

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

There was a transition to a newly appointed Corporation Counsel during the first quarter of 2022. Two Assistant Corporation Counsel positions were filled - one to replace an internal vacancy created by an Assistant Corporation Counsel transitioning into the Corporation Counsel role, and one filling a new Assistant Corporation Counsel position added this year and assigned to work with the juvenile case load. This additional position will assist the Corporation Counsel's Office to reduce the amount of time children in out-of-home care need to wait to achieve permanency, and will assist with the increased workload resulting from the addition of Branch 6. A Legal Specialist II was also hired to replace a vacancy.

STRATEGIC DIRECTION AND PRIORITY ISSUES

- Provide cross training to employees in all areas of responsibilities to maintain and increase efficiency and improve effective case processing.
- Consistently process juvenile cases through the court process to achieve permanency for children in out of home care in a timely manner.
- Increase the use of electronic resources to move toward a consistent use of electronic files.

TRENDS AND ISSUES ON THE HORIZON

- Steady and continued increase in workload due to increase in number of judicial branches and population in Eau Claire County.
- Due to societal needs and issues, there has been and continues to be an increase in mental health and substance abuse issues, drug related cases related to supervision and care of juveniles, need for guardianships and protective placements due to an increased need for services to the aging population, and child support establishment and enforcement to assist families with dependent children.
- Continuous community growth requiring additional legal services and guidance to other County departments, such as the Planning and Development Department, Highway Department, and Chippewa Valley Regional Airport.

POSITION CHANGES IN 2023

- Reclassification of one (1) legal specialist is in process to more accurately reflect the position's job responsibilities and skill-set necessary to accomplish position priorities and long-term strategies.
- The salary impact of the reclassification of one (1) legal specialist and the placement on salary structure are yet to be determined as the review is not yet completed. Once the determination is made, the Corporation Counsel's proposed budget will be modified to reflect the salary structure recommendation.
- No other position changes are anticipated at this time.

Corporation Counsel

OPERATIONAL CHANGES – WITH FISCAL IMPACT

- none

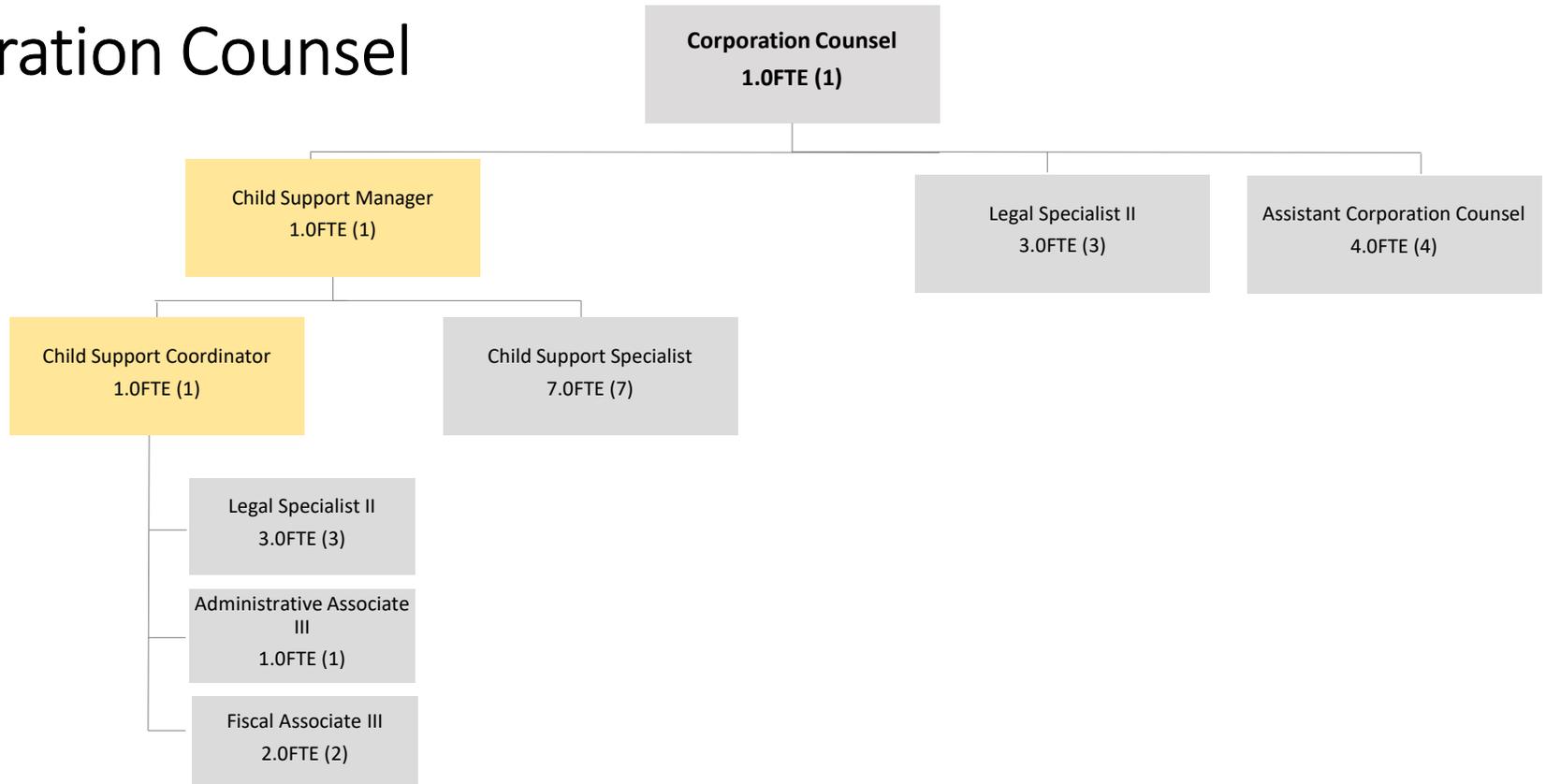
OPERATIONAL CHANGES – WITHOUT FISCAL IMPACT

