

SHEBOYGAN COUNTY PROGRAM WORKSHEET
February 16, 2005

Department: Corporation Counsel

Date: March 8, 2005

Program	Description	Mandated	Priority	Service Level Required	2004 Actual Expense	2005 Budgeted Expense	2005 Budgeted Grants/Fees Revenue	2005 Tax Levy
County Board Services	Provide general legal services to Board; draft Resolutions, etc.	No	1	NA	\$173,716	\$184,271	\$1,760	\$182,510
County Department Services	Provide general legal services and representation to Departments	No	2	NA	See Line 1, above			
Ch. 51, 55, 880 and Watts reviews	Represent County (HHS Department) in Ch 51, 55, and 880 legal proceedings	Yes 51.20(4) 55.06(1)(c) 55.06(10)(a)	3	100%	\$17,667	\$29,027	\$30,788	
County Ordinance prosecution	Provide prosecution services to County Departments	Partially 59.692	4	75%	See Line 1, above			
Legal services to Child Support Enforcement Agency	Provide legal counsel and representation to Child Support Agency	Yes 55.53(5) and (6)	5	100%	\$62,374	\$53,908		
Collections	Provide collection services to County Departments	No	6	NA	See Line 1, above			

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: General Legal Services – County Board (1)

1. Describe the program, its purpose and goals.

A. **Program.** Provide legal and ethics advice to County Board; draft all ordinances and resolutions; update the County Code; serve as parliamentarian at Board and Committee meetings; assure compliance with open meetings and public records requirements; provide counsel to Board and Administrative Coordinator with respect to policy issues.

B. **Goals.** That 100% of tasks referred be handled in a timely and correct manner.

2. Who is the program intended to serve? How many are served?

The program is intended to serve the County Board and its Committees, ultimately benefitting all of the 114,000 residents of Sheboygan County.

3. Are the program benefits long-lasting and essential to the service populations?

Yes. The only legal way the County Board can act is through the adoption of Ordinances and Resolutions.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program supports the County Board.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

Without general legal services the County Board would not be able to be confident that its policies were in compliance with federal, state, and local law.

6. How do you determine/measure if this program has been effectively provided and implemented?

The Corporation Counsel is selected by the County Board for a 4-year term and serves at the pleasure of the County Board. Most recently, the County Board has reviewed the contract in 2-year increments. If the

County Board felt that the Corporation Counsel was not effectively providing services to this program, it could terminate or non-renew the contract. In 2004, a study by the Administrative Coordinator and the Human Resources Director recommended continuation of the relationship between the County and the Hopp Neumann Humke law firm.

7. Could the county cost-effectively subcontract this program?

Not applicable. The County is subcontracting the program.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program ranks number 1 out of 6 programs.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

Yes, by contracting with alternate private legal counsel. However, the level and quality of services would not necessarily be maintained. The County could also bring the legal service in-house.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

Day-to-day operations would be substantially adversely impacted and liability risk would increase substantially.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The total contracted cost for the four Corporation Counsel programs handled by the Hopp Neumann Humke LLP firm in 2004 was \$173,716. This sum is not broken down between the four programs. There is not sufficient information to relate the cost to its effectiveness.

12. Is this program currently duplicated by another county department or provider in the community?

No.

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: General Legal Services – County Departments (2)

1. Describe the program, its purpose and goals.

A. **Program.** Provide contract review and drafting and legal and ethics advice to Departments, agencies, and staff; complete County property transactions; answer personnel questions referred; provide legal representation.

B. **Goals.** That 100% of tasks referred be handled in a timely and correct manner.

2. Who is the program intended to serve? How many are served?

The program is intended to serve all County Departments and County agencies ultimately benefiting all of the 114,000 residents of Sheboygan County.

3. Are the program benefits long-lasting and essential to the service populations?

Yes. Functions of the office such as drafting and reviewing contracts and ensuring property transactions are timely completed implement County Board policies.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This programs supports all Departments and agencies of the County.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

Without general legal services Departments would be unable to ensure that their services were provided in compliance with federal, state, and local law.

