

MISSION

The Department of Law provides quality legal representation to the City of South Bend's Mayor, departments, commissions, boards, 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 Department of Law are most directly tied to the City's core value of being a **Well-Governed and Administered City**.

WHO WE ARE

Great Employer with Great Employees

The Department of Law is comprised of diverse and talented legal professionals working collaboratively in an inclusive environment. We pride ourselves on our strong commitment to the City's core values of Inclusion and Excellence.

AS OF DECEMBER 31, 2024, WE WERE FULLY STAFFED, AND OUR TEAM CONSISTED OF:

9 Attorneys



Sandra Kennedy, Jenna Throw, Kylie Connell, John Dorbin, Jessica McLain, Thomas Panowicz, Michael Schmidt, Adam Taylor, Danielle Campbell Weiss

2 Paralegals



Roger Larson, Julie Wisner

2 Legal Assistants



Marissa Frattini, Ngina Chege

1 Ordinance Violations Bureau Clerk



Ashley Sniadecki

Staff Transitions in 2024

Assistant City Attorneys:

Kathryn Hough left the City in March 2024.

Jessica McLain joined the Department on June 24, 2024, replacing Jenna Throw, who had been promoted to City Attorney in mid-2023.

John Dorbin joined the Department on June 24, 2024, replacing Kathryn Hough.

Office Staff:

Sarah Curl-Larson, Paralegal and Claims Administrator, left the City in May 2024 to pursue a law degree at the University of North Texas.

Elizabeth Mellor, Administrative Assistant, left the City in May 2024 to pursue a law degree at Loyola University in Chicago.

Roger Larson joined the City on May 20, 2024, replacing Sarah Curl-Larson.

Ngina Chege joined the City on May 28, 2024, replacing Elizabeth Mellor.

Human Rights Commission:

As of May 2024, the Human Rights Commission reports through the Department of Law.

Executive Director Katrina Lee timely filed the 2024 annual report for the Human Rights Commission in February 2025. Please refer to that report for the significant and impactful progress made in 2024 by Executive Director Lee and her hard-working staff, who as of December 31, 2024 included:

- *  Housing Manager, **Esther Akhigbe**
- *  Employment Manager, **Jenny Steinmetz**
- *  Investigator, **Kate Chavez**
- *  Investigator, **Lewis Boyden**
- *  Intake Coordinator, **Zachary Beebe**
- *  Administrative Assistant (open)

Supporting the City and Its Departments

The Legal Team works with the City's Departments to help them reach their goals in a manner that is compliant with state, federal, and local laws. We endeavor to help each of them

be a great employer with great employees.

South Bend Police Department

Kylie Connell is the Assistant City Attorney who assists SBPD. In 2024, she assisted SBPD leadership in drafting and leading discussions around an ordinance to create a **Merit Board for the SBPD**, which supplants the Board of Public Safety with regard to the approval of promotions and discipline of officers. Additionally, she drafted **numerous policy updates** and, along with Roger Larson, the City's Claims Administrator, **held roll call training** for officers. She also worked on **numerous contracts and other matters**. Kylie represents SBPD before the Board of Public Safety and will represent SBPD officers before the Merit Board; a different member of the Legal team (Danielle Campbell Weiss) supports the Board of Public Safety and (Adam Taylor) the Merit Board.

South Bend Fire Department

Adam Taylor is the Assistant City Attorney who assists SBFD. In 2024, he represented SBFD management in the negotiation of a **one-year Collective Bargaining Agreement** with the South Bend Firefighters Local 362. Additionally, he worked with SBFD leadership in drafting an ordinance to create a **Merit Board for the SBFD**, which supplants the Board of Public Safety with regard to the approval of promotions and discipline of firefighters. Adam also worked on **numerous contracts and other matters**. In particular, he worked to **update a CTE agreement with South Bend Community Schools** that introduces the principles of firefighting to area high school students. Adam represents SBFD firefighters before the Board of Public Safety and the SBFD Merit Board; a different member of the Legal team (Danielle Campbell Weiss) supports the Board of Public Safety and (Kylie Connell) the SBFD Merit Board.

