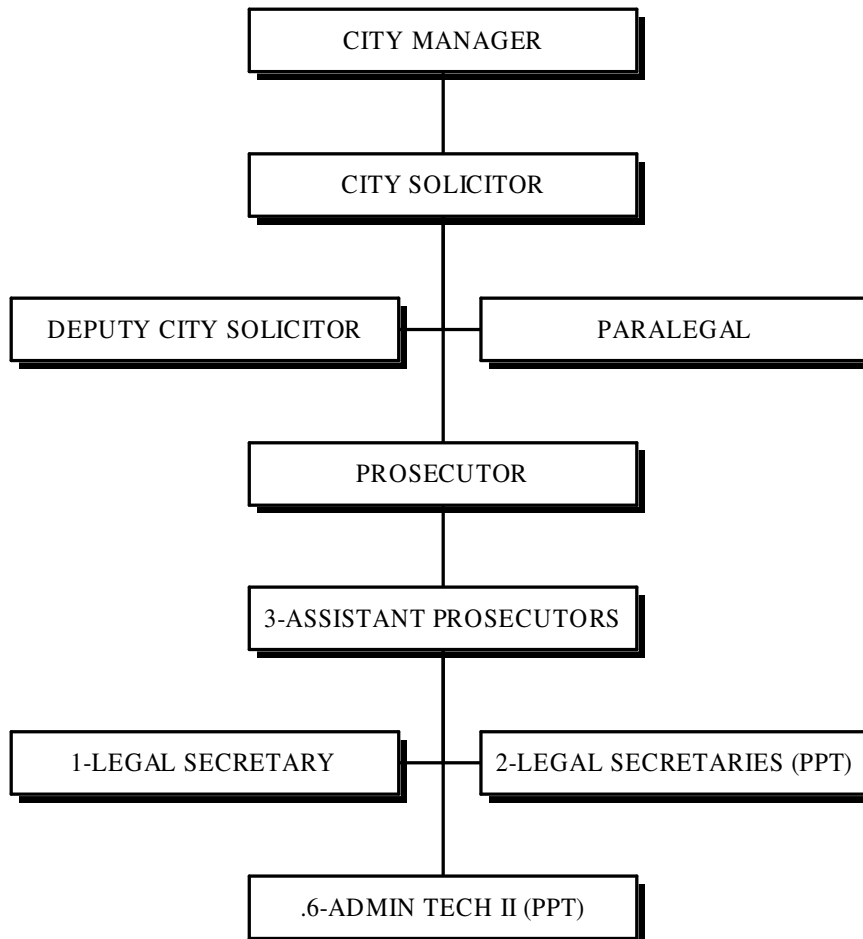

LEGAL

MISSION

The Legal Department has two missions. Statutory and common law defines these missions. In the State of New Hampshire, a municipality has only those powers granted to it by the legislature. Every action of a municipality must be justified by those powers. The mission of the City Solicitor is to ensure that all actions of the City are within the powers granted to it by the legislature and to foster the accomplishments of the City's goals and objectives within this legal framework. The mission of the City Prosecutor is to prosecute those persons charged with violating state or local law within the City. The Prosecutor also has a paramount duty to the legal system to see that in the course of prosecution, justice is done.

LEGAL DEPARTMENT
TABLE OF ORGANIZATION



LEGAL**PROGRAM HIGHLIGHTS**

<u>SERVICE INDICATORS</u>	<u>Actual 2010</u>	<u>Actual 2011</u>	<u>Estimated 2012</u>	<u>Projection 2013</u>
1. Tax Lien Mortgages (Research at Registry)	700	651	700	680
2. Tax Deed-Mortgages (Research at Registry)	150	143	150	150
3. Tax Title Searches for Property to be Deeded	55	43	45	45
4. City Dept/Board Requests for Legal Services	1,800	1,985	2,000	2,300
5. Bankruptcy Matters (Claims/Monitoring)	78	58	60	60
6. Title searches for property acquisition and sales; lot consolidations; deeds reviewed/prepared	180	135	125	135
7. Administer financial guarantees for City projects and developments	318	289	250	250
8. Pending Civil Litigation Cases	13	3	6	8
9. Pending Tax Abatement Cases	39	65	60	60
10. Concord Criminal Dispositions and Hearings	19,713	16,939	16,000	15,000
11. Loudon Criminal Dispositions and Hearings	1,485	1,392	1,150	1,100
12. Bow Criminal Dispositions and Hearings	1,347	1,372	1,800	1,600
13. Bow Juvenile Dispositions and Hearings	50	33	22	22
14. Dunbarton Criminal Dispositions and Hearings	103	135	180	180
15. Concord Juvenile Dispositions and Hearings	1,590	1,438	1,600	1,550
16. Loudon Juvenile Dispositions and Hearings	27	26	35	35
17. Concord Administrative License Suspensions	169	129	120	115
18. Bow Administrative License Suspensions	40	34	28	30
19. Dunbarton Administrative License Suspensions	1	8	5	5
20. Loudon Administrative License Suspensions	24	19	20	20
21. Concord Code Enforcement	176	37	80	75
22. Other (MCPTS or NHDTF)	28	17	25	40

2013 GOALS**City Solicitor's Office:**

1. Successfully transfer the Prosecutor's office out of the Concord District Court to a new location that supports the prosecutorial needs of the community.
2. Consolidate the City Solicitor's files for purpose of reducing storage at City Hall.
3. Train an attorney within the Legal Department in the field of debt collection.

Prosecutor's Office:

1. Approach towns in the 6th Circuit District regarding undertaking prosecutorial services.
2. Continue to provide legal training for all represented police departments.
3. Working with the Police Department, develop procedures to allow for more immediate destruction of evidence as cases are closed. The Police Department's evidence room is completely full and will require a large effort to free up additional space.

