

# Mayor's Office of Legal Counsel

**Table AH0-1**

<b>Description</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Approved</b>	<b>FY 2017 Proposed</b>	<b>% Change from FY 2016</b>
OPERATING BUDGET	\$0	\$1,596,088	\$1,641,664	2.9
FTEs	0.0	11.0	10.0	-9.1

**Note:** The Mayor's Office of Legal Council was established as a District of Columbia agency in FY 2016.

The mission of the Mayor's Office of Legal Counsel (MOLC) is to provide legal counsel to the Mayor and the Offices of the Deputy Mayors and District of Columbia executive agencies, with particular attention to coordination of legal support with the agency General Counsel and their staffs.

## Summary of Services

MOLC acts as the primary legal counsel to the Mayor, all Deputy Mayors, and District government agencies. Under the governing legislation, the functions of the MOLC are to:

- Coordinating the hiring, compensation, training, and resolution of significant personnel-related issues for subordinate agency counsel in conjunction with agency directors;
- Providing legal and policy advice to the Mayor and the Executive Branch;
- Resolving interagency legal issues for the Mayor;
- Overseeing the representation of agencies in investigative matters before the Executive Branch of the federal government, Congress, or the Council of the District of Columbia; and
- Supervising outside counsel in matters where the Office of the Attorney General is recused from a matter or otherwise not available.

In addition, the MOLC generally advises the Mayor and the Deputy Mayors in connection with the implementation of the major policy initiatives and responsibilities.

The agency's FY 2017 proposed budget is presented in the following tables:

## FY 2017 Proposed Gross Funds Operating Budget and FTEs, by Revenue Type

Table AH0-2 contains the proposed FY 2017 budget by revenue type compared to the FY 2016 approved budget. It also provides FY 2015 actual data.

**Table AH0-2**

(dollars in thousands)

Appropriated Fund	Dollars in Thousands					Full-Time Equivalents				
	Actual FY 2015	Approved FY 2016	Proposed FY 2017	Change		Actual FY 2015	Approved FY 2016	Proposed FY 2017	Change	
				from FY 2016	Percentage Change*				from FY 2016	Percentage Change
<b>GENERAL FUND</b>										
LOCAL FUNDS	0	1,596	1,642	46	2.9	0.0	11.0	10.0	-1.0	-9.1
<b>TOTAL FOR GENERAL FUND</b>	<b>0</b>	<b>1,596</b>	<b>1,642</b>	<b>46</b>	<b>2.9</b>	<b>0.0</b>	<b>11.0</b>	<b>10.0</b>	<b>-1.0</b>	<b>-9.1</b>
<b>GROSS FUNDS</b>	<b>0</b>	<b>1,596</b>	<b>1,642</b>	<b>46</b>	<b>2.9</b>	<b>0.0</b>	<b>11.0</b>	<b>10.0</b>	<b>-1.0</b>	<b>-9.1</b>

\*Percent change is based on whole dollars.

**Note:** If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2017 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2017 Proposed Operating Budget, by Comptroller Source Group

Table AH0-3 contains the proposed FY 2017 budget at the Comptroller Source Group (object class) level compared to the FY 2016 approved budget. It also provides FY 2014 and FY 2015 actual expenditures.

**Table AH0-3**

(dollars in thousands)

Comptroller Source Group	Actual FY 2014	Actual FY 2015	Approved FY 2016	Proposed FY 2017	Change from FY 2016	Percentage Change*
11 - REGULAR PAY - CONTINUING FULL TIME	0	0	1,272	1,249	-23	-1.8
14 - FRINGE BENEFITS - CURRENT PERSONNEL	0	0	274	257	-17	-6.1
<b>SUBTOTAL PERSONAL SERVICES (PS)</b>	<b>0</b>	<b>0</b>	<b>1,546</b>	<b>1,506</b>	<b>-40</b>	<b>-2.6</b>
20 - SUPPLIES AND MATERIALS	0	0	50	10	-40	-80.0
31 - TELEPHONE, TELEGRAPH, TELEGRAM, ETC.	0	0	0	10	10	N/A
40 - OTHER SERVICES AND CHARGES	0	0	0	95	95	N/A
41 - CONTRACTUAL SERVICES - OTHER	0	0	0	15	15	N/A
70 - EQUIPMENT AND EQUIPMENT RENTAL	0	0	0	5	5	N/A
<b>SUBTOTAL NONPERSONAL SERVICES (NPS)</b>	<b>0</b>	<b>0</b>	<b>50</b>	<b>135</b>	<b>85</b>	<b>170.5</b>
<b>GROSS FUNDS</b>	<b>0</b>	<b>0</b>	<b>1,596</b>	<b>1,642</b>	<b>46</b>	<b>2.9</b>

\*Percent change is based on whole dollars.

