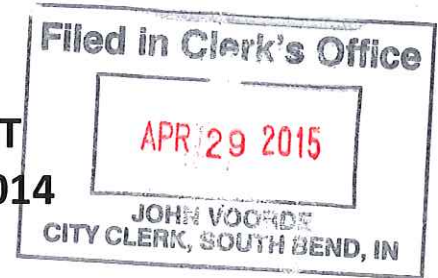




## LEGAL DEPARTMENT ANNUAL REPORT – 2014



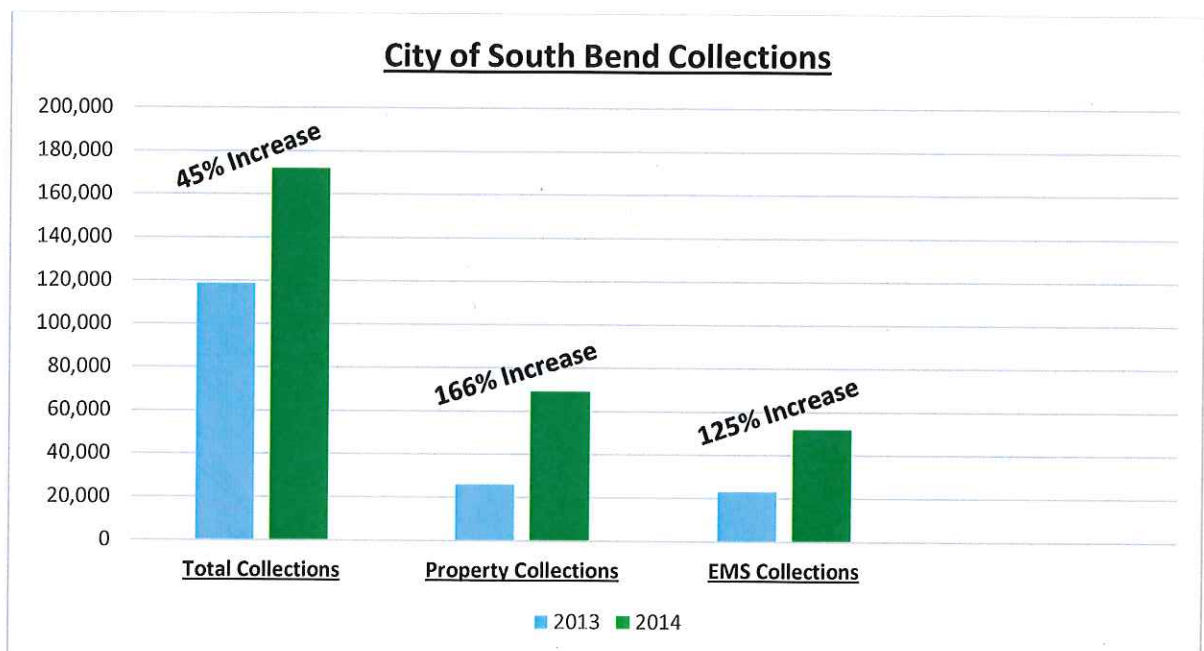
### LEGAL DEPARTMENT MISSION

The Legal Department provides quality legal representation to the City of South Bend, its departments, commissions and agencies with a dedicated and professionally-skilled staff, efficiently and cost effectively, in furtherance of the City's strategic goals, and preserving the legal and ethical integrity of the City.

### 2014 HIGHLIGHTS

#### Fiscal Stewardship

- To more effectively recoup obligations owing to the City of South Bend, the Legal Department partnered with a local law firm specializing in collections and also implemented a proactive internal property damage claims program.
  - ✓ Total collections increased from \$118,695 in 2013 to \$171,828.67 in 2014, nearly a **45%** increase.
  - ✓ Property damage collections increased from \$25,929 in 2013 to \$68,947.69 in 2014, a **166%** increase.
  - ✓ EMS collections increased from \$22,996 in 2013 to \$51,797.06 in 2014, a **125%** increase.
  - ✓ In addition, 177 judgments totaling \$89,938.16 were entered in favor of the City.
  - ✓ This momentum has continued in 2015 with over \$99,000 collected as of April 27, 2015.



- Recovered \$92,430 on a bid bond for the first time in recent memory.
- In two high-profile matters, recovered approximately 90% of City losses.
- Increased civil enforcement actions.
- Assisted Code Enforcement Department with overhaul of processes related to recovery of fees.
- Revamped Liability Claims program with the addition of a Claims Representative with both insurance industry and legal experience. New protocols include expert case evaluation and consultation with City departments to effectively assess claims and reduce risk.

