

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.

OBJECTIVES

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

BUDGET HIGHLIGHTS

The office provides all legal services of a civil nature required by the County and its various boards, commissions and agencies. The office drafts County ordinances for presentation to the Board of Supervisors (the "Board"), drafts resolutions for presentation to the Board, the Economic Development Authority (the "EDA") and the School Board, and reviews and approves property conveyances and contracts of the County, the School Board, and the EDA. During FY2018-19, the office handled a large volume of transactions including the following examples: the negotiation of the YMCA Indoor Aquatics Center development agreement and lease, negotiation of the development for the NOVA Aquatics swim facility at Regency Square, and negotiation of provisions for rehabilitation of the St. Luke Apartments (finalized fall 2019). On an ongoing basis, office staff provides training on the Conflict of Interests Act and the Freedom of Information Act in addition to civil liability, confidentiality of health records, and the Health Insurance Portability and Accountability Act.

FISCAL YEAR 2021 SUMMARY

Annual Fiscal Plan

Description	FY19	FY20	FY21	Change
	Actual	Original	Approved	20 to 21
Personnel	\$ 2,554,951	\$ 2,529,773	\$ 2,560,029	1.2%
Operation	78,650	72,620	57,415	(20.9%)
Capital	450	0	0	0.0%
Total	<u>\$ 2,634,051</u>	<u>\$ 2,602,393</u>	<u>\$ 2,617,444</u>	<u>0.6%</u>
Personnel Complement	21	21	21	0

PERFORMANCE MEASURES

	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>Change 20 to 21</u>
Workload Measures				
New Cases Filed	40	20	25	5
Cases Disposed of	30	30	30	0
Administrative Proceedings	42	35	35	0
Court Appearances	1,172	1,250	1,250	0

BUDGET HIGHLIGHTS (CONTINUED)

Training sessions also include groups such as the crisis intervention team, security officers, communications officers, police officers, deputy sheriffs, and employees in Community Revitalization, Building Inspections and the Division of Fire.

The office also represents the County and its officials and employees in a wide variety of civil litigation and in criminal prosecutions of violations of certain County ordinances. Thirty new lawsuits seeking a minimum of \$25,000 were filed in FY2018-19.

At present, 45 cases are pending in state and federal courts of record, which include trial and appellate courts. In FY2018-19, the office made 65 appearances in these courts. In addition, during that same period, the office handled 1,172 cases in courts not of record: 175 cases in the Henrico County General District Court and 997 cases in the Henrico County Juvenile and Domestic Relations District Court. The office also handled 42 administrative hearings over the same time period.

In addition to litigation matters, the office handles a high volume of transactional work on behalf of County departments. This work includes 1,865 contracts drafted or reviewed, 365 deeds and leases drafted or reviewed, 298 board papers drafted or reviewed, 802 Freedom of Information Act requests handled, 351 Subpoenas Duces Tecum handled, six restrictive covenants reviewed, eight festival permit applications reviewed, 79 sets of conditional zoning proffers reviewed, and one official opinion. Finally, during FY2018-19, the County Attorney’s office recovered \$200,607, owed to the County through bankruptcy proceedings and \$46,647 in revenue from delinquent tax sales.

The department’s budget for FY2020-21 is \$2,617,444, which reflects an increase of \$15,051 or 0.6 percent compared to FY2019-20. Reduction in operating expenses due to savings identified in response to COVID-19.