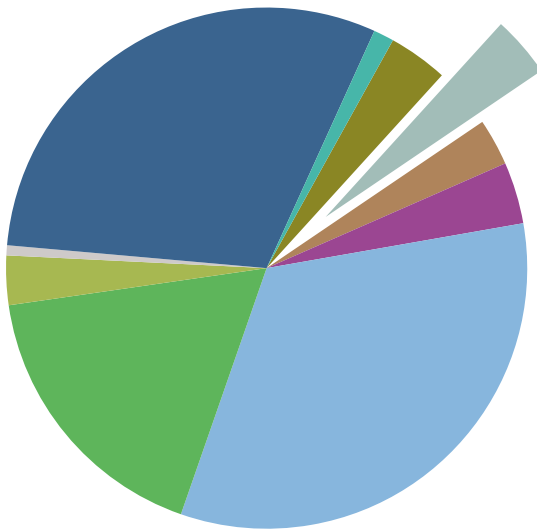


County Attorney

Mission Statement

The County Attorney's Office provides quality and timely legal assistance, advice and litigation services to the Board of County Supervisors, the County Executive, departments, agencies, and employees of Prince William County in the performance of their duties.



Expenditure Budget:
\$5,240,182



3.8% of General Government

Programs:

- County Attorney: \$5,240,182

General Government Expenditure Budget:
\$138,804,339

Mandates

The Code of Virginia provides that with the appointment of a County Attorney, the Commonwealth Attorney is relieved of any duty to the locality regarding civil matters. All civil matters are handled by the County Attorney, including advising the governing body and all boards, departments, agencies, officials and employees of the locality, drafting or preparing ordinances, defending or bringing actions in which the local government or any of its boards, departments or agencies, officials, or employees are a party, and in any other manner advising or representing the local government, its boards, departments, agencies, officials, and employees. The Board of County Supervisors has enacted additional local mandates for which the County Attorney is responsible.

State Code: [15.2-1542](#) (Creation of office of county, city or town attorney authorized), [15.2-529](#) (Appointment of county attorney), [15.2-633](#) (Office of the county attorney), [63.2-1949](#) (Authority of city, county, or attorney)

County Code: [Chapter 2](#) (Administration), [Chapter 5](#) (Home Improvement Contractor License), [Chapter 5.6](#) (Cable Television), [Chapter 9.2](#) (Fire Prevention and Protection), [Chapter 10.1](#) (Human Rights), [Chapter 16](#) (Miscellaneous Offenses), [Chapter 20](#) (Unclaimed Money and Property), [Chapter 22](#) (Refuse), [Chapter 32](#) (Zoning)

County Attorney

Expenditure and Revenue Summary



Expenditure by Program	FY19 Actuals	FY20 Actuals	FY21 Actuals	FY22 Adopted	FY23 Proposed	% Change Budget FY22/ Budget FY23
County Attorney	\$3,890,159	\$4,068,253	\$3,854,633	\$4,157,174	\$5,240,182	26.05%
Total Expenditures	\$3,890,159	\$4,068,253	\$3,854,633	\$4,157,174	\$5,240,182	26.05%

Expenditure by Classification

Salaries and Benefits	\$3,745,910	\$3,920,417	\$3,830,679	\$4,057,678	\$4,636,332	14.26%
Contractual Services	\$34,436	\$85,023	(\$146,186)	\$56,014	\$356,014	535.58%
Internal Services	\$104,600	\$105,762	\$104,296	\$88,280	\$292,634	231.48%
Purchase of Goods & Services	\$102,914	\$105,296	\$86,517	\$126,154	\$126,154	0.00%
Capital Outlay	\$0	\$0	\$0	\$1,128	\$1,128	0.00%
Leases & Rentals	\$5,381	\$4,795	\$5,098	\$4,845	\$4,845	0.00%
Reserves & Contingencies	(\$103,082)	(\$153,040)	(\$25,770)	(\$176,925)	(\$176,925)	0.00%
Total Expenditures	\$3,890,159	\$4,068,253	\$3,854,633	\$4,157,174	\$5,240,182	26.05%