6. How do you determine/measure if this program has been effectively provided and implemented?

The Corporation Counsel is selected by the County Board for a 4-year term and serves at the pleasure of the County Board. Most recently, the County Board has reviewed the contract in 2-year increments. If the County Board felt that the Corporation Counsel was not effectively providing services to this program, it could terminate or non-renew the contract. In 2004, a study by the Administrative

Coordinator and the Human Resources Director recommended continuation of the relationship between the County and the Hopp Neumann Humke law firm.

7. Could the county cost-effectively subcontract this program?

Not applicable. The County is subcontracting this program.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program ranks number 2 out of 6 programs.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

Yes, by contracting with alternate private legal counsel. However, the level and quality of services would not necessarily be maintained. The County could also bring the legal services in-house.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

Day-to-day operations would be substantially adversely impacted and liability risk would increase substantially.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The total contracted cost for the four Corporation Counsel programs handled by the Hopp Neumann Humke LLP firm in 2004 was \$173,716. This sum is not broken down between the four programs. There is not sufficient information to relate the cost to its effectiveness.

12. Is this program currently duplicated by another county department or provider in the community?

No.

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: Chapters 51, 55, 880 and Watts Reviews (3)

1. Describe the program, its purpose and goals.

A. **Program.** To provide legal counsel and representation to the Health and Human Services Department, including the drafting and review of legal documents; representing the Health and Human Services Department in Court in matters prosecuting mental commitments, guardianships, protective placements, and due process Watts reviews, and providing advice to the Department and staff concerning individual cases and issues.

B. **Goals.** Provide timely support and competent representation to the Health and Human Services Department staff prosecuting Chapter 51 mental commitments. (2) Provide timely support and competent representation to the Health and Human Services Department staff in prosecuting Chapters 55 and 880 guardianship and protective placements and Watts reviews. (3) Provide cost effective services.

2. Who is the program intended to serve? How many are served?

The program's intent is to serve 100% of the Chapter 51 and Watts review cases filed and 100% of the Chapters 55 and 880 guardianship and protective placement cases referred through the Health and Human Services Department. In 2004 the number of Chapters 51 and 55 adult cases referred was 393; the number of Chapter 880 adult cases was 142; and the number of Watts annual reviews was 275 with seven due process reviews. In addition, there were 79 juvenile mental cases and 38 juvenile guardianship cases in 2004.

3. Are the program benefits long-lasting and essential to the service populations?

The goal of Chapter 51 mental commitment cases is to treat and stabilize individuals so they can successfully live and work in the community and in the least restrictive alternative which ideally would mean the commitment is dropped. By definition, Chapters 55 and 880 guardianship and protective placements and the Watts annual reviews are for individuals who in the vast majority of the cases need long-term protection and services for their lifetime.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program directly supports the Health and Human Services Department. Referrals for Chapter 51 cases are made through law enforcement or the Health and Human Services Department and Chapters 55 and

880 cases are referred by the Health and Human Services Department, and Watts annual reviews are required by statute for all of those individuals who have been protectively placed.

5. **How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?**

Success in Chapter 51 cases allows people to lead productive lives without the necessity for other benefits from the Health and Human Services Department and defers people from the criminal justice system. In the case of Chapter 55s, a vulnerable population of incompetent individuals is protected within the community. Prosecution of Chapters 51 and 55 provide protection to the general population by providing services to individuals who, without intervention, present a substantial probability of harm to themselves or others.

6. **How do you determine/measure if this program has been effectively provided and implemented?**

To the extent that the services are provided by the in-house Assistant Corporation Counsel for the benefit of one client—the Health and Human Services Department—the annual evaluation of the Assistant Corporation Counsel includes input from the Health and Human Services staff who work with the Assistant Corporation Counsel as well as input from the Court staff.

7. **Could the county cost-effectively subcontract this program?**

Unknown. It would be dependent upon the terms agreed to in the contract.

8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**

This program ranks number 3 out of 6 programs.

9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**

The only alternative would be to contract through private attorneys. When the Assistant Corporation Counsel has been unavailable, private attorneys have accepted assignments at the rate of \$80.00 per hour. At this rate, for the amount of time involved, privatization, at least on an hourly basis, would not appear to be a viable option.

