



LEGAL DEPARTMENT

Budget Presentation 2023

ORGANIZATIONAL CHART

| Prosecution Division |
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| <ul style="list-style-type: none">• Attorneys<ul style="list-style-type: none">• Cynthia Martinez (Division Manager)• Jeff Schaap• Brooke Wright• Brian Aaron• Erin Moore• Amanda Brusic• Domestic Violence Advocates<ul style="list-style-type: none">• Maria Rosales• Cecilia Barajas (ARPA funded position)• Support Staff<ul style="list-style-type: none">• Maggie Mendoza• Cindy Thomas• Rose McCarthy• Elvia Castaneda• Dulce Wells• Rule 9 Summer Legal Intern (vacant) |

| Civil Division |
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| <ul style="list-style-type: none">• Attorneys<ul style="list-style-type: none">• Sara Watkins (City Attorney)• Bronson Faul• Brooke Hargreaves (Clean City funded)• Ryan Bleek• Louis Villemmez• Senior Assistant City Attorney (vacant)• Support Staff<ul style="list-style-type: none">• Patricia Martinez (Office Supervisor)• Janel Hudson• Legal Assistant (vacant) |



LEGAL DEPARTMENT SERVICES

PROSECUTION DIVISION

- Reviews, charges and prosecutes misdemeanor and gross misdemeanor offenses which have occurred within the City of Yakima.
- Communicates daily with County prosecutors, city-assigned detectives, law enforcement officers, probation officers, and outside service providers concerning domestic violence offenses. Coordinates victim advocacy, and participates in the monthly Domestic Violence Coalition meetings and work groups.
- Operates the Community Diversion Court for non-violent and low-level offenses which allows defendants to work with a case manager, receive treatment as necessary to address the root cause of criminal behavior, gain job skills, and perform community service hours. Upon successful completion of conditions, a participant's case is dismissed.
- Conducts officer training on a wide variety of legal matters and updates officers on relevant case law.
- Drafts ordinances and contracts concerning public safety issues for Council review.

2022 OVERVIEW

Reviewed 4,088 cases.

3,180 were charged. Some of the cases not charged entered the pre-filing diversion program.

Operated the Community Diversion Court, with 33 enrolled defendants in 2022.

Reviewed and drafted ordinances which involved public safety matters.

Cynthia Martinez
Jeff Schaap

The Family Violence Unit prosecuted 1,218 cases, primarily Domestic Violence offenses.

Victim Advocates worked on 1,331 domestic violence cases. Even if cases are not charged, the advocates coordinate with victims to answer questions and provide referrals for services, as needed. Of the 1,331 cases, 986 involved intimate partners.

Brooke Wright
Erin Moore

The Traffic and Property Crimes Unit prosecuted 1,947 cases, which include DUI, Theft, Trespassing, and a variety of other crimes.

The Unit also handles cases involving animal control, and the infraction dockets.

Amanda Brusic
Brian Aaron



LEGAL DEPARTMENT SERVICES

CIVIL DIVISION

- Provides legal advice and support to the City Council, the City Manager, department heads and other City staff on a wide range of topics including personnel, damage claims, code enforcement, and planning matters.
- Represents the City on civil claims against the City, or supports the representation by outside counsel in litigation when outside counsel is retained.
- Drafts, reviews, advises and assists in the preparation of ordinances and legislation on a wide variety of topics.
- Reviews, revises, and drafts contracts and other legal instruments to which the City is a party.
- Drafts, reviews, advises and assists in the preparation of ordinances and legislation on a wide variety of topics.
- Provides training to City staff on various topics as requested.
- Supports City projects and strategies, City staff and departments.

2022 OVERVIEW

Civil Division: 4 attorneys in 2022

- 300+ Contracts, RFPs, Grant Applications, etc. drafted and/or reviewed
- 41 Ordinances drafted and/or reviewed
- 177 Resolutions drafted and/or reviewed
- 88 Damage claims reviewed
- 4 Collective Bargaining Unit contracts negotiated
- 25 Civil Forfeitures processed and litigated
- Other work includes: review and advice regarding land use permitting decisions; analysis of case law and advice to departments and divisions; personnel matters; ARPA research and advice; litigation coordination with outside counsel; public record act review; coordination of the mentorship-internship program; advice and assistance to City divisions and departments; and advice and legal work on Mill Site issues.



