

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Fernando Cabrera  
Chair, Committee on Governmental Operations



Report of the Finance Division on the  
Fiscal 2020 Preliminary Budget and the  
Fiscal 2019 Preliminary Mayor's Management Report for the

## **Law Department**

March 12, 2019

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## Law Department Overview

The Law Department (LAW) is responsible for the legal affairs of the City. The Department currently has a headcount of 1,970 employees across 16 legal divisions and 4 support divisions.

### LAW’s activities include:

- Represents the City, Mayor, other elected officials and other City agencies in all affirmative and defensive civil litigation;
- Represents the same entities in juvenile delinquency prosecutions brought in Family Court and Administrative Code enforcement proceedings; and
- Drafts and reviews local and State legislation, real estate leases, procurement contracts, and financial instruments for the sale of municipal bonds.

## Fiscal 2020 Preliminary Budget Highlights

The Law Department’s Fiscal 2020 Preliminary Budget totals \$253 million, including \$181 million in Personal Services (PS) funding to support 1,951 full time positions. Approximately \$244.2 million, or 96.7 percent of the Department’s budget, is City tax-levy funding, with Capital IFA funding and Intracity funds representing the majority of the remainder. The Law Department’s operations are carried out by 16 legal divisions and 4 support units. However, the Department’s budget is only broken out into two units of appropriation (U/As): Personal Services and Other Than Personal Services (OTPS).<sup>1</sup>

Figure 1

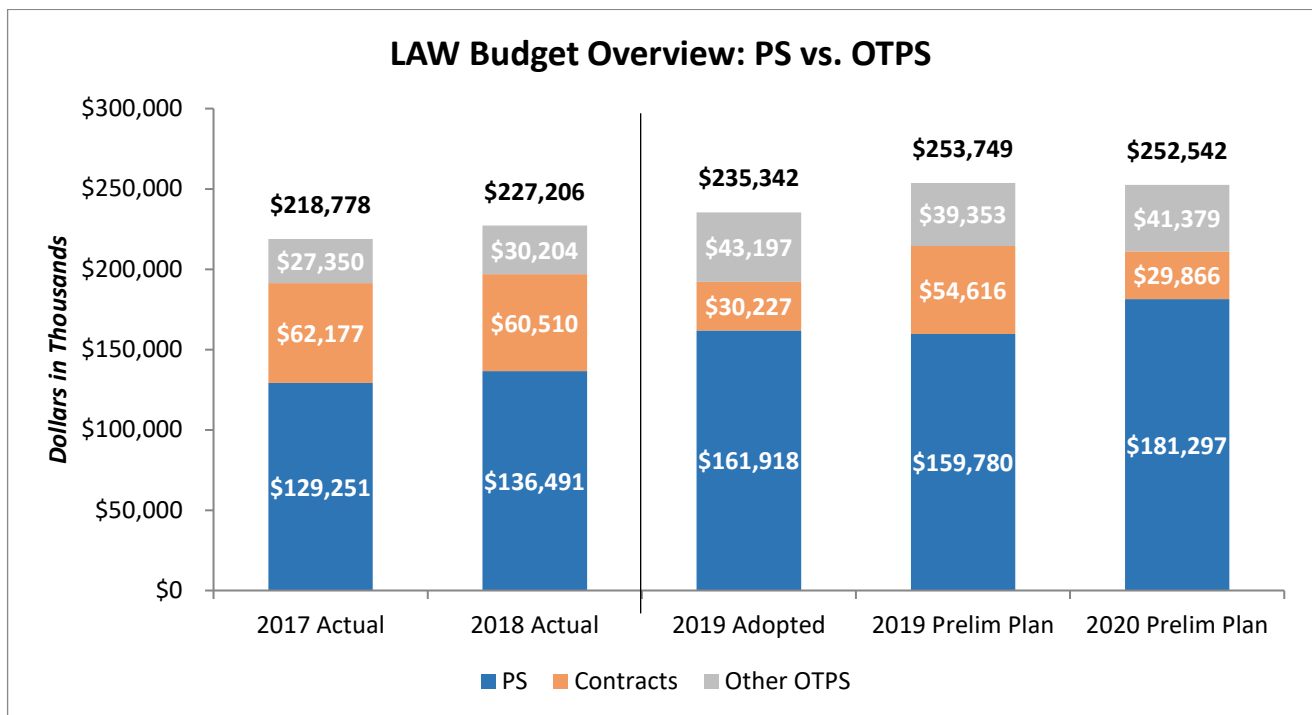


Figure 1 highlights the Law Department’s actual expenditures in Fiscal 2017 and Fiscal 2018, its Fiscal 2019 Adopted Budget, its Fiscal 2019 Budget as of the Fiscal 2020 Preliminary Plan, and its Fiscal 2020

<sup>1</sup> Units of Appropriation are the subdivisions of the City Expense Budget that the City Council votes upon.

Preliminary Budget. Actual expenditures grew between Fiscal 2017 and Fiscal 2018 as additional resources and headcount were added for the Department's operations, primarily in the Tort Division. In addition, the Law Department's Budget expanded substantially with the release of the Fiscal 2019 Executive Plan in order to meet the demands of the first stage of Raise the Age, expanding the agency's baselined budget by a \$29.3 million.

