



LEGAL DEPARTMENT 2017 ANNUAL REPORT

Excellence | Accountability | Innovation | Inclusion | Empowerment

MISSION

The Legal Department provides quality legal representation to the City of South Bend's Mayor, departments, commissions and agencies with a dedicated and professionally-skilled staff, efficiently and cost effectively, in furtherance of the City's strategic goals, and while preserving the legal and ethical integrity of the City. The services of the Legal Department are most directly tied to the City's core value of being a **Well-Governed and Administered City**.

2017 HIGHLIGHTS

Well-Governed and Administered City

- **Great Employer with Great Employees**

The Legal Department is comprised of diverse and talented attorneys and staff members in an environment in which gender, race, and age equality are indicative of a strong commitment to the City's core values of inclusion and excellence.

We are:

- ✓ 8 Attorneys
- ✓ 2 Paralegals
- ✓ 2 Legal Assistants



Legal Department Staff Benefits

In addition to the many benefits offered by the City's Human Resources professionals, the Legal Department offered the following benefits to its employees to enhance **retention and recruitment of talented, skilled staff**:

- **Paid Indiana State Bar Dues**
- **Unlimited CLE opportunities for attorneys**
- **Unlimited Paralegal training resources**
- **Cross-training** in multiple practice areas allowing for:
 - Attorney growth and collaboration
 - Career mobility and skill set expansion
 - Increased *flexibility* and *support* amongst staff



Four-Year Fire Agreement

Corporation Counsel Stephanie Steele successfully negotiated an honest and fair four-year contract with the Firefighter’s Union and the City of South Bend. Using local and state data to reach equitable results, the contract is the first four-year agreement to be entered in the past ten years of negotiations, and represents the tireless efforts of all parties to uphold City values of **accountability, transparency, and inclusion.**

It is also notable that Stephanie Steele is the first attorney to have reached two four-year agreements with the Police and Fire Unions in well over ten years of the City’s history.

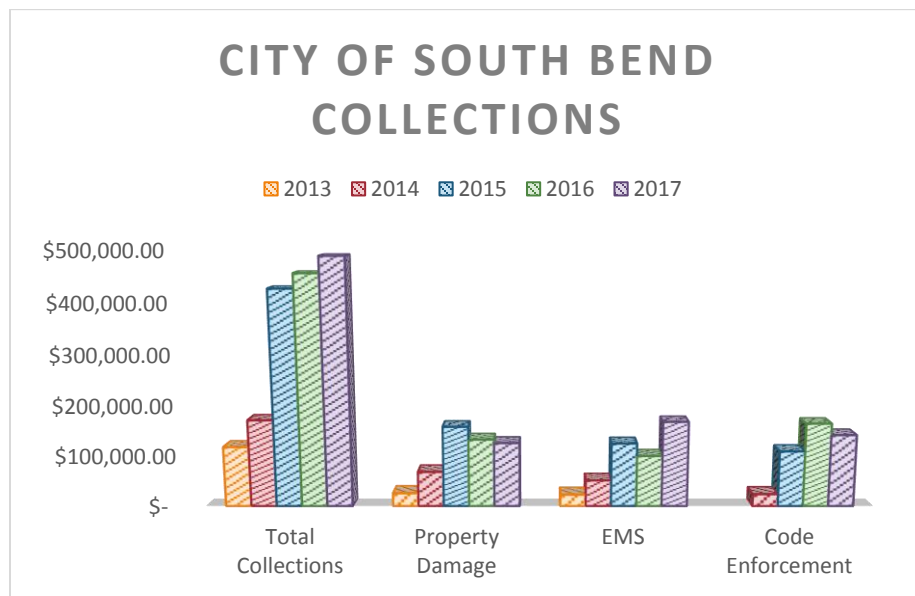
Part-Time Police Officer Program

The Legal Department filed an Ordinance that will aid the Police Department in its recruitment efforts by allowing for Part-Time Police Officers.

