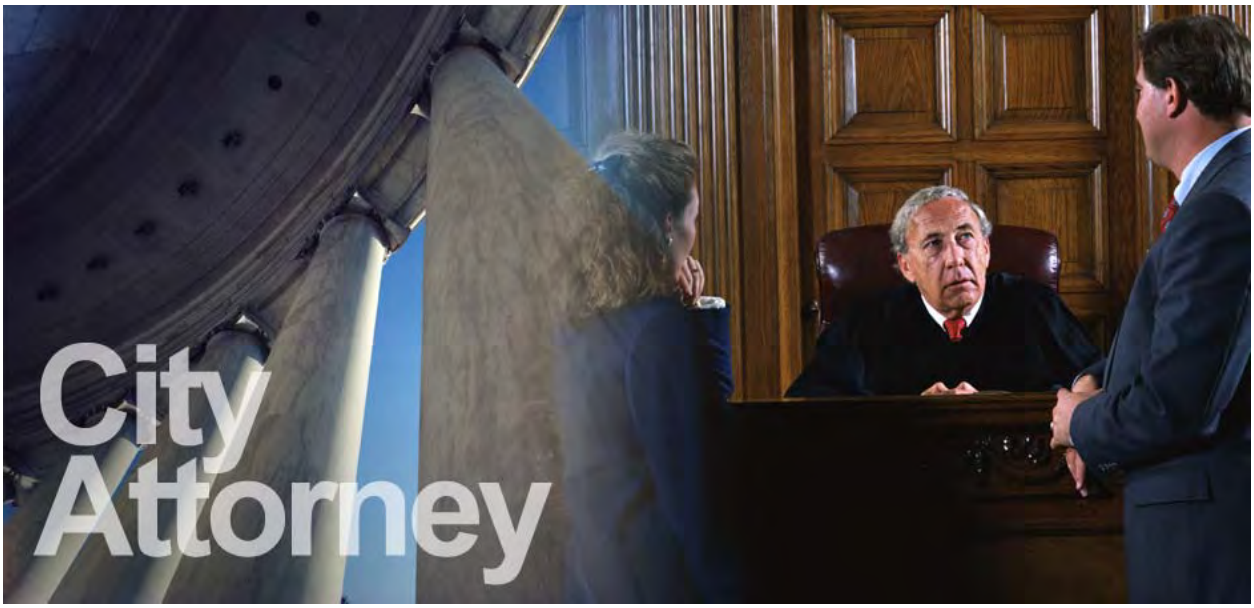

Department Description

The Office of the City Attorney is among the region's largest law firms, handling a diverse case load. The City Attorney's Office advises the Mayor, the City, and all its departments; prosecutes or defends law suits or cases to which the City may be a party; and receives approximately 35,000 criminal cases per year involving persons charged with violations of the State laws occurring within the city limits of the City of San Diego for misdemeanor offenses.

City Attorney Jan Goldsmith has been an attorney since 1976 specializing in business litigation. He was appointed San Diego Superior Court Judge in 1998 and retired in December 2008 to assume the office of San Diego City Attorney. Mr. Goldsmith spent his first six years on the bench handling criminal and civil trials and his final years assigned to an independent civil calendar.

Executive Assistant City Attorney Andrew Jones holds the number two management position in the office. In December 2008, Mr. Jones was appointed Assistant City Attorney and led the Civil Litigation Division. In November 2009, Mr. Jones was tasked to lead the Criminal Division. In January 2011, Mr. Jones was appointed Executive Assistant City Attorney. Mr. Jones was sworn in as a Deputy City Attorney in 1997 and has over 13 years of trial experience. His civil practice includes civil rights, torts, inverse condemnation, unlawful detainers and breach of contract. He also prosecuted misdemeanor violations and abusers in domestic violence and child abuse cases.

The Office of the City Attorney has restructured itself into a private law firm model with four divisions: Civil Advisory, Civil Litigation, Criminal, and Community Justice. These divisions are subdivided into units which allow the attorneys to specialize in areas of practice.

Civil Advisory Division: The Civil Advisory Division provides advice to the City and each of its departments including the City Council and Mayor. The Civil Advisory Division is divided into five units: Government Affairs and Finance, Real Property and Economic Development, Public Works, Public Safety and Employment Services. This division is under the direction of Assistant City Attorney Mary Jo Lanzafame who has over 22 years of experience as a municipal lawyer in areas of practice including the California Environmental Quality Act (CEQA), planning and zoning, conflict of interest, the Brown Act, real estate, and public works.

