

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

The Office of Corporation Counsel has maintained full staffing through mid-2022 through present. A change in case responsibilities for the Assistant Corporation Counsels occurred the beginning of 2024 to ensure the attorneys are proficient in all aspects of case responsibilities. Cross training is also occurring for the Legal Analysts, which is being coordinated by the Legal Office Manager.

STRATEGIC DIRECTION AND PRIORITY ISSUES

- In REM tax lien foreclosure action on properties in Eau Claire with unpaid real property taxes.
- Ongoing cross training to employees in all areas of responsibility to maintain and increase efficiency and improve effective case processing.
- Update Military Policy for Eau Claire County Uniformed Services Employment and Reemployment Rights Act.
- Drafting Bylaws to assist in separation from Eau Claire County Fair.
- Evaluation of County Budgetary process.
- Social Media Policy creation.
- Assist with revision of Employee Policy Manual policies.

TRENDS AND ISSUES ON THE HORIZON

- Increase in jury trial requests by State Public Defender's Office.
- Inability of State Public Defender's Office to fill attorney appointments on cases resulting in prolonging court cases due to multiple adjournments and requiring request for county appointed attorneys paid for by Eau Claire County.
- Sacred Heart Hospital closure affecting mental health placements and budgetary impacts due to more chapter 51 subjects diverted to out of county hospitals and considerably more placements at Winnebago Mental Health Institute.
- Identified that permanency/adoption had not been achieved by the State on 20 post termination of parental rights (TPR) cases over last two years. Attorneys met with the State contracted agency, Lutheran Social Services (LSS), and Eau Claire Human Services. Eau Claire County will be participating in a pilot program through LSS to expedite permanency.
- Junk property complaints and cleanup – costs attributed to the County.

BUDGET CHANGES: REVENUES

- Decrease in old bad debt collection amounts.
- Increased attorney fees in guardianship and protective placement cases.

BUDGET CHANGES: EXPENDITURES

- Increased costs for expert fees in jury trials.
- Increase for service costs on parties in Juvenile cases.

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POSITION CHANGES IN 2025

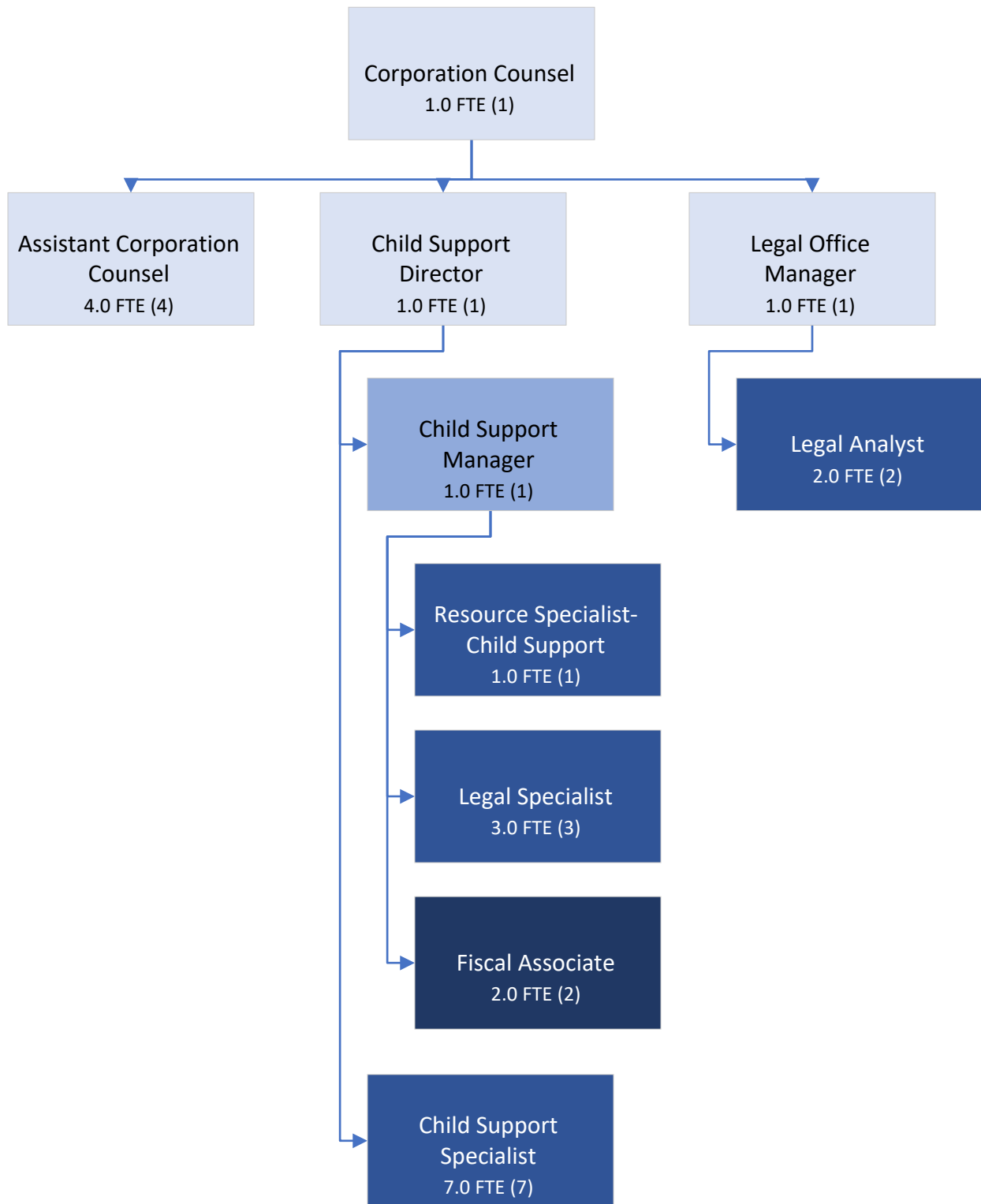
- None anticipated.

