

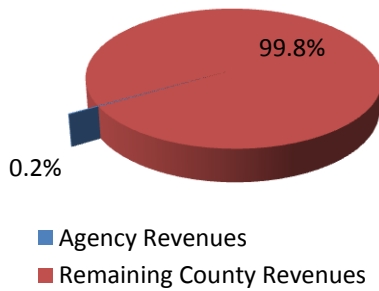
Prosecuting Attorney

Agency Mission:

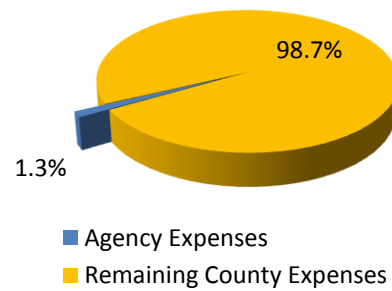
The mission of the Office of the Franklin County Prosecuting Attorney is to provide effective and efficient legal representation and advice; aggressive prosecution of adult and juvenile offenders; and protection to government clients and victims of crime so that they can receive adequate legal advice, justice and representation.

Revenue and Expense Overview:

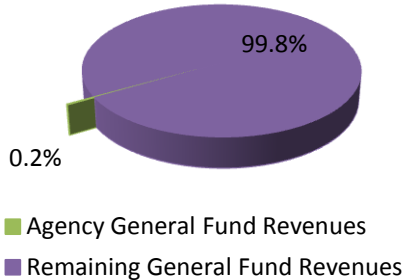
% of Total County Revenue



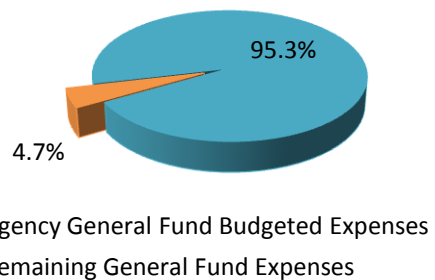
% of Total County Expenses



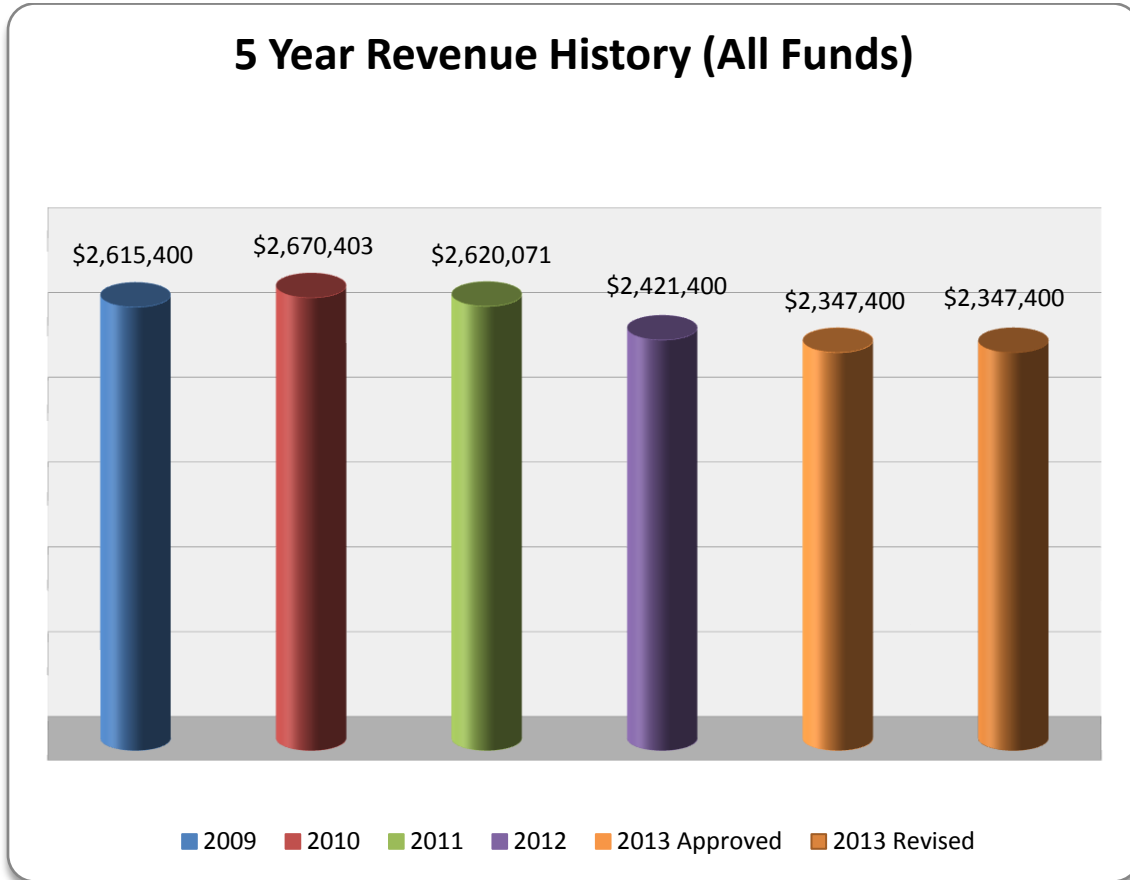
% of County General Fund Revenue



% of County General Fund Expenses



I. Budget Summary – Revenue



