

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 1,717 positions for 2004-05.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$197 million for the Department. This recommendation includes nearly \$113 million in tax dollars from the General Fund, which will finance 57 percent of these expenses for 2004-05. Additional support for 2004-05 will be provided by Federal funding for Medicaid fraud efforts and revenues from the collection of non-tax debt, litigation settlements and 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;
- 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;

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- 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. The Division 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 on-line 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 2003-04	Appropriations Recommended 2004-05	Change	Reappropriations Recommended 2004-05
State Operations	188,427,000	197,291,000	8,864,000	45,679,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	188,427,000	197,291,000	8,864,000	45,679,000

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

Full-Time Equivalent Positions (FTE)

Program	2003-04 Estimated FTEs 03/31/04	2004-05 Estimated FTEs 03/31/05	FTE Change
Administration			
General Fund	165	165	0
Appeals and Opinions			
General Fund	60	60	0
Counsel for the State			
General Fund	298	298	0
Special Revenue Funds - Other	248	248	0
Criminal Prosecutions			
General Fund	179	179	0
Special Revenue Funds - Other	56	56	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	208	208	0
Special Revenue Funds - Other	75	75	0
Public Advocacy			
General Fund	276	276	0
Capital Projects Funds - Other	7	7	0
Regional Offices			
General Fund	145	145	0
Total	1,717	1,717	0

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

Fund Type	Available 2003-04	Recommended 2004-05	Change
General Fund	112,778,000	112,778,000	0
Special Revenue Funds - Federal	30,625,000	31,216,000	591,000
Special Revenue Funds - Other	45,024,000	53,297,000	8,273,000
Total	<u>188,427,000</u>	<u>197,291,000</u>	<u>8,864,000</u>
Adjustments:			
Transfer(s) From			
Law, Department of Internal Service Funds	(9,926,000)		
Transfer(s) To			
Law, Department of Special Revenue Funds - Other	9,926,000		
Appropriated 2003-04	<u>188,427,000</u>		

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

Program	Available 2003-04	Recommended 2004-05	Change
Administration			
General Fund	22,181,000	22,181,000	0
Appeals and Opinions			
General Fund	5,147,000	5,147,000	0
Counsel for the State			
General Fund	35,136,000	35,136,000	0
Special Revenue Funds - Other	29,402,000	35,780,000	6,378,000
Criminal Prosecutions			
General Fund	17,658,000	17,658,000	0
Special Revenue Funds - Other	4,904,000	4,904,000	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	30,625,000	31,216,000	591,000
Special Revenue Funds - Other	10,718,000	12,613,000	1,895,000
Public Advocacy			
General Fund	20,751,000	20,751,000	0
Regional Offices			
General Fund	11,905,000	11,905,000	0
Total	<u>188,427,000</u>	<u>197,291,000</u>	<u>8,864,000</u>

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**STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2004-05 RECOMMENDED
(dollars)**

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	9,975,000	0	9,685,000	0
Appeals and Opinions	4,320,000	0	4,175,000	0
Counsel for the State	22,843,000	0	22,310,000	0
Criminal Prosecutions	14,805,000	0	14,750,000	0
Public Advocacy	19,174,000	0	18,656,000	0
Regional Offices	10,201,000	0	9,875,000	0
Total	81,318,000	0	79,451,000	0

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
Public Advocacy	518,000	0
Regional Offices	326,000	0
Total	1,867,000	0

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2004-05 RECOMMENDED
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	12,206,000	0	83,000	0
Appeals and Opinions	827,000	0	317,000	0
Counsel for the State	12,293,000	0	46,000	0
Criminal Prosecutions	2,853,000	0	68,000	0
Public Advocacy	1,577,000	0	80,000	0
Regional Offices	1,704,000	0	19,000	0
Total	31,460,000	0	613,000	0

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	60,000	0	11,732,000	0
Appeals and Opinions	29,000	0	479,000	0
Counsel for the State	108,000	0	1,437,000	0
Criminal Prosecutions	293,000	0	1,927,000	0
Public Advocacy	78,000	0	1,280,000	0
Regional Offices	218,000	0	1,430,000	0
Total	786,000	0	18,285,000	0

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	10,658,000	0
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	10,658,000	0

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2004-05 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	35,780,000	6,378,000	15,415,000	1,332,000
Criminal Prosecutions	4,904,000	0	0	0
Medicaid Fraud Control	43,829,000	2,486,000	22,989,000	1,188,000
Total	<u>84,513,000</u>	<u>8,864,000</u>	<u>38,404,000</u>	<u>2,520,000</u>

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Counsel for the State	20,365,000	5,046,000	0	0
Criminal Prosecutions	0	0	4,904,000	0
Medicaid Fraud Control	16,587,000	1,298,000	4,253,000	0
Total	<u>36,952,000</u>	<u>6,344,000</u>	<u>9,157,000</u>	<u>0</u>