KEY ASSUMPTIONS AND POTENTIAL RISKS

- The caseload 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; therefore, the income received from representation in Guardianship cases is based on volume of cases processed and the judge's discretion of ordering fees to be paid to our department.

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2024 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>2021</u>	<u>2022</u>	<u>2023</u>	<u>YTD* 2024</u>
Number of Child Abuse Restraining Orders opened	24	12	20	21
Number of claims reviewed	13	21	30	14
Number of contracts reviewed	48	62	54	14
Number of contacts (All) Maintained	258	263	265	265
Number of county ordinance violations pretrials held	46	32	26	5
Number of foreclosure cases reviewed	3	12	3	1
Number of ordinances and resolutions drafted	55	67	39	23
Number of ordinances and resolutions reviewed and/or revised	111	97	101	100
Number of Minor guardianship cases opened	22	11	12	6

**YTD indicates Jan-June Results*

OUTCOMES	Benchmark	2021	2022	2023	YTD* 2024
97% of contracts will be reviewed within 7 days of receipt.	97%	100%	98%	94%	100%
97% of resolutions and ordinances referred for drafting will be returned for review or additional information within 7 days.	97%	100%	100%	97%	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-June Results*

CHIPS, JIPS, TPRs 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 (TPRs) cases. Protect children and allow them to thrive. Maintain families when possible.

OUTPUTS	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>YTD* 2024</u>
Number of CHIPS cases opened	119	99	106	38
Number of CHIPS cases involving Meth	65	52	35	20
Number of JIPS cases opened	114	87	133	86
Number of TPR cases opened **	6/18NA	8/5NA	21	3

**YTD indicates Jan-June Results*

*** TPR 1st number Opened Corp. Counsel Atty/2nd number opened contracted ECC attorneys*

OUTCOMES	Benchmark	2021	2022	2023	YTD* 2024
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-June 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	2021	2022	2023	YTD* 2024
Number of Chapter 51 cases opened	331	367	341	161
Number of Chapter 51 (New) cases committed	40	28	48	13
Number of Chapter 51 recommitment cases continued	31	47	38	27
Continued signed stipulation	26	30	30	23
Continued via court appearances	5	17	8	4
Number of Chapters 54 and 55 cases opened	77	59	59	23
Number of Chapter 54 Temporary Guardianship cases opened	43	39	33	18
Number of Protective Placement Annual reviews scheduled	281	293	297	171
Total fees collected from 54, 55 and Annual Reviews	\$30,600	\$29,675	\$30,128	\$15,060

*YTD indicates Jan-June Results

OUTCOMES	Benchmark	2021	2022	2023	YTD* 2024
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