BUDGET AT A GLANCE

| | | |
|--------------------------------|--|--|
| Total General Fund Budget 2023 | | |
| \$1,863,611.00 | | |

| Item | Amount | Percentage of Budget |
|----------------------------|----------------|----------------------|
| Salaries, Wages & Benefits | \$1,690,744.00 | 90.7% |
| Training | \$16,800.00 | >1% |
| Total: | \$1,707,544.00 | 91% |

TASK: 10% REDUCTION IN GENERAL FUND BUDGET

| Total General Fund Budget 2023 | 10% of 2023 Budget |
|--------------------------------|--------------------|
| \$1,863,611.00 | \$186,361.10 |

| Proposed Reduction Item | Estimated Savings | Total |
|--|-------------------|----------------------|
| Vacant Senior Assistant City Attorney Position | \$172,857.48 | |
| Vacant Rule 9 Summer Intern | \$17,312.00 | |
| Total: | | \$190,169.48 (10.2%) |



IMPACT ON LEGAL DEPARTMENT SERVICES

ELIMINATION OF A SENIOR ASSISTANT CITY ATTORNEY POSITION

- Elimination of one of the civil attorney positions may result in slower response times to internal departments and divisions, and the Legal Department may need to request additional time to research, evaluate, and complete projects.
- Each civil attorney position allows the City to both save money and increase productivity by reducing outside legal counsel expenses. Document-intensive cases can involve reviewing and producing thousands of pages of City documents, which is facilitated through the civil division of the legal department. With the number of complex civil matters, including civil litigation, employment and personnel matters, and public disclosure request litigation, the reduction of a civil attorney position removes a position which greatly assists in the overall goal of providing legal assistance to City departments and reducing outside counsel expenses.
- Litigation and public records disclosure act deadlines may be prioritized over other legal work, creating longer wait times for work on projects from other City departments and staff.



IMPACT ON LEGAL DEPARTMENT SERVICES

ELIMINATION OF THE RULE 9 LEGAL INTERN POSITION

- The Rule 9 summer intern is a law student who is authorized by the Washington State Bar Association to conduct limited legal activities, including appearing in criminal court to do arraignments, pre-trial hearings, infraction dockets, and criminal trials (with a fully licensed lawyer as second chair). The Rule 9 intern has traditionally been assigned certain dockets during the summer. This has allowed prosecutors to work on training presentations for the Yakima Police Department (which traditionally are held in August), as well as other projects.
- With the low number of law students interested in both prosecution and moving to Yakima, removing this program from the Legal Department will result in even less exposure to the practice for future attorneys, and remove an opportunity for a law student to learn about prosecution work and working in a smaller City east of the Cascades.



ADDITIONAL IMPACT ON LEGAL DEPARTMENT SERVICES

DOMESTIC VIOLENCE ADVOCATE

- The Legal Department currently has two domestic violence advocates. One is funded through a two year ARPA grant, which will end in approximately June of 2024.
- The Legal Department intended to request additional funding (general fund) from the City Council in the 2025-2026 budget to continue and maintain the second domestic violence advocate. However, with the budget reductions, the department does not anticipate making that request during the next budget cycle.
- There are approximately 1,000 domestic violence cases that are prosecuted each year. Since instituting the domestic violence advocate program, the number of defendants pleading guilty to charges has increased. This is likely due to the fact that our domestic violence advocates keep in touch with victims and ensure they understand the process, from charging through trial. The advocates also coordinate with the YWCA and other service providers to provide services to victims and their families.
- The Legal department will seek grant funding to continue the second domestic violence advocate position. Grant funding is not guaranteed, and in this difficult hiring environment, it is a challenge to attract candidates to apply for a short term position.

QUESTIONS?