- An increase in electronic resources will allow our office to move toward use of electronic files.

KEY ASSUMPTIONS AND POTENTIAL RISKS

- The case load of the Corporation Counsel Office is unpredictable and fluctuates throughout the year. The Corporation Counsel Office handles referrals from all County Departments, in addition to the primary practice areas. While there is a constant flow of referrals, it is impossible to predict the case volume throughout the year.
- There will be additional scheduling and attorney time necessary for additional court hearings associated with the creation of Branch 6.

Corporation Counsel



Year	2022
FTE	23.0

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>2019</u>	<u>2020</u>	<u>2021</u>	<u>YTD* 2022</u>
Number of Child Abuse Restraining Orders opened	32	25	24	6
Number of claims reviewed	45	13	13	11
Number of contracts reviewed	73	39	48	33
Number of contacts (All) Maintained	255	257	258	261
Number of county ordinance violations pretrials held	28	13	46	14
Number of foreclosure cases reviewed	3	6	3	7
Number of ordinances and resolutions drafted	36	50	55	37
Number or ordinances and resolutions reviewed and/or revised	115	140	111	55
Number of Minor guardianship cases opened	17	21	22	8

**YTD indicates Jan-June Results*

OUTCOMES	Benchmark	2019	2020	2021	YTD* 2022
97% of contracts will be reviewed within 7 days of receipt.	97%	100%	85%	100%	97%
97% of resolutions and ordinances referred for drafting will be returned for review or additional information within 7 days.	97%	100%	96%	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%
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>2019</u>	<u>2020</u>	<u>2021</u>	<u>YTD* 2022</u>
Number of CHIPS cases opened	128	120	119	56
Number of CHIPS cases involving Meth	67	79	65	24
Number of JIPS cases opened	146	100	114	62
Number of TPR cases opened **	18	2/17NA	6/18NA	3/5NA

**YTD indicates Jan-June Results*

*** 1st number Opened Corp. Counsel Atty/2nd number opened contracted ECC attorney's*

OUTCOMES	Benchmark	2019	2020	2021	YTD* 2022
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-Jun 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>2019</u>	<u>2020</u>	<u>2021</u>	<u>YTD* 2022</u>
Number of Chapter 51 cases opened	360	382	331	201
Number of Chapter 51 (New) cases committed	63	41	40	11
Number of Chapter 51 recommitment cases continued	51	35	31	30
Continued signed stipulation	41	22	26	21
Continued via court appearances	10	13	5	9
Number of Chapters 54 and 55 cases opened	52	51	77	30
Number of Chapter 54 Temporary Guardianship cases opened	29	26	43	19
Number of Protective Placement Annual reviews scheduled	305	318	281	162
Total fees collected from 54, 55 and Annual Reviews	\$31,480	\$24,775	\$30,600	\$12,600

**YTD indicates Jan-Jun Results*

OUTCOMES	Benchmark	2019	2020	2021	YTD* 2022
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-June 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>2019</u>	<u>2020</u>	<u>2021</u>	<u>YTD* 2022</u>
Number of Building, Zoning and Health Code cases opened during year	1	3	4	No longer tracking
Number of Building, Zoning and Health Code cases resolved during year	0	2	1	No longer tracking

**YTD indicates Jan-June Results*

OUTCOMES	Benchmark	2019	2020	2021	YTD* 2022
100% of zoning matters referred will be reviewed on a monthly basis with zoning staff until resolved.	100%	100%	100%	100%	No longer tracking
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%	No longer tracking

**YTD indicates Jan-June Results*

Collections

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

OUTPUTS	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>YTD* 2022</u>
Number of collections cases referred and files opened	0	0	0	0
Number of tax intercepts filed	16	16	0	0
Amount of payments received from tax intercept	\$6,242	\$7,220	\$5,124	\$5,492
Amount of payments received, excluding tax intercepts	\$1,069	\$165	\$195	\$75
Total amount collected:	\$7,311 +48,370	\$7,385	\$5,319	\$5,567

