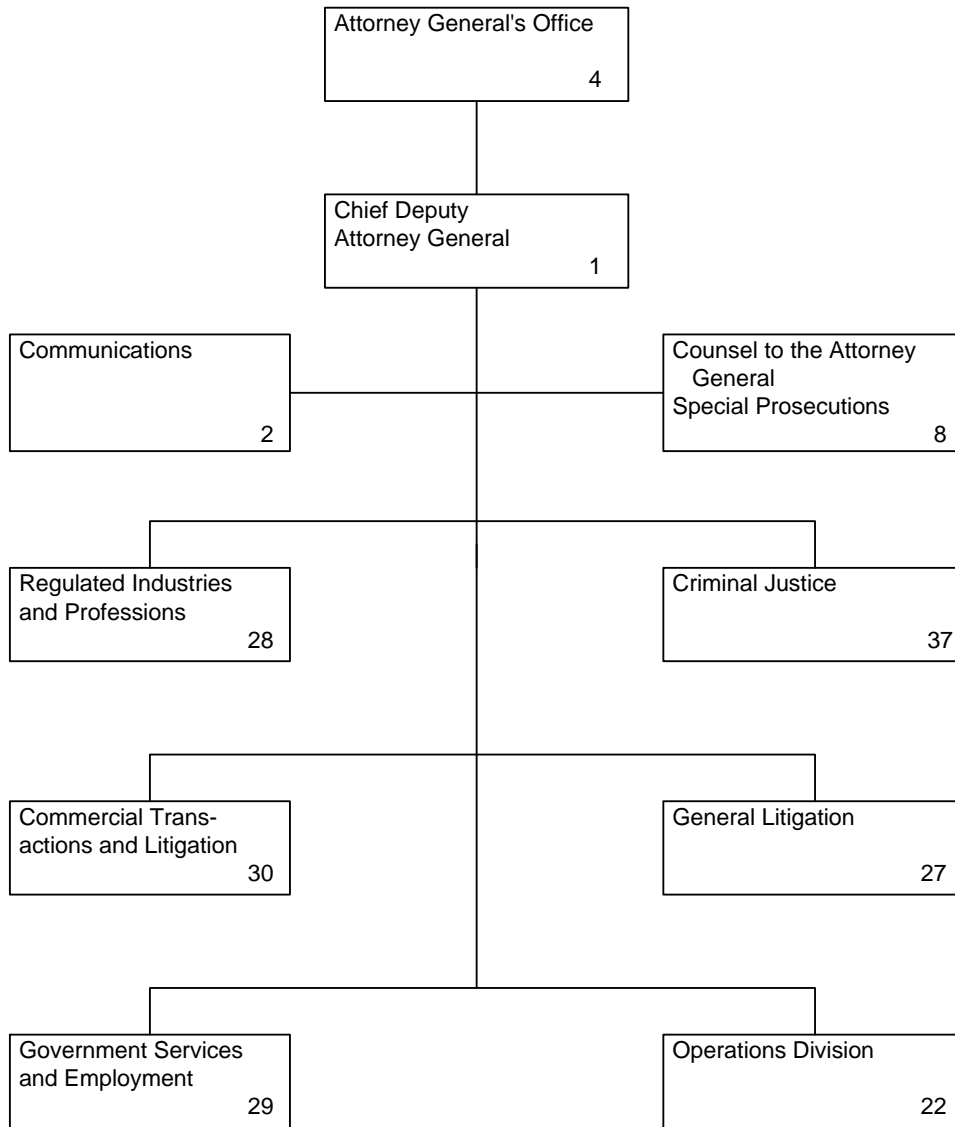


# DEPARTMENT OF LAW

Total Budgeted Positions -- 188



**DEPARTMENT OF LAW**  
**Financial Summary**

**Expenditures, Current Budget, and Agency Requests**

Budget Classes / Fund Sources	FY 2000 Expenditures	FY 2001 Expenditures	FY 2002 Current Budget	FY 2003 Agency Requests		
				Adjusted Base	Enhancements	Totals
Personal Services	\$13,391,365	\$14,467,542	\$15,473,918	\$15,651,644	\$325,000	\$15,976,644
Regular Operating Expenses	1,324,989	1,264,810	757,474	757,474		757,474
Travel	170,208	229,877	199,322	213,697		213,697
Motor Vehicle Purchases	20,944					
Equipment	73,762	47,216	14,375			
Computer Charges	448,580	465,532	318,202	318,202		318,202
Real Estate Rentals	826,545	826,545	837,469	837,469		837,469
Telecommunications	175,743	191,415	196,787	196,787		196,787
Per Diem and Fees	19,287,154	25,926,911	19,500,000	19,500,000		19,500,000
Law Library	157,548	166,041	157,000	157,000		157,000
<b>Total Funds</b>	<b>\$35,876,838</b>	<b>\$43,585,889</b>	<b>\$37,454,547</b>	<b>\$37,632,273</b>	<b>\$325,000</b>	<b>\$37,957,273</b>
Less Federal & Other Funds:						
Other Funds	\$21,252,149	\$28,187,344	\$21,307,530	\$21,312,248		\$21,312,248
<b>Total Federal &amp; Other Funds</b>	<b>\$21,252,149</b>	<b>\$28,187,344</b>	<b>\$21,307,530</b>	<b>\$21,312,248</b>		<b>\$21,312,248</b>
<b>TOTAL STATE FUNDS</b>	<b>\$14,624,689</b>	<b>\$15,398,545</b>	<b>\$16,147,017</b>	<b>\$16,320,025</b>	<b>\$325,000</b>	<b>\$16,645,025</b>
Positions	177	184	188	188	4	192
Motor Vehicles	1	1	1	1		1

**DEPARTMENT OF LAW**  
**Financial Summary**

**Current Budget and Governor's Recommendations**

Budget Classes / Fund Sources	FY 2002 Current Budget	FY 2003 Governor's Recommendations				Totals
		Annualizers and Adjustments	Budget Reductions	Adjusted Base	Enhancements	
Personal Services	\$15,473,918	(\$218,911)	(\$180,000)	\$15,075,007		\$15,075,007
Regular Operating Expenses	757,474		(37,874)	719,600		719,600
Travel	199,322	14,375	(30,080)	183,617		183,617
Motor Vehicle Purchases						
Equipment	14,375	(14,375)				
Computer Charges	318,202		(15,910)	302,292		302,292
Real Estate Rentals	837,469			837,469		837,469
Telecommunications	196,787		(2,587)	194,200		194,200