## FY 2017 Proposed Operating Budget and FTEs, by Division/Program and Activity

Table AH0-4 contains the proposed FY 2017 budget by division/program and activity compared to the FY 2016 approved budget. It also provides FY 2015 actual data. For a more comprehensive explanation of divisions/programs and activities, please see the Division/Program Description section, which follows the table.

**Table AH0-4**

(dollars in thousands)

Division/Program and Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2015	Approved FY 2016	Proposed FY 2017	Change from FY 2016	Actual FY 2015	Approved FY 2016	Proposed FY 2017	Change from FY 2016
<b>(1000) AGENCY MANAGEMENT</b>								
(1090) PERFORMANCE MANAGEMENT	0	1,596	0	-1,596	0.0	11.0	0.0	-11.0
<b>SUBTOTAL (1000) AGENCY MANAGEMENT</b>	<b>0</b>	<b>1,596</b>	<b>0</b>	<b>-1,596</b>	<b>0.0</b>	<b>11.0</b>	<b>0.0</b>	<b>-11.0</b>
<b>(2000) LEGAL SERVICES</b>								
(2001) LEGAL SERVICES	0	0	1,642	1,642	0.0	0.0	10.0	10.0
<b>SUBTOTAL (2000) LEGAL SERVICES</b>	<b>0</b>	<b>0</b>	<b>1,642</b>	<b>1,642</b>	<b>0.0</b>	<b>0.0</b>	<b>10.0</b>	<b>10.0</b>
<b>TOTAL PROPOSED OPERATING BUDGET</b>	<b>0</b>	<b>1,596</b>	<b>1,642</b>	<b>46</b>	<b>0.0</b>	<b>11.0</b>	<b>10.0</b>	<b>-1.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

**Note:** For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2017 Operating Appendices** located on the Office of the Chief Financial Officer's website. "No Activity Assigned" indicates budget or actuals that are recorded at the division/program level.

### Division Description

The Mayor's Office of Legal Counsel operates through the following division:

**Legal Services** – is headed by a Director who is appointed by the Mayor and serves at the Mayor's pleasure. The Director is a seasoned attorney. The Deputy Director serves as the Director's support and stand-in. The team, made up of Chief of Staff, Staff Attorney, and Special Assistant, serves as the Mayor's Legal Counsel and advises the Mayor on issues related to the law. There are five Associate Directors who oversee the five main clusters. These five individuals are the principal points of contact for the Health and Human Services, Education, Government Operations, Public Safety and Justice, and Planning and Economic Development clusters. The agency management team, along with these five associate directors, also advises on the full range of issues which may arise before the Executive Office of the Mayor and citywide agencies. These issues may include, but are not limited to, drafting bills for introduction and preparation of amendments for consideration, legislation monitoring, training in the areas of administrative and regulatory law and procedure, legal sufficiency certification services, labor, Freedom of Information Act, real estate, rulemaking, and other significant financial transactions.

### Division Structure Change

The proposed division structure changes are provided in the Agency Realignment appendix to the proposed budget, which is located at [www.cfo.dc.gov](http://www.cfo.dc.gov) on the Annual Operating Budget and Capital Plan page.

## FY 2016 Approved Budget to FY 2017 Proposed Budget, by Revenue Type

Table AH0-5 itemizes the changes by revenue type between the FY 2016 approved budget and the FY 2017 proposed budget. For a more comprehensive explanation of changes, please see the FY 2017 Proposed Budget Changes section, which follows the table.

