

DEPARTMENT OF LAW

MISSION

The Department of Law was created in 1926 and is headed by the State Attorney General, who is elected by the people. The Department is responsible for protecting the legal rights of New York State and its citizens by representing the State in litigation and in other legal affairs.

In implementing its constitutional mandate, the Department performs a wide range of responsibilities. Major activities of the Department include prosecuting or defending all actions and proceedings for or against the State and its departments; prosecuting certain criminal violations of the Labor, Workers' Compensation, and Unemployment Insurance laws; investigating and prosecuting other criminal cases at the request of the Governor or the commissioners of State departments; investigating the activities of organized crime; bringing civil and/or criminal actions against polluters, violators of antitrust laws, and those who defraud consumers or investors; mediating consumer complaints; investigating Medicaid fraud; and defending the legal and civil rights of New Yorkers.

ORGANIZATION AND STAFFING

The legal functions of the Department of Law are divided into major divisions which comprise bureaus dealing with specific legal issues and cases. These are the Divisions of Appeals and Opinions, Criminal, State Counsel, Public Advocacy, and Regional Offices.

The Department's main office is located in Albany. The Department also has a major office in the City of New York and regional offices in Binghamton, Poughkeepsie, Syracuse, Buffalo, Plattsburgh, Rochester, Watertown, and Mineola and in Suffolk and Westchester counties. The Department will have a workforce of 1,783 positions for 2000-01.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$152.9 million for the Department. This recommendation includes \$102.3 million in tax dollars from the General Fund, which will finance 67 percent of these expenses for 2000-01. Additional support for 2000-01 will be provided by:

- Federal funding of \$25.3 million that finance Medicaid fraud efforts and that fund 16 percent of the Department's budget;
- Revenues of \$19.3 million related to the collection of non-tax debt and litigation settlements comprise 13 percent of the Department's budget; and
- The remaining 4 percent of the Department's expenses are funded with \$6.0 million consisting of assets seized as part of criminal prosecution activities and Medicaid fraud recoveries.

The General Fund recommendation includes \$1.4 million for security and other improvements and \$1.7 million for anticipated workload increases. The Budget also funds the third year of the Department's computer upgrade, including \$348,000 for 14 additional staff and \$2.3 million for hardware and software purchases. With this recommended funding, a total of 50 new positions and \$12.3 million for hardware and software will have been provided to improve the Department's technology operations.

PROGRAM HIGHLIGHTS

- Agency divisions perform the following functions:
- The Administration Division serves as the Support Service and Business Management arm of the Attorney General by providing budget, personnel, operations, and technology management activities for the agency.
 - The Division of Appeals and Opinions handles appellate litigation in both State and Federal courts, determines which cases warrant appeal and the arguments to be advanced in these cases on behalf of the State of New York. The Division also prepares opinions, both formal and informal, interpreting State laws for State agencies and municipalities.
 - The Criminal Division investigates and prosecutes criminal cases, including those involving medicaid fraud dealing with health care crime and organized crime involving multi-county, multi-state and even multi-national criminal activities occurring within New York State.
 - The Division of State Counsel provides State agencies, the Governor, other State officials and the Legislature with counsel and representation in legal proceedings. It recoups non-tax revenue on behalf of State taxpayers and provides legal assistance to State agencies in connection with the acquisition and disposition of public land. It also enforces State Labor and Workers Compensation Laws and defends and prosecutes actions in defense of the State.
 - The Division of Public Advocacy defends and protects the public interest in the courts. It enforces laws to prevent trade restraint and promotes competition, protects charitable donors and beneficiaries from unscrupulous practices in charitable asset management, and enforces laws prohibiting discrimination. It also protects consumers from fraudulent, misleading, deceptive and illegal trade practices, enforces laws enacted to prevent environmental damage and protects the public by regulating sales of investment securities.
 - The Regional Offices program provides mini-satellite offices of the main agency offices in all regions of the State to afford State residents enhanced service delivery.