Per Diem and Fees	19,500,000		(75,578)	19,424,422		19,424,422
Law Library	157,000		(7,850)	149,150		149,150
<b>Total Funds</b>	<b>\$37,454,547</b>	<b>(\$218,911)</b>	<b>(\$349,879)</b>	<b>\$36,885,757</b>		<b>\$36,885,757</b>
Less Federal & Other Funds:						
Other Funds	\$21,307,530		\$174,196	\$21,481,726		\$21,481,726
<b>Total Federal &amp; Other Funds</b>	<b>\$21,307,530</b>		<b>\$174,196</b>	<b>\$21,481,726</b>		<b>\$21,481,726</b>
<b>TOTAL STATE FUNDS</b>	<b>\$16,147,017</b>	<b>(\$218,911)</b>	<b>(\$524,075)</b>	<b>\$15,404,031</b>		<b>\$15,404,031</b>
Positions	188			188	1	189
Motor Vehicles	1			1		1



## DEPARTMENT OF LAW

### Roles and Responsibilities

The Department of Law, headed by the Attorney General, provides legal representation and advice to the departments, officials, and employees of the Executive Branch of state government. The Attorney General is a constitutional officer elected to a 4-year term in the same general election as the Governor.

#### DUTIES

The Attorney General and the Department of Law attorneys under his direction represent the state in civil and criminal cases, in all capital felony actions before the Georgia Supreme Court, in all actions before the United States Supreme Court, and in actions against district attorneys.

As the chief legal officer of the state, it is the duty of the Attorney General to provide opinions on any question of law involving the interests of the state or duties of any department. It is also the responsibility of the Attorney General to prepare and review contracts and other legal documents in which the state is interested and draft proposed legislation or rules and regulations for state departments.

When directed by the Governor, the Attorney General may investigate the affairs of any state department or the official conduct of any state official or employee, or the

affairs of any person, firm, or corporation for violations in their dealings with the state.

Additionally, the Department of Law houses and operates the State Law Library. This is a non-circulating law and legislative reference library that state government personnel and the general public may utilize.

