



City Attorney

Department Business Plan

2014-2017

May 30, 2014

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Values:

We will be a City of...

- **Equity**
Disparities are nonexistent and all people have opportunities for success.
- **Safety**
People feel safe and are safe.
- **Health**
We are focused on the well-being of people and our environment.
- **Vitality**
Minneapolis is a world class city, proud of its diversity and full of life with amenities and activities.
- **Connectedness**
People are connected with their community, are connected to all parts of the city and can influence government.
- **Growth**
While preserving the city's character, more people and businesses lead to a growing and thriving economy.

We work by...

- **Innovating and being creative**
New ideas drive continuous improvement.
- **Getting results**
Our efficient, effective work meets measurable goals for today and tomorrow.

- **Engaging the community**
All have a voice and are heard.
- **Valuing employees**
Valued and supported employees take pride in public service.
- **Building public trust**
All have access to services and information. We work in an open, ethical and transparent manner.
- **Collaborating**
We work better together as one team. We value our partners, and they value us.

Department Vision:

To provide the highest quality prosecution and civil legal services and be proactive partners with City clients and residents.

Department Mission:

Our mission is to enhance public safety, serve justice and vigorously represent the interests of the City of Minneapolis and its residents by holding criminal offenders accountable and delivering the highest quality, cost effective legal services.

Department Values:

- **Excellence in our work**
- **Conduct governed by the highest ethical standards, integrity and principles of justice**
- **A work environment that is respectful, diverse and engaged**
- **A results-driven, problem solving orientation to our work**
- **Collaboration in working with clients, system partners, other governmental units and the community**
- **Prudent stewardship of the public's money**
- **Work that merits the public's trust and confidence**

Department character and environment

The City Attorney's Office has two business lines. They are:

1. **Criminal Division:** Prosecutes adult misdemeanor, gross misdemeanor and petty misdemeanor crime in the City of Minneapolis.
2. **Civil Division:** Delivers legal services for City clients and provides litigation representation.

The CAO has two distinct business lines with separate funding streams (general fund for criminal prosecution and self-insurance fund for civil legal services). The Criminal Division performs mandated prosecution and crime victim services. The Civil Division provides mandated services with respect to the Minnesota Government Data Practices Act and provides support for other mandated service areas.

The City Attorney's Office is well poised over the next four years to continue to provide innovative and top quality prosecution and legal services to the City.

Criminal Division Opportunities and Challenges: The Criminal Division has met and exceeded goals it set over the last five year business planning cycle. The CAO has developed and implemented innovative, problem solving initiatives such as the Downtown 100 and Focus 18-24 programs that have been recognized nationally by the United States Department of Justice, Bureau of Justice Assistance, and the International Association of Chiefs of Police as well as winning awards from the Humphrey Institute of Public Policy, among other organizations.

The CAO has also been rewarded with another federal Violence Against Women Act ("VAWA") grant to continue its work as a national leader in misdemeanor domestic violence prosecution. Through development of an evidence-gathering protocol, now adopted as permanent policy by the Minneapolis Police Department (MPD), among other measures, the conviction rate in domestic violence cases was increased by 50% over five years and has remained above or around 70% since. With the new VAWA grant funded initiatives, we have already seen an increase in the number of Gone-on-Arrival cases that have

been presented for charging. In this business plan we are also proposing to partner with MPD in exploring and implementing a domestic violence initiative around selected crime hot spots to reduce the incidence of domestic violence in these areas.

Over the last business plan cycle, the CAO has also achieved the following:

- Increased the number of neighborhood court watch groups from 4 to 9;
- Helped implement Veteran's Court and increased the referral of cases to other problem solving courts;
- Increased the number of cases taken through trial by ___% and improved the conviction rate in those cases by _____%;
- Improved its success rate on appellate cases to 100% in 2013;
- Maintained conviction rates of 90% or better in DWI and gross misdemeanor weapons cases;
- Created two diversion programs – one for loss of driver's license offenses and one for shoplifting; and
- Continued its partnership with restorative justice providers.