- 1) Primary Sources of Revenue – The agency’s primary sources of revenue in the General Fund are contracts with the Child Support Enforcement Agency and the Center for Family Safety and Health; federal revenue from the Violence Against Women Act (VAWA), Victims of Crime Acts (VOCA), and Juvenile Accountability Block Grant (JABG); non-governmental grant receipts (grant from Center for Child and Family Advocacy); and miscellaneous revenues.

The primary source of revenue in the Prosecuting Attorney’s Rotary Fund (Fund 2044) is a contract with the Solid Waste Authority of Central Ohio (SWACO).

The primary sources of revenue in the Prosecuting Attorney’s Delinquent Tax & Assessment Collection Fund (Fund 2047) are 2.5% of delinquent real estate and personal property taxes, reimbursements and refunds.

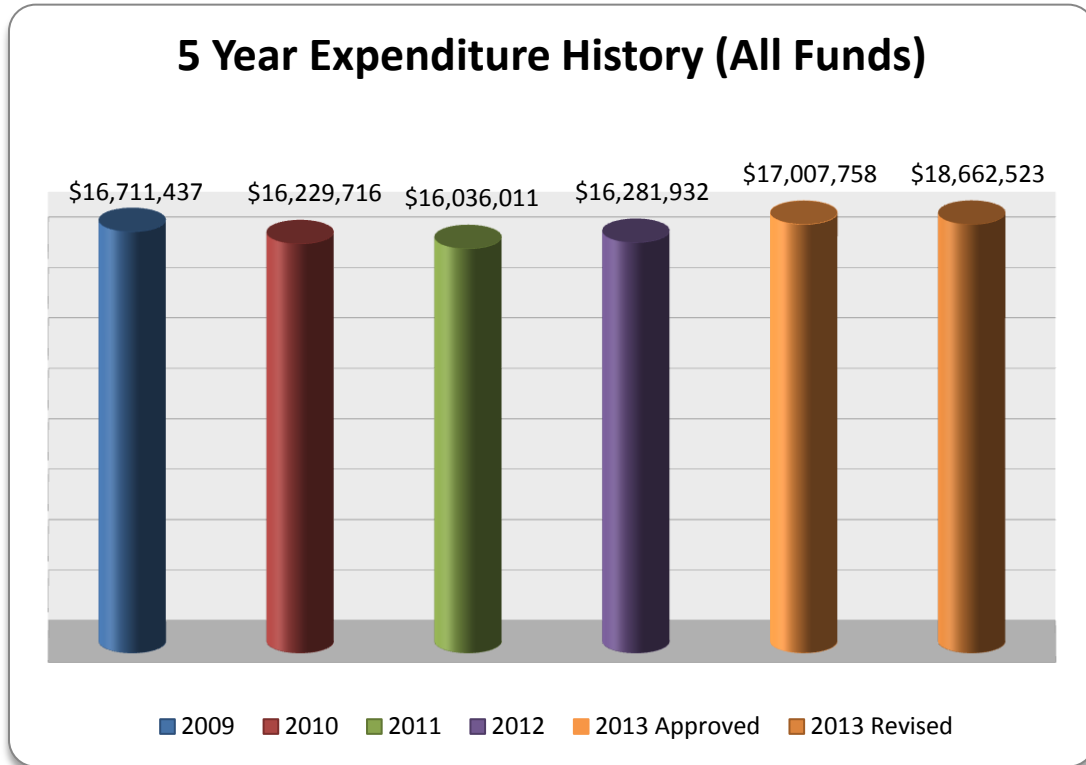
- 2) The changes in revenue in the table above are due to the level of collections for Delinquent Real Estate taxes.

