

LAW DEPARTMENT

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WHAT WE DO

The Law Department is responsible for all of the legal matters affecting the City. The Department represents the City, the Mayor, other elected officials and the City's agencies in all affirmative and defensive civil litigation. The Department represents the City in juvenile delinquency prosecutions brought in Family Court and Administrative Code enforcement proceedings brought in Criminal Court. Law Department attorneys draft and review local and State legislation, real estate leases, procurement contracts and financial instruments for the sale of municipal bonds. The Department also provides legal counsel to City officials on a wide range of issues such as civil rights, immigration, education, intellectual property, land use and environmental policy.

FOCUS ON EQUITY

The New York City Law Department's staff of lawyers and support professionals work collaboratively to pursue justice while providing the City with the highest quality legal representation. The Department interacts with plaintiffs, witnesses and others in litigation. Staff is trained to act in a professional and empathic way, particularly when interacting with unrepresented plaintiffs, children, and plaintiffs who have suffered injuries or loss of family members. Our attorneys explain to unrepresented claimants in plain language discovery orders and other documents. The Family Court Division conducts outreach to victims in delinquency cases; partners with Safe Horizon to ensure that victims are offered necessary services; seeks Orders of Protection for victims with safety concerns; and is a certifying agency for noncitizen victims of crimes who cooperated in the prosecution enabling those victims to be eligible for visas. The Interstate Child Support Unit works to ensure that child support is delivered in a consistent manner to both City and out-of-state custodial parents. Department attorneys assist agency clients with legislation and other initiatives to promote social welfare and civil rights.

OUR SERVICES AND GOALS

SERVICE 1 Represent the City of New York in litigation and other legal matters involving the City's interests.

- Goal 1a Limit the City's liability as a result of claims.
- Goal 1b Reduce the City's caseload in state court.
- Goal 1c Reduce the City's caseload in federal court.

SERVICE 2 Prosecute juvenile delinquency cases in Family Court.

- Goal 2a Balance the needs of juveniles and the community in delinquency cases.

SERVICE 3 Establish and enforce child support orders in interstate cases.

- Goal 3a Increase the percentage of out-of-state families that receive child support.

HOW WE PERFORMED IN FISCAL 2014

SERVICE 1 Represent the City of New York in litigation and other legal matters involving the City's interests.

Goal 1a Limit the City's liability as a result of claims.

While the Department does not have direct control over the number of claims or legal actions brought against the City, it attempts to limit the City's exposure by working with City agencies to make assessments of possible liability and advise agencies on minimizing risk. The Department also assesses new cases to determine their suitability for early settlement and moves aggressively to dismiss those cases that are without merit. The Department's focus on risk management has contributed to practices at agencies that have reduced the City's exposure to liability, resulting in fewer actions commenced. Total cases commenced against the City in Fiscal 2014 decreased five percent compared to Fiscal 2013. Total payout increased 18 percent due largely to settlements in the Republican National Convention case (MacNamara, Deirdre, et al. vs. City of New York, et al.) and the "Central Park Five" case (Wise, Kharey, et al. vs. City of New York, et al.).

Payout for Judgment and Claims



Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
★ Total citywide payout for judgments and claims (\$000)	\$541,595	\$560,852	\$506,048	\$490,175	\$579,899	↓	↓	Down	Neutral
★ Total cases commenced against the City	8,941	9,030	9,695	9,528	9,045	*	*	Neutral	Neutral
- Cases commenced against the City in state court	6,901	6,838	7,682	7,745	7,258	*	*	Neutral	Neutral
- Cases commenced against the City in federal court	2,040	2,192	2,013	1,781	1,787	*	*	Neutral	Down

★ Critical Indicator "NA" - means Not Available in this report ↓↑ shows desired direction

Goal 1b Reduce the City's caseload in state court.

