

County Counselor

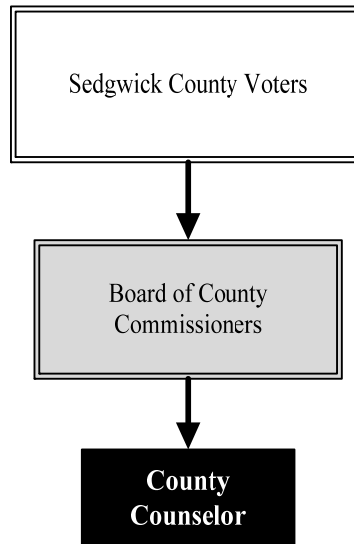
Mission: Provide high quality, non-partisan legal services to the County Commissioners, elected and appointed officials, divisions, and advisory boards.

Justin Waggoner
County Counselor
100 N. Broadway St., Suite 650
Wichita, KS 67202
316.660.9340
justin.waggoner@sedgwick.gov

Overview

The County Counselor provides legal advice and representation to the Board of County Commissioners (BOCC), 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, including the Board of Tax Appeals (BOTA).

In Sedgwick County Court, the County Counselor prosecutes violations of County codes committed within the unincorporated area of Sedgwick County.



Strategic Goals:

- Assist County divisions and leadership by prevention and avoidance of legal claims
- Render sound legal advice in a prompt and responsive manner
- Provide training to the County's elected officials, managers, and employees

Highlights

- As of December 2023, the County received \$1.3 million through its participation in opioid lawsuits and the Kansas Fights Addiction Act
- In 2023, the County Counselor's Office successfully prosecuted 460 County cases in County Court
- The County Counselor's Office is tasked with drafting, reviewing, negotiating, and approving contracts, agreements, and grants entered into by Sedgwick County. During 2023, the County Counselor's Office provided these services for 999 contracts



Accomplishments and Strategic Results

Accomplishments

In 2023, the County Counselor's Office worked on 530 total cases and claims (excluding bankruptcy and County Court cases). These were comprised of 42 lawsuits; 23 employment related complaints involving Kansas Human Rights Commission/Equal Employment Opportunity Commission (KHRC/EEOC), Department of Labor (DOL) or Department of Justice (DOJ); 437 economic units before the BOTA; and 28 claims for damages, 22 of which were K.S.A. 12-105b claims. Also, the County Counselor's Office has handled several matters on behalf of Risk Management.

The County Counselor's Office prioritizes services in accordance with Charter Resolution No. 46, Kansas Administrative Regulation 94-2-10, and K.S.A. 19-4701 as implemented by Resolution No. 260-1990. Such services include practicing in areas of civil law and include specific requirements such as attending County Commission meetings, rendering legal opinions, drafting contracts, prosecuting and defending civil actions, and assisting elected and appointed County officials in performing their duties. The County Counselor's Office defends the County's interest in matters before the Kansas BOTA.

Strategic Results

Strategic results for the Counselor's Office included the following measures in 2023:

- The County Counselor's Office defends the County Appraiser's valuations in commercial property appeals docket with the Kansas BOTA. The County Counselor's Office strives to maintain an annual successful defense percentage of 85.0 percent of appraised value appealed to the Kansas BOTA and the courts. In 2023, out of approximately \$575.5 million dollars, the County Counselor's Office preserved 94.0 percent of appraised value appealed to the Kansas BOTA. This amount is equivalent to over \$540.0 million dollars of property taxes in appraised value preserved.
- County Court administers and prosecutes cases that are in violation of Sedgwick County Code. Time to disposition is the courts' assessment of how long it should take to resolve each case type. The average time to disposition of County Court parking cases is 35 days. In 2023, there were 317 parking tickets written. Of that amount, 150 cases met the established time to disposition goal, which is equivalent to a clearance rate of 54.3 percent. The average time to disposition goal of County Court Animal Control, Code Enforcement, Fire, Parks, and Sheriff Cases is 60 days. In 2023, 156 tickets were written and of that amount, 81 cases met the established time to disposition goal, which is equivalent to a clearance rate of 70.4 percent.



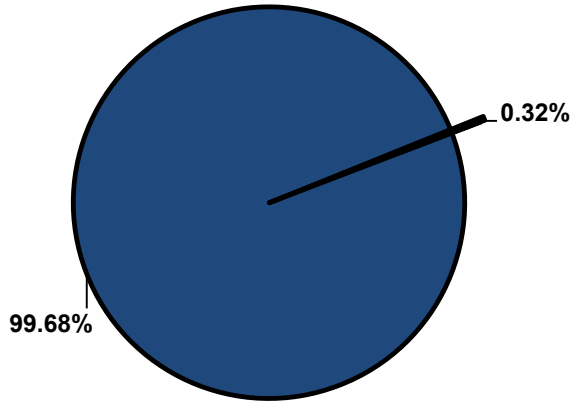
Significant Budget Adjustments

There are no significant adjustments to the County Counselor's 2025 Recommended Budget.