#### DEPARTMENT ORGANIZATION

The Department of Law is organized into five legal divisions and an operations division, both of which are headed by the Attorney General division. The specialized legal divisions – Regulated Industries and Professions, Commercial Transactions and Litigation, Criminal Justice, General Litigation, and Government Services and Employment – provide a full range of legal services to state departments, agencies, authorities, boards, bureaus, commissions, and institutions. These Executive Branch entities reimburse the department for litigation expenses incurred, such as court costs, witness fees, filing costs, and reporting costs.

#### AUTHORITY

Article 5, Section 3 of the Constitution of the State of Georgia; Title 45, Chapter 15 of the Official Code of Georgia Annotated.

## DEPARTMENT OF LAW

### Strategies and Services

The Attorney General and his staff of attorneys at the Department of Law provide a full range of legal services for state departments, officials, and employees of the Executive Branch. The department's 106 attorneys respond to requests for legal assistance and representation in administrative hearings, state and federal court litigation, review of contracts and other legal documents, the acquisition of real property, bonded indebtedness matters, and legal advice or opinions.

During FY 2001, the department opened files associated with over 8,300 requests for its legal services and advice. The department's attorneys do not handle the entire workload due to the high case volume, certain situations where a conflict of interest may exist, and instances of complex cases where external legal expertise is needed.

In order to meet its legal obligations in a timely manner, the department retains private attorneys referred to as Special Assistant Attorneys General (SAAGs). Annually the department contracts with over 350 SAAGs and expends just under \$26 million dollars for their services. About 60% of the total fees and expenses paid to SAAGs are incurred for legal work done on behalf of the Department of Human Resources and the Department of Transportation.

#### Regulated Industries and Professions Division

One of 3 specialized sections within the Regulated Industries and Professions Division, the Consumer Interests Section primarily provides general representation to the Governor's Office of Consumer Affairs and works with state-level consumer protection agencies across the country in the pursuit of multi-state actions. Such cases are necessary to protect Georgia's consumers and, where appropriate, recover property that has wrongly been taken from them. This section is also responsible for monitoring the state's \$4.8 billion tobacco settlement. The Environmental and Natural Resources Section principally represents the Department of Natural Resources, which includes the Environmental Protection Division. Through this representation, the section plays a pivotal role in protecting the state's treasured natural resources. The State Licensing Boards Section provides representation to the various regulatory boards operating under the auspices of the Secretary of State. These include the State Board of Nursing Home Administrators, the Georgia Board of Nursing, and the State Construction Industry Licensing Board.

#### Commercial Transactions and Litigation Division

Also comprised of 3 sections, the Commercial Transactions and Litigation Division provides legal

representation related to the state's commercial transactions and financial interests. The Tax Section represents the Department of Revenue in all matters, including litigation that focuses on complicated state and federal tax issues. The Business and Finance Section handles litigation and provides advice related to the financial affairs of the state, including the appropriations process, bond sales, contracts, and bankruptcy issues. The Real Property, Construction, Transportation, and Authorities Section represents the Department of Transportation, the Georgia Regional Transportation Authority, the Lottery Corporation, and the Georgia Technology Authority among others.

#### Criminal Justice Division

Staff attorneys in the Criminal Justice Division represent and advise the law enforcement and public safety interests of the state. The Public Safety Section provides general representation to the Georgia Bureau of Investigation (GBI), the Department of Public Safety, and the Department of Corrections. The Capital Litigation Section handles all death penalty appeals in the Georgia Supreme Court and the United States Supreme Court, while the Post Conviction Litigation Section oversees all non-death penalty capital felony appeals and related habeas corpus cases. The Healthcare Fraud Section, in conjunction with the GBI and the State Auditor, investigates and prosecutes cases involving Medicaid fraud and patient abuse.

#### General Litigation Division

The Tort Litigation Section of the General Litigation Division represents departments sued under Georgia's Tort Claims Act for claims of personal injury, property damage, and wrongful death. The Civil Rights Litigation Section of the division represents elected officers and employees sued for damages in their individual and official capacities in civil rights actions.

#### Government Services and Employment Division

Within the Government Services and Employment Division, the Labor and Employment Section litigates applicable actions for all Executive Branch entities. Staff attorneys of the division's Human Resources Section represent the interests of its 2 massive clients, the Department of Human Resources and the Department of Community Health. The third section of the division – the Education, Elections, Local Government, and Judiciary Section – represents a variety of entities including the Board of Regents, the Department of Education, and the Elections Division of the Secretary of State's Office. This section also coordinates all open government inquiries and provides an informal open government dispute resolution process.