Department of Community Investment

Building: Jenna Throw provides **general legal support** to the Building team, including general advice regarding interpretation of laws, support in meetings with third parties, and consultation regarding the intersection of Building Code provisions with new Indiana legislation. She is also assisting the Building Department with **comprehensive ordinance updates** to improve its administration and enforcement of the Building Code.

Engagement & Economic Empowerment: Adam Taylor provides **general assistance** to the Engagement & Economic Empowerment team, including general advice regarding contracts and legal requirements, as well as document drafting, review, and revisions.

Growth & Opportunity: Danielle Campbell Weiss provides legal support to the Growth & Opportunity team. She also provides legal support by **drafting and negotiating new development agreements, real estate purchase agreements, lease agreements, option agreements, and access agreements**. Dani also **drafted necessary amendments** to existing agreements, **resolutions** for board action, assisted in the **preparation of requests for proposals** for multiple city-owned properties, and drafted and negotiated memoranda of understanding, donation agreements, and professional services agreements. Further, she provides **general advice** regarding uses of tax increment financing, tax abatements, and other financing mechanisms. Additionally, Dani **supports the Redevelopment Commission, Redevelopment Authority, and Economic Development Commission** in their public meetings.

Historic Preservation: John Dorbin is the Assistant City Attorney who **supports the Historic Preservation Commission and its staff** to ensure compliance with applicable laws.

Neighborhood Health & Housing: Kylie Connell provides **general support** to the Neighborhood Health & Housing team, including general advice regarding interpretation of contractual terms and statutes, as well as contract drafting, review, and revisions.

Neighborhood Services and Enforcement: Tom Panowicz is the Assistant City Attorney who assists NSE. He represents the City's interests in **NSE Hearings**. Further, he assisted NSE leadership with legal aspects of various projects, such as **No Mow May, Dead Tree Removal, and 4th Amendment training** to NSE inspectors and staff. Additionally, he counseled NSE leadership with **application of the Property Maintenance Code and the Unsafe Building Law to many properties**, including special assessments, liens, receivership and notice of public bids for demolitions. Tom meets bi-weekly with Neighborhoods and NSE Leadership to consult and provide guidance, as well as drafting of related documents, on NSE and RSVP matters, in addition to attending **monthly Problem Property Team meetings** with NSE Leadership.

Planning and Zoning: Tom Panowicz also provides **general legal support** to the Planning and Zoning teams, including general advice regarding interpretation of laws, support in meetings with third parties, and contract drafting, review, and revisions. Additionally, he supports the Area Plan Commission in its public meetings, while Jenna Throw supports the Board of Zoning Appeals.

South Bend Animal Resource Center: Jessica McLain provides **general support and guidance** to SBARC staff particularly regarding the interpretation of State and local laws. Also, a member of the Legal team (Tom Panowicz, Sandra Kennedy, or Jessica) **represented and advocated for SBARC** by preparing for and attending **Animal Welfare Commission hearings**. The Legal team additionally attended **AWC meetings** on SBARC's behalf. A separate attorney on the Legal team (Adam Taylor) provides support to the AWC.

Sustainability: Kylie Connell provided **general legal support** to the Sustainability team, including attending meetings with third parties, providing general guidance and advice regarding the interpretation of contractual terms and conditions, as well as contract drafting, review, and revisions.

Department of Public Works

Michael Schmidt is the Assistant City Attorney representing the Board of Public Works and assisting the Department of Public Works. He provided legal counsel for numerous contracts, including the negotiation of a four-year **Collective Bargaining Agreement** with the Teamsters Local 364 and the **awarding of the bids for City Hall improvements**. In addition to those large deals, he also oversaw the successful negotiation of **various other real estate, environmental, and license agreements** to the overall benefit of the City and its residents.

Venues Parks & Arts

Michael Schmidt also provides legal support to the Venues Parks & Arts department as well as the Board of Park Commissions at their public meetings. In addition to the support provided for the **20-year lease with the South Bend Cubs**, he also provided counsel related to the **extensions of the**

agreements with DTSB and Block by Block. The collaborative nature of Michael's efforts combined with key team members delivered another successful year of special events, most noticeably, **Fusion Fest**, for which he drafted and reviewed contracts with vendors, entertainment providers, sponsors, and local property owners.

