

Attorney

Agency Budget by Fund

Fund	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
General	3,014,190	3,209,248	3,330,628	3,277,760	3,168,393	3,168,393
Total	\$ 3,014,190	\$ 3,209,248	\$ 3,330,628	\$ 3,277,760	\$ 3,168,393	\$ 3,168,393

Agency Budget by Service

Service	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
Legal Counsel And Representation						2,159,845
Legislative Services						322,930
Ordinance Prosecution						685,619
Total	\$ 3,014,190	\$ 3,209,248	\$ 3,330,628	\$ 3,277,760	\$ 3,168,393	\$ 3,168,393

Agency Budget by Major-Revenue

Major Revenue	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
Misc Revenue	(13,145)	-	(6,411)	-	-	-
Total	\$ (13,145)	\$ -	\$ (6,411)	\$ -	\$ -	\$ -

Agency Budget by Major-Expense

Major Expense	2022 Actual	2023 Adopted	2023 Actual	2024 Adopted	2025 C2C	2025 Request
Salaries	2,303,537	2,434,849	2,509,554	2,505,311	2,471,142	2,471,142
Benefits	685,561	670,102	743,020	691,931	633,418	633,418
Supplies	13,126	18,539	9,849	21,689	17,883	17,883
Purchased Services	152,632	177,896	141,903	176,838	176,838	176,838
Debt Othr Financing	-	-	24,850	-	-	-
Inter Depart Charges	6,097	6,082	6,083	6,914	7,628	7,628
Inter Depart Billing	(133,618)	(98,221)	(98,221)	(124,923)	(138,516)	(138,516)
Total	\$ 3,027,335	\$ 3,209,248	\$ 3,337,039	\$ 3,277,760	\$ 3,168,393	\$ 3,168,393



Office of the City Attorney

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PARALEGAL Ryan M. Riley

TO: Mayor Satya Rhodes-Conway
FROM: City Attorney Michael Haas
DATE: July 19, 2024
RE: 2025 Operating Budget Transmittal Memo
CC: Deputy Mayors, Finance Director, Budget and Program Evaluation Staff

The Mayor's 2025 budget directive required the Office of City Attorney (OCA) to identify lower priority service activities that total at least \$158,420. As an internal-facing agency that primarily serves, represents and advises other City agencies, officials and bodies, the OCA does not host or implement programs or services for the public. Importantly, the OCA also does not control its workload as it responds to requests from and supports the initiatives of other City agencies, bodies and elected officials, and also represents the City in lawsuits. As a result, the OCA cannot identify lower priority service areas affecting the public and instead its 2025 budget submission is based on identifying the one service area over which the OCA has some level of control and redundancy which is the prosecution team.

The City Attorney's Office consists of 18 attorney position and 8 administrative and support staff. In the 2020 operating budget, a half-time Legal Secretary position was eliminated and in the 2021 operating budget a Legal Administrative Assistant 2 position was eliminated. We have determined that it is not possible to further reduce the administrative and support team which is now supporting two more attorneys than it did in 2021.

The main provision of the OCA budget submission proposes to reduce the number of attorneys on the municipal court prosecution team from five to four positions. Under the City's policy on workforce reduction, this would result in the lay-off of an attorney who has been hired to start working in September 2024 and another attorney being reassigned to assume those duties related to real estate, economic development and affordable housing initiatives. As is likely with other City agencies, the OCA is currently operating at capacity and in several areas struggles to meet the demands of its workload.

Other than the elimination of the attorney position and summer clerkship programs, the OCA's proposal to address its budget reduction goal includes minor reductions in

several budget lines. This approach was taken because of the lack of other options, given that the agency budget primarily consists of costs relating to personnel and supporting staff operations. To illustrate some of the anticipated impacts of the proposed reductions, this memorandum provides some brief observations and context regarding the items in the attached Lower Priority Service Activity form which are intended to meet the OCA's 5% budget reduction:

1. Eliminate One Assistant City Attorney Position - Reduction of \$112,572 (Salary and Benefits)

As stated above, if an ACA position must be eliminated, the OCA would reduce the size of its prosecution team. To provide a sense of the workload of five attorneys that would be absorbed by four attorneys, in 2023, prosecution team attorneys handled about 2,700 municipal court matters including pretrial conferences, trials, reviews and case reopening requests. While most cases are resolved through settlement negotiations, preparing for and conducting trials is the most time-consuming and intensive aspect of the prosecution work, especially trials related to operating while intoxicated citations. Under a recent change in state law, there has been an increase in OWI defendants requesting circuit court trials which are more complex than municipal court trials. In 2023, there were 21 OWI cases that were transferred to circuit court and another four OWI cases that were appealed to circuit court after a trial in municipal court.

