

Lane County - Service Option Sheet - FY 23-24 Proposed

SOS: **Legal Services**
 Dept: County Counsel
 Contact: Lisa Lacey ext 3971

Service Category: General Government

Mandate	None	Related	SHALL
Leverage	None	Some	HIGH

Executive Summary

The Lane County Office of Legal Counsel is the County's legal representative in most legal matters involving County departments, employees and elected officials. The office represents the County's legal interests in a wide range of civil actions including: tort actions, labor grievances, arbitrations, administrative actions, land use matters, and civil commitments. The staff provides day to day legal advice by reviewing County ordinances, Board orders, Lane Code amendments, resolutions, contracts, leases and other legal matters. This service includes the evaluation review, drafting, and assistance to staff in the preparation of legal documents.

Service Descriptions

	Revenue	Expense Total	General Fund	FTE
Proposed Budget Total	\$2,254,305	\$2,343,466	\$89,161	11.00
Current Service Level	\$2,254,305	\$2,343,466	\$89,161	11.00

Investigate and defend litigation against the County, settling where reasonable; prepare all land use records. Basic legal advice to the Board, elected officials, and departments, within one week of inquiry, in the areas of: policies, daily operational issues, personnel matters, contract review, agenda material review, Lane Code and Lane Manual maintenance. Paralegal and support staff are used to prepare large volumes of records and documents allowing the office to leverage attorney time. The support staff gives the office the opportunity in some cases to provide immediate assistance to clients. The office provides avoidance and mitigation advice to reduce or prevent filed litigation against the County, performs basic required research for litigation and advice and provides written legal opinions. Affirmative litigation at Board discretion. Provide training to managers and supervisors to reduce or prevent employment claims and grievances. Complete in-house legal representation of the County.

State/Federal Mandate

Oregon Revised Statutes (ORS): ORS 9.320 requires cases be defended by a named party or attorney; ORS 30.285-.287 require public bodies defend & indemnify officers & employees for torts; ORS 197.830 requires assembling land use records within 21 days of service. If cases aren't defended or records are not delivered, the risk is an unchallenged monetary judgment or fine against the County; ORS 203.145 authorizes BCC to appoint a person or persons licensed to practice law in the State of Oregon as counsel to advise the board and other county officers; ORS 203.810 allows the BCC to elect to have the county counsel prosecute county offenses; ORS 426.100 (4)(c) mandates "a counsel designated by the governing body of a county shall take the responsibility" for representing the state's interest in commitment proceedings.
 Lane Code (LC): LC 1.005.001 directs Legal Counsel to renumber the Code and Manual; LC 2.005.020 assigns maintenance of Lane Code to Legal Counsel; LC 2.005.040 directs contract review by Legal Counsel; LC 2.045.010 assigns duties required by District Attorney to County Counsel regarding County legislation; LC 2.045.035 directs County Counsel to prepare ballot title for measures; LC 9.020.025 requires approval of County Counsel to release confidential information; LC 11.990 permits County Counsel to institute enforcement proceedings; LC 13.170 requires Legal Counsel concurrence to record report denying building permits; LC 21.001.001 requires County Counsel staffing of Independent Redistricting Committee (IRC).

Leverage Details

The General Fund portion of this program leverages the following:

_____ \$0	back to the Discretionary General Fund
_____ \$0	into other non Discretionary County Funds
_____ \$0	directly to community members