

City of Minneapolis

CITY ATTORNEY'S OFFICE

FIVE-YEAR BUSINESS PLAN

2004

Updated

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EXECUTIVE SUMMARY

PROCESS

This business plan was developed and updated by the City Attorney's Office Business Planning Team, which included persons from both divisions within the Office. The Planning Team used the City of Minneapolis "Business Planning Handbook" and its "Updating Your Department's Business Plan" as a guide to conduct the process.

This plan is a five-year plan designed to help the City Attorney's Office align its services with the City's strategic goals. The business planning process has assisted the City Attorney's Office in clarifying its mission, defining its business lines and related service activities, establishing performance measures, and focusing its use of available resources.

MISSION STATEMENT

The mission of the City Attorney's Office is to do justice, hold offenders accountable, and enhance the public's sense of safety in their communities; and to deliver high quality, cost effective legal services that are responsive to the City's adopted policies, goals, and objectives.

VISION

Our vision is to provide outstanding legal services to our clients and for our community.

VALUES

- A commitment to the highest ethical standards
- Excellence as attorneys and legal services providers
- A problem solving and service orientation by all members of the Office
- A productive work ethic
- An equitable and respectful work environment
- Respectful and collaborative interaction with other City departments, governmental entities, and the community
- Prudent stewardship of the public's money

PRIMARY BUSINESS LINES AND RELATED SERVICES ACTIVITIES

The City Attorney's Office has two business lines. They are:

1. Do justice, hold offenders accountable, and enhance the public's sense of safety in their communities.
2. Deliver high quality, cost effective legal services that are responsive to the City's adopted policies, goals, and objectives.

PUBLIC SAFETY BUSINESS LINE

Do justice, hold offenders accountable, and enhance the public's sense of safety in their communities

- A. Service Activity: Aggressively prosecute livability crimes that occur in the City of Minneapolis
- B. Service Activity: Proactive involvement in improving the criminal justice system
- C. Service Activity: Active collaboration with neighborhoods on community justice

CIVIL LEGAL SERVICES BUSINESS LINE

Deliver high quality, cost effective legal services that are responsive to the City's adopted policies, goals, and objectives.

- A. Service Activity: Assist the City in minimizing its financial exposure to claims and lawsuits
- B. Service Activity: Provide high quality legal services to the City's elected officials, its departments and staff
- C. Service Activity: Provide high quality legal services to the City's independent boards and commissions

ALIGNMENT WITH CITY GOALS

The Mayor's and City Council's vision for the City is reflected by their adopted goals:

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Maintain the physical infrastructure to ensure a healthy, vital and safe City
- Deliver consistently high quality City services at a good value to our taxpayers
- Create an environment that maximizes economic development opportunities within Minneapolis by focusing on the City's physical and human assets
- Foster the development and preservation of a mix of quality housing types that is available, affordable, meets current needs, and promotes future growth
- Preserve and enhance our natural and historic environment and promote a clean, sustainable Minneapolis
- Promote public, community and private partnerships to address disparities and to support strong, healthy families and communities
- Strengthen City government management and enhance community engagement

(Adopted by the City Council January, 2003)

The City Attorney's Office has a direct involvement in helping the Mayor and City Council reach these goals. The Office's Five-Year Business Plan reflects the alignment of the Office's business lines and service activities with the City's goals. In addition, the Business Plan outlines key initiatives for 2004-2008 that will contribute to helping make the Mayor's and City Council's vision a reality.

SIGNIFICANT TRENDS

PUBLIC SAFETY

The City Attorney's Office continues to enhance public safety in the City through its three-pronged strategy: (1) aggressive prosecution of livability crime, (2) proactive involvement in improving the criminal justice system, and (3) active collaboration with neighborhoods on community justice. The number of criminal cases is declining. In CY 2003 the Criminal Division handled 35,393 cases. In contrast, the Office handled 43,981 cases in CY2002, 44,970 cases in CY 2001; 51,808 cases in CY 2000; 55,027 cases in CY 1999 and 63,887 in CY1998. It is unclear why this caseload decline has occurred or whether it will continue.

Despite this decline, the criminal caseload continues to be extremely heavy for the Office's authorized complement in the Criminal Division. An annual caseload of 35,393 cases results in an average caseload of 1,119 cases per authorized criminal prosecutor position. Both the American Bar Association (ABA) and the Minnesota State Public Defender analyzed acceptable caseload standards and independently recommended identical gross misdemeanor and misdemeanor caseload standards for public defenders. Both recommended an annual average of 400 misdemeanor cases per attorney per year or 250 gross misdemeanor cases per attorney per year. Thus, the average annual caseload in the City Attorney's Office is nearly three times the ABA and State Public Defender standards for misdemeanor cases and more than four times the standard for gross misdemeanor cases.

CIVIL LEGAL SERVICES

The Civil Division's caseload is beginning to trend upward. Although total caseload is significantly below 1997 levels, the recent increase is cause for concern, especially in light of the City's five-year financial plan. As the City Attorney's Office civil caseload increases, the ability of the Office to deliver timely non-litigation services may be impaired given the resources allocated to the Civil Division in the five-year financial plan.

SIGNIFICANT CHALLENGES

Four major challenges face the City Attorney's Office in the next five years. They are: 1) purchasing and installing effective technological systems in the Office, 2) dedicating stable sources of funding to support adequate staffing in the Criminal Division, 3) addressing the Office's "span of control" problem, and 4) implementing cost effective ways to meet our obligations to victims of crime.

SUMMARY OF KEY INITIATIVES

Specific initiatives and their related performance measures are described under each business line and related service activity in Section Two. The following is a compilation of all these initiatives in one place so that the reader can better understand the City Attorney's Office plans for 2004-2008:

1. Review and revise, if appropriate, the Office's charging standards.
2. Prosecute chronic offenders identified by the Minneapolis Police Department (MPD) and the City Attorney's Office by seeking significant jail time or other appropriate sanctions.
3. Enhance the Office's prosecution of perpetrators of domestic violence.
4. Design, acquire, install and implement a new prosecution case management system.
5. Continue the nuisance night hearing pilot program for certain livability offenses committed in the 1st precinct.
6. If initiated by Hennepin County District Court, support the Court's modifications to the criminal justice system to implement same day/next day arraignments.
7. Continue collaboration with the Hennepin County District Court to operate a Mental Health Court that includes a strong focus on the impact of mental health issues on livability crime.
8. Continue the Community Attorney assignments in the First, Third and Fourth Police precincts and expand program to the Second and Fifth precincts.
9. Collaborate with the City's neighborhood restorative justice programs so that concerns about livability are addressed.
10. Through the Community Prosecution Planning Grant, address the multiple challenges of chemical dependency, mental illness and homelessness as causes of recidivism among chronic offenders.
11. Litigate and contain the City's liability exposure by defending claims and lawsuits that result from the City's risk generating activities.
12. Minimize the City's liability by analyzing the Minneapolis Police Department's (MPD) key liability indicators from previous years; designing a training curriculum to address the MPD's response to requests for services; and training identified MPD sworn and civilian personnel at scheduled in-service classes and at precinct roll calls.
13. Analyze the cost of attorney staff time and resources that were expended in 2003 in defense of MPD misconduct cases.
14. Provide legal advice on the revision of the City Charter.
15. Revise the City Council's rules after completion of revisions to the City Charter.

16. Support the City's elected officials and departments by providing high quality legal advice.
17. In conjunction with the Regulatory Services Department, design and implement a program to address the most problematic non-code complying properties in Minneapolis.
18. In consultation with the City's elected officials and staff, design a plan for review of the City's regulatory framework and propose a way to streamline or improve the City's regulatory processes.
19. Assist the City in completion of the Community Planning and Economic Development (CPED) transition by continuing to identify transition and legal services needs.
20. Propose solutions to identified barriers to full implementation of rehabilitation options available under MCO, Chapter 249.
21. Support the work of the independent boards and commissions by providing high quality, cost effective written advice and legal services.
22. In collaboration with the Human Resources Department, assist the Ethical Practices Board in developing Board procedures and rules and implementing of the City's new ethics ordinance.

INTRODUCTION

This five-year business plan was developed by the City Attorney's Office Business Planning Team, which included persons from both divisions within the Office. The Planning Team used the City of Minneapolis "Business Planning Handbook" and its "Updating Your Department's Business Plan" as guides to conduct the process.

The members of the original Five-Year Business Planning Team were:

Dana Banwer
Karen Caron
Frank Chiodi
Peter Ginder
Jay Heffern
Carol Lansing
John Manning
Henry Reimer
Kerry Sovell
Susan Trammell

The members of the updated Five-Year Business Planning Team are:

Dana Banwer
Karen Caron
Sonya Fowler
Peter Ginder
Jay Heffern
Carol Lansing
John Manning
Colleen O'Brien
Helen Peters
Susan Trammell

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SECTION ONE

DEPARTMENT OVERVIEW

MISSION STATEMENT, VISION AND VALUES

DEPARTMENT ORGANIZATION CHART

ALIGNMENT WITH CITY GOALS

SIGNIFICANT TRENDS IMPACTING THE CITY ATTORNEY'S OFFICE

SIGNIFICANT CHALLENGES

SECTION ONE DEPARTMENT OVERVIEW

The Minneapolis City Attorney's Office Updated Five-Year Business Plan is the result of a collaborative effort by members of the Updated Five-Year Business Planning Team, represented by staff from in both divisions of the Office. The format for the original and updated plan is based on the City of Minneapolis "Business Planning Handbook" and "Updating Your Department's Business Plan".