The Department attributes increases in pending state court cases to a decline in dispositions resulting from the Department's long-term plan to resolve meritorious claims, leaving fewer cases amenable to early settlement.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
★ Cases pending in state court	17,085	16,707	17,020	17,884	19,039	19,500	19,200	Down	Up
- Cases pending on trial calendar	NA	NA	NA	2,256	2,260	*	*	Neutral	NA
Affirmative motions to dismiss or for summary judgment	NA	NA	NA	1,798	1,903	*	*	Neutral	NA
★ Win rate on affirmative motions (%)	NA	NA	NA	72%	78%	70%	65%	Up	NA

★ Critical Indicator "NA" - means Not Available in this report ↓↑ shows desired direction

Goal 1c Reduce the City's caseload in federal court.

Dismissals and discontinuances in federal court decreased 34 percent during the reporting period and actions pending decreased three percent. Dismissals and discontinuances in federal court remained at or below 15 percent of federal actions pending in Fiscal 2013 and Fiscal 2014.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
★ Cases pending in federal court	NA	NA	NA	1,711	1,659	1,700	1,700	Down	NA
Dismissals and discontinuances	NA	NA	NA	264	173	*	*	Up	NA

★ Critical Indicator "NA" - means Not Available in this report ↕ ↑ shows desired direction

SERVICE 2 Prosecute juvenile delinquency cases in Family Court.

Goal 2a Balance the needs of juveniles and the community in delinquency cases.

Approximately 85 out of every 100 juveniles who were referred to a diversion program during the reporting period did not have new delinquency referrals within one year, the same as in Fiscal 2013. After remaining stable since Fiscal 2010, the percentage of referred cases filed for prosecution increased two percentage points during the reporting period. During Fiscal 2014 the Department's juvenile conviction rate increased two percentage points compared to Fiscal 2013.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
★ Juveniles successfully referred to a diversion program with no new delinquency referral within one year (%)	NA	NA	NA	85%	85%	↑	75%	Up	NA
Referred cases filed for prosecution (%)	55%	55%	55%	56%	58%	55%	55%	Neutral	Neutral
Juvenile conviction rate (%)	72%	71%	73%	73%	75%	70%	70%	Neutral	Neutral
Crime victims assessed for community-based services (%)	34%	46%	44%	36%	46%	35%	35%	Up	Up

★ Critical Indicator "NA" - means Not Available in this report ↕ ↑ shows desired direction

SERVICE 3 Establish and enforce child support orders in interstate cases.

Goal 3a Increase the percentage of out-of-state families that receive child support.

During Fiscal 2014 the filing of enforcement referrals within 60 days remained steady near 95 percent and the percentage of families entitled to a support order that received an order also held steady at 65 percent.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
Filing of enforcement referrals within 60 days of referral (%)	NA	NA	NA	95%	94%	*	*	Up	NA
★ Families entitled to a support order that get a support order (%)	NA	NA	NA	65%	65%	65%	65%	Up	NA

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AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15		
Customer Experience									
Completed requests for interpretation	0	772	763	705	860	*	*	Neutral	Up
Letters responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Up	Neutral
E-mails responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Up	Neutral

AGENCY RESOURCES

Resource Indicators	Actual					Plan ¹		5-year Trend
	FY10	FY11	FY12	FY13	FY14	FY14	FY15	
Expenditures (\$000,000) ²	\$139.8	\$135.0	\$137.4	\$143.9	\$166.8	\$173.0	\$171.8	Up
Revenues (\$000,000)	\$32.7	\$43.4	\$27.6	\$38.8	\$23.4	\$22.0	\$20.5	Down
Personnel	1,382	1,307	1,399	1,445	1,504	1,441	1,443	Up
Overtime paid (\$000)	\$1,134	\$763	\$969	\$1,374	\$1	\$1	\$1	Down

¹Authorized Budget Level "NA" - Not Available in this report ²Expenditures include all funds.

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

None.

ADDITIONAL RESOURCES

For more information on the agency, please visit: www.nyc.gov/law.