

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, education, intellectual property, land use and environmental policy.

FOCUS ON EQUITY

The New York City Law Department's 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 significant 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 2016 the payout for judgments and claims brought against the City in state and federal court decreased 14 percent compared to the same period of Fiscal 2015. This decrease is attributable to settlement activities in Fiscal 2015 related to several large and longstanding legal matters against the City.
- Cases commenced against the City increased four percent during the reporting period.
- Cases pending in state court increased seven percent, continuing to adversely impact the City's ability to devote resources to affirmative motion practice, which continued to decrease.
- Dismissals and discontinuances in federal court decreased 37 percent during the reporting period. During the first four months of Fiscal 2016 dismissals and discontinuances were four percent of actions pending in federal court, compared with six percent of actions pending during the first four months of Fiscal 2015.
- During the reporting period the Department's juvenile conviction rate increased four percentage points.
- During the first four months of Fiscal 2016, 14 of 21 juveniles in diversion programs received no new juvenile delinquency referrals within a year, compared to 21 of 25 juveniles in the same period of Fiscal 2015. As juvenile arrests, especially for misdemeanors, have been decreasing over the past two years, a smaller pool of cases have been referred to the Department with fewer suitable for diversion.
- Crime victims who were referred by the Department to community-based services increased seven percentage points.

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	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
★ Total citywide payout for judgments and claims (\$000)	\$490,175	\$579,899	\$608,500	↓	↓	\$142,808	\$122,789
★ Total cases commenced against the City	9,528	9,045	9,922	*	*	3,181	3,318
- Cases commenced against the City in state court	7,745	7,258	8,112	7,900	8,000	2,573	2,719
- Cases commenced against the City in federal court	1,781	1,787	1,810	1,800	1,800	603	599

★ Critical Indicator "NA" - means Not Available in this report * No Target ↓↑ shows desired direction

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
★ Cases pending in state court	17,884	19,039	20,059	21,000	21,500	19,427	20,751
- Cases pending on trial calendar	2,256	2,260	2,255	2,300	2,500	2,297	2,423
Affirmative motions to dismiss or for summary judgment	1,798	1,903	1,561	*	*	560	446
★ Win rate on affirmative motions (%)	72%	78%	74%	78%	78%	72%	85%

★ Critical Indicator "NA" - means Not Available in this report * No Target ↓↑ shows desired direction

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

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
★ Cases pending in federal court	1,711	1,659	1,652	1,675	1,650	1,571	1,646
Dismissals and discontinuances	264	173	228	*	*	101	64

★ Critical Indicator "NA" - means Not Available in this report * No Target ↕ ↑ 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	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Referred cases filed for prosecution (%)	56%	58%	54%	55%	55%	53%	55%
Juvenile conviction rate (%)	73%	75%	75%	70%	70%	72%	76%
★ Juveniles successfully referred to a diversion program with no new delinquency referral within one year (%)	85%	85%	84%	75%	75%	84%	66%
Crime victims referred for community-based services (%)	36%	46%	50%	40%	40%	45%	52%

★ Critical Indicator "NA" - means Not Available in this report * No Target ↕ ↑ 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	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Filing of enforcement referrals within 60 days of referral (%)	95%	94%	94%	85%	85%	96%	93%
★ Families entitled to a support order that get a support order (%)	65%	65%	68%	65%	65%	66%	66%

★ Critical Indicator "NA" - means Not Available in this report * No Target ↕ ↑ shows desired direction

AGENCY CUSTOMER SERVICE

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Customer Experience							
Completed requests for interpretation	705	860	762	*	*	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%

"NA" - means Not Available in this report * No Target

AGENCY RESOURCES

Resource Indicators	Actual			Sept. 2015 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY13	FY14	FY15	FY16	FY16 ¹	FY17 ¹	FY15	FY16
Expenditures (\$000,000) ²	\$143.9	\$162.7	\$175.6	\$186.6	\$196.6	\$185.6	\$67.2	\$73.6
Revenues (\$000,000)	\$38.8	\$23.5	\$26.8	\$20.5	\$45.5	\$20.5	\$10.7	\$7.7
Personnel	1,445	1,504	1,551	1,542	1,615	1,608	1,462	1,528
Overtime paid (\$000)	\$1,374	\$1,650	\$1,354	\$1	\$1	\$1	\$386	\$308
¹ January 2016 Financial Plan ² Expenditures include all funds "NA" - Not Available in this report								

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

- The Department adjusted Fiscal 2016 targets for 'Win rate on affirmative motions (%)' and 'Cases pending in federal court' to reflect the results of an analysis of actual performance over the past three full fiscal years. The Department also set Fiscal 2017 targets for 'Cases pending in state court,' 'Win rate on affirmative motions,' and 'Cases pending in federal court,' to reflect the results of an analysis of actual performance over the past three full fiscal years.
- The Department added targets to this report for the first time for the following indicators: ' - Cases commenced against the City in state court,' ' - Cases commenced against the City in federal court,' ' - Cases pending on trial calendar,' and 'Filing of enforcement referrals within 60 days of referral (%).'

ADDITIONAL RESOURCES

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