

County Counselor

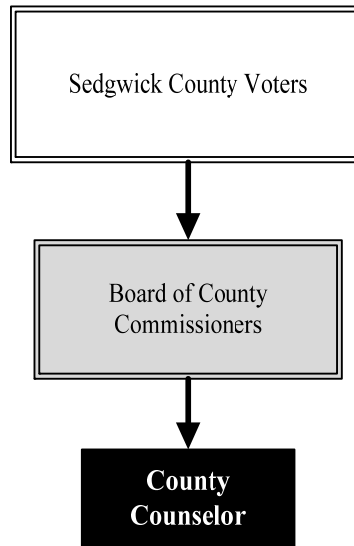
Mission: Provide high quality, non-partisan legal services to the County Commissioners, elected and appointed officials, departments and advisory boards

Rich Euson
Sedgwick County Counselor

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Overview

The County Counselor provides legal advice and representation to the Board of County Commissioners, County elected and appointed officials, County management and advisory boards on civil matters affecting the County and Fire District One. These services include drafting and reviewing resolutions, contracts and other legal documents, giving advice and rendering opinions as requested, and prosecuting and defending the County's interests before State and Federal courts and administrative agencies, including the Court of Tax Appeals.



The County Counselor also prosecutes in County Court violations of all County resolutions committed within the unincorporated area of Sedgwick County.

Highlights

- Jennifer Magaña, Treasurer of County Counselors Association of Kansas (CCAK) (2012-2015) and Board of Directors for Wichita Festivals, Inc. (2012-2014)
- Robert Parnacott authored article, "The Kansas Office of the County Register of Deeds" published in Oct. 2011 *Journal of the Kansas Bar Association*
- Mondella Benton, 2013-2014 President-Elect of Wichita Area Chapter of Association of Legal Administrators (WALA) and WALA - Law-in-Ed Committee, 2012-2013 and 2013-2014
- United Way of the Plains Silver Award

Strategic Goals:

- Assist County departments and leadership by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner
- Provide training to County officers and managers



Accomplishments and Priorities

Accomplishments

In 2012, through the prudent use of settlement negotiations, mediations, administrative hearings, and bench and jury trials, the County Counselor’s Office was able to dispose of 13 lawsuits, three KHRC/ EEOC matters, and five 12-105b claims, as well as assisting with the disposition of two cases handled by outside counsel and several matters handled on behalf of Risk Management. In addition, one habeas corpus case was dismissed and 200 economic units were concluded before the Court of Tax Appeals. The County Counselor’s Office has also been involved in the consolidation of City and County Code Departments into the Metropolitan Area Building and Construction Department (MABCD). Further accomplishments in 2012 included issuing 1,885 written and oral opinions and drafting over 1,100 contracts, pleadings, etc.

The County Counselor’s Office legal staff celebrated numerous professional accomplishments. Justin Waggoner serves as a board member of the Wichita Young Lawyers Association (2012-2013). Patricia Parker serves as a Presenter and Moderator for Legal Seminars and Prep and Trial Seminars put on by the International Association of Assessing Officers (IAAO) and has served on the IAAO Legal Committee since 2011. Jennifer Magaña serves on the Wichita Bar Association’s Law in Education Committee and on the Bar-O-Meter Committee. Karen Powell serves on the Wichita Bar Association’s Criminal Practice Committee.

Priorities

The County Counselor’s Office prioritizes services in accordance with Charter Resolution No. 46, Kansas Administrative Regulation No. 94-2-10 and Kansas Statute Annotated 19-4701 as implemented by County Resolution No. 260-1990. Charter 46 defines the general areas of civil law required to be handled by the County Counselor, and it also defines specific requirements such as attending County Commission meetings, rendering opinions, drafting contracts, prosecuting and defending civil actions and assisting elected and appointed County officials in performing their duties. K.A.R. 94-2-10, together with Court Rules, requires the County Counselor to appear before the Kansas Court of Tax Appeals to defend the County’s interests in certain cases. K.S.A. 19-4701 and County Resolution No. 260-1990 establish a County Court for the criminal prosecution of violations of Sedgwick County resolutions and require the County Counselor to prosecute such violations.



Significant Budget Adjustments

The 2014 County Counselor’s budget includes no significant adjustments.



