

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 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 as to form property conveyances and contracts of the County, the School Board, and the EDA.

During FY21 the office handled a large volume of routine legal matters for County departments as well as highly specialized work for the County Manager and the Board of Supervisors, including matters related to the COVID-19 pandemic, the review of new zoning and subdivision ordinances adopted by the Board of Supervisors, the negotiation of agreements for construction of the indoor sports and convocation center at Virginia Center Commons, and the analysis of development and financing options for the GreenCity development at the former Best Products property.

FISCAL YEAR 2023 SUMMARY

Annual Fiscal Plan

| Description | FY21 | FY22 | FY23 | Change |
|----------------------|---------------------|---------------------|---------------------|-------------|
| | Actual | Original | Approved | 22 to 23 |
| Personnel | \$ 2,323,453 | \$ 2,681,750 | \$ 2,880,435 | 7.4% |
| Operation | 282,148 | 64,532 | 124,753 | 93.3% |
| Capital | 1,756 | 0 | 0 | 0.0% |
| Total | <u>\$ 2,607,357</u> | <u>\$ 2,746,282</u> | <u>\$ 3,005,188</u> | <u>9.4%</u> |
| Personnel Complement | 22 | 22 | 22 | 0 |

PERFORMANCE MEASURES

| | FY21 | FY22 | FY23 | Change 22 to 23 |
|---|-------|-------|-------|--------------------|
| Workload Measures | | | | |
| New Cases Filed | 30 | 25 | 25 | 0 |
| Cases Disposed of | 22 | 25 | 25 | 0 |
| Administrative Proceedings | 28 | 25 | 25 | 0 |
| Court Appearances | 1,260 | 1,000 | 1,000 | 0 |
| Contracts Drafted or Reviewed | 1,452 | 1,298 | 1,298 | 0 |
| Deeds and Leases Drafted or Reviewed | 380 | 380 | 380 | 0 |
| Board Papers Drafted or Reviewed | 306 | 433 | 433 | 0 |
| Freedom of Information Act Requests Handled | 762 | 606 | 606 | 0 |
| Subpoenas Duces Tecum Handled | 276 | 119 | 119 | 0 |
| Restrictive Covenants Reviewed | 8 | 18 | 18 | 0 |
| Proposed Legislation Reviewed | 771 | 317 | 317 | 0 |
| Festival Permit Applications Reviewed | 6 | - | - | 0 |
| Set of Conditional Zoning Proffers Reviewed | 117 | 139 | 139 | 0 |
| Official Opinions Rendered | 5 | 2 | 2 | 0 |

BUDGET HIGHLIGHTS (CONTINUED)

On an ongoing basis, office attorneys provide training on the Virginia Conflict of Interests Act, Virginia Public Procurement Act, and the Virginia Freedom of Information Act as well as civil liability, confidentiality of health records, and the federal Health Insurance Portability and Accountability Act. Training session participants include 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 actions and in criminal prosecutions for violations of County ordinances. Thirty-two new lawsuits seeking a minimum of \$25,000 were filed against the County in FY21.

At present, 54 cases are pending in state and federal courts of record, including appellate courts. In FY 2021, the office made 53 appearances in these courts. In addition, the office handled 1,036 cases in courts not of record: 92 cases in the Henrico County General District Court and 944 cases in the Henrico County Juvenile and Domestic Relations District Court. The office also handled 23 administrative hearings.

The department’s budget for FY23 is \$3,005,188. This represents a 9.4% increase to the FY22 budget in the sum of \$258,906. This increase represents rising healthcare, benefit, and salary costs for the department’s personnel component as well as an increase to its operating component for the purchase of a new case management software to maximize efficiencies. Also included in the operating component is the absorption of costs incurred by the Legal Services Satellite Office, previously funded by HCPS.