

NEW YORK CITY LAW DEPARTMENT

2012 ANNUAL REPORT

INTRODUCTION



In 2012, New Yorkers saw the nation's oldest, biggest, and best municipal law department do extraordinary work in service to our City.

When Hurricane Sandy hit, members of the New York City Law Department helped get our Rapid Repairs program up and running. They drew up contracts for emergency services and supplies. And when they weren't hard at work in the office, they were aiding the recovery efforts in other ways, volunteering at shelters and leading the distribution centers that provided essential supplies to New Yorkers in need.

The Law Department also continues to play an instrumental role in the investments our Administration is making in New York's future, from drafting legislation and regulations to laying the groundwork for the world-class applied sciences campuses we are developing. And in an era when budgets are always tight, the Department has reduced civil damage payouts by 11 percent over the past decade—saving City taxpayers tens of millions of dollars.

Under the leadership of Corporation Counsel Michael A. Cardozo, the Law Department's attorneys, administrators, and operations staff are helping to keep our neighborhoods safe and our City strong.


Michael R. Bloomberg
MAYOR

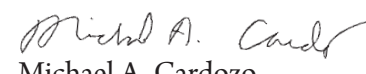


I am very proud to present the Law Department's 2012 Annual Report. The report reflects the enormous range of legal matters our office handled last year.

The Law Department's work is vast and unparalleled. No two days here are alike, and the challenge of serving New Yorkers has never ceased to inspire my colleagues and me.

In 2012 we crafted new laws to improve New Yorkers' health and quality of life; pursued entities that owe precious public dollars; defended the City from new lawsuits; promoted and defended public safety; guided massive development projects; reviewed major City contracts; and took action to protect our physical environment for generations to come. We also worked vigorously in the aftermath of Hurricane Sandy to support the City's recovery efforts.

This office has never lost sight of the tradition of excellence upon which it was founded and its mission to provide the best possible legal representation. I am deeply grateful for the quality of our attorneys and staff, who dedicate their careers to public service. I believe they gain deep career satisfaction, as well as unparalleled legal skills, from working on the complex challenges we tackle daily. We hope you also enjoy learning more about our work.


Michael A. Cardozo
CORPORATION COUNSEL

ABOUT THE LAW DEPARTMENT



Standing from left to right: Managing Attorney **G. Foster Mills**, Chief Litigating Assistant Corporation Counsel **Lawrence Kahn**, Executive Assistant Corporation Counsel **Paul Rephen**, Chief Assistant Corporation Counsel **Leonard Koerner**. *Seated from left to right:* Equal Employment Opportunity Officer **Muriel Goode-Trufant**, First Assistant Corporation Counsel **Jeffrey Friedlander**, Corporation Counsel **Michael Cardozo**, Executive Assistant Corporation Counsel for Public Safety **Celeste Koeleveld**.*

The New York City Law Department is responsible for all of New York City's legal affairs. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City, and its agencies. Attorneys represent New York City on affirmative and defensive civil litigation, legislative and legal issues, the prosecution of juvenile delinquency matters, and Administrative Code enforcement proceedings brought in Criminal Court.

With offices in all five boroughs and Kingston, New York, the Law Department handles an active caseload of over 80,000 lawsuits and legal matters each year. In addition to litigation, attorneys draft and review local and State legislation; approve leases, contracts, and financial instruments for the sale of municipal bonds; negotiate and structure business transactions; and provide legal counsel to City officials on a wide range of issues, such as immigration, education, judicial selection reform, and environmental policy.

The Law Department's Executive Staff (pictured above) oversees the various legal and support divisions and provides key guidance on issues of agency-wide importance.

*At press time in 2013, Georgia Pestana (not pictured) joined the Law Department's Executive Staff as Executive Assistant Corporation Counsel for Employment and Policy Litigation.

IN THE NEWS

The Law Department's work is frequently highlighted by major national and local newspapers, television stations, newswires with international distribution, and Web-based media outlets. In addition, it publishes a column, "Municipal Affairs," in the *New York Law Journal*. The Law Department's Media & Communications Office coordinates work with the press. Examples of major 2012 headlines are below.

Reinventing the East Side Waterfront
The New York Times, January 1

Judge Rejects Bid to Block Expansion of Hospital
New York Law Journal, January 20

City Targets Another Roll-Your-Own Spot
Staten Island Advance, February 7

Supreme Court Interested in Tenant Case That Could Affect City's Rent Regulation Laws
NY1 News, February 21

City's Indigent Defense Plan is Legal: Appeals Court
Reuters, March 15

Landmark Bill Will Save City \$22 Billion in Public Employee Pension Costs
New York Post, March 15

Judge Throws Out Lawsuit Against Megabus Stop
DNAinfo, April 18

Crane Operator License Regulations Tightened
The Wall Street Journal, April 20

Circuit Upholds City Pacts With Construction Unions
New York Law Journal, May 7

Illegal Signs in SoHo Are Removed as City Collects \$225,000 Fine
The New York Times, May 8

City Pension Funds Sue Wal-Mart Executives
Crain's New York Business, June 11

Court Upholds Halting of City Rent Aid Program
The Wall Street Journal, ("Metropolis" blog), June 26

Court Says Taxi System Complies With Disabilities Law
The New York Times, June 28

Federal Court Denies Union Challenges, Rules NYPD Can Breathalyze Cops After Shootings
Daily News ("Daily Politics" blog), June 29

Jury Rejects Ex-Prosecutor's Retaliation Claim
New York Law Journal, July 11

City Joins Resident in Asking Supreme Court to Strike Down U.S. Marriage Law
The New York Times ("City Room" blog), July 25

Court Upholds Arrests of 2 Protesters at 2004 Convention
The New York Times ("City Room" blog), August 3

New York City Wins Ruling Over Untaxed Cigarettes
Reuters, August 22

JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE

JULY

AUGUST

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER

Big-Soda Ban Is New Front in Obesity War
The Wall Street Journal, September 13

Judge Approves FDNY's Entrance Exam
NY1 News, September 28

Court Puts Brakes on Massive "Broadway Bomb" Skateboard Race
DNAinfo, October 8

Apartment Complex Cannot Give Up Tax Breaks to Deregulate Units: Appeals Court
Reuters, October 23

Judge to Rule in First Stop and Frisk Case
The Wall Street Journal, November 8

City is Adamant in Its Defense of Police, D.A.s in Jogger Case
New York Law Journal, November 23

State's Top Court Increases 3 Police Pensions in Claims of 9/11-Related Illness
The New York Times, December 14

Judge Rejects Bid to Halt Renovation of Boardwalk
New York Law Journal, December 19



LEGAL DIVISIONS

Administrative Law
Affirmative Litigation
Appeals
Commercial & Real Estate Litigation
Contracts & Real Estate
Economic Development
Environmental Law
Family Court
General Litigation
Labor & Employment Law
Legal Counsel
Municipal Finance
Pensions
Special Federal Litigation
Tax & Bankruptcy Litigation
Tort
Workers' Compensation





ADMINISTRATIVE LAW

DIVISION CHIEF
Gabriel Taussig

DEPUTY CHIEF
Robin Binder

The Administrative Law Division litigates on the City’s behalf in challenges related to laws and regulations adopted to promote public health and safety, protect consumers, and enhance New York City’s quality of life. Attorneys also bring civil actions to obtain compliance with laws and regulations and prosecute violators of the City’s Administrative laws in the Criminal Court. In addition, the Division represents the City’s five pension funds in litigation challenging individual benefit determinations.

Challenge to Portion Size Cap for Sugary Drinks

The Division is representing the City in a lawsuit brought by the American Beverage Association and other trade associations of grocers, restaurants, and movie theaters. The case challenges a Health Code provision adopted in 2012 mandating portion caps for sugary drinks sold by Health Department-licensed food service establishments. The petitioners contend that the Board of Health lacked authority to adopt the portion cap. The matter is on appeal.

Challenge Alleging ADA Violations by City Dismissed

In conjunction with the Appeals Division, Administrative Law prevailed before a federal appeals court in a class action alleging that the City’s Taxi & Limousine Commission (TLC) was violating the Americans with Disabilities Act (ADA). The plaintiffs—people who use wheelchairs in New York City—argued that the TLC had violated the law by not requiring more taxi owners to use wheelchair-accessible vehicles. In a unanimous decision reversing the lower court ruling, the Court of Appeals for the Second Circuit found that the ADA does not require the TLC to mandate additional wheelchair accessible taxicabs.

Halting a Potentially Deadly Broadway “Bomb”

The Division secured an injunction to prevent an anticipated 1,800 people from participating in a dangerous, unauthorized skateboard race called the “Broadway Bomb.” During the event, skaters planned to race through traffic from 116th Street to the Wall Street Bull. In past unauthorized races, the riders had engaged in reckless and dangerous behavior such as failing to stop for red lights and grabbing onto passing vehicles and bicycles. The Court granted the City’s application for a temporary restraining order and, later, for a preliminary injunction. As a result, the planned large-scale race did not occur.

Challenge to Curbside Megabus Stop Dismissed

The Division defeated a lawsuit by several bus companies—including Greyhound and Peter Pan. The companies sued the Department of Transportation (DOT) and rival bus company Megabus, after the City authorized Megabus to pilot a curbside pick-up location outside Manhattan’s Port Authority Bus Terminal. Since the petitioner companies pay fees to operate at Port Authority, they claimed that allowing Megabus curbside pick-up nearby harmed their businesses. However, a State court judge dismissed the lawsuit, finding that the companies failed to establish any injury. (Ultimately, the DOT decided not to make the Megabus bus stop permanent.)

Record Settlement Over Illegal Wall Signs

After efforts by the Division and the City’s Landmarks Preservation Commission, an owner of a landmarked Manhattan building and a sign company agreed to pay a record \$225,000 fine to the City and halt the installation of two oversized wall signs from its highly visible façade. In 2005, the Commission discovered the illegal large advertising signs and issued several warning letters and notices of violation against the owner. Despite this, the owner and sign company continued to install new signs, amassing thousands of dollars in penalties. The fine is the highest ever paid by an owner for the failure to obtain the required permits from the Commission for a sign installation.





AFFIRMATIVE LITIGATION

DIVISION CHIEF
Gail Rubin

DEPUTY CHIEF
Eric Proshansky

The Affirmative Litigation Division represents the City as plaintiff on a wide range of issues, including civil racketeering, fraud, nuisance, restitution, antitrust, breach of contract, insurance, and State and federal funding matters. The Division protects the City's interests and advances its agenda by commencing claims and recovering monies owed to the City.

CITY HALL PARK FENCE

The Continued Campaign Against Untaxed Cigarettes

In 2012, the Division built upon previous successful efforts to curb untaxed cigarettes routed into the City by Native American retailers, New York wholesalers, and internet cigarette sellers in support of the City's efforts to decrease smoking and facilitate collection of cigarette taxes.

In the Division's case against Native American retailers on the Poospatuck Reservation in Mastic, New York, the City moved for summary judgment after obtaining a preliminary injunction in 2009 and for damages and penalties under the federal Contraband Cigarette Trafficking Act (CCTA). In a separate suit against the two major wholesalers to Poospatuck Reservation retailers, the City's summary judgment motion on CCTA liability was granted, and the City is preparing for a hearing on civil penalties.

A court denied efforts to dismiss the City's action against out-of-state internet sellers, their suppliers, and in-City buyers involved in a scheme to avoid up to \$18 million in taxes by shipping out-of-state cigarettes into the City. Separately, in the City's ongoing case against an internet smoke shop owned by a Seneca tribal member and the shop's delivery service, the City has moved for a preliminary injunction.

Working with the State Attorney General's Office, Division attorneys obtained an injunction against two "roll-your-own" cigarette shops—which provide customers with loose tobacco, tubes of cigarette paper, and access to machinery that rapidly produces finished cigarettes onsite—and settled with other stores to permanently discontinue their "roll-your-own" businesses.

Enforcement of Public Safety and Quality-of-Life Rules

Several City agencies enforce public safety and quality-of-life rules by issuing notices of violation that are adjudicated by administrative courts. To ensure this process's effectiveness, the Division has asserted claims against approximately 100 different respondents and recouped more than \$11 million in revenue over the last four years. A significant piece of enforcement has concerned illegal billboards, where an entity that manages outdoor advertising signs leases space from property owners to post unlawful signs. One such outdoor advertising sign manager filed for Chapter 11 bankruptcy and an adversary proceeding, claiming that the City must halt its enforcement against the property owners. The Division obtained a series of orders in Bankruptcy Court confirming that the bankruptcy filing does not prevent the City's enforcement activities against illegal billboards.