### Highlights of LAW's Fiscal 2020 Preliminary Budget

- **New Needs.** In the Preliminary Plan, the Law Department has identified \$9.8 million in new needs for Fiscal 2019, of which \$9.3 million is allocated for case specific new needs and \$600,000 for IT installations.
- **Citywide Savings Program.** The Law Department introduced savings of \$14.5 million in Fiscal 2019 in the November 2018 and Fiscal 2020 Preliminary Citywide Savings Programs, all of which is from the generation of additional affirmative litigation revenue. In addition, the Citywide Savings Program includes a permanent vacancy reduction of 11 positions through a technical adjustment that has no budgetary impact.
- **Miscellaneous Revenue.** The Financial Plan projects that the Law Department will generate Miscellaneous Revenue of \$36.7 million in Fiscal 2019 and \$21.3 million in Fiscal 2020. Revenue from Affirmative Litigation makes up 69.2 percent of the Law Department's Miscellaneous Budget in Fiscal 2019, and 47.0 percent in Fiscal 2020.
- **Contract Budget.** The Law Department's Fiscal 2020 Contract Budget totals \$29.9 million for 429 contracts, accounting for 41.9 percent of the Department's OTPS Budget.
- **Judgement & Claims.** The Judgement & Claims Budget totals \$712.6 million in Fiscal 2020. Over the past five fiscal years, J&C actual spending averaged \$722.5 million annually.
- **Preliminary Mayor's Management Report (PMMR) Highlights.** Notable performance metrics reported by the Law Department in the 2018 PMMR include the following.
  - ✓ Total cases commenced against the City increased from 8,141 in Fiscal 2017 to 8,219 in Fiscal 2018. However, in Fiscal 2014 through Fiscal 2016, the number of cases commenced against the City was over 9,000 annually.
  - ✓ The Law Department's win rate on affirmative motions fell from 76 percent in Fiscal 2017 to 71 percent in Fiscal 2018, which is relatively low compared to previous fiscal years.
  - ✓ The percentage of juveniles successfully referred to a diversion program with no new delinquency referral within one year expanded from 81 percent in Fiscal 2017 to 86 percent in Fiscal 2018, which is in line with previous fiscal years.

## Financial Plan Summary

**Table1**

<b>LAW Financial Summary</b>						
	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
<i>Dollars in Thousands</i>	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>2019</b>	<b>2020</b>	<b>2019 - 2020</b>
<b>Personal Services</b>						
Additional Gross Pay	\$2,208	\$1,911	\$282	\$282	\$282	\$0
Full-Time Salaried - Civilian	120,357	128,105	158,617	156,315	177,715	19,098
Unsalaries & Other Salaried	5,327	5,291	3,018	3,181	3,298	280
Overtime & P.S. Other	1,359	1,184	1	1	1	0
<b>SUBTOTAL</b>	<b>\$129,251</b>	<b>\$136,491</b>	<b>\$161,918</b>	<b>\$159,780</b>	<b>\$181,297</b>	<b>\$19,379</b>
<b>Other Than Personal Services</b>						
Contractual Services	\$62,177	\$60,510	\$30,227	\$54,616	\$29,866	(\$361)
Fixed & Misc. Charges	40	54	18	58	18	0
Other Services & Charges	24,299	26,531	40,944	35,535	39,127	(1,817)
Property & Equipment	1,709	2,427	984	2,337	984	0
Supplies & Materials	1,302	1,193	1,252	1,423	1,251	(1)
<b>SUBTOTAL</b>	<b>\$89,527</b>	<b>\$90,715</b>	<b>\$73,424</b>	<b>\$93,968</b>	<b>\$71,246</b>	<b>(\$2,178)</b>
<b>TOTAL</b>	<b>\$218,778</b>	<b>\$227,206</b>	<b>\$235,342</b>	<b>\$253,748</b>	<b>\$252,543</b>	<b>\$17,201</b>
<b>Funding</b>						
City Funds			\$227,290	\$241,950	\$244,174	\$16,884
Other Categorical			417	648	417	0
Capital- IFA			3,742	3,903	4,017	275
Federal - Community Development			333	253	145	(188)
Intra-City			3,561	6,994	3,789	228
<b>TOTAL</b>	<b>\$218,778</b>	<b>\$227,206</b>	<b>\$235,342</b>	<b>\$253,748</b>	<b>\$252,543</b>	<b>\$17,201</b>
<b>Budgeted Headcount</b>						
<b>Full-Time Positions - Civilian</b>	<b>1,600</b>	<b>1,581</b>	<b>1,970</b>	<b>1,970</b>	<b>1,951</b>	<b>(19)</b>

*\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

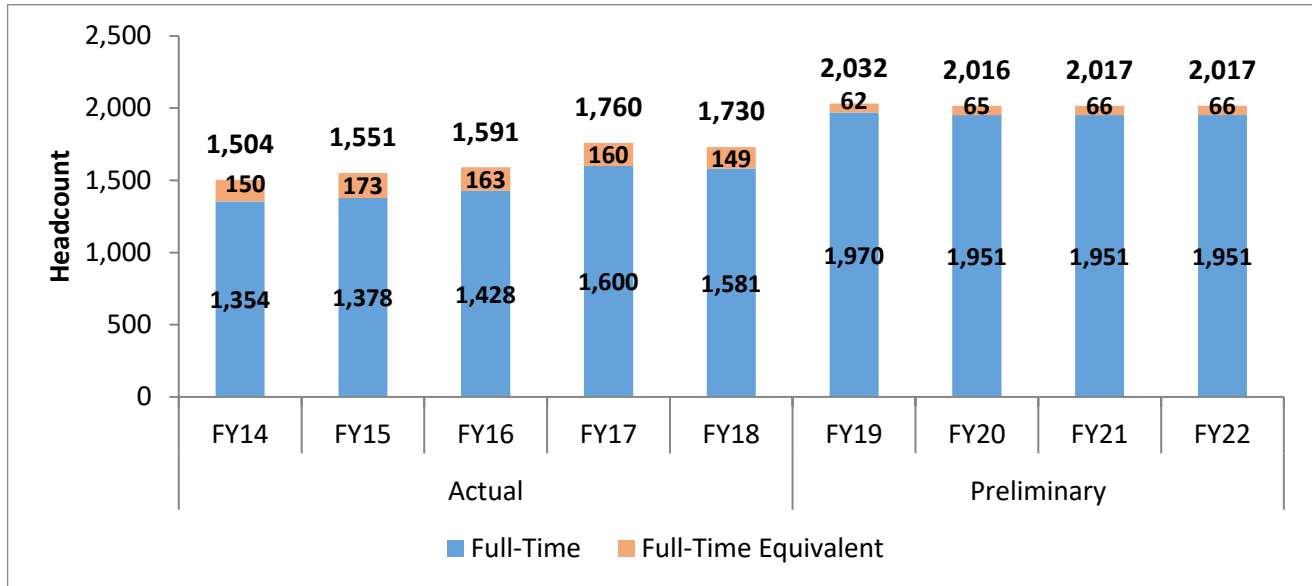
The Law Department's Fiscal 2020 Preliminary Budget is \$17.2 million greater than the Fiscal 2019 Adopted Budget of \$235.3 million, primarily as a result of collective bargaining agreements. It is anticipated that the Law Department's Fiscal 2020 Budget will grow in upcoming plans as additional new needs are identified, particularly related to Raise the Age.