Department of Administration & Finance

John Dorbin supports the Administration & Finance team. He generally provides guidance on **legal issues confronting the department and assists with bond transactions**.

Department of Human Resources

Danielle Campbell-Weiss provides assistance to department leaders with regard to critical employment decisions to **ensure compliance with federal, state, and local laws**, as well as recognized best practices. This guidance includes advice on matters pertaining to general personnel policies and procedures, hiring, termination, employee leaves of absence, compensation, benefits, and accommodations. Jenna Throw provides **guidance for the administration of the City's workers compensation program** for compliance with the Workers Compensation Act for non-bargaining and Teamster employees and with Title 36 for public safety employees. Jenna also represented the City in three grievances with the Teamsters Local 364, resulting in one favorable decision, one withdrawal, and one partially favorable decision.

Department of Innovation & Technology

Jenna Throw also provides **general legal support** to the Department of Innovation & Technology, including providing general guidance and advice regarding the interpretation of contractual terms and conditions, as well as contract drafting, review, and revisions. In particular, she **assisted with grant agreements and Memoranda of Understanding to support the City's Sync South Bend grant program to build up the Real Time Crime Center**. Jenna also provided support to the Division of Civic Innovation in **bringing the Commuters Trust program under the City's jurisdiction**, in preparing assignments and new agreements governing the program. Additionally, she **supported the Digital Team in streamlining the utility onboarding process** and digitizing processes in various departments.

Office of Diversity, Compliance, & Inclusion

Michael Schmidt assists Diversity, Compliance, and Inclusion leadership with regard to the implementation of contract-specific goal setting for City contracts. Michael and/or Jenna Throw also made **multiple presentations to local community groups throughout the year** discussing the City's MWBE Ordinance and how to contract with the City. Additionally, Michael provides support to the **Inclusive Procurement Board** in its public meetings.

Human Rights Commission

Michael Schmidt, Adam Taylor, Kylie Connell, Sandra Kennedy, and Jessica McLain worked with the Human Rights Commission during its transition from interim directorship to the permanent Executive Director, Katrina Lee, wherein the Legal team **provided general advice** to Commissioners and staff relative to civil rights and fair housing laws, continued to update the HRC staff's processes and legal documents to promote high legal standards, and **conducted conciliations**.

Community Police Review Office

In 2024, Jessica McLain provided assistance to Director Charles King III with regard to the best practices in investigating complaints, as well as working with the attorney for the Community Police Review Board to establish board procedures and formalities.

Passed Legislation

- **Alley Vacation Updates.** Ordinance No. 11120-24, amended the existing alley vacation ordinance to clarify the process and improve efficiency in the application of the program.
- **Fire Salary Ordinance.** Ordinance No. 11161-24, set wages for the Fire Department in 2025 based upon the Agreement reached between the City and the Fire Department during collective bargaining negotiations in 2024.
- **Teamsters Salary Ordinance.** Ordinance No. 11155-24 set wages for Teamsters employees for 2024 through 2028 based upon the Agreement reached between the City and the Teamsters during collective bargaining negotiations in 2024.
- **Merit Board Ordinance.** Ordinance No. 11165-24 established a Merit System for the South Bend Police Department pursuant to Indiana Code 36-1-4-14.

Collective Bargaining Agreements

The Legal Team negotiated new Collective Bargaining Agreements with the Teamsters and Fire Department in 2024.

Enduring Financial Strength

The Department of Law supports responsible collections practices, a thorough property damage recovery practice, economic investment, and important partnerships to enhance the City's financial strength.

In 2024, ordinance violators paid **\$77,394.90** that the Ordinance Violations Bureau Clerk accepted on behalf of the City's various Departments, Boards, and Commissions. Additionally, individuals damaging City property paid **\$167,752.33**, which the Claims Administrator accepted on behalf of the City in its efforts to hold people accountable for such damage.