Revenue

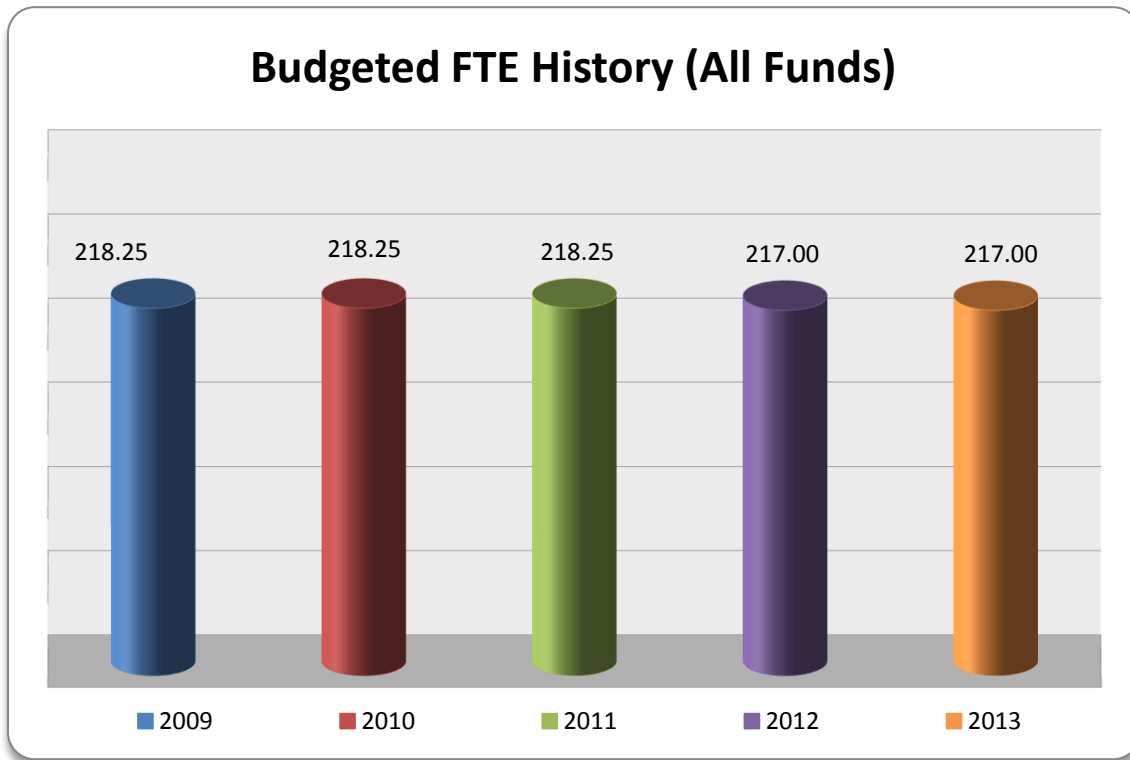
	General Fund	Non-General Fund	Total
2011 Actual	\$734,034	\$1,886,036	\$2,620,071
2012 Actual	\$625,012	\$2,023,350	\$2,648,362
2013 Agency Request	\$559,400	\$1,788,000	\$2,347,400
% Over(Under) 2012 Actual	(10.5%)	(11.6%)	(11.4%)
2013 Approved Budget	\$559,400	\$1,788,000	\$2,347,400
% Over(Under) 2012 Actual	(10.5%)	(11.6%)	(11.4%)
% Over(Under) Agency Request	0.0%	0.0%	0.0%
2013 Revised Budget	\$559,400	\$1,788,000	\$2,347,400
% Over(Under) 2012 Actual	(10.5%)	(11.6%)	(11.4%)
% Over(Under) Agency Request	0.0%	0.0%	0.0%
% Over(Under) Approved Budget	0.0%	0.0%	0.0%