Seeking State Reimbursement When Appropriate

The City and the State signed a memorandum of understanding in 1994 governing State reimbursement of debt service payments for certain types of homeless shelters. After the State stopped paying in accordance with the agreement, the Division filed an Article 78 petition challenging the State's decision and, separately, a notice of intent to sue in the State Court of Claims. After a court dismissed the Article 78 petition, finding that the City's claim was within the Court of Claims' jurisdiction, the parties settled for \$40 million.

Repairing the City Hall Park Fence

In 2004, the City sued a construction contractor and several subcontractors in connection with faulty work on the reconstruction of the City Hall Park fence. The fence, based on an 1820s design, was in poor condition because its recently installed granite stone support had begun to show cracks and other damage. The case was resolved for repair and reinstallation of the damaged curbstones, resulting in a historically accurate and aesthetically pleasing fence for the park.





APPEALS

DIVISION CHIEF
Leonard Koerner

DEPUTY CHIEF
Francis Caputo

The Appeals Division is responsible for nearly all appeals in matters litigated by the Law Department in State and federal court. Its cases involve virtually every area of substantive law, even some criminal law issues. Appeals attorneys filed over 700 briefs in 2012. The Division also received 25 decisions from the New York Court of Appeals—the State’s highest court—representing about 17 percent of that Court’s civil docket.

NEW YORK COURT OF APPEALS

Amicus Brief in Unprecedented Same-Sex Marriage Challenge

Division attorneys filed amicus or “friend-of-the-court” briefs on behalf of Mayor Michael Bloomberg, City Council Speaker Christine Quinn, the City Council, and the City in support of a plaintiff challenging the federal Defense of Marriage Act (DOMA) as unconstitutional. The Division filed an amicus brief with the Court of Appeals for the Second Circuit, where the plaintiff prevailed—as well as with the U.S. Supreme Court, which has agreed to hear the unprecedented challenge. The City’s brief supports the plaintiff’s argument that Section 3 of DOMA violates the Equal Protection Clause by defining the word “marriage” as “only a legal union between one man and one woman.” Pursuant to this definition, the Internal Revenue Service denied a spousal tax deduction to the plaintiff, who is the surviving spouse of a same-sex couple.

Win in Case Over Indigent Defense Plan

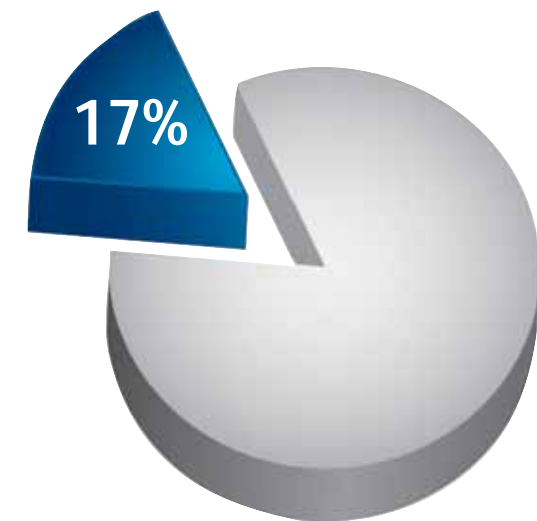
The City prevailed before the Court of Appeals—the State’s highest court—in a lawsuit brought by a group of bar associations that opposed revisions to the City’s indigent defense plan. Under the previous system, the City contracted with Legal Aid and similar organizations to represent indigent criminal defendants at arraignment. In the event that the contracted provider could not represent the defendant due to a conflict, a private “18-B” attorney (referring to the section of the law allowing for such representation) was assigned. The City amended the plan to be more efficient and cost-effective by allowing legal assistance organizations to serve as alternative representation in such “conflict” cases. The petitioners, concerned that an alternative would decrease reliance on private 18-B lawyers, sued. The City previously won before a mid-level State appeals court.

Appellate Win Clarifying Conflict of Interest Board Authority

In a victory for the Division, the Court of Appeals held that the Conflicts of Interest Board (COIB) has the authority to bring its own ethics enforcement action, based on a violation of the City’s ethics laws, against a tenured employee of the Department of Education. The Court also ruled that the COIB can pursue its own enforcement action regardless of any potential action taken or not taken by a City employee’s agency.

Appeals Success Leaves Rent Stabilization Intact

The Division successfully represented the Rent Guidelines Board in defeating a challenge to rent stabilization (and, in effect, rent control). The petitioners owned a brownstone in the Central Park West Historical District and have several rent-stabilized apartments. They complained that restrictions in the Rent Stabilization Law keep their rents far below market rates and deprive them of control over their property by mandating that existing tenants and their family members perpetually receive renewal leases. The petitioners sued to have the Rent Stabilization Law stricken, alleging that the law represents an unconstitutional taking of their property without just compensation and that it violates their right to due process. The Court of Appeals for the Second Circuit dismissed the case. The petitioners then asked the U.S. Supreme Court to hear the case, and that Court declined to do so.



The Division accounts for about 17 percent of the New York Court of Appeals’ civil docket.





COMMERCIAL & REAL ESTATE LITIGATION

DIVISION CHIEF
Eric Rundbaken

DEPUTY CHIEFS
Jonathan Becker
Nancy Brodie

The Commercial & Real Estate Litigation Division represents the City and related entities in a broad array of matters, ranging from leases of important public properties to contracts with private companies to build City infrastructure. Many of the disputes handled are highly visible, with millions of dollars at stake.

Win in Subcontractor's Defamation Action

Division attorneys prevailed in a subcontractor's defamation action. The lawsuit was based on the Department of Parks and Recreation's refusal to approve the subcontractor because of its affiliation with an entity that was co-owned by a felon (who had defrauded the City by fabricating concrete testing results). The court ruled that the Parks Department had shown a sufficient enough affiliation between the companies that publicly identifying their relationship could not be considered defamatory.

State's Highest Court Affirms Contract Law Issue

Working with the Appeals Division, Division attorneys defended the Department of Homeless Services in a case before the New York Court of Appeals—the State's highest court. The class action challenged the City's termination of a program providing rent subsidies to homeless families and individuals after the program was defunded by the State. Following oral argument, the Court of Appeals affirmed that the City had not entered into contracts with recipients of financial assistance or their landlords to provide the assistance, as the plaintiffs had argued. The City continues to allocate extensive resources to preventing homelessness and providing short-term shelter options.

Defending City's Right to Purchase Manhattan Service Station Property

The Division is handling a novel case involving the City's right to purchase property currently used as a service station on Manhattan's Upper West Side. In 1996, the City Economic Development Corporation (EDC) sold this property to the current owner. The deed gives the City an option to purchase the property. After the EDC informed the owner that the City planned to exercise the option, so that the property could be developed for residential and/or other potential uses, the owner brought suit claiming that the option is no longer in effect. The Division has moved to dismiss the complaint, arguing that the option is clear and unambiguous.

Ruling Enforcing Construction Contract Provision

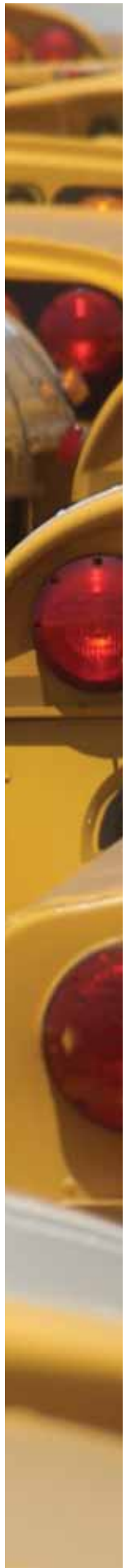
After efforts by the Division, the court dismissed a contractor's application to amend its claims by increasing the amount of alleged delay damages related to bridge renovation work from \$1.7 million to over \$12 million. The court also granted the City's cross-motion to dismiss the complaint, finding that the contractor had waived any potential claims against the City by failing to comply with contract requirements to submit a final verified claim statement, including details of any alleged damages.

Defending a Lawsuit Over Tunnel Tours

The Division handled a case involving access to an underground 19th Century railway in Brooklyn. The plaintiffs led tours to view the historic tunnel. Citing safety concerns, City officials revoked consent for the tours in 2010. During negotiations among City agencies and the plaintiffs to develop procedures under which the tours might resume, the plaintiffs commenced a lawsuit. In 2012, the court dismissed 14 of 15 of the plaintiffs' causes of action.

Win in Bus Contractors' Procurement Challenge

The Division defeated a challenge in which more than 20 incumbent pre-kindergarten bus contractors attempted to halt the Department of Education's (DOE's) bid solicitation for new bus contracts. The court held that the DOE's judgment was entitled to deference and that contrary to the companies' assertions that the bid specifications were defective, bidders had adequate information upon which to base reasoned bids. As a result, the DOE was able to procure new contracts and save approximately \$95 million over five years.





CONTRACTS & REAL ESTATE

DIVISION CHIEF
Steven Stein Cushman

DEPUTY CHIEF
Howard Friedman

The Contracts & Real Estate Division counsels City agencies on transactional matters, such as leases and contracts, and acts as transactional counsel on special Mayor’s Office and City agency projects. Attorneys not only negotiate and draft contracts, but also approve City transactional documents and advise on processes that must be followed to enter into such agreements.

VIEW OF VERRAZANO-NARROWS BRIDGE CONNECTING BROOKLYN AND STATEN ISLAND

Taxi Technology Initiatives

The Division assisted with a number of important Taxi & Limousine Commission (TLC) initiatives, including the “E-hail” pilot program, under which taxis may be hailed by smart phone application. In addition, Contracts & Real Estate worked with the Legal Counsel Division and the TLC to draft new rules regarding technology in taxis, such as credit card readers and television screens.

Work on a New Procurement Tool

The Division has assisted on developing “HHS Accelerator,” a centralized, online document repository for client services procurements. It will also serve as a centralized vehicle to prequalify vendors and streamline procurements. Working with the Deputy Mayor for Health and Human Services, the HHS Accelerator Director, and the Mayor’s Office of Contract Services, Division attorneys have drafted terms and conditions for this new initiative, as well as new procurement rules, and have advised on overall process.

Ferry Point Golf Course Agreement

Working closely with the Department of Parks & Recreation, Division attorneys successfully negotiated a concession agreement with the Trump Organization for the operation of a new Bronx golf course at Ferry Point Park.

Hurricane Sandy Emergency Procurements

Division attorneys were heavily involved in addressing the effects of Hurricane Sandy. The Division approved emergency procurements worth approximately \$1 billion for goods, services, and construction to address the needs of citizens and City agencies after the storm. Procurements included bottled drinking water, vehicle towing and storage, ferry terminal dock repair, tree pruning and removal, repairs to police precincts, and shelter openings for Hurricane Sandy victims. In addition, Division attorneys helped draft solicitations and negotiate contracts for the City’s Rapid Repairs program, in which contractors assessed damage and made temporary repairs to storm-damaged homes. Division attorneys also advised the Mayor’s Office and the Office of Management and Budget on Federal Emergency Management Agency (FEMA) reimbursement issues, including whether the City’s FEMA application could seek reimbursement for expenses related to damages incurred by certain not-for-profit entities (such as public libraries) that have a significant City connection.

Contract for the Nation’s First “Social Impact Bond”

Working with the Deputy Mayor for Health and Human Services, the Human Resources Administration, and the Department of Correction, the Division drafted and negotiated a contract launching the nation’s first-ever “Social Impact Bond.” Under the initiative, a private investor fully funds a social service provider over four years to launch a program aimed at reducing recidivism of adolescent youth. The \$9.6 million investment is structured as a loan, and the City’s payments to the provider are based on the program’s success at reducing reincarceration rates. If the program does not meet its targets, the City pays nothing. If the program exceeds the target, the City will have saved substantial money and will pay the provider on a capped, sliding scale. Because the provider makes investor payments based on City money it receives, a successful program would result in a greater return to investors than the original investment. Increased success—bigger reductions in reincarceration—will result in greater savings to the City and consequently greater payments to the provider and its investors, a win for all involved.