Reliable Compliance with Regulations and Well-Managed Risk

Guided by the principal "we pay what we reasonably owe," the Department of Law handles each claim it receives with integrity and courtesy.

Fund 226

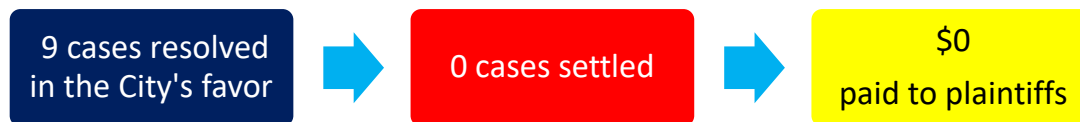
The Department of Law handles claims, charges, lawsuits, and other City matters in an equitable, fiscally responsible manner via proactive claims investigation and evaluation, interdepartmental information sharing and best practices coordination, and vigorous defense

litigation. While John Dorbin directly manages outside counsel, all attorneys in the Department of Law, in consultation with Corporation Counsel who directs strategy and settlement authority, either engage directly in or assist with the management of outstanding litigation matters to ensure the most cost-effective approaches are taken.

Claims



Litigation Defense



Of the above litigation matters in which the City was a defendant and which were resolved in the City's favor, 2 required the **payment to the City by Plaintiffs of a portion of the City's attorneys' fees totaling \$4,685.25** to cover the cost of the City's defense of Plaintiffs' frivolous filings. Notably, the City won a **jury verdict in favor of one of its SBPD officers** in October 2024. No litigation matters in which the City was a defendant were resolved in favor of any Plaintiff in 2024.

Twenty-eight (28) litigation cases in which the City was a named Defendant were outstanding as of December 31, 2024.

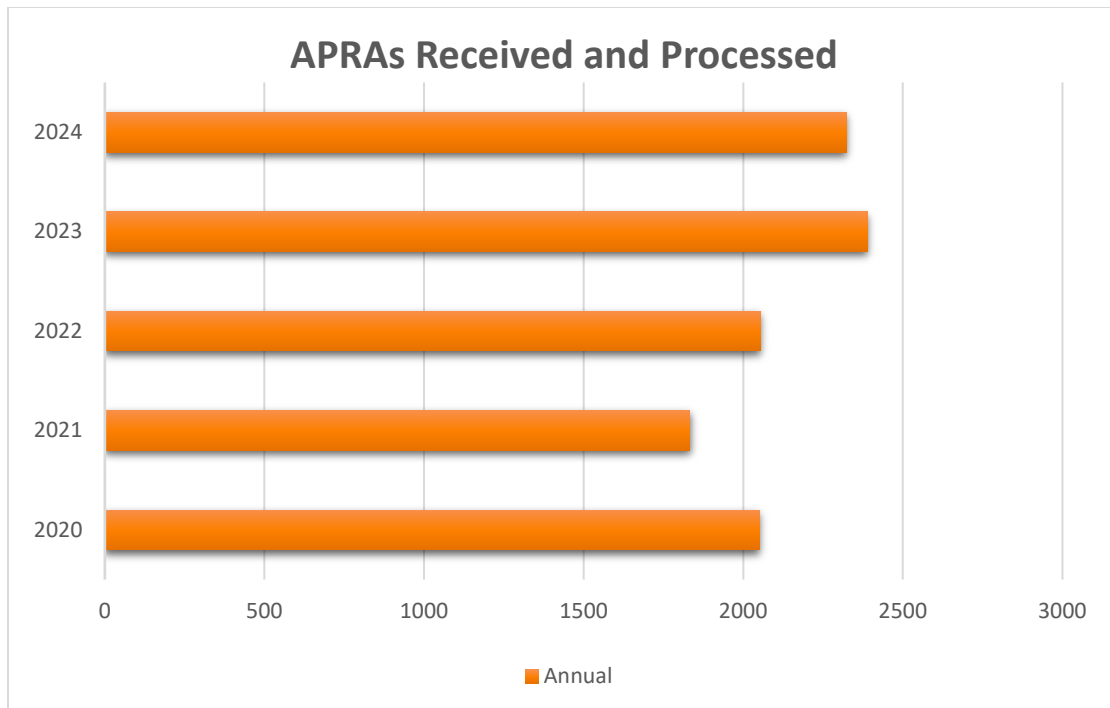
Seven (7) litigation cases in which the City was a Plaintiff were outstanding as of December 31, 2024. Notably, the City settled its litigation against the parties responsible for damaging the trees in the Harter Heights neighborhood, with the Department of Law recommending that those funds be designated to assist the City's campaign to increase its tree canopy. Not included in this number are litigation cases initiated and other efforts to collect outstanding unpaid amounts owed to the City for ordinance violations and property damage recovery. In 2024, the Department of Law collected **\$502,564** in overdue amounts owed to the City.