10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**

This program is statutorily mandated by Wis. Stats. §§ 51.20(4); 55.06(1)(c) and 55.06(10)(a). If this program were not provided, individuals would be improperly incarcerated, taken advantage of, not protected, the community would be at risk, and the County would potentially be liable.

11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**

The total cost of this program for 2004 is \$17,667.00 reimbursed through the Health and Human Services Department.

12. **Is this program currently duplicated by another county department or provider in the community?**

No.

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: County Ordinance Prosecution (4)

1. Describe the program, its purpose and goals.

A. **Program.** To provide legal counsel and representation to the other County agencies charged with enforcing County Code provisions.

B. **Goals.** (1) Provide timely support and competent representation to Department staff in prosecution of Code violations. (2) Provide cost effective services.

2. Who is the program intended to serve? How many are served?

The program is intended to serve the residents of Sheboygan County by prosecuting all violators of building, zoning, and health codes referred by the enforcement agencies.

3. Are the program benefits long-lasting and essential to the service populations?

Provision of legal services is the final avenue available for the Planning and Resources Department and other agencies to gain compliance with zoning, subdivision, sanitary, and other codes in order to protect the public health, safety, and general welfare. In the overwhelming majority of cases, successful prosecution resulting in court orders and judgments resolves violations on a permanent basis.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

Program directly supports the Planning and Resources Department and other enforcement agencies.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

Program directly supports the Planning and Resources Department and other enforcement agencies.

6. How do you determine/measure if this program has been effectively provided and implemented?

The Corporation Counsel is selected by the County Board for a 4-year term and serves at the pleasure of the County Board. Most recently, the County Board has reviewed the contract in 2-year increments. If the County Board felt that the Corporation Counsel was not effectively providing services to this program, it

could terminate or non-renew the contract. In 2004, a study by the Administrative Coordinator and the Human Resources Director recommended continuation of the relationship between the County and the Hopp Neumann Humke law firm.

7. Could the county cost-effectively subcontract this program?

Not applicable. The County is subcontracting the program.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program ranks number 4 out of 6.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

Yes, by contracting with alternate private legal counsel. However, the level and quality of services would not necessarily be maintained. The County could also bring the legal service in-house.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

This program is statutorily mandated by Wis. Stat. § 59.692. If no longer provided, unsanitary conditions would not be stopped, the potential for the spread of communicable diseases would increase, and haphazard development would take place adversely affecting the public health, safety, and general welfare.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The total contracted cost for the four Corporation Counsel programs handled by the Hopp Neumann Humke LLP firm in 2004 was \$173,716. This sum is not broken down between the four programs. There is not sufficient information to relate the cost to its effectiveness.

12. Is this program currently duplicated by another county department or provider in the community?

No.

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: Child Support Legal Services Program (5)

1. Describe the program, its purpose and goals.

A. **Program.** To provide legal counsel and representation to the Child Support Enforcement Agency, including the drafting and review of legal documents; representing the Agency in court in matters establishing paternity and establishing and amending child support orders, and the enforcement of those orders; helping to establish policy for the Child Support Agency, and advising the manager and staff concerning individual cases.

B. **Goals.** (1) Provide timely support and competent representation to Child Support Enforcement Agency staff that aids in the enforcement and collection of child support orders. (2) Provide cost effective services. (3) Provide timely support and competent representation to Child Support Enforcement Agency staff that aids in the establishment of paternity.

2. Who is the program intended to serve? How many are served?

The program is intended to serve all clients of the Child Support Enforcement Agency. At the end of 2004, the Child Support Enforcement Agency had 5,040 open files. In the course of 2004, the Corporation Counsel processed 1,727 orders on behalf of the Child Support Enforcement Agency to support those files and the individuals that are represented by the files.

3. Are the program benefits long-lasting and essential to the service populations?

Provision of legal services is the only avenue available for the Child Support Enforcement Agency to access the courts for prosecution so that paternity can be established and child support collected. Collection of child support may have an affect on public assistance benefits.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

All referrals for legal services are made through the Child Support Enforcement Agency and daily contact with Child Support Enforcement Agency staff.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

Success in establishment of paternity and collection of child support allows families to enjoy a higher standard of living. As a consequence, these persons may be less reliant on social services or turn to lawlessness and its social costs. Sound public policy dictates that parents be responsible for their own children.