Personnel Summary by Fund

Position Title(s)	Fund	Band	Budgeted Personnel Costs			Full-Time Equivalents (FTEs)			
			2013 Adopted	2013 Revised	2014 Budget	2013 Adopted	2013 Revised	2014 Budget	
Judge Pro Tem	110	EX FLAT	14,400	14,400	14,400	0.50	0.50	0.50	
County Counselor	110	B534	128,257	128,257	128,257	1.00	1.00	1.00	
Deputy County Counselor	110	B532	102,034	104,598	104,598	1.00	1.00	1.00	
Assistant County Counselor	110	B431	106,538	109,206	109,206	1.00	1.00	1.00	
Chief Attorney	110	B429	412,044	420,762	420,762	5.00	5.00	5.00	
Administrative Officer	110	B321	39,582	40,579	40,579	1.00	1.00	1.00	
Administrative Assistant	110	B218	135,556	138,951	138,951	4.00	4.00	4.00	
Office Specialist	110	B115	49,712	45,477	45,477	1.80	1.80	1.80	
Subtotal					1,002,230		15.30	15.30	15.30
Add:									
Budgeted Personnel Savings (Turnover)					-				
Compensation Adjustments					24,696				
Overtime/On Call/Holiday Pay					-				
Benefits					336,984				
Total Personnel Budget					1,363,910				



• Counselor's Office

Administration in the County Counselor's Office is responsible for all aspects of Counselor's operations shared in common, such as management, budgeting, purchasing and reception for the department.

Fund(s): General Fund 110

63001-110

	2012	2013	2013	2014	% Chg.
	Actual	Adopted	Revised	Budget	'13-'14
Expenditures					
Personnel	120,609	125,412	128,214	124,767	-2.7%
Contractual Services	2,678	3,250	3,250	3,550	9.2%
Debt Service	-	-	-	-	
Commodities	107	100	100	50	-50.0%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
Total Expenditures	123,395	128,762	131,564	128,367	-2.4%
Revenue					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	-	-	-	-	
Total Revenue	-	-	-	-	
Full-Time Equivalents (FTEs)	1.90	1.90	1.90	1.90	0.0%

Goal(s):

- Assist County by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner

• General Legal Services

The County Counselor provides in-house legal services to the Board of County Commissioners, elected and appointed officials, and advisory boards. Services include advising with oral and written legal opinions, representation in legal proceedings and the review and preparation of contracts, resolutions, policies and procedures and mitigation of all cases of liability against the County, including claims originating from the County jail. Primarily supported by County revenues, the budget authority includes partial funding for legal professional services (funding set aside for payment to attorneys hired to handle special situations) and case settlement.

Fund(s): General Fund 110

63003-110

	2012	2013	2013	2014	% Chg.
	Actual	Adopted	Revised	Budget	'13-'14
Expenditures					
Personnel	1,027,112	1,038,847	1,062,357	1,099,583	3.5%
Contractual Services	332,403	171,678	246,678	165,402	-32.9%
Debt Service	-	-	-	-	
Commodities	25,334	18,650	43,650	24,476	-43.9%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
Total Expenditures	1,384,849	1,229,175	1,352,685	1,289,461	-4.7%
Revenue					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	-	152	152	-	-100.0%
Total Revenue	-	152	152	-	-100.0%
Full-Time Equivalents (FTEs)	10.60	10.60	10.60	10.60	0.0%

Goal(s):

- Assist County by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner



• Sedgwick County Court

County Court is authorized by K.S.A. 19-101(d) and was created to enforce County Codes and resolutions through the criminal prosecution of violators. It was created by BoCC resolution in 1990, when it handled only Animal Control cases. Since its creation, more “enforcing” departments have become aware of its functional authority and have begun to seek prosecution for violations of the County Code. The County Counselor is responsible for prosecution of all cases filed in County Court.

Fund(s): General Fund 110

63004-110

	2012	2013	2013	2014	% Chg.
	Actual	Adopted	Revised	Budget	'13-'14
Expenditures					
Personnel	128,679	131,336	133,747	139,560	4.3%
Contractual Services	3,100	4,610	4,435	4,635	4.5%
Debt Service	-	-	-	-	
Commodities	887	1,150	1,325	1,325	0.0%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
Total Expenditures	132,666	137,096	139,507	145,520	4.3%
Revenue					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	74,590	137,096	137,096	55,000	-59.9%
Total Revenue	74,590	137,096	137,096	55,000	-59.9%
Full-Time Equivalents (FTEs)	2.80	2.80	2.80	2.80	0.0%

Goal(s):

- Provide and oversee an effective County Court system that prosecutes and adjudicates violations of County codes and resolutions

• External Counsel & Legal Expenses

The External Counsel Fees and Legal Expenses fund center provides budget authority for legal professional services, primarily for payment to attorneys engaged to represent the County in lawsuits and situations requiring special expertise, including any associated legal expenses for both in-house and outside counsel. In 2014, this fund center will change from a contingency to an operational fund center and external legal costs incurred by the department will be accounted for in this fund center.

Fund(s): General Fund 110

63005-110

	2012	2013	2013	2014	% Chg.
	Actual	Adopted	Revised	Budget	'13-'14
Expenditures					
Personnel	-	-	-	-	
Contractual Services	-	293,799	193,799	293,799	51.6%
Debt Service	-	-	-	-	
Commodities	-	-	-	-	
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
Total Expenditures	-	293,799	193,799	293,799	51.6%
Revenue					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	-	-	-	-	
Total Revenue	-	-	-	-	
Full-Time Equivalents (FTEs)	-	-	-	-	

Goal(s):

- Assist the County in resolution of lawsuits and other matters requiring special expertise

