



NEW YORK AND CHICAGO LAW DEPARTMENTS STRATEGIZE ON TORT AND OTHER MUNICIPAL LEGAL INITIATIVES

New York Plays Host to Chicago Attorneys During Two-Week Visit

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*Press Advisory
For Immediate Release*

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New York, Nov. 15, 2006 — Two attorneys from the City of Chicago's Department of Law are midway through a two-week municipal legal strategy session, visiting with attorneys from New York City's Law Department, "comparing notes" on new legal initiatives, learning about the management and operations of each other's departments, identifying better practices that can be implemented in both cities, and spending a two-week "crash course" attending trials and other legal seminars. The Chicago attorneys, Jordan Marsh and Scott Jebson, have even tried a case in Brooklyn *pro hac vice* (when an out-of-state attorney is admitted to practice in a local jurisdiction for a specific case).

"We are excited about this opportunity to share strategies that will enable both large cities to better defend against burgeoning litigation," noted New York City Corporation Counsel Michael A. Cardozo. "This forum will allow us to exchange ideas and learn from one another."

"Over the past year, we have sought out opportunities to share information and collaborate with legal departments across the country, including New York's department," said Corporation Counsel Mara Georges. "This exchange of ideas and information will benefit both cities and enable both departments to better serve the taxpayers of our cities."

New York's and Chicago's Law Departments are two of the largest municipal law departments in the country. Specifically, New York City's Law Department employs 650 full-time staff attorneys, while Chicago's Law Department employs nearly 300 full-time staff attorneys. Both departments are also headed by a Corporation Counsel (a lead city attorney appointed by the city's Mayor) and handle a wide variety of complex legal matters ranging from the drafting of legislation to handling contracts to overseeing high-profile civil rights litigation. In addition, both departments are organized into similar practice divisions and handle most legal matters with in-house staff attorneys.

During this visit, attorneys from both cities are focusing in particular on tort cases. For example, New York routinely spends more than \$450 million a year in tort payouts, and Chicago spends more than \$35 million. In addition to legal claims and settlements, both cities spend hundreds of

millions more in manpower to research and defend these claims. The visit is allowing the attorneys to exchange ideas on reducing municipal liability. As such, the Chicago Assistant Corporation Counsels are primarily “assigned” to the Tort Division during their stay in New York. In one case, the two attorneys – as part of their experience here – helped resolve a Brooklyn Supreme Court matter. The case, which once had a demand as high as \$10 million, settled for \$5,000.

The New York City Law Department’s Tort Division is the office’s largest, employing more than 200 lawyers and 200 support staff. The division routinely handles more than 7,000 new filings a year and has 30,000 pending cases. By contrast, Chicago’s tort division is smaller, employing about 30 attorneys. However, with municipal liability on the rise, Chicago is keenly interested in pursuing aggressive defenses and protecting the public fiscal trust, much as New York does.

In that vein, Chicago is particularly interested in two strategies New York City has embraced: risk management and “high-risk” case management. While litigation nationwide is on the rise, initiatives like the aforementioned have helped New York City cut its tort payouts from \$557 million in FY 2003 to \$477 million in FY 2006. These drops reflect the first serious downturns New York City has seen in dozens of years.

Among the topics to explore:

- SPECIAL LITIGATION UNIT:

Chicago’s Department of Law is particularly interested in New York’s Special Litigation Unit (SLU), which handles high-exposure cases and unusually controversial matters. Chicago is in the process of establishing its own Special Litigation Unit, which will be functioning by the end of 2006. New York’s 50-attorney Special Litigation Unit handles cases that include police shootings and pursuit, school supervision, “toxic” tort cases, highway design, and accidents involving city vehicles, among others. The Unit also handles cases that involve tragic and catastrophic injuries such as paralysis, amputations, brain damage, serious burns and wrongful deaths. The Unit is structured on a vertical basis, with most matters being handled from the claim stage up to or including trial by one or more assigned attorneys under the supervision of a team leader.

- RISK MANAGEMENT:

New York’s Risk Management Unit addresses the City’s litigation burden by providing City agencies with legal advice derived from lessons learned while defending the City. Analysis of pending and settled litigation provides guidance to agencies in implementing changes that will reduce the risk of future lawsuits while also helping to make the city safer. Regularly scheduled meetings are held with agencies to keep them abreast of pending litigation, recent trials and significant developments in the law. The Unit also focuses on preservation of evidence and early investigation of major incidents. Finally, the Unit investigates cases involving suspected fraudulent claims.

In turn, New York also hopes to learn from Chicago’s risk management experiences. For example, in 2006, Chicago’s Law Department established a new “Compliance Unit,” which is modeled on compliance programs implemented in many corporations and large universities. This Unit, which includes the City’s Internal Audit Unit, will spearhead a new citywide program designed to assist departments in identifying compliance risk areas, and help them revise policies and enhance standard operating procedures and training to ensure that the City meets its regulatory obligations.

Reporters interested in speaking with attorneys from either city — or in obtaining photos from the visit — can contact media offices in New York or Chicago. We will be happy to assist you.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 90,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site is at www.nyc.gov/law.

The City of Chicago Law Department is one of the oldest and largest law offices in the City of Chicago, and its alumni include some of the most notable lawyers and public servants in Chicago's history. The Chicago Law Department is a full-service law office, with 300 attorneys in fifteen legal divisions covering a wide range of practice areas such as public finance, economic development, contracts, personal injury, civil rights, appeals, real estate and complex labor relations. The Chicago Law Department is the legal advisor to the Mayor, the City Council and the officers, employees, boards and departments of the City. Information regarding Chicago's Law Department is available at www.cityofchicago.org.

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