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# Mayor's Office of Legal Counsel

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**Table AH0-1**

Description	FY 2016 Actual	FY 2017 Approved	FY 2018 Proposed	% Change from FY 2017
OPERATING BUDGET	\$1,091,534	\$1,641,664	\$1,634,468	-0.4
FTEs	7.9	10.0	10.0	0.0

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 MOLC are:

- 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, 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 2018 proposed budget is presented in the following tables:

## FY 2018 Proposed Gross Funds Operating Budget and FTEs, by Revenue Type

Table AH0-2 contains the proposed FY 2018 budget by revenue type compared to the FY 2017 approved budget. It also provides FY 2016 actual data.

**Table AH0-2**

(dollars in thousands)

Appropriated Fund	Dollars in Thousands					Full-Time Equivalents				
	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change*	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change
<b>GENERAL FUND</b>										
LOCAL FUNDS	1,092	1,642	1,634	-7	-0.4	7.9	10.0	10.0	0.0	0.0
<b>TOTAL FOR GENERAL FUND</b>	<b>1,092</b>	<b>1,642</b>	<b>1,634</b>	<b>-7</b>	<b>-0.4</b>	<b>7.9</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</b>
<b>GROSS FUNDS</b>	<b>1,092</b>	<b>1,642</b>	<b>1,634</b>	<b>-7</b>	<b>-0.4</b>	<b>7.9</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</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 2018 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2018 Proposed Operating Budget, by Comptroller Source Group

Table AH0-3 contains the proposed FY 2018 budget at the Comptroller Source Group (object class) level compared to the FY 2017 approved budget. It also provides FY 2015 and FY 2016 actual expenditures.

**Table AH0-3**

(dollars in thousands)

Comptroller Source Group	Actual FY 2015	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change*
11 - REGULAR PAY - CONTINUING FULL TIME	0	905	1,249	1,266	16	1.3
12 - REGULAR PAY - OTHER	0	4	0	0	0	N/A
13 - ADDITIONAL GROSS PAY	0	1	0	0	0	N/A
14 - FRINGE BENEFITS - CURRENT PERSONNEL	0	155	257	218	-39	-15.3
<b>SUBTOTAL PERSONAL SERVICES (PS)</b>	<b>0</b>	<b>1,065</b>	<b>1,506</b>	<b>1,483</b>	<b>-23</b>	<b>-1.5</b>
20 - SUPPLIES AND MATERIALS	0	8	10	12	2	25.0
31 - TELEPHONE, TELEGRAPH, TELEGRAM, ETC.	0	1	10	10	0	0.0
40 - OTHER SERVICES AND CHARGES	0	16	95	96	1	1.0
41 - CONTRACTUAL SERVICES - OTHER	0	0	15	18	2	16.7
70 - EQUIPMENT AND EQUIPMENT RENTAL	0	2	5	15	10	200.0
<b>SUBTOTAL NONPERSONAL SERVICES (NPS)</b>	<b>0</b>	<b>27</b>	<b>135</b>	<b>151</b>	<b>16</b>	<b>11.8</b>
<b>GROSS FUNDS</b>	<b>0</b>	<b>1,092</b>	<b>1,642</b>	<b>1,634</b>	<b>-7</b>	<b>-0.4</b>

\*Percent change is based on whole dollars.

## FY 2018 Proposed Operating Budget and FTEs, by Division/Program and Activity

Table AH0-4 contains the proposed FY 2018 budget by division/program and activity compared to the FY 2017 approved budget. It also provides FY 2016 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 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017
<b>(1000) AGENCY MANAGEMENT</b>								
(1090) PERFORMANCE MANAGEMENT	1,092	0	0	0	7.9	0.0	0.0	0.0
<b>SUBTOTAL (1000) AGENCY MANAGEMENT</b>	<b>1,092</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7.9</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>(2000) LEGAL SERVICES</b>								
(2001) LEGAL SERVICES	0	1,642	1,634	-7	0.0	10.0	10.0	0.0
<b>SUBTOTAL (2000) LEGAL SERVICES</b>	<b>0</b>	<b>1,642</b>	<b>1,634</b>	<b>-7</b>	<b>0.0</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>
<b>TOTAL PROPOSED OPERATING BUDGET</b>	<b>1,092</b>	<b>1,642</b>	<b>1,634</b>	<b>-7</b>	<b>7.9</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</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 2018 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 that 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 Mayor's Office of Legal Counsel has no program structure changes in the FY 2018 proposed budget.

## FY 2017 Approved Budget to FY 2018 Proposed Budget, by Revenue Type

Table AH0-5 itemizes the changes by revenue type between the FY 2017 approved budget and the FY 2018 proposed budget. For a more comprehensive explanation of changes, please see the FY 2018 Proposed Budget Changes section, which follows the table.

**Table AH0-5**

(dollars in thousands)

DESCRIPTION	DIVISION/PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2017 Approved Budget and FTE</b>		<b>1,642</b>	<b>10.0</b>
Other CSFL Adjustments	Legal Services	-7	0.0
<b>LOCAL FUNDS: FY 2018 Current Services Funding Level (CSFL) Budget</b>		<b>1,634</b>	<b>10.0</b>
Increase: To support the costs of pre-existing programmatic initiatives	Legal Services	10	0.0
Increase: To align resources with operational spending goals	Legal Services	6	0.0
Decrease: To align personal services and Fringe Benefits with projected costs	Legal Services	-16	0.0
<b>LOCAL FUNDS: FY 2018 Agency Budget Submission</b>		<b>1,634</b>	<b>10.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2018 Mayor's Proposed Budget</b>		<b>1,634</b>	<b>10.0</b>
No Change		0	0.0
<b>LOCAL FUNDS: FY 2018 District's Proposed Budget</b>		<b>1,634</b>	<b>10.0</b>

**GROSS FOR AH0 - MAYOR'S OFFICE OF LEGAL COUNSEL** 1,634 10.0

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

### FY 2018 Proposed Budget Changes

The Mayor's Office of Legal Counsel's (MOLC) proposed FY 2018 gross budget is \$1,634,468, which represents a less than 1.0 percent decrease from its FY 2017 approved gross budget of \$1,641,664. 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 2017 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 2018 CSFL adjustments to the FY 2017 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 2018 CSFL budget is \$1,634,468, which represents a \$7,196, or less than 1.0 percent, decrease from the FY 2017 approved Local funds budget of \$1,641,664.