Contracts represent 11.8 percent of the Law Department's planned spending in Fiscal 2020. The majority of the Law Department's contracts are intended to provide legal and other support for the Department's litigation in areas in which its permanent staff has insufficient expertise.

In the Preliminary Plan, the Law Department added \$9.3 million in case specific new needs to its Fiscal 2019 Budget, for cases including Vulcan Society vs. NYC, Nunez vs. NYC, Gulino vs. Board of Education, and Floyd vs. NYC, amongst others. Since the Adoption of the Fiscal 2019 Budget, the Law Department has also registered Citywide Savings of \$14.5 million in Fiscal 2019 through the generation of affirmative litigation revenue from one-time settlement payments.

## Headcount

Figure 2



In the Fiscal 2020 Preliminary Plan, the Law Department’s Fiscal 2020 PS Budget provides for \$181.3 million to support a headcount of 1,951 full-time positions and 65 full-time equivalent positions. As of December 2018, the Department actually employs 1,702 full-time staff and 104 full-time equivalent staff. Thus, while the Law Department has a current full-time staff vacancy rate of 13.6 percent, its full-time equivalent staff is notably over headcount.

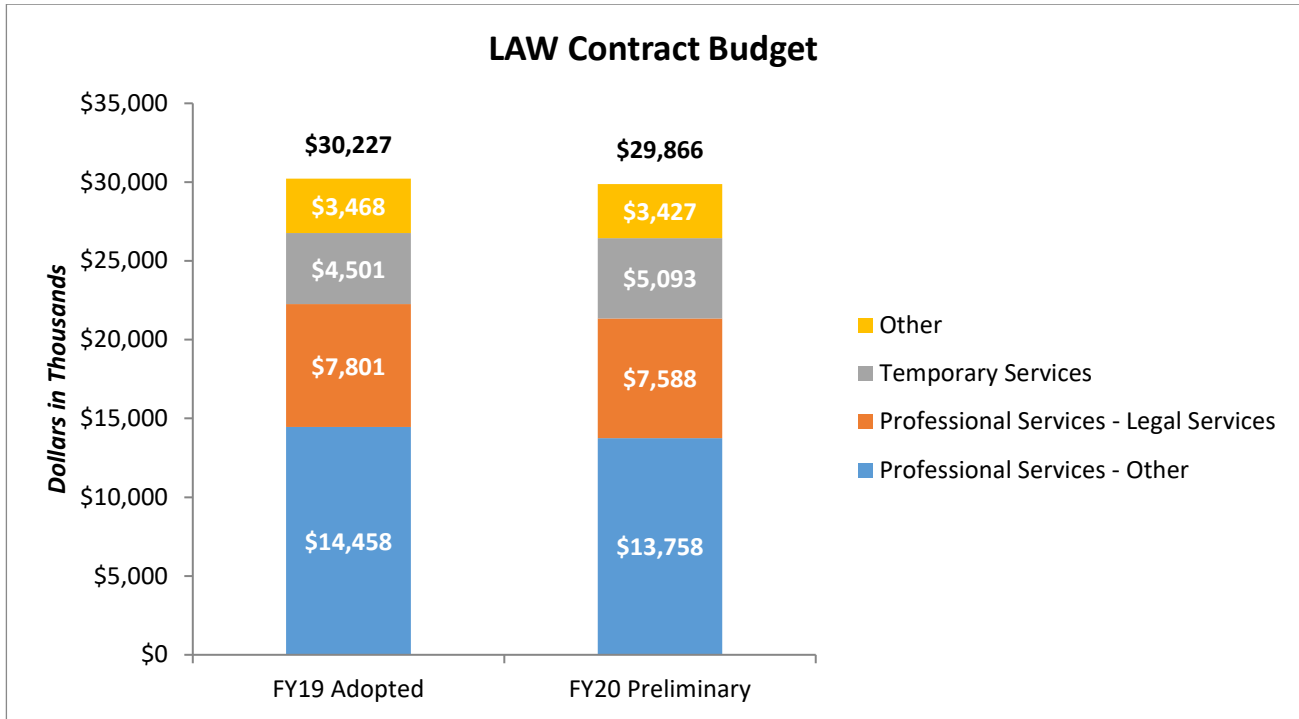
The Law Department’s budgeted headcount has risen in recent years as the Department has made efforts to reduce its reliance on outside counsel by hiring additional in-house lawyers. In addition, the Department has in recent years greatly expanded the number of staff in its Tort Division in an effort to better defend the City against lawsuits. Most notably, the Family Court Division’s baselined headcount expanded dramatically in the Fiscal 2019 Executive Budget, with \$32.2 million for 254 positions to implement the first phase of Raise the Age. Please see Appendix B for more details regarding the Law Department’s headcount.

