



Office of the Attorney General

OAG (CB)

MISSION

The mission of the Office of the Attorney General (OAG) is to enforce the laws of the District of Columbia and to provide legal services to the District of Columbia government.

SUMMARY OF SERVICES

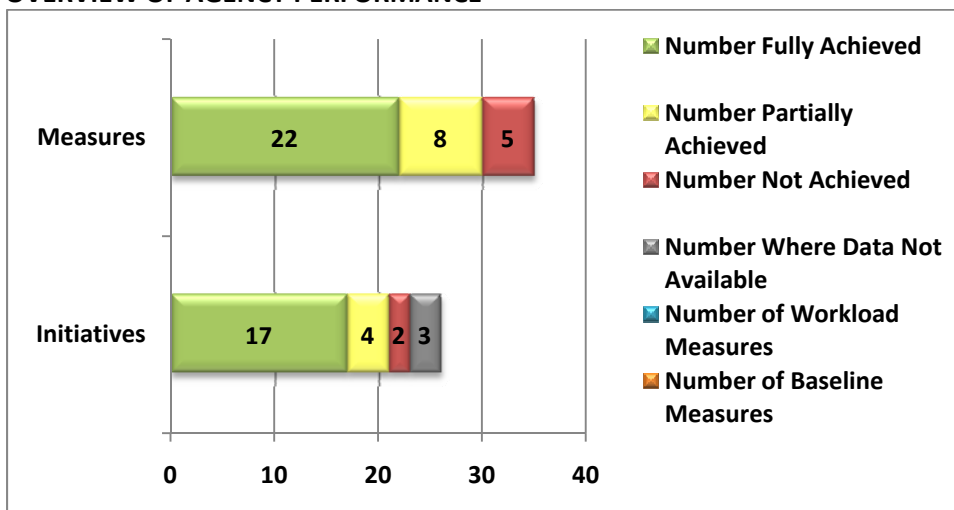
OAG is charged with conducting the District's legal business. To discharge these duties, OAG is divided into ten Divisions: the Office of the Solicitor General; Child Support Services; Civil Litigation; Commercial; Family Services; Health and Human Services; Legal Counsel; Public Safety; Personnel, Labor and Employment; and Agency Management.

OAG represents the District in virtually all civil litigation, prosecutes certain criminal offenses on the District's behalf and represents the District in a variety of administrative hearings and other proceedings. In addition, OAG is responsible for advising the Executive Office of the Mayor, the D.C. Council, the D.C. Courts, various Boards and Commissions, for reviewing legislation and regulations, and for supervising lawyers working in the general counsel offices of 28 agencies. All told, the Attorney General supervises the legal work of about 350 attorneys and an additional 350 administrative/professional staff.

ACCOMPLISHMENTS

- ✓ Reorganized the Child Protection Sections to improve compliance with permanency planning timelines required under the Adoption and Safe Families Act in order to more timely move children to permanency.
- ✓ Worked with the Executive Office of the Mayor to identify all agencies' short-, mid-, and long-term legislative and regulatory agendas for 2010 and to provided early and ongoing legal assistance as these agendas developed through the fiscal year.
- ✓ OSG participated in the electronic filing (e-filing) program at the United States Court of Appeals for the District of Columbia Circuit, making filing simpler and court records more accessible to interested members of the public.

OVERVIEW OF AGENCY PERFORMANCE





Performance Initiatives – Assessment Details

Performance Assessment Key:

-  Fully achieved  Partially achieved  Not achieved  Data not reported

PUBLIC SAFETY DIVISION (PSD)

OBJECTIVE 1: To provide criminal prosecution, neighborhood services and victims' services for the government of the District of Columbia and its residents to enhance public protection and safety.

