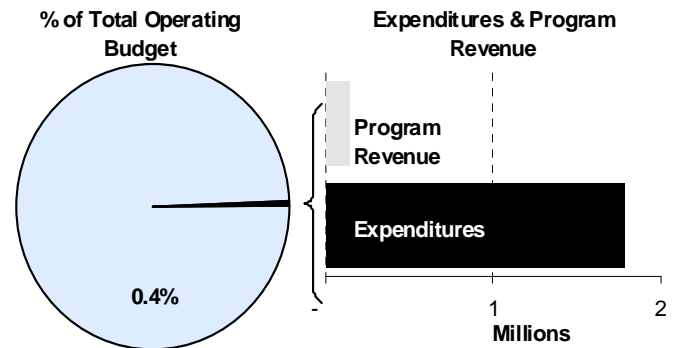
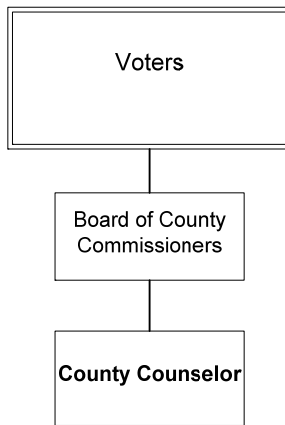




**Rich Euson**  
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**Mission:**

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



**Description of Major Services**

The County Counselor provides advice and representation on pertinent legal matters 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 1. 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.

The County Counselor also prosecutes violations of all County resolutions in the County Court. Violations include code enforcement and nuisance citations, traffic infractions, or misdemeanors committed within the unincorporated areas of Sedgwick County. County Court enforces violations issued by the Juvenile Intake and Assessment Center (JIAC) for parents who failed to pick up their children from JIAC. County Court also handles citations for Illegal Dumping and Trespassing in the

“Big Ditch” area. Fines may be paid online for citizens’ convenience on the County website, [www.sedgwickcounty.org](http://www.sedgwickcounty.org) under County Fine Violation Payment Center.

The County Counselor also represents the County in administrative hearings before the Kansas Court of Tax Appeals (COTA), which is set out in Kansas Administrative Regulation 94-2-10. This Administrative Regulation also states the procedures that must be followed by the County Counselor when representing the County Appraiser and/or the County Treasurer in all ad valorem valuation and tax matters being heard by COTA. In doing so, the Counselor defends not only the County’s own ad valorem values, but all of the taxing jurisdictions within the County. In the past, these cases were handled in an informal manner, but the process has become more formalized, requiring additional time and resources from the County Counselor’s Office.

**Programs and Functions**

The County Counselor’s Office is guided in delivery of its services by County Charter Resolution No. 46, K.S.A. 19-4701, K.A.R. 94-2-10, and County Resolution 260-1990.

The County Counselor’s Office is intricately involved in ensuring that services and assistance are provided in a fair and equitable manner. Specifically, the County Counselor’s Office routinely trains County supervisors on County policies and local and federal laws that support diversity, anti-discriminatory practices and other processes intended to provide access to all citizens.

To ensure the financial and institutional viability of the organization, the County Counselor’s Office uses internal resources for litigation when possible. The Office also provides training to departments on legal issues that affect the organization’s day-to-day and long term operations, in an effort to avoid wrong-doing and potential litigation. For example, training is conducted for detention recruits, commissioned deputies, and reserve officers on civil liability and use of force, as well as training commissioned deputies on adult entertainment regulations on a routine basis. Training is also provided to the appraisers on property tax law and new security officers in writing citations as needed.

counsel and several matters handled on behalf of Risk Management. In addition, three habeas corpus cases were dismissed and 243 economic units were concluded before the Court of Tax Appeals. In addition, the County Counselor’s Office handled a grievance before the Sedgwick County Grievance Board, and multiple cases before the Civil Service Board, as well as an appeal of one Civil Service board matter to State District Court.

**Budget Adjustments**

Changes to the County Counselor’s 2013 budget include increased revenue estimates for County Court based on an increase in the County Code fine structure, which had not been updated since 2001. Additional budget authority of \$193,799 also was added to the County Counselor’s 2013 budget for anticipated outside counsel and legal professional services costs.

**Alignment with County Values**

- **Commitment -**  
The County Counselor and staff are individually and collectively dedicated to their jobs and the organization in providing quality services to meet client/customer needs
- **Professionalism-**  
The County Counselor’s Office is a professional office and promotes the same through honesty, respect and pride in its work product, adhering to a high standard of ethical conduct and competence

**Goals & Initiatives**

- **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**

**Current and Emerging Issues**

The County Counselor’s Office continues to incur increased costs of pending litigation.