- **Enduring Financial Strength**

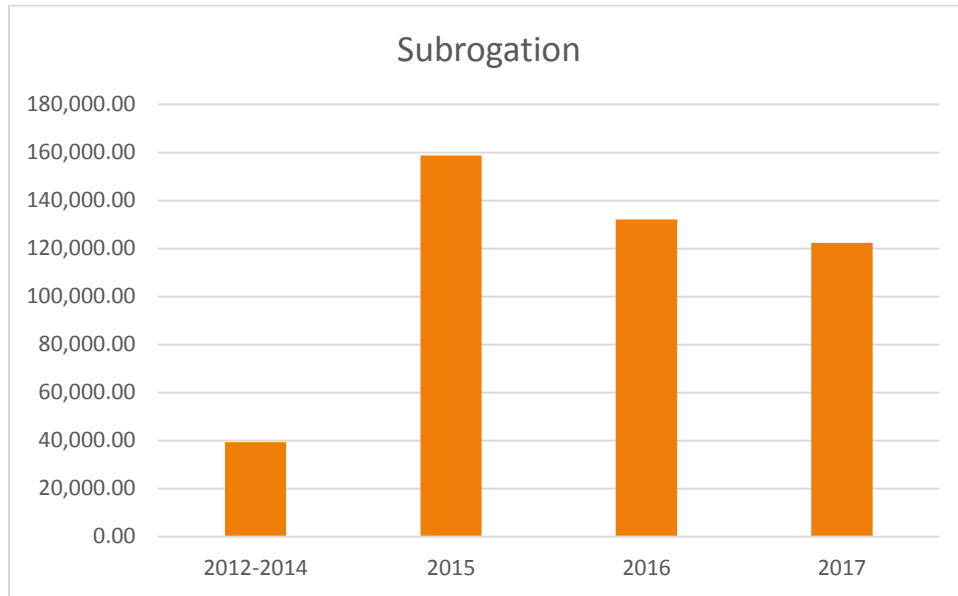
Collections Practice

In the fourth year of its partnership with a local law firm specializing in collections, the Department collected over **\$488,000** in obligations owed to the City. Total collections have increased from \$171,829 in 2014 to \$488,206 in 2017, an increase of approximately **184% over the past three years.**



Subrogation Practice

In the fourth year of the Department’s newly-created Claims Administrator position, the Department collected **\$122,283.42** owed to the City for property damage.



Economic Development Investments

Counseled and represented the Department of Community Investment with economic development projects that attracted **over \$200 million of private investment to the City** in 2017 and the creation of **675 new jobs**.

- **Reliable Compliance with Regulations and Well-Managed Risk**

Claims Defense Strategy

The Legal Department formally responded to **194** claims in 2017.

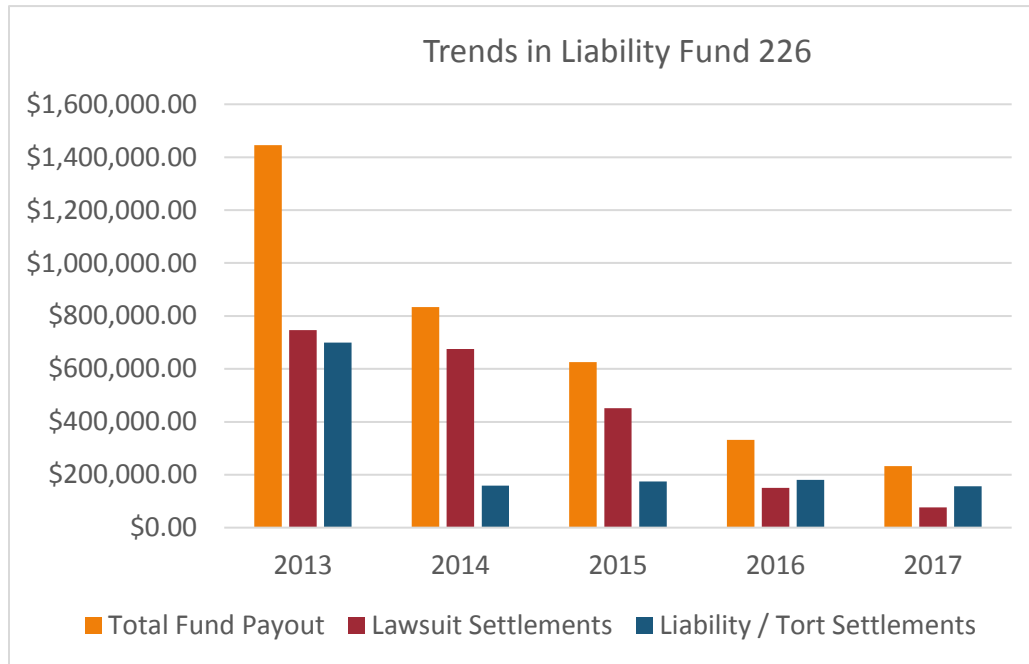
There were **\$5.1 million** in damages claimed against the City in 2017.

