

**LEGAL DEPARTMENT
ANNUAL REPORT TO
SOUTH BEND COMMON COUNCIL
2013**

LEGAL DEPARTMENT MISSION: To provide the highest 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.

1. ACHIEVEMENTS OF LEGAL DEPARTMENT IN 2013

The Basics are Easy:

- Drafted Administrative Hearing Rules and Procedures to ensure consistent administration and protection of due process in proceedings involving City employees under the jurisdiction of the Board of Public Safety.
- Enhanced public access to City records by implementing protocol for email submission of public records requests and developed procedures to facilitate efficient processing of the requests.
- Served as legal counsel at 82 building/code enforcement hearings and at 110 administrative hearings for boards, commissions, and other City entities.

Good Government:

- Implemented a proactive approach to obligations owed to the City and collected **\$65,412** through March 2014, compared to **\$28,473** for the same period in 2013. The Legal Department initiated **2,950** matters and filed **844** lawsuits on behalf of the City in 2013, and **1,138** matters and **217** lawsuits through March, 2014.
- This Administration has processed **4,912** public records (APRA) requests: **1,911** in 2012, **2,301** in 2013, and **700** in 2014 through April 22, all in a timely manner and without violation. The number of requests processed in 2013 represents an approximate 20% increase over the number processed in 2012.
- Reviewed, recommended changes to, and revised City Ethics Code to, among other things, clarify that persons serving on boards and commissions are bound by the Ethics Code.
- Successfully resolved several tort cases.
- Drafted approximately **30** ordinances and resolutions in 2013 and **13** through April 18, 2014, and collaborated on numerous others, including assisting with final revisions to the Chronic Nuisance Ordinance.

- Enhanced Legal Department professional experience and diversity with the addition of new attorneys:
 - **Cristal Brisco, Corporation Counsel** – Cristal came to the City from Barnes and Thornburg, LLP, a national law firm, where she represented corporate and government clients before state courts, federal courts, and administrative agencies. Cristal earned her bachelor’s degree from Valparaiso University and her law degree from the University of Notre Dame.
 - **Cory Hamel, Assistant City Attorney** – Cory has served as corporate counsel for CTS Corporation in Elkhart, as Staff Attorney for the City of Mishawaka, and as Deputy Prosecuting Attorney for the St. Joseph County Prosecutor’s Office. In addition to working with the City Legal team, Cory practices at the firm of Botkin & Hall, LLP. He earned his bachelor’s degree at Ball State University and his law degree at Thomas M. Cooley School of Law.
 - **Tasha Reed Outlaw, Assistant City Attorney** – Tasha left her successful private practice to join the City Legal team. Her additional legal experience includes service as Deputy Counsel for the Indianapolis Housing Agency, Associate Attorney at Lee, Cossell, Kuehn & Love, LLP in Indianapolis and as an Indiana Deputy State Public Defender. Tasha earned her bachelor’s degree at the University of Michigan and her law degree at Indiana University School of Law – Bloomington.
 - **Paul Singleton, Deputy City Attorney** – Paul comes to the City from the national law firm of Faegre Baker Daniels and previously practiced at the Family Justice Center of St. Joseph County. In addition to his work with the City Legal team, Paul maintains a private practice. Paul earned his bachelor’s degree at Wake Forest University and his law degree at Sandra Day O’Connor College of Law at Arizona State University.

Economic Development:

- Negotiated and drafted three-year collective bargaining agreement with Teamsters Local Union No. 364.
- Participated in negotiations and drafted agreement for privatization of Potawatomi Zoo.
- Drafted Development Agreement and negotiated City contribution (TIF dollars) for Noble Americas Ethanol Plant restart.
- Drafted Development Agreement for Lippert Components Warehousing expansion into South Bend.
- Participated in negotiations and redrafting of the Development Agreement for the Great Lakes Capital Development adaptive reuse of the LaSalle Hotel Building.
- Drafted Equipment Lease Agreement and Amendments to the MOU and participated in negotiations for the F Cubed DNA research lab commitment to remain in South Bend in the Renaissance District.

2. STRATEGIC GOALS FOR LEGAL DEPARTMENT IN 2014

- Continue to foster a department culture of proactive, energetic, client-focused planning and performance.
- Implement a practice management system to increase efficiency and productivity.
- Provide education and training to departments.
- Continue to streamline the collections process to increase efficiency and increase recoupment of obligations owed to the City.
- Evaluate municipal codes and statutes to develop SOPs in an effort to reduce claims and ensure compliance with applicable laws and regulations.
- Continue momentum of vigorously and successfully defending the City against claims and lawsuits.

