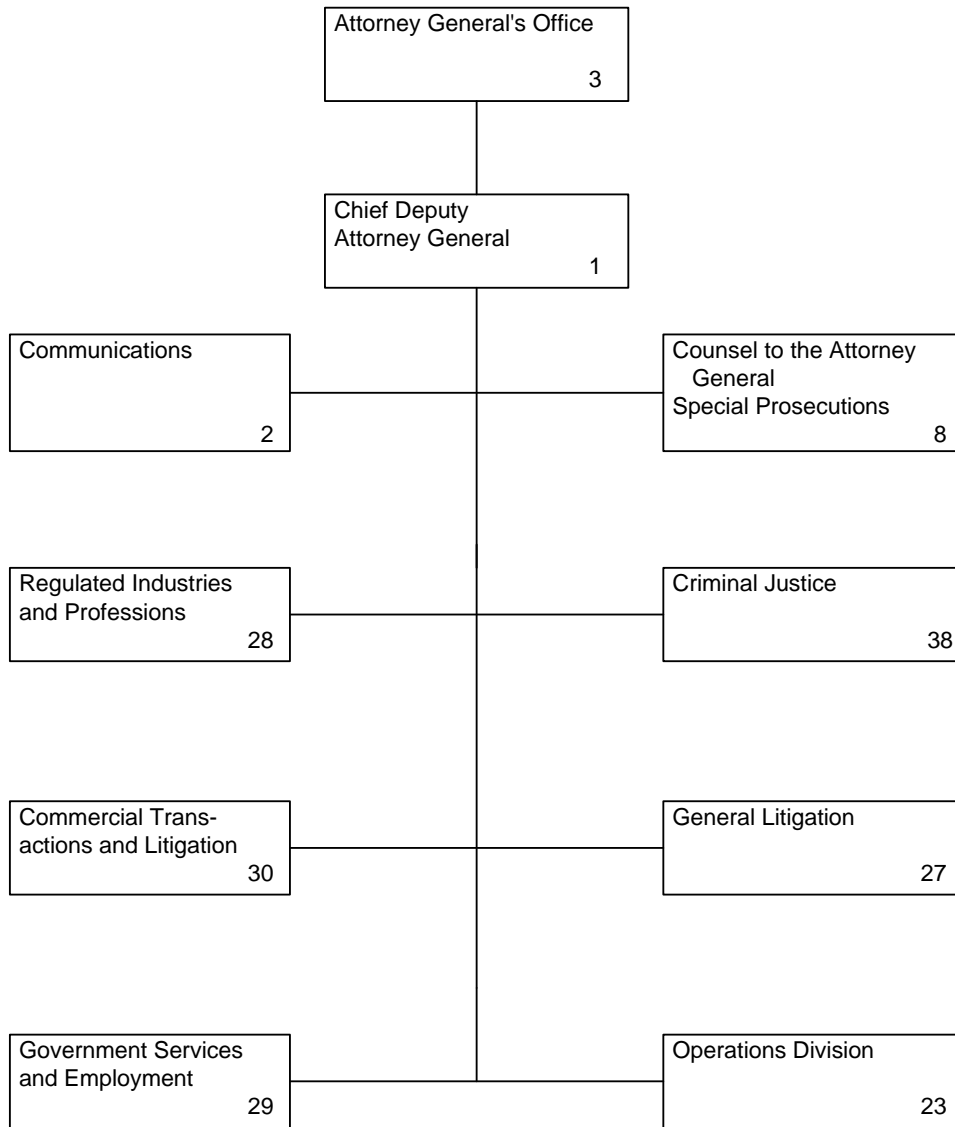


DEPARTMENT OF LAW

Total Budgeted Positions -- 189



DEPARTMENT OF LAW
Financial Summary

Expenditures, Current Budget, and Agency Requests

Budget Classes / Fund Sources	FY 2001 Expenditures	FY 2002 Expenditures	FY 2003 Current Budget	FY 2004 Agency Requests		
				Adjusted Base	Enhancements	Totals
Personal Services	\$14,467,542	\$15,273,933	\$15,314,096	\$15,247,483		\$15,247,483
Regular Operating Expenses	1,264,810	984,352	719,600	705,564		705,564
Travel	229,877	221,290	183,617	181,781		181,781
Equipment	47,216	41,921				
Real Estate Rentals	826,545	837,468	837,469	837,469		837,469
Per Diem & Fees	25,926,911	27,187,076	19,424,422	19,424,422		19,424,422
Computer Charges	465,532	310,226	302,292	299,269		299,269
Telecommunications	191,415	156,827	194,200	192,258		192,258
Law Library	166,041	220,377	199,150	197,158		197,158
Austerity Adjustments						
Total Funds	\$43,585,889	\$45,233,470	\$37,174,846	\$37,085,404		\$37,085,404
Less Federal & Other Funds:						
Other Funds	\$28,187,344	\$29,864,839	\$21,481,726	\$21,795,588		\$21,795,588
Total Federal & Other Funds	\$28,187,344	\$29,864,839	\$21,481,726	\$21,795,588		\$21,795,588
TOTAL STATE FUNDS	\$15,398,545	\$15,368,631	\$15,693,120	\$15,289,816		\$15,289,816
Positions	184	188	189	189	3	192
Motor Vehicles	1	1	1	1		1

DEPARTMENT OF LAW

Financial Summary

Current Budget and Governor's Recommendations

Budget Classes / Fund Sources	FY 2003 Current Budget	FY 2004 Governor's Recommendations				Totals
		Budget Reductions	Annualizers and Adjustments	Adjusted Base	Enhancements	
Personal Services	\$15,314,096	(\$134,103)	(\$29,106)	\$15,150,887		\$15,150,887
Regular Operating Expenses	719,600	(14,036)		705,564		705,564
Travel	183,617	(1,836)		181,781		181,781
Equipment						
Real Estate Rentals	837,469		78,472	915,941		915,941
Per Diem & Fees	19,424,422		(10,000)	19,414,422		19,414,422
Computer Charges	302,292	(3,023)		299,269		299,269
Telecommunications	194,200	(1,942)		192,258		192,258
Law Library	199,150	(1,992)		197,158		197,158
Austerity Adjustments		(470,793)		(470,793)		(470,793)