ECONOMIC DEVELOPMENT

DIVISION CHIEF
James McSpirtt

DEPUTY CHIEF
Betty Woo

The Economic Development Division serves as transactional counsel for the City on real estate development, land use, commercial, and other projects. The Division's work reinforces the City's economic base and creates jobs, office space, housing, cultural amenities, and public open space while reimagining the City for the 21st Century. Division attorneys work closely with City Hall, the New York City Economic Development Corporation, and many other City agencies on all aspects of the transactions, from inception to closing, as well as post-closing administration.

Redeveloping the Seward Park Area

The Division is involved in the redevelopment of approximately 1.65 million square feet across nine City-owned sites in and around the former Seward Park Extension Urban Renewal Area on Manhattan's Lower East Side. The planned mixed-use development will include housing, retail, and commercial elements; community facilities; and an expansion of the existing Essex Street Market.

Rehabilitating a Landmark Maritime Building

Division attorneys negotiated and drafted transactional documents allowing the lease of much of the Battery Maritime Building to a developer for construction and operation of a hotel, restaurant, and public space. Another portion was leased to the Trust for Governors Island for its ferry operations.

Developing New Medical Facilities

Division attorneys have worked toward the transfer of a former Department of Sanitation site on Manhattan's Upper East Side to Memorial Sloan-Kettering Hospital, which partnered with the City University of New York (CUNY) to purchase the site. The hospital will construct a 750,000-square-foot cancer research and ambulatory care facility, and CUNY will construct a 336,000-square-foot facility for Hunter College's Science and Health Professions program. As part of the deal, CUNY reverted its Brookdale Campus at 25th Street to the City, a portion of which may be used for a new Sanitation Department garage.

Restoring a Historic Brooklyn Movie Theatre

The Division enabled the execution of a 55-year lease with a redevelopment company to rehabilitate the historic Loew's Kings Theatre in Brooklyn. The City plans to transform the derelict theatre into a thriving live performing arts facility hosting over 200 events a year.

Acquiring Final Section of the High Line

Division attorneys helped secure rights to complete a public open space atop a historic elevated railway, the High Line, along Manhattan's west side. In 2012, the City acquired the High Line's final section and is moving forward with plans for its development.

Seeking Creative Uses for City Payphones

Division attorneys advised on the City's request for information to seek ideas and suggestions for New York's more-than-12,000 existing public payphones. The franchises for these phones expire in 2014. One possible use that has been piloted is equipping the payphones to provide Wi-Fi internet access.

Building the City of Tomorrow

Many development projects take years, even decades, to complete. The Division has continued to advance economic development initiatives throughout the five boroughs, including these:

- Developing a new science and engineering campus on Roosevelt Island.
- Advising on Willets Point and other Flushing Meadows Corona Park initiatives.
- Overseeing Atlantic Yards development.
- Improving streetscape and growing retail options in Jamaica, Queens.
- Consulting on Bronx Kingsbridge Armory development.
- Negotiating a large, multi-use redevelopment of the South Street Seaport.
- Counseling on development options for parking lots in St. George, Staten Island.
- Guiding the Trust for Governors Island in developing various sites on the island.
- Facilitating continuation of the East River Ferry Service program.





ENVIRONMENTAL LAW

DIVISION CHIEF
Susan Amron

DEPUTY CHIEF
Hilary Meltzer

The Environmental Law Division represents and advises the City on environmental and land-use matters involving drinking water; wastewater and stormwater management; solid waste management; energy resources; hazardous waste remediation; environmental review of City initiatives and private development projects; climate change planning; and implementation of PlaNYC (the Mayor’s sustainability plan).

Defending the City’s Environmental Reviews

The Division works with City agencies to ensure that potential environmental impacts of proposed City initiatives are thoroughly evaluated and defends the City in challenges to its environmental reviews. In 2012, Division attorneys defeated efforts to halt new marine transfer stations—a central component of the City’s solid waste management plan at which solid waste is containerized and transferred from trucks—and a lawsuit opposing the City’s decision to use concrete and recycled plastic materials for replacement boardwalk in Brighton Beach and Coney Island, Brooklyn. The Division also won a challenge to the environmental review and approval of the 1,300-seat Harlem Children’s Zone Charter School. Additionally, Division attorneys have been working with numerous City agencies regarding New York University’s proposal to expand its Greenwich Village campus. This work has included providing guidance on the project’s environmental review, monitoring its progress through the public review process, and defending a lawsuit challenging the project.

Protecting Drinking Water from Hydrofracking

The extraction of natural gas from shale—sometimes referred to as “fracking”—has been associated with serious impacts to ground and surface water resources and induced seismic activity in other states. As a result, the City is concerned about potential adverse impacts to the quality of its drinking water and its water supply infrastructure. The Division has advised on recommendations to the State Department of Environmental Conservation, including that natural gas drilling be prohibited in the watershed and limited within seven miles of the City’s water supply infrastructure.

Advising on Creation and Use of City Parks

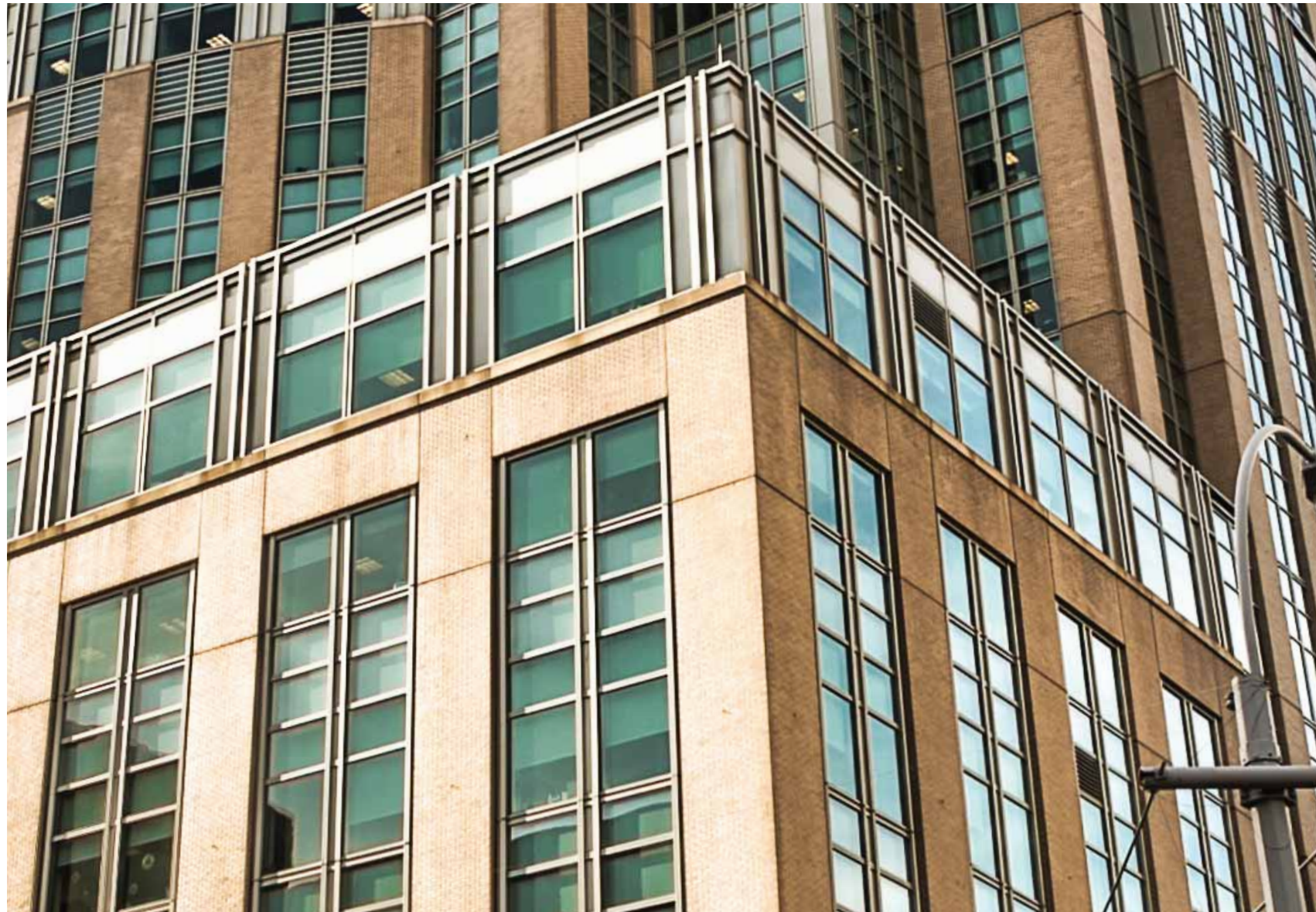
Division attorneys are advising the Brooklyn Bridge Park Corporation on a proposed land swap that will allow the reuse and preservation of two Civil War-era warehouses and bring new land, currently used by the City, into the north end of Brooklyn Bridge Park. The Division helped secure State legislation authorizing the swap in 2012 and is working with New York State to obtain National Park Service approval. Division attorneys have also provided advice on the creation of Fresh Kills Park on Staten Island and open space on Governors Island.

Ensuring the Appropriate Clean-up of Gowanus Canal and Newtown Creek

Division attorneys have worked with City agencies, the Environmental Protection Agency (EPA), and potential responsible parties to investigate contamination in the Gowanus Canal and Newtown Creek, which are listed as federal Superfund sites and have long histories of contamination from industries that lined their shores since the mid-Nineteenth Century. With regard to the Gowanus Canal, the Division has reviewed and commented on the EPA’s various Superfund-mandated submissions to ensure that the EPA appropriately identifies the sources of contamination; proposes an effective, feasible remedy; and doesn’t harm community resources and parks. In Newtown Creek, Division attorneys participate with attorneys from five private industrial parties to ensure a thorough evaluation of the Creek’s contamination.

Joint Agreement to Manage Jamaica Bay

The Division assisted with an unprecedented agreement between the National Park Service and the City Department of Parks and Recreation concerning Jamaica Bay, an 18,000-acre wetland estuary and wildlife sanctuary amid 10,000 acres of federal and City parkland in southern Queens and eastern Brooklyn. The agreement spells out ways the two agencies will cooperatively manage the parkland in and around the bay. The Division is working with both agencies on the environmental assessment of the park’s master plan.



FAMILY COURT

DIVISION CHIEF
Angela Albertus

DEPUTY CHIEF
Jennifer Gilroy Ruiz

The Family Court Division is divided into two subunits—Interstate Child Support and Juvenile Delinquency Prosecution. Interstate Child Support appears on behalf of out-of-state custodial parent petitioners seeking to establish paternity and obtain child support from City residents. The Unit also assists City-based custodial parents who wish to file for child support from parents outside the State or country. Juvenile Delinquency Prosecution prosecutes youths aged 7 to 15 accused of committing acts that would be crimes if they were adults. When the Court finds guilt by plea or trial, attorneys seek dispositions that balance juveniles’ needs and best interests with public safety concerns. The Division has offices in all five boroughs.

KINGS COUNTY FAMILY COURT, 330 JAY STREET, BROOKLYN

Interstate Child Support Unit Highlights

During 2012, the Unit secured 1,382 final orders of child support and established paternity in 467 cases. In one matter, Unit attorneys recovered a \$25,000 lump-sum owed to a Connecticut mother. The Unit presented 271 petitions from custodial parents seeking additional support and defended against 1,785 petitions from non-custodial parents seeking to modify or terminate child support. Unit attorneys filed 173 cases in 28 other states and numerous foreign countries on behalf of City-based custodial parents.

Unique Same-Sex Parentage Matter

Interstate Child Support assisted a Pennsylvania mother seeking support from her former same-sex partner for twins conceived through artificial insemination when the women were domestic partners. The former partner—a City resident—had been a co-parent in the couple’s jointly owned home until the relationship ended. The non-custodial mother’s initial legal position was that since she had no biological relationship to the children, she bore no further financial obligation. The Court scheduled a hearing to determine if the non-custodial mother had conducted herself as the children’s parent. The non-custodial mother ultimately admitted to parentage, and an order of support was entered.