The Law Department’s Expense Budget is categorized into two units of appropriation, the units by which the City Council approves Agency funding. However, the Department’s headcount and Personal Services funding are spread across several divisions. Please see Appendix C for headcount and Personal Services funding across the Law Department’s divisions in Fiscal 2020. Please see the sections “Tort Division” and “Family Court” of this report for more detail regarding these divisions.

## Contract Budget

The New York City Charter mandates the preparation of a Contract Budget to identify expenditures for contractual services, which are defined as any technical, consultant or personnel service provided to the City by means of a contract. The Contract Budget is a subset of the OTPS portion of the City’s Expense Budget. The Administration prepares a Contract Budget twice each fiscal year. The Fiscal 2019 Preliminary Contract Budget totals \$15.9 billion for procurement expenditures across all agencies.

Figure 3



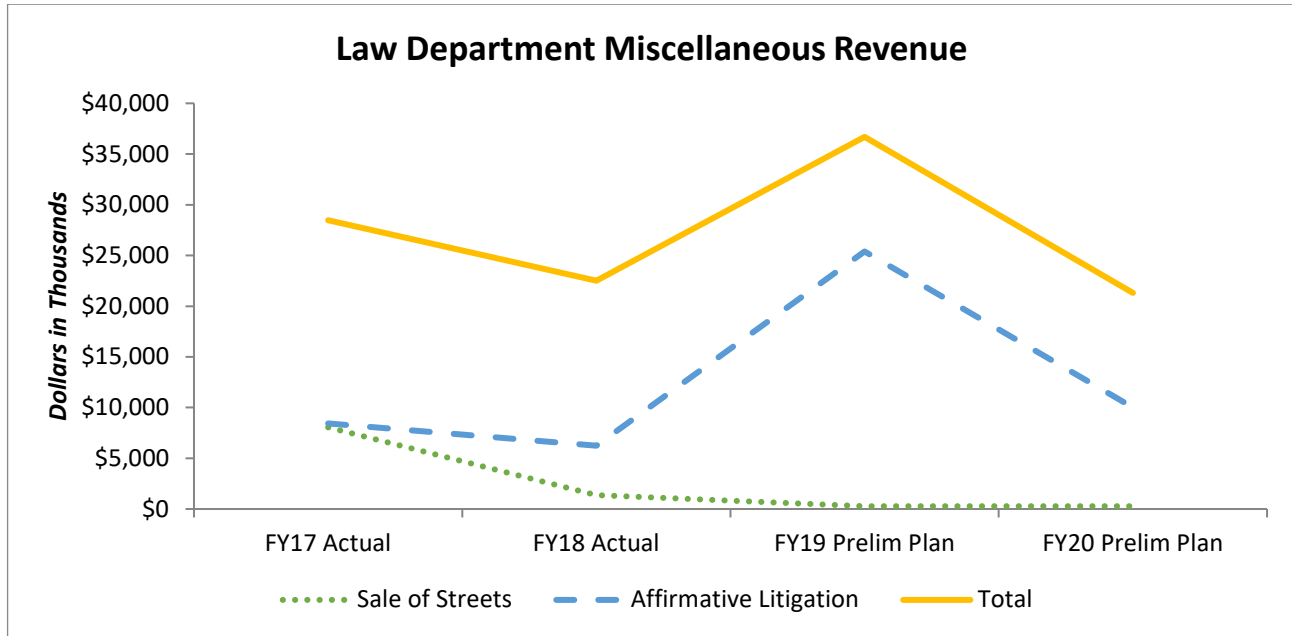
The Law Department’s Fiscal 2020 Contract Budget totals \$29.9 million for 429 contracts, accounting for 41.9 percent of the Department’s OTPS Budget (See Appendix D for more detail regarding the Law Department’s Contract Budget). Legal and Other Professional Services comprise the largest shares of the Law Department’s Fiscal 2020 Contract Budget, collectively equal to \$21.3 million, or 71.5 percent of the Law Department’s Fiscal 2020 Contract Budget. These contracts primarily represent the hiring of outside legal counsel and other consultants to aid the Law Department in affirmative and defensive litigation and other legal action and consultation on behalf of the City. Temporary services contracts, which account for \$5.1 million, or 17.1 percent of the Law Department’s Fiscal 2020 Preliminary Contract Budget, include payments, fees and commissions for administrative and clerical support, court reporting and transcribing and other outside temporary services. The Department uses temporary services to manage increases in case volume.

### Miscellaneous Revenue

The Law Department generates miscellaneous revenue from fines from violations to the City’s administrative code; revenues for the sale of de-mapped, small non-functional city roads; affirmative judgments and settlements in cases brought by the City; fees for OTPS costs associated with FOIL requests; and reimbursements for worker compensation payouts.

The Affirmative Litigation Division oversees the activities of the Department’s collection contract. Attorneys in this Division represent the City as plaintiff on a wide range of issues including restitution, breach of contract and insurance.

Figure 4



The Preliminary Plan projects that the Law Department will generate miscellaneous revenue of \$21.3 million in Fiscal 2020. The vast majority of this revenue, 95.3 percent of the total, is projected to be generated through affirmative litigation, collection agency claims and reimbursements for worker compensation payouts. Major annual swings in the Law Department’s generation of miscellaneous revenue are driven primarily by the Sale of Streets, or the sale of small non-functional roads to private entities. Some such properties are sold for relatively high sums, causing the Law Department’s miscellaneous revenue to rise substantially in those years. For example, the sale of lots in Queens in Fiscal 2016 was \$25.3 million, greater than the Department’s overall planned miscellaneous revenue generation for Fiscal 2020. Since Fiscal 2019 Adoption, the Law Department has recognized an additional \$14.5 million in affirmative litigation revenue for Fiscal 2019, bolstering projected revenue generation for the Department to \$36.7 million for the current fiscal year. See Appendix E for more detail regarding the Law Department’s miscellaneous revenue.

