

**Department New Request Form
Fiscal Year 2022**

Program	Administration	Title of New Request:	Rank: 2
Department	Attorney	Legal Assistant (Civil)	
Request Category	New		
Request Rating	Efficiency		
Department Goal	Provide civil attorneys with a dedicated legal assistant		

1. How will request assist in achieving Department Goal and benefit the customer?

Current support staff in the City Attorney's Office is primarily assigned to prosecution and unable to sufficiently support the civil attorneys. A civil legal assistant solely assigned to civil is needed to provide sufficient, timely support for civil matters.

2. What specifically is needed to achieve this goal?

Hiring one FTE. With the remodel in the CAO this last fiscal year a new work station setup has one vacant work station available for this staff member.

3. Cost Impact of New Program:

Account #	Item	Qty	Unit Cost	Requested One-Time	Requested Ongoing	FY 2022 Unfunded	FY 2022 Funded	Proposed FY 2023 Ongoing
Ongoing Expenses								
1000.270.411120.110	Salary	1	41239		41,239	41,239	-	
1000.270.411120.140	Fringe	1	19560		19,560	19,560	-	
1000.270.411120.370	Training	1	500		500	500	-	
					-	-	-	
					-	-	-	
					-	-	-	
					-	-	-	
					-	-	-	
One-time Expenses								
1000.270.419000.210	Chair, supplies	1	700	700		700	-	
1000.270.419000.940	Computer - software	1	2221	2,221		2,221	-	
						-	-	
						-	-	
						-	-	
						-	-	
Expense Sub-Total				2,921	61,299	64,220		

Revenue Offset:

Account #	Revenue Description		Proposed Onetime Revenue	Proposed Ongoing Revenue
1000.000.311000.00	T	Tax Funded	2,921	61,299
Revenue Sub-Total			2,921	61,299

4. What sort of data will be used to report results and outcomes of request?

	Requested/Proposed Funding Source	
	One-time	Ongoing
Tax or Assessment	2,921	61,299
Non-tax	-	-
Fund Balance	-	-
Total	2,921	61,299



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July 2, 2021

TO: Budget Committee of the Whole

RE: Request for 1.0 FTE Civil Legal Assistant

The City Attorney's Office (CAO) requests a new position for one FTE Civil Legal Assistant (LA). The position is requested to support fulltime the three civil attorneys that do not have a dedicated staff person assisting them. The civil attorneys are performing tasks and managing files and records that would be more efficiently and effectively overseen by the requested LA. The additional LA would provide procedural as well as monetary cost benefits.

Key tasks that civil attorneys frequently perform themselves to be managed and performed in conjunction with civil attorneys by a civil LA include:

CAO support of Elected Officials / Departments

- Review, edit, format and finalize legal opinions and correspondence.
- Manage records and civil files related to contracts, disputes, administrative hearings, and litigation. Review, edit, format, and finalize pleadings.

CAO representing Missoula Housing Authority (MHA)

- Case prep including assisting in drafting, formatting, and finalizing eviction documents.
- Review, edit, format, and finalize documents and correspondence.

CAO representing Missoula Urban Transportation District (MUTD)

- Review, edit, format, and finalize documents and correspondence.
- Copying and organizing records for arbitration and personnel matters.

Confidential Criminal Justice Information (CCJI) Requests

Open files, pull records, redact and edit, and produce approved records.

Public Record Request Reviews

Open files, manage records, and produce approved records.

Expungement Petition Review and Response

Open file, order criminal history, and contact victims initially. Review, edit, format, and finalize pleadings.

These are not all-inclusive duties but a sampling of those areas taking significant portions of time in the civil division. Civil attorneys are logging more hours in all of these areas necessitating the assistance of a LA specifically trained to assist with civil duties. Currently prosecution LA's assist as they can but often times, they cannot immediately offer help with their prosecution workload taking priority.

As to civil attorney duties, there are multiple factors driving workload increase. As the City becomes more active in construction projects, buying property, expanding City departments (Missoula Water, Missoula Compost) as well as a growing employee base more contract and document review is required. More consultation with department personnel occurs and citizen inquiries increase and are often referred to CAO for response.

MHA is adding approximately 300 units under management in the next couple of years. With the new units, MHA is going from approximately 750 units under management to approximately 1000 units. In addition, MHA converted public housing units to Section 8 vouchers, with the units managed by MHA. The change may result in increased eviction cases as there will no longer be an informal hearing to address issues before tenants must move out.

The City doubled the amount of the contract with MUTD for FY 2022 as the hours in FY 2021 significantly increased. MUTD extends service in January 2022. Preparation for the additional services which include running buses longer evening hours as well as on Sundays and Holidays has resulted in hiring additional employees. With additional service hours and a larger employee base issues requiring legal representation is expected to continue to increase as the transition occurs.

Public record requests require civil attorneys to work closely with the associated department(s) to pull all records and review those for release. A public record request often requires review of hundreds of emails for attorney/client privilege and attorney work product as well as those not public record for privacy reasons. This year there were multiple requests related to the police department as the media covered the national movement for police reform and accountability.

CCJI requests are increasing and becoming increasingly more complex. CCJI requests require review of all records and redaction of information and editing of electronic media. One police incident may have multiple videos including body cam footage from each officer on scene as well as car video from multiple cars at the scene. It can result in hours of video to review. More requests are anticipated with the current national movement for police reform and accountability. The scrutiny of police actions and policies increase CCJI requests.

Montana state law authorizes a person to petition the district court for a one-time expungement of their misdemeanor convictions. Depending on the nature of the crime and taking into account if there is a victim and any victim input, the City may contest the expungement requiring filing a response and further court proceedings.

The City's continued growth necessitates more time from the civil attorneys offering legal guidance, drafting and reviewing documents, and attending meetings as legal representative. The civil attorneys and CAO as a whole will benefit from a dedicated civil legal assistant.