Successful Juvenile Prosecutions

The following cases illustrate the range of serious offenses the Division prosecutes:

Teen Drowning Case

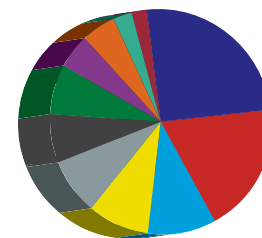
The Division filed a petition against 12-year-old Desteny D., who pushed a 16-year-old boy into the East River, where he tragically drowned. The petition alleged that she had committed acts which, if committed by an adult, would constitute manslaughter in the second degree and criminally negligent homicide. While on parole during the legal proceedings, Desteny was re-arrested on assault charges after burning a 13-year old boy with a hot hairstyling iron. Following a trial on the assault case, Desteny was found guilty of second-degree assault, a Class D felony. She was later found guilty of manslaughter in the second degree with regard to the drowning case.

Pizza Deliveryman Stabbing

Division attorneys filed second-degree attempted murder and first-degree assault charges against 13-year-old Henry B. for stabbing a pizza delivery man in the chest with a knife. The victim’s injuries required emergency surgery. Henry, a repeat offender with significant gang involvement, was on probation for two prior cases when the attack occurred. He pled guilty to first-degree assault, a Class B felony, which allowed the Court to place him restrictively for up to three years in a residential facility.

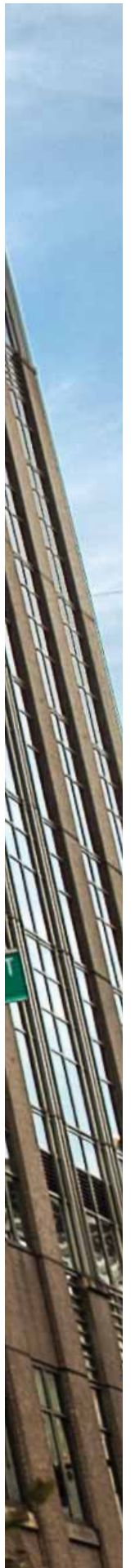
Success With Alternative Sentencing Initiative

When delinquent youth are not a significant public safety risk, the Division works to identify and access appropriate community-based alternative services. For example, Isabel F. was first arrested at age 15 for a non-violent misdemeanor. She had disappeared from her home multiple times, assaulted her mother, and was failing her classes. With input from its social workers, the Division facilitated placing Isabel on probation on the condition that she comply with an intensive community-based mentoring and advocacy program. Several months later, Isabel made significant gains, her behavior had improved markedly, and she was attending school regularly.



2012 Juvenile Delinquency Referrals by Crime Category
Total Citywide = 6,819

Assault 25% (1,688)	Criminal Possession of Stolen Property 7% (462)
Robbery 19% (1,280)	Marijuana/Other Drugs 5% (368)
Larceny 10% (662)	Weapons 5% (329)
Other 9% (636)	Sexual Assault 3% (220)
Burglary/Trespass 8% (544)	Menacing 2% (155)
Graffiti/Criminal Mischief 7% (475)	





GENERAL LITIGATION

DIVISION CHIEF

Thomas Crane

DEPUTY CHIEFS

Marilyn Richter

Jonathan Pines

The General Litigation Division defends the City and its agencies in lawsuits challenging policies and practices concerning important programs in such varied fields as education, health care, public assistance benefits, prison conditions, foster care, and election law. Many of these cases are brought as class actions in federal court, and present significant and often novel issues of statutory and Constitutional interpretation.

Defending the City in Lawsuits Over Jail Conditions

The Division won a lawsuit by a group of Rikers Island inmates who alleged that their Constitutional right to free exercise of religion was violated by the combined cleaning of halal and non-halal food-preparation service equipment. After a trial, the court rejected the claim and, in finding that the City is not obligated to accommodate each individual set of dietary requirements, cited \$200 million the City has spent on a program to accommodate Muslim inmates’ religious dietary requirements. The City also prevailed on a series of consolidated motions to dismiss 65 copycat cases filed by inmates who alleged that their beds on Rikers Island were too short or otherwise uncomfortable.

High-Profile Campaign Finance Board Matter

The Division is handling a challenge to the City’s Campaign Finance Act (CFA) by a mayoral candidate who has chosen not to participate in the City’s publicly funded matching program. The candidate claims he is thereby exempt from the campaign contributions limits and other restrictions that the CFA applies to all candidates for City offices. He also claims that State law—which permits much higher contributions for many offices—pre-empted the City from enacting more restrictive provisions. The City is moving to dismiss the case, arguing that local governments have the power to regulate the conduct of exclusively local elections under the State’s Municipal Home Rule Law, and that, therefore, the challenged CFA provisions are a lawful exercise of that legislative authority.

Litigation Over Charter School Rent

New York City has long supported public charter schools as a means of providing additional quality educational options to parents, and the Department of Education (DOE) has allowed charter schools to co-locate in existing school buildings with underutilized space. Division attorneys have been litigating an ongoing matter in which charter school opponents allege that State law requires charter schools to pay rent to the DOE for the space, which has been provided free of charge. The City argues that the law allows a local school district to forego a contractual relationship and related rent payments—and that the State legislature never intended to impose this financial burden on charter schools, which are meant to be hubs of educational innovation. The charter schools have asserted that being compelled to pay rent will result in dramatic program cuts or even closures. The case will thus have enormous effects on the public charter school movement in New York City.

Class Action on Hurricane Response for Disabled Community

The Division is handling a federal class action alleging that the City violates federal and City law by failing to account adequately for the needs of individuals with disabilities in its emergency management program. The defendant agencies strongly deny these allegations and emphasize that New York City’s emergency management program is accessible to all, including people with disabilities, as was demonstrated during Hurricane Irene and Hurricane Sandy. In voluminous pre-trial submissions, the City argues that its inclusive and integrated approach to emergency planning is sufficiently robust to provide services to an enormously diverse population of millions of people, and sufficiently flexible to allow informed decision-making during a crisis. The case is ongoing following a bench trial in early 2013.





LABOR & EMPLOYMENT LAW

DIVISION CHIEF
Georgia Pestana

DEPUTY CHIEFS
Paul Marks
Eric Eichenholtz

The Labor & Employment Law Division represents the City as employer of over a quarter-million workers. The Division handles a variety of matters including First Amendment retaliation; gender, race, age, and disability discrimination; and civil service law issues. Attorneys have successfully litigated cases brought against every City agency, as well as lawsuits brought against high-ranking City officials.

Win in Unions' Challenge to NYPD Breathalyzer Tests

The Division defeated a federal lawsuit brought by three police unions opposing the NYPD's practice of conducting breathalyzer tests on police officers who cause injury or death in the discharge of their weapons. The lawsuit alleged that the policy constituted a violation of the officers' Fourth Amendment rights to be free from unreasonable searches. However, the court agreed with the City that the Police Department must be able to ensure its officers are fit for duty.

Defending an Unusual "Height-Discrimination" Lawsuit

Division attorneys convinced a Queens County State Court judge to dismiss an unusual challenge by a former member of the Parks Department. The plaintiff, who worked for a transitional employment program, alleged that a superior harassed her about her short stature. She also claimed that she was eventually terminated due to her height, which, she argued, constituted a pre-disposing genetic characteristic. The Court dismissed the case and determined that Parks did not engage in any unlawful discrimination. The decision also confirms that height is not a predisposing genetic characteristic under the law.

Jury Rejects Queens Ex-Prosecutor's Retaliation Claim

The Division successfully defended the Queens County District Attorney's office from a former Assistant District Attorney's claim that executives in the office had retaliated against her by terminating her job after she attempted to alert the press to a 2007 tuberculosis outbreak at the office. The City strongly refuted the retaliation claim and offered substantial evidence that the plaintiff's termination was a result of over a year of sub-standard performance. In dismissing the retaliation claim, the jury found that the plaintiff was unable to prove that she had even phoned the press, as she alleged.

Win in a Challenge to FDNY Staffing Levels

The City prevailed in a challenge by the Uniformed Firefighters Association (UFA). The UFA's lawsuit sought to overturn a Board of Collective Bargaining determination that the FDNY may reduce its staffing on certain engines from five firefighters to four without first negotiating with the union. The majority of the City's engine companies have operated with four firefighters for decades. However under a Roster Staffing Agreement made years ago between the City and the UFA, the City was required to staff some companies with five. The FDNY sought to reduce those companies to four after the Roster Staffing Agreement expired. As fire safety equipment and procedures have improved over the years, and the majority of engine companies have long operated successfully with four firefighters, the decision allows the FDNY to operate more efficiently without compromising the firefighters' or the public's safety.

Corrections Officers' Pay Win

Division attorneys obtained summary judgment in an action brought under the Fair Labor Standards Act by correction officers. The officers claimed they were entitled to be paid for the time spent donning and doffing their uniforms and for work they alleged to have performed before and after their tours. The court held that correction officers were not entitled to be paid for putting on and taking off their uniforms and that, to the extent they performed any uncompensated work before or after their tours, it was *de minimus* and need not be compensated.

SCHOOL





LEGAL COUNSEL

DIVISION CHIEF
Stephen Louis

DEPUTY CHIEF
Martha Mann Alfaró

The Legal Counsel Division advises the Mayor, other elected officials, and City agencies on a wide range of municipal law issues. The Division also writes and reviews City, State, and federal legislation and assists agencies in drafting rules. The Division's work at the end of 2012 was focused on post-Hurricane Sandy recovery efforts.

Hurricane Response Measures and Preparing for Future Storms

Following Hurricane Sandy, Division attorneys have worked with the Mayor's Office, the Department of Buildings, the Department of City Planning, other agencies, and other divisions within the Law Department on both short-term and long-term recovery needs. The Division assisted with immediate recovery measures after the storm, including drafting emergency orders establishing a temporary odd-even license plate gas rationing system for the first time since the 1970s, authorizing storm debris removal, and waiving certain building fees to encourage recovery efforts. Division attorneys also helped write an emergency order to ensure that new buildings are constructed with greater protections against future storm damage.

Strengthening Requirements for Crane Operators

The Division assisted with drafting strict new licensing and testing requirements for all crane operators in New York City to raise safety standards for crane operations citywide. The new requirements include passing a national certification test and obtaining additional training.

Guiding the City's First-Ever Web Domain Application

The Division has been advising on efforts to launch New York City's own unique Web domain, .nyc. The effort is expected to generate revenue, distinguish local businesses online, and promote tourism. In 2012, an application for the unique domain name was submitted to the Internet's governing organization. New York is among just four U.S. cities seeking its own domain. Division attorneys have been advising on rights protection and other aspects as the application process proceeds.

Advising the Redistricting Commission

Division attorneys have provided counsel to the City's Redistricting Commission. The Commission—which is comprised of 15 mayoral and Council appointees—is convened every decade to redraw the City's 51 Council District lines based on demographic changes. This redrawing exercise occurs following each census count.

New City Legislation

The Division drafted or provided key input on dozens of new laws passed by the City Council and signed by the Mayor on a wide variety of issues. These measures included the following:

- Strengthening the City's Minority and Women-Owned Business Enterprise Program.
- Increasing fines for people who illegally convert permanent housing to transient use.
- Amending the Building Code to allow for sun-control devices, which help combat heat gain and prevent glare on buildings.
- Authorizing the Health Department's regulation of chemicals called volatile organic compounds—which can cause chronic health issues—in carpets, carpet cushions, and carpet adhesives.
- Updating the Plumbing Code to bring it in line with new technology and materials.
- Strengthening existing laws that protect the safety of commercial bicycle operators and pedestrians.

Assisting on Significant Health Rules

The Division, in conjunction with the Administrative Law Division, worked on two high-profile measures adopted by the Board of Health, both of which generated litigation. One provision amends the City's Health Code by limiting the size of sugary drink cups or containers served at certain food service establishments to 16 ounces or less. In addition, the City's Health Code now requires practitioners to obtain informed consent from parents who choose a particular circumcision ritual for their infants that poses a risk of herpes transmission.



MUNICIPAL FINANCE

DIVISION CHIEF
Albert Moncure, Jr.

DEPUTY CHIEF
Olivia O'Neill

The Municipal Finance Division serves as counsel to the City on all bond transactions. New York City is one of the largest issuers of municipal bonds in the country. The proceeds of its debt issuances finance capital projects that impact virtually every aspect of City life. The City issues debt through its general obligation bonds and through authorities and local development corporations. Additionally, State agencies issue debt on behalf of the City. Each year, the Division oversees billions of dollars in financial transactions. The Division also performs corporate governance work for the City's debt issuing authorities and local development corporations.

