



What We Do

The Law Department is the attorney for the City, City agencies and certain non-City agencies and pension boards, and manages litigation and other legal matters involving the City and its interests. The Law Department is responsible for more than 80,000 matters, and provides legal advice to all City agencies.

Our Services and Goals

Service 1: Represent the government 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.

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: July–October

- During the first four months of Fiscal 2013 the total citywide payout for judgments and claims brought against the City in state and federal court increased 30 percent compared to the same period of Fiscal 2012 due to 12 matters with payouts of more than a million dollars each, including one personal injury payout of \$11.5 million.
- Cases pending in state court increased 4 percent during the reporting period as a result of matters filed after the December 2010 blizzard, Hurricane Irene and the snowstorm in October 2011.
- During the reporting period the Department's juvenile conviction rate remained stable. At the same time, cases filed for prosecution decreased 7 percentage points as the Department sought to divert more cases to community-based programs.

Service 1: Represent the government in litigation and other legal matters involving the City's interests.

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

| Performance Statistics | Actual | | | Target | | 4-Month Actual | |
|--|-----------|-----------|-----------|--------|------|----------------|-----------|
| | FY10 | FY11 | FY12 | FY13 | FY14 | FY12 | FY13 |
| ★ Total citywide payout for judgments and claims (\$000) | \$541,595 | \$560,852 | \$506,048 | * | ↓ | \$97,895 | \$126,964 |
| ★ Total cases commenced against the City | 8,941 | 9,030 | 9,695 | * | * | 3,172 | 3,149 |
| - Cases commenced against the City in state court | 6,901 | 6,838 | 7,682 | * | * | 2,542 | 2,518 |
| - Cases commenced against the City in federal court | 2,040 | 2,192 | 2,013 | * | * | 630 | 631 |

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

| Performance Statistics | Actual | | | Target | | 4-Month Actual | |
|--|--------|--------|--------|--------|--------|----------------|--------|
| | FY10 | FY11 | FY12 | FY13 | FY14 | FY12 | FY13 |
| ★ Cases pending in state court | 17,085 | 16,707 | 17,020 | 17,800 | 17,800 | 16,927 | 17,556 |
| Affirmative motions to dismiss or for summary judgment | NA | NA | NA | * | * | NA | 564 |
| ★ Win rate on affirmative motions (%) | NA | NA | NA | * | ↑ | NA | 71% |

Service 2: Prosecute juvenile delinquency cases in Family Court.

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

| Performance Statistics | Actual | | | Target | | 4-Month Actual | |
|---|--------|------|------|--------|------|----------------|------|
| | FY10 | FY11 | FY12 | FY13 | FY14 | FY12 | FY13 |
| ★ Juveniles successfully referred to a diversion program with no new delinquency referral within 1 year (%) | NA | NA | NA | * | ↑ | NA | NA |
| Referred cases filed for prosecution (%) | 55% | 55% | 55% | 55% | 55% | 55% | 48% |
| Juvenile conviction rate (%) | 72% | 71% | 73% | 70% | 70% | 71% | 70% |
| Crime victims assessed for community-based services (%) | 34% | 46% | 44% | 35% | 35% | 50% | 16% |

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.

| Performance Statistics | Actual | | | Target | | 4-Month Actual | |
|---|--------|------|------|--------|------|----------------|------|
| | FY10 | FY11 | FY12 | FY13 | FY14 | FY12 | FY13 |
| Filing of enforcement referrals within 60 days of referral (%) | NA | NA | NA | * | * | NA | 100% |
| ★ Families entitled to a support order that get a support order (%) | NA | NA | NA | * | ↑ | NA | 61% |

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

Agency Customer Service

| Performance Statistics | Actual | | | Target | | 4-Month Actual | |
|-------------------------------------|--------|------|------|--------|------|----------------|------|
| | FY10 | FY11 | FY12 | FY13 | FY14 | FY12 | FY13 |
| Customer Experience | | | | | | | |
| E-mails responded to in 14 days (%) | 100% | 100% | 100% | 100% | * | 100% | 100% |
| Letters responded to in 14 days (%) | 100% | 100% | 100% | 100% | * | 100% | 100% |

Agency Resources

| Resource Statistics | Actual | | | September 2012 MMR | Updated | | 4-Month Actual | |
|---------------------------------------|---------|---------|---------|-----------------------|-------------------|-------------------|----------------|--------|
| | FY10 | FY11 | FY12 | FY13 | FY13 ¹ | FY14 ¹ | FY12 | FY13 |
| Expenditures (\$000,000) ² | \$139.8 | \$135.0 | \$137.4 | \$143.7 | \$148.2 | \$142.6 | \$59.3 | \$56.8 |
| Revenues (\$000,000) | \$32.7 | \$43.4 | \$27.6 | \$20.6 | \$34.8 | \$21.4 | \$10.9 | \$21.3 |
| Personnel | 1,382 | 1,307 | 1,399 | 1,383 | 1,440 | 1,418 | 1,362 | 1,380 |
| Overtime paid (\$000,000) | \$1.1 | \$0.8 | \$1.0 | \$0.0 | \$0.1 | \$0.0 | \$0.2 | \$0.3 |

¹January 2013 Financial Plan *NA* - Not Available in this report
²Expenditures include all funds. January Plan figures reflect modifications in Federal, State, and other non-City funding since the adoption of the 2013 budget.

Noteworthy Changes, Additions or Deletions

- The Department renamed the indicator 'Total tort payout (\$000) – Citywide' to 'Total citywide payout for judgments and claims (\$000)' to better describe what is being measured – the amount paid by the City to resolve, through verdict or settlement, cases brought against the City in state and federal court. The Department also renamed the indicator 'Tort cases commenced' to 'Cases commenced against the City in state court' to better describe what is being measured.
- The Department removed the following indicator: 'Tort dispositions.'
- The Department added the following indicators to measure its Fiscal 2013 goals: 'Cases commenced against the City in federal court,' 'Cases pending in state court,' 'Affirmative motions to dismiss or for summary judgment,' 'Win rate on affirmative motions (%)', 'Juveniles successfully referred to a diversion program with no new delinquency referral within 1 year (%)', 'Filing of enforcement referrals within 60 days of referral (%)', and 'Families entitled to a support order that get a support order (%)'.

For additional performance statistics, please visit the website at: www.nyc.gov/mmr.

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