We have accomplished this work while reducing staffing levels. We have accomplished this through business process improvements, which have allowed us to eliminate two management positions and at least one staff position. The City's investment in the CAO's case management system, implemented in 2006, has allowed the CAO to implement e-discovery between the CAO and the Hennepin County Public Defender's Office and to automate other processes and maintain statistics.

Challenges faced by the division include the fact that we have a very high volume caseload, with a large number of court calendars that must be covered. Any lengthy absences place a substantial burden on colleagues. As a relatively small office we also lack staff support for pulling reports from our case management system, analyzing data, writing grant applications and other tasks that help guide our work and fund and evaluate initiatives.

Civil Division Opportunities and Challenges: The Civil Division continues to provide excellent client services and litigation support. Since initiating a client survey three years ago, we have consistently maintained or improved our satisfaction

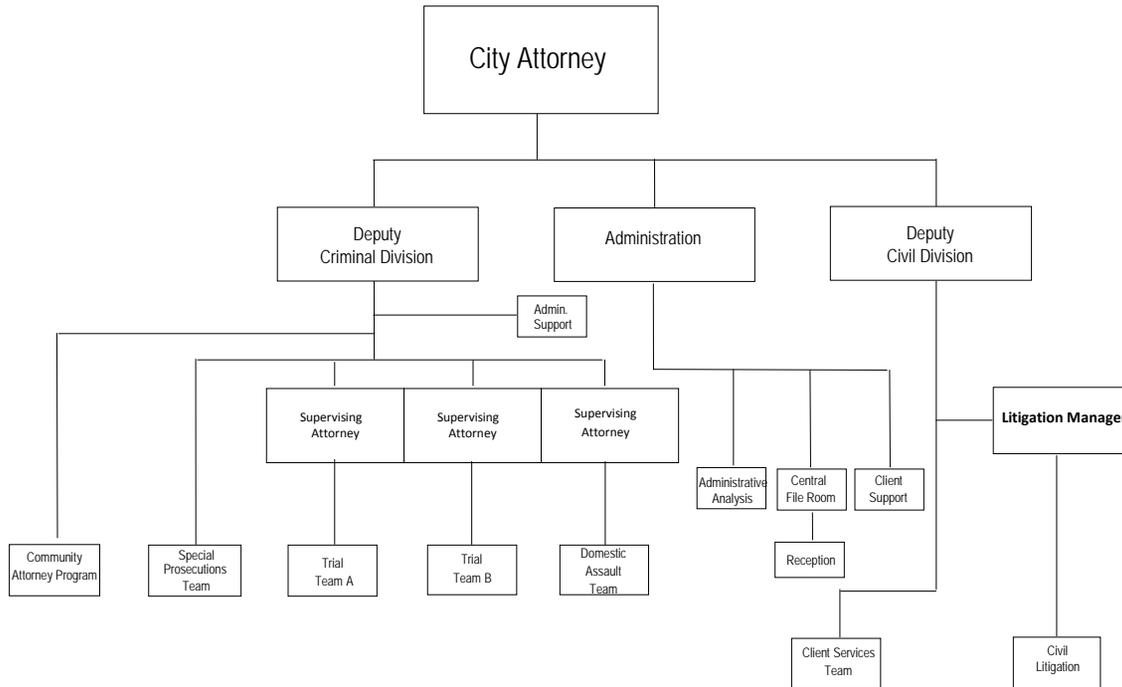
ratings with 93% of respondents “extremely” or “very satisfied” with the quality of our legal services. The Client Services Group of the CAO continues to provide strong legal support in a variety of complex legal areas, ranging from real estate development and financing to environmental and employee benefits areas. The depth of expertise within the Civil Division allows the CAO to handle most of the City’s legal work in-house, saving taxpayers many thousands of dollars in outside counsel fees. For example, much of the legal work on the Downtown East Ryan, Wells Fargo development, a complex multi-party \$400 million deal, was performed by CAO lawyers. We are also using in-house CAO staff for the \$100 million Target Center renovation agreements.

In 2013, the CAO launched a negotiation skills training initiative, bringing in both a trainer from the Minnesota Department of Administration to provide half day trainings, as well as an outside vendor to provide an intensive three day course. This initiative is being expanded in 2014.