2012 Bond Program

In 2012, the City issued over \$4.5 billion of general obligation bonds. Additionally, the New York City Transitional Finance Authority (TFA) issued over \$4.5 billion of Future Tax Secured Bonds and \$850 million of Building Aid Revenue Bonds (BARBs).

The BARBs, along with \$450 million of TFA Future Tax Secured Qualified School Construction Bonds (QSCBs), were issued exclusively for education-related purposes. QSCBs are taxable bonds for which the federal government pays a subsidy directly to the issuer and were authorized under the American Recovery and Reinvestment Act of 2009.

The Division also participated in the issuance of approximately \$2.5 billion of New York City Municipal Water Finance Authority bonds and nearly \$1 billion of New York State Environmental Facilities Corporation bonds in connection with the City's water and sewer system.

Municipal Bond Bank Agency Refunding

In October 2012, the Division represented the City in connection with certain New York State Municipal Bond Bank Agency (MBBA) Special School Purpose Revenue Bonds. The bonds refinance bonds previously issued by the MBBA in 2003 to fund a lump-sum payment of past due State education aid to the City. Both the 2003 and 2012 bonds are payable from increases in future annual school aid. The City also agreed to take appropriate action to remain eligible for receiving future school aid, with the exception that it was not required to implement new teacher evaluation standards and procedures by Jan. 17, 2013 to qualify for certain payments. This exception was negotiated in anticipation of the deadlock over teacher evaluations between the City and the United Federation of Teachers.

East River Ferry Service

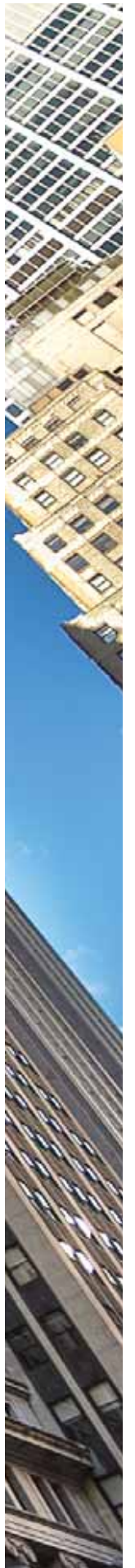
Working with the Economic Development Division, Municipal Finance participated in creating a Request for Proposals by which the New York City Economic Development Corporation sought an operator to continue the highly successful East River Ferry Service. To date, the service has transported more than 1.6 million passengers. It was launched in June 2011 to promote sustainable economic development along the waterfront and enhance mobility around the harbor.

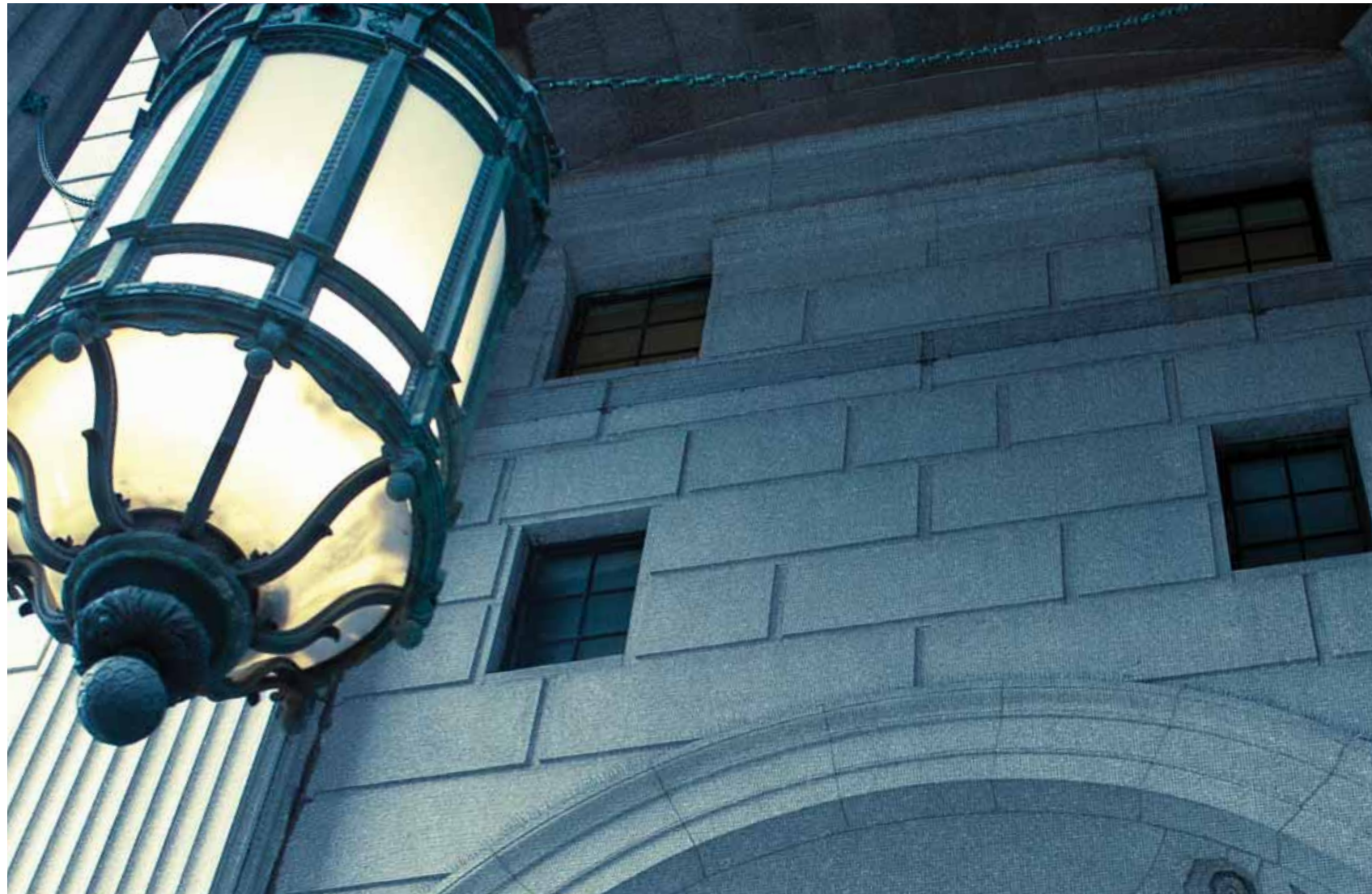
Low Income Housing for Health and Hospitals Corporation

Working with the Economic Development Division, the Division represented the New York City Health and Hospitals Corporation (HHC) in connection with construction of a new housing project on East 99th Street in Manhattan as well as related low income housing tax credit financing. The project will provide housing to low-income elderly and/or disabled New Yorkers who reside at HHC's Coler Goldwater skilled nursing facility on Roosevelt Island but who no longer require intensive care. It will thereby allow the land currently occupied by Coler Goldwater to be used for a new engineering school as part of Cornell University and Technion's planned applied science campus.

\$4.5 BILLION
OF GENERAL
OBLIGATION BONDS
ISSUED IN 2012

**\$4.5 BILLION OF FUTURE
TAX SECURED BONDS &
\$850 MILLION**
OF BUILDING AID REVENUE BONDS ISSUED





PENSIONS

DIVISION CHIEF

Inga Van Eysden

The Pensions Division counsels City agencies on pension-related matters and handles certain pension-related litigation. With close to 600,000 active and retired members and over \$120 billion in assets, the five City pension funds are cumulatively one of the largest public pension funds in the country. They include the New York City Police Pension Fund, the New York City Fire Department Pension Fund, the Teachers' Retirement System, the Board of Education Retirement System, and the New York City Employees' Retirement System—the country's single largest municipal public employee retirement system. Division attorneys represent the City pension funds in institution-wide litigation and appellate matters; draft and comment on proposed legislation; assist in the implementation of new laws; and, in conjunction with outside counsel, represent the City funds in securities fraud cases.

Challenging Wal-Mart Business Practices

Through outside counsel, the Division represents the New York City Pension Funds in an action against Wal-Mart Stores Inc. brought in the Delaware Court of Chancery. The Funds' shareholder derivative action was filed following news of a bribery and corruption scandal at Wal-Mex, the Mexican subsidiary of Wal-Mart, and asserts that Wal-Mart's officers and directors breached their fiduciary duty to the company and its shareholders by, among other things, failing to prevent and respond properly to the alleged corruption.

Litigating the World Trade Center Disability Presumption Law

In 2012, Division attorneys litigated three significant cases involving the World Trade Center presumption law. This law provides disability retirement and death benefits to City workers, and establishes a presumption that certain health conditions were caused by World Trade Center rescue, recovery, or clean-up work. The Division argued three cases before the New York Court of Appeals—the State's highest court. All three matters involved former police officers who claimed to have developed cancer as a result of their World Trade Center work activities. In each case, the Police Pension Fund Medical Board determined that the cancers were not caused by World Trade Center work based upon the time of diagnosis following Sept. 11, 2001, as well as the size and stage of the tumors. The Court of Appeals disagreed with the Medical Board in all three matters, concluding that credible evidence did not exist to overcome the presumption and that the requested benefits should be granted.

WITH CLOSE TO
600,000
ACTIVE AND RETIRED
MEMBERS & OVER
\$120 BILLION
IN ASSETS, THE FIVE
CITY PENSION FUNDS
ARE CUMULATIVELY
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PUBLIC PENSION
FUNDS IN THE COUNTRY.

Crafting a Major Pension Reform Bill

Division attorneys worked tirelessly to represent the City's interests on a State pension reform measure passed in March 2012. Pension payments make up one out of every six dollars in the City's budget, and pension costs to local governments statewide have increased 650 percent in the last 10 years. Before the measure went to a deadline vote, the Division quickly reviewed a proposed draft to ensure that the City's provisions were properly included. The reforms are expected to save the City \$21 billion and the State \$80 billion over the next 30 years, and will not affect current members who joined prior to April 1, 2012.



SPECIAL FEDERAL LITIGATION

DIVISION CHIEF
Muriel Goode-Trufant

DEPUTY CHIEFS
Frances Sands
Heidi Grossman
Patricia Miller

The Special Federal Litigation Division defends the City and its employees in federal civil rights cases against law enforcement officials, including police officers, correction officers, and prosecutors. Claims often challenge a judgment made by an individual police or correction officer in performing his or her duties, Police Department policies as to how best to secure public safety, or Department of Correction policies regarding the care and custody of those detained by the criminal justice system.

Winning at Trial

The Division continued its successful efforts to bring more cases to trial. During 2012, 31 cases were tried to verdict, including 21 wins, two hung juries, and three mixed verdicts.

Noteworthy examples of wins include the following:

In *Pope*, the plaintiff claimed that a police lieutenant tackled and assaulted him, causing permanent back injuries. However, the City effectively demonstrated that the lieutenant was apprehending another suspect, while never seeing or coming into contact with the plaintiff. The case was tried twice; after a hung jury, a second jury found for the City in 20 minutes.

The plaintiff in *Manigault* was spotted by an officer showing a crack rock to another individual inside a store. He dropped the drugs but was arrested, and the drugs were seized. The plaintiff then unsuccessfully sued for false arrest and malicious prosecution after his drug charges were dropped.

In *Ledger*, the plaintiff—acting on a belief someone was trying to kill his family—fired a semi-automatic machine gun in the street, prompting 911 calls. Police responded, and the plaintiff fled while firing at them. The officers returned fire, striking him. He was arrested and pled guilty to attempted murder. The jury deliberated 45 minutes before dismissing his excessive force lawsuit.

Overseeing Lawsuits from Large Demonstrations

Division attorneys continue to handle litigation arising from the 2004 Republican National Convention (RNC) in New York City. In 2012, the Second Circuit Court of Appeals affirmed the City's prior win upholding certain arrests made during the RNC. The ruling reinforces the NYPD's authority to balance the safety of demonstrators, commuters, residents, and businesses in policing major events. A separate 2012 ruling, though mixed, validated a police policy central to the RNC litigation—not issuing summons. The Division also continues to oversee lawsuits arising from the 2011 Occupy Wall Street protests.

