

COUNTY ATTORNEY

DESCRIPTION

The County Attorney's Office serves as legal advisor to the county government, including its various departments, divisions, and agencies. The Office prosecutes or defends all actions involving county officials and employees arising out of acts performed in the course of their employment. In addition to litigation, the office is called upon to interpret State and Federal laws, county ordinances and county resolutions, and to draft county ordinances and proposed State legislation.

OBJECTIVES

- To provide the county government with quality legal services.
- To protect the county treasury from damage awards as a result of litigation.

BUDGET HIGHLIGHTS

The department's budget for FY24 is \$3,102,672. This represents a 3.2% increase to the FY23 budget in the sum of \$97,484. This increase includes rising employee salary, healthcare, and benefit costs, as well as the addition of a Freedom of Information Act (FOIA) Officer previously budgeted within Public Relations.

FISCAL YEAR 2024 SUMMARY

Description	Annual Fiscal Plan			
	FY22 Actual	FY23 Original	FY24 Approved	Change 23 to 24
Personnel	\$ 2,682,910	\$ 2,880,434	\$ 2,977,918	3.4%
Operation	329,468	124,754	124,754	0.0%
Capital	15,609	0	0	0.0%
Total	<u>\$ 3,027,987</u>	<u>\$ 3,005,188</u>	<u>\$ 3,102,672</u>	<u>3.2%</u>
Personnel Complement	22	23*	23	0

* Reflects the transfer of a FOIA Officer from Public Relations to the County Attorney's Office.

PERFORMANCE MEASURES

	FY22	FY23	FY24	Change 23 to 24
Workload Measures				
New Cases Filed	33	25	25	0
Cases Disposed of	31	25	25	0
Administrative Proceedings	23	25	25	0
Court Appearances	1,193	1,000	1,000	0
Contracts Drafted or Reviewed	1,608	1,298	1,298	0
Deeds and Leases Drafted or Reviewed	421	380	380	0
Board Papers Drafted or Reviewed	435	433	433	0
Freedom of Information Act Requests Handled	462	606	606	0
Subpoenas Duces Tecum Handled	65	119	119	0
Restrictive Covenants Reviewed	28	18	18	0
Proposed Legislation Reviewed	828	317	317	0
Set of Conditional Zoning Proffers Reviewed	142	139	139	0

DEPARTMENT HIGHLIGHTS

The office serves as a mini-law firm for the County, its various boards, commissions, and agencies, and Henrico County Public Schools ("HCPS"). The office drafts County ordinances for presentation to the Board of Supervisors (the "Board"); drafts resolutions for presentation to the Board, the School Board, and the Economic Development Authority (the "EDA"); and reviews and approves as to form property conveyances and contracts of the County, the School Board, and the EDA. This calendar year, the office was instrumental in helping create a new client - the Sports and Entertainment Authority ("SEA") - by drafting articles of incorporation, bylaws, and policies.

To minimize liability and ensure compliance with the law, office attorneys regularly provide advice and training on the Virginia Conflict of Interests Act, Virginia Public Procurement Act, and the Virginia Freedom of Information Act, as well as civil liability, civil commitment laws, and the confidentiality of health and educational records. Training session participants include the crisis intervention team, communications officers, police officers, deputy sheriffs; employees in Community Revitalization, Building Inspections, and the Division of Fire; and HCPS division leadership team members, school administrators, and school nurses. Attorneys in the office have also trained members of the community who serve court-involved children, including Court Appointed Special Advocates (CASA).

The office also represents the County, HCPS, and their officials and employees in a wide variety of civil actions. Thirty-three new lawsuits seeking a minimum of \$25,000 were filed against the County, HCPS, or their employees in FY22. At present, 41 cases are pending in state and federal courts of record, including appellate courts. In FY22, the office made 61 appearances in these courts. In addition, the office handled 1,193 cases in courts not of record: 183 cases in the Henrico County General District Court and 1,010 cases in the Henrico County Juvenile and Domestic Relations District Court. The office also handled 23 administrative hearings.

DEPARTMENT HIGHLIGHTS (CONTINUED)

The office provides a wide array of legal services to its clients. In FY22 the County Attorney:

- Promoted permanency and stability for dozens of children by assisting the Department of Social Services ("DSS") reunify families and, where necessary, terminate parental rights and support adoption.
- Assisted DSS in securing guardians and conservators for vulnerable adults.
- Guided County departments through numerous property acquisitions in support of road and utility projects, including the Richmond-Henrico Turnpike Project, Sadler Road Project, the Three Chopt Road Project and future Westwood pump station.
- Successfully resolved numerous condemnation cases, allowing the County to pursue necessary development goals.
- Guided the County through the 2020 redistricting process, including the new pre-clearance process with the Attorney General's Office.
- Negotiated numerous agreements, including a Comprehensive Agreement for the state-of-the-art Henrico Indoor Sports and Convocation Center and a telemedicine services agreement between HCPS and Virginia Commonwealth University (the first of its kind in the Commonwealth).
- Assisted the Purchasing Division with modernization of forms for County construction projects.
- Represented the EDA in a sale of property at White Oak Technology Park and the negotiation of six incentive agreements in furtherance of the County's robust economic development program.
- Provided guidance for updates to the Henrico County Code, including amendments to Chapter 10 related to public health and safety and the new subdivision and zoning ordinances, all of which continue the County's reputation as a well-planned community.
- Successfully resolved numerous disputes with parents related to the provision of special education thereby avoiding burdensome and costly administrative investigations, hearings, and litigation.
- Conducted a comprehensive review of the School Division's Registration Process and Training materials distributed to registrars at all 72 HCPS schools.
- Advised the School Board as they updated their policies and regulations to ensure compliance with the Virginia Department of Education's Model Policies for the Treatment of Transgender Students.
- Advised and drafted documents on the return of surplus real estate taxes to taxpayers, the first such program in the Commonwealth.