	250	250	250	250	Bad debt collection fees will decrease over time	90%
Bad Debt Collections	6,791	9,000	8,500	8,500	8,500	8,500	variable -bad debt collection	90%
Gn / Pp Service Fees	24,775	25,000	21,000	23,500	23,500	23,500	Dependent on gn/pp filings	90%
Airport Chargeback	2,373	2,750	2,100	2,200	2,200	2,200	Dependent on actual time spent on Airport business	90%
TOTAL	\$686,362	\$644,043	\$638,893	\$798,471	\$789,969	\$789,969		

Corporation Counsel
Contracted Services Summary

	2020	2021	2021	2022	2022	2022
Expenditure Type	Actual	Budget	Estimate	Request	Recom- mended	Adopted
Professional Services	-	-	-	-	-	-
Utilities	1,920	2,000	1,920	2,240	2,240	2,240
Repairs And Maintenance	-	-	-	-	-	-
Other Contracted Services	-	-	-	-	-	-
Total	\$1,920	\$2,000	\$1,920	\$2,240	\$2,240	\$2,240

Corportation Counsel
Contracted Services Detail

	2020	2021	2021	2022	2022	2022		
Expenditure	Actual	Budget	Estimate	Request	Recom- mended	Adopted	Description	Expenditure Type
Corp Coun/ Telephone	1,920	2,000	1,920	2,240	2,240	2,240	phone service	Utilities
TOTAL	\$1,920	\$2,000	\$1,920	\$2,240	\$2,240	\$2,240		