

# **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 1,752 positions for 2006-07.

## **FISCAL BACKGROUND AND BUDGET HIGHLIGHTS**

The Executive Budget recommends \$223 million for the Department. This recommendation includes nearly \$125 million in tax dollars from the General Fund, which will finance 56 percent of department expenses for 2006-07. Additional support for 2006-07 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 2005-06	Appropriations Recommended 2006-07	Change	Reappropriations Recommended 2006-07
State Operations	223,172,000	223,150,000	(22,000)	55,376,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	223,172,000	223,150,000	(22,000)	55,376,000

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

#### Full-Time Equivalent Positions (FTE)

Program	2005-06 Estimated FTEs 03/31/06	2006-07 Estimated FTEs 03/31/07	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	265	265	0
Criminal Prosecutions			
General Fund	179	179	0
Special Revenue Funds - Other	74	74	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	1,752	1,752	0

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

Fund Type	Available 2005-06	Recommended 2006-07	Change
General Fund	124,678,000	124,678,000	0
Special Revenue Funds - Federal	32,738,000	32,716,000	(22,000)
Special Revenue Funds - Other	65,756,000	65,756,000	0
Total	223,172,000	223,150,000	(22,000)

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

<b>Program</b>	<b>Available 2005-06</b>	<b>Recommended 2006-07</b>	<b>Change</b>
Administration			
General Fund	29,594,000	29,594,000	0
Appeals and Opinions			
General Fund	5,435,000	5,435,000	0
Counsel for the State			
General Fund	34,412,000	34,412,000	0
Special Revenue Funds - Other	47,908,000	47,908,000	0
Criminal Prosecutions			
General Fund	19,526,000	19,526,000	0
Special Revenue Funds - Federal	22,000	0	(22,000)
Special Revenue Funds - Other	4,904,000	4,904,000	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	32,716,000	32,716,000	0
Special Revenue Funds - Other	12,944,000	12,944,000	0
Public Advocacy			
General Fund	23,565,000	23,565,000	0
Regional Offices			
General Fund	12,146,000	12,146,000	0
Total	<u>223,172,000</u>	<u>223,150,000</u>	<u>(22,000)</u>

**STATE OPERATIONS - GENERAL FUND  
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES  
2006-07 RECOMMENDED  
(dollars)**

<b>Program</b>	<b>Total</b>		<b>Personal Service Regular (Annual Salaried)</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Administration	14,426,000	0	14,136,000	0
Appeals and Opinions	4,608,000	0	4,463,000	0
Counsel for the State	24,619,000	0	24,086,000	0
Criminal Prosecutions	16,673,000	0	16,618,000	0
Public Advocacy	21,988,000	0	21,470,000	0
Regional Offices	10,442,000	0	10,116,000	0
Total	<u>92,756,000</u>	<u>0</u>	<u>90,889,000</u>	<u>0</u>

<b>Program</b>	<b>Temporary Service (Nonannual Salaried)</b>	
	<b>Amount</b>	<b>Change</b>
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	<u>1,867,000</u>	<u>0</u>

**STATE OPERATIONS - GENERAL FUND  
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED  
APPROPRIATIONS AND CHANGES  
2006-07 RECOMMENDED  
(dollars)**

<b>Program</b>	<b>Total</b>		<b>Supplies and Materials</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Administration	15,168,000	0	83,000	0
Appeals and Opinions	827,000	0	317,000	0
Counsel for the State	9,793,000	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
<b>Total</b>	<b>31,922,000</b>	<b>0</b>	<b>613,000</b>	<b>0</b>

<b>Program</b>	<b>Travel</b>		<b>Contractual Services</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Administration	60,000	0	14,694,000	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
<b>Total</b>	<b>786,000</b>	<b>0</b>	<b>21,247,000</b>	<b>0</b>

<b>Program</b>	<b>Equipment</b>		<b>Maintenance Undistributed</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Administration	331,000	0	0	0
Appeals and Opinions	2,000	0	0	0
Counsel for the State	44,000	0	8,158,000	0
Criminal Prosecutions	565,000	0	0	0
Public Advocacy	139,000	0	0	0
Regional Offices	37,000	0	0	0
<b>Total</b>	<b>1,118,000</b>	<b>0</b>	<b>8,158,000</b>	<b>0</b>

**STATE OPERATIONS - OTHER THAN GENERAL FUND  
SUMMARY OF APPROPRIATIONS AND CHANGES  
2006-07 RECOMMENDED  
(dollars)**

<b>Program</b>	<b>Total</b>		<b>Personal Service</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Counsel for the State	47,908,000	0	16,505,000	0
Criminal Prosecutions	4,904,000	(22,000)	0	0
Medicaid Fraud Control	45,660,000	0	23,746,000	0
<b>Total</b>	<b>98,472,000</b>	<b>(22,000)</b>	<b>40,251,000</b>	<b>0</b>

<b>Program</b>	<b>Nonpersonal Service</b>		<b>Maintenance Undistributed</b>	
	<b>Amount</b>	<b>Change</b>	<b>Amount</b>	<b>Change</b>
Counsel for the State	31,403,000	0	0	0
Criminal Prosecutions	4,904,000	0	0	(22,000)
Medicaid Fraud Control	21,914,000	0	0	0
<b>Total</b>	<b>58,221,000</b>	<b>0</b>	<b>0</b>	<b>(22,000)</b>