- INITIATIVE 1.1: To divert more resources for the prosecution of serious crimes, the PSD will, during FY 2010, increase its use of MPD's Pre-Arrest Mediation Program for miscellaneous juvenile offenses, which may also reduce the number of juveniles in the juvenile justice system. Thus, juvenile offenders will avoid adjudication while remaining eligible to receive the necessary services to prevent further court involvement.**

The Juvenile Section evaluated low level offenses in an effort to determine whether the youth and the offense were suitable for MPD's Pre-Arrest Mediation Program. If the offense and the youth were both suitable, the Juvenile Section then referred the officer or the case to MPD's Pre-Arrest Mediation Program. The benefit of the initiative is that it assists in reducing the number of juveniles who penetrated the Juvenile Justice System, while still providing the youth with services. In addition, the Program further aids youth in appreciating the fact that inappropriate conduct does have consequences, without the youth being subjected to court involvement. Also, the Program aids the victim. Specifically, the Program allows the victim an opportunity to meet with the youth. This meeting allows for the victim to explain how the youth's action has impacted the victim's life. Moreover, this also assists with the youth understanding how his or her behavior affects others. Due to funding issues MPD did not begin its program until six months into the fiscal year.
- INITIATIVE 1.2: PSD will increase the prosecution of landowners and tenants who allow their properties to become drug or prostitution nuisances during the fiscal year.**

The purpose of the initiative is to work on combating drug and prostitution nuisances in the District of Columbia because these matters and establishments lead to the decay and moral fabric of communities. Specifically, as it relates to the drug component, NVS implemented this initiative in an attempt to assist in curbing the violence associated with illegal drug activity to abate nuisances, in furtherance of public safety goals. NVS relies upon two statutes for drug abatement, including D.C. Code 42-3101 et seq and 42-3601 et seq, the Drug and Prostitution Nuisance Abatement Act and Drug Residential Eviction Act, respectively. NVS has continued to collaborate very closely with the MPD in order to improve communication and work jointly to arrange for strategies to address drug nuisance.
- INITIATIVE 1.3: PSD will, in FY 2010, impose more restrictive standards for diversion programs related to DWI and DUI prosecutions to deter drunk drivers and repeat drunk drivers in the District.**

Impaired driving poses a serious threat to public safety in the District. The reason for imposing more restrictive standards for reduced pleas was to ensure appropriate punishment for impaired



drivers and enhance the deterrent effect of future criminal activity thereby enhancing public safety. Beginning January 1, 2010, DWI/DUI plea guidelines for the Criminal Section were significantly tightened. The option for pre-trial diversion for impaired driving cases was removed altogether. Eligibility for reduced plea options were also reduced considerably compared to prior plea guidelines. Holding these defendants accountable ensures appropriate punishment as well as serving as deterrent effect on the future criminal behavior of these (and other potential defendants) thereby enhancing public safety.

CHILD SUPPORT SERVICES DIVISION (CSSD)

OBJECTIVE 2: To provide child support enforcement services for children so that they can receive the financial and medical support required by law from their parents.

INITIATIVE 2.1: To increase the number of children and non-custodial parents receiving child support, the CSSD will, throughout FY 2010, deploy staff and resources to obtain birth certificates from the Office of Vital Records and to determine or verify paternity for children receiving TANF.

This is an on-going initiative that has been successful in FY 2010. The CSSD is focusing on reducing child poverty by identifying TANF child support customers that have not had paternity established in their cases. The CSSD is partnering with the Office of Vital Records to obtain birth certificates and enter data in the Unwed Birth System (UBS). This initiative allows CSSD to proceed with establishing paternity and a child support order. Three CSSD employees worked with Vital Records staff on this project which resulted in nearly 600 cases being updated in the UBS system. The benefit of this initiative is that CSSD is able to proceed with the establishment of a child support order in cases that were previously stalled due to a lack of necessary documentation. The FY 2010 results would have been higher if Vital Records had not restricted CSSD's access to the birth certificates. Although CSSD allocated 3 employees on the project, Vital Records restricted access to their file room to 2 employees. This decreased productivity on the project by one-third.

INITIATIVE 2.2: By September 30, 2010, CSSD will increase the active participation of non-custodial parents in its employment services initiative.