Funding Sources

Miscellaneous Revenue	\$0	\$0	\$2,385	\$15,000	\$15,000	0.00%
Charges for Services	\$209,000	\$170,000	\$0	\$180,186	\$180,186	0.00%
Transfers In	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	0.00%
Total Designated Funding Sources	\$259,000	\$220,000	\$52,385	\$245,186	\$245,186	0.00%
Net General Tax Support	\$3,631,159	\$3,848,253	\$3,802,248	\$3,911,988	\$4,994,996	27.68%
Net General Tax Support	93.34%	94.59%	98.64%	94.10%	95.32%	

Staff History by Program



County Attorney	28.00	29.00	29.00	29.00	33.00
Full-Time Equivalent (FTE) Total	28.00	29.00	29.00	29.00	33.00

Future Outlook

Overview – Significant future legal matters will continue to need consideration with the issues related to COVID-19, civil protest, police reform, equity and inclusion, the Virginia Values Act, collective bargaining, civilian police oversight, both sovereign and qualified immunity, and other Board priorities. Increases in workload due to these matters will require serious discussion about additional staff members at each level of the Office – attorneys, paralegals, and administrative support staffing. The County Attorney’s Office assisted in the development and implementation of the numerous pandemic policies, including employment issues, public safety issues, public meeting issues, and programs funded by the CARES Act. As those new policies continue to evolve, there will be areas such as policy matters, retention, and possible liability or discipline issues that will take staff time to address.

Significant future non-pandemic legal issues relate to transportation projects, land use matters, collective bargaining, telecommunications/cable franchise negotiations, and technology issues. Significant time and resources will continue to be devoted to Freedom of Information Act (FOIA) requests and subpoenas, as these matters continue to grow in volume and complexity.

Child Protective Services (CPS) and Human Services – Child abuse and neglect cases will continue to be complex and time consuming, requiring at least three full-time attorneys, with increased support staff time. Mental health, HIPAA compliance, co-responder, and Housing issues will continue to grow. COVID-19 has magnified this area of work.

Federal Regulations – Federal regulations and laws will require additional legal resources to support the County, in the area of CARES Act fund assessment and implementation, Internal Revenue Service (IRS) audits, etc.

Property Acquisitions – Property acquisitions and condemnation cases by the County for the construction of public facilities, new roads, and improvements to existing roads throughout the County will continue to increase. These will continue to take significant time and resources, as the Virginia statute and Constitutional amendment on lost profits continue to impact these cases.

County Attorney

Support for the Department of Economic Development – This area of work will continue to increase as prospects and companies look to relocate to the County. These matters are often expected to be a top priority, no matter what other demands are being handled by the Office.

General Overview

A. Redistribution of Internal Service Fund (ISF) Technology Budget – The County annually allocates all information technology (IT) costs to agencies through an ISF, using the approved cost basis for each technology activity. Technology activities include computer support (hardware replacement, software licenses, and helpdesk customer services), IT security, business systems support (public safety communications, financial systems, human services systems, etc.), geographic information system, web services, capital equipment replacement, messaging, cloud storage, network and infrastructure services, telecommunications, and radio. The cost basis is calculated through a formula derived from the Department of Information Technology's (DoIT) ISF fee schedule.

For FY23, ISF costs have been revised to align and more accurately reflect overall technology activities with current department specific technology services. Costs are adjusted to more accurately reflect agency technology usage, as tracked by DoIT billing systems using the updated methodology. In FY23, the County Attorney technology bill increases by \$204,354. No technology service levels are changed, and there is no impact to the technology services individual agencies currently receive. For additional information on the countywide impact and methodology of redistributing technology charges, please see the Budget Highlights section of this document.