In addition to traffic cases, the prosecution team also handled 70 cases involving building,, health, and fire code long form complaint matters in 2023 and 15 Community Development Authority lawsuits involving evictions and Section 8 eligibility determinations. CDA eviction requests are increasing due to the lifting of COVID-related pauses on eviction matters.

We anticipate that the elimination of one prosecution position will likely have several impacts. First, attorneys will carry a greater caseload and there may be delays in the prosecution and resolution of cases. Second, there may be an impact on decision making related to which cases are prosecuted or how cases are resolved based on available resources and staffing. Third, the prosecution team attorneys also handle other assignments for City agencies and their responsiveness related to those requests will likely be impacted. Nearly all significant initiatives proposed by policymakers require some legal work including research, advice regarding relevant laws, drafting ordinances, negotiating and reviewing contracts, assisting agencies with implementation questions and sometimes defending decisions in litigation. Reducing the number of attorneys will likely hamper the ability of the OCA to accommodate requests of policymakers on the timeline that they prefer.

2. Eliminate Participation in Prosecution Project Intern Program – Reduction of \$3,000 in 54810

The OCA has been a long-time participant in the UW Law School's Prosecution

Project which places law students in offices of prosecutors around the State, primarily in district attorney offices, for summer internships. OCA attorneys supervise the intern to help them develop prosecution skills and provide opportunities to handle cases and appear in court. The main impact of this reduction would be that the OCA would no longer provide that opportunity and experience to law students.

3. Eliminate Participation in Public Interest Law and Diversity Clerkship Programs – Reduction of \$20,000 – Hourly Wages in 51210

The OCA has also been a consistent participant in two other summer clerkship programs – the Public Interest Law Clerkship sponsored by UW and Marquette Law Schools and the Diversity Clerkship sponsored by the State Bar of Wisconsin. The OCA hosts law students during the summer through these programs and they conduct legal research for attorneys working on agency or policymaker requests. These clerkships provide an opportunity for the OCA give back to the legal profession by helping to develop the legal skills of future attorneys and foster an interest in municipal and public sector legal careers, and help OCA attorneys complete more in-depth research projects.

This reduction would remove those opportunities for law students as well as the additional research assistance for OCA attorneys during the summer months.

4. Reduce Furniture Purchases – Reduction of \$2,661 in 53131

Previous budgets have chipped away at the OCA's small furniture allowance. This reduction would leave \$1,000 in the furniture budget to support all agency staff.

5. Reduce Computer Hardware Purchases – Reduction of \$2,000 in 53140

Similarly, this reduction would result in a budget line of \$1,000 for computer hardware purchases.

6. Reduce Conference and Training Attendance – Reduction of \$5,000 in 54520

This reduction would result in a budget of \$11,528 for conference attendance and staff training, and would reduce opportunities for staff to attend professional conferences and stay current regarding legal issues and developments. It should be noted that the current benefits handbook for members of the Madison City Attorneys Association (MCAA) states that the City shall pay for continuing legal education courses required for attorneys to maintain their law licenses and also will budget funds to allow one Compensation Group 23 member to attend the annual conference of the International Municipal Lawyer Association.

7. Reduce Memberships in Professional Organizations – Reduction of \$2,000 in 54535

This reduction would leave a budget for memberships of \$12,225. The MCAA benefits handbook currently states that the City shall pay the cost of each attorney's State Bar Association dues necessary to maintain their Wisconsin law license as well as either the cost of membership in the Dane County Bar Association and one section of the State Bar or two section membership in the State Bar.

8. Reduce Purchases of Legal Services – Reduction of \$4,000 in 54620

This reduction would leave a budget for the cost of process servers and other litigation expenses of \$2,300. These are expenses that depend upon the amount of and course of litigation and are beyond the control of the OCA.

9. Reduce File Storage Services – Reduction of \$1,000 in 54635

This reduction would result in a budget of \$3,200 for file storage services.

10. Reduce Transcription Services – Reduction of \$3,000 in 54688

Ordering transcripts for appeals of municipal court cases and circuit court lawsuits is a necessary part of litigation to draft legal briefs and prepare for trials. This reduction would result in a budget of \$6,000 for transcription services, which also depend on the amount of and course of litigation beyond the control of the OCA. In recent years, for example, specific tax assessment litigation has involved numerous depositions requiring the production of transcripts.

11. Reduce Postage Purchases – Reduction of \$1,000 in 53150

This reduction would result in a postage allowance of \$2,000.

Please contact me if you have any questions regarding this budget submission.

2025 Operating Budget Service Budget Proposal Form

Part 1. Identifying Information

Select your Agency:	Attorney
Enter your Service:	Legal Counsel And Representation

Please provide an updated Service Description below.