In response to the Mayor's performance measure which seeks to decrease unemployment in the District of Columbia, the CSSD has implemented the Non-custodial Parent Employment Program. CSSD has successfully accomplished its FY 2010 goal of increasing the active participation of non-custodial parents in its employment services initiative. The yearly goal was met as early as May 2010 and CSSD far exceeded expectations for the fiscal year by serving a total of 263 NCPs through the program. This initiative is a partnership between CSSD and the Department of Employment Services (DOES). The program's goal is to provide non-custodial parents (NCP) with job training, education, and job placement services. As a part of the collaboration between DOES and CSSD, a DOES Manpower Development Specialist is co-located at CSSD's waiting room during the week. The Specialist conducts in-depth assessments of NCPs participating in the Employment Program in order to ascertain what workforce development, wrap-around, and supportive services they require in order to become job ready. The Specialist provides NCPs with employment referrals and DOES services, and conducts regular follow ups with the NCPs. The resources allocated to this program were reduced due to vacancies and staffing challenges and the schedule of the DOES specialist co-located at CSSD was reduced from 4 days a week to 2 days a week.

INITIATIVE 2.3: In FY'09, CSSD launched on-line payment history information access for



custodial and non-custodial parents. The payment histories were limited to the last six payments. By September 30, 2010, CSSD will expand access to child support payment histories for parents to 12 months.

CSSD has successfully expanded access to child support payment histories for parents to 12 months. This initiative directly impacts CSSD's customer service by providing on-line case information to CSSD customers in a timely and efficient manner. Over 2,000 customers have registered to access their child support cases on-line. This project was successful due to the efforts of the CSSD's Systems and Automation Staff. The completion of this initiative allows customers to research the payment history on their child support cases for up to 12 months, eliminating the need to seek assistance from a CSSD staff person.

CIVIL LITIGATION DIVISION (CLD)

OBJECTIVE 3: to defend the legitimate interests of the District of Columbia government and to protect and enforce the rights of residents in the areas of consumer protection and anti-trust.

- **INITIATIVE 3.1: CLD will create and implement consumer education program to heighten awareness of the District's ability to protect and assist consumers, and to solicit residents to contact OAG to report marketplace concerns during FY 2010.**

With the elimination of the Department of Consumer and Regulatory Affairs' Office of the Consumer Protection in March 2010, CLD's Public Advocacy Section is now the primary source of "content" for the District's consumer protection web-site at consumer.dc.gov, which is a joint project of the Office of the Attorney General and DCRA. The Section regularly submits "Consumer Alerts" for posting on the web-site. The consumer protection web-site had 9951 visits in FY 2010, with visitors spending an average of more than four-and-a-half minutes on the site. The Section has improved its live coverage of the Attorney General's consumer hotline by having a paralegal and an investigator serve as backups for the consumer protection specialist who has primary responsibility for handling incoming calls. The hotline now serves as the District's single point of contact for general consumer complaints.
- **INITIATIVE 3.2: CLD will, in FY 2010, launch an initiative to resolve many civil enforcement cases without the need to file suit.**

The purpose of this initiative was to resolve (settle) cases without the need to file suit. The intended benefit of resolving cases pre-litigation was to save taxpayer dollars by avoiding litigation and the costly expenses associated therewith. CES explores settlement possibilities in every one of its referred cases. Moreover, in any settlement discussion, CES attorneys are tasked with obtaining full recovery or to seek terms that are as favorable to the client agency as is possible. After thoroughly investigating a case, analyzing its strengths and weaknesses, and consulting with the section chief and client, the section chief and/or line attorneys contact the opposing party prior to filing any suit in an attempt to resolve the case. CES encountered no difficulties in completing this initiative this past Fiscal Year. The section was able to resolve One Hundred and Seventeen cases (117) without the need of filing a lawsuit. In settling these cases, CES was able to obtain either full recovery or favorable settlements approved by the client agency. The resolution of these cases resulted in savings to the District of Columbia.
- **INITIATIVE 3.3: In FY 2010, CLD will streamline the review of civil cases against the District, its employees and officials in a manner that will improve operational efficiencies, save substantial tax dollars, while vigorously defending those matters that can only be addressed by litigation.**