Defending High-Profile Challenges to Police Stop, Question & Frisk

The Division is defending the City in three major cases—including two certified class-actions—challenging the NYPD practice of stop, question, and frisk when there is reasonable suspicion of criminal activity. The cases involve stops on City streets, on public housing properties, and in and around private buildings in the Bronx where landlords have requested routine patrols. The City has vigorously defended the practice as Constitutional.

Summary Judgment Win in Wrongful Conviction Case

The Division defeated a lawsuit by a plaintiff convicted of the attempted murder and robbery of a livery cab driver, despite his alibi that he was with friends when the crime occurred. His conviction was vacated and a retrial granted; before the retrial, however, he accepted a guilty plea to attempted robbery with a weapon and stated that he was at the crime scene. The plaintiff then filed a lawsuit alleging deprivations of his Constitutional rights by detectives and the City. Division attorneys moved to dismiss the lawsuit, arguing that the plaintiff's guilty plea barred any potential recovery since his civil claims—linked to his defense that he was absent from the crime scene—would undermine his conviction's validity, if successful, and because there was no Constitutional violation or ground for City liability.





TAX & BANKRUPTCY LITIGATION

DIVISION CHIEF
Rita Dumain

DEPUTY CHIEFS
Vincent D’Orazio
Lisa Bova-Hiatt

The Tax & Bankruptcy Litigation Division plays a vital role in protecting the City’s fiscal health by defending court challenges to real property tax assessments. It also advances initiatives to modernize the City’s infrastructure and enhance quality of life for residents. The Division actively acquires property for a variety of projects, such as creating parks, constructing libraries, and building affordable housing. The Division also litigates various tax issues and matters related to property acquisition and defends the City’s interests in bankruptcy proceedings.

Win in a Case Clarifying Eminent Domain Compensation

The Division won a precedent-setting condemnation case involving a Midtown property that housed the American Pipe and Tank Lining Company. When a building is acquired by eminent domain, the City pays the owner for the property’s “real” value and, in certain instances, must also compensate the tenant for “trade fixtures,” such as an industrial-size bakery oven. The City argued that although the property owner and the owner of the trade fixtures were separate corporate entities, the evidence showed that those entities were owned and controlled by the same person—and thus the fixture claim should be stricken. The City’s win was upheld on appeal, and the result saves millions in public dollars.

Success with Major Valuation Issue for Hudson Yards

Division attorneys prevailed in an 11-day trial involving the proper zoning designation for valuing 10 properties taken by eminent domain. The trial court ruled that the properties must be valued based on their zoning classifications before the area’s 2005 rezoning in connection with the City’s plan to create a new business district on Manhattan’s far west side. The difference in values between the claimants’ and the City’s appraisals is about \$300 million.

Appellate Win in Challenge to Taxing Emergency Generators

The Division prevailed before a State appeals court on the question of whether back-up power generators used by a telecommunications property are taxable real property. The company claimed that the City illegally assessed the generators and that they are exempt from taxation as trade fixtures. However, the Appellate Division, First Department agreed that the generators are taxable because of a provision allowing the City to tax a “power-generating apparatus.” A lower court previously found for the City.

Advising on Tax-Related Laws

Division attorneys are routinely consulted by City agencies regarding issues with tax consequences. In 2012, Division attorneys have provided guidance to the Office of Payroll Administration and the Office of Labor Relations on tax reporting issues arising from the implementation of the federal Patient Protection and Affordable Care Act of 2010. Working with the Legal Counsel Division, Tax & Bankruptcy Litigation attorneys also lent their specialized knowledge to new City laws. One such measure provided an interest-free extension on the next property tax bill for victims of Hurricane Sandy. The Division also consulted on legislation to continue publication of Finance Department tax guides and extend the City’s biotechnology tax credit.

Advising on Bankruptcy Issues and Use of the South Brooklyn Marine Terminal

Division attorneys are advising the City’s Economic Development Corporation regarding a lease between the City and Axis Group, Inc. for property at the South Brooklyn Marine Terminal. Axis, along with its parent company and several related companies, are debtors in Chapter 11 cases in Delaware. The City entered into the lease as part of its efforts to restore the Terminal’s use as a facility for importing and distributing goods, especially automobiles. Division attorneys have weighed in on negotiations with Axis over the possible assumption of the lease, including a potential transaction between Axis and a major car manufacturer.





TORT

DIVISION CHIEF
Fay Leoussis

DEPUTY CHIEFS
Ellen Lombardi
Steven Levi
David Santoro

Tort, the office's largest division, defends the City against over 7,000 new personal injury and property damage cases annually. The Division maintains offices in all five boroughs and has special units to address issues such as risk management, early settlement, catastrophic injuries, and toxic torts (i.e. tort claims based on exposure to a toxic substance). The Division's cases span a wide range of issues, including complex questions of governmental and qualified immunity; matters involving the boundaries of duty and foreseeability; interpretation and application of the federal and State constitutions and civil statutes; the extent of property interests and potential recovery for violating those interests; and straightforward negligence cases, such as trip-and-falls, accidents in City-owned buildings, and injuries sustained from car accidents.

Defending the City at Trial

Division attorneys tried 62 cases to verdict during Fiscal Year 2012. Significant victories include:

Win in Sidewalk-Trip Suit

Division attorneys secured a defense verdict in *Bowers*, in which a plaintiff claimed to have fallen on an allegedly defective sidewalk. He sustained a serious leg fracture but did not seek medical attention until the following day. Notations in the plaintiff's medical records such as "fell while cooking" and "fell one hour ago" were inconsistent with his claim. In addition, the Division persuasively argued that the specific nature of his injury did not comport with how he claimed to have fallen.

Police Beating Claim Rejected

The City secured a unanimous verdict in *Tucker*, in which a plaintiff claimed he was beaten by police. The plaintiff was arrested for the rape of a 13-year-old girl and pled guilty to sexual misconduct. After his arrest, he was arraigned in Brooklyn Criminal Court. He claimed that he was taken by numerous officers to an isolated area and assaulted. However, he was unable to identify any of the officers who had allegedly assaulted him, and subsequent X-rays revealed no injuries. Not wanting to return to his holding cell, the plaintiff acted out bizarrely and was eventually transported for psychiatric observation. The doctors opined that the plaintiff was acting out to avoid returning to jail.

Jury Rejects "Roof-Kick" Claim

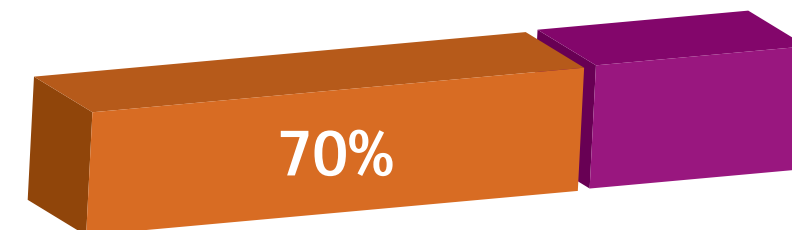
Tort's Special Litigating Unit won a lawsuit, *Jones*, by a man who claimed that an NYPD officer kicked him from a rooftop, causing serious injuries. Police had spotted the man with a handgun in an apartment lobby and chased him upstairs. Officers vehemently denied the allegations and maintained that the man had jumped or fallen. The jury was persuaded too.

Plaintiff Claimed Accident with City Vehicle

A Queens jury deliberated just 14 minutes before finding for the City in *Shemtov*, a case in which the plaintiff, a passenger in a vehicle that was struck in the rear, alleged injury. The offending vehicle fled the scene, and the plaintiff claimed that he wrote down the car's plate number. The City driver with the matching plate denied involvement. During trial, Division attorneys demonstrated that the plaintiff's credibility was weakened by many inconsistencies. At one point, he mistakenly identified a Division attorney sitting in the courtroom as being the offending driver.

A Proactive Approach with Motions

Division attorneys take every appropriate opportunity to gain a dismissal pre-trial through affirmative motion practice. In Fiscal Year 2012, the Division made 1,914 affirmative motions and achieved a 70-percent win rate. Division attorneys also turned a lower-court motion loss into a victory in *Kupferstein* by convincing the appellate court that emergency transport to the hospital and associated activities, such as administration of a sedative, were governmental functions, and that the plaintiff had not pled and proven a "special duty" under the law.



Win Rate on 1,914 Affirmative Motions in Fiscal Year 2012





WORKERS' COMPENSATION

DIVISION CHIEF
John Sweeney

DEPUTY CHIEF
Mindy Roller

The Workers' Compensation Division represents the City and related entities at all hearings, trials, and appeals before the New York State Workers' Compensation Board. The Division also administers all aspects of claims by covered employees who are injured on the job or who incur an occupational disease. Workers' Compensation strives to provide employees the medical and wage replacement benefits to which they are entitled, while objecting to and—if necessary—litigating unwarranted claims. The Division's work involves a wide range of medical issues, including work-related psychiatric diagnoses, respiratory ailments, heart conditions, orthopedic conditions, and much more.

New York State enacted its workers' compensation statute to address inequities historically existing among employers and employees with regard to workplace injuries. The New York statute operates on the premise of a tradeoff. Employers assume all liability for injuries arising out of, and in the course, of employment, regardless of fault. Workers receive limited wage replacement benefits for lost earning capacity and are entitled to payment of all related and necessary medical costs. In exchange, employees are prohibited from suing employers for personal injuries.

New York City is a self-insurer of its workers' compensation obligations pertaining to the City's approximately 200,000 covered employees. Employees not covered under this statute, but rather by union contracts, include uniformed police officers, firefighters, and uniformed sanitation workers.

Overseeing High Volume of Claims

As the self-insurer of a vast municipality, the Division must balance a substantial volume of claims each year. In Fiscal Year 2012, Workers' Compensation received and indexed over 14,000 new claims. Division attorneys also represented the City at more than 13,000 hearings, trials, and appeals before the New York State Workers' Compensation Board. The Division oversaw payment of more than \$200 million in wage replacement benefits and medical costs to injured employees.

Pursuing Third Parties When Appropriate

When a third party is liable for an injury or illness, the Division seeks to recover costs. In 2012, Workers' Compensation obtained revenue recoveries of nearly \$11 million from various sources, including State funds, lien satisfaction, and insurance arbitration.

NEW YORK CITY IS A SELF-INSURER OF ITS WORKERS' COMPENSATION OBLIGATIONS PERTAINING TO THE CITY'S APPROXIMATELY 200,000 COVERED EMPLOYEES.