The City paid **\$180,259** in 2017 for claims, representing a 4% decrease from 2016’s results.

The City settled **eight** lawsuits in 2017, for a total cost of **\$76,071.30**. **This represents a decrease of 50% from 2016.**

The expenditure from Liability Fund 226 has decreased steadily since 2013 due to:

- Proactive claims investigation and evaluation;
- Interdepartmental information sharing and best practices coordination; and
- Vigorous defense litigation.



Lexipol

Tireless hours were spent fine-tuning the Police Department’s Duty Manual. The Legal Department collaborated with Lexipol, a risk management, Policy Management Software, which provides customizable, state-specific policy content and integrated policy training. This resource will allow the Police Department to enter a new era of transparent, easy access to policies, which are constantly updated.

New Police Supervisor Training Initiatives

Police trainings led by Assistant City Attorney Ashley Colborn were provided to all new supervisors, focusing on workplace safety, preventative planning and measures, and compliance with risk management procedures.

Claims Investigation and Prevention Initiatives

Presented trainings and refreshers on Situational/Self Awareness, Distracted Driving, Identifying Witnesses, Scene and Damage Photography Tips, and Prevention to **more than 40** supervisors, department managers, and drivers from Solid Waste, VPA, Sewers, Streets, Central Services, and Water Works.

- **Excellent Services and Efficient Processes**

Access to Public Records Act (APRA) Requests

Processed **2,914** public records requests in 2017, bringing the Administration total to **12,636** at the end of 2017.

▪ 2012	1,911
▪ 2013	2,301
▪ 2014	1,913
▪ 2015	1,788
▪ 2016	1,809
▪ 2017	2,914

Administration Total: 12,636

61% more public records requests were received in 2017 than in 2016, **with no violations.**

Ticket Appeals

Resolved **394** ticket appeals in 2017.

Pokagon Band Mutual Aid Agreement

Reached a mutual aid agreement with the Pokagon Band memorializing both police departments' commitments to assist one another as necessary, resulting in efficient and collaborative Public Safety services for the residents of South Bend.

- **Model of our Values (Excellence, Accountability, Innovation, Inclusion, and Empowerment)**

County-Wide Human Rights Protection

Worked with County Council members to adopt a county-wide Human Rights Ordinance and entered into an Interlocal Agreement for the South Bend Human Rights Commission to administer the County's Ordinance.

Historic Preservation Transition

Worked with DCI and the Historic Preservation Commission to pass an Ordinance approving DCI's supervision of HPC. The City and County also entered into an Interlocal Agreement to govern the terms of the supervision, to confirm the re-organization, and to share the costs of DCI oversight.

- **Robust Physical and Technological Capital Assets**

TRANSPO Joint Project Agreement (Bus Shelters and Technology Initiative)

Negotiated an agreement with the South Bend Public Transportation Corporation (TRANSPO), contributing a local match towards the acquisition and installation of up to seventeen (17) new bus shelters in the City. This agreement provides funding for the implementation of technology to improve the overall administration and management of the transit system.

Development Agreements and Transactions

Negotiated Agreements and represented the Department of Community Investment in transactions including:

- Eddy Street Commons, Phase II
- Blackthorn Corporate Park and VA Building
- Berlin Place Development
- MySB Parks and Trails Project

- **Effective, Responsive Leadership and Communication**

The Legal Department provides daily in-house legal counsel to each of the Departments, Boards, and Commissions of the City of South Bend. This valuable service is provided at no hourly charge to the City and results in effective interdepartmental collaboration and joint accomplishments, driven by highly responsive and accessible legal counsel.

2018 STRATEGIC GOALS

The Legal Department has reorganized designated practice areas to maximize the ability of our attorneys to be proactive, innovative problem-solvers and risk reducers. To that end, in 2018 we will aim to accomplish the following:

- ✓ Assist Animal Care and Control in developing a legally sound and improved animal regulation ordinance;
- ✓ Assist Code Department with review and creation of proactive rental housing inspection ordinance and rental restrictions related to lead contamination;
- ✓ Support City policy and legislative interests at the regional, state, and national levels;
- ✓ Finish Lexipol for the Fire Department;
- ✓ Successfully implement and utilize PD Body Cams;
- ✓ Develop further training initiatives to proactively minimize accidents and liability; and
- ✓ Continue to demonstrate a diligent and resolute litigation strategy that supports the ability of the City to deliver good government and allows residents to live a safe, healthy, meaningful life in South Bend.