The purpose of this initiative is ultimately to save taxpayer dollars by making the most efficient use of litigation resources, effectively litigating cases that cannot and should not be settled, and reaching favorable settlements. With respect to the second and third goals, section chiefs are required to meet with attorneys prior to the close of discovery to ensure that all necessary discovery has been conducted, and senior management has implemented a policy of conducting “pre-trial scrubs” – i.e., meetings well in advance of trial to give more time to develop strategy and address any lapses well in advance of trial. In FY 11, the Division also is implementing a policy of selecting a set of key cases for each Division that will be monitored by senior managers throughout the case to ensure that key issues are discussed and addressed appropriately. Senior management also has implemented a more proactive approach to settlement by addressing the issue of settlement in meetings called to address other issues in a case, rather than just prior to scheduled mediations or trials. The last effort has not always resulted in settlements, however, because of (1) the continuation of the Division’s policy of taking more cases to trial where, in the assessment of Division attorneys, the District should not be held liable and (2) the general difficulty of reaching reasonable settlements where the District has a valid dispositive motion or where discovery has not been completed. The Civil Litigation Division advanced the first goal by strictly scrutinizing requests for credit card purchases at the senior-manager (in addition to the section-chief) level. This process saved thousands of dollars in expenses by identifying requests for payment for litigation services (principally, deposition transcripts) that were reasonable (and would have been reflexively paid at a law firm) but not absolutely critical either because a dispositive motion could be drafted without them or because the expense could be deferred and then potentially never paid at all if the case settled. We will build upon this process in the coming fiscal year by applying credit-card purchases to each section’s litigation budget and strictly applying quarterly apportionment rules on a section-by-section basis.

HEALTH AND HUMAN SERVICES DIVISION AND LEGISLATIVE AFFAIRS (HHS)

OBJECTIVE 4: To provide quality legal representation and advice to its client agencies that supports each agency’s mission to deliver statutorily mandated social services to city residents.

- **INITIATIVE 4.1: The General Counsel Offices in this cluster will assist with the implementation of legislation currently pending before the City Council, that will authorize the sharing of health and human services data among the agencies in this cluster. This will require OAG to revise or draft regulations, statutory amendments, various inter-agency agreements, and contracts as necessary.**

The purpose of the initiative is to provide legal guidance, advice, and support to the health and human services agencies as they share confidential information about common clients among themselves for the purpose of providing services, supports, or benefits. The Health and Human Services Division attorneys worked with Council committees to fine tune the proposed legislation and with the Executive Office of the Mayor to draft a preliminary Mayor’s order to establish necessary HIPAA compliance parameters. Permanent legislation is pending before Congress for review. Until the permanent legislation is enacted the work of the Health and Human Services Division cannot be completed.

COMMERCIAL DIVISION

OBJECTIVE 5: To provide legal advice and litigation support to the District of Columbia government in the areas of tax collection, real property, and other commercial transactions, economic development and municipal finance.

- **INITIATIVE 5.1: The Commercial Division will develop a common OAG-OTR tax litigation/information database within the Fiscal Year to improve inter-agency cooperation, efficiency and communications as they related to property tax collections and related enforcements.**

Developed a master list of pending tax sale foreclosure actions; ascertained the status of each tax sale foreclosure action; linked the information on status of each tax sale foreclosure action to the master list of pending tax sale foreclosure actions; assigned personnel to update the master list of pending tax sale foreclosure actions with their corresponding status; and distributed on a weekly basis, via email to the court and other stakeholders, a list of tax sale foreclosure actions with corresponding status information of the cases scheduled for status hearings before the court during the week of distribution.

- **INITIATIVE 5.2. The Commercial Division will develop a land acquisition program development guide for city agencies that will help reduce legal exposure related to land acquisition by those agencies.**

The initiative was not completed because we simply did not have the time or human resources to devote to it. The Land Acquisition and Bankruptcy Section has one staff attorney devoted exclusively to land acquisition matters. Two other attorneys in the Section are funded by DHCD whose Director does not permit them to work on any projects other than those relating to DHCD's Property Acquisition and Disposition Division (PADD). The fourth Section attorney works almost exclusively on bankruptcy matters, and lacks the expertise (to say nothing of the time) to undertake work on either initiative. Thus, only two attorneys (one of whom is the Section Chief) were available to devote time to the initiative. Alas, unfortunately, they were focused on the principal work of the Section.