The Litigation Group also continues to provide top quality litigation support and advocacy. The group, on average, settles no more than 50% of litigation cases brought against the City. Of the cases that proceed through court (are not resolved through a settlement), the City has won 94% over the last six years, with judgments in favor of the City in 183 lawsuits, losing only 12 cases in that time frame. The CAO typically tries more civil cases in federal court than any law firm in the state. Federal court matters often tend to be more involved and demanding than cases in state district court.

Challenges for the Civil Division include succession planning as we prepare to lose highly skilled attorneys to retirement in coming years, an ongoing heavy caseload with increasingly complicated demands, and City enterprise needs for expertise in specialized areas. Electronic discovery, which can involve thousands of pages of data, has become an increasing challenge in and of itself. In addition, Data Practices Act requests for information have placed a heavy burden on the CAO, with the loss of the City’s records officer in the Clerk’s Office. With funding for an added client services attorney in the 2014 budget, we are also seeking to bring on board an attorney who can handle IT and other contracting matters, an area that has been identified by our clients as one of increasing need.

Department organizational chart



Department Goals, Objectives and Tactics

Criminal Division

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
All neighborhoods are safe	Deter domestic violence through the Minneapolis Model.	Objective: Aggressively prosecute domestic violence cases.	<p>Tactic: Train police officers on domestic violence best practices.</p> <p>Tactic: Automate felony enhancement list by working with BCA to ensure BCA's new software system provides state-wide tracking of offenders eligible for felony enhancement.</p> <p>Tactic: Engage immigrant populations to increase awareness of DV laws and services.</p>	Target: Maintain or exceed a 70% conviction rate or higher.
		Objective: Improve the charging and conviction rates in gone on arrival (GOA) cases.	Tactic: Implement 2014-2016 federal VAWA grant related to investigation of GOA cases.	Target: Increase the number of GOA cases charged by the MCAO and/or County Attorney's Office.
		Objective: Improve services to victims.	<p>Tactic: Meet monthly with community-based partners to identify and resolve issues related to domestic violence cases and victim needs.</p> <p>Tactic: Train advocates and community partners on domestic violence issues.</p>	Target: Increase connections with community and systems- based partners so that services to victims are improved.

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
		Objective: Develop a pilot program focused on reducing incidents of domestic violence in selected crime hot spots.	<p>Tactic: Analyze applicable 911 calls, other police data to select pilot sites.</p> <p>Tactic: Design pilot prevention program, obtain needed financial resources, implement and evaluate pilot.</p>	Target: Domestic violence is reduced in selected hot spot sites.
All neighborhoods are safe	Reduce livability crime to create welcoming neighborhoods and a thriving downtown.	Objective: Reduce livability crimes committed by chronic offenders and maintain the reductions.	<p>Tactic: Maintain staffing levels and continue to enhance and support our MCAO community prosecution initiatives.</p> <p>Tactic: Utilize tools such as geographic restrictions and community impact statements.</p> <p>Tactic: Engage residents and business owners in addressing community public safety/livability crime issues.</p> <p>Tactic: Add a third probation officer and increase number of offenders assigned to active probation supervision.</p> <p>Tactic: Increase number of successful A&Ds issued by chronic offender probation officers.</p> <p>Tactic: Continue Downtown 100 and Focus 18-24 programs in downtown and expand as appropriate and as resources allow.</p>	Target: Reduce rates of recidivism by chronic offenders.
		Objective: Obtain better outcomes through active use of problem solving courts.	<p>Tactic: Train and educate MCAO staff on the specific court models.</p> <p>Tactic: Attend steering committee meetings and actively participate in shaping the policies</p>	

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
All neighborhoods are safe	Hold offenders who commit violent crimes accountable.		and procedures of these courts. Tactic: Advocate for additional resources for the problem solving courts to ensure capacity meets demand.	
		Objective: Aggressively prosecute DWI offenses.	Tactic: Refer repeat offenders to DWI Court when appropriate. Tactic: Track developments and defense tactics in DWI cases, maintain current research and legal memoranda and provide on-going training to attorneys regarding new DWI legal developments. Tactic: Attend Statewide DWI workgroups and participate in shaping the policies and procedures of these groups.	Target: Maintain a conviction rate of 95% or higher.
		Objective: Reduce illegal guns through the aggressive prosecution of weapons offenses.	Tactic: Continue specialized prosecution of weapons offenses. Tactic: Provide on-going training to law enforcement regarding new laws and cases affecting weapons cases.	Target: Maintain a 90% conviction rate or higher.
		Objective: Increase the conviction rate on non-domestic 5 th degree assault cases.	Tactic: Implement the 5 th degree assault pilot program in Cedar Riverside and train 1 st Precinct officers in the use of the new protocol by the end of 2014.	Target: Increase conviction rate.