### Judgement & Claims

The City’s Judgment & Claims (J&C) Budget is a fund used to pay settlements resulting from judgements against the City. J&C payments include medical malpractice suits, contract suits, police suits and other judgments.

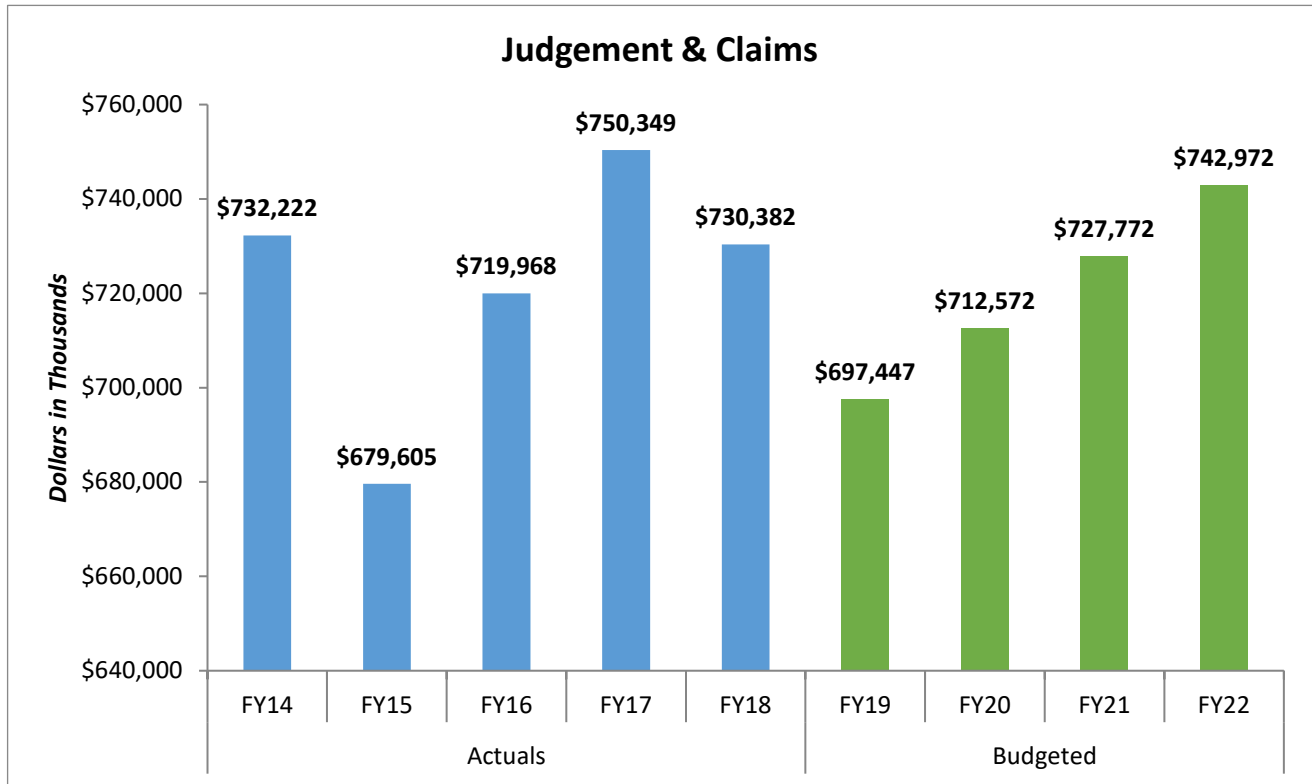
While the Judgement & Claims Budget is part of the City’s Miscellaneous Budget, and is not included in the Law Department’s Budget, the Law Department’s Tort Division defends the City against most J&C suits. However, the Law Department does not defend medical malpractice suits against the City, which Health and Hospitals manages through their own separate legal department. The Judgement & Claims Budget totals \$712.6 million in Fiscal 2020. Over the past five fiscal years, J&C actual spending averaged \$722.5 million annually.

Payments for J&C vary from year to year due to settlements for major cases. For example, J&C payments expanded in Fiscal 2014 in large part due to the settlement of the Central Park Five case and the FDNY exam bias case. In addition however, J&C expenditures have been larger in recent years due to the establishment of Conviction Integrity Units in New York City’s District Attorney Offices.



These units, which are tasked to reopen old cases in which an injustice may have occurred, have led to settlements that are often substantial in their payments. The Law Department has added additional resources to its Tort Division in recent years to help limit the growth in J&C expenditures. Please see Appendix F for a breakdown of Miscellaneous Budget Judgement & Claims payments by agency.