- **INITIATIVE 5.3. The Commercial Division will develop a District Condemnation Handbook and a Tax Foreclosure Handbook to help city agencies properly address these governmental activities in an efficient and cost-saving manner.**

The initiative was not completed because we simply did not have the time or human resources to devote to it.

FAMILY SERVICES DIVISION (FSD)

OBJECTIVE 6: To provide court supervision and protection to children in abused or neglected homes or to persons with mental retardation.

- **INITIATIVE 6.1: Reorganize the Child Protection Sections to improve compliance with permanency planning timelines required under the Adoption and Safe Families Act in order to more timely move children to permanency.**

In April, 2010, the Division completed its reorganization. In 2005, a separate section had been established within the division to file and try termination of parental rights motions in all cases where this was necessary. The section filed TPRs in all cases where the goal had become adoption. By 2009, there were over 350 pending TPR motions. Many of these motions were being held in abeyance by the court, often times with the consent of all parties. The sections were reorganized to disband the TPR section and return this function to the attorney assigned to the individual child's case. Through this reorganization the attorneys were able to make informed decisions about how to proceed with termination in their cases. The division has gone from over 360 pending TPRs to under 200 pending motions at the end of FY 2010. The Presiding Judge of Family Court has commented in recent Child Welfare Leadership Team Meetings at the



court that since the reorganization, judges have noted that the overall decision-making by OAG has been better informed as each attorney handles all aspects of their own case from petitioning the case through permanency. In addition to shifting to a more vertical model of prosecution, the division instituted new policies and procedures requiring section chiefs to more closely monitor the progress of each case in their section by monitoring disposition orders in the cases and checking to ensure that permanency hearings are held timely, and that necessary findings are made at each of these hearings. The division did not meet its goal for timely scheduling of permanency hearings for this fiscal year. The Deputy has met with senior court officials to identify the judges whose cases more regularly fail to meet this standard. The court is monitoring this and providing necessary training and support to those judges. The court and our office will both be monitoring this measure in FY 11. We expect to see significant improvement.

● **INITIATIVE 6.2: During FY 2010, FSD will provide additional training in permanency planning to all AAGs in Child Protection Sections to support INITIATIVE 6.1**

The Division had a number of training opportunities in the past year to improve the AAGs' awareness of their role in permanency planning for children in the custody of the Child and Family Services Agency. In late April and early May, there were two separate sessions offered to all AAGs. This was an interdisciplinary training developed by CFSA's Child Welfare Practice Institute and our office. The focus of the training was permanency planning and CFSA's new social work practice model. The training brought social workers and attorneys together to provide information and discuss how to best collaborate to achieve timely permanency for children in care. In addition, to the interdisciplinary training focused specifically on permanency planning, CFSA and OAG coordinated to develop two additional multi-disciplinary trainings. These two trainings were on Child Protective Services investigations and "community papering" of neglect matters. The CPS training will be a half-day training provided to AAGs and social work staff to provide information and allow for discussion regarding better coordination in papering cases in which a child has been removed from the parent's home. The Community Papering training was separate sessions with attorneys and social workers to discuss issues related to petitioning on-going, in-home cases in which the social worker feels that the parent is not making sufficient progress in reducing the level of risk to the children in the home and require court intervention to assist in requiring the parent to access necessary services aimed at reducing the risk. Both of these trainings were developed in FY 2010 and will be implemented in the first quarter of FY 11. The above training opportunities have been just one of the ways that OAG has been working closely with CFSA in the past year in order to improve our interdisciplinary practice to improve the client agency's performance in ensuring permanency, safety and well-being for allegedly neglected children in DC.

OFFICE OF THE SOLICITOR GENERAL (OSG)

OBJECTIVE 7: To provide affirmative and defensive appellate litigation services to the District of Columbia government so that its legal rights are protected and enforced.

● **INITIATIVE 7.1: During FY 2010, the OSG will partner with private law firms to train and use at least two new attorneys to be paid for by private contributions to the District government.**

The purpose of this initiative was to increase efficiency by procuring talented legal assistance at minimal costs to the District. OSG coordinated with a private law firm that funded two attorneys to work with OSG for a year, from approximately September 2009 through August 2010. The District benefited by receiving improved legal services from OSG at minimal cost.



