

2018-2019 BUDGET QUESTION
Response to Request for Information

DEPARTMENT: Law

REQUEST NO.: 82

REQUESTED BY: Alter

DATE REQUESTED: 8/24/18

DATE POSTED: 9/7/18

REQUEST: How much does the Law Department spend defending the City of Austin against law suits?

RESPONSE:

The Litigation Division both defends lawsuits brought against the City of Austin and its employees and initiates lawsuits on the City's behalf. Typically the Law Department receives an average of 70 lawsuits brought against the City each fiscal year and handle the majority of cases in-house up through and including the appellate court work. Currently 8 lawyers, 4 paralegals, and 2 legal secretaries work on the lawsuits brought against the City. The same lawyers and support staff handle lawsuits that we initiate on behalf of the City with the exception of collections matters and workers' compensation subrogation claims. Those lawsuits are handled in-house by a team of one lawyer, one paralegal, and one legal secretary. Additionally, the Law Department receives challenges to the City's Utility rates that are litigated before the state's regulatory bodies.

The Law Department also hires outside counsel to handle both lawsuits brought against the City and utility rate challenges. The need for outside counsel occurs in the event of a conflict of interest, workload constraints or specialized expertise. In FY 2016-17, the Department spent just under \$870,000 on outside counsel expenditures for lawsuits brought against the City. The Department spent an additional \$179,000 in outside counsel expenditures for rate challenges. For FY 2017-18 to date, the City spent \$691,000 in outside counsel expenditures for lawsuits against the City and an additional \$139,000 for administrative rate proceedings.

The Law Department does not separate out most expenses related to litigation matters such as filing fees or deposition costs. However, the Department separately tracks the costs associated with hiring expert witnesses for lawsuits. In FY 2016-17, the Department spent a total of \$37,436 on expert witnesses. In FY 2017-18 to date, we spent \$71,513 in expert witness fees and expenses.