

2010 ANNUAL REPORT

OFFICE OF THE CORPORATION COUNSEL

TO: The Honorable Board of Supervisors of Ozaukee County

INTRODUCTION

The Corporation Counsel, more accurately described as the county attorney, acts as legal counsel for the County Board, county committees, county departments and county officials. The office of corporation counsel gives opinions and legal advice to county personnel. The office of the corporation counsel represents Ozaukee County in civil lawsuits, collection of moneys owed the county, children in need of protection or services, guardianships and protective placements, as well as mental and alcohol commitments, sanitary and zoning matters, drafting of contracts and other legal documents, insurance claims and various other civil matters in which the County becomes involved. The child support enforcement office is a division of the corporation counsel's office. The office also gives advice regarding personnel matters, union contracts, discrimination complaints, grievances and other personnel matters that affect the County.

CLAIMS AGAINST COUNTY

Most claims against the County are now defended by the Wisconsin Counties Association insurance attorneys. Our office has involvement in areas not covered by insurance, which include contracts, eminent domain, real estate disputes, open records, discrimination complaints and personnel grievances.

OPINIONS

This office issues opinions throughout year. Most of those opinions are oral; however, various departments and county board members have received written opinions from this office in regard to specific questions. Sometimes it is impossible to give an opinion due to the fact that the question is a policy decision where a legal interpretation is inappropriate. In those cases, this office tries to give basic legal limits but must allow the policy makers to decide the issue on their own.

FILES

The following is a comparison of new case files handled by this office for the year 2010 compared to prior years. The office is integrating a substantial increase in Planning, Resources & Land Management cases due to the new standards set by the Wisconsin Administrative Code regarding reporting of septic systems and fee charges.

CASE FILES OPENED

Areas of Law – New Cases	2010	2009	2008
Department of Human Services/CHIPS/JIPS	41	40	55
Guardianships/Protective Placement Reviews	22	24	24
Mental/Alcohol Detentions	196	208	228
Environmental Health Violations	65	96	3
Bankruptcy	45	44	22
SUBTOTAL	366	412	332

TABLE 1. New cases for various departments, amounts do not reflect ongoing cases.

Department	2010	2009	2008
Social Services	32	42	17
Community Programs	292	242	178
Miscellaneous	8	17	5
SUBTOTAL	332	301	200
TOTAL CASES	698	713	532

TABLE 2. New collection cases, numbers do not reflect ongoing cases

OFFICE TIME SPENT ON VARIOUS DEPARTMENTS

The following is an approximate percentage of office time spent with various departments to give an overview of this office's time.

Department	Percentage
Social Services	16
Community Programs	20
Planning, Resources & Land Management/Public Health	10
County Board and Committees	21
Claims/Suits	5
Sheriff/Law Enforcement Committee	6
Clerk of Courts	5
Highway Commission	2
Lasata	3
Other Departments and Committees	10
Child Support/Paternity	2

COLLECTIONS

This office acts for the County collecting fees and other moneys owed to the County. The following is an accounting of collections made through this department for the year 2009 .

Department	2010	2009	2008
Recoupment of attorney fees and costs	\$879.00	\$846.64	\$2,473.26
Social Services	\$4,883.76	\$4,434.27	\$3,969.63
Counseling Center	\$29,864.44	\$25,447.97	\$30,332.43
Clerk of Courts Recoupment of Fees	\$804.00	\$951.00	\$1,356.00
Parks	\$180.00	\$220.00	\$225.42
Lasata Care Center	\$755.00	\$1,011.90	\$4,917.00
TOTAL	\$37,366.20	\$33,061.78	\$43,273.74

ADDITIONAL COLLECTIONS

Department	Amount
Bankruptcy Payment - Property Taxes	\$189,738.34
TOTAL	\$189,738.34

CHILD SUPPORT ENFORCEMENT

INTRODUCTION

The Department of Child Support Enforcement was created by Title IV-D of the federal Social Security Act. The Department operates through the cooperation of federal, state and county government. The main objectives of the Department are:

- Establish paternity for children born to unmarried parents
- Establish court orders for child support and health insurance
- Modify child support orders
- Enforce child support and health insurance orders
- Locate parents for the above purposes

The Department only manages IV-D cases. A case becomes a IV-D case when the custodial parent receives public assistance or when either parent fills out an application for services. At the present time, the Ozaukee County Child Support Agency has approximately 2,100 IV-D cases. The Agency is also responsible for the financial accounting aspects of all IV-D and non IV-D cases, which includes entering the court orders for child support into KIDS, the statewide child support computer, and preparing income-withholding orders. There are approximately 1,000 non-IV-D cases.

The Agency works closely with the Family Courts, the Sheriff's Department and the Department of Human Services. Cooperative agreements are signed each year with the Family Court Commissioner and the Sheriff's Department to reimburse each department for costs incurred on IV-D cases.

BUDGET

The Department stayed within its budget in 2010. The majority of the Department's budget comes from Federal funding. Federal incentives of \$57,685 were received in 2010 which covered 100% of the first \$111,976.76 of expenses incurred in 2010 due to reinstatement of the federal match provisions in the Federal stimulus bill which allows matching funds provided when the federal incentives are expended on the program. The balance of expenses exceeding \$111,976.76 are also reimbursed two-thirds from federal funding. County levy covers the remaining 1/3 of expenses. The federal matching provision expired again at the end of the Federal fiscal year in 2010. Subsequently, in December, 2010, the State joint finance committee pushed through GPR funding for 2011 and forwarded each county their share of the funds. The GPR funding was directly intended to offset the substantial funding losses that resulted from the expiration of the federal match for incentive dollars spent on the program in 2010.

The Federal incentive payments are partially contingent on the county meeting required performance measures. There are four performance measures that must be met. They are as follows.

- 1) At least 90% of paternity cases have paternity established;

- 2) At least 80% of cases have court orders established;
- 3) At least 80% of the child support due each month is collected in the month it is due, with no reduction in percentage collected from the prior year; and
- 4) An arrears collection is made within the fiscal year on at least 80% of the cases that have an arrearage.

The Child Support Agency continues to work with constituents who have experienced job loss as a result of the recession over the past several years. The Agency has attempted to connect some of those unable to meet their child support obligations with employment resources. The Child Support Agency has monitored many files for modification of support and enforcement while these constituents have searched for new employment.

WHAT'S NEW

The most pressing concern facing Child Support Agencies is the continued uncertainty about funding. Performance standards have also been raised for 2011 regarding collection of arrears.

PERSONNEL

In addition to the Assistant Corporation Counsel, the office currently has five employees. There are 2 caseworkers, 1 part-time paternity specialist, 1 financial worker and 1 caseworker assistant. Staff was reduced in 2010 after the retirement of Robin Dietrich in February, 2010 and Intake Worker Dianne Hughes' decision to accept a promotion to another Department, effective April, 2010. Brittany Quaas was promoted to full-time caseworker from her part-time position to replace Robin Dietrich. Paternity Specialist Melissa Kimme was given increased hours to help cover Diane Hughes' reception responsibilities. The decision of whether or not to hire a permanent replacement for Dianne Hughes' position is still pending dependant on the resolution of State and Federal budget issues.

STATISTICS

The Agency commenced approximately 52 new paternity actions in 2010 and approximately 105 new actions for support. The Agency also filed many motions to modify child support orders and to enforce child support orders in 2010 and attended extensive hearings before the Family Court Commissioner and Circuit Court Judges to pursue enforcement.

Respectfully submitted,

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