Civil Litigation Division: The Civil Litigation Division prosecutes or defends civil lawsuits in which the City is a party. The Civil Litigation Division is divided into five units: Civil Prosecution, Workers' Compensation, Land Use

City Attorney

Litigation, General Litigation, and Special Litigation. Don Worley, the Assistant City Attorney heading this division, has over 30 years in private practice in land use, real estate, and business litigation.

Criminal Division: The Criminal Division prosecutes criminal misdemeanors and infractions committed within the city limits. The Criminal Division is divided into four units: Case Issuance, General Trial, Appellate, and Domestic Violence. This division is under the direction of Tricia Pummill, Assistant City Attorney, who brings over 27 years of experience as a criminal prosecutor specializing in white collar crime and consumer protection.

Community Justice Division: The Community Justice Division prosecutes cases that the community has identified as important to quality of life. Prosecutors work with the community, police, and other law enforcement agencies to establish and maintain security, fair business dealing, and to promote justice. The Community Justice Division is divided into three units: Neighborhood Prosecution, Code Enforcement, and Consumer and Environmental Protection. Assistant City Attorney Tricia Pummill is also head of this division.

The Office of the City Attorney is built upon the senior partner, junior partner, and associate model used in private law firms. The division leaders, along with City Attorney Jan Goldsmith, have more than 130 years of combined experience.

The Department's mission is:

> ***Integrity matters! We can best help our city by maintaining our integrity and providing timely, accurate, and high quality legal representation to the City of San Diego. We will be firm, independent and professional, stopping illegalities while suggesting solutions. We will never forget that we are accountable to the people of San Diego and that we represent the City of San Diego.***

Goals and Objectives

The Civil Litigation Division will continue to take in cases that were previously sent to outside counsel, thereby reducing expenses and gaining experience in areas it did not traditionally have experience in. The Civil Litigation Division is working expeditiously on finalizing large settlements of long-standing cases.

The Civil Advisory Division will produce legal opinions and memorandum of law on a wide variety of issues such as pension reform, retiree health, budget matters, and a variety of miscellaneous issues including items of interest as requested by the Mayor, City Council, or City departments.

The Criminal Division, along with other law enforcement and domestic violence agency partners, are collaboratively working together on grant funding opportunities for a new pilot program to increase the health and safety of children and families by preventing reoccurring abuse in misdemeanor domestic violence cases.

The Community Justice Division will be responsive to community groups and council representatives when they identify criminal conduct that is impacting their communities and find creative ways within legal parameters to remove those conditions.

Both the Criminal Division and the Neighborhood Prosecution Unit will increase participation of misdemeanor offenders in community courts. This removes some of the work from the court system and leads to additional community service by offenders which improves neighborhoods at no expense to taxpayers. Additionally, they will expand programs that are alternatives to placing people in jail for low-level offenses, preferably programs that deter future criminal conduct and return some benefit to the community.

The Neighborhood Prosecution Unit will increase collaborative work with community groups, the San Diego Police Department, the courts, and the defense bar to address the problems of chronic violators of the law. These include individuals suffering from mental illness and homeless individuals who commit misdemeanors.

The Domestic Violence Unit will address in a timely manner reports received from the police departments of domestic violence and work with the Family Justice Center to make sure victims of domestic violence are aware of resources available to them. They will properly evaluate cases for the issuance of criminal charges and seek appropriate sentencing upon conviction.

Service Efforts and Accomplishments

The City Attorney's Office has developed credibility and its reputation is solid in the legal community. It is communicating effectively with its client and it is winning cases. Each of its divisions has instituted changes that result in more productivity and quality of legal services. Its office works diligently and it reflects from the positive feedback that it receives from the legal community about its attorneys and staff.

The Civil Advisory and Civil Litigation Divisions have completed the installation of a new case management and document management system. This will help the City Attorney's Office track information while coordinating all key functions from cases and contacts to time and billing more efficiently. Some of the software applications include case and matter management, document assembly, rules-based calendaring, and integrated court rules.