### CSFL Assumptions

The FY 2018 CSFL calculated for MOLC included an adjustment entry that is not described in detail on table 5. This adjustment includes a decrease of \$7,196 in personal services to account for reduction in the Fringe Benefit costs based on trend and comparative analyses.

### Agency Budget Submission

**Increase:** MOLC's proposed budget includes an increase of \$10,000 to support the procurement and update of office equipment such as a copier and laptops. The proposed budget also increased by \$5,979 in nonpersonal services, primarily for additional office supplies, professional service fees, and office support for Lexis-Nexis payments.

**Decrease:** The proposed budget includes a net reduction of \$15,979 to align funding with projected personal services expenditures. This adjustment offsets the proposed increase in nonpersonal services costs.

**Mayor's Proposed Budget**

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

**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 2018:

### 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 District agency attorneys on personnel-related matters, contracts, drafting of statutes and regulations, real estate transactions, and compliance with Freedom of Information Act (FOIA).
2. Hire and retain a highly qualified workforce of attorney and legal support staff.
3. Identify and foster relationships with other governmental agencies to promote opportunities to solve intergovernmental issues to the city's advantage.
4. Adjudicate FOIA appeals brought against District agencies.
5. Advise agency staff on FOIA compliance, including facilitating FOIA training, scheduling FOIAexpress training, and resolving other public records issues.
6. Create and maintain a highly efficient, transparent, and responsive District government.\*\*

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### 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 have more of their budget come from capital funding will have several key projects.

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

Activity Title	Activity Description	Type of Activity
Advises Mayor, Deputy Mayors, and Agency Directors	MOLC provides quality legal advice to the Mayor and executive agencies regarding a wide variety of matters.	Daily Service

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#### 2. Hire and retain a highly qualified workforce of attorney and legal support staff. (2 Activities)

Activity Title	Activity Description	Type of Activity
Review Hiring for all Agency Attorneys	MOLC coordinates the hiring, compensation, training, and resolution of significant personnel-related issues for subordinate agency counsel in conjunction with agency directors.	Daily Service
Monthly Legal Training	MOLC organizes a number of legal training sessions for subordinate agency attorneys each year as a way to assist agency attorneys in meeting their regulatory training requirements and keeping their skills and knowledge up to date.	Daily Service

**3. Identify and foster relationships with other governmental agencies to promote opportunities to solve intergovernmental issues to the city’s advantage. (1 Activity)**

Activity Title	Activity Description	Type of Activity
Advice and Assistance	MOLC interacts with virtually every agency in the government to facilitate the resolution of legal concerns.	Daily Service

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

Activity Title	Activity Description	Type of Activity
FOIA Adjudication	MOLC has primary responsibility for reviewing FOIA appeals submitted to the Mayor.	Daily Service

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

Activity Title	Activity Description	Type of Activity
FOIA Compliance	MOLC offers at least one FOIA training session each year to answer agency attorneys' and FOIA officers' questions about the appeals process and decisions.	Daily Service

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

Activity Title	Activity Description	Type of Activity
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 District agency attorneys on personnel-related matters, contracts, drafting of statutes and regulations, real estate transactions, and compliance with Freedom of Information Act (FOIA). (1 Measure)**

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Percent of subordinate agencies with which MOLC collaborated throughout the fiscal year	No	100%	Not Available	100%	100%	100%

**2. Hire and retain a highly qualified workforce of attorney and legal support staff. (3 Measures)**

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Number of attorneys that attended legal training courses	No	103	Not Available	148	250	195
Percent of surveys from legal training courses with high rating feedback on content presented	No	Not Available	Not Available	Not Available	93%	90%
Percent of surveys from legal training courses with high rating feedback on speakers	No	Not Available	Not Available	Not Available	85%	90%

**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 2015 Actual</b>	<b>FY 2016 Actual</b>	<b>FY 2016 Target</b>	<b>FY 2017 Target</b>	<b>FY 2018 Target</b>
Budget- Federal funds returned	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Budget- Local funds unspent	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Contracts/Procurement- Contracts lapsed into retroactive status	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Contracts/Procurement- Expendable Budget spent on Certified Business Enterprises	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Customer Service- Meeting Service Level Agreements	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Employee District residency	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Employee Onboard Time	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Vacancy Rate	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Performance Management- Employee Performance Plan Completion	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017

**WORKLOAD MEASURES**

Workload Measures, also called inputs or outputs, quantify an activity, effort or process that is necessary to make progress towards the Strategic Objectives. They help answer the question; “How much are we doing?”

**1. Review hiring, promotion, and disciplinary matter for all agency attorneys**

<b>Measure</b>	<b>New Measure/ Benchmark Year</b>	<b>FY 2014 Actual</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Actual</b>
Number of hiring and promotions packages reviewed by MOLC	No	Not Available	Not Available	Not Available

**Performance Plan Endnotes**

\*For more information about the new structure and components of FY 2018 draft performance plans, please see the FY 2018 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 2018 targets.