**Figure 5**



### Units of Appropriation

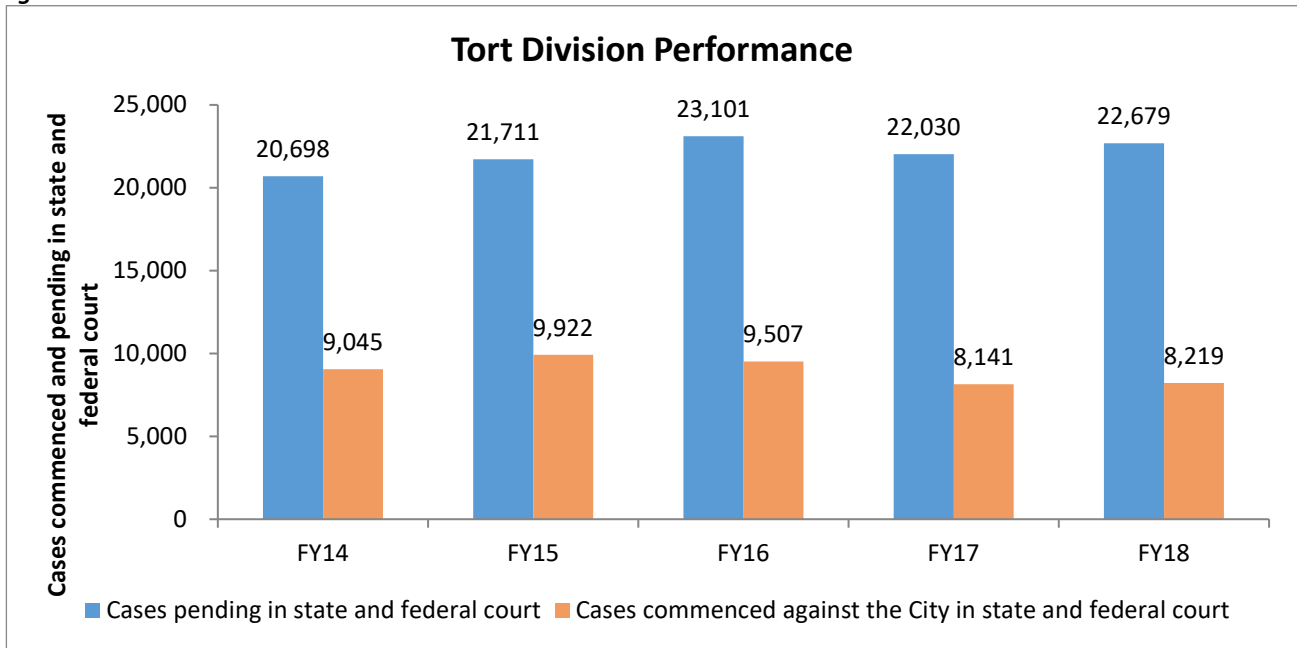
The Law Department’s operations are carried out by 16 legal divisions and 4 support units. However, the Department’s budget is only broken out into two units of appropriation (U/As): Personal Services and Other Than Personal Services (OTPS). For the past several fiscal years, the Council has requested that the Law Department expand the number of U/As in its budget in order to improve the transparency of agency operations. The Law Department is against such a suggestion as they regularly transfer resources across divisions, many of which are very small, and the creation of additional U/As would make it more difficult to do so. In the Fiscal 2019 Preliminary Budget Response, the Council requested that a separate U/A pair (PS and OTPS) be created for the Tort Division alone, which is the Department’s largest division.

### Tort Division

The Tort Division is the Law Department's largest division, with a Fiscal 2020 headcount of 637 and Personal Services Budget of \$56.5 million. The Division represents the City and its Department of Education in all tort claims, and Health and Hospitals in all tort claims, except medical malpractice actions. The Division handles a caseload of over 8,000 new cases each year, with over 22,000 pending in State and federal Court.

## Tort Division 2018 PMMR Indicators

Figure 6



Additional resources have been allocated to the Law Department Tort Division in recent fiscal years to combat the rise in cases pending against the City in State and federal courts, and to more aggressively defend the City against tort and contract claims in order to reduce Judgement & Claims payouts. For example, in the Fiscal 2017 Executive Plan, \$17.8 million was baselined to the Tort Division’s budget to fund 144 new positions to carry out vertical case handling for certain lawsuits brought against the police department. Generally the Law Department employs horizontal case management, in which cases are passed to different specialized attorneys through different stages of a case (e.g. discovery, settlement, trial, etc.). However, the vertical case handling unit manages a selected number of important police cases from start to finish, which is intended to lead to more successful case outcomes and deter frivolous lawsuits.

The number of cases pending against the City is higher in recent years, as cases take longer to resolve. However, in Fiscal 2017 and Fiscal 2018, the Tort Division was able to successfully reduce the caseload against the City in both State and federal court, a product of the Division’s more proactive litigation stance. Please see Appendix F1 for a complete list of the Tort Division’s 2019 PMMR indicators.

### Family Court Division

The Family Court Division is the Department’s second largest division, with a Fiscal 2020 headcount of 377 and Personal Services Budget of \$32.3 million. The Family Court Division is composed of two units: the Interstate Child Support Unit and the Juvenile Delinquency Prosecution Unit. The Interstate Child Support Unit appears on behalf of out-of-state custodial parent petitioners who are seeking to establish paternity and obtain child support from New York City residents. In addition, a custodial parent who lives in New York City may seek the Unit’s assistance in filing for child support from parents who live outside the state and the country. The Juvenile Delinquency Prosecution Unit investigates juvenile delinquency matters that are referred to the office and prosecutes the matters

where appropriate. Juvenile delinquency matters involve youth ages 7 to 16<sup>2</sup> who have been arrested for conduct that would constitute a crime if they were adults.

