

# Law Department

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<http://www.seattle.gov/cityattorney>

## Department Overview

The department provides legal advice to City officials, represent the City in litigation, and protect the public health, safety, and welfare of the community by prosecuting violations of City criminal and civil ordinances and state law. The three department divisions are described below.

The **Administration Division** provides executive leadership, communications, and operational support for the entire department. It is comprised of the executive leadership team, human resources, finance, media relations, and information technology staff.

The **Civil Division** provides legal counsel and representation to the City's elected and appointed policymakers in litigation at all levels of county, state, federal courts, and administrative agencies. The Civil Division is organized into eight specialized areas of practice: Employment, Environmental Protection, Land Use, Constitutional and Complex Litigation, Government Affairs, Torts, Regulatory Enforcement & Economic Justice (REEJ), and Contracts & Utilities. Precinct Liaison services are specifically budgeted but are functionally a part of REEJ. These attorneys provide support to the City's police precincts, legal advice to police and other City departments, and address issues of concern to the community.

The **Criminal Division** prosecutes misdemeanor crimes in Seattle Municipal Court, provides legal advice to City clients on criminal justice matters, monitors state criminal justice legislation of interest to the City, and participates in criminal justice reform efforts, policy development and management of the criminal justice system. The Criminal Division is comprised of a Prosecution Support Unit, Case Preparation Unit, Domestic Violence Unit (prosecutors and victim advocates), Appeals, Review and Filing Unit, Specialty Courts Unit (Infractions, Mental Health, Veterans' Court, Let Everyone Advance with Dignity (LEAD), and Pre-filing Diversion), and Trial Team Unit.

## Budget Snapshot

	2021 Actuals	2022 Adopted	2023 Proposed	2024 Proposed
<b>Department Support</b>				
General Fund Support	34,622,255	38,659,829	40,023,100	40,308,921
<b>Total Operations</b>	<b>34,622,255</b>	<b>38,659,829</b>	<b>40,023,100</b>	<b>40,308,921</b>
<b>Total Appropriations</b>	<b>34,622,255</b>	<b>38,659,829</b>	<b>40,023,100</b>	<b>40,308,921</b>
Full-Time Equivalent Total*	201.60	210.30	209.80	209.80

\* FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here

## Budget Overview

The General Fund revenue forecast for the City's 2023-24 Proposed Budget is insufficient to cover expected costs. General Fund reductions were identified to mitigate this shortfall in revenues. The Law Department provides a 1% reduction of \$413,000 spread across the Administration, Civil and Criminal Divisions. These savings will be achieved

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by holding vacancies. Overall, the department is increasing by \$2.5 million largely due to central cost changes and inflation. There are technical reduction adjustments totaling \$2 million.

**Domestic Violence Funding** An increase of \$438,000 to the Law Department budget addresses domestic and non-domestic violence, and the impact on survivors. Recently passed House Bill 1901 expanded the definition of domestic violence to include coercive control. With protection orders being more inclusive, survivors will be able to petition for orders they previously could not under the more limited definition. More protection orders are anticipated requiring an additional Assistant City Prosecutor (ACP). In addition, another ACP is added to return to the national best practice of a vertical representation model establishing a Review and Filing Unit in the Domestic Violence Unit. This will better serve victims, ensure consistency in filing, training, and public safety.

Further, a Victim Advocate is added to support victims of non-domestic violence related crimes. There is currently only one Victim Advocate assigned to non-DV cases. With more felony cases tried as misdemeanors, an additional advocate will allow the Law Department to support more victims providing:

- Consistency for the survivor.
- Update the survivor of the crime after each hearing.
- Trial preparation assistance.
- Notify the survivor of the crime on a dismissal of a Mental Health Court case (many times these are random, stranger assaults).
- Confirming the survivor received the Victim Impact Statement (VIS) and/or restitution letter.
- Opportunity to help historically disadvantaged communities and immigrant communities receive additional resources as well as interpreting services.