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		Objective: Improve services to victims.	<p>Tactic: Add a victim witness assistant (VWA) to reduce caseload levels.</p> <p>Tactic: Engage in periodic reviews of victim witness efforts and participation level of victims and witnesses in prosecution cases.</p>	Target: Increase number of victim contacts.
	Help lead City efforts to prevent Juvenile Sex Trafficking.	Objective: Continue leadership of City efforts to prevent Juvenile Sex Trafficking.	<p>Tactic: Work with City work group to develop action plan for prevention efforts.</p> <p>Tactic: Assist in developing coordinated City – County prevention efforts.</p>	Target: Increase number of prosecutable cases against traffickers and increase number of victims connected with needed assistance and services.

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
All people, regardless of circumstance, have opportunities for success at every stage of life	Provide meaningful alternative consequences for low level non-repeat offenses.	<p>Objective: Increase diversion opportunities for non-violent, non-repeat offenses.</p>	<p>Tactic: Increase the number of cases referred to neighborhood restorative justice and/or community service programs.</p> <p>Tactic: Continue to refer cases and support driver license offense diversion program.</p> <p>Tactic: Increase the number of cases referred to shoplifting diversion program.</p> <p>Tactic: Review eligibility criteria for all diversion programs to see if programs can be expanded and identify additional opportunities for alternate resolutions.</p>	<p>Target: Increase opportunities for diversion alternatives.</p>
		<p>Objective: Support implementation of 2014 amendments to expungement law.</p>	<p>Tactic: Support implementation of 2014 amendments to expungement law and train staff on new requirements.</p> <p>Tactic: Review MCAO expungement process in light of 2014 amendments to law</p>	<p>Target: Increased support of motions for expungement in conformity with 2014 amendments and MCAO processes and criteria.</p>

Civil Division

<i>Strategic Direction</i>	<i>Department Goals</i>	<i>Departmental Objective</i>	<i>Department Tactics</i>	<i>Targets</i>
City operations are efficient, effective, results driven and customer focused	The work of the Civil Division is results-driven and customer focused, assisting clients in maximizing desired outcomes, while minimizing risks of liability.	<p>Objective: Provide clients with top quality, timely legal work and advice.</p>	<p>Tactic: Client departments are informed of legal changes impacting their business line.</p> <p>Tactic: Periodic meetings are conducted with client departments to update on status of legal matters and to identify trends, liability risks and the like.</p> <p>Tactic: Continue “general counsel” – type assignments of attorneys to client departments so attorneys develop enhanced knowledge of client operations and needs.</p>	<p>Target: Maintain or improve satisfaction ranking on annual client survey.</p>
		<p>Objective: Improve City outcomes through improved negotiation skills.</p>	<p>Tactic: Continually develop specialized knowledge and skills of division attorneys and other staff.</p> <p>Tactic: Continue negotiation initiative, improving City skills through training and by developing internal negotiation expertise and resources.</p>	<p>Target: City employees able to achieve improved outcomes in matters involving negotiation.</p>