The Civil Advisory Division provided legal opinions and analyses concerning core municipal functions relating to the City Charter, San Diego Municipal Code, Mayor-Council form of governance which included ballot measures related to fiscal analysis provided to voters, conflict of interest codes for all city departments, boards and commissions, and agencies and several issues relating to the City's budget and finances.

The Civil Litigation Division has several significant accomplishments this year including prevailing on motions for summary judgment, prevailing on demurrers, winning at trials and defeating plaintiffs' motions for preliminary injunction. Additionally, the Civil Litigation Division has settled many claims against the City and received revenue recoveries or settlements owed to the City resulting in millions of dollars to the general fund or public liability fund (as appropriate).

The Criminal Division will continue to handle criminal cases timely, competently, and to a just conclusion. It will continue to safeguard the rights of victims of crimes by obtaining restitution when appropriate and to protect the community by bringing individuals who have committed crimes to court and obtaining appropriate penalties.

The Code Enforcement Unit vigilantly pursues the rehabilitation of vacant properties by their owners. The Code Enforcement Unit also evaluates reports (on slumlords causing tenants to live in unsafe housing) in a timely manner, assists the tenants to secure safe housing, and holds slumlords accountable.

The Department's Consumer and Environmental Protection Unit (CEPU) provides information to the public on ways to avoid becoming victims of identity theft, false advertising, conmen, investment frauds, and other white collar crimes. The Unit will continue to provide service to the public in the areas of consumer and environmental protection by staffing the Consumer Hotline with an informed employee who properly assesses complaints and provides referrals where appropriate. CEPU will continue to investigate and prosecute cases that no other agency prosecutes which involve consumer fraud or environmental crimes (e.g. individuals who practice law without a license, abusive debt collectors, or false/misleading advertising).

The Neighborhood Prosecution Unit is a team of deputy city attorneys who are liaisons to the police commands and to the communities they serve. They attend community meetings and events to relay information on quality-of-life crime problems to San Diego Police Department (SDPD) and the City Attorney's Office.

Page Intentionally Left Blank

Department Summary

	FY2011 Budget	FY2012 Proposed	FY2011–2012 Change
Positions	348.43	**343.35**	(5.08)
Personnel Expenditures	$ 39,232,663	**$ 39,519,750**	$ 287,087
Non-Personnel Expenditures	2,651,820	**2,923,242**	271,422
Total Department Expenditures	**$ 41,884,483**	**$ 42,442,992**	**$ 558,509**
Total Department Revenue	**$ 5,834,720**	**$ 5,607,163**	**$ (227,557)**

General Fund

Department Expenditures

	FY2011 Budget	FY2012 Proposed	FY2011–2012 Change
Administration	$ 17,945,932	**$ 3,245,441**	$ (14,700,491)
Civil Advisory	8,608,106	**11,061,367**	2,453,261
Civil Litigation	5,724,972	**10,559,224**	4,834,252
Community Justice	3,762,789	**5,275,376**	1,512,587
Criminal Litigation	5,842,684	**12,301,584**	6,458,900
Total	**$ 41,884,483**	**$ 42,442,992**	**$ 558,509**

Department Personnel

	FY2011 Budget	FY2012 Proposed	FY2011–2012 Change
Administration	185.70	**26.00**	(159.70)
Civil Advisory	52.46	**72.42**	19.96
Civil Litigation	35.00	**81.38**	46.38
Community Justice	28.20	**39.21**	11.01
Criminal Litigation	47.07	**124.34**	77.27
Total	**348.43**	**343.35**	**(5.08)**

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Equipment/Support for Information Technology Funding allocated according to a zero-based annual review of information technology funding requirements and priority analyses.	0.00	$ 1,237,069	$ -
Non-Discretionary Adjustment Total expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.	0.00	509,661	-
Hourly Personnel Funding Funding allocated according to a zero-based annual review of hourly funding requirements.	3.35	185,213	-
Law Library Funding Reduction of non-personnel expenditures for the law library due to the reduction of less users of a daily legal newsletter.	0.00	(10,000)	-
Reduction of Information Systems Analyst 2 Reduction of 1.00 vacant Information Systems Analyst 2.	(1.00)	(97,483)	-

City Attorney

Significant Budget Adjustments *(Cont'd)*

	FTE	Expenditures	Revenue
Reduction in Supplies and Contracts Additional reduction of supplies and contracts expenditures after a review of prior year spending trends.	0.00	(110,990)	-
Revised Revenue Adjustment to reflect Fiscal Year 2012 revenue projections.	0.00	-	(227,557)
Total	**2.35**	**$ 1,713,470**	**$ (227,557)**