### **Services to Residents**

- Processed **1913** public records (APRA) requests in 2014, bringing the Administration total to **6348** (1,911 in 2012; 2,301 in 2013; 1,913 in 2014; and 223 to date in 2015), all in a timely manner and without violation. The approximate 20% decrease between 2013 and 2014 could be related to ongoing efforts to make more information available online and inform residents of its availability. In addition, revised process to streamline and expedite disclosure of police reports to the Department of Child Services, saving both time and at least 400-500 facsimile transmissions per year.
- Collaborated with Public Works Department to draft a Sewer Insurance Ordinance that decreased the sewer insurance deductible and provided for coverage of costs related to the City's sewer leak insurance program that previously were not reimbursable.
- Interceded to protect City residents from aggressive and inappropriate tactics of an out-of-state sales company.
- Drafted an ordinance for new parking procedures to expedite snow removal.
- Drafted an ordinance for the City to accept PayPal, charge cards, and other similar "financial instruments" for City goods and services.

### **Neighborhood Improvement and Quality of Life**

- Implemented utilization of the court system, in addition to administrative processes, to address Vacant and Abandoned properties.
- Collaborated with other departments to streamline processes essential to addressing 1000 Vacant and Abandoned properties in 1000 days.
- Improved process of reporting taxicab complaints.

## Fundamental Legal Services

- Spearheaded successful defense of discrimination claims under the federal Fair Housing Act. The effort also resulted in the development of County-wide well-defined reasonable accommodation policies and procedures that protect City residents.
- Successfully resolved several high-profile litigation claims in a manner that reduces costs and City resources, including a case at the Indiana Supreme Court level that could have impaired the marketability of the City's Hall of Fame property.
- Drafted and collaborated on numerous ordinances and resolutions.
- Collaborated with Common Council in negotiating and drafting collective bargaining agreements with Fraternal Order of Police Lodge 36 and South Bend Firefighters' Association Local No. 362 of the International Association of Firefighters AFL-CIO.
- Took action to reclaim a prime downtown restaurant location, recouping overdue rent and making the property available for successful development.

## Staff Direction and Training to Enhance Service to Residents

- Provided training on City's Ethics Code.
- Collaborated with the Human Resources Director to revise the Employee Handbook.
- Created department-specific directory of Municipal Code reporting requirements and provided guidance pertaining to compliance.
- Provided training to departments on new contract with Teamsters.

## Legal Department Staff Additions

- **Elliot Anderson, Assistant City Attorney**, brings strong civil litigation and business skills to the City team, having worked as a Deputy Prosecuting Attorney in the Child Support Division of the Office of the St. Joseph County Prosecuting Attorney. Elliot earned his undergraduate degree at the University of Iowa and his law degree at the Indiana University Maurer School of Law. He is also enrolled in the MBA program at Indiana University South Bend.
- **Ben Dougherty, Assistant City Attorney**, joined the City Legal team having practiced at a highly-respected law firm for several years and has a strong mix of litigation and transactional experience. Ben earned both his undergraduate and law degrees from the University of Notre Dame.

- **Michael J. Schmidt, Assistant City Attorney**, brings strong financial and transactional legal skills to the City Legal team, having worked as chief financial officer for an area corporation and as a real estate and transactional attorney for a leading Indiana law firm. Michael earned his undergraduate degree at the University of Notre Dame, an MBA degree at Seattle University, and his law degree from the University of Notre Dame.
- **Stephane S. Steele, Assistant City Attorney**, joins the City Legal team with several years of experience as a Deputy Prosecuting Attorney for the Office of the St. Joseph County Prosecuting Attorney, where she prosecuted high-level felonies. Stephanie earned two undergraduate degrees at the University of Michigan in Ann Arbor, and her law degree at the Sandra Day O'Connor College of Law at Arizona State University.
- **Lawrence S. Wroblewski, AIC, Paralegal Claims Administrator**, has more than 20 years of experience handling insurance claims as well as several years of experience as an investigator for the legal profession. Lawrence earned his undergraduate degree and paralegal certificate at Indiana University South Bend.

## 2015 STRATEGIC GOALS

---

- Continue to support a department culture of proactive, energetic, client-focused planning and performance.
- Continue to update and streamline department processes with innovative approaches.
- Support City policy and legislative interests at the regional, state, and national levels.