- **INITIATIVE 7.2:** During FY 2010, the OSG will make more use of the processes in the appellate courts for summary disposition of simple appeals.

- **INITIATIVE 7.3:** OSG will participate in the electronic filing (e-filing) program at the United States Court of Appeals for the District of Columbia Circuit, making filing simpler and court records more accessible to interested members of the public.

The purpose of this initiative was to increase efficiency and transparency by working with the D.C. Circuit to make filing simpler and to make files more readily available to interested people inside and outside the government. OSG's attorneys during all of FY 2010 participated successfully in the e-filing program. The District benefited because e-filing saved OSG's lawyers time and made court files more readily accessible to all.

LEGAL COUNSEL DIVISION (LCD)

OBJECTIVE 8: To provide legal guidance, counseling and legal sufficiency certification services to the government of the District of Columbia and its employees so they can legally and efficiently accomplish the government's mission while minimizing the risk of adverse legal consequences.

- **INITIATIVE 8.1.:** During FY 2010, LCD will partner with the Mayor's Office of Policy and Legislative Affairs ("OPLA") so to stay abreast of all proposed rulemakings to ensure that these rulemakings are legal and appropriate for their purposes.

- **INITIATIVE 8.2:** Work with the Executive Office of the Mayor to identify all agencies' short-, mid-, and long-term legislative and regulatory agendas for 2010 and to provide early and ongoing legal assistance as these agendas are developed through the fiscal year.

The purpose of this initiative was to help the EOM identify key legislative and regulatory proposals the Mayor might support; and, once these were identified, for LCD to review the resulting proposals for legal sufficiency. This approach resulted in improved laws and regulations, contributing to the public health, safety, and welfare. Working with LCD, OPLA prepared detailed summaries of potential new laws and regulations. The Mayor and City Administrator then chose those they wished to pursue. OPLA so advised the agencies, which proposed appropriate measures. LCD then reviewed these for legal sufficiency before they were either submitted to the Council (in the case of bills) or published for public comment (in the case of proposed rules).

OBJECTIVE 9: To provide direct legal assistance in the litigation of high-profile lawsuits where LCD has unique expertise and can make a substantial contribution to achieving a successful outcome for the District of Columbia and its citizens.

- **INITIATIVE 9.1:** During FY 2010, LCD will handle a select number of high-profile appeals for the Office of the Solicitor General, and partner with the Civil Litigation Division, in the handling of high-profile lawsuits in the local courts.

The purpose of this initiative was to leverage LCD's extensive expertise to help OAG's litigating divisions. This, in turn, benefits the District's citizens by producing more favorable outcomes in cases brought by or against the government.

OBJECTIVE 10: Provide legal advice to the Advisory Neighborhood Commissions ("ANCs") whenever a Commission or Commissioner requests such assistance relating to official actions.



- **INITIATIVE 10.1: During FY 2010, LCD will respond orally or in writing, as appropriate, to all requests for legal advice received from the ANCs or the Executive Director of the Office of the ANCs.**

The purpose of this initiative was to ensure that ANCs get the advice they frequently need to understand their enabling laws. They would not function well, if at all, without this advice. The District's citizens benefit from effective ANCs, which constitute its grass roots government.

OBJECTIVE 11: To provide grant funding to the D.C. Bar Foundation, as authorized by OAG's annual appropriations act, so that the Foundation may carry out two important programs for the District's citizens: sub-grants to non-profit organizations that provide legal services to the poor and under-served; and the poverty lawyer loan assistance repayment program, which repays law school-related loans of lawyers who successfully complete a period of legal service to the poor and under-served.

- **INITIATIVE 11.1: During FY 2010, LCD will collaborate with the Mayor's Office of Partnerships and Grant Services to: negotiate, write, and carry out the grant agreement with the D.C. Bar Foundation for both the legal services sub-grants and the poverty lawyer loan assistance repayment program; monitor the Foundation's implementation of the grant agreement; and oversee the auditing of the Foundation's expenditure of funds under the grant agreement for Fiscal Year 2008.**

PERSONNEL, LABOR AND EMPLOYMENT DIVISION (PLED)

OBJECTIVE: Attract, retain and develop highly qualified and productive workforce that supports optimum labor-management relations.