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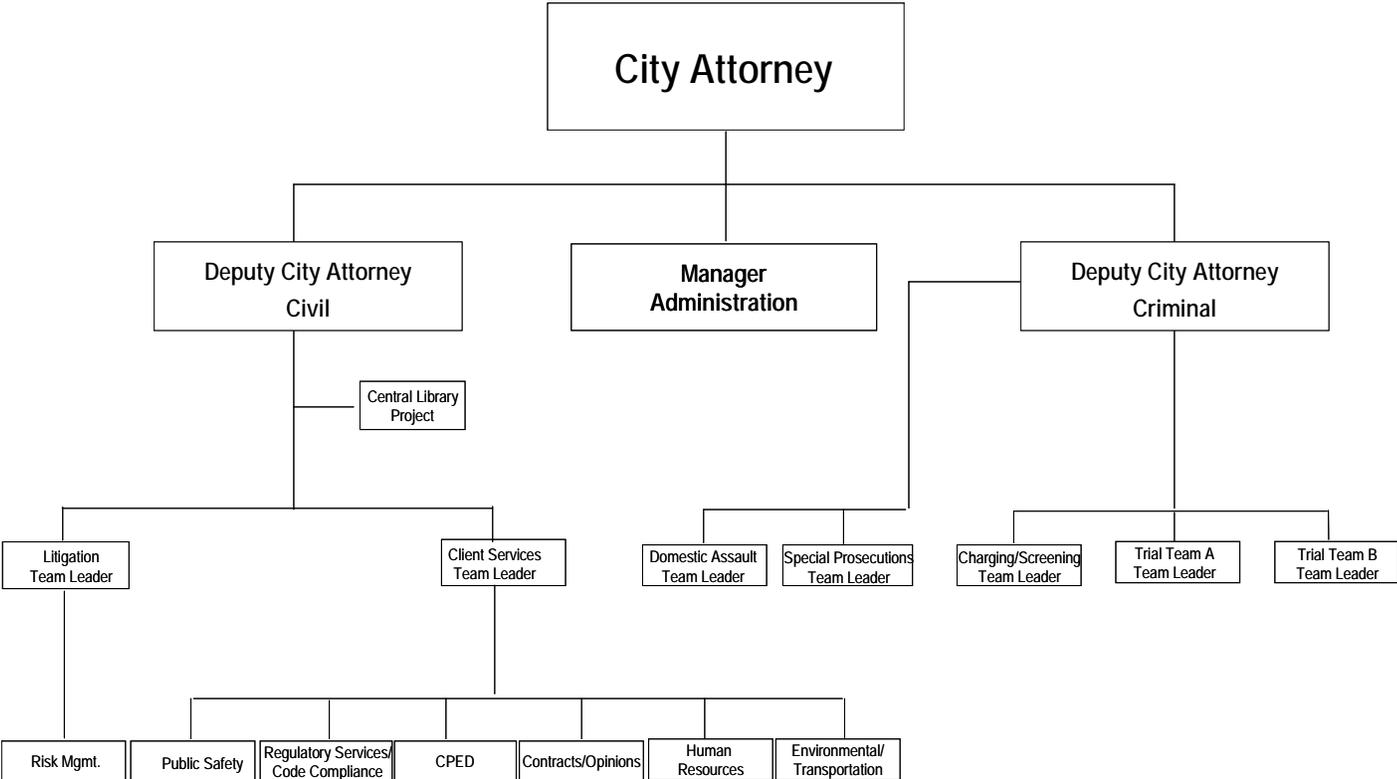
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ORGANIZATION CHART



ALIGNMENT WITH CITY GOALS

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SIGNIFICANT TRENDS

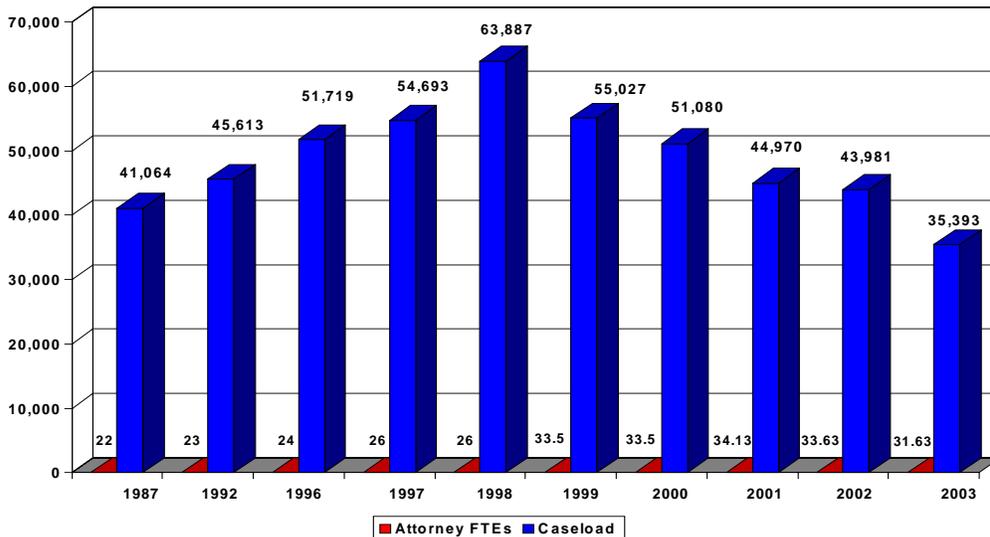
PUBLIC SAFETY

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The chart below illustrates the Office's criminal caseload since 1987 and the decline in cases from 1998 through 2003.

Criminal Division Attorney FTEs v. Prosecution Caseload

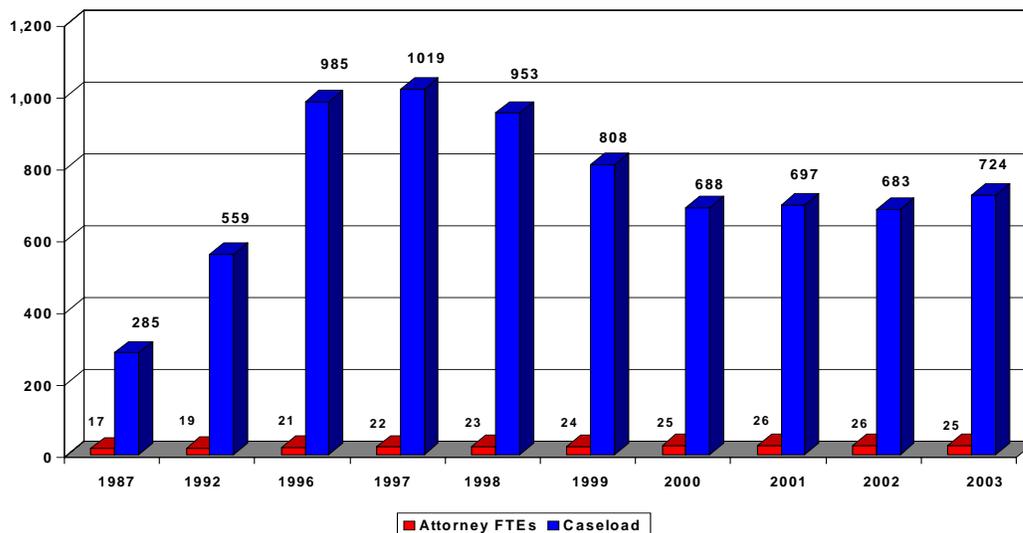


The small number at the bottom of each bar is the number of line prosecutors in the Criminal Division.

CIVIL LEGAL SERVICES

The Civil Division caseload is beginning to trend upward. Although total caseload is significantly below 1997 levels, the recent increase is cause for concern, especially in light of the City's five-year financial plan. As the City Attorney's Office civil caseload increases, the ability of the Office to deliver timely non-litigation services may be impaired given the resources allocated to the Civil Division in the five-year financial plan.

Civil Division Attorney FTEs v. Civil Division Caseload



The small number at the bottom of each bar is the number of non-managerial attorneys in the Civil Division.

One of the key Office indicators is the police misconduct lawsuits. The number of police misconduct lawsuits declined dramatically from 1998 to 2001. In 1998, 69 new cases were filed as compared to 22 in 2001. The trend is now moving in the other direction. Twenty-eight new police misconduct lawsuits were filed in 2002, 33 cases in 2003, and 22 new cases through the 2nd quarter, 2004.

It is also noteworthy that the amount of police misconduct case settlements is increasing. In 1998, the total amount of settlements for police misconduct cases was \$1,250,000, or an average of \$92,500 per case. In 2003, there were 19 settlements for a total amount of \$568,765 or an average settlement of \$29,935 per case. Through 2nd quarter, 2004, there have been 9 settlements for \$2,295,297 (more than all of 2003) for an average of \$255,033 per case.

