

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, and White Plains.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$210 million All Funds** (\$114.2 million General Fund; \$35.8 million Federal Funds; \$60 million Other Funds) for the Department of Law. This is a decrease of **\$23.6 million** (\$16.2 million General Fund; \$7.4 million Other Funds). The Department of Law will maintain a workforce limit of **2,032 FTE**; however, workforce reduction plans will continue to lower actual staffing to fewer than **1,815 FTE** throughout 2010-11.

PROGRAM HIGHLIGHTS

Agency divisions perform the following functions:

- The Administration Division provides budget, personnel, operations and technology services for the Department.
- 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 Justice 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 2009-10	Appropriations Recommended 2010-11	Change	Reappropriations Recommended 2010-11
State Operations	233,618,000	210,026,000	(23,592,000)	28,123,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>233,618,000</u>	<u>210,026,000</u>	<u>(23,592,000)</u>	<u>28,123,000</u>

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

Full-Time Equivalent Positions (FTE)			
Program	2009-10 Estimated FTEs 03/31/10	2010-11 Estimated FTEs 03/31/11	FTE Change
Administration			
General Fund	170	170	0
Appeals and Opinions			
General Fund	59	56	(3)
Counsel for the State			
General Fund	380	355	(25)
Special Revenue Funds - Other	233	211	(22)
Criminal Investigations			
General Fund	95	95	0
Economic Justice			
General Fund	126	126	0
Special Revenue Funds - Other	14	14	0
Social Justice			
General Fund	147	136	(11)
Capital Projects Funds - Other	7	7	0
Criminal Justice			
General Fund	93	82	(11)
Special Revenue Funds - Other	68	68	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	235	222	(13)
Special Revenue Funds - Other	78	74	(4)
Regional Offices			
General Fund	142	131	(11)
Total	<u>1,847</u>	<u>1,747</u>	<u>(100)</u>

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

Fund Type	Available 2009-10	Recommended 2010-11	Change
General Fund	130,466,000	114,219,000	(16,247,000)
Special Revenue Funds - Federal	37,559,000	35,820,000	(1,739,000)
Special Revenue Funds - Other	65,593,000	59,987,000	(5,606,000)
Total	<u>233,618,000</u>	<u>210,026,000</u>	<u>(23,592,000)</u>

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

Program	Available 2009-10	Recommended 2010-11	Change
Administration			
General Fund	29,675,000	16,464,000	(13,211,000)
Appeals and Opinions			
General Fund	5,963,000	5,786,000	(177,000)
Counsel for the State			
General Fund	41,047,000	35,960,000	(5,087,000)
Special Revenue Funds - Other	51,700,000	46,530,000	(5,170,000)
Criminal Investigations			
General Fund	9,638,000	9,743,000	105,000
Economic Justice			
General Fund	9,277,000	11,276,000	1,999,000
Special Revenue Funds - Other	649,000	827,000	178,000
Social Justice			
General Fund	13,752,000	13,075,000	(677,000)
Criminal Justice			
General Fund	8,079,000	7,324,000	(755,000)
Special Revenue Funds - Other	600,000	572,000	(28,000)
Medicaid Fraud Control			
Special Revenue Funds - Federal	37,559,000	35,820,000	(1,739,000)
Special Revenue Funds - Other	12,644,000	12,058,000	(586,000)
Regional Offices			
General Fund	13,035,000	14,591,000	1,556,000
Total	<u>233,618,000</u>	<u>210,026,000</u>	<u>(23,592,000)</u>

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2010-11 RECOMMENDED
(dollars)**

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	12,024,000	7,000	11,550,000	606,000
Appeals and Opinions	5,110,000	(144,000)	5,109,000	(143,000)
Counsel for the State	29,723,000	(851,000)	29,709,000	(615,000)
Criminal Investigations	9,325,000	126,000	9,102,000	10,000
Economic Justice	11,056,000	1,779,000	11,044,000	1,854,000
Social Justice	12,855,000	(897,000)	12,822,000	(844,000)
Criminal Justice	7,143,000	(749,000)	6,994,000	(767,000)
Regional Offices	11,274,000	(683,000)	11,258,000	(664,000)
Total	<u>98,510,000</u>	<u>(1,412,000)</u>	<u>97,588,000</u>	<u>(563,000)</u>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Administration	447,000	(572,000)	27,000	(27,000)
Appeals and Opinions	0	0	1,000	(1,000)
Counsel for the State	0	(220,000)	14,000	(16,000)
Criminal Investigations	0	0	223,000	116,000
Economic Justice	0	0	12,000	(75,000)
Social Justice	0	0	33,000	(53,000)
Criminal Justice	54,000	(47,000)	95,000	65,000
Regional Offices	0	(12,000)	16,000	(7,000)
Total	<u>501,000</u>	<u>(851,000)</u>	<u>421,000</u>	<u>2,000</u>

STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2010-11 RECOMMENDED
(dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	4,440,000	(13,218,000)	1,765,000	(1,279,000)
Appeals and Opinions	676,000	(33,000)	0	0
Counsel for the State	6,237,000	(4,236,000)	0	0
Criminal Investigations	418,000	(21,000)	0	0
Economic Justice	220,000	220,000	0	0
Social Justice	220,000	220,000	0	0
Criminal Justice	181,000	(6,000)	5,000	0
Regional Offices	3,317,000	2,239,000	0	0
Total	15,709,000	(14,835,000)	1,770,000	(1,279,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	113,000	(131,000)	2,401,000	(10,618,000)
Appeals and Opinions	0	0	676,000	(33,000)
Counsel for the State	148,000	(170,000)	6,089,000	(4,066,000)
Criminal Investigations	101,000	(116,000)	317,000	95,000
Economic Justice	0	0	220,000	220,000
Social Justice	0	0	220,000	220,000
Criminal Justice	85,000	(97,000)	91,000	91,000
Regional Offices	154,000	(178,000)	3,163,000	2,417,000
Total	601,000	(692,000)	13,177,000	(11,674,000)

Program	Equipment	
	Amount	Change
Administration	161,000	(1,190,000)
Appeals and Opinions	0	0
Counsel for the State	0	0
Criminal Investigations	0	0
Economic Justice	0	0
Social Justice	0	0
Criminal Justice	0	0
Regional Offices	0	0
Total	161,000	(1,190,000)

STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2010-11 RECOMMENDED
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	46,530,000	(5,170,000)	9,911,000	(5,711,000)
Economic Justice	827,000	178,000	490,000	50,000
Criminal Justice	572,000	(28,000)	0	0
Medicaid Fraud Control	47,878,000	(2,325,000)	25,632,000	(1,564,000)
Total	95,807,000	(7,345,000)	36,033,000	(7,225,000)

Program	Nonpersonal Service	
	Amount	Change
Counsel for the State	36,619,000	541,000
Economic Justice	337,000	128,000
Criminal Justice	572,000	(28,000)
Medicaid Fraud Control	22,246,000	(761,000)
Total	59,774,000	(120,000)