The budget is also adjusted for minor Citywide and departmental technical changes which are described below. Two positions will transfer from the Law Department to Seattle Police Department. One position will transfer to the Mayor’s Office. One position which was revenue backed through the utilities is eliminated as the project is completed. A .50 FTE is added with funding from the Office of Housing. As described above positions are added for domestic violence priorities.

### Incremental Budget Changes

#### Law Department

	Dollars	FTE
<b>2022 Adopted Budget</b>	<b>38,659,829</b>	<b>210.30</b>
<b>Baseline</b>		
Citywide Adjustments for Standard Cost Changes	1,216,351	-
Appropriations for 2022 Annual Wage Increase (AWI)	1,111,804	-
Annual Rent Adjustment	101,028	-
King County Firearms MOU Inflation Adjustment	51,178	-
Align Healthcare to Central Cost Manual	(78,766)	-
Removal of One Time Items	(14,000)	-
<b>Proposed Operating</b>		
Increased Staffing for Domestic Violence Unit	319,290	2.00
Add Victim Advocate - Non-Domestic Violence	118,517	1.00
Administration Division Target Reduction	(125,405)	-

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Civil Division Target Reduction	(144,000)	-
Criminal Division Target Reduction	(144,000)	-
Eliminate Paralegal for Environmental MOA	(120,973)	(1.00)
Transfer of Mayor's Office Counsel Position	(190,689)	(1.00)
<b>Proposed Technical</b>		
Transfer Budget and Positions from LAW to SPD	(290,770)	(2.00)
Pre-Filing Diversion Program Contract Reduction	(294,225)	-
Office of Housing MOA - Add Paralegal	70,877	0.50
Criminal Case Management System Project Costs Reallocation	(222,948)	-
<b>Total Incremental Changes</b>	<b>\$1,363,271</b>	<b>(0.50)</b>
<b>Total 2023 Proposed Budget</b>	<b>\$40,023,100</b>	<b>209.80</b>

## Description of Incremental Budget Changes

### Baseline

#### Citywide Adjustments for Standard Cost Changes

Expenditures \$1,216,351

Citywide technical adjustments made in the baseline phase reflect changes to internal services costs, including rates from the Department of Finance & Administrative Services, Seattle Information Technology Department, Seattle Department of Human Resources, and for healthcare, retirement, and industrial insurance charges for the department. These adjustments reflect initial assumptions about these costs and inflators early in the budget process.

#### Appropriations for 2022 Annual Wage Increase (AWI)

Expenditures \$1,111,804

This centrally administered change adjusts appropriations to reflect an annual wage increase in 2022, as outlined in the agreements between certain City unions, for personnel costs included in this department. These agreements were not finalized until after the 2022 budget had been adopted. This change includes ongoing cost increases to salary, FICA, Medicare, retirement, overtime and temporary labor. There is no increase assumed from 2022 to 2023.

#### Annual Rent Adjustment

Expenditures \$101,028

This item increases budget to reflect increases in costs for leased space at the Columbia Center Tower (\$1 per sq ft for the main space and 2.5% for Suite 2010). It also increases the budget available for Common Area Maintenance (CAM) and Property Tax payments.

#### King County Firearms MOU Inflation Adjustment

Expenditures \$51,178

This item increases the budget used to fund staff under the six-year Memorandum of Agreement (MOA) with the King County Prosecuting Attorney's Office for the Regional Domestic Violence Firearms Enforcement Unit (RDVFEU).

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The cost of staffing increases on an annual basis to reflect general annual wage increases, position step increases, and increases in benefit costs such as healthcare. Staff, supported by respective agency funding, for this Unit would come from both Seattle and King County agencies for durations set forth in the agreement.

### Align Healthcare to Central Cost Manual

Expenditures \$(78,766)

This item is a technical change that aligns the department's budget for healthcare costs with the adopted Central Cost Manual.

### Removal of One Time Items

Expenditures \$(14,000)

This technical change removes money included in the 2022 Adopted Budget for one time equipment purchases for new staff.