PROGRAM HIGHLIGHTS**LEGAL**

2012 GOALS STATUS**City Solicitor's Office:**

1. Develop a manual for the drafting of ordinances that establishes standards for grammar, formatting and typography.
9-Month Status: The City has adopted a policy which directs City Departments to forward all proposed ordinances and/or ordinance amendments directly to the Deputy City Solicitor for initial legal review. This policy establishes uniform procedures in drafting municipal ordinances.
2. Review current ordinances and suggest changes necessary to bring them into conformity with the ordinance manual.
9-Month Status: The Deputy City Solicitor continues to review each proposed ordinance prior to their submission to the City Council. This review assists in establishing uniformity with ordinance drafting procedure, as well as identifying any legal issues associated with said ordinance proposals.
3. Review the way small claims are and have been handled, and work with City departments to establish an efficient method of handling these claims.
9-Month Status: Assistant City Prosecutor Steve Endres has taken over the role of collecting outstanding debts to the City. He has also joined the City's Miscellaneous Billing Team to assist in coordinating the City's procedures in collecting debts.
4. Work with the New Hampshire School of Law and other law schools to establish a viable internship program.
9-Month Status: The Legal Department continues to have a relationship with NH School of Law for both internships and externships on a semester rotating basis. Through FY 2012, the Legal Department has had eight interns/externs from the Law School. These interns provide a resource to the City and, at the same time, provide meaningful legal experience for the law students.

Prosecutor's Office:

1. The Prosecutor's Office will approach the Concord District Court about reorganizing the arraignment schedule in an attempt to schedule all arraignments for a single day a week. If accomplished, this will allow 3-4 attorneys to negotiate cases at arraignment hearings and reduce the number of scheduled trials, thereby reducing police overtime.
9-Month Status: All regularly scheduled arraignments have been scheduled for Monday mornings only. As a result we are seeing a large decrease in overtime fees for the Concord Police Department.
2. The Prosecutor's Office will attempt to restructure court schedules to allow this office to provide legal training to all represented police departments. The Concord Police Department presently schedules its training days on Tuesdays. Currently, the Concord District Court has two courtrooms running every morning and Family Court is scheduling juvenile hearings in the afternoon. This will take some advance planning with the court to see if they are willing to reduce the Concord caseload on those days.
9-Month Status: The Prosecutor's office has recently completed some training for the Concord Police Department and is in the process of scheduling additional training for 2012-2013.
3. The Prosecutor's Office will maintain, expand and improve the Mediation Program for Motor Vehicle cases to reduce the need for police officers to report to court to testify, thereby reducing overall police witness fees.
9-Month Status: Mediation is now entitled "Pre-Trial Negotiations" and is held once a month in the afternoon. This program has significantly reduced the number of motor vehicle trials scheduled, resulting in a reduction of Concord Police Department overtime. The City Prosecutor has been working with the Parking Division to begin including parking tickets in the mediation/pre-trial negotiations program as well.

LEGAL**BUDGET DETAIL**

	2009 ACTUAL	2010 ACTUAL	2011 ACTUAL	2012 BUDGETED	2012 ESTIMATED	2013 FISCAL BUDGET
REVENUE						
PROSECUTOR'S SERVICE FEE	\$56,853	\$59,127	\$60,901	\$62,118	\$62,118	\$63,360
CODE PROSECUTION	\$35,422	\$41,318	\$24,355	\$34,000	\$34,000	\$30,000
SALE OF ORDINANCES	\$0	\$0	\$0	\$0	\$240	\$0
RESTITUTION	\$8,854	\$19,211	\$6,018	\$13,000	\$1,400	\$5,000
Total	\$101,129	\$119,656	\$91,274	\$109,118	\$97,758	\$98,360
APPROPRIATIONS						
COMPENSATION	\$546,860	\$612,965	\$637,272	\$663,905	\$667,560	\$641,690
OUTSIDE SERVICES	\$44,798	\$54,560	\$53,004	\$86,020	\$91,379	\$136,528
SUPPLIES	\$3,030	\$3,272	\$3,272	\$3,270	\$3,800	\$4,000
INSURANCES	\$7,109	\$7,040	\$9,141	\$8,920	\$10,200	\$9,530
EQUIPMENT	\$0	\$518	\$7,918	\$0	\$1,010	\$0
FRINGE BENEFITS	\$188,169	\$211,288	\$221,039	\$242,866	\$226,020	\$227,370
Total	\$789,967	\$889,644	\$931,647	\$1,004,981	\$999,969	\$1,019,118

<u>POSITION TITLE</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
City Solicitor	1.0	1.0	1.0	1.0
Deputy City Solicitor	1.0	1.0	1.0	1.0
Paralegal	1.0	1.0	1.0	1.0
City Prosecutor	1.0	1.0	1.0	1.0
Assistant City Prosecutor	3.0	3.0	3.0	3.0
Legal Secretary – Full time	1.0	1.0	1.0	1.0
Legal Secretary – Perm. Part Time	1.0	1.0	1.0	1.0
Administrative Technician II	<u>0.6</u>	<u>0.6</u>	<u>0.6</u>	<u>0.6</u>
Total	9.6	9.6	9.6	9.6

FUNDING IMPACT**LEGAL**

Professional & Tech Services – Tax & Assessing

The Legal Department will make every effort to stay within the budget allotted for this cost item. These costs, however, are dependent upon the City's need to hire outside counsel in complex litigation which requires specialized skill and training.

LEGAL

NOTES
