

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 responsibilities, the Department performs a wide range of functions. Major activities of the Department include prosecuting or defending 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; and investigating and prosecuting cases of Medicaid fraud.

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 Administration, Appeals and Opinions, Criminal Prosecutions, State Counsel, Public Advocacy, and Regional Offices.

The Department's main offices are located in Albany and New York City, with regional offices in Binghamton, Poughkeepsie, Syracuse, Buffalo, Plattsburgh, Rochester, Watertown, Mineola, Hauppauge, Harlem, Utica, Brooklyn, Pearl River and White Plains. The Department will have a workforce of 1,869 positions for 2002-03.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$186.9 million for the Department. This recommendation includes \$120.6 million in tax dollars from the General Fund, which will finance 65 percent of these expenses for 2002-03. Additional support for 2002-03 will be provided by:

- Federal funding of \$30.9 million to finance Medicaid fraud efforts;
- Revenues of \$26.5 million related to the collection of non-tax debt and litigation settlements; and
- \$8.7 million from assets seized as part of criminal prosecution activities and Medicaid fraud recoveries.

PROGRAM HIGHLIGHTS

Agency divisions perform the following functions:

- The Administration Division provides budget, personnel, operations, and technology services for the Agency.
- The Division of Appeals and Opinions handles appellate litigation in both State and Federal courts. 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, white collar and organized crime cases 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

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- 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.
- The Division of Public Advocacy defends and protects the public interest in the courts. It enforces laws to prevent trade restraint, protects charitable donors and beneficiaries and enforces laws prohibiting discrimination. It also protects consumers from fraudulent, and/or deceptive business practices, enforces environmental laws and regulates sales of investment securities. It also enforces the State's health care laws and addresses concerns about online criminal or fraudulent activities.
 - The Regional Offices program provides mini-satellite offices across the State to ensure that all New York agencies have cost effective representation in all local and Federal courts, and that citizens have full access to the programs and services of the Department.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2001-02	Appropriations Recommended 2002-03	Change	Reappropriations Recommended 2002-03
State Operations	175,349,800	186,935,000	11,585,200	21,784,300
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	175,349,800	186,935,000	11,585,200	21,784,300

ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Full-Time Equivalent Positions (FTE)

Program	2001-02 Estimated FTEs 03/31/02	2002-03 Estimated FTEs 03/31/03	FTE Change
Administration			
General Fund	189	179	(10)
Appeals and Opinions			
General Fund	66	65	(1)
Counsel for the State			
General Fund	320	315	(5)
Special Revenue Funds - Other	144	144	0
Internal Service Funds	109	109	0
Criminal Prosecutions			
General Fund	193	191	(2)
Special Revenue Funds - Other	65	65	0
Medicaid Fraud Control			
General Fund	93	78	(15)
Special Revenue Funds - Federal	269	269	0
Public Advocacy			
General Fund	296	294	(2)
Special Revenue Funds - Other	7	7	0
Regional Offices			
General Fund	154	153	(1)
Total	1,905	1,869	(36)

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)**

Fund Type	Available 2001-02	Recommended 2002-03	Change
General Fund	119,574,000	120,618,000	1,044,000
Special Revenue Funds - Federal	28,735,800	31,073,000	2,337,200
Special Revenue Funds - Other	19,835,000	26,244,000	6,409,000
Internal Service Funds	7,205,000	9,000,000	1,795,000
Total	<u>175,349,800</u>	<u>186,935,000</u>	<u>11,585,200</u>