## Proposed Operating

### Increased Staffing for Domestic Violence Unit

Expenditures \$319,290

Position Allocation 2.00

This item adds an Assistant City Prosecutor (ACP) and a Senior ACP totaling \$319,290 to the Criminal Division of the Law Department. The Domestic Violence unit (DVU) deals with some of the most serious cases and marginalized victims in the city of Seattle. DVU also handles on more serious cases such as sexual assault, stalking and cyber stalking, indecent exposure, and child endangerment, many of these could arguably meet the felony threshold.

In 2016, the DVU was restructured in a reorganization, which changed the historically vertical prosecution model to a non-vertical prosecution model. To ensure consistency in filing, training, and public safety, staffing should return to vertical prosecution model. To achieve the vertical prosecution model, the DVU requires one additional position to review reports and manage case filings that are currently funneled through the Review and Filing Unit (RFU). Also adding one additional position to focus on tracking felony referrals and handle a caseload of high-risk offenders.

### Add Victim Advocate - Non-Domestic Violence

Expenditures \$118,517

Position Allocation 1.00

This item adds \$118,517 and 1.0 FTE Victim Advocate-BU to support victims of non-domestic violence (DV) related crimes. The department currently has one advocate not assigned to the DV Unit to support victims of more serious misdemeanor offenses referred to the Law Department. This resource will provide adequate advocacy services to victims, including providing post-disposition information. The department will expand this function in the Criminal Division as required by RCW 7.69.030, which outlines Victims' Rights. The city also employs victim advocates in the Human Services Department who work with victims of felony level offenses.

### Administration Division Target Reduction

Expenditures \$(125,405)

The General Fund revenue forecast for the City's 2023-24 Proposed Budget is insufficient to cover expected costs. General Fund reductions were identified to mitigate this shortfall in revenues. This item reduces the Administration Division budget by \$125,405. These savings will be achieved by holding vacancies when and where they become

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available. This amount is approximately equivalent to holding 1.50 FTE Administrative Specialist positions vacant for the entire year.

### Civil Division Target Reduction

Expenditures \$(144,000)

The General Fund revenue forecast for the City's 2023-24 Proposed Budget is insufficient to cover expected costs. General Fund reductions were identified to mitigate this shortfall in revenues. This item reduces the Civil Division budget by \$144,000. These savings will be achieved by holding vacancies when and where they become available. This amount is approximately equivalent to holding 0.75 FTE Assistant City Attorney vacant for the entire year.

### Criminal Division Target Reduction

Expenditures \$(144,000)

The General Fund revenue forecast for the City's 2023-24 Proposed Budget is insufficient to cover expected costs. General Fund reductions were identified to mitigate this shortfall in revenues. This item reduces the Criminal Division budget by \$144,000. These savings will be achieved by holding vacancies when and where they become available. This amount is approximately equivalent to holding 1.00 FTE Assistant City Prosecutor vacant for the entire year.

### Eliminate Paralegal for Environmental MOA

Expenditures \$(120,973)

Revenues \$(120,973)

Position Allocation (1.00)

This proposal eliminates a 1.0 FTE of a Paralegal-LAW and reduces expense authority by \$120,972. This position currently works on the East Waterway MOA between the City Attorney's Office, Seattle City Light and Seattle Public Utilities. The MOA entered into in 2020 provided three positions to support the work related to the preparation and support for the East Waterway allocation process and related matters, such as responding to information requests from the EPA and preparing for potential litigation. The work related to this agreement is decreasing and the Paralegal position is not anticipated to be required beyond 2022. As the position is being eliminated, the revenue associated with the billing for this position is also reduced.

### Transfer of Mayor's Office Counsel Position

Expenditures \$(190,689)

Position Allocation (1.00)

This proposal eliminates 1.0 FTE City Attorney, Asst and reduces expenses by \$190,689 related to the transfer of the Mayor's Counsel position. This position has been acting as counsel to the Mayor's Office under a Memorandum of Agreement between the Mayor's Office and the City Attorney's Office (MOA). The parties have agreed that moving forward, it is more appropriate to end the MOA and have this position housed entirely in the Mayor's Office under a new position title. This proposal is offset by a Change Request from the Mayor's Office creating a new position and appropriation for this role.