<i>Strategic Direction</i>	<i>Department Goals</i>	<i>Departmental Objective</i>	<i>Department Tactics</i>	<i>Targets</i>
City operations are efficient, effective, results driven and customer focused.		Objective: Implement new City Charter.	Tactic: Complete review of eliminated provisions of existing Charter to determine need for any additional ordinances; assist in drafting any ordinance amendments or provisions identified in the review.	Target: New City Charter is implemented through a smooth transition process.
		Objective: Lawsuits and claims are resolved in the best interests of the City.	<p>Tactic: Provide advice as needed to Clerk’s Office and others on any questions related to new Charter.</p> <p>Tactic: Ensure adequate levels of staffing of skilled litigators and paralegals so that staff can manage caseload in an effective manner.</p> <p>Tactic: Provide continual skill training and legal updates.</p> <p>Tactic: Utilize internal Litigation Committee at the beginning of lawsuits to develop strategy and litigation plan as well as at later stages of litigation to assess settlement proposals and evaluate trial risks and benefits.</p> <p>Tactic: Continue partnership with IT and client departments to improve institutional and technological solutions to capture and preserve necessary records.</p>	Target: Maintain or increase rate of cases resolved in court vs. settlement and maintain or increase win/loss ratio.

<i>Strategic Direction</i>	<i>Department Goals</i>	<i>Departmental Objective</i>	<i>Department Tactics</i>	<i>Targets</i>
		<p>Objective: Reduce City exposure to liability in litigation matters.</p>	<p>Tactic: Identify trends and liability concerns and be proactive in sharing concerns with client departments.</p> <p>Tactic: Provide training to client departments as appropriate to avoid and prevent future liability.</p> <p>Tactic: Partner with Finance Department (risk management) in identifying risk areas and reducing potential exposure.</p> <p>Tactic: Meet regularly with client departments to discuss pending litigation and risk prevention.</p>	<p>Target: City liability in matters handled by CAO is reduced.</p>
<p>Regulations, policies and programs are efficient and reliable while protecting the public's interests.</p>	<p>Business regulations are streamlined to support businesses to start, stay and expand in the City.</p>	<p>Objective: Lead effort to streamline City regulations and procedures for businesses starting and expanding in the City, with an initial focus on small and medium-sized businesses.</p>	<p>Tactic: Form internal work group and external business advisory group to identify opportunities for improvement.</p> <p>Tactic: Utilize City outreach resources to engage emerging immigrant and minority entrepreneurs to inform streamlining efforts.</p> <p>Tactic: Identify action items and prioritize those items along with a proposed implementation timeline.</p> <p>Tactic: Develop a continuous improvement process including periodic reviews and input from external stakeholders.</p>	<p>Target: Changes are implemented with measurable improvements in process.</p>

Office-Wide Goals

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
Engaged and talented employees reflect our community, have resources they need to succeed and are empowered to increase efficiency and effectiveness	Engaged and talented employees reflect our community and have the resources, skills and training needed to succeed and to achieve the CAO's mission and vision.	Objective: Use affirmative efforts to recruit, hire, retain and promote a diverse staff.	Tactic: Affirmative outreach efforts are made to recruit a diverse applicant pool, including minority recruitment events, posting job openings with minority bar associations and other measures.	Target: Diverse employees are hired and promoted.
		Objective: All staff are provided opportunities on an equitable basis for training to expand skills and knowledge base to develop their full potential.	Tactic: Provide internal and, when needed, external training opportunities for employees. Tactic: Provide CLE training opportunities for attorneys through our internal CLE committee.	Target: Varied training opportunities are provided to staff throughout the year.
		Objective: CAO will have staff trained and able to meet future needs of office.	Tactic: Engage employees in creating job summary/ training guides for applicable positions by end of 2015. Tactic: Anticipate retirements and, as staffing allows, develop staff skills, knowledge and expertise for purposes of succession planning.	Target: Succession plans are developed and implemented.
	Ensure employees have technology needed to	Objective: Technology needs are identified and timely plans are developed to provide technology improvements.	Tactic: Engage staff in periodic meetings to identify technology needs so that staff have the resources needed to perform their jobs efficiently and effectively.	Target: All needed resources are provided.

<i>Strategic Direction</i>	<i>Department Goal</i>	<i>Departmental Objectives</i>	<i>Department Tactics</i>	<i>Targets</i>
	improve outcomes and to work efficiently and effectively.		Tactic: Collaborate with county, MPD and other partners in criminal justice system on technology initiatives.	
		Objective: Increase staff capability and use of existing technology.	Tactic: Train all staff on the various technology resources available to help them do their job. Tactic: Develop peer-to-peer training opportunities and user groups.	Target: Staff makes full use of case management system and other technology.