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

Program	Available 2001-02	Recommended 2002-03	Change
Administration			
General Fund	29,654,000	26,462,000	(3,192,000)
Appeals and Opinions			
General Fund	4,789,000	5,289,000	500,000
Counsel for the State			
General Fund	32,906,000	31,671,000	(1,235,000)
Special Revenue Funds - Other	13,667,000	17,527,000	3,860,000
Internal Service Funds	7,205,000	9,000,000	1,795,000
Criminal Prosecutions			
General Fund	16,003,000	18,287,000	2,284,000
Special Revenue Funds - Federal	162,800	150,000	(12,800)
Special Revenue Funds - Other	2,570,000	4,600,000	2,030,000
Medicaid Fraud Control			
General Fund	4,654,000	4,654,000	0
Special Revenue Funds - Federal	28,573,000	30,923,000	2,350,000
Special Revenue Funds - Other	3,598,000	4,117,000	519,000
Public Advocacy			
General Fund	20,304,000	21,924,000	1,620,000
Regional Offices			
General Fund	11,264,000	12,331,000	1,067,000
Total	<u>175,349,800</u>	<u>186,935,000</u>	<u>11,585,200</u>

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2002-03 RECOMMENDED
(dollars)**

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	10,664,000	463,000	10,374,000	402,000
Appeals and Opinions	4,591,000	503,000	4,446,000	449,000
Counsel for the State	22,879,000	1,503,000	22,346,000	1,401,000
Criminal Prosecutions	14,007,000	970,000	13,952,000	1,161,000
Medicaid Fraud Control	4,654,000	0	4,577,000	0
Public Advocacy	20,168,000	1,627,000	19,650,000	1,501,000
Regional Offices	10,434,000	1,076,000	10,108,000	982,000
Total	<u>87,397,000</u>	<u>6,142,000</u>	<u>85,453,000</u>	<u>5,896,000</u>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	290,000	61,000	0	0
Appeals and Opinions	145,000	54,000	0	0
Counsel for the State	533,000	102,000	0	0
Criminal Prosecutions	55,000	(188,000)	0	(3,000)
Medicaid Fraud Control	77,000	0	0	0
Public Advocacy	518,000	136,000	0	(10,000)
Regional Offices	326,000	112,000	0	(18,000)
Total	<u>1,944,000</u>	<u>277,000</u>	<u>0</u>	<u>(31,000)</u>

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2002-03 RECOMMENDED
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	15,798,000	(3,655,000)	83,000	(11,000)
Appeals and Opinions	698,000	(3,000)	352,000	(2,000)
Counsel for the State	8,792,000	(2,738,000)	46,000	(118,000)
Criminal Prosecutions	4,280,000	1,314,000	68,000	(3,000)
Public Advocacy	1,756,000	(7,000)	80,000	(1,000)
Regional Offices	1,897,000	(9,000)	19,000	0
Total	33,221,000	(5,098,000)	648,000	(135,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	60,000	(8,000)	15,324,000	(3,589,000)
Appeals and Opinions	29,000	0	315,000	(1,000)
Counsel for the State	108,000	(272,000)	459,000	(436,000)
Criminal Prosecutions	293,000	(13,000)	3,354,000	1,356,000
Public Advocacy	78,000	0	1,459,000	(6,000)
Regional Offices	218,000	(1,000)	1,623,000	(8,000)
Total	786,000	(294,000)	22,534,000	(2,684,000)

Program	Equipment		Maintenance Undistributed	
	Amount	Change	Amount	Change
Administration	331,000	(47,000)	0	0
Appeals and Opinions	2,000	0	0	0
Counsel for the State	44,000	(112,000)	8,135,000	(1,800,000)
Criminal Prosecutions	565,000	(26,000)	0	0
Public Advocacy	139,000	0	0	0
Regional Offices	37,000	0	0	0
Total	1,118,000	(185,000)	8,135,000	(1,800,000)

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2002-03 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	26,527,000	5,655,000	8,078,000	672,000
Criminal Prosecutions	4,750,000	2,017,200	0	0
Medicaid Fraud Control	35,040,000	2,869,000	18,013,000	931,000
Total	66,317,000	10,541,200	26,091,000	1,603,000

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Counsel for the State	9,449,000	3,188,000	9,000,000	1,795,000
Criminal Prosecutions	0	0	4,750,000	2,017,200
Medicaid Fraud Control	12,910,000	1,419,000	4,117,000	519,000
Total	22,359,000	4,607,000	17,867,000	4,331,200