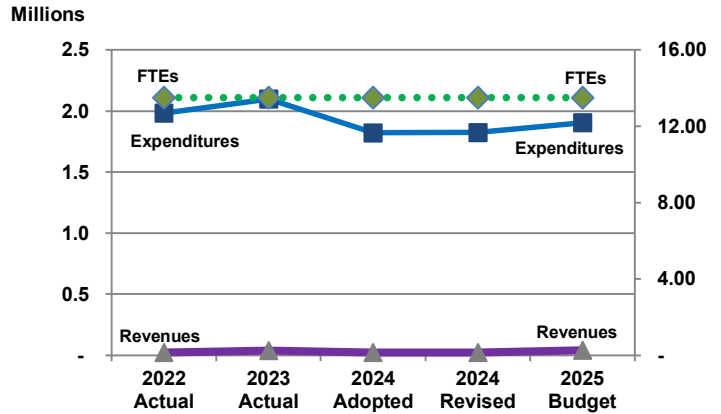


Departmental Graphical Summary

County Counselor
Percent of Total County Operating Budget



Expenditures, Program Revenue & FTEs
All Operating Funds



Budget Summary by Category

	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amount Chg '24 Rev.-'25	% Chg '24 Rev.-'25
Expenditures							
Personnel	1,374,638	1,268,078	1,445,488	1,445,488	1,528,735	83,247	5.76%
Contractual Services	575,701	815,785	334,320	336,693	350,548	13,855	4.12%
Debt Service	-	-	-	-	-	-	-
Commodities	31,272	14,814	41,878	41,878	25,650	(16,228)	-38.75%
Capital Improvements	-	-	-	-	-	-	-
Capital Equipment	-	-	-	-	-	-	-
Interfund Transfers	-	-	-	-	-	-	-
Total Expenditures	1,981,611	2,098,677	1,821,686	1,824,059	1,904,933	80,874	4.43%
Revenues							
Tax Revenues	-	-	-	-	-	-	-
Licenses and Permits	-	-	-	-	-	-	-
Intergovernmental	-	-	-	-	-	-	-
Charges for Services	1,567	-	1,662	1,662	1,000	(662)	-39.83%
All Other Revenue	21,412	37,845	22,277	22,277	39,374	17,097	76.74%
Total Revenues	22,979	37,845	23,939	23,939	40,374	16,435	68.65%
Full-Time Equivalents (FTEs)							
Property Tax Funded	13.50	13.50	13.50	13.50	13.50	-	0.00%
Non-Property Tax Funded	-	-	-	-	-	-	-
Total FTEs	13.50	13.50	13.50	13.50	13.50	-	0.00%

Budget Summary by Fund

Fund	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amount Chg '24 Rev.-'25	% Chg '24 Rev.-'25
General Fund	1,981,611	2,098,677	1,821,686	1,824,059	1,904,933	80,874	4.43%
Total Expenditures	1,981,611	2,098,677	1,821,686	1,824,059	1,904,933	80,874	4.43%



Significant Budget Adjustments from Prior Year Revised Budget

Expenditures Revenues FTEs

Total - - -

Budget Summary by Program

Program	Fund	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	% Chg '24 Rev.-'25	24-'25' FTEs
Counselor's Office	110	183,748	172,405	197,310	199,683	209,389	4.86%	1.90
General Legal Services	110	1,140,346	1,084,118	1,229,030	1,229,030	1,288,663	4.85%	9.70
Sedgwick County Court	110	128,778	126,292	145,346	145,346	156,881	7.94%	1.90
Ext. Counsel & Legal Exp.	110	528,739	715,862	250,000	250,000	250,000	0.00%	-
Total		1,981,611	2,098,677	1,821,686	1,824,059	1,904,933	4.43%	13.50