**ALL FUNDS
APPROPRIATIONS**

Category	Available 1999-00	Appropriations Recommended 2000-01	Change	Reappropriations Recommended 2000-01
State Operations	\$152,416,200	\$152,799,800	+\$383,600	\$30,990,500
Aid To Localities	150,000	150,000	....	150,000
Capital Projects .....	....	....	....	....
Total	<u>\$152,566,200</u>	<u>\$152,949,800</u>	<u>+\$383,600</u>	<u>\$31,140,500</u>

**ALL FUND TYPES
LEVELS OF EMPLOYMENT BY PROGRAM
ANNUAL SALARIED POSITIONS**

Program	2000-01 Recommended Average Fill Level				Change
	Available 1999-00	Personal Service (Regular)	Maintenance Undistributed	Total Recommended 2000-01	
Administration					
General Fund	164	175	....	175	+11
Appeals and Opinions					
General Fund	66	64	....	64	-2
Counsel for the State					
General Fund	295	300	....	300	+5
Special Revenue Funds - Other	95	95	....	95	....
Internal Service Funds	109	....	109	109	....
Criminal Prosecutions					
General Fund	185	182	....	182	-3
Medicaid Fraud Control					
General Fund	73	73	....	73	....
Special Revenue Funds - Federal	269	269	....	269	....
Public Advocacy					
General Fund	291	286	....	286	-5
Regional Offices					
General Fund	154	151	....	151	-3
Subtotal, Direct Funded Programs	1,701	1,595	109	1,704	+3
Suballocations:					
General Fund	27			27	....
Special Revenue Funds - Federal	7			7	....
Special Revenue Funds - Other	45			45	....
Total	1,780			1,783	+3

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS**

Fund Type	Available 1999-00	Recommended 2000-01	Change
General Fund	\$101,777,200	\$102,282,800	+\$505,600
Special Revenue Funds - Federal	25,660,000	25,316,000	-344,000
Special Revenue Funds - Other	18,374,000	18,529,000	+155,000
Internal Service Funds	6,605,000	6,672,000	+67,000
Total	\$152,416,200	\$152,799,800	+\$383,600

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS**

<u>Program</u>	Available 1999-00	Recommended 2000-01	Change
Administration			
General Fund	\$24,005,900	\$24,627,900	+\$622,000
Appeals and Opinions			
General Fund	4,286,700	4,249,500	-37,200
Counsel for the State			
General Fund	28,191,000	26,814,900	-1,376,100
Special Revenue Funds - Other	12,374,000	12,529,000	+155,000
Internal Service Funds	6,605,000	6,672,000	+67,000
Criminal Prosecutions			
General Fund	13,320,200	13,828,500	+508,300
Special Revenue Funds - Other	2,500,000	2,500,000	....
Medicaid Fraud Control			
General Fund	3,902,300	4,003,000	+100,700
Special Revenue Funds - Federal	25,660,000	25,316,000	-344,000
Special Revenue Funds - Other	3,500,000	3,500,000	....
Public Advocacy			
General Fund	18,321,800	18,237,600	-84,200
Regional Offices			
General Fund	9,749,300	10,521,400	+772,100
Total	<u>\$152,416,200</u>	<u>\$152,799,800</u>	<u>+\$383,600</u>

**STATE OPERATIONS — GENERAL AND OFFSET FUNDS
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2000-01 RECOMMENDED**

<u>Program</u>	Total Personal Service		Personal Service Regular (Annual Salaried)		Temporary Service (Nonannual Salaried)	
	Amount	Change	Amount	Change	Amount	Change
Administration	\$8,210,500	+\$1,318,800	\$7,981,600	+\$1,107,300	\$228,900	+\$228,900
Appeals and Opinions	3,567,400	-67,200	3,476,200	-158,400	91,200	+91,200
Counsel for the State	18,263,400	+1,425,400	17,833,000	+2,136,000	430,400	-710,600
Criminal Prosecutions	10,943,300	-136,000	10,697,600	-298,700	243,300	+160,300
Medicaid Fraud Control	3,986,000	+72,900	3,926,000	+66,600	60,000	+6,300
Public Advocacy	16,523,000	-209,900	16,131,300	-524,800	382,000	+305,200
Regional Offices	8,667,500	+703,600	8,435,500	+471,600	214,000	+214,000
Total	<u>\$70,161,100</u>	<u>+\$3,107,600</u>	<u>\$68,481,200</u>	<u>+\$2,799,600</u>	<u>\$1,649,800</u>	<u>+\$295,300</u>