If this is an existing service, please see the "Service Description" in the [2024 Adopted Budget](#). Write "No change needed," if applicable. Otherwise, please provide a complete updated description.

If this is a new service due to the agency's Results Madison restructure, please provide a 2-4 sentence description of the service and its goals.

Updated Service Description:

No change needed.

Please provide updated Activities Performed by Service.

If this is an existing service, please see the "Activities Performed by Service" in the [2024 Adopted Budget](#). Write "No change needed," if applicable. Otherwise, please provide a complete updated list of activities.

If this is a new service due to the agency's Results Madison restructure, please provide a list of major activities using the format *Activity Name: Description*.

Updated Activities Performed by Service:

No Change needed.

Part 2. Base Budget Proposal: Significant Changes (\$10,000 or more)

Agencies can propose net neutral reallocations within their budget but must explain changes of \$10,000 or more at the **Major level**.

Examples of changes that **do** need to be detailed:

- Moving \$10,000+ from one Major to another Major

Examples of changes that **do not** need to be detailed:

- Total changes of less than \$10,000 at the Major level.
- Object level changes do not need additional justification if the net change to the Major is less than \$10,000. For example, if you propose moving \$15,000 from Consulting to Software within the Purchased Services Major, you do not need to detail the change.

If the proposed changes are a technical correction to the agency’s base budget, simply state that the change is a correction/adjustment in the narrative questions below.

Summary Table of Major Changes of \$10,000 or More

Complete the table below to detail changes at the Major level and answer the narrative questions to describe your changes. **If there are no significant changes, skip this section**

Fund	Major	\$ Change	Description
Select	Select	Enter \$.	Click or tap here to enter text.
Select	Select	Enter \$.	Click or tap here to enter text.
Select	Select	Enter \$.	Click or tap here to enter text.
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Select	Select	Enter \$.	Click or tap here to enter text.
Select	Select	Enter \$.	Click or tap here to enter text.

Explain the impact of the proposed change(s). Will there be a change to current activities or service levels? Why is this change needed in the 2025 budget?

No changes.

Explain how your proposed change(s) will align with your draft 2024-2025 Department Equity Action Plan. Will the change(s) address specific inequities or advance other equity goals? Is the change related to a Neighborhood Resource Team (NRT) recommendation? Be as specific as possible.

No changes.

Part 3. Personnel Changes

All proposed personnel changes must be submitted for review, even if the change is net neutral. Agencies should contact their HR Analyst to discuss proposed changes prior to submitting their request. **If you are not submitting personnel changes, skip this section.**

Allocation Changes: Does your proposal change the position allocations of existing positions?

- No – No allocation changes
 Yes – Includes proposed allocation changes

If yes, complete the “Position Allocation Change Form” and submit as part of your proposal.

Reclassifications: Does your proposal reclassify existing positions?

- No – No reclassifications
 Yes – Includes proposed reclassifications

If yes, provide the position number and briefly describe the change:

Click or tap here to enter text.

of FTEs: Does your proposal change the total number of FTE positions?

- No – No change to # of FTEs
 Yes – Includes proposed change to # of FTEs

Note: If “Yes,” the proposed change must be net neutral to the target budget, and salary **and benefits must be considered when computing the cost of the change.*

If yes, provide the position classification and briefly describe the change:

Click or tap here to enter text.

Explain the impact of your proposed personnel change(s). Will there be a change to current activities or service levels? Why is this change needed in the 2025 budget?

Click or tap here to enter text.

Explain how your proposed personnel change(s) will align with your draft Department Equity Action Plan. Will the change(s) address specific inequities or advance other equity goals?

Click or tap here to enter text.

2025 Operating Budget Service Budget Proposal Form

Part 1. Identifying Information

Select your Agency:	Attorney
Enter your Service:	Legislative Services

Please provide an updated Service Description below.

If this is an existing service, please see the “Service Description” in the [2024 Adopted Budget](#). Write “No change needed,” if applicable. Otherwise, please provide a complete updated description.

If this is a new service due to the agency’s Results Madison restructure, please provide a 2-4 sentence description of the service and its goals.

Updated Service Description:

No change needed.

Please provide updated Activities Performed by Service.

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No change needed.

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Explain how your proposed personnel change(s) will align with your draft Department Equity Action Plan. Will the change(s) address specific inequities or advance other equity goals?

Click or tap here to enter text.

2025 Operating Budget Service Budget Proposal Form

Part 1. Identifying Information

Select your Agency:	Attorney
Enter your Service:	Ordinance Prosecution

Please provide an updated Service Description below.

If this is an existing service, please see the "Service Description" in the [2024 Adopted Budget](#). Write "No change needed," if applicable. Otherwise, please provide a complete updated description.