Budget Initiatives

A. Budget Initiatives

1. Collective Bargaining Senior Assistant County Attorneys and Contractual Services – County Attorney's Office

Expenditure	\$548,722
Revenue	\$0
General Fund Impact	\$548,722
FTE Positions	2.00

a. Description – On December 14, 2021, the Prince William Board of County Supervisors (BOCS) adopted [BOCS Resolution 21-676](#) to provide for collective bargaining by applicable Police Department and Department of Fire & Rescue employees, and any other public employees deemed appropriate by the Board. The Board further directed County staff to draft a collective bargaining ordinance for future consideration based on parameters to be determined by the Board. The two Senior Assistant County Attorney positions will allow the County Attorney's Office to meet the increased workload demands associated with collective bargaining. The annual cost of the attorney positions is \$248,722. Additionally, \$300,000 is also included for contractual and consultant services associated with collective bargaining. An additional County Attorney paralegal position is programmed in FY24 of the proposed FY23-27 five-year plan at a cost of \$74,038.

b. Service Level Impacts – This budget initiative provides the necessary staffing infrastructure to implement and sustain collective bargaining.

2. Public Health Assistant County Attorney and Paralegal – County Attorney's Office

Expenditure	\$178,841
Revenue	\$0
General Fund Impact	\$178,841
FTE Positions	2.00

County Attorney

- a. **Description** – On October 20, 2020, the Prince William BOCS issued [BOCS Directive 20-83](#) to study and prepare a proposal to create a County-operated Public Health Department. Staff analysis includes the addition of two County Attorney positions are needed to support the new Public Health Department. The Proposed FY2023 Budget includes one Assistant County Attorney and one Paralegal position at an annual cost of \$178,841 to support the new department.
- b. **Service Level Impacts** – This budget initiative provides the necessary staffing infrastructure to implement and sustain the County’s Public Health Department.

Program Summary

County Attorney

Provides legal assistance, advice to, and litigation representation for the BOCS the County Executive, departments, agencies, and employees of Prince William County in the performance of their duties.

Key Measures	FY19 Actuals	FY20 Actuals	FY21 Actuals	FY22 Adopted	FY23 Proposed
Claims/litigation cases closed with results satisfactory to the County	100%	100%	100%	100%	100%
Thoroughness of response to client request for assistance (4-point scale)	3.8	3.8	3.7	3.8	3.8
Founded property code cases resolved or moved to court action within 100 days	93%	93%	93%	93%	93%

Program Activities & Workload Measures (Dollar amounts expressed in thousands)	FY19 Actuals	FY20 Actuals	FY21 Actuals	FY22 Adopted	FY23 Proposed
Legal Services	\$2,670	\$2,718	\$2,641	\$2,792	\$3,845
Average days to close BOCS trackers	32	80	45	30	30
Requests for legal advice/assistance responded to	2,620	2,244	2,373	2,500	2,500
FOIA requests/subpoenas responded to	218	268	321	225	275
Staff time spent rendering legal opinion/advice relating to legal services	86%	85%	85%	85%	85%
Collections	\$456	\$424	\$502	\$500	\$516
Delinquent Real Estate taxes collected prior to litigation	34%	34%	33%	34%	34%
Delinquent Personal Property taxes collected prior to litigation	20%	20%	19%	30%	30%
Staff time spent rendering legal opinion/advice relating to collections	82%	80%	80%	80%	80%
Protective Services	\$713	\$766	\$642	\$719	\$726
Cases involving child abuse or neglect opened	223	200	171	200	200
Cases involving child abuse or neglect closed	240	235	144	240	240
Staff time spent rendering legal opinion/advice relating to protective services	64%	64%	65%	64%	64%
Transportation	\$52	\$161	\$70	\$146	\$152
Property acquisitions closed	103	100	102	105	105
Transportation contracts reviewed	5	4	4	5	5
Staff time spent rendering legal opinion/advice relating to transportation	75%	80%	80%	75%	80%