It is more difficult to identify a trend with overall liability payments over the past five years. Even if the settlement for the Kondirator litigation and the Siegel v. Johnson judgment – arguably two very atypical matters – are subtracted from the total payments, the remaining dollars paid suggest show a significant drop from 1999 but no clear trend.

**LIABILITY PAYMENTS
1999-June 30, 2004**

Category	1999	2000	2001	2002	2003	2004 YTD 6/30
Conciliation Court Judgments	\$163	\$5,387	\$1,759	\$4,920	\$5,843	\$0
Litigation Judgments	261,662	2,200	0	0	8,250,752**	0
Litigation Settlements	3,815,481	10,726,359*	2,299,129	1,104,016	1,648,404	2,295,297
No Fault Payment	1,663	0	2,112	143,506	34,266	39,831
Attorney's Fees	351,841	81,945	10,809	235,959	114,487	64,230
Outside Attorney Contracts	<u>950,728</u>	<u>755,626</u>	<u>577,270</u>	<u>489,332</u>	<u>530,550</u>	<u>124,750</u>
Total Payments	\$5,381,538	\$11,571,517	\$2,891,079	\$1,977,733	\$10,584,302	\$2,524,108
		(\$8,740,000 Kondirator)			(\$8,250,752 Siegel v. Johnson)	
		\$2,821,517			\$2,333,550	

SIGNIFICANT CHALLENGES

Four major challenges face the City Attorney's Office in the next five years. They are: 1) purchasing and installing effective technological systems in the Office, 2) dedicating stable sources of funding to support adequate staffing in the Criminal Division, 3) addressing the Office's "span of control" problem, and 4) implementing cost effective ways to meet our obligations to victims of crime.

Purchasing and Installing Effective Technological Systems in the Office

The Criminal Division's prosecution case management system is inadequate. Because the Division prosecutes a high volume of cases, the lack of an effective system impairs the Division's ability to effectively manage the caseload and the human resources in the Division. Further, the community expects access to information about active cases. Citizen access to this information is important for individual feelings of safety and for the public to have confidence in its criminal justice system. A fully functioning case management system that produces accessible information should result in our citizens being more willing to report crime, testify as witnesses, and be more active in their neighborhoods. Finally, without an adequate prosecution cases management system, the City will not be able to connect to CriMNet, the state-wide integrated criminal justice system that is currently being developed and phased into criminal justice agencies and the Minnesota Court Information System (MNCIS). The plan and schedule for meeting this challenge is described in the "Technology Plan" section of this Business Plan.

Dedicating Stable Sources of Funding to Support Adequate Staffing in the Criminal Division

Since 1997, federal Local Law Enforcement Block grants (LLEBG) have been used to fund a number of positions in the Office's Criminal Division so that the Office could aggressively prosecute livability offenses in the City. Although the City has appropriately capitalized on the availability of federal grant dollars to fund Criminal Division positions, federal block grant dollars are not a reliable long term source of funding because the amount of federal block grant dollars available to the City is declining. The formula for awarding federal LLEBG grant dollars is based on the Part 1 crime rate, which has decreased in recent years. Accordingly, the amount the City receives through the federal grant also has decreased. Historically, there have been 6 positions in the Criminal Division funded through federal LLEBG dollars. Beginning October 1, 2004, federal LLEBG dollars allocated to the City Attorney's Office will fund only 2 positions. As LLEBG funding declines, another source of funding will need to be found. The prioritization of public safety services is described on page 23 of this plan, and the other ways to address the City's prosecutorial services, described on page 24, need to be considered by the policymakers in determining how best to address prosecution of gross misdemeanor, misdemeanor and petty misdemeanor crime in Minneapolis.

Implementing Cost Effective Ways to Meet our Obligations to Victims of Crime

For many years, the City Attorney's Office has provided crime victim/witness liaison services, including those services required by the Minnesota Victim's Rights Law. In recent years, the City has contracted with the Council on Crime and Justice (CCJ) to provide these services. Before the contract was awarded to the Council on Crime and Justice in 2001, the City Attorney's Office, with the assistance of the Human Resources Department and the Finance Department, conducted an extensive analysis of the alternatives for delivering these services. This analysis concluded that it was less expensive for an outside vendor to deliver the same level of services than if the services were provided by City employees. Accordingly, the City entered into a new contract with CCJ which is in effect from January 1, 2002 through December 31, 2004. The three-year cost to the City under this contract is \$862,604. This represents an increase of \$178,692 - a 26% increase over the earlier three-year contract which had a total cost of \$683,912.

Under the current contract, the CCJ provides five (5) liaisons, one (1) supervisor and one (1) receptionist to provide services to victims in misdemeanor and gross misdemeanor cases. The liaisons work in a two-team model, including a domestic team and a non-domestic team. The domestic team has three (3) liaisons, and the non-domestic team has two (2) liaisons. The plan for meeting this challenge is described in the "Finance Plan" portion of this Business Plan.

Redesigning the Office's Managerial and Supervisory Structure so that the Office's "Span of Control" Problem is Addressed

Effective organizational management dictates that each manager and supervisor have a reasonable number of direct reports to supervise. This principle is sometimes referred to as "span of control". Organizational management experts suggest that the effective "span of control" ranges for direct reports from 5 to 12. In determining the appropriate number, factors that are considered include whether the work being performed is routine or complex, the

qualifications and experience of the staff, and the motivations of the employees. The current "span of control" in the City Attorney's Office is as follows:

City Attorney	5
Deputy City Attorney, Civil	31
Deputy City Attorney, Criminal	46.63
Manager of Administration	1
Program Assistant, Civil	7
Program Assistant, Criminal	8
Clerical Supervisor	5

Although the "span of control" for the support positions in the Office is adequate, the "span of control" for supervision of the Office's attorneys is inadequate. Based on the recommendations of a year-long workforce planning analysis, the Office designed, with the Human Resources Department, a "Team Leader Development Program" to help address this span of control problem. This development program is more fully described in the "Workforce Plan" portion of this Business Plan.

SECTION TWO

BUSINESS LINES

PRIMARY BUSINESS LINES AND RELATED SERVICES ACTIVITIES

PRIORITIZATION OF SERVICE DELIVERY

KEY INITIATIVES 2004 – 2008

**IDENTIFICATION OF KEY STAKEHOLDERS, CUSTOMERS,
AND PARTNERS**

OTHER MODELS OF PROVIDING SERVICE

SECTION TWO BUSINESS LINES

PRIMARY BUSINESS LINES AND RELATED SERVICES ACTIVITIES

The City Attorney's Office has two business lines. They are:

1. Do justice, hold offenders accountable, and enhance the public's sense of safety in their communities;
2. Deliver high quality, cost effective legal services that are responsive to the City's adopted policies, goals, and objectives.

PUBLIC SAFETY BUSINESS LINE

Do justice, hold offenders accountable, and enhance the public's sense of safety in their communities.

A. Service Activity: Aggressively prosecute livability crimes that occur in the City of Minneapolis

Aggressive prosecution of livability crime is one prong of the Office's public safety strategy. Both chronic offenders and perpetrators of domestic violence crimes are a priority for the Office.

The Special Prosecutions Team focuses on "relentless pursuit" of the 100 worst livability crime offenders in the City. The team maintains a list of approximately 100 offenders that is updated every two weeks based on the most recent offense data. It is important to note that when a chronic offender is sent to jail for a significant period of time, that offender's name is usually removed from the list while he or she is in custody. New offenders are then added to the list.

A Domestic Violence Court began in the Fourth Judicial District in November, 2000. This Court allows the Office's Domestic Abuse Team to handle all stages of the prosecution of intimate-partner domestic violence cases. In 2002, the Hennepin County District Court completed a study on the effectiveness of the new Domestic Violence Court. The study, entitled "Domestic Violence Court: Case Processing Update and Recidivism Analysis", showed that Minneapolis domestic violence court cases are being processed more quickly than similar cases were in the past, and much more quickly than suburban cases.

The table below provides historical data on this service activity:

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Percentage of chronic offenders identified by the Police Department and the City Attorney's Office that were prosecuted	100%	100%	100%	100%	100%
Percentage of chronic offenders who did not reoffend within 12 months	56%	58%	58%	11%	56%
Livability crimes where sentence to service is part of the resolution	5.4%	Figures not available from Hennepin County Court	6%	6.6%	6.7%
Percentage of domestic violence cases resulting in a conviction	27%	50%	53%	47.5%	52%

- Initiative 1. Review and revise, if appropriate, the Office's charging standards.

Performance Measure:

- Complete review and update charging standards. 4th Quarter, 2004

- Initiative 2. Prosecute chronic offenders identified by the Minneapolis Police Department (MPD) and the City Attorney's Office by seeking significant jail time or other appropriate sanctions

Performance Measures:

- Prosecute 100% of identified chronic offenders On-going
- Increase by 3% the number of convicted chronic offenders who receive jail time or other appropriate sanctions On-going

- Initiative 3. Enhance the Office's prosecution of perpetrators of domestic violence

Performance Measures:

- Assign prosecutor to work with MPD's Family Violence Unit On-going
- Increase conviction rate on domestic violence cases to 60% 2008
- Develop and deliver training for police officers and prosecutors on domestic abuse topics Completed 2nd Quarter, 2004

B. Service Activity: Continue the City Attorney's Office proactive involvement in improving the criminal justice system

The second prong of the Office's public safety strategy is proactive involvement in improving the criminal justice system. Systemic changes have helped the Office focus its resources on those livability crimes that threaten the fabric of the City and its neighborhoods.