- **INITIATIVE 9.1 Within the next nine months, OAG will devote additional attention and resources to its internship program and workplace policies that increase quality of life and productivity. OAG will also enhance its pro-bono partnerships with local top law firms. To foster retention of its staff, during that time period OAG will further develop its comprehensive professional development program for its entire staff and create greater opportunities for growth and mobility.**

OAG not only enhanced its pro-bono partnerships with top local law firms during Fiscal year 2010, but also partnered with various top law schools to recruit volunteer attorneys. OAG was successful in partnering with top area law firms such as Mayer Brown, Pillsbury Winthrop, White and Case, Crowell and Moring, Paul Hastings, and Morrison & Foerster to recruit pro-bono attorneys. In addition, OAG partnered with several top law schools that offered student paid stipends to do volunteer work within various divisions in OAG. The law schools included Georgetown, University of Chicago, University of Virginia and Cornell University. OAG's successful outreach and partnerships resulted in the receipt of approximately 12 attorneys to work on a pro-bono. Given the budget deficit and increased caseload, these attorneys have been invaluable to OAG.

- **INITIATIVE 9.2: During the fiscal year, OAG will establish and implement new performance measures for its position classifications so that job duties are clearly understood and productivity is maximized.**

OAG successfully completed the writing of all position descriptions for all OAG positions. At this time, DCHR is conducting a reclassification reform project that is not yet completed. Once that project is completed, OAG will be able to take any necessary follow up steps.



INITIATIVE 9.3: During FY 2010, PLED will assist District of Columbia agencies in maintaining efficient and productive workforces by zealously defending their personnel matters and personnel actions.

PLED was proactive in both developing appropriate training, based on needs, and implementing the training for District of Columbia government agencies. In this regard, PLED provided training to agency managers, General Counsels, and HR agency representatives on various topics, including “Initial Response to RIF Appeals Before OEA”; “Nuts and Bolts of a Disciplinary Case” and “Hearing Officer Training.” PLED also provided a case law review and an overview of comprehensive changes to the CPMA, entitled “Public sector Workers’ Compensation Program” to the Office of Risk Management and the third party administrator for the workers’ compensation program. With respect to litigation, PLED successfully defended all of the reduction in force (RIF) appeals heard by the Office of Employee Appeals (OEA) during FY10 as well as the overwhelming majority of disciplinary appeals heard by OEA in FY10. In addition, PLED successfully defended all disciplinary arbitrations during FY10, except those cases where a clear violation of a statutory or collective bargaining agreement time limit was found.



Key Performance Indicators – Details

Performance Assessment Key:

● Fully achieved
 ● Partially achieved
 ● Not achieved
 ● Data not reported

	Measure Name	FY2009 YE Actual	FY2010 YE Target	FY2010 YE Actual	FY2010 YE Rating	Budget Program
PUBLIC SAFETY DIVISION (PSD)						
●	1.1 # of Nuisance Property Prosecutions	30	36	24	66.67%	
●	1.2 Juveniles referred for rehabilitation	90	91	91.07%	100.07%	
●	1.3 Successful Criminal Cases per FTE	0	30	14.57	48.57%	
CHILD SUPPORT SERVICES DIVISION (CSSD)						
●	1.1 Paternity Establishment Percentage	85	86	88.13%	102.48%	CSED ESTABLISHMENT
●	1.2 # of Child Support Orders Established	2627	2679	2347	87.61%	
●	1.3 Assist non-custodial parent job applicants	129	150	263	175.33%	CHILD SUPPORT
●	1.4 # of parents newly registered to access on-line records	660	850	1240	145.88%	CHILD SUPPORT
CIVIL LITIGATION DIVISION (CLD)						
●	1.1 # of Civil Litigation Closed Cases	298	300	289	96.33%	CIVIL LITIGATION PROGRAM
●	1.2 \$ Collected by the Civil Enforcement Section per Attorney FTE	532000	540000	101,413.54	100.07%	