Collections						
Provide legal counsel and representation to any department of the county requiring assistance in pursuing collection and reimbursement.						
OUTPUTS		<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>YTD* 2024</u>	
Number of collections cases referred and files opened		0	0	0	0	
Number of tax intercepts filed		0	0	0	0	
Amount of payments received from tax intercept		\$5,124	\$5,759	\$6,184	\$3,947	
Amount of payments received, excluding tax intercepts		\$195	\$165	\$195	\$75	
Total amount collected:		\$5,319	\$5,924	\$6,379	\$4,022	
*YTD indicates Jan-June Results						
OUTCOMES		Benchmark	2021	2022	2023	YTD* 2024
95% of tax intercept cases that qualify will be referred to the Department of Revenue (“DOR”) within 7 days.		95%	NA	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						

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Overview of Revenues and Expenditures

Revenues	2023	2024	2024	2025	2025	%
	Actual	Adjusted Budget	Estimate	Request	Recom-mended	Change
01-County Funding	\$766,996	\$832,853	\$832,853	\$918,828	\$876,425	5%
05-Intergovernmental Charges for Services	\$9,523	\$4,000	\$4,800	\$4,000	\$4,000	0%
06-Public Charges for Services	\$36,387	\$33,000	\$34,042	\$34,000	\$34,000	3%
Total Revenues:	\$812,906	\$869,853	\$871,695	\$956,828	\$914,425	5%

Expenditures	2023	2024	2024	2025	2025	%
	Actual	Adjusted Budget	Estimate	Request	Recom-mended	Change
01-Regular Wages	\$613,653	\$652,015	\$667,543	\$697,173	\$690,290	6%
02-OT Wages	\$165	\$200	-	\$200	\$200	0%
03-Payroll Benefits	\$181,716	\$196,518	\$226,523	\$239,085	\$206,565	5%
04-Contracted Services	\$1,920	\$1,920	\$1,920	\$1,620	\$1,620	-16%
05-Supplies & Expenses	\$10,238	\$13,700	\$10,742	\$13,250	\$11,250	-18%
09-Equipment	\$5,014	\$5,500	\$3,586	\$5,500	\$4,500	-18%
Total Expenditures:	\$812,706	\$869,853	\$910,314	\$956,828	\$914,425	5%

Net Surplus/(Deficit)- Corporation Counsel	\$200	\$0	(\$38,619)	\$0	\$0	
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Budget Analysis

	2024 Adjusted Budget	Cost to Continue Operations in 2025	2025 Requested Budget
01-County Funding	\$832,853	\$85,975	\$918,828
05-Intergovernmental Charges for Services	\$4,000	-	\$4,000
06-Public Charges for Services	\$33,000	\$1,000	\$34,000
Total Revenues	\$869,853	\$86,975	\$956,828

01-Regular Wages	\$652,015	\$45,158	\$697,173
02-OT Wages	\$200	-	\$200
03-Payroll Benefits	\$196,518	\$42,567	\$239,085
04-Contracted Services	\$1,920	(\$300)	\$1,620
05-Supplies & Expenses	\$13,700	(\$450)	\$13,250
09-Equipment	\$5,500	-	\$5,500
Total Expenditures	\$869,853	\$86,975	\$956,828

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Revenue Assumptions

	2023	2024	2024	2025	2025		
Revenue Source	Actual	Budget	Estimate	Request	Recom- mended	Assumptions	Confidence Level %
County Tax Levy	766,996	832,853	832,853	918,828	876,425	County funding request	100%
Corp Counsel Fees	35	-	-	-	-	decrease in old bad debt collections	100%
Bad Debt Collections	6,294	5,000	4,042	4,000	4,000	decrease amt intercepted during yr	100%
Gn / Pp Service Fees	30,058	28,000	30,000	30,000	30,000	amt based on cases filed	90%
Airport Chargeback	9,523	4,000	4,800	4,000	4,000	based on airport requests	90%
TOTAL	\$812,906	\$869,853	\$871,695	\$956,828	\$914,425		

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Contracted Services Summary

	2023	2024	2024	2025	2025
Expenditure Type	Actual	Budget	Estimate	Request	Recom- mended
Professional Services	-	-	-	-	-
Utility Services	1,920	1,920	1,920	1,620	1,620
Repairs And Maintenance	-	-	-	-	-
Other Contracted Services	-	-	-	-	-
Total	\$1,920	\$1,920	\$1,920	\$1,620	\$1,620

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Contracted Services Detail

	2023	2024	2024	2025	2025		
Expenditure	Actual	Budget	Estimate	Request	Recom-mended	Description	Expenditure Type
Corp Coun/ Telephone	1,920	1,920	1,920	1,620	1,620	Office Telephone	Utility Services
TOTAL	\$1,920	\$1,920	\$1,920	\$1,620	\$1,620		