

**COUNTY OF MILWAUKEE
INTER-OFFICE COMMUNICATION**

DATE: October 11, 2011

TO: Supervisor Lee Holloway, Chairman, Board of Supervisors
Supervisor Johnny L. Thomas, Chairman, Finance & Audit Committee
Supervisor Joe Sanfelippo, Chairman, Personnel Committee

FROM: Pamela Bryant, Interim Fiscal and Budget Administrator

SUBJECT: DISTRICT ATTORNEY POSITION STUDY

Request

The Office of the District Attorney (District Attorney) is requesting the creation of 1.0 Paralegal position, to be partially funded by a grant from the State of Wisconsin Department of Children and Families (DCF).

Background

The District Attorney is requesting creation of this position due to significant workload in the Termination of Parental Rights (TPR) unit, within the District Attorney's Juvenile Division. The position, referred to as a Permanency Specialist in the State Contract (attached), would be tasked with processing legal documents and coordinating with the Milwaukee Bureau of Child Welfare on the creation of permanency plans for children in foster care. District Attorney staff indicate this is necessary because a backlog of cases could result in violating the federal Adoption and Safe Families Act, which requires identification of permanent placement within certain time limits.

District Attorney fiscal staff indicates the DCF will provide funding in the amount of \$65,000 for the position during the State's 2012 fiscal year, which lasts from July 1 2011 to June 30, 2012. The \$65,000 funding level was provided based on the assumption the position would start in September, and District Attorney fiscal staff indicates the annualized funding for this position under the grant would total approximately \$79,050.

In addition, District Attorney fiscal staff state that creation of this position is necessary to more effectively and quickly process legal documents related to the termination of parental rights cases.

The Department of Administrative Services – Human Resources Division (Human Resources) has studied this request and has recommended the creation of this position with the title of Paralegal Exempt (title code 86261), at pay range 19L. At the midpoint of this pay range (step 4), the estimated active salary, social security and fringe benefit cost of this position for the remaining 3 pay periods of 2011 is estimated at \$8,154, assuming a November 14 start date (the first date of the first pay period following the November 3 Board Meeting). The estimated cost of this position in calendar year 2012 is approximately \$35,333 for the first six months of 2012 up to the expiration of the State's fiscal year. This figure assumes that active fringe benefit costs are similar to those included in the County Executive's 2012 Recommended Budget. Therefore,

sufficient funding is provided by the DCF contract to fund the position through the end of the State's fiscal year. The annualized cost of the position in 2012 is \$70,666.

Recommendation

To ensure proper administration of the significant volume of legal documentation related to TPR cases, to speed up permanency plans for juveniles in foster care, and to comply with federal law, the Department of Administrative Services recommends that the request to create one (1) Paralegal Exempt, be approved. It is further recommended that if DCF funding for the position is not extended beyond the State's 2012 Fiscal Year (expiring on June 30, 2012), the position be abolished on that date unless the District Attorney identifies an alternative funding source.

Report Prepared By: Josh Fudge, Fiscal and Management Analyst III



Pamela Bryant

Interim Fiscal and Budget Administrator

pc: Chris Abele, County Executive
Candace Richards, Interim-Director of Human Resources
George Aldrich, Chief of Staff, County Executive's Office
Terrence Cooley, Chief of Staff, County Board
Rick Ceschin, County Board Fiscal and Budget Analyst
John Chisholm, Milwaukee County District Attorney

(ITEM *)

RESOLUTION

WHEREAS, the district attorney's office has requested the creation of one new position of paralegal, job code 86161, pay range 19L, effective October 2, 2011;

WHEREAS, the new position of paralegal will be assigned to the termination of parental rights (TPR) unit in the juvenile division of the district attorney's office;

WHEREAS, the paralegal will manage, organize and track TPR requests and prepare guardianship pleadings to achieve permanent placements as quickly as possible for children in out-of-home care;

WHEREAS, the district attorney's office has a longstanding, major contract with the state Department of Children and Families for prosecutorial services on Children in Need of Protection and Services (CHIPS) and TPR cases;

WHEREAS, this new position of paralegal will be 100 percent grant-funded by the district attorney's contract with DCF, with DCF providing annualized funding of approximately \$79,050 for the position during state fiscal year 2012 ending on June 30, 2012;

WHEREAS, the creation of this paralegal position will increase expenditures and revenue reimbursement by approximately \$8,154 in the district attorney's 2011 budget for no tax levy effect;

WHEREAS, the district attorney's office will submit a fund transfer request to provide budgetary authority for 2011 expenditures and reimbursement revenue resulting from the creation of this position; now, therefore,

BE IT RESOLVED, that the County Board of Supervisors hereby authorizes and approves the following position action for the district attorney's office, org. unit 4501, effective October 2, 2011:

| <u>Action</u> | <u>Title</u> | <u>No. of Positions</u> | <u>Job Code</u> | <u>Pay Range</u> |
|---------------|--------------|-------------------------|-----------------|------------------|
| Create | Paralegal | 1.0 FTE | 86161 | 19L |

BE IT FURTHER RESOLVED, that if funding for this position is not included in the next annual contract with DCF, effective July 1, 2012, this position will be abolished effective on that date unless the District Attorney identifies an alternative funding source.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 10/11/11

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Request to create one (1) Paralegal Exempt position (pay range 19L, step 4) at an hourly rate of \$20.7981.

FISCAL EFFECT:

- | | |
|---|--|
| <input type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures (If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input checked="" type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input checked="" type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

| | Expenditure or Revenue Category | Current Year | Subsequent Year |
|-----------------------------------|--|---------------------|------------------------|
| Operating Budget | Expenditure | 8,154 | 70,666 |
| | Revenue | 8,154 | 70,666 |
| | Net Cost | 0 | 0 |
| Capital Improvement Budget | Expenditure | | |
| | Revenue | | |
| | Net Cost | | |

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

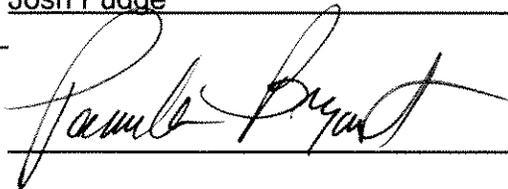
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of the creation of one (1) Paralegal Exempt position within the Juvenile Division of the Office of the District Attorney, to provide improved service and oversight related to Termination of Parental Rights cases.

There would be no direct fiscal impact to the County in 2011 or 2012, as the positions will be funded by grant revenues provided by the State of Wisconsin Department of Children and Families. The 2012 costs and revenues assume the State provides funding for the position during the State's 2013 Fiscal Year, which commences on July 1, 2012. If the State does not provide funding, the position would be abolished on that date for an increase in expenditures and revenues of \$35,333.

Department/Prepared By Josh Fudge

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.