

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 and administrative functions of the Department of Law are divided into eight major divisions: Administration, Appeals and Opinions, Counsel for the State, Criminal Justice, Economic Justice, Investigations, Social Justice and Regional Offices. Each division consists of smaller bureaus or specialized units dealing with specific issues.

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.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$249.4 million All Funds** (\$133.4 million General Fund; \$41.1 million Federal funds; \$74.9 million Other Funds) for the Department of Law. This is a **decrease of \$10.2 million** (\$7 million General Fund; \$3.2 million Other Funds). The Department of Law will have a work force of **2,032 FTEs**.

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 Investigations Division provides investigative support for legal divisions throughout the Department, and works cooperatively with State, local and Federal law enforcement agencies on cases that cross jurisdictional lines.
- 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 Economic Justice defends and protects the public interest in the courts. It enforces laws to prevent restraint of trade, protects consumers from fraudulent and/or deceptive business practices, regulates the sale of securities, and addresses people's concerns about criminal online activities.
- The Division of Social Justice also defends and protects the public interest in the courts. It ensures compliance with the State's health care and environmental laws, enforces State Labor and Workers' Compensation Laws, protects charitable donors and beneficiaries, and enforces laws prohibiting discrimination.
- The Regional Offices' Division provides 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 2008-09	Appropriations Recommended 2009-10	Change	Reappropriations Recommended 2009-10
State Operations	259,576,000	249,380,000	(10,196,000)	66,950,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>259,576,000</u>	<u>249,380,000</u>	<u>(10,196,000)</u>	<u>66,950,000</u>

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

Full-Time Equivalent Positions (FTE)			
Program	2008-09 Estimated FTEs 03/31/09	2009-10 Estimated FTEs 03/31/10	FTE Change
Administration			
General Fund	181	181	0
Appeals and Opinions			
General Fund	63	63	0
Counsel for the State			
General Fund	403	403	0
Special Revenue Funds - Other	274	274	0
Criminal Investigations			
General Fund	100	100	0
Economic Justice			
General Fund	134	134	0
Special Revenue Funds - Other	16	16	0
Social Justice			
General Fund	156	156	0
Capital Projects Funds - Other	7	7	0
Criminal Prosecutions			
General Fund	99	99	0
Special Revenue Funds - Other	68	68	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	285	285	0
Special Revenue Funds - Other	95	95	0
Regional Offices			
General Fund	151	151	0
Total	<u>2,032</u>	<u>2,032</u>	<u>0</u>

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

Fund Type	Available 2008-09	Recommended 2009-10	Change
General Fund	140,453,000	133,431,000	(7,022,000)
Special Revenue Funds - Federal	41,083,000	41,083,000	0
Special Revenue Funds - Other	78,040,000	74,866,000	(3,174,000)
Total	<u>259,576,000</u>	<u>249,380,000</u>	<u>(10,196,000)</u>
Adjustments:			
Transfer(s) From			
Special Pay Bill			
General Fund	(6,093,000)		
Special Revenue Funds - Federal	(1,649,000)		
Special Revenue Funds - Other	(2,239,000)		
Appropriated 2008-09	<u>249,595,000</u>		

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

Program	Available 2008-09	Recommended 2009-10	Change
Administration			
General Fund	32,958,000	29,675,000	(3,283,000)
Appeals and Opinions			
General Fund	6,133,000	6,048,000	(85,000)
Counsel for the State			
General Fund	44,300,000	43,242,000	(1,058,000)
Special Revenue Funds - Other	57,376,000	57,066,000	(310,000)
Criminal Investigations			
General Fund	9,518,000	8,963,000	(555,000)
Economic Justice			
General Fund	12,697,000	12,136,000	(561,000)
Special Revenue Funds - Other	1,200,000	1,140,000	(60,000)
Social Justice			
General Fund	12,697,000	12,136,000	(561,000)
Criminal Prosecutions			
General Fund	8,468,000	7,962,000	(506,000)
Special Revenue Funds - Other	4,904,000	2,100,000	(2,804,000)
Medicaid Fraud Control			
Special Revenue Funds - Federal	41,083,000	41,083,000	0
Special Revenue Funds - Other	14,560,000	14,560,000	0
Regional Offices			
General Fund	13,682,000	13,269,000	(413,000)
Total	259,576,000	249,380,000	(10,196,000)

STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2009-10 RECOMMENDED
(dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	12,017,000	223,000	10,944,000	187,000
Appeals and Opinions	5,262,000	(44,000)	5,260,000	(44,000)
Counsel for the State	32,358,000	(485,000)	32,106,000	(472,000)
Criminal Investigations	8,746,000	(232,000)	8,639,000	(226,000)
Economic Justice	12,136,000	(561,000)	12,049,000	(556,000)
Social Justice	12,136,000	(561,000)	12,050,000	(556,000)
Criminal Prosecutions	7,775,000	(226,000)	7,644,000	(219,000)
Regional Offices	12,056,000	(349,000)	12,021,000	(348,000)
Total	102,486,000	(2,235,000)	100,713,000	(2,234,000)

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Administration	1,019,000	39,000	54,000	(3,000)
Appeals and Opinions	0	0	2,000	0
Counsel for the State	209,000	(11,000)	43,000	(2,000)
Criminal Investigations	0	0	107,000	(6,000)
Economic Justice	0	0	87,000	(5,000)
Social Justice	0	0	86,000	(5,000)
Criminal Prosecutions	101,000	(5,000)	30,000	(2,000)
Regional Offices	12,000	0	23,000	(1,000)
Total	1,341,000	23,000	432,000	(24,000)

STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2009-10 RECOMMENDED
(dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	17,658,000	(3,506,000)	3,044,000	(2,056,000)
Appeals and Opinions	786,000	(41,000)	0	0
Counsel for the State	10,884,000	(573,000)	0	0
Criminal Investigations	217,000	(323,000)	0	0
Criminal Prosecutions	187,000	(280,000)	5,000	0
Regional Offices	1,213,000	(64,000)	0	0
Total	30,945,000	(4,787,000)	3,049,000	(2,056,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	244,000	(13,000)	13,019,000	(1,366,000)
Appeals and Opinions	0	0	786,000	(41,000)
Counsel for the State	379,000	(20,000)	10,505,000	(553,000)
Criminal Investigations	217,000	(11,000)	0	(312,000)
Criminal Prosecutions	182,000	(10,000)	0	(270,000)
Regional Offices	332,000	(18,000)	881,000	(46,000)
Total	1,354,000	(72,000)	25,191,000	(2,588,000)

Program	Equipment	
	Amount	Change
Administration	1,351,000	(71,000)
Appeals and Opinions	0	0
Counsel for the State	0	0
Criminal Investigations	0	0
Criminal Prosecutions	0	0
Regional Offices	0	0
Total	1,351,000	(71,000)

STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2009-10 RECOMMENDED
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	57,066,000	(310,000)	19,676,000	0
Economic Justice	1,140,000	(60,000)	773,000	(30,000)
Criminal Prosecutions	2,100,000	(2,804,000)	0	0
Medicaid Fraud Control	55,643,000	0	30,521,000	150,000
Total	115,949,000	(3,174,000)	50,970,000	120,000

Program	Nonpersonal Service	
	Amount	Change
Counsel for the State	37,390,000	(310,000)
Economic Justice	367,000	(30,000)
Criminal Prosecutions	2,100,000	(2,804,000)
Medicaid Fraud Control	25,122,000	(150,000)
Total	64,979,000	(3,294,000)