

**Lane County, Oregon**

**FY 08-09 Service Options Sheet**

Service: **Legal Counsel (Litigation & General Counsel)**  
 Dept: County Counsel  
 Program Contact: Teresa Wilson  
 Contact Phone: 3728

BCC Service Priorities:  
 Fund: 124 Dept. Org ID: 5353010  
 Dept. Priority: 1 of 1  
 Fund Priority:      of     

**Executive Summary**

Represent the County on litigation and claims, including personal injury, property damage, land use, personnel grievances, enforcement, contract disputes, and tax appeals. Includes litigation avoidance advice; investigation & administration of self-insured liability claims against the County, claims-adjusting activities, and proposing & procuring settlements per delegated authority. Provide basic support & legal advice to BCC, elected officials, County Administrator & departments on policy matters & daily operational service delivery; prepare opinions & ordinances; review & approve contracts; maintain Lane Code & Lane Manual; review agenda materials; advise on impacts of proposed legislation & initiatives; prepare ballot titles; review bond and debt instruments.

**State/Federal Mandate**

ORS 203.145 authorizes appointing counsel. ORS 9.320 requires case be defended by named party or an attorney. ORS 30.285-.287 require public body defend & indemnify officers & employees for torts. ORS 197.830 requires assembling land use records within 21 days of service. If cases not defended or records not delivered, risk unchallenged monetary judgment or fine against County.

**Outcome Measure/s**

Fully funded, we anticipate 90% of claims will be resolved prior to trial and 280 agenda items reviewed. First measure reflects effective/efficient resolution of disputes. Second measure is an indicator of general counsel services provided to department work that is delivered to Board.

**Service Level Descriptions. Level 1 (very bottom) = Threshold Level Below Which Service Cannot Be Provided**

X=Funded	Proposed Service Funding >>	Other Funds	Expense Total	General Fund	FTE
		997,519	1,095,025	97,506	8.00
<input checked="" type="checkbox"/>	<b>Level 2:</b>	0	142,664	142,664	1.00
Adds legal capacity to permit improved research for litigation & occasional in-depth research for Board and department decision making; improves contract review turnaround time; builds succession planning capacity into legal staff.					
<input checked="" type="checkbox"/>	<b>Level 1:</b>	997,519	952,361	(45,158)	7.00
Investigate & defend litigation against the County, settling where reasonable; prepare all land use records. Affirmative litigation at Board discretion. Crisis based litigation avoidance & mitigation advice. Basic legal advice to the Board, elected officials & departments on policies & daily operational issues & personnel matters; review contracts & agenda material. Minimal written opinions & preventative law advice. Code and Manual maintenance. Outcome target levels described above.					

Ver: 12/18/07d-ji

- "Shall" Mandate
- Related Mandate
- No Clear Mandate
- Highly Leveraged to County provided service (100% return or greater)
- Leverages Funds to County
- Leverages Funding for Citizens and/or Community Organizations

**Leverage Details**

At the FY 07-08 level of service, the GF      \$0 back to the General Fund  
     \$0 into other County Funds  
 portion of this program leverages:      \$0 directly or via subcontract to community orgs  
     \$0 directly to citizens via services provided

0.00% County Funds Leverage Ratio

For the purpose of this comparison, only include leveraged funds that are dependent on General Fund revenue. Do not include funds that would still be leveraged if the General Fund portion of the service were decreased or eliminated.

**Please use this space to explain the Proposed Service Level Funding impact on leverage of the varying levels of service described above.**