<u>Program</u>	Holiday/Overtime Pay (Annual Salaried)	
	Amount	Change
Administration .....	....	-\$17,400
Criminal Prosecutions	\$2,400	+2,400
Public Advocacy	9,700	+9,700
Regional Offices	18,000	+18,000
Total	<u>\$30,100</u>	<u>+\$12,700</u>

STATE OPERATIONS — GENERAL AND OFFSET FUNDS
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2000-01 RECOMMENDED

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	\$16,417,400	-\$696,800	\$91,600	....
Appeals and Opinions	682,100	+30,000	344,200	....
Counsel for the State	8,551,500	-2,801,500	159,500	....
Criminal Prosecutions	2,885,200	+644,300	69,200	....
Medicaid Fraud Control	2,517,000	+27,800	34,600	....
Public Advocacy	1,714,600	+125,700	78,300	....
Regional Offices	1,853,900	+68,500	18,900	....
Total	<u>\$34,621,700</u>	<u>-\$2,602,000</u>	<u>\$796,300</u>	<u>....</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	\$65,900	....	\$15,600,600	-\$1,096,800
Appeals and Opinions	28,500	....	307,100	+30,000
Counsel for the State	369,500	....	871,000	-9,801,500
Criminal Prosecutions	297,600	....	1,943,600	+94,300
Medicaid Fraud Control	38,900	....	987,900	+27,800
Public Advocacy	75,800	....	1,425,000	+125,700
Regional Offices	212,700	....	1,586,300	+68,500
Total	<u>\$1,088,900</u>	<u>....</u>	<u>\$22,721,500</u>	<u>-\$10,552,000</u>

Program	Equipment		General State Charges	
	Amount	Change	Amount	Change
Administration	\$659,300	+\$400,000	....	....
Appeals and Opinions	2,300	....	....	....
Counsel for the State	151,500	....	....	....
Criminal Prosecutions	574,800	+550,000	....	....
Medicaid Fraud Control	4,900	....	\$1,450,700	....
Public Advocacy	135,500	....	....	....
Regional Offices	36,000	....	....	....
Total	<u>\$1,564,300</u>	<u>+\$950,000</u>	<u>\$1,450,700</u>	<u>....</u>

Program	Maintenance Undistributed	
	Amount	Change
Counsel for the State	\$7,000,000	+\$7,000,000
Total	<u>\$7,000,000</u>	<u>+\$7,000,000</u>

**STATE OPERATIONS — OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2000-01 RECOMMENDED**

<u>Program</u>	<u>Total</u>		<u>Personal Service</u>	
	<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Counsel for the State	\$19,201,000	+\$222,000	\$6,660,000	+\$49,000
Criminal Prosecutions	2,500,000	.....	.....	.....
Medicaid Fraud Control	28,816,000	-344,000	14,724,000	+110,000
Total	\$50,517,000	-\$122,000	\$21,384,000	+\$159,000

<u>Program</u>	<u>Nonpersonal Service</u>		<u>Maintenance Undistributed</u>	
	<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Counsel for the State	\$5,869,000	+\$106,000	\$6,672,000	+\$67,000
Criminal Prosecutions .....	.....	.....	2,500,000	.....
Medicaid Fraud Control	10,592,000	-454,000	3,500,000	.....
Total	\$16,461,000	-\$348,000	\$12,672,000	+\$67,000

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS**

<u>Fund Type</u>	<u>Available 1999-00</u>	<u>Recommended 2000-01</u>	<u>Change</u>
General Fund	\$150,000	\$150,000	.....
Total	\$150,000	\$150,000	.....

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS**

<u>Program</u>	<u>Available 1999-00</u>	<u>Recommended 2000-01</u>	<u>Change</u>
Public Advocacy General Fund	\$150,000	\$150,000	.....
Total	\$150,000	\$150,000	.....