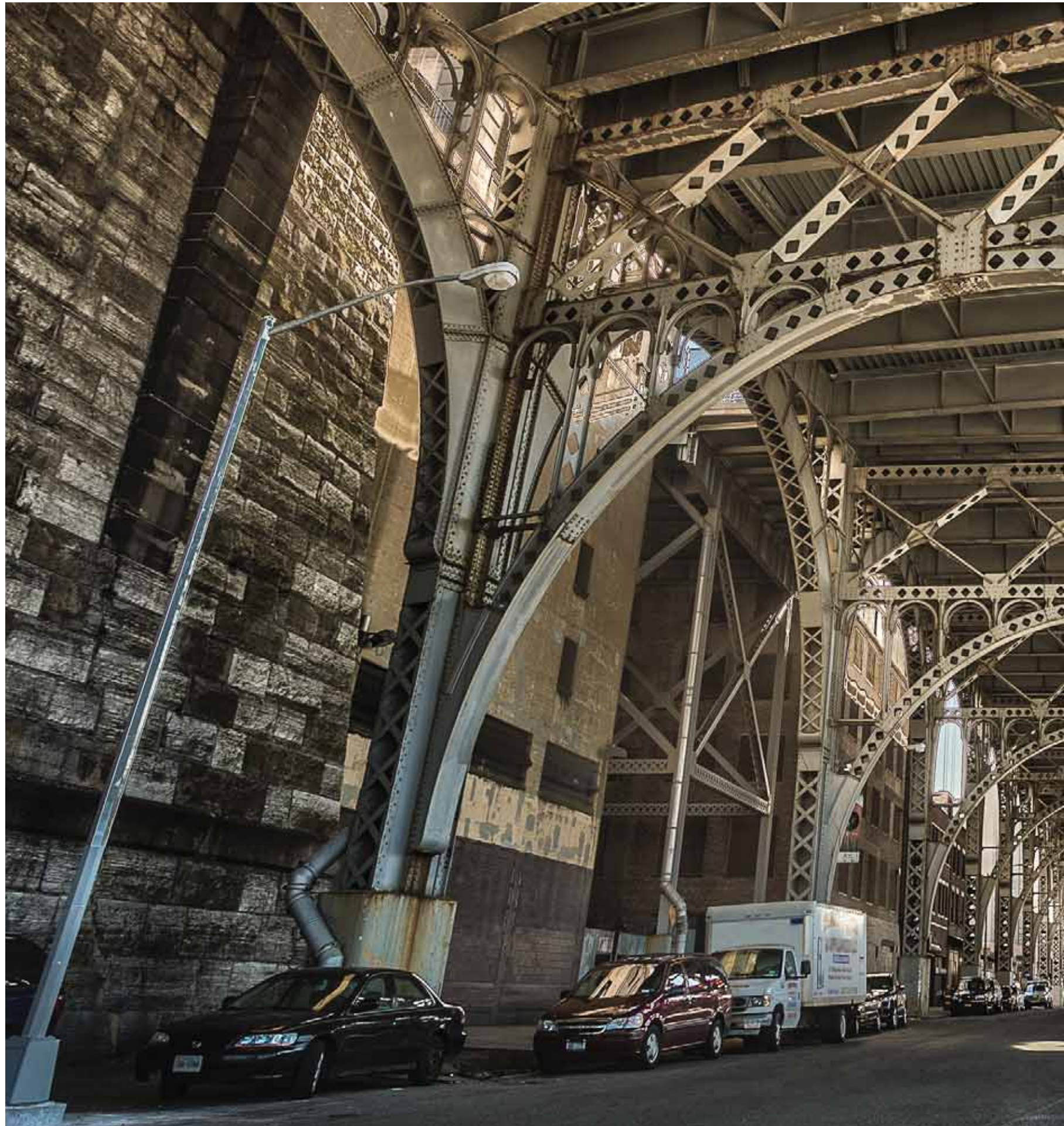
Processing Medical Bills Efficiently

Medical bill processing is a significant part of the Division's work. In 2012, the Division processed nearly 230,000 medical bills. Workers' Compensation uses bill review software to partially automate this task. The software automatically reduces any bill in excess of the medical fee schedule. This allows Division employees to concentrate their efforts on determining whether the treatment being billed is related to the case and whether the treatment is consistent with the Workers' Compensation Board's treatment guidelines.

Compliance with New Medical Treatment Guidelines

The Workers' Compensation Board has developed medical treatment guidelines directed at establishing a standard of medical care for injured workers, expediting quality care, and improving medical outcomes. The guidelines have eliminated the need for preauthorization of most treatment for neck, back, shoulder, or knee injuries, thereby facilitating prompt medical attention without undue delay. The Division has actively incorporated the guidelines into its case review processes to ensure that medical providers are paid timely and appropriately.





SUPPORT DIVISIONS & UNITS

Administration
Information Technology
Operations
Litigation Support
Procurement Services
Law Library



ADMINISTRATION

DIVISION CHIEF *Malachy Higgins*
DEPUTY CHIEF *Anthony Johnson*

The Administration Division oversees business operations for the Law Department and is responsible for all expenditures of funds, collection of revenue and fees, and personnel processing. Staff also provide general administrative oversight and development of internal policies, rules, and regulations. Finally, the Division currently stores inactive case files and is responsible for the physical maintenance of 10 citywide Law Department offices, in addition to the Kingston, New York office. This space totals a half-million square feet.

Each year, the Division handles over 38,000 paychecks, hundreds of personnel actions, thousands of payments for expert witnesses, and 4,000 requests for court reporters and depositions. Moreover, it deposits money recovered in lawsuits on the City's behalf.

The Division's efforts continue to focus on expansion and renovation of the Law Department's facilities, speedy responses to staff changes, and automation of systems and processes to increase the Department's efficiency. The Division also provides oversight and advice to other Department enterprises, such as information technology initiatives, equipment upgrades, and management evaluations.

2012 Highlights

Following Hurricane Sandy, Administration played a central role in enabling key displaced Manhattan staff to relocate to the Law Department's emergency off-site location in Brooklyn. The Division also worked with building management to promptly return staff to the 100 Church Street, 52 Duane Street, and 60 Lafayette Street offices in Lower Manhattan after power was restored to those facilities.

The Division also worked closely with management of the Law Department's 100 Church Street headquarters to begin replacing aged and leaky windows with new environmentally friendly ones. The new windows will not only enhance the office's appearance but will also result in significant future energy savings.

Administration played a central role in coordinating and finalizing the 100 Church Street 20-year lease renewal. Included in the new lease are provisions that will significantly upgrade the office's physical appearance; improve supplemental heating, ventilation, and air conditioning systems capacity to a more reliable chilled water system; relocate acceptance of service to the building's ground floor Messenger Center to improve security; and provide indoor bicycle parking access to staff, supporting the Bloomberg Administration's commitment to public health and "green" initiatives.

Additionally, Administration increased seating capacity within the Bronx Tort and Family Court offices by maximizing use of existing space, worked with the City Department of Records and Information Services to dispose of 15,000 boxes of inactive records, and relocated another 15,000 boxes of records from offices citywide to the Brooklyn storage facility.

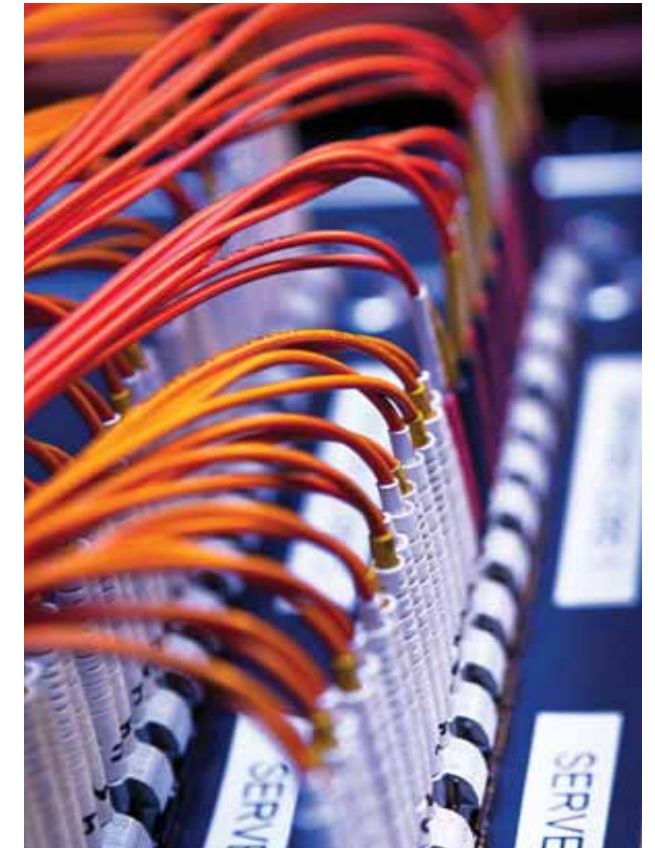


THE NEW YORK CITY MUNICIPAL BUILDING

INFORMATION TECHNOLOGY

CHIEF TECHNOLOGY OFFICER *Joseph Merces*
DIRECTOR OF NETWORK SERVICES *Amit Sharma*

The Information Technology (IT) Division is responsible for all aspects of computing and technology use. Its functions include network infrastructure, network security, connectivity, management of data, information security, application support, database administration, software administration, technical support, and much more. The Division's mission is to provide high-quality, cost-effective, and innovative IT services and solutions. IT effectively aligns the Law Department's business and technology objectives, streamlining and improving its daily business conduct. The Division is comprised of four sub-units: Application Services, Network Services, Technical Support, and Information Security.



LAW DEPARTMENT SERVER ROOM

2012 Highlights

IT worked continuously following Hurricane Sandy and Con Edison's subsequent decision to shut down electrical power in Lower Manhattan. The power-down affected three Law Department offices in Manhattan. Once power was restored, IT worked around the clock to bring all systems and services back online in advance of our employees' return. This monumental undertaking enabled our staff to return to the office the following Monday with all systems—including e-mail, a documents database, internet, and intranet services—functioning.

The Division oversaw the introduction of Microsoft SharePoint 2010, a software platform that enables collaboration and document sharing. Using this software, the Law Department launched an internal, searchable blog that features summaries of important legal developments. The software is expected to provide additional opportunities for information sharing.

Efforts by the Division ensured the Law Department's compliance with Executive Order 140, a local law directing the consolidation and centralization of City agencies' IT systems within the City's Department of Information Technology & Telecommunications (DoITT). The Division worked on migrating a broad range of services to DoITT, including e-mail functions, electronic calendars, global address lists, information security functions, and BlackBerry servers. Two important benefits to the migration are Outlook Web Access, which provides direct Law Department e-mail access, and ActiveSync for mobile devices, a tool to synchronize emails, calendar, contacts, and tasks. Further migration activities, including consolidating servers to the central DoITT CitiServ, are ongoing. Centralizing infrastructure helps lower the cost of operation and reduces energy consumption, leveraging "green" technology.

The IT Division also made a great number of computer desktop, laptop, security, database, and software upgrades in 2012, which have contributed to the overall stability of Law Department IT systems and services. Examples include updates and upgrades to the Microsoft SQL Server (database software), Windows (the office's desktop operating system), McAfee (security software), and others. IT maintained and performed continued upgrades to the primary server room with new equipment, security, and controls.

OPERATIONS

DIVISION CHIEF *Kenneth Majerus*
 DEPUTY CHIEF *Jonathan Pinn*

The Operations Division's twofold mission is to provide centralized document production support and improve the Law Department's operational efficiencies. The Division is comprised of five document production and distribution units, an analysis unit, and a training unit. The document production and distribution units manage the service of legal process, case docketing, electronic document editing, courier services, composition and duplication of documents, serving and filing of legal papers, and creation and maintenance of document templates. The Analysis Unit works to improve the Department's operational efficiencies and plays a major role in producing specialized reports, including data for the Mayor's Management Report and governmental audits.

2012 Highlights

- The Communications and Docketing Services Unit (CDS) handled nearly 60,000 individual items, either delivered by hand or through personal service, and opened nearly 31,000 new matters in LawManager, the Office's matter management system. CDS staff also handled and processed nearly 330,000 pieces of U.S. mail, requiring 10,000 production hours. The number of critical documents received and processed by CDS staff in 2012 grew by nearly five percent over the previous year.
- The Computer Training Unit organized and presented over two dozen different computer software courses, arranged in recurring monthly schedules. In the last year, the Unit held 754 training sessions.
- The Document and Data Processing Center (DDPC) responded to over 6,000 requests, which yielded more than 300,000 pages and records. To complete these requests, DDPC operators logged nearly 26,000 hours.
- The Duplication and Finishing Services Unit (DFS) produced almost six million pages while responding to over 15,000 work orders, an increase from 2011. In 2012, DFS staff ably produced 80 percent more CD and DVD ROMs compared to 2011. DFS staff also responded to and resolved almost 750 help calls reported on the Law Department's 93 multi-function devices (combination print, fax, and copy machines).
- The Process & Courier Services Unit handled over 36,000 services, filings, deliveries, and pick-ups.
- The Central Services Unit in Brooklyn saw increases across the board in services requested by the Law Department's 350 Jay Street, Brooklyn staff. Requests for messenger services, outsourced service of process, and facilities related requests all grew. This small satellite Unit processed over 360,000 pieces of mail and handled 300 work orders in 2012. The Unit also works with the Department's Facilities staff to ensure that office services and environmental concerns are addressed.
- Operations staff worked with the office's HotDocs document assembly software to create and enhance existing document assembly templates, and respond to 770 help calls, an increase from the amount in 2011.



SEAFARING TOOLS, RED HOOK, BROOKLYN

330,000
pieces of mail
processed in
Manhattan

754
training sessions

300,000
pages & records
typed

6,000,000
pages produced

36,000
work orders
handled

360,000
pieces of mail
processed in
Brooklyn

770
help calls
resolved

LITIGATION SUPPORT

CHIEF INFORMATION OFFICER *John Hupper*
 DIRECTOR OF LITIGATION SUPPORT *Teressa Barillas*

The Litigation Support Unit oversees tasks related to electronic discovery (known as "e-discovery"), as well as the Law Department's system for managing all aspects of its legal practice. It also advises City agencies on e-discovery and other techno-legal topics, including the establishment and implementation of e-mail retention policies and management of legal matters.