The Office worked with the Hennepin County District Court to facilitate resolution of matters at the Violations Bureau in order to minimize the number of these cases that appear on court

calendars. The Office was active in the creation of the Community Court and Domestic Violence Court and is working with the Hennepin County District Court on both a Mental Health Court and Livability Crimes Court.

The table below provides historical data on this service activity.

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Number of traffic cases sent to court from Violations Bureau	9,208	6,362	6,724	8,973	7,197
Maintain active involvement with the Criminal Justice Coordinating Committee	Attended all CJCC meetings	Attended all CJCC meetings; work related to CriMNet planning	Attended all CJCC meetings; worked on CriMNet implementation	Attended all CJCC meetings; continued work on CriM-Net implementation; MNCIS	Attended all CJCC meetings; continued work on CriM-Net implementation; MNCIS
Participate in partnerships to improve the criminal justice system	Initiated prescreening of all cases; worked to create "Minneapolis Community Impact Calendar" which focuses on the prosecution of livability crimes; helped create the Domestic Violence Court	Continued prescreening of all cases; continued participation in the "Minneapolis Impact Calendar" and Community Court and the Domestic Violence Court	Continued prescreening of all cases; continued participation in the "Minneapolis Impact Calendar" and Community Court, Domestic Violence Court, and the Mental Health Court	Continued prescreening of all cases; continued participation in the "Minneapolis Impact Calendar" and Community Court, Domestic Violence Court, Mental Health Court. Worked on a Livability Crimes Court	Continued prescreening of all cases; continued participation in the "Minneapolis Impact Calendar" and Community Court, Domestic Violence Court, Mental Health Court. Worked on new court calendars

- Initiative 1: Design, acquire, install and implement a new prosecution case management systems

Performance Measures:

- Complete business process re-engineering and buy/build analyses Completed 2nd Quarter, 2004
- Complete Request for Proposal Completed 3rd Quarter, 2004
Office case management system and select vendor
- Implement case management system 1st Quarter, 2005
- Complete "shakedown" of system and training of staff 3rd Quarter, 2005

- Initiative 2: Continue the nuisance night hearing pilot program for certain livability offenses committed in the 1st precinct

Performance Measures

- Train all MPD 1st precinct officers in the use of the administrative enforcement and hearing process for the nuisance night hearing program Completed 1st Quarter, 2004

- Evaluate effectiveness of the nuisance night hearing program pilot project 4th Quarter
(and annual evaluation 4th Qtr thereafter)

- Initiative 3: If initiated by Hennepin County District Court, support the Court's modifications to the criminal justice system to implement same day/next day arraignments

Performance Measures

- In collaboration with Hennepin County District Court and the MPD, design a "same day/next day" arraignment calendar Not Initiated by District Court
- Staff all "same day/next day" arraignment calendars
- Analyze effectiveness of same day/next day arraignments

- Initiative 4: Continue collaboration with the Hennepin County District Court to operate Mental Health Court that includes a strong focus on the impact of mental health issues on livability crimes

Performance Measures

- Support Hennepin County's Mental Health Court On-going
- Staff all Mental Health Court calendars On-going
- Support Hennepin County's efforts to establish a reporting center and obtain grant funding for the Mental Health Court 4th Quarter, 2004

C. Service Activity: Active collaboration with neighborhoods on community justice

The third prong of the Office's public safety strategy is active collaboration with the neighborhoods on community justice. The Office is committed to supporting the Central City Neighborhood Restorative Justice Program (CCNP) and the Midtown Restorative Justice Program programs.

The City Attorney's Office Community Attorney Program has been expanded from its original program location in the 4th Precinct to include the 1st, 2nd and 3rd Precincts. Feedback from both the community and the Minneapolis Police Department has been very positive regarding this initiative and support the Office's belief that Community Attorney Program is an effective tool to increase the Office's connections to the community and improve the Office's prosecution of livability crime.

The table below provides historical data on this service activity:

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Number of cases referred to CCNP Restorative Justice Program	35	132	79	176	110
Number of cases referred to Midtown Restorative Justice Program	122	99	122	105	32
Number of community meetings attended by Community Attorneys*	-	-	320	506	227
Number of individuals trained by Community Attorneys *	-	-	320	1,126	769

*2nd Precinct Community Attorney Assigned August 2004

- Initiative 1: Continue the Community Attorney assignments in the First, Third and Fourth Police precincts and expand program to the Second and Fifth precincts.

Performance Measures:

- Number of chronic offenders identified by community attorneys and prosecuted by the City Attorney's Office Report 1st Quarter each following year
- Increase by 5% number of community meetings attended by community attorneys Report 1st Quarter of each following year
- Increase by 10% assistance to community in preparing community impact statements on cases of interest to the community Ongoing
- Obtain grant funding for Community Attorney in 2nd precinct Completed 2nd Quarter, 2004
- Expand Community Attorney Program to 5th precinct 3rd Quarter, 2005

- Initiative 2: Collaborate with the City's neighborhood restorative justice programs so concerns about livability are addressed

Performance Measures

- Review and refer appropriate cases to neighborhood restorative justice programs On-going
- Review and adjust, as appropriate, case referral processes and eligibility guidelines 4th Quarter, 2004
- Increase by 10% expansion of neighborhood cases referred to restorative justice programs 4th Quarter, 2004

- Initiative 3: Through the Community Prosecution Planning Grant, address the multiple challenges of chemical dependency, mental illness and homelessness as causes of recidivism among chronic offenders.

Performance Measures

- Identify the barriers to chronic livability offenders receiving effective mental health, chemical dependency and housing related services Completed 3rd Quarter, 2004
- Analyze best practices in other jurisdictions for handling chronic offenders who commit livability offenses Completed 3rd Quarter, 2004
- If awarded, implement community prosecution grant strategies 4th Quarter, 2005

PRIORITIZATION OF CRIMINAL PROSECUTION

As described in the “Challenges” section of this report, the number of prosecutors assigned to address crime in Minneapolis is far less than what would be needed if either the ABA or Minnesota Public Defender caseload standards were applied to the staffing of the City Attorney’s Office Criminal Division. Therefore, it is important to prioritize the City Attorney’s Office criminal caseload.

1. Prosecute gross misdemeanor and misdemeanor crimes involving violence or threats of violence, including DWI
2. Prosecute repeat/chronic offenders
3. Prosecute livability crimes:
 - Disorderly Conduct
 - Prostitution
 - Begging
 - Consuming in Public
 - Drug Paraphernalia in a Public Place
 - Graffiti
 - Littering
 - Loitering
 - Loiter with an Open Bottle
 - Lurking
 - Minor Consumption
 - Noise Violations
 - Damage to Property
 - Public Urination
 - Trespass
4. Prosecute Minneapolis Code of Ordinance Violations
5. Prosecute non-DWI traffic offenses
6. Prosecute other misdemeanor crimes committed in Minneapolis

IDENTIFICATION OF KEY STAKEHOLDERS, CUSTOMERS AND PARTNERS – PUBLIC SAFETY BUSINESS LINE

The Office prosecutes gross misdemeanors, misdemeanor and petty misdemeanors on behalf of the State of Minnesota. In addition, the Office prosecutes violations of the City's ordinances on behalf of the City of Minneapolis. Thus, both the State of Minnesota and the City of Minneapolis are key stakeholders and primary customers of the Office.

The Office's public safety activities are done in conjunction with our criminal justice partners. They include: the Minneapolis Police Department, the Hennepin County Sheriff, the University of Minnesota Police Department, the Minneapolis Park Police, the Minnesota State Patrol, the Hennepin County Attorney, the Hennepin County Public Defender, Hennepin County Community Corrections, the Fourth Judicial District, and the Council on Crime and Justice.

The Office's community partners include neighborhood organizations and their restorative justice programs (Central Cities Neighborhood Restorative Justice Project and Midtown Restorative Justice Project) and the advocacy community – especially the Domestic Abuse Project and the Battered Women's Justice Project. The Office works with individual citizens on community impact statements, which are vital to the prosecution of neighborhood livability crimes.

Both the State of Minnesota and the City are customers of the Office's public safety business line; however, our primary external customers are crime victims and the community itself.