Expenditures by Category

	FY2011 Budget	FY2012 Proposed	FY2011–2012 Change
PERSONNEL			
Salaries and Wages	$ 23,666,594	**$ 23,941,568**	$ 274,974
Fringe Benefits	15,566,069	**15,578,182**	12,113
PERSONNEL SUBTOTAL	**$ 39,232,663**	**$ 39,519,750**	**$ 287,087**
NON-PERSONNEL			
Supplies	$ 368,806	**$ 260,260**	$ (108,546)
Contracts	864,341	**1,264,024**	399,683
Information Technology	1,331,073	**1,237,069**	(94,004)
Energy and Utilities	23,000	**53,382**	30,382
Other	64,600	**108,507**	43,907
NON-PERSONNEL SUBTOTAL	**$ 2,651,820**	**$ 2,923,242**	**$ 271,422**
Total	**$ 41,884,483**	**$ 42,442,992**	**$ 558,509**

Revenues by Category

	FY2011 Budget	FY2012 Proposed	FY2011–2012 Change
Charges for Services	$ 4,182,620	**$ 3,590,686**	$ (591,934)
Fines Forfeitures and Penalties	1,650,000	**1,650,000**	-
Licenses and Permits	2,000	**2,000**	-
Other Revenue	100	**100**	-
Rev from Federal Agencies	-	**364,377**	364,377
Total	**$ 5,834,720**	**$ 5,607,163**	**$ (227,557)**

Personnel Expenditures

Job Number	Job Class	Job Title / Wages	FY2011 Budget	FY2012 Proposed	Salary Range	Total
Salaries and Wages						
20000011	1104	Account Clerk	1.00	**1.00**	$31,491 - $37,918	$ 36,970
20000012	1105	Administrative Aide 1	2.00	**2.00**	36,962 - 44,533	84,356
20001076	2106	Assistant City Attorney	4.00	**4.00**	73,008 - 291,595	605,277
20000049	1132H	Assistant Management Analyst	0.00	**1.00**	44,470 - 54,059	52,708
20000041	1132	Assistant Management Analyst	1.00	**0.00**	44,470 - 54,059	-
20000119	1218	Associate Management Analyst	2.00	**2.00**	54,059 - 65,333	113,437
20000171	1236	Auto Messenger 1	2.00	**2.00**	26,208 - 31,491	61,408
20001070	2001	City Attorney	1.00	**1.00**	73,008 - 291,595	193,648
20000610	1596	City Attorney Investigator	20.92	**21.00**	58,219 - 70,429	1,283,562
90000610	1596	City Attorney Investigator - Hourly	1.26	**1.00**	58,219 - 70,429	58,219
20000539	1535	Clerical Assistant 2	27.50	**26.00**	29,931 - 36,067	819,985