- 3) 2012 Actual –The \$109,022 decrease from the 2011 Actual to the 2012 Actual in the General Fund is primarily attributed to a decrease in the contracts with the Child Support Enforcement Agency and the Center for Family Safety and Health. The increase in Non-General Fund revenue is attributed to an increase in delinquent real estate tax collections.
- 4) Agency Request - The \$65,612 decrease from the 2012 Actual to the 2013 Agency Request in the General Fund is primarily attributed to a decrease associated with a continuing decline in the Juvenile Accountability Block Grants for Youth Gang Prosecution.
- 5) Approved Budget – There is no change from the 2013 Agency Request to the 2013 Approved Budget.
- 6) Revised Budget – There is no change from the 2013 Approved Budget to the 2013 Revised Budget.

II. Budget Summary – Expenditures



- 1) There are no significant variances in expenditures from 2009 to 2012.



- 2) There is no change in FTE's from the 2009 to 2011. The reduction in 2012 was due to the elimination and re-allocation of positions.

Full Time Equivalents (FTEs)	2012 Budget	2013 Agency Request	2013 Approved Budget	2013 Revised Budget
Delinquent Tax and Asset Recovery	22.07	22.07	22.07	22.07
Prosecution, Adjudication and Litigation	194.93	194.93	194.93	194.93
Total Agency FTEs	217.00	217.00	217.00	217.00

- 3) Agency Request - There is no change in Total FTEs from the 2012 Approved to the 2013 Agency Request.
- 4) 2013 Approved Budget - There is no change in Total FTEs from the 2013 Agency Request to the 2013 Approved Budget.
- 5) 2013 Revised Budget - There is no change in Total FTEs from the 2013 Approved Budget to the 2013 Revised Budget.

Expenditures

	General Fund	Non-General Fund	Total
2011 Actual	\$13,921,618	\$2,114,393	\$16,036,011
2012 Actual	\$13,627,650	\$1,949,050	\$15,576,699
2013 Agency Request	\$14,246,613	\$2,621,885	\$16,868,498
% Over(Under) 2012 Actual	4.5%	34.5%	8.3%
2013 Approved Budget	\$14,370,033	\$2,637,725	\$17,007,758
% Over(Under) 2012 Actual	5.4%	35.3%	9.2%
% Over(Under) Agency Request	0.9%	0.6%	0.8%
2013 Revised Budget	\$14,931,983	\$3,730,541	\$18,662,523
% Over(Under) 2012 Actual	9.6%	91.4%	19.8%
% Over(Under) Agency Request	4.8%	42.3%	10.6%
% Over(Under) Approved Budget	3.9%	41.4%	9.7%

- 6) 2012 Actual - The \$293,968 decrease in the General Fund and the \$165,343 decrease in the Non-General Fund from the 2011 Actual to the 2012 Actual is primarily attributed to higher than anticipated vacancies in the Prosecutor's Office during 2012.
- 7) Agency Request - The \$618,963 increase from the 2012 Actual to the 2013 Agency Request is primarily attributed to a request to offset 2.5% of the vacancy credit within the General Fund and the 1% non-bargaining salary increase approved by Resolution #411-12. The increase in the Non-General Fund is due to the Prosecuting Attorney's Office not taking a vacancy credit in Fund 2047 in the 2013 Budget Request.
- 8) Approved Budget - The \$123,420 increase from the 2013 Agency Request to the 2013 Approved Budget is primarily attributed to the 6% healthcare premium rate increase effective April 2013.
- 9) Revised Budget – The \$561,950 increase in the General Fund from the 2013 Approved Budget to the 2013 Revised Budget is primarily attributed to a 1.5% salary and wage increase for non-bargaining employees and the 2013 costs associated with the implementation of the Prosecutor's Office case management system. The \$1,092,816 increase in the Non-General Funds are primarily attributed to obtaining outside legal counsel concerning foreclosures and title searches on approximately 900 nuisance properties slated for demolition and remediation by the City of Columbus and the Central Ohio Community Improvement Corporation (COCIC).

III. Agency Overview

Agency Goals:

- 1) Adjudicate, prosecute and represent all matters presented to the Office within the legal parameters required by law while providing mandated services and justice to all clients and victims of crime.
- 2) Respond effectively to new legislation.
- 3) Respond to changes in technology and changes in policy or actions of offices or agencies that interact with our office.