OTHER MODELS OF PROVIDING SERVICE

Because the prosecutorial resources are not aligned with service demands, it is important to assess whether the needs can be met in a different way. There are a number of alternative service models that could be explored as a way to enhance the City Attorney's Office prosecutorial services. These include:

- Provide only victim/witness services required by State law: Minnesota law requires certain services be provided to the victims of crime. For nearly six years, the City has contracted with the Council on Crime & Justice to provide these services. The current contract expires December 31, 2004. The services provided are more extensive than those required by State law. The City could limit its victim/witness services to State law requirements.
- Perform grant funded activities only to the extent of grant funding: Since 1997, the City Attorney's Office has received many federal and state grants to augment its prosecutorial services. These include Byrne grants, dollars from the Federal Local Law Enforcement Block Grant, and grants funded by the Women's Against Violence Act. Because of reductions in Byrne grant funding, the City Council, in its budget deliberations on this 2004 budget, reduced a full-time, grant funded prosecutor position to half time. The philosophy of providing grant funded services only to the extent of available grant funds should be adopted for all grant funded activities in the City Attorney's Office.
- Increase offenses on the "payables list": Offenses on the "payables list" are generally addressed at the Traffic Violations Bureau. To the extent that more matters are included on the "payables list", this would reduce the number of matters that would be considered in Hennepin County District Court and allow the Office to better align its available prosecutorial resources with matters that are before the Court.

CIVIL LEGAL SERVICES BUSINESS LINE

Deliver high quality, cost effective legal services that are responsive to the City's adopted policies, goals, and objectives.

The City Attorney's Office provides proactive legal advice and training to the Office's primary clients, the Mayor and City Council, to the City departments and independent boards and commissions and their staffs. Services include oral advice, written opinions, support of the City's procurement activities, liaison services for the Mayor and City Council and its committees, and representation of the City and its departments in the federal and state district courts and appellate courts and in various administrative proceedings.

A. Service Activity: Assist the City in minimizing its financial exposure to claims and lawsuits

The Office's Civil Division aggressively represents the City in the federal and state district courts and appellate courts, in administrative hearings, and in other judicial or quasi-judicial proceedings so that the City's potential liability in these matters is minimized.

The table below provides historical data on this service activity.

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Total Liability Payouts resulting from certain of the City's risk generating activities	\$11,571,517 (Kondrator: <u>\$8,750,000</u>) \$2,821,517	\$2,891,079	\$1,977,733	\$10,584,302 (Seigel, et al.: <u>\$8,250,752</u>) \$2,333,550	\$2,524,108
Number of adverse matters open at year's end	688	697	683	724	589
Number of adverse matters closed during year	266	390	453	493	276
Number of employees trained in key liability areas: <ul style="list-style-type: none"> ▪ Police Issues ▪ Sexual Harassment Policy 	1,504	3,187	1,918	2,435	806 (Police Issues Only)*

*Sexual Harassment Policy Training numbers not available from HR

- Initiative 1: Litigate and contain the City's liability exposure by defending claims and lawsuits that result from the City's risk generating activities.

Performance Measures:

- Number of adverse matters opened during the year Report 1st Qtr of following year
- Increase by 5% number of adverse matters closed during year Report 1st Qtr of following year
- Dollars spent because of the City's risk generating activities Report 1st Qtr of following year

- Initiative 2: Minimize the City’s liability by analyzing the Minneapolis Police Department’s (MPD) key liability indicators from previous years; designing a training curriculum to address the MPD’s response to requests for services; and training identified MPD sworn and civilian personnel at scheduled in-service classes and at precinct roll calls.

Performance Measures:

- Develop annual training plan and curriculum Completed 1st Quarter for 2004
- Deliver annual training to identified MPD personnel as scheduled Completed 2rd Quarter for 2004

- Initiative 3: Analyze the cost of attorney staff time and resources that were expended in 2003 in defense of MPD misconduct cases.

Performance Measure:

- Complete analysis and report to Mayor & Council 4th Quarter, 2004

B. Service Activity: Provide High Quality Legal Services to the City’s Elected Officials, Its Departments and Staff

The Mayor and City Council, the City’s departments, and their staff are the Office's primary clients. Services include oral advice, written opinions, support of the City's procurement activities, and liaison services for the City Council and its committees. The Office has entered into service agreements with individual City departments. These service agreements set out the mutual departmental expectations and obligations so that legal services can be effectively, efficiently and promptly delivered.

The table below provides historical data on this service activity:

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Number of new assignments (non-litigation) opened during the year.	991	1,265	945	908	499
Number of assignments (non-litigation) closed during the year	1,016	1,153	1,153	878	447

- Initiative 1: Provide legal advice on the revision of the City Charter

Performance Measures:

- Provide issue identification and preliminary analysis to the Charter Commission Completed 3rd Quarter, 2004
- Advise the Charter Commission and City Council as needed Beginning 3rd Quarter, 2004

- Initiative 2: Revise the City Council's rules after completion of revisions to the City Charter

Performance Measure:

- Complete revision of City Council rules 2nd Quarter, 2006

- Initiative 3: Support the City's elected officials and departments by providing high quality legal advice.

Performance Measures:

- Number of new assignments (non-litigation) opened during the year Report 1st Qtr. of following year
- Increase by 5% number of new assignments (non-litigation) closed during year Report 1st Qtr. of following year
- Percentage of City Council and committee meetings staffed 100% of meetings staffed

- Initiative 4: In conjunction with the Regulatory Services Department, design and implement a program to address the most problematic non-code complying properties in Minneapolis

Performance Measures:

- Complete program design Completed 3rd Quarter, 2004
- Implement Problem Property Initiative 4th Quarter, 2004

- Initiative 5: In consultation with the City's elected officials and staff, design a plan for review of the City's regulatory framework and propose a way to streamline or improve the City's regulatory processes.

Performance Measures:

- Complete review of legal obligations Completed 3rd Quarter, 2004
- Complete and present 5-year plan for Regulatory Services and Inspections 4th Quarter, 2004

- Initiative 6: Assist the City in completion of the Community Planning and Economic Development (CPED) transition by continuing to identify transition and legal services needs.

Performance Measures:

- Provide necessary assistance during transition period for CPED On-going
- Complete and present legal services service agreement to CPED director for execution 4th Quarter, 2004

- Initiative 7: Propose solutions to identified barriers to full implementation of rehabilitation options available under MCO, Chapter 249.

Performance Measures:

- Identify sources of rehabilitation management expertise for City-funded rehabilitation under Chapter 249 Completed 2nd Quarter, 2004
- Work with appropriate City departments to devise criteria for placing buildings on Chapter 249 boarded list for City ordered rehabilitation 4th Quarter, 2004
- Review and revise Chapter 249, as necessary, to implement proposed solutions 4th Quarter, 2004

C. Service Activity: Provide High Quality Legal Services to the City’s Independent Boards and Commissions

The City's independent boards and commissions, such as the Public Library Board, the Civil Service Commission, the Civil Rights Commission, the Board of Estimate and Taxation, the Charter Commission, and the Youth Coordinating Board, are clients of the office. Services include oral advice, written opinions, support of the independent boards’ and commissions’ procurement activities, and liaison services.

The table below provides historical data on this service activity:

HISTORICAL DATA	2000	2001	2002	2003	2004 YTD 6/30
Number of new assignments (requests for advice, etc.) opened during the year.	93	117	156	170	46
Number of assignments (requests for advice, etc.) closed during the year.	93	117	156	170	38

- Initiative 1 Support the work of the independent boards and commissions by providing high quality, cost effective legal services.

Performance Measures:

- Number of new assignments opened during the year Report 1st Qtr. of following year
- Increase by 5% number of new assignments closed during the year Report 1st Qtr. of following year

- Initiative 2 In collaboration with the Human Resources Department, assist the Ethical Practices Board in developing Board procedures and rules and implementing of the City's new ethics ordinance.

Performance Measures:

- Complete employee training on ethics ordinance Completed 1st Quarter, 2004
- Develop Board procedures and rules Completed 3rd Quarter, 2004
- Provide legal advice to Ethical Practices Board On-going

PRIORITIZATION OF CIVIL LEGAL SERVICES

It is impossible to predict how many new cases or how many requests for legal services will occur over the next five years. With the fiscal constraints the City is facing, it is essential to establish priorities for delivering civil legal services. The prioritization list below is intended to guide the Office in aligning its resources with legal service demands. As available resources are constricted, the response time for lower priority matters will be lengthened.

1. Defend the City in civil actions or administration proceeding, including appeals, that (a) challenge the existence or structure of City government, (b) challenge the validity of any tax levy or (c) put the City's dollars at risk.
2. Defend the City in civil actions, including appeals, where no City dollars are at risk
3. Staff meetings of the City Council and its committees.
4. Provide legal advice to City elected officials and department heads in accordance with the City's adopted legal services protocol.
5. Draft or review contracts, or contract amendments, for matters \$250,000 or more.
6. Represent the City in administrative proceedings involving external agencies, such as the Environmental Protection Agency, the Minnesota Pollution Control Agency, the Equal Employment Opportunity Commission, the Minnesota Department of Human Rights and the Public Utilities Commission.
7. Enforce the City's regulatory codes through available civil and administrative processes.
8. Provide legal advice to departmental staff.
9. Train City employees in areas which may have significant liability impact, such as sexual harassment and police use of force.
10. Draft ordinance changes necessary to accomplish the City's regulatory objectives.
11. Represent the City in interest arbitrations.
12. Represent the City in administrative proceedings involving City entities, such as the Civil Service Commission and the Civil Rights Commission.
13. Draft or review contracts, or contract amendments, for matters of \$50,000 or more but less than \$250,000.
14. Provide legal services to independent agencies, such as the Library Board and Youth Coordinating Board.
15. Represent the City in grievance arbitrations.
16. Provide training to City employees in areas not likely to have significant liability impact, such as Open Meeting Law and data practices.

