

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 1,710 positions for 2003-04.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$188.5 million for the Department. This recommendation includes \$112.8 million in tax dollars from the General Fund, which will finance 60 percent of these expenses for 2003-04. Additional support for 2003-04 will be provided by:

- Federal funding of \$30.6 million to finance Medicaid fraud efforts;
- Revenues of \$29.3 million related to the collection of non-tax debt and litigation settlements; and
- \$15.7 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, auto insurance fraud, white collar and organized crime cases involving multi-county, multi-state and even multi-national criminal activities occurring within New York State;

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- 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;
- 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; and
- 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 2002-03	Appropriations Recommended 2003-04	Change	Reappropriations Recommended 2003-04
State Operations	186,935,000	188,427,000	1,492,000	30,020,000
Aid To Localities	60,000	0	(60,000)	0
Capital Projects	0	0	0	0
Total	186,995,000	188,427,000	1,432,000	30,020,000

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

Full-Time Equivalent Positions (FTE)

Program	2002-03 Estimated FTEs 03/31/03	2003-04 Estimated FTEs 03/31/04	FTE Change
Administration			
General Fund	176	165	(11)
Appeals and Opinions			
General Fund	64	60	(4)
Counsel for the State			
General Fund	315	298	(17)
Special Revenue Funds - Other	139	139	0
Internal Service Funds	102	102	0
Criminal Prosecutions			
General Fund	191	179	(12)
Special Revenue Funds - Other	56	56	0
Medicaid Fraud Control			
General Fund	75	0	(75)
Special Revenue Funds - Federal	208	208	0
Special Revenue Funds - Other	0	75	75
Public Advocacy			
General Fund	291	276	(15)
Special Revenue Funds - Other	7	7	0
Regional Offices			
General Fund	151	145	(6)
Total	1,775	1,710	(65)

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

Fund Type	Available 2002-03	Recommended 2003-04	Change
General Fund	120,618,000	112,778,000	(7,840,000)
Special Revenue Funds - Federal	31,073,000	30,625,000	(448,000)
Special Revenue Funds - Other	26,244,000	35,098,000	8,854,000
Internal Service Funds	9,000,000	9,926,000	926,000
Total	<u>186,935,000</u>	<u>188,427,000</u>	<u>1,492,000</u>

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

Program	Available 2002-03	Recommended 2003-04	Change
Administration			
General Fund	26,462,000	27,169,000	707,000
Appeals and Opinions			
General Fund	5,289,000	4,893,000	(396,000)
Counsel for the State			
General Fund	31,671,000	32,456,000	785,000
Special Revenue Funds - Other	17,527,000	19,476,000	1,949,000
Internal Service Funds	9,000,000	9,926,000	926,000
Criminal Prosecutions			
General Fund	18,287,000	15,840,000	(2,447,000)
Special Revenue Funds - Federal	150,000	0	(150,000)
Special Revenue Funds - Other	4,600,000	4,904,000	304,000
Medicaid Fraud Control			
General Fund	4,654,000	0	(4,654,000)
Special Revenue Funds - Federal	30,923,000	30,625,000	(298,000)
Special Revenue Funds - Other	4,117,000	10,718,000	6,601,000
Public Advocacy			
General Fund	21,924,000	20,830,000	(1,094,000)
Regional Offices			
General Fund	12,331,000	11,590,000	(741,000)
Total	<u>186,935,000</u>	<u>188,427,000</u>	<u>1,492,000</u>

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2003-04 RECOMMENDED
(dollars)**

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	9,763,000	(901,000)	9,473,000	(901,000)
Appeals and Opinions	4,266,000	(325,000)	4,121,000	(325,000)
Counsel for the State	22,141,000	(738,000)	21,608,000	(738,000)
Criminal Prosecutions	13,187,000	(820,000)	13,132,000	(820,000)
Medicaid Fraud Control	0	(4,654,000)	0	(4,577,000)
Public Advocacy	19,253,000	(915,000)	18,735,000	(915,000)
Regional Offices	9,886,000	(548,000)	9,560,000	(548,000)
Total	<u>78,496,000</u>	<u>(8,901,000)</u>	<u>76,629,000</u>	<u>(8,824,000)</u>

Program	Temporary Service (Nonannual Salaried)	
	Amount	Change
Administration	290,000	0
Appeals and Opinions	145,000	0
Counsel for the State	533,000	0
Criminal Prosecutions	55,000	0
Medicaid Fraud Control	0	(77,000)
Public Advocacy	518,000	0
Regional Offices	326,000	0
Total	<u>1,867,000</u>	<u>(77,000)</u>

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**STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2003-04 RECOMMENDED
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	17,406,000	1,608,000	83,000	0
Appeals and Opinions	627,000	(71,000)	317,000	(35,000)
Counsel for the State	10,315,000	1,523,000	46,000	0
Criminal Prosecutions	2,653,000	(1,627,000)	68,000	0
Public Advocacy	1,577,000	(179,000)	80,000	0
Regional Offices	1,704,000	(193,000)	19,000	0
Total	34,282,000	1,061,000	613,000	(35,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	60,000	0	16,932,000	1,608,000
Appeals and Opinions	29,000	0	279,000	(36,000)
Counsel for the State	108,000	0	459,000	0
Criminal Prosecutions	293,000	0	1,727,000	(1,627,000)
Public Advocacy	78,000	0	1,280,000	(179,000)
Regional Offices	218,000	0	1,430,000	(193,000)
Total	786,000	0	22,107,000	(427,000)

Program	Equipment		Maintenance Undistributed	
	Amount	Change	Amount	Change
Administration	331,000	0	0	0
Appeals and Opinions	2,000	0	0	0
Counsel for the State	44,000	0	9,658,000	1,523,000
Criminal Prosecutions	565,000	0	0	0
Public Advocacy	139,000	0	0	0
Regional Offices	37,000	0	0	0
Total	1,118,000	0	9,658,000	1,523,000

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2003-04 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	29,402,000	2,875,000	8,019,000	(59,000)
Criminal Prosecutions	4,904,000	154,000	0	0
Medicaid Fraud Control	41,343,000	6,303,000	21,801,000	3,788,000
Total	75,649,000	9,332,000	29,820,000	3,729,000

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Counsel for the State	11,457,000	2,008,000	9,926,000	926,000
Criminal Prosecutions	0	0	4,904,000	154,000
Medicaid Fraud Control	15,289,000	2,379,000	4,253,000	136,000
Total	26,746,000	4,387,000	19,083,000	1,216,000

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

Fund Type	Available 2002-03	Recommended 2003-04	Change
General Fund	60,000	0	(60,000)
Total	60,000	0	(60,000)

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

Program	Available 2002-03	Recommended 2003-04	Change
Legislative Initiatives			
General Fund	60,000	0	(60,000)
Total	<u>60,000</u>	<u>0</u>	<u>(60,000)</u>