Agency Strategic Issues:

- 1) New legislation related to government will impact our office duties.
- 2) Changes in technology or new policies of outside agencies or offices will impact our daily business.
- 3) Changes in demographics of the population seeking justice and protection will impact our work performance.
- 4) Lack of revenues will affect our ability to maintain current levels of employees and will change our work distribution.

IV. General Fund Budget Overview

Fund Description:

The General Fund is the County's primary operating fund. Revenues are collected from numerous sources and allocated to various programs to provide services to the residents of Franklin County.

	2011 Actual	2012 Actual	2013 Requested Budget	2013 Approved Budget	2013 Revised Budget
Service Fees & Charges Total	\$383,002	\$255,677	\$275,000	\$275,000	\$275,000
Intergovernmental Total	\$279,331	\$297,449	\$212,000	\$212,000	\$212,000
Other Financing Sources Total	\$1,204	\$0	\$0	\$0	\$0
Miscellaneous Revenue Total	\$70,496	\$71,886	\$72,400	\$72,400	\$72,400
Total Revenue	\$734,034	\$625,012	\$559,400	\$559,400	\$559,400
Personal Services Total	\$9,723,910	\$9,488,647	\$9,739,999	\$9,739,999	\$9,898,128
Fringe Benefits Total	\$3,690,782	\$3,513,761	\$3,853,997	\$3,977,417	\$4,002,988
Materials & Services Total	\$506,926	\$563,988	\$652,617	\$652,617	\$928,867
Capital Outlays Total	\$0	\$61,254	\$0	\$0	\$102,000
Total Expenses	\$13,921,618	\$13,627,650	\$14,246,613	\$14,370,033	\$14,931,983

V. Program Overview

Delinquent Tax and Asset Recovery Program

Program Purpose:

The purpose of the Delinquent Tax and Asset Recovery program is to provide advice and representation to the County Treasurer and other county agencies/offices so that they may recover delinquent taxes and other funds due.

ORC Reference Mandating this Program: ORC Section 5721.14, 15, 16, 17, 18 ORC

Program Services:

Legal advice to County Treasurer, Auditor, Recorder and Sheriff; Delinquent real estate tax, personal property tax and manufactured home tax collections; land reutilization foreclosures; Bankruptcy, Board of Tax Appeal and Board of Revision hearings; Commissioners' real estate entries and releases; pre-trial collection letters; title searches; complaint filings; pre-trial hearings and motions; foreclosures hearings; sale orders and post-sale entries; telephone counsel; inmate and non-inmate garnishments; court cost collections; counsel other governmental agencies; review of entries as third party defendant in private foreclosure actions; reports; calculating settlement figures for public; payment plans; other general information.

Core Principle:

Provide Community Safety, Security, and Effective Justice.

Linkage to Core Principle:

This program provides services that seek effective litigation for other county offices and provides quality services to the citizens of Franklin County. Participants in this program work closely with other county offices and courts and ongoing training for employees working in this program ensure quality services.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
Total Dollars Referred for Recovery	23,785,618	33,016,993	20,921,731	20,000,000
Total Dollars Pursued for Recovery	23,785,618	33,016,993	20,921,731	20,000,000
Total Dollars Adjudicated from Recovery	23,785,618	33,016,993	20,921,731	20,000,000

Prosecution, Adjudication and Litigation Program

Program Purpose:

The purpose of the Prosecution, Adjudication and Litigation program is to provide effective and efficient legal representation and advice; aggressive prosecution of adult and juvenile offenders; and protection to government clients and victims of crime so they can receive adequate information, representation and justice.

ORC Reference Mandating this Program: 309

Program Services:

Representation and presentation at all hearings concerning initial appearances and arraignments at Franklin County Municipal Court; grand jury matters, and all hearings concerning adult felony cases, juvenile misdemeanor and felony cases and cases involving abused, neglected and dependent children heard in Common Pleas and Domestic Courts.