Personnel Summary by Fund

Position Titles	Fund	Grade	Budgeted Compensation Comparison			FTE Comparison		
			2024 Adopted	2024 Revised	2025 Budget	2024 Adopted	2024 Revised	2025 Budget
County Counselor	110	APPOINT	147,205	169,950	169,950	1.00	1.00	1.00
Deputy County Counselor	110	GRADE 73	131,195	123,600	123,600	1.00	1.00	1.00
Assistant County Counselor	110	GRADE 71	472,767	480,518	480,518	5.00	5.00	5.00
Administrative Supervisor II	110	GRADE 58	58,181	59,926	59,926	1.00	1.00	1.00
Administrative Support III	110	GRADE 54	210,438	219,313	219,313	5.00	5.00	5.00
Judge Pro Tem	110	EXFLAT	14,400	14,400	14,400	0.50	0.50	0.50
Subtotal					1,067,707			
Add:								
Budgeted Personnel Savings					-			
Compensation Adjustments					57,485			
Overtime/On Call/Holiday Pay					-			
Benefits					403,543			
Total Personnel Budget					1,528,735	13.50	13.50	13.50



• Counselor's Office

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

Fund(s): County General Fund 110

Expenditures	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amnt. Chg. '24 - '25	% Chg. '24 - '25
Personnel	183,333	172,220	195,210	195,210	206,289	11,079	5.7%
Contractual Services	415	185	2,000	4,373	3,000	(1,373)	-31.4%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	100	100	100	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	183,748	172,405	197,310	199,683	209,389	9,706	4.9%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	470	-	499	499	1,000	501	100.6%
All Other Revenue	-	-	-	-	-	-	0.0%
Total Revenues	470	-	499	499	1,000	501	100.6%
Full-Time Equivalent (FTEs)	1.90	1.90	1.90	1.90	1.90	-	0.0%

• General Legal Services

The County Counselor provides in-house legal services to the Board of County Commissioners (BOCC), elected and appointed officials, departments, 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 Sedgwick County Adult Detention Facility. Primarily supported by County revenues, the budget authority includes funding for case settlement.

Fund(s): County General Fund 110

Expenditures	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amnt. Chg. '24 - '25	% Chg. '24 - '25
Personnel	1,062,810	970,015	1,108,132	1,108,132	1,168,765	60,633	5.5%
Contractual Services	46,264	99,443	80,120	80,120	94,598	14,478	18.1%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	31,272	14,660	40,778	40,778	25,300	(15,478)	-38.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	1,140,346	1,084,118	1,229,030	1,229,030	1,288,663	59,633	4.9%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	1,097	-	1,163	1,163	-	(1,163)	-100.0%
All Other Revenue	525	38	546	546	39	(507)	-92.9%
Total Revenues	1,622	38	1,710	1,710	39	(1,671)	-97.7%
Full-Time Equivalent (FTEs)	9.80	9.70	9.70	9.70	9.70	-	0.0%



• Sedgwick County Court

County Court is authorized by K.S.A. 19-101d 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 County Codes. The County Counselor is responsible for prosecution of all cases filed in County Court.

Fund(s): County General Fund 110

Expenditures	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amnt. Chg. '24 - '25	% Chg. '24 - '25
Personnel	128,495	125,843	142,146	142,146	153,681	11,535	8.1%
Contractual Services	283	295	2,200	2,200	2,950	750	34.1%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	154	1,000	1,000	250	(750)	-75.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	128,778	126,292	145,346	145,346	156,881	11,535	7.9%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	20,887	25,723	21,731	21,731	26,762	5,031	23.2%
Total Revenues	20,887	25,723	21,731	21,731	26,762	5,031	23.2%
Full-Time Equivalents (FTEs)	1.80	1.90	1.90	1.90	1.90	-	0.0%

• External Counsel & Legal Expense

The External Counsel and Legal Expense fund center provides budget authority for legal professional services. This fund center is used exclusively for payment of fees and authorized expenses incurred by attorneys who have been engaged to represent the County in lawsuits and situations requiring special expertise.

Fund(s): County General Fund 110

Expenditures	2022 Actual	2023 Actual	2024 Adopted	2024 Revised	2025 Budget	Amnt. Chg. '24 - '25	% Chg. '24 - '25
Personnel	-	-	-	-	-	-	0.0%
Contractual Services	528,739	715,862	250,000	250,000	250,000	-	0.0%
Debt Service	-	-	-	-	-	-	0.0%
Commodities	-	-	-	-	-	-	0.0%
Capital Improvements	-	-	-	-	-	-	0.0%
Capital Equipment	-	-	-	-	-	-	0.0%
Interfund Transfers	-	-	-	-	-	-	0.0%
Total Expenditures	528,739	715,862	250,000	250,000	250,000	-	0.0%
Revenues							
Taxes	-	-	-	-	-	-	0.0%
Intergovernmental	-	-	-	-	-	-	0.0%
Charges For Service	-	-	-	-	-	-	0.0%
All Other Revenue	-	12,085	-	-	12,573	12,573	0.0%
Total Revenues	-	12,085	-	-	12,573	12,573	0.0%
Full-Time Equivalents (FTEs)	-	-	-	-	-	-	0.0%

