

Portage County Corporation Counsel Strategic Plan 2011

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Strategic Plan
2011**

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DEPARTMENT NAME

Office of the Corporation Counsel

INTRODUCTION

The Office of the Corporation Counsel and the Judicial General Government Committee of the Portage County Board of Supervisors developed this strategic plan with further review, oversight and direction from the Portage County Executive.

EXECUTIVE SUMMARY

The mission of the Office of the Corporation Counsel is to provide premium professional and trusted legal services in the complex legal, social, political and economic operational environment in a manner which is value-added to empower the resources, goals, and objectives of all departments of Portage County Government.

BACKGROUND OF DUTIES AND RESPONSIBILITIES

The Office of Corporation Counsel is the County's general practice civil law firm with the charter of providing quality, cost-effective legal services to clients in a highly professional, timely and value-added manner. The Office of Corporation Counsel provides civil legal advice, assistance, formal opinions, and court representation to the County Executive, County Board, County departments, elected and appointed County officials, and County commissions, boards and committees. The Office of Corporation Counsel also serves as parliamentarian at County Board meetings. The Office reports to the County Executive with legislative oversight provided by the Judicial General Government Committee. A key function implicit in all duties and responsibilities is the legal oversight of county operations which enables the protection of county assets, property and personnel from suits and action in the complex contemporary legal environment.

Important tasks for the office include: attending meetings of the County Board and various committees, serving as labor law advisor and negotiator, and providing extensive advice and counsel on numerous personnel issues. The Office is tasked with service as the County's Public Information Officer during emergencies. Two of the attorneys of the Office are certified as PIO officers. The Corporation Counsel serves as the County's HIPAA Privacy Officer. The Office reviews, drafts and coordinates county board resolutions and ordinances, county and department policies and the Portage County Code of Ordinances, as well as providing advice on open records, open meetings law and municipal law.

The Office further provides legal advice and counsel on all major county proposals, initiatives and programs. The office is directly responsible for cases involving mental commitments, drug and alcohol commitments, guardianship filings, child support and zoning enforcement, and civil actions involving county government. The Office serves as the civil collections attorney, responsible for collections for Portage County, including debts and obligations owed to the various departments. The Office provides legal advice, counsel, and document preparation for contracts, opinions, requests for proposals, leases, and opinions for all legal issues, including municipal and contract law, tort law, estate issues and real estate. Additional duties consist of general corporation counsel functions, assisting in litigation that is sent to outside counsel (often provided through insurance policies), and providing representation in court or in administrative tribunals. The Office represents and provides legal advice and counsel to county agencies and departments such as the Housing Authority, the Airport Board, the Drainage Board, the Solid Waste Management Board, the county-wide animal control program, and the county wide ambulance program. The Office advises, represents and coordinates executive functional activities for the Ethics Committee of the County Board. The Office also coordinates legal review and activities with the general public, municipal officials, such as city, village and town officials, and state officials, in their interaction with county officials and departments. The Office prosecutes termination of parental rights actions and provides legal advice in coordination with all aspects of the TPR program.

HISTORY AND DEPARTMENT OVERVIEW

In 1990, state law mandated the separation of the Offices throughout the state of the District Attorney and the Corporation Counsel, dividing the areas of the criminal law and all civil law matters respectively. The legislative intent of the mandate was to prevent any possible or perceived conflicts of interest between those functions. The Office of the Corporation Counsel commenced at that time with one attorney and one staff position in Portage County. As the functions and responsibilities of the Office have undergone tremendous growth, the Office staff and duties have had parallel growth in the twenty year period of 1991-2011.

STAFFING: Corporation Counsel-Deputy Corporation Counsel-Asst Corporation Counsel-Administrative Asst-Legal Secretary, for a total of five.

OVERVIEW OF DEPARTMENT MANDATES:

Service	Description	Partners	Statute
Legal Services	Prosecute and defend the County in all civil legal matters before any court, commission or board	All County agencies and Depts	59.42(2)(b)(1)
Legal Services	Advise the County Board, all its subcommittees and departments on all civil legal issues	County Board	59.42(2)(b)(2)
Legal Services	Serve as counsel to the highway commissioner and department performing all necessary legal functions	Highway Dept	59.42(2)(b)(3)
Legal Services	Prosecute all mental commitment actions, including alcohol and drug commitments	HHS, Law, medical	51.20
Legal Services	Prosecute and advise all matters relating to guardianships (Chapter 54) and protective placements (Chap. 55)	HHS , Courts	Chapts 54 and 55
Legal Services	Provide legal advice and representation to all county departments	All County agencies and Depts	59.42(2)(b)(1)
Legal Services	Establish, enforce, and modify child support, paternity and other support orders	CSA, FCC, Courts	49.22 (7)
Legal Services	Prosecute and advise the Zoning Department regarding all matters relating to zoning enforcement	P & Z, Courts	59.69
Legal Services	Attend County Board meetings as legal advisor	County Board	59.42(2)(b)(2)
Legal Services	Serve as county`s ethics advisor	All County agencies and Depts	59.42(2)(b)(2)
Legal Services	Research and draft municipal contracts, resolutions and ordinances	All County agencies and Depts	59.42(2)(b)(2)
Legal Services	Research legal questions, write and submit briefs on major legal points, and prepare legal documents for the County (including all legal work for the Planning and Zoning Department and to include the Business Park)	All County agencies and Depts	supports functions above