### Raise the Age

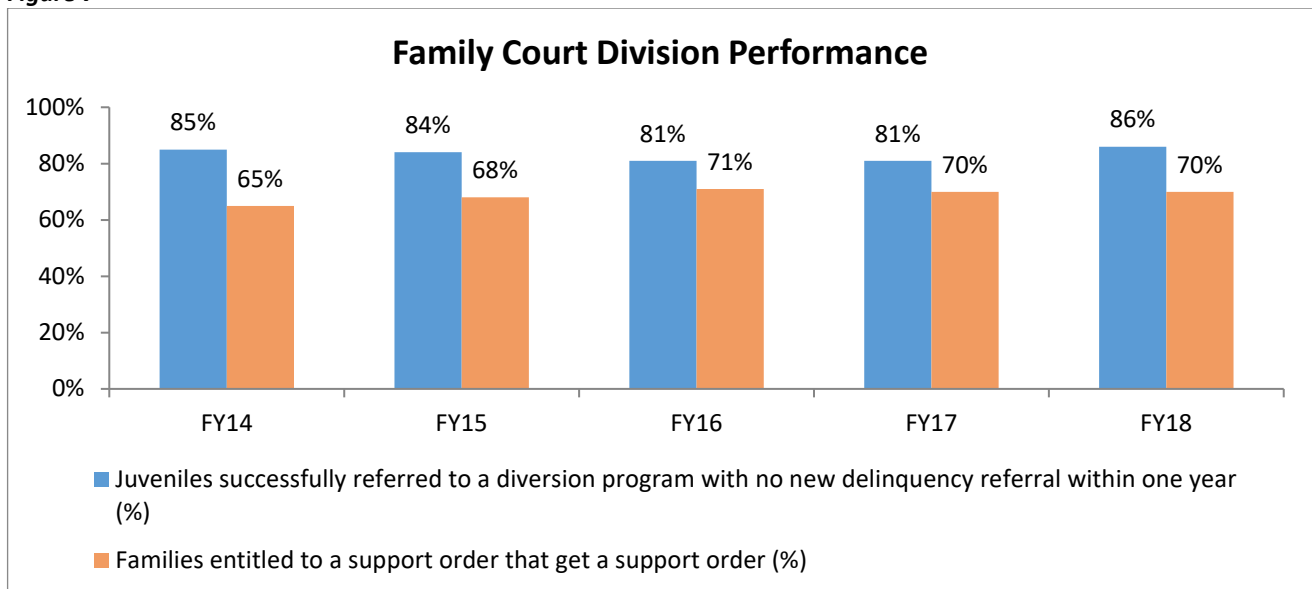
“Raise the Age” legislation was signed into New York State Law on April 10<sup>th</sup>, 2017. This legislation had the effect of trying 16- and 17-year-olds, who were being tried as adults, as juveniles statewide. In certain violent cases, specific 16- and 17-year-olds will continue to be tried as adults. This legislation went into effect for 16-year-olds as of October 2018, and will go into effect for 17-year-olds in October 2019. This legislation has expanded the Law Department’s workload by shifting cases that are currently tried in criminal court to the Law Department’s Family Court Division. Costs to other agencies include the transfer of all juveniles off Rikers Island and establishing special youth Criminal Courts for the 16- and 17-year-olds that continue to be tried as adults.

In the Fiscal 2019 Executive Plan, the Administration added \$113.4 million and 806 new budgeted positions for the implementation of the first stage of Raise the Age in the Fiscal 2019 Budgets for the Law Department, Police Department, Administration for Children’s Services, Department of Correction, and Department of Probation. Of this, \$32.2 million and 254 positions were allocated to the Law Department’s Fiscal 2019 Budget. While overall funding for the implementation of Raise the Age rises to \$145.8 million in Fiscal 2020, funding for the Law Department falls to \$29.3 million.

The New York State Fiscal 2019-2020 Budget includes \$200 million for Raise the Age implementation statewide, an increase of \$100 million from the previous year. However, it is unclear how much of this funding will be for New York City. In Fiscal 2019, the City only received \$4 million from the State for Raise the Age implementation, and it is expected that funding will not be significantly higher in Fiscal 2020.

### Family Court Division 2018 PMMR Indicators

Figure 7



<sup>2</sup> As of the publication of this report. This age will be raised to 17 with the implementation of the second stage of Raise the Age in October, 2019.

Figure 7 above highlights Family Court Division performance metrics over the past several fiscal years. The Juvenile Delinquency Prosecution Unit strives to increase the share of arrested juveniles that are successfully referred to a delinquency program without further incident. However, as juvenile arrests have decreased, a smaller pool of delinquency cases is now referred to the Unit with fewer juvenile delinquents suitable for diversion. The Interstate Child Support Unit has been successful in increasing the share of families entitled to a support order that actually receive support. See Appendix F2 for a complete list of the Family Court Division's 2019 PMMR indicators.

## Appendices

### A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY19			FY20		
	City	Non-City	Total	City	Non-City	Total
<b>LAW Budget as of the Adopted FY19 Budget</b>	<b>\$227,290</b>	<b>\$8,053</b>	<b>\$235,343</b>	<b>\$235,939</b>	<b>\$7,757</b>	<b>\$243,696</b>
<b>New Needs</b>						
Case-Specific New Needs	\$9,255	\$0	\$9,255	\$0	\$0	\$0
IT installations	600	0	600	0	0	0
<b>Subtotal, New Needs</b>	<b>\$9,855</b>	<b>\$0</b>	<b>\$9,855</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Other Adjustments</b>						
Collective Bargaining	\$4,806	\$272	\$5,078	\$8,235	\$465	\$8,700
Couch White (law firm) Legal Services	0	600	600	0	0	0
DOT Legal Services	0	369	369	0	0	0
Other Professional Legal Services	0	13	13	0	0	0
Health Legal Services	0	145	145	0	145	145
NYC & Co Legal Reimbursement	0	231	231	0	0	0
DoRIS Agreement	0	84	84	0	0	0
DEP Energy Legal Services	0	1,511	1,511	0	0	0
Current Year Funding Takedown	0	(88)	(88)	0	0	0
Temp Legal Staff	0	610	610	0	0	0
<b>Subtotal, Other Adjustments</b>	<b>\$4,806</b>	<b>\$3,747</b>	<b>\$8,553</b>	<b>\$8,235</b>	<b>\$610</b>	<b>\$8,845</b>
<b>Citywide Savings</b>						
<b>Subtotal, Citywide Savings</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL, All Changes</b>	<b>\$14,661</b>	<b>\$3,747</b>	<b>\$18,408</b>	<b>\$8,235</b>	<b>\$610</b>	<b>\$8,845</b>
<b>LAW Budget as of the Preliminary FY20 Budget</b>	<b>\$241,950</b>	<b>\$11,799</b>	<b>\$253,748</b>	<b>\$244,174</b>	<b>\$8,368</b>	<b>\$252,543</b>

