

2007 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' 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 2007 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	2007	2006	2005
Department of Human Services/CHIPS/JIPS	52	41	80
Guardianships/Protective Placement Reviews	20	28	24
Mental/Alcohol Detentions	199	195	177
Environmental Health Violations	130	376	355
Bankruptcy	27	16	17
SUBTOTAL	428	656	653

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

Department	2007	2006	2005
Social Services	22	25	21
Community Programs	269	114	58
Miscellaneous	19	11	6
SUBTOTAL	310	150	85
TOTAL CASES	738	806	738

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 2007 .

Department	2007	2006	2005
Recoupment of attorney fees and costs	\$898.14	\$681.50	\$987.79
Social Services	5,858.00	4,560.36	6,766.62
Counseling Center	22,779.94	9,852.75	4,178.66
Clerk of Courts Recoupment of Fees	4,752.75	3,292.15	3,265.16
Highway	68.23		
Lasata Care Center	825.00		
TOTAL	\$35,182.06	\$18,386.76	\$15,198.23

ADDITIONAL COLLECTIONS

Department	Amount
Counseling Center	\$24.00
Lasata Care Center	15,420.28
Bankruptcy Payment - Property Taxes	27,458.80
TOTAL	\$42,903.08

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 payments
- 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 1,770 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 1,070 non-IV-D cases.

The Agency works closely with the Family Courts, the Sheriff's Department and the Department of Social 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

In the year 2007, the Department stayed within its budget. The budget is largely funded by the State and Federal governments. Pursuant to the State-County contract for child support services, the State reimburses two-thirds of the Agency's expenses each year. In addition, approximately \$66,000 in incentive payments will be paid to the county, which completely covers the first \$66,000 of expenses incurred in 2007. These 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; and
- 4) An arrears collection is made within the fiscal year on at least 80% of the cases that have an arrearage.

The Department worked hard in 2007 to maintain its current high level of performance and even ranked number 1 in the state on one performance measure.

The Federal Deficit Reduction Act reduced federal funding to child support agencies nationwide. However, the state of Wisconsin restored some funding to child support agencies by including additional revenue in the state budget to make up some of the losses. Ozaukee County will receive approximately \$28,970 in 2008 from this additional state funding which will in turn generate another \$56,236 in revenue from the federal government due to 2/3 of each dollar of the state revenue spent being reimbursed by the federal government. The result for the Ozaukee County Child Support Agency is that the county levy portion of the budget did rise but not as sharply as previously expected.

WHAT'S NEW

There are always new initiatives in Child Support Enforcement from year to year. New requirements recently implemented include a new review and adjust process for the modification of child support orders and new requirements related to the enforcement of health insurance orders. Both initiatives have placed a greater demand on our existing staff and they are working hard to learn the new requirements and to develop their own system of implementation.

One staff member retired in 2007 resulting in another reorganization of responsibilities and job descriptions within the Agency. We are currently in the hiring process to find a new staff member.

The Agency completed a long term project in 2007 of reconciling old percentage-expressed child support orders. This project was required by the federal Office of Child Support Enforcement in order that our performance could be accurately measured. The Agency did a thorough and complete job on all reconciliations.

PERSONNEL

In addition to the Assistant Corporation Counsel, the office currently has five employees and one vacant position. There are 2 caseworkers, 1 financial worker, 1 part-time enforcement/paternity specialist and 1 receptionist/intake worker.

STATISTICS

The Agency commenced 51 new paternity actions in 2007 and approximately 95 new actions for support. The Agency also filed many motions to modify child support orders and to enforce child support orders in 2007.

Respectfully submitted,

DENNIS E. KENEALY
Corporation Counsel

RHONDA K. GORDEN
Assistant Corporation Counsel

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