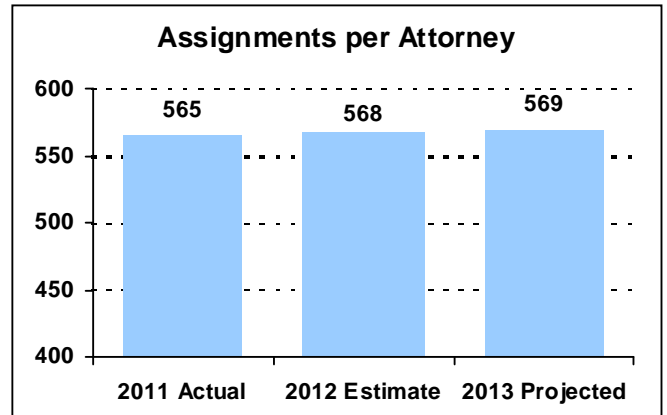
In 2011, through the prudent use of settlement negotiations, mediations, administrative hearings, and bench and jury trials, the County Counselor’s Office was able to dispose of 16 lawsuits, two KHRC/EEOC/HUD matters, and eight 12-105b claims, as well as assisting with the disposition of two cases handled by outside

**PERFORMANCE MEASURE HIGHLIGHTS**

The following chart illustrates the Key Performance Indicator (KPI) of the County Counselor’s Office.

**Assignments per Attorney -**

- Measure of the number of assignments, which includes oral and written opinions, drafting and reviewing correspondence, contracts/agreements, and pleadings and resolutions, per attorney on an annual basis.



Department Performance Measures	2011 Actual	2012 Est.	2013 Proj.
Assignments per Attorney (KPI)	565	568	569
Customer satisfaction	100%	100%	100%
Number of assignments	4,519	4,544	4,550
Number of attorneys	8	8	8
Timeliness	97%	97%	97%
County Court – customer satisfaction	98%	98%	98%
County Court – number of cases	957	1,000	1,100
County Court – number of FTE staff	2.3	2.3	2.3
County Court – citations per staff	416	435	478
County Court – average length of disposition in cases (days)	35	35	35

**Significant Adjustments From Previous Budget Year**

	Expenditures	Revenue	FTEs
● Increase in other revenue above original estimate of \$60,000 related to increase in County Court fines		77,096	
● Increase in contractals related to anticipated increase in outside counsel and other professional services	193,799		
<b>Total</b>	<b>193,799</b>	<b>77,096</b>	<b>-</b>

**Budget Summary by Category**

	2011 Actual	2012 Adopted	2012 Revised	2013 Budget	% Chg. '12-'13
<b>Expenditures</b>					
Personnel	1,304,459	1,287,243	1,287,243	1,295,595	0.6%
Contractual Services	681,821	279,538	254,213	473,337	86.2%
Debt Service	-	-	-	-	
Commodities	3,742	19,900	45,225	19,900	-56.0%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
<b>Total Expenditures</b>	<b>1,990,022</b>	<b>1,586,681</b>	<b>1,586,681</b>	<b>1,788,832</b>	<b>12.7%</b>
<b>Revenue</b>					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	90,432	48,144	48,144	137,248	185.1%
<b>Total Revenue</b>	<b>90,432</b>	<b>48,144</b>	<b>48,144</b>	<b>137,248</b>	<b>185.1%</b>
<b>Full-Time Equivalents (FTEs)</b>	<b>15.50</b>	<b>15.50</b>	<b>15.30</b>	<b>15.30</b>	<b>0.0%</b>

**Budget Summary by Fund**

	2012 Revised	2013 Budget
Expenditures		
General Fund-110	1,586,681	1,788,832
<b>Total Expenditures</b>	<b>1,586,681</b>	<b>1,788,832</b>

**Budget Summary by Program**

Program	Fund	Expenditures				2013 Budget	% Chg. '12-'13	Full-Time Equivalents (FTEs)		
		2011 Actual	2012 Adopted	2012 Revised	2013 Budget			2012 Adopted	2012 Revised	2013 Budget
Counselor's Office	110	129,401	129,945	129,945	128,762	-0.9%	2.10	1.90	1.90	
General Legal Services	110	1,728,031	1,218,370	1,318,370	1,229,175	-6.8%	10.60	10.60	10.60	
Sedgwick County Court	110	132,589	138,366	138,366	137,096	-0.9%	2.80	2.80	2.80	
Ext. Counsel Contingency	110	-	100,000	-	293,799		-	-	-	
<b>Total</b>		<b>1,990,022</b>	<b>1,586,681</b>	<b>1,586,681</b>	<b>1,788,832</b>	<b>12.7%</b>	<b>15.50</b>	<b>15.30</b>	<b>15.30</b>	