17. Train employees of independent boards and commissions on sexual harassment.
18. Train employees of independent boards and commissions, such as the Library Board and Youth Coordinating Board, in areas not likely to have a significant liability impact, such as the Open Meeting Law and data practices
19. Initiate civil forfeiture actions.
20. Draft or review contracts, or contract amendments, for matters under \$50,000.

IDENTIFICATION OF KEY STAKEHOLDERS, CUSTOMERS AND PARTNERS – CIVIL LEGAL SERVICES BUSINESS LINES

The City Attorney's Office civil legal practice is governed by the Minneapolis City Charter, Minnesota law, the federal and state rules of civil procedures, the Rules of Professional Responsibility, and the City's adopted Legal Services Protocol. The City, as represented by the Mayor and City Council members, and its departments, and independent boards and commissions, are the City Attorney's Office clients. Depending upon the nature of the service being provided and the applicability of the attorney-client privilege, individual City employees also may be "clients". More typically, City employees are internal customers and partners with the City Attorney's Office. Because of the unique attorney-client relationship between the City Attorney's Office and its clients, the Office typically does not have external clients, but Office does have external customers. These customers are the residents of the City of Minneapolis who are the beneficiaries of the services provided by the Office – particularly the taxpayers in Minneapolis who fund the City's civil law practice.

OTHER MODELS OF PROVIDING SERVICE

There are a number of alternatives to the City Attorney's Office strategy for providing civil legal services. They include:

- Purchase insurance for civil liability matters: For a number of years, the City of Minneapolis purchased police liability insurance. Then, the City decided that it was cost effective to self-insure. One alternative to meeting the City's civil litigation needs would be to assess whether some or all of the City's liability exposure can be insured. Important considerations would include the availability of coverage, the cost such coverage, the activities excluded under such coverage, the amount of the deductible, and the ability to direct the City's defense of cases. The City Attorney's Office is working with the Finance Department to determine the best approach to making this assessment.
- Assess actual costs of defending civil litigation, including any judgments, attorney's fees and costs, against the responsible department: The City currently utilizes a formula to recover from City departments the cost of civil litigation. This formula does not take into account variances in civil litigation expenses from department to department. The Finance Department should assess whether a different formula would more accurately recover the actual costs of defending civil litigation.
- Charge non-departmental City functions for the actual costs of civil legal services: The City Attorney's Office has provided civil legal services free of charge to certain non-departmental functions, such as the Minneapolis Public Library Board and the Youth Coordinating Board. The City should charge these entities the actual cost of such services.

SECTION THREE

DEPARTMENT RESOURCE PLANS

FINANCE PLAN
WORKFORCE PLAN
TECHNOLOGY PLAN
SPACE PLAN
EQUIPMENT PLAN

**SECTION FOUR
DEPARTMENT RESOURCE PLANS**

FINANCE PLAN

The City Attorney's Office historical expense and revenue and 2004 adopted budget are displayed in the chart below.

	2002 Actual	2003 Actual	2004 Adopted Budget
General Fund - City			
Contractual Services	\$771,064	\$767,736	\$918,727
Fringe Benefits	591,755	582,745	736,972
Operating Costs	182,210	71,592	190,115
Salaries and Wages	2,830,781	2,983,497	3,167,072
Total for General Fund (City)	\$4,375,810	\$4,259,653	\$5,012,886
Internal Service Funds			
Contractual Services	\$599,296	\$490,493	\$750,746
Fringe Benefits	626,772	682,236	716,833
Operating Costs	165,223	158,802	55,208
Salaries and Wages	2,873,578	2,937,295	3,250,624
Total for Civil Division	\$4,264,869	\$4,268,826	\$4,773,411
Special Revenue Funds			
Contractual Services	\$29,203	6,000	\$0
Fringe Benefits	87,291	61,898	105,719
Operating Costs	13,495	1,404	0
Salaries and Wages	428,620	264,279	390,481
Total for Special Revenue Funds	\$558,609	\$333,581	\$4,96,200
TOTAL CITY ATTORNEY	\$9,199,287	\$8,862,060	10,282,497

The 2004 budget increased because the two former MCDA Assistant Development Counsels were added to the Office in 2004 and \$150,000 in new federal grant dollars were received to support the Community Attorney program in the 2nd Precinct.

The City's Five-Year Financial Direction reduces the City Attorney's Office by \$575,000 between 2004 and 2008. These reductions are scheduled as follows:

2004	\$100,000
2005	75,000
2006	150,000
2007	150,000
<u>2008</u>	<u>100,000</u>
TOTAL	\$575,000

In addition to the \$575,000 reduction, the City Attorney's Office will need to "absorb" the cost of court filings in Hennepin County District Court. The Court has recently decided to begin charging the City for filings in civil litigation matters. It is anticipated that the additional annual cost is approximately \$25,000 per year. Thus, the City Attorney's Office will need to reduce its operating budget by an additional \$125,000 for a total of \$700,000 over the period 2004-2008.

If the City Attorney's Office rent payments are reduced beginning July, 2005, this reduction will be used to off-set the needed reductions in operating expenses. The City has retained a consultant and is in the process of evaluating space options for the Office. Because a new lease has not yet been negotiated, it is not known what 2005 lease expenses will be or whether any reduction in rent will occur.

The City Attorney's Office is in the process of evaluating responses to a Request for Proposal for victim/witnesses services. This process will be completed before the end of 2004 and will provide the Office with 2005-2007 costs for these services.

The City Attorney's Office believes it can meet its Business Plan objectives within the constraints of the Five-Year Financial Plan by:

- (1) Holding positions vacant in the Civil Division until the needed cost information regarding the Office's lease and the reduced victim/witness program is available;
- (2) Reducing the Office victim/witness program to what is mandated by State law;
- (3) Performing no grant activities unless those activities are fully – funded by grants; and
- (4) Delivering civil legal services and prosecutorial services in accordance with the prioritization plans described in Section Two of this Business Plan;
- (5) If necessary, reducing positions.

The number of positions reduced in the Office is directly related to the amount of savings, if any, in the Office lease and the victim/witness program. As noted above, that amount of lease savings is unknown at this time. It is anticipated that adequate information will be available about the City's plans for the City Attorney's Office space needs, and the cost thereof, before the end of 2004.

WORKFORCE PLAN

In July of 2003, the City Attorney's Office and the Human Resources Department completed a year long workforce planning project. Many of the key workplace issues identified in this Business Plan were initially analyzed through the workforce planning process.

WORKFORCE PROFILE

The City Attorney's Office adopted 2004 budget authorizes 102.13 FTE position. In addition, in 2004, two Assistant Development Counsel positions from the former Minneapolis Community Development Agency were transferred to the City Attorney's Office. In addition, the Office received a \$150,000 federal grant to support the Community Attorney program in the 2nd Precinct. This increased the Office's complement by an additional 1.5 FTE. Finally, the operating budget does not include the Assistant City Attorney III (MCDA), who is paid out of the capital budget for the central library project. Therefore, the total authorization complement is 106.63 FTE. The Office's staffing pattern for the Office's authorized positions is:

CIVIL DIVISION

Attorney I	6
Attorney II	10
Attorney II-HR	2
Attorney II-MCDA	2
Assistant Development Counsel	2
Attorney III	4
Attorney III-MCDA	1
Program Assistant (Supervisory)	1
Paralegal	4
Liability Investigator	1
Office Support Specialist II	1
Sr. Legal Typist	1
Legal Typist	2
Office Support Specialist I	2
Civil Division Total	39

CRIMINAL DIVISION

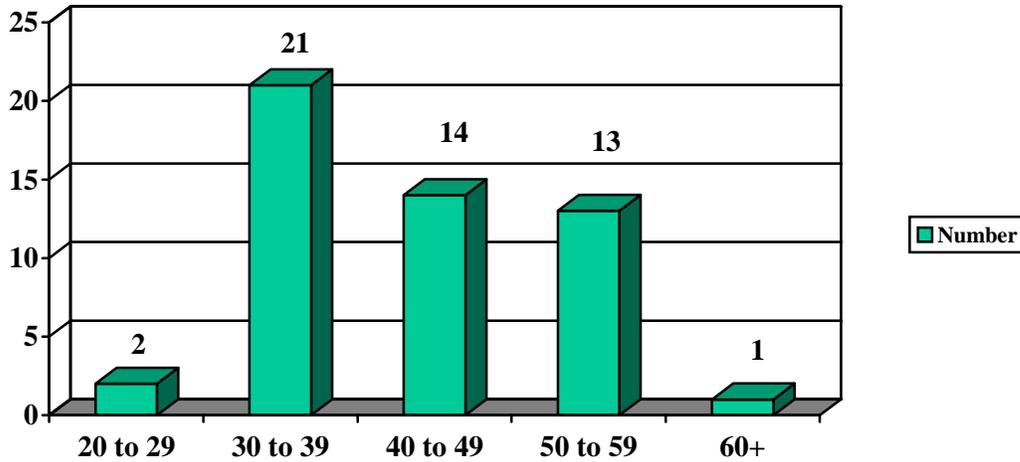
Attorney I	25.13
Attorney II	7
Clerical Supervisor	1
Office Support Specialist II	2
Program Assistant (Supervisory)	1
Paralegal	7.5
Investigator	3
Legal Typist	6
Office Support Specialist I	6
Victim/Witness Assistant	1
Criminal Division Total	59.63

