

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. Department staff are expected to treat all whom they encounter in litigation with professionalism, respect and empathy, even as they vigorously pursue all appropriate legal defenses and claims in the best interests of the City. The Department acts to ensure that unrepresented claimants are treated fairly, explaining in plain language discovery orders and other documents. The Family Court Division conducts outreach to victims in delinquency cases to ensure that they are offered necessary services and personal protection, at the same time that it advocates dispositional alternatives that rehabilitate young offenders in a manner consistent with public safety. The Department advises agency clients on a wide range of issues affecting public safety and welfare, including in the areas of education, health, environment, economic development and law enforcement operations. Department attorneys play an important role in drafting legislation that advances important City policies, including the protection of the civil rights of its residents.

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

- During the first four months of Fiscal 2015 the total citywide payout for judgments and claims brought against the City in state and federal court decreased by nearly 10 percent compared to the same period of Fiscal 2014. This decrease is attributable to settlement activities in Fiscal 2014 related to several large and longstanding legal matters against the City.
- During the reporting period cases pending in state court increased 6 percent, adversely impacting the City's ability to devote resources to affirmative motion practice.
- Dismissals and discontinuances in federal court increased 51 percent during the reporting period. During the first four months of Fiscal 2014 dismissals and discontinuances were 4 percent of actions pending in federal court, compared with 6 percent of actions pending during the first four months of Fiscal 2015.
- After remaining relatively stable for several fiscal years, the percentage of referred cases filed for prosecution decreased 5 percentage points during the reporting period. The Department's juvenile conviction rate also decreased 5 percentage points. Crime victims assessed for community-based services decreased 14 percentage points compared to the first four months of last year, but was stable when compared to the end of Fiscal 2014.
- The filing of enforcement referrals within 60 days of a referral increased 9 percentage points. Success in this area is due to improved compliance with a clearly established guideline for handling these referrals.

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.

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
★ Total citywide payout for judgments and claims (\$000)	\$506,048	\$490,175	\$579,899	↓	↓	\$158,211	\$142,808
★ Total cases commenced against the City	9,695	9,528	9,045	*	*	3,053	3,181
- Cases commenced against the City in state court	7,682	7,745	7,258	*	*	2,449	2,573
- Cases commenced against the City in federal court	2,013	1,781	1,787	*	*	602	603

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

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
★ Cases pending in state court	17,020	17,884	19,039	19,600	19,600	18,302	19,427
- Cases pending on trial calendar	NA	2,256	2,260	*	*	2,202	2,297
Affirmative motions to dismiss or for summary judgment	NA	1,798	1,903	*	*	631	560
★ Win rate on affirmative motions (%)	NA	72%	78%	65%	65%	78%	72%

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

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
★ Cases pending in federal court	NA	1,711	1,659	1,700	1,700	1,666	1,571
Dismissals and discontinuances	NA	264	173	*	*	67	101

★ 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.

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
★ Juveniles successfully referred to a diversion program with no new delinquency referral within one year (%)	NA	85%	85%	75%	75%	85%	84%
Referred cases filed for prosecution (%)	55%	56%	58%	55%	55%	58%	53%
Juvenile conviction rate (%)	73%	73%	75%	70%	70%	77%	72%
Crime victims assessed for community-based services (%)	44%	36%	46%	35%	35%	59%	45%

★ 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.

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
Filing of enforcement referrals within 60 days of referral (%)	NA	95%	94%	*	*	87%	96%
★ Families entitled to a support order that get a support order (%)	NA	65%	65%	65%	65%	64%	66%

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

AGENCY CUSTOMER SERVICE

Performance Indicators	Actual			Target		4-Month Actual	
	FY12	FY13	FY14	FY15	FY16	FY14	FY15
Customer Experience							
Completed requests for interpretation	763	705	860	*	*	NA	NA
Letters responded to in 14 days (%)	100%	100%	100%	*	*	100%	100%
E-mails responded to in 14 days (%)	100%	100%	100%	*	*	100%	100%

AGENCY RESOURCES

Resource Statistics	Actual			Sept. 2014 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY12	FY13	FY14	FY15	FY15 ¹	FY16 ¹	FY14	FY15
Expenditures (\$000,000) ²	\$137.4	\$143.9	\$162.7	\$171.8	\$182.9	\$171.6	\$54.9	\$67.2
Revenues (\$000,000)	\$27.6	\$38.8	\$23.5	\$20.5	\$20.5	\$20.5	\$12.7	\$10.7
Personnel	1,399	1,445	1,504	1,443	1,468	1,524	1,427	1,462
Overtime paid (\$000)	\$969	\$1,374	\$1,650	\$1	\$1	\$1	\$547	\$386
¹ February 2015 Financial Plan ² Expenditures include all funds. "NA" - Not Available in this report								

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

None.

ADDITIONAL RESOURCES

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