Total Funds	\$37,174,846	(\$627,725)	\$39,366	\$36,586,487		\$36,586,487
Less Federal & Other Funds:						
Other Funds	\$21,481,726	\$313,862	\$78,472	\$21,874,060		\$21,874,060
Total Federal & Other Funds	\$21,481,726	\$313,862	\$78,472	\$21,874,060		\$21,874,060
TOTAL STATE FUNDS	\$15,693,120	(\$941,587)	(\$39,106)	\$14,712,427		\$14,712,427
Positions	189			189	3	192
Motor Vehicles	1			1		1

DEPARTMENT OF LAW Budget Summary

Governor's
Recommendations

ADJUSTMENTS TO CURRENT BUDGET

FY 2003 STATE APPROPRIATIONS		\$15,693,120
BUDGET REDUCTIONS:		
1. Reduce personal services (\$134,103), regular operating expenses (\$14,036), computer charges (\$3,023), telecommunications (\$1,942) travel (\$1,836), and Law Library (\$1,992).		(156,932)
2. Increase other agency funds for insured cases to offset state funds.		(313,862)
3. Allow for an austerity adjustment.		(470,793)
	Subtotal	(\$941,587)
ANNUALIZERS AND OTHER ADJUSTMENTS:		
4. Reduce personal services to delete funding for DOAS insurance costs.		(\$29,106)
5. Reduce per diem and fees for retaining private attorneys when a conflict of interest exists.		(10,000)
6. Increase agency funds \$78,472 to fund a standard GBA rental rate of \$10.37 per rentable square footage.		Yes
	Subtotal	(\$39,106)
ADJUSTED BASE		\$14,712,427

ENHANCEMENT FUNDS

ENHANCEMENTS		
1. Add 3 attorney positions utilizing existing funds.		Yes
TOTAL ENHANCEMENT FUNDS		\$0
TOTAL FY 2004 STATE FUNDS		\$14,712,427

RECOMMENDED APPROPRIATION: The Department of Law is the budget unit for which the following State Fund Appropriation is recommended for FY 2004: \$14,712,427.

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 2002, the department opened files associated with over 8,900 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 400 SAAGs and expends just over \$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 three 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. 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 three 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 two 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.