



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE COUNTY ATTORNEY
COUNTY OFFICE BUILDING
112 STATE STREET, ROOM 600
ALBANY, NEW YORK 12207-2021
(518) 447-7110 - FAX (518) 447-5564
WWW.ALBANYCOUNTY.COM

EUGENIA KOUTELIS CONDON
COUNTY ATTORNEY

YORDEN C. HUBAN
DEPUTY COUNTY ATTORNEY

KEVIN M. CANNIZZARO
FIRST ASSISTANT COUNTY ATTORNEY

MEMORANDUM

TO: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

FROM: Eugenia Koutelis Condon
County Attorney

DATE: October 10, 2024

RE: Proposed 2025 Budget

With respect to the Law Department's 2025 proposed budget, the following information is submitted in response to your memo of October 2, 2024.

1. **Department Representative Attending Committee Meeting:** I will attend the meeting along with Deputy County Attorney, Yorden Huban and First Assistant County Attorney, Kevin Cannizzaro.

2. **Vacancies:** Current vacancies are as follows:

A 1420 14130 002 250042 Investigator
A 1420 12003 003 250057 Assistant County Attorney I
A 1420 15025 003 250072 Legal Secretary

We are actively recruiting to fill these positions.

3. **New Positions:** This budget provides for new positions as follows:

A 1420 12006 006 250084 Assistant County Attorney IV
A 1420 12006 007 250085 Assistant County Attorney IV
A 1420 12007 003 250086 Assistant County Attorney V
A 1420 12053 003 250087 Assistant County Attorney VI

These new positions are intended to be promotional and tied to retention of Assistant County Attorneys in the Department who are proposed to move one level up in line directly correlated to their work experience, expertise, ability and history of assisting on multi-level projects, work load, supervisory responsibilities, and/or years of service. The Department has invested considerable resources in terms of time and training of our employees and these proposals are aimed at retaining these experienced professionals. In order to accomplish these moves, new lines needed to be created. The lines they are vacating will be eliminated or decreased.

A 1420 12053 004 250088 Assistant County Attorney VI

A 1420 12053 005 250089 Assistant County Attorney VI

These new titles are as discussed in Response No. 7 below to conform to Civil Service Rules.

4. Proposed Salary Increases:

A1420 16044 004 250051 Assistant County Attorney PT

This increase is to make the hourly rate consistent with the Assistant County Attorney VI title for equity purposes.

5. Positions to be eliminated or subject to Salary Decrease:

A1420 12003 001 250055 Assistant County Attorney I

A1420 12003 002 250056 Assistant County Attorney I

A 1420 12006 003 250066 Assistant County Attorney IV

A 1420 12007 002 250068 Assistant County Attorney V

These positions are being eliminated as new positions are being proposed as discussed in Response No. 3 above.

A1420 12054 005 250077 Human Services Unit Supervisor

A1420 12052 005 250076 Litigation Unit Supervisor

These titles are being removed and retitled as Assistant County Attorney VI to conform to Civil Service rules as discussed in Response No. 3 above.

- 6. Grant Funded Positions:** There are no grant funded positions, however, the Law Department implements chargebacks to the Departments of Social Services and Children, Youth and Families for services rendered to those Departments. In addition, the salaries of one full-time Assistant County Attorney, one Paralegal and two legal secretaries are funded through the Department of Finance for their attention to real property matters. Finally, the salary of the County Enforcement Technician is funded through the Bus Patrol agreement through fines received. The amount of legal service charges is set forth in the proposed budget.

7. Titles to be Changed or Moved:

A 1420 12053 004 250088 Assistant County Attorney VI

This title is replacing A1420 12054 005 250077 Human Services Unit Supervisor to conform to Civil Service rules.

A 1420 12053 005 250089 Assistant County Attorney VI

This title is replacing A1420 12052 005 250076 Litigation Unit Supervisor to conform to Civil Service rules.

8. Fees for Services: See attached report.

9. New Initiatives or Eliminated Programs: None

10. Vehicles: The Department of Law does not have any vehicles assigned to it.

11. Conferences/Training/Tuition:

The Department pays membership to two associations as follows:

CAASNY: \$1,451 Association Dues

NYPWA: \$1,254 Association Dues

Each of these organizations has several yearly conferences and trainings which our attorneys attend.

12. Overtime: The Department of Law budget does not contain any overtime.

13. Positions that were established/changed:

None

14. Biggest Risk and Action Plan: The biggest risk facing our operations, consistent with those facing other County agencies, remains the recruitment and retention of County staff. We have lost several staff members over the last four years to retirement and to staff resigning to take higher paying jobs with other agencies. As quickly as we fill vacancies, we are faced with another resignation. This is an ongoing conversation that this Office regularly has with the other law departments in the County. This problem is not expected to resolve itself any time soon. In the next five years, we anticipate roughly one-half of our current attorney staff will be retired. The institutional knowledge held by that staff is tremendous. Recruiting and training of new staff is challenging. We are not a general practice firm, most of our units practice highly specialized and concentrated areas of municipal law. We spend a significant amount of time and resources training staff, and retention of those attorneys is becoming exceedingly difficult as they are leaving County employment for other options. We are attacking this problem by several methods. First, we have an intern program and in past years successfully trained and hired interns after they have obtained their degree. Second, we work with Affirmative Action which continuously

recruits attorney candidates. Third, we communicate and share resumes with the other law departments in the County. Finally, we work with Civil Service and Human Resources to recruit on our behalf, through posting on advertising sites as well as direct recruiting through the Albany Law School.

15. Performance Indicators: The Law Department is a service based department that utilizes best practices to provide counsel and assistance to all clients effectively and as efficiently as possible. As a result, we do not have specific performance metrics or indicators.

16. Unfunded mandates: The Raise the Age Legislation has created significant additional caseload for the Family Court Unit in the Department of Law. Based upon the projections from OCFS and DCJS, the Department of Law requested the creation of three new positions, an Assistant County Attorney, Legal Secretary and an Investigator in the 2019 budget. The positions and the request for reimbursement were included in Albany County's budget plan submitted to the State. After their review, they determined that these positions would not be approved for reimbursement. While the positions are not in our budget, the caseload created as a result of the Raise the Age Legislation continues to be challenging for our Department in terms of the number and types of cases.

Thank you for your attention to this matter.

EKC:e

Enclosure

cc: David Reilly, Commissioner, Management and Budget
Yorden Huban, Deputy County Attorney
Kevin Cannizzaro, First Assistant County Attorney