Pre-trial hearings preparations and presentations, plea preparations and presentations, discovery responses and reciprocal requests, post-conviction preparations and presentations, sentencing preparations and presentations, extradition and rule 4 presentations, expungement presentations, trial preparations and presentations, file reviews, evidence reviews, victim files, victim interviews, victim/witness interviews, courtroom escorts, victim preparations, victim referrals, victim notifications, maintained witness cases, out-of-state/foreign witness subpoenas, statistic reports, grand jury presentations, domestic violence meetings, bills of information preparations, duty calls, law enforcement meetings, search warrant reviews, speaking engagements, quarterly indicted reports, internal training sessions, reversal authorities and reports, law update materials, training sessions, proactive prosecutions, Franklin County Task Force meetings, non-support roundtable seminar, diversion evaluations, diversion interviews, diversion supervisions, diversion decisions, subpoena deliveries, located witnesses/defendants, records checks, I.D. investigations, prosecutor escorts, liaison services.

Regular indictments, rush indictments, initial evaluations, information letters, investigative advice, subpoenas, arraignment appearances, preliminary hearing appearances and initial appearances, Grand Jury case presentations, Grand Jury schedules, Grand Jury file creations, Grand Jury file updates, initial appearance files, jail reports, Grand Jury orientations, witness interviews. Written briefs, oral arguments, appellate research, and advice to other prosecutors, appellate motions, appellate responses, statistic reports, appellate post-conviction motions responses, victim notification, and appellate decisions (def.) appellate decisions (State).

Commissioner Agency advice, Sheriff advice, garnished wages, inmate account garnishments, judgment debtor examinations, reports, debtor cases tracked, title searches, sold property, invoices, administrative board advice, telephone counsels, arbitrations, forfeiture representations, bond revenue reviews, forfeiture collection, contract reviews, motions to quash subpoenas, bid document reviews, child support hearings, State Personnel Board of Review hearings, foreclosure hearings, tax collection, government collections, mediations, condemnations hearings, tort defense litigation, tort civil rights presentations, tort civil rights advice, pre-trial discovery, deposition attendance, discovery requests/responses, pre and post trial hearings, pre and post trial motions, trial presentations, appellate briefs, oral arguments, responses to motions, H.R., administrative hearing presentations, administrative responses, enforcement proceeding presentations, law enforcement agency advice reports, title searches, telephone counsel, forfeiture presentations, forfeiture hearings, pre-trial conferences, responses to motions, bond hearings, seizure packet reviews, default motions, default entries.

Representation and presentations for preliminary hearings, probable cause hearings, rehabilitation hearings, abuse/neglect/dependency hearings, delinquency, unruly and juvenile traffic hearings, mediation, sexual predator and competency hearings, probation/parole violation hearings, objections, early release and expungement hearings, pre-trial, trial and disposition hearings, diversion evaluations, pre-complaint evaluations, complaints, discovery, subpoenas, victim/witness interviews, victim notifications, evidence reviews and legal research, review of warrants.

Core Principle:

Provide Community Safety, Security, and Effective Justice

Linkage to Core Principle:

This program provides services that seek justice for victims of crime which also ensures public safety. Participants in this program work closely with all county offices and courts, seeking effective justice. Ongoing training for employees working in this program ensures quality services.

Measures and Indicators:

Performance Measures	2010 Actual	2011 Actual	2012 Actual	2013 Budget
# of cases received from all Courts set and processed	48,684	51,800	37,230	48,860
# of cases processed/prosecuted	46,318	48,890	46,800	45,950
# of cases processed timely and effectively	46,324	48,917	47,102	46,925

The number of cases processed timely and effectively is higher than the number of cases processed/prosecuted due to those cases that are carried over from the previous year.

VI. Request for Results:

1) **Project Title:** 2.5% Vacancy Credit Adjustment

Type of Request: Baseline	Amount Requested:	\$359,481
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Request Description: The Prosecutor's Office has requested to reduce its Vacancy Credit from 11% to 8.5% to fill vacant positions that are critical to the operation of the Prosecutor's Office.

Status: Recommended	Amount Recommended:	\$359,481
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Recommendation: OMB recommended this request in order to ensure that the Prosecutor's Office is positioned to operate effectively during 2013. This request was included in the final approved budget.

VII. OMB Recommended Adjustments:

A. Vacancy Credits

- 1) Vacancy Credit – General Fund (Fund 1000) – The 2013 Agency Request includes a vacancy reduction within the baseline of \$1,174,243 in personal services and \$455,666 in fringe benefits, which represents a vacancy rate of approximately 11.0%. However, due to a need to fill vacant positions that are critical to the operation of the office, there is a request to reduce the vacancy rate from 11.0% to 8.5%. For comparison, the 2012 Budget included a vacancy credit of \$1,109,425 in personal services and \$426,990 in fringe benefits, which represented a vacancy rate of approximately 10.6%.