### B: LAW Overall Headcount

	Actual - Year end					Budgeted – FY20 Prelim Plan			
	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Full-Time	1,354	1,378	1,428	1,600	1,581	1,970	1,951	1,951	1,951
Full-Time Equivalent	150	173	163	160	149	62	65	66	66
<b>Total</b>	<b>1,504</b>	<b>1,551</b>	<b>1,591</b>	<b>1,760</b>	<b>1,730</b>	<b>2,032</b>	<b>2,016</b>	<b>2,017</b>	<b>2,017</b>

**C: LAW Fiscal 2020 Personal Services (PS) Chart**

<b>Law Program Areas</b>		
<i>Dollars in Thousands</i>		
<b>Program Area</b>	<b>Fiscal 2020 Funding</b>	<b>Budgeted Positions</b>
Administration Raise the Age	\$594	7
Administrative Services	9,790	74
Administrative Law	4,138	41
Affirmative Litigation	2,841	28
Appeals	5,841	57
Commercial Litigation	5,191	53
Contracting Department	1,162	9
Contracts and Real Estate	245	3
Economic Development	2,197	15
E-Discovery Department	1,886	11
Environmental Law	1,929	18
Executive	3,822	31
Family Court	32,347	377
General Litigation	3,200	29
Information Technology	2,375	27
IT Raise the Age	340	4
Labor and Employment Law	6,971	77
Legal Counsel	3,479	31
Litigation Support Unit	2,588	30
Other	1,235	1
Municipal Finance	688	7
Office of Special Enforcement	1,171	15
Operations	4,258	74
Special Federal Litigation	15,524	136
Tax and Bankruptcy	5,734	71
Tort	56,492	637
Workers' Compensation	5,259	88
<b>Total</b>	<b>\$181,297</b>	<b>1,951</b>

**D: LAW Contract Budget**

<b>LAW FY20 Preliminary Contract Budget</b>				
<i>Dollars in Thousands</i>				
<b>Category</b>	<b>FY19 Adopted</b>	<b>Number of Contracts</b>	<b>FY20 Preliminary</b>	<b>Number of Contracts</b>
Contractual Services General	\$440	14	\$440	14
Maintenance and Repair - General	1,501	17	1,501	17
Office Equipment Maintenance	200	9	160	9
Data Processing Equipment	701	8	701	8
Security Services	225	1	225	1
Temporary Services	4,501	15	5,093	15
Cleaning Services	15	1	15	1
Transportation Expenditures	50	1	50	1
Training Program City Employees	105	24	105	24
Professional Services - Accounting and Auditing	100	1	100	1
Professional Services - Legal Services	7,801	31	7,588	31
Professional Services - Engineer and Architect	130	28	130	28
Professional Services - Other	14,458	279	13,758	279
<b>TOTAL</b>	<b>\$30,227</b>	<b>429</b>	<b>\$29,866</b>	<b>429</b>

**E: LAW Miscellaneous Revenue**

<b>LAW Miscellaneous Revenue Budget Overview</b>						
<i>Dollars in Thousands</i>						
<b>Revenue Sources</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY19</b>	<b>FY20</b>	<b>FY19-FY20</b>
Adm. Code Violations	\$657	\$1,615	\$1,000	\$650	\$650	(\$350)
Sale of Streets	8,051	1,363	275	275	275	0
Affirmative R/E Litigation	668	272	250	13,888	250	0
Affirmative Litigation	7,773	5,968	9,759	11,505	9,759	0
Vending, Xerox, Subpoena Fees	77	41	75	75	75	0
Collection Agency Claims	2,488	5,153	3,300	3,300	3,300	0
Worker Compensation	8,757	8,103	7,000	7,000	7,000	0
<b>TOTAL</b>	<b>\$28,471</b>	<b>\$22,516</b>	<b>\$21,659</b>	<b>\$36,693</b>	<b>\$21,309</b>	<b>(\$350)</b>

\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.

**F: LAW 2018 PMMR Indicators**

F1: Tort Division PMMR Indicators

Law Department Tort Division Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Total citywide payout for judgments and claims (\$000)	\$655,873	\$722,046	\$674,001	DOWN	DOWN	\$117,808	\$59,491
Total cases commenced against the City	9,507	8,141	8,219	*	*	2,646	2,793
– Cases commenced against the City in state court	8,009	7,132	7,367	7,600	7,600	2,360	2,523
– Cases commenced against the City in federal court	1,498	1,009	852	1,100	1,200	286	270
Cases pending in state court	21,452	20,667	21,630	22,700	22,700	20,991	21,784
– Cases pending on trial calendar	2,425	2,441	2,337	2,700	2,700	2,506	2,187
Affirmative motions to dismiss or for summary judgment	1,516	1,648	1,713	*	*	581	483
Win rate on affirmative motions (%)	75%	76%	71%	78%	78%	71%	70%
Cases pending in federal court	1,649	1,363	1,049	1,200	1,400	1,307	1,006
Dismissals and discontinuances	243	280	273	*	*	62	64

F2: Family Court Division PMMR Indicators

Law Department Family Court Division Indicators	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Referred cases filed for prosecution (%)	54%	50%	44%	55%	55%	42%	34%
Juvenile conviction rate (%)	76%	75%	77%	75%	75%	76%	75%
Juveniles successfully referred to a diversion program with no new delinquency referral within one year (%)	81%	81%	86%	75%	75%	80%	79%
Crime victims referred for community-based services (%)	53%	46%	46%	40%	40%	48%	62%
Filing of enforcement referrals within 60 days of referral (%)	95%	96%	96%	85%	85%	95%	100%
Families entitled to a support order that get a support order (%)	71%	70%	70%	65%	65%	69%	72%