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## Proposed Technical

### **Transfer Budget and Positions from LAW to SPD**

Expenditures	\$(290,770)
Revenues	\$(165,387)
Position Allocation	(2.00)

This proposal adjusts the 2023-2024 budget for a transfer of two positions from Law to SPD in the 2022 year-end supplemental budget. A 1.0 FTE City Attorney, Asst and 1.0 FTE Legal Asst worked on an MOA which has been ended. As part of the ending of the agreement, these two positions will be moved to SPD while the third position, also a 1.0 FTE City Attorney, Asst, will remain with Law. This proposal also reflects a reduction of \$190,779 in revenue which was the portion of expenses that had been billed to SPD per the direction of the MOA.

### **Pre-Filing Diversion Program Contract Reduction**

Expenditures	\$(294,225)
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In the 2022 Adopted Budget, the Seattle City Council issued a Statement of Legislative Intent (LAW-003-A-001) that requested the Law Department transfer funding and contracts with community-based organizations that currently support the existing pre-filing diversion program to the Human Services Department. Per the directions of this SLI, the Law Department did include a transfer all existing contract funds to the Human Services Department in the 2022 mid-year supplemental budget ordinance. This item reduces funding of \$294,225 used to fund these contracts in the 2023 Proposed Budget. There is a change in HSD's budget that increases their funding by an offsetting amount.

### **Office of Housing MOA - Add Paralegal**

Expenditures	\$70,877
Revenues	\$70,877
Position Allocation	0.50

The 2022 mid-year supplemental budget ordinance added a 0.5 FTE Paralegal-Law. This was to address the request from the Office of Housing (OH) to provide additional support for a Memorandum of Agreement to support OH's work by providing legal advice and representation to OH related to housing loans funded by City levies and other government sources, credit enhancement transactions, grants and agreements for use of housing funds, disposition of land, and any accompanying legislation and documentation. The Office of Housing requested an increase in the amount of support for this agreement. The mid-year supplemental added position authority and funding for a 0.50 FTE Paralegal-Law position. This item continues the funding and position authority included in the mid-year supplemental.

### **Criminal Case Management System Project Costs Reallocation**

Expenditures	\$(222,948)
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In the 2022 Adopted Budget, funding for licensing and maintenance was added to the Law Department for the new Criminal Case Management System (CCMS). Beginning in 2023, the licensing costs will be included in the department's centralized rates. This item reduces Law's budget in recognition that the amount is added to the internal rates charged by Seattle IT.

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### Expenditure Overview

	2021 Actuals	2022 Adopted	2023 Proposed	2024 Proposed
<b>Appropriations</b>				
<b>LAW - BO-LW-J1100 - Leadership and Administration</b>				
00100 - General Fund	10,785,997	11,609,642	12,848,083	13,194,283
<b>Total for BSL: BO-LW-J1100</b>	<b>10,785,997</b>	<b>11,609,642</b>	<b>12,848,083</b>	<b>13,194,283</b>
<b>LAW - BO-LW-J1300 - Civil</b>				
00100 - General Fund	14,670,373	16,672,112	16,604,399	16,556,736
<b>Total for BSL: BO-LW-J1300</b>	<b>14,670,373</b>	<b>16,672,112</b>	<b>16,604,399</b>	<b>16,556,736</b>
<b>LAW - BO-LW-J1500 - Criminal</b>				
00100 - General Fund	8,520,514	9,676,267	9,842,719	9,832,733
<b>Total for BSL: BO-LW-J1500</b>	<b>8,520,514</b>	<b>9,676,267</b>	<b>9,842,719</b>	<b>9,832,733</b>
<b>LAW - BO-LW-J1700 - Precinct Liaison</b>				
00100 - General Fund	645,372	701,808	727,899	725,170
<b>Total for BSL: BO-LW-J1700</b>	<b>645,372</b>	<b>701,808</b>	<b>727,899</b>	<b>725,170</b>
<b>Department Total</b>	<b>34,622,255</b>	<b>38,659,829</b>	<b>40,023,100</b>	<b>40,308,921</b>
<b>Department Full-Time Equivalents Total*</b>	<b>201.60</b>	<b>210.30</b>	<b>209.80</b>	<b>209.80</b>

\* FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here

### Budget Summary by Fund Law Department

	2021 Actuals	2022 Adopted	2023 Proposed	2024 Proposed
00100 - General Fund	34,622,255	38,659,829	40,023,100	40,308,921
<b>Budget Totals for LAW</b>	<b>34,622,255</b>	<b>38,659,829</b>	<b>40,023,100</b>	<b>40,308,921</b>

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## Appropriations by Budget Summary Level and Program

### LAW - BO-LW-J1100 - Leadership and Administration

The purpose of the Leadership and Administration Budget Summary Level is to provide executive, financial, technological, administrative and managerial support to the Department.

<b>Program Expenditures</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Citywide Indirect Costs	4,854,356	5,267,550	6,516,116	6,617,419
Departmental Indirect Costs	2,652,824	2,691,624	2,665,009	2,654,500
Pooled Benefits	3,278,817	3,650,468	3,666,958	3,922,363
<b>Total</b>	<b>10,785,997</b>	<b>11,609,642</b>	<b>12,848,083</b>	<b>13,194,283</b>
Full-time Equivalents Total*	20.30	20.50	20.50	20.50

*\*FTE totals are provided for informational purposes only. Changes in FTEs resulting from City Council or Human Resources Director actions outside of the budget process may not be detailed here*

The following information summarizes the programs in Leadership and Administration Budget Summary Level:

#### Citywide Indirect Costs

<b>Expenditures/FTE</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Citywide Indirect Costs	4,854,356	5,267,550	6,516,116	6,617,419

#### Departmental Indirect Costs

<b>Expenditures/FTE</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Departmental Indirect Costs	2,652,824	2,691,624	2,665,009	2,654,500
Full Time Equivalents Total	20.30	20.50	20.50	20.50

#### Pooled Benefits

<b>Expenditures/FTE</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Pooled Benefits	3,278,817	3,650,468	3,666,958	3,922,363



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### **LAW - BO-LW-J1300 - Civil**

The purpose of the Civil Budget Summary Level is to provide legal advice to the City's policy-makers, and to defend and represent the City, its employees, and officials before a variety of county, state, federal courts, and administrative bodies.

<b>Program Expenditures</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Civil	14,670,373	16,672,112	16,604,399	16,556,736
<b>Total</b>	<b>14,670,373</b>	<b>16,672,112</b>	<b>16,604,399</b>	<b>16,556,736</b>
Full-time Equivalents Total*	103.80	108.80	105.30	105.30

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### **LAW - BO-LW-J1500 - Criminal**

The purpose of the Criminal Budget Summary Level includes prosecuting ordinance violations and misdemeanor crimes, maintaining case information and preparing effective case files for the court appearances of prosecuting attorneys, and assisting and advocating for victims of domestic violence throughout the court process.

<b>Program Expenditures</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Criminal	8,520,514	9,676,267	9,842,719	9,832,733
<b>Total</b>	<b>8,520,514</b>	<b>9,676,267</b>	<b>9,842,719</b>	<b>9,832,733</b>
Full-time Equivalents Total*	73.50	77.00	80.00	80.00

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### **LAW - BO-LW-J1700 - Precinct Liaison**

The purpose of the Precinct Liaison Budget Summary Level is to support a program where attorneys work in each of the City's five precincts, providing legal advice to police and other City departments. In helping to address a variety of neighborhood and community problems, the precinct liaison attorneys coordinate with the Civil and Criminal divisions with the goal of providing a consistent, thorough and effective approach.

<b>Program Expenditures</b>	<b>2021 Actuals</b>	<b>2022 Adopted</b>	<b>2023 Proposed</b>	<b>2024 Proposed</b>
Precinct Liaison	645,372	701,808	727,899	725,170
<b>Total</b>	<b>645,372</b>	<b>701,808</b>	<b>727,899</b>	<b>725,170</b>
Full-time Equivalents Total*	4.00	4.00	4.00	4.00

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