**Personnel Summary by Fund**

Position Title(s)	Fund	Band	Budgeted Personnel Costs			Full-Time Equivalents (FTEs)			
			2012 Adopted	2012 Revised	2013 Budget	2012 Adopted	2012 Revised	2013 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	102,034	102,034	1.00	1.00	1.00	
Assistant County Counselor	110	B431	106,538	106,538	106,538	1.00	1.00	1.00	
Chief Attorney	110	B429	346,413	412,044	412,044	4.00	5.00	5.00	
Senior Attorney	110	B327	62,700	-	-	1.00	-	-	
Administrative Officer	110	B321	39,582	39,582	39,582	1.00	1.00	1.00	
Administrative Assistant	110	B218	135,556	135,556	135,556	4.00	4.00	4.00	
Office Specialist	110	B115	49,712	49,712	49,712	2.00	1.80	1.80	
<b>Subtotal</b>					<b>988,123</b>		<b>15.50</b>	<b>15.30</b>	<b>15.30</b>
Add:									
Budgeted Personnel Savings (Turnover)					-				
Compensation Adjustments					-				
Overtime/On Call/Holiday Pay					-				
Benefits					307,472				
<b>Total Personnel Budget</b>					<b>1,295,595</b>				



**● 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

	2011 Actual	2012 Adopted	2012 Revised	2013 Budget	% Chg. '12-'13
<b>Expenditures</b>					
Personnel	126,405	126,595	126,595	125,412	-0.9%
Contractual Services	2,896	3,250	3,100	3,250	4.8%
Debt Service	-	-	-	-	
Commodities	100	100	250	100	-60.0%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
<b>Total Expenditures</b>	<b>129,401</b>	<b>129,945</b>	<b>129,945</b>	<b>128,762</b>	<b>-0.9%</b>
<b>Revenue</b>					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	-	-	-	-	
<b>Total Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Full-Time Equivalents (FTEs)</b>	<b>2.10</b>	<b>2.10</b>	<b>1.90</b>	<b>1.90</b>	<b>0.0%</b>

**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 funding 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

	2011 Actual	2012 Adopted	2012 Revised	2013 Budget	% Chg. '12-'13
<b>Expenditures</b>					
Personnel	1,048,080	1,028,042	1,028,042	1,038,847	1.1%
Contractual Services	676,940	171,678	246,678	171,678	-30.4%
Debt Service	-	-	-	-	
Commodities	3,011	18,650	43,650	18,650	-57.3%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
<b>Total Expenditures</b>	<b>1,728,031</b>	<b>1,218,370</b>	<b>1,318,370</b>	<b>1,229,175</b>	<b>-6.8%</b>
<b>Revenue</b>					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	130	21	21	152	623.8%
<b>Total Revenue</b>	<b>130</b>	<b>21</b>	<b>21</b>	<b>152</b>	<b>623.8%</b>
<b>Full-Time Equivalents (FTEs)</b>	<b>10.60</b>	<b>10.60</b>	<b>10.60</b>	<b>10.60</b>	<b>0.0%</b>

**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 1991, 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

	2011	2012	2012	2013	% Chg.
	Actual	Adopted	Revised	Budget	'12-'13
<b>Expenditures</b>					
Personnel	129,973	132,606	132,606	131,336	-1.0%
Contractual Services	1,985	4,610	4,435	4,610	3.9%
Debt Service	-	-	-	-	
Commodities	631	1,150	1,325	1,150	-13.2%
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
<b>Total Expenditures</b>	<b>132,589</b>	<b>138,366</b>	<b>138,366</b>	<b>137,096</b>	<b>-0.9%</b>
<b>Revenue</b>					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	90,302	48,123	48,123	137,096	184.9%
<b>Total Revenue</b>	<b>90,302</b>	<b>48,123</b>	<b>48,123</b>	<b>137,096</b>	<b>184.9%</b>
<b>Full-Time Equivalents (FTEs)</b>	<b>2.80</b>	<b>2.80</b>	<b>2.80</b>	<b>2.80</b>	<b>0.0%</b>

**Goal(s):**

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

**• External Counsel Contingency**

The external counsel contingency provides budget authority for legal professional services, primarily for payment to attorneys engaged to represent the County in lawsuits and situations requiring special expertise.

**Fund(s): General Fund 110**

63005-110

	2011	2012	2012	2013	% Chg.
	Actual	Adopted	Revised	Budget	'12-'13
<b>Expenditures</b>					
Personnel	-	-	-	-	
Contractual Services	-	100,000	-	293,799	
Debt Service	-	-	-	-	
Commodities	-	-	-	-	
Capital Improvements	-	-	-	-	
Capital Equipment	-	-	-	-	
Interfund Transfers	-	-	-	-	
<b>Total Expenditures</b>	<b>-</b>	<b>100,000</b>	<b>-</b>	<b>293,799</b>	
<b>Revenue</b>					
Taxes	-	-	-	-	
Intergovernmental	-	-	-	-	
Charges For Service	-	-	-	-	
Other Revenue	-	-	-	-	
<b>Total Revenue</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Full-Time Equivalents (FTEs)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	

**Goal(s):**

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