**Table AH0-5**

(dollars in thousands)

DESCRIPTION	DIVISION/PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2016 Approved Budget and FTE</b>		<b>1,596</b>	<b>11.0</b>
Other CSFL Adjustments	Multiple Programs	46	0.0
<b>LOCAL FUNDS: FY 2017 Current Services Funding Level (CSFL) Budget</b>		<b>1,642</b>	<b>11.0</b>
Increase: To align personal services and Fringe Benefits with projected costs	Legal Services	1,539	10.0
Increase: To align resources with operational spending goals	Legal Services	103	0.0
Decrease: To reallocate resources for agency restructure	Agency Management	-1,642	-11.0
<b>LOCAL FUNDS: FY 2017 Agency Budget Submission</b>		<b>1,642</b>	<b>10.0</b>
Enhance: To support the DC Official Code and attorneys	Legal Services	33	0.0
Reduce: To recognize projected cost savings	Legal Services	-33	0.0
<b>LOCAL FUNDS: FY 2017 Mayor's Proposed Budget</b>		<b>1,642</b>	<b>10.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2017 District's Proposed Budget</b>		<b>1,642</b>	<b>10.0</b>

**GROSS FOR AH0 - MAYOR'S OFFICE OF LEGAL COUNSEL** 1,642 10.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

## FY 2017 Proposed Budget Changes

The Mayor's Office of Legal Counsel's (MOLC) proposed FY 2017 gross budget is \$1,641,664, which represents a 2.9 percent increase over its FY 2016 approved gross budget of \$1,596,088. The budget is comprised entirely of Local funds.

## Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2016 approved budget across multiple divisions, and it estimates how much it would cost an agency to continue its current divisions and operations into the following fiscal year. The FY 2017 CSFL adjustments to the FY 2016 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

MOLC's FY 2017 CSFL budget is \$1,641,898, which represents a \$45,810, or 2.9 percent, increase over the FY 2016 approved Local funds budget of \$1,596,088.

## CSFL Assumptions

The FY 2017 CSFL calculated for MOLC included an adjustment entry that is not described in detail on table 5. This adjustment was made for an increase of \$45,810 in personal services to account for the projected impact of new positions requested in the FY 2016 budget, approved union contracts, and corresponding salary and other adjustments.

### **Agency Budget Submission**

In the FY 2017 proposed budget, the Mayor's Office of Legal Counsel was restructured to create the Legal Services division and eliminate the Agency Management division.

**Increase:** MOLC's proposed budget includes an increase of \$1,539,276 to reflect the reallocation of 10.0 Full-Time Equivalents (FTEs) from the Agency Management to Legal Services division and to reduce 1.0 FTE position as a result of reclassification of positions. The proposed budget also increased by \$102,622 in nonpersonal services, primarily for professional service fees, office support to process bar dues and Lexis-Nexis payments, telecommunication costs, and equipment purchases.

**Decrease:** The proposed budget includes a reduction to Local funds in the amount of \$1,641,898 and 11.0 FTEs to reflect the reallocation of resources from the Agency Management to the Legal Services division.

### **Mayor's Proposed Budget**

**Enhance:** MOLC's budget proposal in Local funds reflects an increase of \$32,604 in the Legal Services division to support the D.C. Official Code and supplement Executive Branch agency attorneys.

**Reduce:** In Local funds, the proposed budget was reduced by \$32,838 in the Legal Services division to reflect projected cost savings.

### **District's Proposed Budget**

**No Change:** The Mayor's Office of Legal Counsel's budget proposal reflects no change from the Mayor's proposed budget to the District's proposed budget.

## Agency Performance Plan\*

Mayor's Office of Legal Counsel (MOLC) has the following strategic objectives for FY 2017:

### Strategic Objectives

Strategic Objectives describe what the agency will do, at a high level, to achieve its mission. These are action-based sentences that define what an agency does for its customers, whether the customers are residents or other District agencies, and how that improves the District.

### Objectives

1. Provide advice, assistance, and counsel to the Mayor and DC agency attorneys on personnel-related matters, contracts, drafting of statutes and regulations, real estate transactions, and compliance with FOIA.
2. Assist with the hiring, legal training, and retention of a highly qualified workforce of attorneys across the District Government.
3. Assist Government agencies in resolving intergovernmental issues in a manner consistent with the Administration's objectives and the best interest of the District of Columbia.
4. Adjudicate FOIA appeals brought against District agencies.
5. Advise agency staff on FOIA compliance, including facilitating FOIA training, scheduling FOIA Express training, and resolving other public records issues.
6. Create and maintain a highly efficient, transparent, and responsive District government.\*\*

### Activities

Activities include the work that happens on a daily basis to help achieve the Strategic Objectives. Activity names come from the Budget line items. This is further divided into "daily services" (ex. sanitation disposal), and long-term "key projects" that are high profile, one-time and span several years, (ex. redevelopment of Walter Reed Army Medical Center). Many agencies will mostly have daily services, whereas some agencies that are more capital-based will have several key projects.