Personnel Expenditures *(Cont'd)*

Job Number	Job Class	Job Title / Wages	FY2011 Budget	FY2012 Proposed	Salary Range	Total
90000539	1535	Clerical Assistant 2 - Hourly	0.84	**0.00**	29,931 - 36,067	-
20001159	2205	Confidential Secretary to the City Attorney	1.00	**1.00**	16,827 - 105,518	75,777
20000351	1386	Court Support Clerk 1	15.00	**17.00**	31,491 - 37,918	621,873
20000353	1388	Court Support Clerk 2	12.00	**12.00**	32,968 - 39,811	460,927
20001117	2151	Deputy City Attorney	136.86	**135.75**	17,805 - 204,214	13,294,018
90001117	2151	Deputy City Attorney - Hourly	2.46	**0.47**	17,805 - 204,214	52,175
20001258	21511	Deputy City Attorney - Unrepresented	4.00	**5.00**	17,805 - 204,214	591,510
20001168	2214	Deputy Director	1.00	**1.00**	46,966 - 172,744	98,067
20000392	1415	Dispute Resolution Officer	1.00	**1.00**	54,059 - 65,333	63,700
20000290	1348	Information Systems Analyst 2	2.00	**1.00**	54,059 - 65,333	76,607
20000293	1349	Information Systems Analyst 3	1.00	**1.00**	59,363 - 71,760	69,607
20000377	1401	Information Systems Technician	2.00	**2.00**	42,578 - 51,334	98,562
20001128	2166	Legal Intern	1.00	**0.00**	39,000 - 47,424	-
90001128	2166	Legal Intern - Hourly	0.00	**0.96**	39,000 - 47,424	37,440
90000335	1379	Legal Secretary 1 - Hourly	0.00	**0.06**	36,067 - 43,514	2,164
20000587	1577	Legal Secretary 2	36.20	**35.25**	43,555 - 52,666	1,624,924
90000587	1577	Legal Secretary 2 - Hourly	0.42	**0.00**	43,555 - 52,666	-
20000911	1867A	Librarian 3	1.00	**1.00**	55,266 - 67,101	65,424
20001073	2103	Management Intern	0.37	**0.00**	24,274 - 29,203	-
20000614	1598	Paralegal	20.37	**20.00**	52,374 - 63,190	1,117,079
90000172	1237	Payroll Specialist 1 - Hourly	0.00	**0.40**	33,093 - 39,832	13,237
20000680	1648	Payroll Specialist 2	2.00	**2.00**	34,611 - 41,787	78,590
90000680	1648	Payroll Specialist 2 - Hourly	0.23	**0.00**	34,611 - 41,787	-
20001141	2182	Principal Assistant to the City Attorney	1.00	**1.00**	26,395 - 160,430	72,264
20000747	1728	Principal City Attorney Investigator	1.00	**1.00**	70,221 - 85,051	82,925
20000741	1726	Principal Clerk	1.00	**1.00**	43,555 - 52,666	51,349
20000380	1404	Principal Legal Secretary	1.00	**1.00**	50,398 - 60,736	59,218
20000063	1147	Principal Paralegal	1.00	**1.00**	63,586 - 76,502	74,438
20001222	2270	Program Manager	2.00	**2.00**	46,966 - 172,744	75,660
20000783	1776	Public Information Clerk	1.00	**1.00**	31,491 - 37,918	31,491
20000933	1885	Senior City Attorney Investigator	5.00	**5.00**	63,794 - 77,314	296,886
20000935	1885B	Senior City Attorney Investigator	1.00	**1.00**	63,794 - 77,314	75,381
20000927	1879	Senior Clerk/Typist	8.00	**8.00**	36,067 - 43,514	336,275
20001144	2185	Senior Legal Intern	1.00	**1.00**	47,466 - 57,658	55,928
20000843	1820	Senior Legal Secretary	6.00	**6.00**	48,006 - 57,845	338,394
20000015	1106	Senior Management Analyst	1.00	**1.00**	59,363 - 71,760	69,966
20000845	1822	Senior Paralegal	5.00	**5.00**	57,658 - 69,410	202,832
90001146	2188	Student Intern - Hourly	0.00	**0.46**	18,616 - 22,318	8,563
20000970	1917	Supervising Management Analyst	1.00	**1.00**	66,768 - 80,891	78,464
20001057	1983	Victim Services Coordinator	4.00	**4.00**	36,962 - 44,533	164,550
20000756	1746	Word Processing Operator	5.00	**5.00**	31,491 - 37,918	72,802

City Attorney

Personnel Expenditures *(Cont'd)*

Job Number	Job Class	Job Title / Wages	FY2011 Budget	FY2012 Proposed	Salary Range	Total
		Bilingual - Regular				18,928
		Master Library Degree				3,355
		Overtime Budgeted				13,064
		Termination Pay Annual Leave				7,584
Salaries and Wages Subtotal			**348.43**	**343.35**		**$ 23,941,568**
Fringe Benefits						
		Employee Offset Savings				$ 547,365
		Flexible Benefits				2,129,278
		Long-Term Disability				208,470
		Medicare				337,776
		Other Post-Employment Benefits				2,058,744
		Retiree Medical Trust				4,633
		Retirement 401 Plan				19,235
		Retirement ARC				8,256,375
		Retirement DROP				27,711
		Retirement Offset Contribution				297,093
		Risk Management Administration				328,032
		Supplemental Pension Savings Plan				1,014,672
		Unemployment Insurance				50,936
		Workers' Compensation				297,862
Fringe Benefits Subtotal						**$ 15,578,182**
Total Personnel Expenditures						**$ 39,519,750**