Based on the 2009, 2010 and 2011 total actual salaries and wages expenditures, as well as the 2012 projected salary expenditures, as compared to approved budget amounts, the agency maintains an average vacancy surplus of 6.8% in this fund. Based on this information, no further adjustments are recommended.

- 2) Vacancy Credit – Rotary Fund (Fund 2044) – The 2013 Agency Request does not include a vacancy reduction in personal services and fringe benefits. The 2012 Budget included a vacancy credit of \$298 in personal services and \$48 in fringe benefits, which represented a vacancy rate of approximately 0.4%.

Based on the 2009, 2010 and 2011 total actual salaries and wages expenditures, as well as the 2012 projected salary expenditures, as compared to approved budget amounts, the agency maintains an average vacancy surplus of 2.7% in this fund. Based on this information, no further adjustments are recommended.

- 3) Vacancy Credit – DTAC Fund (Fund 2047) – The 2013 Agency Request does not include a vacancy reduction in personal services and fringe benefits. The 2012 Budget included a vacancy credit of \$110,567 in personal services and \$17,888 in fringe benefits, which represented a vacancy rate of approximately 8.1%.

Based on the 2009, 2010 and 2011 total actual salaries and wages expenditures, as well as the 2012 projected salary expenditures, as compared to approved budget amounts, the agency maintains an average vacancy surplus of 12.6% in this fund. Based on this information, the 2013 Approved Budget includes a vacancy rate of 5.7%, which equates to a reduction of \$78,293 in personal services and \$31,707 in fringe benefits.

B. Other Adjustments

- 1) Baseline Adjustments – General Fund (Fund 1000) – Healthcare Adjustment – The 2013 Approved Budget includes an additional \$123,420 for the estimated 6% premium rate increase effective April 2013.
- 2) Baseline Adjustments – Rotary Fund (Fund 2044) – Healthcare Adjustment – The 2013 Approved Budget includes an additional \$660 for the estimated 6% premium rate increase effective April 2013.
- 3) Baseline Adjustments – Delinquent Tax and Assessment Collection Fund (Fund 2047) – Healthcare Adjustment – The 2013 Approved Budget includes an additional \$14,520 for the estimated 6% premium rate increase effective April 2013.
- 4) Baseline Adjustments – Workers Compensation Fund (Fund 6061) – Healthcare Adjustment – The 2013 Approved Budget includes an additional \$660 for the estimated 6% premium rate increase effective April 2013.

VIII. Budget Corrective Items:

A. Approved

- 1) Resolution 0357-13 authorized an appropriations adjustment for the purchase of a case management system. The 2013 General Fund costs associated with this project total \$378,250 and the remaining General Fund cost in 2014 will be approximately \$1,151,750. The Prosecutor's Office DTAC fund will pick 15% or \$270,000 of the total \$1.8 million cost.
- 2) Resolution No. 0031-13 authorized a General Fund transfer of appropriations from the Commissioners' Reserves in the amount of \$1,219,297 to various County offices for a 1.5% salary and wage increase for non-bargaining employees. The total amount transferred to Personal Services and Fringe Benefits for the Prosecutor's Office was \$183,700.
- 3) Resolution No. 0031-13 authorized non-general fund supplemental appropriations in the amount of \$727,419 to various County offices for a 1.5% salary and wage increase for non-bargaining employees. The total amount of supplemental appropriations in Personal Services and Fringe Benefits for the Prosecutor's Office were:
 - a) \$23,727 in the DTAC Fund (Fund 2047)
 - b) \$1,193 in the Rotary Fund (Fund 2044)
 - c) \$1,146 in the Workers' Compensation Fund (Fund 6061)
- 4) Resolution No. 0222-13 authorized non-general fund supplemental appropriations in the amount of \$1,000,000 to obtain outside legal counsel concerning foreclosures and title searches on approximately 900 nuisance properties slated for demolition and remediation by the City of Columbus and the Central Ohio Community Improvement Corporation (COCIC).

B. Pending

- 1) Briefing agenda for June 4th. Resolution authorizing a contract with the Archer Company to conduct a classification and compensation study.

IX. Other Post-Budget Items:

A. None.