**YTD indicates Jan-June Results*

+ Bottom figure includes collections for P&F on past due lumber accts

OUTCOMES	Benchmark	2019	2020	2021	YTD* 2022
95% of tax intercept cases that qualify will be referred to the Department of Revenue ("DOR") within 7 days.	95%	100%	NA	NA	NA
The cost of collections will be less than the amount of money collected.	Yes	Yes	Yes	Yes	Yes

**YTD indicates Jan-June Results*

Corporation Counsel

Overview of Revenues and Expenditures

Revenues	2021	2022	2022	2023	2023	2023	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Adopted	Change
01-Tax Levy/General Revenue Allocation	\$607,044	\$755,519	\$755,519	\$766,996	\$766,996	\$766,996	2%
05-Intergovernmental Charges for Services	\$4,401	\$2,200	\$1,500	\$2,000	\$2,000	\$2,000	-9%
06-Public Charges for Services	\$35,919	\$32,250	\$30,495	\$32,675	\$32,675	\$32,675	1%
Total Revenues:	\$647,364	\$789,969	\$787,514	\$801,671	\$801,671	\$801,671	1%

Expenditures	2021	2022	2022	2023	2023	2023	%
	Actual	Adjusted Budget	Estimate	Request	Recommended	Adopted	Change
01-Regular Wages	\$472,986	\$593,597	\$593,597	\$611,147	\$611,147	\$611,147	3%
02-OT Wages	-	\$200	\$200	\$200	\$200	\$200	0%
03-Payroll Benefits	\$137,156	\$177,481	\$177,481	\$168,934	\$168,934	\$168,934	-5%
04-Contractual Services	\$1,920	\$2,240	\$2,240	\$2,240	\$2,240	\$2,240	0%
05-Supplies & Expenses	\$5,197	\$11,250	\$11,100	\$13,150	\$13,150	\$13,150	17%
09-Equipment	\$3,325	\$5,201	\$5,201	\$6,000	\$6,000	\$6,000	15%
Total Expenditures:	\$620,584	\$789,969	\$789,819	\$801,671	\$801,671	\$801,671	1%

Net Surplus/(Deficit)- Corporation Counsel	\$26,780	\$0	(\$2,305)	\$0	\$0	\$0	
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Corporation Counsel

Budget Analysis

	2022 Adjusted Budget	Cost to Continue Operations in 2023	2023 Requested Budget
01-Tax Levy/General Revenue Allocation	\$755,519	\$11,477	\$766,996
05-Intergovernmental Charges for Services	\$2,200	(\$200)	\$2,000
06-Public Charges for Services	\$32,250	\$425	\$32,675
Total Revenues	\$789,969	\$11,702	\$801,671

01-Regular Wages	\$593,597	\$17,550	\$611,147
02-OT Wages	\$200	-	\$200
03-Payroll Benefits	\$177,481	(\$8,547)	\$168,934
04-Contractual Services	\$2,240	-	\$2,240
05-Supplies & Expenses	\$11,250	\$1,900	\$13,150
09-Equipment	\$5,201	\$799	\$6,000
Total Expenditures	\$789,969	\$11,702	\$801,671

Corporation Counsel

Revenue Assumptions

	2021	2022	2022	2023	2023	2023		
Revenue Source	Actual	Budget	Estimate	Request	Recom- mended	Adopted	Assumptions	Confidence Level %
County Tax Levy	607,044	755,519	755,519	766,996	766,996	766,996	Levy request	0%
Corp Counsel Fees	175	250	175	175	175	175	bad debt collection will decrease over time	90%
Bad Debt Collections	5,144	8,500	5,320	5,500	5,500	5,500	bad debt collection will decrease over time	90%
Gn / Pp Service Fees	30,600	23,500	25,000	27,000	27,000	27,000	dependent on GN/PP Filings	90%
Airport Chargeback	4,401	2,200	1,500	2,000	2,000	2,000	varies on airport need	50%
TOTAL	\$647,364	\$789,969	\$787,514	\$801,671	\$801,671	\$801,671		

Corporation Counsel
Contracted Services Summary

	2021	2022	2022	2023	2023	2023
Expenditure Type	Actual	Budget	Estimate	Request	Recom- mended	Adopted
Professional Services	-	-	-	-	-	-
Utility Services	1,920	2,240	2,240	2,240	2,240	2,240
Repairs And Maintenance	-	-	-	-	-	-
Other Contracted Services	-	-	-	-	-	-
Total	\$1,920	\$2,240	\$2,240	\$2,240	\$2,240	\$2,240

Corporation Counsel
Contracted Services Detail

	2021	2022	2022	2023	2023	2023		
Expenditure	Actual	Budget	Estimate	Request	Recom- mended	Adopted	Description	Expenditure Type
Corp Coun/ Telephone	1,920	2,240	2,240	2,240	2,240	2,240	Telephone	Utility Services
TOTAL	\$1,920	\$2,240	\$2,240	\$2,240	\$2,240	\$2,240		