If this is a new service due to the agency's Results Madison restructure, please provide a 2-4 sentence description of the service and its goals.

Updated Service Description:

No change needed.

Please provide updated Activities Performed by Service.

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Explain the impact of the proposed change(s). Will there be a change to current activities or service levels? Why is this change needed in the 2025 budget?

No major changes to report.

Explain how your proposed change(s) will align with your draft 2024-2025 Department Equity Action Plan. Will the change(s) address specific inequities or advance other equity goals? Is the change related to a Neighborhood Resource Team (NRT) recommendation? Be as specific as possible.

No major changes to report.

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Note: If “Yes,” the proposed change must be net neutral to the target budget, and salary **and benefits must be considered when computing the cost of the change.*

If yes, provide the position classification and briefly describe the change:

Click or tap here to enter text.

Explain the impact of your proposed personnel change(s). Will there be a change to current activities or service levels? Why is this change needed in the 2025 budget?

No changes to report.

Explain how your proposed personnel change(s) will align with your draft Department Equity Action Plan. Will the change(s) address specific inequities or advance other equity goals?

No changes to report.

Service Identification Form

Each agency funded by the General, Library, and Fleet funds was required to submit a list of lower priority service activities equal to at least 5% of the agency's 2025 cost to continue budget while preserving core service activities. Metro Transit and Public Health were required to submit a list of activities equal to 5% of the General Fund subsidy to those agencies.

Agencies were allowed to propose fee or charge increases on service activities as a way to meet the 5% target. Budget guidance dictated that these proposals be on service activities primarily provided to those with the ability to pay.

Agency	Attorney
5% Minimum Target	158,420
Total Amount Identified	156,233

Service (Choose from drop-down list)	Activity (Narrative Description)	Recipients of the Service Activity (List)	Implication if Activity is Reduced/Fee is Increased (Narrative Description)	FTE Impact (#)	Total Amount (\$)
111 - ORDINANCE ENFORCEMENT	Eliminate one (1) Assistant City Attorney position and reduce prosecution staff from five (5) to four (4)	The Police Department, Municipal Court, the general public	The work of five attorneys will be assumed by four attorneys. Municipal and Circuit Court cases will take longer to finalize. Citation and court costs may be reduced for other departments.	1	\$112,572
111 - ORDINANCE ENFORCEMENT	Eliminate the summer UW Law School Prosecution Intern Program 54810	Law Students	Law students will not have the opportunity to develop skills in prosecution and court-related cases.	0	\$3,000

5% Minimum Target

158,420

Total Amount Identified

156,233

Service (Choose from drop-down list)	Activity (Narrative Description)	Recipients of the Service Activity (List)	Implication if Activity is Reduced/Fee is Increased (Narrative Description)	FTE Impact (#)	Total Amount (\$)
113 - COUNSEL AND REPRESENTATION	Eliminate UW and Marquette Diversity and Public Interest Summer Law Clerk Programs 51210	Law Students, OCA Lawyers	The Diversity Clerkship and UW Pubic Interest Program are two long-standing law student development programs that the OCA has participated in. Law students will have more limited resources to development skills for post graduation legal work.	0	\$20,000
113 - COUNSEL AND REPRESENTATION	Reduce Furniture 53131	OCA Staff	There will be no money for new chairs or to replace old desks	0	2,661
113 - COUNSEL AND REPRESENTATION	Reduce Computer Hardware 53140	OCA Staff	There will be no money for additional computer monitors and other computer supplies	0	2,000
113 - COUNSEL AND REPRESENTATION	Reduce Conference/Training 54520	OCA Staff	There will be reduced opportunities to attend professional conferences and training to stay current regarding legal issues and developments.	0	5,000
113 - COUNSEL AND REPRESENTATION	Reduce Memberships 54535	OCA Staff	Memberships to professional associations will be reduced	0	2,000

5% Minimum Target

158,420

Total Amount Identified

156,233

Service (Choose from drop-down list)	Activity (Narrative Description)	Recipients of the Service Activity (List)	Implication if Activity is Reduced/Fee is Increased (Narrative Description)	FTE Impact (#)	Total Amount (\$)
111 - ORDINANCE ENFORCEMENT	Reduce Legal Services 54620	OCA Staff	Less money to pay for process servers, sheriff and other litigation related expenses	0	4,000
111 - ORDINANCE ENFORCEMENT	Reduce File Storage Service 54635	OCA Staff		0	1,000
113 - COUNSEL AND REPRESENTATION	Reduce Transcription 54688	OCA Staff	Less money to pay for court transcripts	0	3,000
111 - ORDINANCE ENFORCEMENT	Reduce Postage 53150	OCA Staff		0	1,000