2012 Highlights

In 2012, Litigation Support furthered its mission of helping the Law Department's litigators take maximum advantage of available technology in their e-discovery and document-heavy cases. E-discovery refers to the exchange of electronically stored information (ESI) during litigation. Litigation Support staff assisted in the identification, preservation, collection, processing, and production of ESI, as well as the imaging and coding of large volumes of paper documents. This process involves close collaboration with case attorneys, client agency counsel and information technology staff, and the City's Department of Information Technology & Telecommunications. Cases for which Litigation Support provides this assistance are typically among the agency's largest; examples in 2012 included the Central Park jogger litigation, a variety of large construction cases, and matters involving tragic deaths of children in Administration for Children's Services-supervised homes.

Depending upon the matter, the Litigation Support e-discovery team conducted intake meetings, budgeted, selected review tools, helped develop and test search terms, and/or oversaw outside vendors as needed to prepare ESI. In addition to Concordance (the agency's in-house document review software), Litigation Support provided tools to address special situations—for example massive e-mail reviews, where grouping e-mails by threads and/or by near-duplicates speeds the process.

With the agency's E-Discovery Committee, Litigation Support also kept litigators up-to-date about the most recent developments in e-discovery case law and technologies, and advised agency general counsel and IT staff on litigation readiness, litigation holds, and collection methods. Litigation Support also researched ways to improve e-discovery work citywide, advised on e-mail retention policies, and encouraged, when appropriate, the use of imaged or other e-records in lieu of paper.

Litigation Support's practice management team—which oversees LawManager, the agency's matter management system—assisted legal divisions in improving workflow processes to maximize efficiency. The team also liaised with staff who use the system and collaborated with consultants and in-house administrators to increase its functionality. Through LawManager, the Law Department exchanges data with 16 City agencies and outside firms, as well as varied internal systems. In addition, the team coordinated with divisions, executives, and client agencies to create and run reports that support all aspects of their businesses. The practice management staff generate over 1,000 production and ad hoc reports each year, some tailored to comply with various government reporting responsibilities. For example in 2012, the Law Department reported 665 records of City payments to Medicare beneficiaries on personal injury lawsuits, as required by the federal government so that it may determine and recoup benefit expenditures.



GAVEL AND DIGITAL TABLET

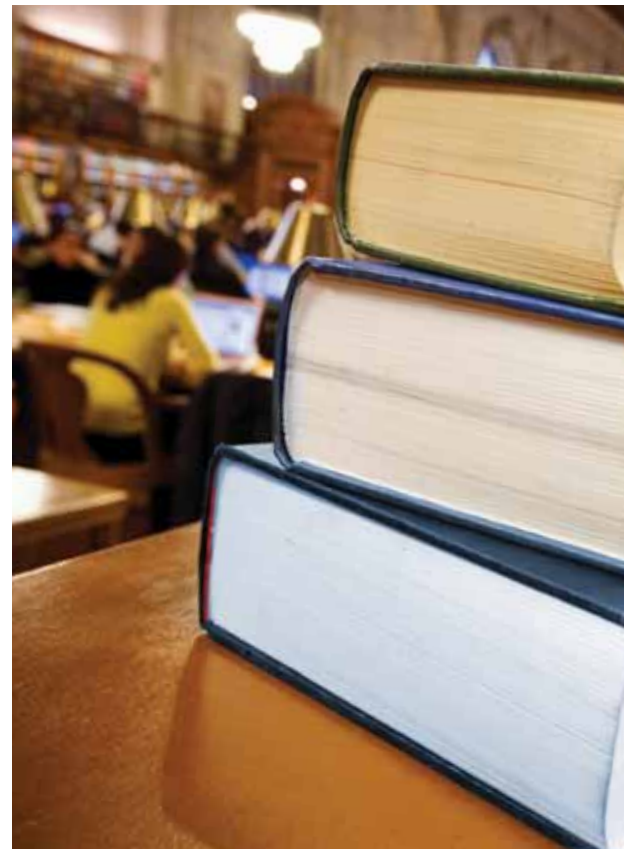
PROCUREMENT SERVICES

AGENCY CHIEF CONTRACTING OFFICER *Samuel Moriber*
 DEPUTY *Anita Fajans*

The Procurement Services Unit obtains a broad range of goods and services on the Law Department's behalf, including litigation experts, litigation support, and legal services; agencywide support services such as photocopying, car service, court reporters, interpreters, and process servers; and information technology-related goods and services.

The Unit also tracks procurements in the City's Automated Procurement Tracking system as needed; negotiates and drafts agreements with Law Department contractors; and facilitates certain procurement-related support services, which may include compiling reports, evaluating contractor performance, and providing procurement-related information and statistics to the Mayor's Office of Contract Services.

In Fiscal Year 2012, the Unit approved approximately 5,500 new expenditure requests, a six-percent increase from the previous fiscal year, and approximately 3,000 amended expenditure requests, a nine-percent increase. Most of those approvals did not require preparing a formal contract or contract amendment, but of those that did, the Unit processed 83 new contracts and 43 contract amendments. The Comptroller's Office then registered these contracts and amendments.



NEW YORK PUBLIC LIBRARY

LAW LIBRARY

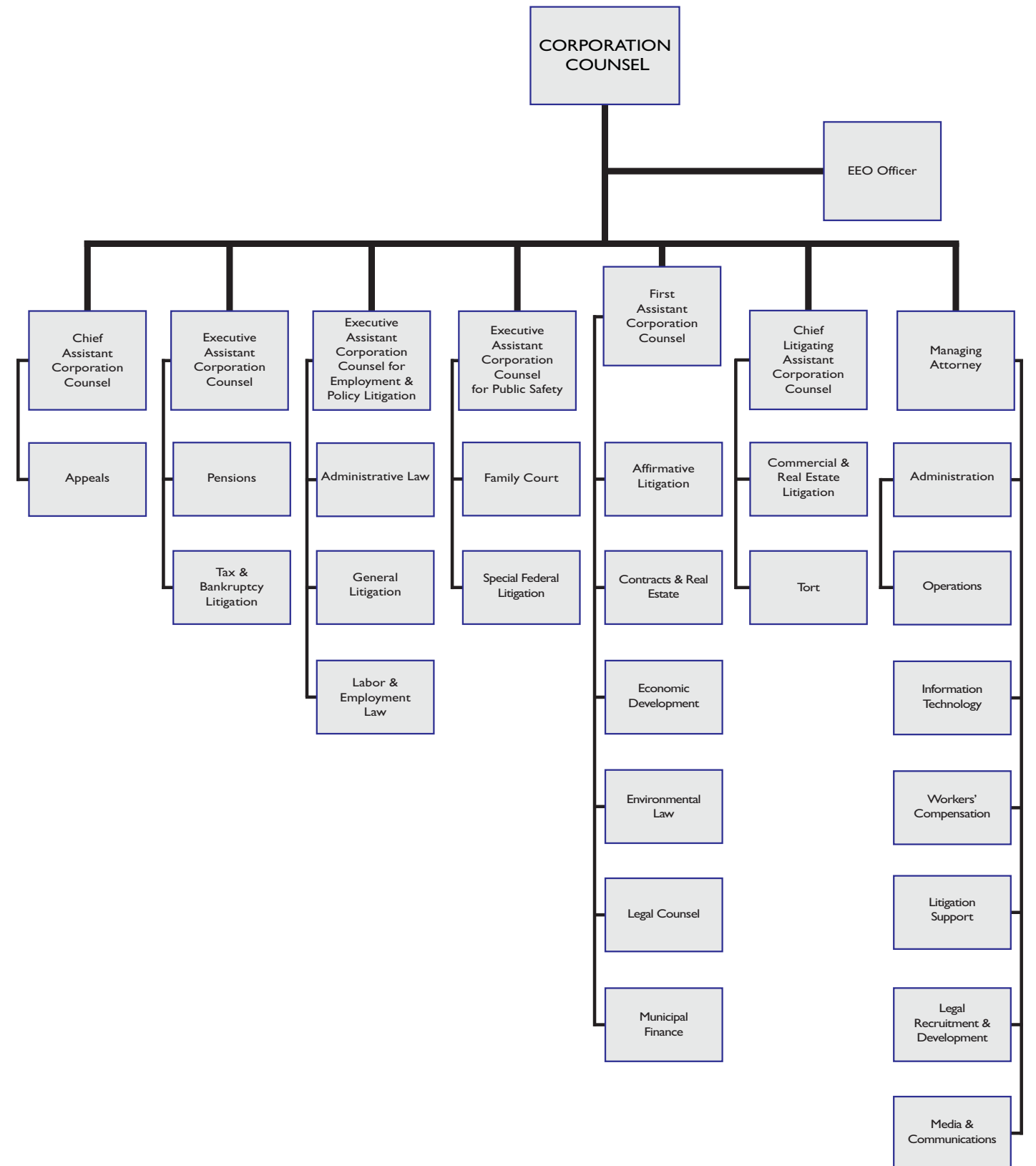
CHIEF LIBRARIAN *Catherine FitzGerald*
 DEPUTY *James Meece*

The Library is responsible for all Law Department research support, and its services are also available to other City agencies and the Mayor's Office. A Library staff of six provides expert assistance with online and print resources, and handles the acquisition, recording, updating, and cataloging of all reference materials. The Library houses over 900 print titles, including current subscriptions and a substantial historical resources collection. Lending agreements with area libraries and memberships in local attorney associations enable access to additional materials. The Library also maintains a large hardcopy collection of Department appellate records and briefs, and librarians coordinate access to over 5,000 legal volumes onsite, archived historical material dating back to the 19th Century, and current (post-2000) electronically-stored case records.

In 2012, the Library handled a high volume of research, including daily requests for compiling legislative histories, performing complex case research, and obtaining litigant and witness profile information for trial.

Other accomplishments include researching major high-profile matters, in particular for the Appeals and Special Federal Litigation Divisions; updating agreements with service providers Lexis and Westlaw to add enhanced search technologies; expanding access to the *New York Law Journal* online for the majority of attorneys; evaluating the Library's collection and achieving cost savings by refining current print subscriptions; and initiating an enhanced borough office outreach program, including soliciting input on increased online training and updates to research sources.

ORGANIZATION



This organizational chart reflects restructuring in 2013 at the time of press.

CLASS OF 2012



Mayor Michael Bloomberg, Corporation Counsel Michael Cardozo, First Assistant Corporation Counsel Jeffrey Friedlander, and Director of Legal Recruitment Stuart Smith with the 2012 class of Assistant Corporation Counsels and Post-Graduate Fellows.

The Law Department has long been committed to recruiting, retaining, and promoting a diverse community of legal professionals.

The Department's Office of Legal Recruitment processed 8,500 applications in 2012 and hired an entry class of 32 Assistant Corporation Counsels and 35 post-graduate fellows. It also hosted 50 law students in the agency's Summer Honors Program and hired 35 experienced attorneys.

In 2012, the Law Department hired its first-ever Corporation Counsel Clerk. The program selects one or more top-notch junior attorneys for a high-level City government experience.

In collaboration with the Recruitment Department, the Professional Development Department actively plans and runs an extensive "on-boarding" program. Its goal is to assist new lawyers in adjusting to the hands-on legal work they will perform at the Law Department. The program includes a vast array of substantive legal classes, skill development courses, and ethical and professionalism programming. Professional Development also hosts Continuing Legal Education (CLE) programs for City attorneys and oversees the Law Department's diversity training and performance management program.

The Law Department is an Equal Opportunity Employer and would rank in the top 10 in terms of ethnic diversity when compared to the nation's 100 largest private law firms. The Department's Diversity Committee and Women's Committee enhance and celebrate a diverse workplace. The Law Department also has the largest number of openly gay attorneys among the law offices reporting this information to the National Association of Law Placement (NALP). Five of our 17 division chiefs are Black, Hispanic, or openly gay or lesbian. The New York City Bar Association has named Corporation Counsel Michael A. Cardozo a Diversity Champion in recognition of his efforts to promote diversity both within the Law Department and the legal profession.



2012 Annual Report

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