ADMINISTRATION

City Attorney	1
Deputy Attorney	2
Manager of Administration	1
Program Assistant (Non-supervisory)	1
Confidential Secretary	1
Receptionist	1
Administration Total	7

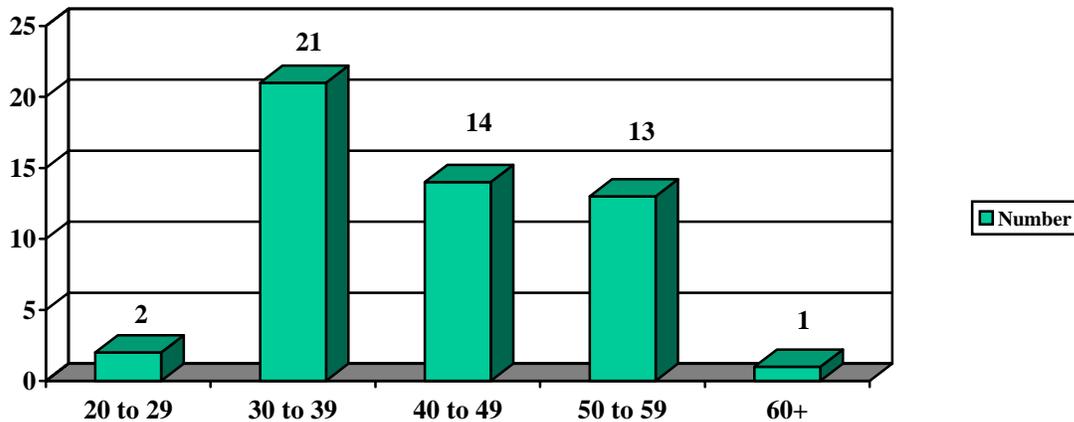
DEPARTMENT TOTAL **106.63**

The current composition of the Office staff does not suggest any significant issues regarding age distribution. The July, 2003, City Attorney's Office Workforce Plan concluded that the workforce is well balanced in terms of age distribution with the average employee's age being 44.4 years. The Office's workforce is depicted in the graph below:



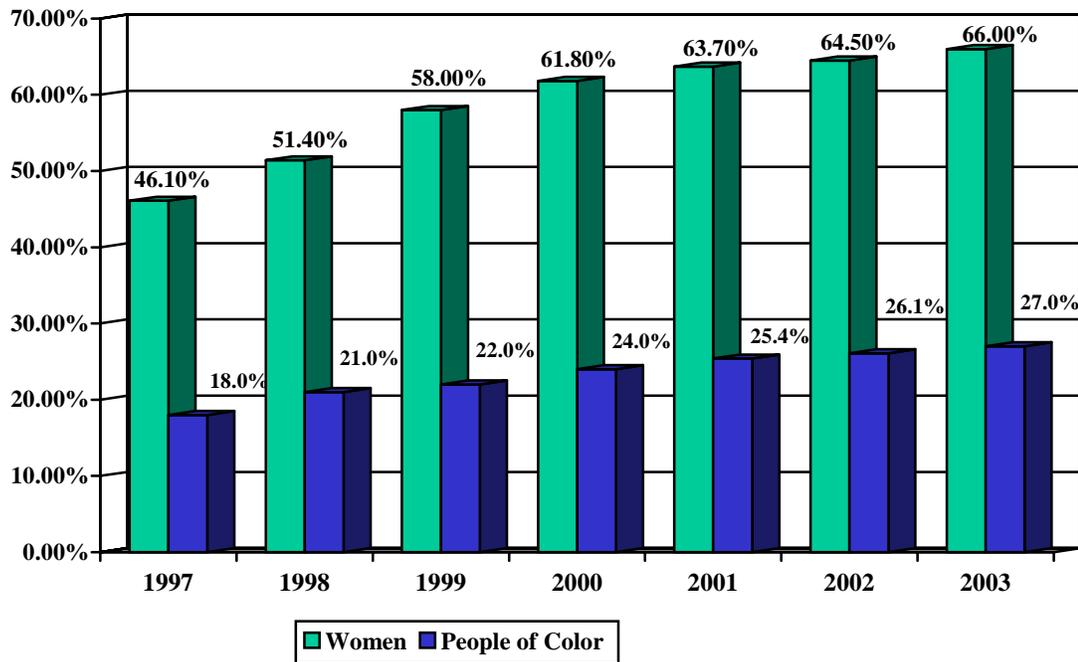
Source: (CAO Workforce Plan), July 15, 2003

Further, the workforce plan concluded that the correlation of age and years of service shows a positive relationship between the age of the individual employees and the likely staffing needs of the Office. The demographic data does not suggest any significant organizational challenges associated with employee retirements. The graph below illustrates the age distribution for attorneys within the Office.



Source: (CAO Workforce Plan), July 15, 2003

Significant progress has been made in diversifying the office. The chart below depicts that progress since 1997.



The City Attorney’s Office has had an operating Labor Management Committee (LMC) for several years. Initially, the LMC was limited to the Attorney Unit in the City Attorney’s Office. Subsequently, the LMC has been expanded to include all represented groups in the Office and meets monthly.

KEY WORKFORCE ISSUES

Three key workforce issues need to be addressed in the next five years. They are: 1) addressing organizational issues, 2) developing the skills of the office personnel, and 3) continuing to diversify the workforce.

1. ORGANIZATIONAL ISSUES

- A. Span of control: As described in the “Challenges” portion of this Business Plan, the Office has a significant span of control issue. The workforce planning team recommended that a demonstration program be undertaken by the City Attorney’s Office to develop the skills of the Office’s team leaders. This approach is designed to help address the span of control issue for the Deputy City Attorneys without creating additional supervisory positions. The Office has worked with the Human Resources Department and Century College to design a team leadership development program. This program has the following major elements:

- Lead employees from potential conflict to positive team work with practical tools and techniques
- Enhance individual's abilities to know and understand the nature of the team's work and its capabilities
- Continue the growth of individual abilities to know and understand how to apply standards for quality of work
- Ensure that team member assignments are produced in a timely, efficient, and effective way

Action Plan: Complete Team Leadership Development Program 4th Quarter, 2004

B. Composition of Workforce: The Workforce Plan recommended that the composition of the City Attorney's Office workforce be reviewed to determine if there is an appropriate "mix" of attorney and non-attorney positions. The Plan recommended a process whereby the Human Resources Department would study of the various job classifications within the department, including a review and update of the job specifications for each position in the Office. Once those activities are completed, City Attorney's Office management will be positioned to redesign and implement a new organizational structure. The review of the job specifications for each position is a significant job for the Human Resources Department. Accordingly, a date for this work has not been established.

Action Plan: Study the various job classifications and review and update the job specifications for each position To be determined

2. SKILL DEVELOPMENT

The Workforce Plan identified a variety of issues associated with developing the skills of the staff.

A. Manager/Supervisor Development: The City Attorney's Office has very few managerial and supervisory positions. In addition, the managers and supervisors in the City Attorney's Office are "working" managers and supervisors in that the City expects these individuals to do much more than manage or supervise. Although the Workforce Plan concluded that management and supervision should be the number one responsibility for the Office's managers and supervisors, the reality is that is not possible.

In recognition of the need for highly skilled managers and supervisors, since 1997 the Office has annually conducted training designed to improve managerial and supervisory skills. In addition, the Office has strongly supported participation by the staff in the City's Leadership Development and Executive Development programs.

Action Plan: Continue annual manager and supervisor training 4th Quarter, 2004-2008

Continue to send office personnel to the Leadership Development and Executive Development programs 2004-2008

- B. Cross-training: The Workforce Plan recognized that the City Attorney's Office needed staff that could perform a variety of functions when needed. This conclusion applied equally to both the attorney and non-attorney staff.

Action Plan: Create a cross-departmental project team to identify cross training opportunities 2nd Quarter 2004

Design a training program 1st Quarter 2005

Implement the training plan 4th Quarter 2005

- C. Mentoring: In 2003, the Office designed a mentoring program. The idea is to have some of the most experienced and skilled office members to work with the Office's less skilled and newer members. Mentors would volunteer for this additional responsibility and be paired with individuals seeking a mentoring relationship. Each individual would enter into a mentoring agreement which contains the goals, objectives, anticipated results, and expectations of the mentor and mentoree and the time that will be dedicated to the process by each.

Action Plan: Begin implementation of mentoring program 2nd Quarter 2004

- D. Technological Competencies: With the installation of a new case management system, it will be necessary for the staff to be trained. Without such training, the benefits of the significant investment made by the City in designing and installing such a system will not be realized. The current schedule for the design and installation of the case management system contemplates completion by February, 2005. The staff training component will follow.

Action Plan: Complete training of staff on new case management system 3rd Quarter 2005

3. DIVERSIFIED WORKFORCE

As the above charts indicate, the Office has made significant strides in the diversification of its workforce; however, more work needs to be done.