1.3	\$ Collected by the Public Advocacy Section excluding Tobacco Settlement	2642120	2700000	\$2,418,052.61	89.56%	PUBLIC ADVOCACY PROGRAM
1.4	# of Closed Cases in the Equity Sections	79	80	82	102.50%	
HEALTH AND HUMAN SERVICES DIVISION AND LEGISLATIVE AFFAIRS (HHS)						
1.1	% of Written Responses to Client Agencies Completed by Deadlines.	97.7	98	99.10%	101.12%	HUMAN SERVICES PROGRAM
1.2	% of Successfully Resolved Mental Health Cases.	97	97.5	94.85%	97.28%	
1.3	Successful Resolution of Mental Health cases per FTE.	0	15	32.1	214.00%	HUMAN SERVICES PROGRAM
COMMERCIAL DIVISION						
1.1	% of Economic Development Section transactional documents prepared and/or reviewed for legal sufficiency within 60 days.	0	90	81.20%	90.22%	COMMERCIAL TRANSACTIONS PROGRAM
1.2	% of Legal sufficiency reviews performed by Land and Public Works Section timely completed.	0	90	73.05%	81.17%	
1.3	% of Real Estate Transactions Section transactional documents prepared and/or reviewed for legal sufficiency within 60 days.	0	90	96.06%	106.73%	
1.4	# of litigation success by the Tax and Finance Section per FTE	0	10	14.44	144.40%	COMMERCIAL TRANSACTIONS PROGRAM
1.5	% of litigation success by the Land Acquisition and	0	90	94.26%	104.74%	COMMERCIAL TRANSACTIONS PROGRAM



	Bankruptcy Section.					
1.6	% of Procurement Section non-emergency procurement reviews completed within 60 days.	0	90	80.65%	89.61%	
FAMILY SERVICES DIVISION (FSD)						
1.1	% of favorable resolution in all cases which reach adjudication in the division.	97	95	99.23%	104.46%	FAMILY SERVICES PROGRAM
1.2	% of children whose first permanency hearing is held within 12 months of the child's entry into foster care.	0	90	88.57%	98.41%	FAMILY SERVICES PROGRAM
1.3	% of cases filed for termination of parental rights by the Child Protection Section within 45 days of the child's goal changing to adoption	0	90	92.55%	102.84%	FAMILY SERVICES PROGRAM
1.4	Ratio of substantive motions for criminal contempt referred to section for representation accepted for representation per attorney FTE.	0	15	4.38	29.20%	FAMILY SERVICES PROGRAM
OFFICE OF THE SOLICITOR GENERAL (OSG)						
1.1	% of favorable resolution in defensive appeals cases.	0	90	90.13%	100.14%	
1.2	% of regular calendar arguments in which a moot court was held.	0	95	100%	105.26%	APPELLATE PROGRAM



●	1.3	Motions for summary disposition filed per FTE	0	2	1.32	66.00%	APPELLATE PROGRAM
LEGAL COUNSEL DIVISION (LCD)							
●	1.1	# of rulemaking projects completed for client agencies.	37	40	50	125%	RULEMAKING
●	1.2	% written assignments completed by deadline given by client agency, or 30 days if no deadline given.	95	98.5	99.06%	100.57%	
●	1.3	# completed written assignment per FTE.	170	200	53.36	26.82%	
●	2.1	# of high-profile lawsuits directly assisted	0	13	20	153.85%	LEGAL COUNSEL PROGRAM
●	3.1	# of written opinions issued to ANCs	13	20	25	125%	
PERSONNEL, LABOR AND EMPLOYMENT DIVISION (PLED)							
●	1.1	# of attorneys who left the agency.	35	50	36	138.89%	PERSONNEL, LABOR & EMPLOYMENT PROGRAM
●	1.2	# of interns assisting attorneys and staff on an annual basis	0	200	224	112%	PERSONNEL, LABOR & EMPLOYMENT PROGRAM
●	1.3	# of in-house training hours taken per legal FTE	0	12	16.35	136.25%	PERSONNEL, LABOR & EMPLOYMENT PROGRAM