Excellent Services and Efficient Processes

The Department of Law fields questions from the public, especially requests for public records, ticket appeals, and claims. Specifically, Assistant City Attorney Jessica McLain serves as ADA Coordinator to the City and responds to questions and concerns about accessibility of City services, programs, and activities. We strive to provide equitable, timely service, supporting the Administration's goal of Transparency.

Access to Public Records Act (APRA) Requests

The Department received and processed **2,323** requests in 2024 **without violations**.



Ticket Appeals

Resolved **944** total appeals of ordinance violations: **491** parking ticket appeals, **290** RSVP citation appeals, **134** NSE citation appeals, **17** SBARC citation appeals, **2** discharge of a firearm ticket appeals, **7** false alarm ticket appeals, and **3** noise ordinance violation appeals in 2024.

Bankruptcy Practice

Monitored **43** bankruptcy cases, including 19 new cases in which we filed Proofs of Claim, and receiving **\$3,992.66** in payment of the City's claims.

Mortgage Foreclosure and Quiet Title Practice

Filed responsive pleadings and managed **47 Mortgage Foreclosure** cases and **13 Quiet Title** cases, **receiving funds** totaling **\$48,313.13** from sheriff's sale proceeds in foreclosure cases or from the payment of the City's lien in Quiet Title actions.

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

The Department of Law takes the City's mission and values seriously, supporting local and national initiatives to make South Bend, and the United States at large, a more inclusive place in which to thrive.

Amicus Briefs

The Department of Law reviews requests to sign on to amicus briefs and analyzes them based upon the goals of the City. In 2024, the Department of Law did not sign on to any amicus briefs.

National Litigation

Opioid Litigation

The Legal Team worked with our outside co-counsel to represent the City's interests in the National Opioid Litigation. We collected **\$206,857.25 as the City's share of restricted settlement funds from the State of Indiana**, as well as **\$37,888.74 as the City's share of unrestricted settlement funds from the State**. Additionally, we collected **\$27,641.62 in restricted funds and \$3,968.01 in unrestricted funds** as our share of the **settlement with Walgreens**.

PFAS

The Department of Law worked with the Department of Public Works and our outside counsel to enter into nationwide litigation surrounding PFAS (perfluorooctanic acid – PFOA, perfluorooctane sulfonic acid – PFOS, perfluorohexane sulfonic acid – PFHxS, and perfluorononanoic acid – PFNA), otherwise known as “the forever chemicals.” When used, PFAS can migrate into the soil, water, and air. The City entered into litigation surrounding PFAS emanating from Aqueous Film-Forming Foam in the City's aquifers and wells. Members of the City's Water Works division of the Department of Public Works have been testing the City's water sources and completing paperwork to prove the levels of PFAS in the City's water supply that will need to be remediated. We expect to receive funds in 2025 from the settlements with 3M and DuPont.

Effective, Responsive Leadership and Communication

The Department of Law 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.

2025 STRATEGIC GOALS

The Department of Law aims to achieve the following goals in 2025:

- 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;
- Continue to work cross-departmentally to update Municipal Code provisions;
- Continue to cross-train Department of Law staff and attorneys to better situate the Department to serve the City's needs;
- Continue to improve collection services;

- Continue to support increased cooperation across departments in efficiently handling properties deemed to be problematic; and
- Continue to support City policy and legislative interests at the regional, state, and national levels.