Action Plan:	With the Human Resources Department, identify recruitment strategies to build a diverse pool of applicants	Completed 2 nd Quarter, 2004
	Implement the recruitment strategies	Ongoing.

TECHNOLOGY PLAN

CURRENT SYSTEMS

Current technology systems are critical to the effectiveness of the City Attorney's Office and its business plan objectives. The City Attorney's Office relies on three main categories of systems: 1) City-wide systems, 2) criminal justice systems, and 3) unique City Attorney's Office systems.

The City-wide systems used by the City Attorney's Office are:

- FOLIO City's charter and ordinance system
- BRASS City's budget system
- FISCOL City's financial management system
- HRIS City's human resources/personnel system
- KIVA City's property management system
- APERTURE City's space planning system

These systems are effective tools for City Attorney's Office personnel to manage various aspects of the Office.

The Criminal Division relies on another set of systems. They are:

- CAPRS Police Department case management system
- SIP Hennepin County's case management system
- VIBES Hennepin County's Traffic Violations Bureau system
- MNCIS State-wide case information system
- DPS Minnesota Department of Public Safety's vehicle services system

In addition, the State is in the process of developing CriMNet, a State-wide system that would authorize user access to various criminal justice databases throughout the State.

Systems that are unique to the City Attorney's Office include:

- CITYLAW Data management system with components for the Criminal Division and Civil Division
- WESTLAW Legal research system

The City-wide systems meet the City Attorney's Office needs reasonably well. The same cannot be said for the criminal justice systems or the two components of the CityLaw system. Both the Police Department's CAPRS system and Hennepin County's SIP system are in need of replacement. In addition, the State court system is in the process of upgrading the MNCIS system. It is anticipated that the MNCIS system will replace Hennepin County's SIP system in 2005.

CITY ATTORNEY'S OFFICE CASE MANAGEMENT SYSTEM

Both of the City Attorney's Office CityLaw system components (Criminal Division and Civil Division) need to be replaced. This is particularly true in the Criminal Division with the CityLaw's prosecution case management system component. Because the Criminal Division prosecutes such a high volume of cases, the lack of a fully-functional system limits the ability of the Criminal Division to manage effectively the caseload and the human resources in the Division. Further, the community expects access to information about active cases. Citizen access to this information is important for individual feelings of safety and for the public to have confidence in its criminal justice system. A fully-functional case management system that produces accessible information should result in our citizens being more willing to report crime, testify as witnesses, and be more active in their neighborhoods. Finally, without an adequate prosecution case management system, the City will not be able to connect to CriMNet.

In the 2004 adopted City budget, the City Council appropriated \$2.8 million dollars to design and install a fully-functional case management system in the City Attorney's Office. This project has been split into two parts. One part is the case management system itself; the other a criminal justice information integration project. Once designed and installed, the new system should result in a number of significant improvements. First, the system should provide an efficient means of capturing case information, including police reports, booking information, victim/witness information, and 911 calls. Second, bench warrant history should be more readily available which will allow prosecutors to more convincingly argue to the judges to keep chronic offenders in custody to help shut the "revolving door". Third, the integration with the MNCIS system, once completed, should give City prosecutors information on felony crime and certain gross misdemeanors. A more complete criminal history should result in better dispositions. Finally, many chronic offenders receive "first offense" dispositions because their criminal history outside Minneapolis is unknown. This type of information is helpful in prosecuting repeat offenders. In addition, more complete criminal histories may disclose the probationary status of offenders, or whether an individual is on probation in another county.

The purchase and installation of a new case management system is underway. The schedule for the case management system is:

- May 2004 Publish RFP for case management system
- August 2004 Select a vendor
- November 2004 Implement base system (phase I)
- December 2004 Implement electronic document management system (phase II)
- February 2005 Implement "tailored" case management system (phase III)
- August 2005 Complete "shakedown of system" and training of staff

The schedule for the criminal justice integration project is:

- September 2004 Design of integration events with selected case management system
- November 2004 Implement base system with base integration in production (phase I)
- February 2005 Implement additional integration elements with "tailored" case management system (phase III)
- June 2005 Support Hennepin County District Court plan conversion from SIP to the new MNCIS.

- August 2005 Complete training of staff

Action Plan: Complete design and implementation of new case management system 2nd Quarter 2005

OTHER TECHNOLOGY NEEDS

The City Attorney's Office utilizes the standard array of office equipment, including computers, printers, scanners, recording devices, video/audio players, pagers and cell phones. The most significant issue associated with this equipment is that many of the City Attorney's Office's computers are outdated and the Office has not been updated to XP. In addition to this equipment, the City Attorney's Office needs to utilize technology for investigation, discovery, and civil litigation and preparation of exhibits for hearings and trials. This means that adequate video and audio equipment must be available to the Office. The City Attorney's Office utilizes "salary savings" to fund necessary upgrades in this equipment.

Action Plan: Annual review of technology needs 1st Quarter 2004-2008

TECHNOLOGY SKILLS

In order to maximize the City's investment in these technology systems, it is critical that the staff be trained on the office's system and maintain their skills. The City's training programs are regularly used for training on City systems. An extended training period is contemplated for training on the City Attorney's Office new case management system and is described in the Skill Development portion of the "Workforce Plan".

Action Plan: Complete training of staff 3rd Quarter 2005

SPACE PLAN

In 1993, the City Attorney's Office entered into a 12-year lease for 34,573 sq. ft. in the Metropolitan Centre (then Lincoln Centre) building, the City Attorney's Office central location. This leased space is located on the third and a portion of the fourth floor in the Metropolitan Centre building. The current lease terminates in June, 2005. In addition, the City Attorney's Office has housed staff with many of its departmental clients, including the Minneapolis Police Department, the Minneapolis Fire Department, the Human Resources Department in the Public Service Center, the Regulatory Services Department in the Public Service Center, and the Community Planning and Economic Development Department in the Crown Roller Mill. The current leased space is fully adequate for the City Attorney's Office current complement of 106.63 FTEs.

Commercial leasing specialists recommend that leasees begin releasing activities at least 18 months prior to the expiration of their current lease. This allows a leasee adequate time to evaluate all options, including moving to other space. Accordingly, timely addressing the City Attorney's Office lease situation is of paramount concern. The Facilities, Space and Management Committee is aware of this issue and plans to address it in its "Strategic Space Planning" Issues and Options" report. As discussed in the "Finance Plan" portion of this Business Plan, a decision regarding the City Attorney's Office space needs must be made soon.

In assessing the space needs for the City Attorney's Office, it is important that the following be considered in any space decision:

- 1) Location: Because of the City Attorney's Office in-house civil litigation practice and criminal prosecution caseload, it is important that the Office be located in close proximity to the Hennepin County Government Center where the District Courts are located. This is of particular concern for the criminal prosecutors because of the significant volume of files that are transported to the district court rooms each day. Although the federal court system is embarking on electronic filing for civil litigation, it does not appear that paper files will be eliminated in the state court system in the near future.
- 2) Security: The City Attorney's Office is visited every day by many individuals, including those who are victims of crime. The City Attorney's Office must have a secure reception area to accommodate these visitors. Secure reception areas are in place at the U.S. Attorney's Office and the Hennepin County Attorney's Office.
- 3) Confidentiality: Because of the nature of the civil and criminal legal practices, confidential spaces – both offices and conference rooms – must be an element of the City Attorney's Office space.
- 4) Conference areas: Frequently, the work of the City Attorney's Office requires meetings with private practitioners, inter-departmental City staff, and members of the public. Depositions and contract negotiations often occur at the City Attorney's Office. Therefore, adequate conference areas are an essential element of the City Attorney's Office space needs.
- 5) Trial preparation: Because the City Attorney's Office does most of the civil litigation with in-house resources, any configuration of space for the City Attorney's Office needs to include trial preparation rooms with adequate technology infrastructure.

- 6) File and storage space: Both the Civil and Criminal Divisions need significant space for files. Even with the advent of electronic filing in federal district court, there is an ongoing need for a significant amount of file and storage space. Given limited availability with archive space in the City, adequate storage space within the City Attorney's Office should be included as an element of the City Attorney's space needs.

EQUIPMENT PLAN

Law books are an important component of "equipment" in the City Attorney's Office. Therefore, a small library is maintained in the central Office and certain essential research and reference books are provided to each attorney. The Office's limited library resources are augmented through access to Westlaw, an online legal resource, the City's intranet access to the City's Charter and Code of Ordinances, and internet access to the Minnesota Statutes.

The City Attorney's Office relies on a variety of "communication tools". This term is used broadly to include landline telephones, a telephone dictation system, fax machines, copiers and a brief binder. All of these pieces of equipment are used to carry out the mission of the City Attorney's Office. All staff have a landline phone. Key individuals, such as investigators and management staff and the domestic abuse paralegal, have a cell phone and pager. Copiers are maintained by the City of Minneapolis and a per page charge is assessed to the Office.

Equipment needs generally are not specifically funded in the City's annual budget. Therefore, equipment needs are met through salary savings and utilization of funds appropriated for operating costs. Accordingly, an assessment of equipment needs, including library materials, is done annually.

Action Plan: Annual review of office equipment needs 1st Quarter 2004-2008