6. How do you determine/measure if this program has been effectively provided and implemented?

To the extent that the services are provided by the in-house Assistant Corporation Counsel for the benefit of one client—the Child Support Enforcement Agency—the annual evaluation of the Assistant Corporation Counsel includes inquiries from the Child Support staff who work with the Assistant Corporation Counsel as well as input from the Court staff.

7. Could the county cost-effectively subcontract this program?

Unknown. It would be dependent upon the terms agreed to in the contract.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program ranks number 5 out of 6 programs.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

Alternatives would be to contract through a private attorney either on an hourly basis or an open-ended contract. The hourly rate paid by the County for outside legal services is a minimum of \$80.00, which would make it impractical for a contract based on hourly charges.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

This program is statutorily mandated by Wis. Stat. §§ 59.53(5) and (6).

Far fewer people would pay child support resulting in many more families being eligible for services through the Health and Human Services Department and other government and non-profit agencies.

If these legal services were not provided, the County would not be in compliance with federal or state regulations and could be subject to a loss of federal and/or state funding.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The total cost of this program for 2004 is \$62,374, reimbursed through the Child Support Agency.

12. Is this program currently duplicated by another county department or provider in the community?

No.

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: March 8, 2005

DEPARTMENT: Corporation Counsel

DEPARTMENT MISSION STATEMENT:

As the civil legal advisor for the County Board, its Committees, and Departments, the mission of the Corporation Counsel is to provide policy-makers and administrators with counsel of the highest caliber with integrity, respect, courtesy, and adherence to professional ethics.

PROGRAM: Collections (6)

1. Describe the program, its purpose and goals.

A. **Program.** To provide legal counsel and representation to any department of the County requiring assistance in pursuing collection and reimbursement in a wide variety of cases including the drafting and review of legal documents, obtaining small claims or civil judgments, engaging in post-judgment collection and *in rem.* pursuit of delinquent property taxes.

B. **Goals.** (1) Provide timely support and competent representation in collection matters. (2) Provide cost effective services.

2. Who is the program intended to serve? How many are served?

The program is intended to serve any Department in the county needing assistance in collecting past due accounts and the Treasurer in obtaining property tax payments. County Departments which have used or can use Corporation Counsel collection services include: Airport, Clerk of Courts, County Clerk, Child Support, Planning, Highway, Treasurer, Register of Deeds, Health and Human Services, and Health Care Centers.

3. Are the program benefits long-lasting and essential to the service populations?

Cases are only referred to the Corporation Counsel Office after efforts to collect accounts have been unsuccessful by individual departments. Money is recouped for services rendered which helps sustain future services or programs and keep the tax levy down.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program supports all Departments that require collection of fees or charges. Departments that seek support in collecting come to the Corporation Counsel.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

Ensures that a uniform process is utilized on accounts that are referred and reduces the levy by the amount collected. Every dollar collected is one less dollar that does not have to be collected through property taxes. *In rem*. foreclosures provide an incentive for people to pay their property taxes.

6. How do you determine/measure if this program has been effectively provided and implemented?

This service is only provided to Department Heads who request assistance if a Department Head is unhappy with their internal collection efforts.

7. Could the county cost-effectively subcontract this program?

Not applicable. The County is currently subcontracting this as part of its contract with the Hopp Neumann Humke law firm.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program ranks number 6 out of 6 programs.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

Other private collection agencies and private legal counsel are available within the community. The Clerk of Courts and Health and Human Services Departments currently contract with private collection agencies with mixed success.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

This program is not statutorily mandated. If provided by some other means, less money may be collected and more money for County operations would have to be gleaned through the property tax levy.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The total contracted cost for the four Corporation Counsel programs handled by the Hopp Neumann Humke LLP firm in 2004 was \$173,716. This sum is not broken down between the four programs. There is not sufficient information to relate the cost to its effectiveness.

12. Is this program currently duplicated by another county department or provider in the community?

Within each Department, collection activities are undertaken up to a certain point.