

COUNTY ATTORNEY

Description

The County Attorney's Office serves as legal advisor to the County government, including its various departments, divisions, and agencies. The Office prosecutes or defends all actions involving County officials and employees arising out of acts performed in the course of their employment. In addition to litigation, the office is called upon to interpret State and Federal laws, County ordinances and County resolutions, and to draft County ordinances and proposed State legislation.

contracts entered into by the County, the School Board, and the Economic Development Authority.

In 2015-16, the office provided legal services for several key transactions such as \$113 million police radio communication system contract for six jurisdictions; a manufacturing facility at White Oak Tech Park; and amendments to the County Code. The office played a key role in planning for and implementing the November 2016 Bond Referendum.

Objectives

- To provide the County government with quality legal services.
- To protect the County treasury from damage awards as a result of litigation.

The office also represents the County and its officials and employees in civil litigation and in criminal prosecutions of violations of certain County ordinances. In addition to the above mentioned, The County Attorney handles a variety of other types of cases, such as bankruptcy, civil rights, construction, corrections, employment discrimination, land use, personal injury, procurement, professional responsibility, special education, taxation, and wrongful death. In FY2015-16, 23 new lawsuits were filed in courts of record that seek a minimum of \$25,000.

Budget Highlights

The County Attorney's Office is charged by statute with providing all legal services of a civil nature required by the County and its various boards, commissions, and agencies. This responsibility includes rendering legal advice to the Board of Supervisors, the County Manager and his staff, the Planning Commission, the Board of Zoning Appeals, the School Board, the Superintendent of Schools, the Economic Development Authority, department heads, key officials, and employees. The Office also drafts County ordinances and resolutions for presentation to the Board of Supervisors, drafts resolutions for presentation to the Economic Development Authority, and reviews and approves

The County Attorney office also represents the County in state and federal courts of record, which includes the trial and appellate courts and currently have 31 state and federal cases pending. In FY2015-16, the office made 47 appearances in these courts and in 2015-16 the County Attorney Office handled 1,074 cases in courts not of record: 130 cases in the Henrico County General District Court and 944 cases in the Henrico County Juvenile and Domestic Relations District Court.

Annual Fiscal Plan

Description	FY16 Actual	FY17 Original	FY18 Approved	Change 17 to 18
Personnel	\$ 2,180,605	\$ 2,243,104	\$ 2,323,758	3.6%
Operation	85,299	70,795	70,795	0.0%
Capital	100	0	0	0.0%
Total	\$ 2,266,004	\$ 2,313,899	\$ 2,394,553	3.5%
 Personnel Complement	 19	 20	 20	 0

County Attorney (cont'd)

	Performance Measures			
	FY16	FY17	FY18	Change 17 to 18
Workload Measures				
New Cases Filed	23	30	30	0
Cases Disposed of	32	20	25	5
Administrative Proceedings	10	25	30	5
Court Appearances	1,121	1,150	1,200	50

In addition to litigation matters, the office handles a huge volume of transactional work on behalf of County departments. This work includes 1,352 contracts drafted or reviewed, 282 deeds and leases drafted or reviewed, 286 board papers drafted or reviewed, 413 Freedom of Information Act requests handled, 180 Subpoenas Duces Tecum handled, 26 restrictive covenants reviewed, 9 festival permit applications reviewed, 93 sets of conditional zoning proffers reviewed, and eight official opinions.

The County Attorney Office reviews the proposed legislation from the General Assembly. In the first quarter of 2016, 547 articles of proposed legislation

were reviewed to determine the impact it would have on the County.

Finally, during FY2015-16, the County Attorney's office recovered \$181,124, owed to the County through bankruptcy proceedings and \$13,235 in revenue from delinquent tax sales. The department's budget for FY2017-18 is \$2,394,553, which reflects an increase of \$80,654 or 3.5 percent compared to FY2016-17. This increase was driven by updated estimates for personnel including a 2.5 percent salary increase for FY2017-18 as well as rising health care costs.