### **1. Provide advice, assistance, and counsel to the Mayor and DC agency attorneys on personnel related matters, contracts, drafting of statutes and regulations, real estate transactions, and compliance with FOIA. (1 Activity)**

Activity Title	Activity Description	Type of Activity
Performance Management	Advise Mayor, Deputy Mayors and Agency Directors	Daily Service

### **2. Assist with the hiring, legal training, and retention of a highly qualified workforce of attorneys across the District Government. (2 Activities)**

Activity Title	Activity Description	Type of Activity
Performance Management	Review hiring, promotion, and disciplinary matter for all agency attorneys	Daily Service
Performance Management	Coordinate monthly legal training for all agency attorneys in order for them to meet legal training requirements	Daily Service

**3. Assist Government agencies in resolving intergovernmental issues in a manner consistent with the Administration’s objectives and the best interest of the District of Columbia. (1 Activity)**

<b>Activity Title</b>	<b>Activity Description</b>	<b>Type of Activity</b>
Performance Management	Provide advice and assistance to agencies on a range of issues that arise throughout the requirements	Daily Service

**4. Adjudicate FOIA appeals brought against District agencies. (1 Activity)**

<b>Activity Title</b>	<b>Activity Description</b>	<b>Type of Activity</b>
Performance Management	FOIA adjudication	Daily Service

**5. Advise agency staff on FOIA compliance, including facilitating FOIA training, scheduling FOIExpress training, and resolving other public records issues. (1 Activity)**

<b>Activity Title</b>	<b>Activity Description</b>	<b>Type of Activity</b>
Performance Management	Provide advice and training on FOIA compliance	Daily Service

**6. Create and maintain a highly efficient, transparent and responsive District government.\*\* (1 Activity)**

<b>Activity Title</b>	<b>Activity Description</b>	<b>Type of Activity</b>
Performance Management	Agency Management	Daily Service

## KEY PERFORMANCE INDICATORS

Key Performance Indicators measure how well an agency is achieving its Strategic Objectives. They are outcome oriented and should be used to answer the question, “What does the agency need to measure to determine success?”

**1. Provide advice, assistance, and counsel to the Mayor and DC agency attorneys on personnel related matters, contracts, drafting of statues and regulations, real estate transactions, and compliance with FOIA. (1 Measure)**

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY 2015 Target	FY 2016 Target	FY 2017 Target
Percent of agencies who MOLC collaborated with throughout the fiscal year	X	Not available	100%	Not available	100%	100%

**2. Assist with the hiring, legal training, and retention of a highly qualified workforce of attorneys across the District Government. (3 Measures)**

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY 2015 Target	FY 2016 Target	FY 2017 Target
Number of attorneys that attended legal training courses		Not available	103	Not available	148	250
Number of surveys from legal training courses with high rating feedback on topics presented		Not available	69	Not available	70	150
Number of surveys from legal training courses with high rating feedback on speakers/presenters		Not available	70	Not available	66	150

(Continued on next page)

**3. Create and maintain a highly efficient, transparent and responsive District government.\*\*  
(9 Measures)**

<b>Measure</b>	<b>New Measure/ Benchmark Year</b>	<b>FY 2014 Actual</b>	<b>FY 2015 Actual</b>	<b>FY 2015 Target</b>	<b>FY 2016 Target</b>	<b>FY 2017 Target</b>
Contracts/Procurement Expendable Budget spent on Certified Business Enterprises	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Contracts/Procurement Contracts lapsed into retroactive status	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Budget Local funds unspent	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Budget Federal Funds returned	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Customer Service Meeting Service Level Agreements	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Human Resources Vacancy Rate	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Human Resources Employee District residency	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Human Resources Employee Onboard Time	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016
Performance Management Employee Performance Plan Completion	X	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016	Forthcoming October 2016

**Performance Plan End Notes:**

\*For more information about the new structure and components of FY 2017 draft performance plans, please see the FY 2017 Proposed Budget and Financial Plan, Volume 1, Appendix E

\*\*\*"Create and maintain a highly efficient, transparent and responsive District government" is a new Strategic Objective this year required for all agencies.

\*\*\*Key Performance Indicators that are new may not have historical data and may only have FY 2017 targets.