

DEPARTMENT OF LAW

MISSION

The Department of Law was created in 1926 and is headed by the State Attorney General, who is elected by the people. The Department is responsible for protecting the legal rights of New York State and its citizens by representing the State in litigation and in other legal affairs.

In implementing its constitutional responsibilities, the Department performs a wide range of functions. Major activities of the Department include prosecuting or defending actions and proceedings for or against the State and its departments; prosecuting certain criminal violations of the Labor, Workers' Compensation and Unemployment Insurance laws; investigating and prosecuting other criminal cases at the request of the Governor or the commissioners of State departments; investigating the activities of organized crime; bringing civil and/or criminal actions against polluters, violators of antitrust laws and those who defraud consumers or investors; mediating consumer complaints; and investigating and prosecuting cases of Medicaid fraud.

ORGANIZATION AND STAFFING

The legal functions of the Department of Law are divided into major divisions which comprise bureaus dealing with specific legal issues and cases. These are the divisions of Administration, Appeals and Opinions, Criminal Prosecutions, State Counsel, Public Advocacy and Regional Offices.

The Department's main offices are located in Albany and New York City, with regional offices in Binghamton, Poughkeepsie, Syracuse, Buffalo, Plattsburgh, Rochester, Watertown, Mineola, Hauppauge, Harlem, Utica, Brooklyn, Pearl River and White Plains. The Department will have a workforce of 1,921 positions for 2007-08.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$236 million for the Department. This recommendation includes \$130 million in tax dollars from the General Fund, which will finance 55 percent of department expenses for 2007-08. Additional support for 2007-08 will be provided by Federal funding for Medicaid fraud efforts and revenues from the collection of non-tax debt, litigation settlements and assets seized as part of criminal prosecution activities and Medicaid fraud recoveries. Recommended increases include funding for; Project Sunlight which will promote government-wide disclosure of data and information, additional staffing to address Court of Claims caseloads, and additional federally funded staff for the Medicaid Fraud Control Unit.

PROGRAM HIGHLIGHTS

Agency divisions perform the following functions:

- The Administration Division provides budget, personnel, operations and technology services for the Agency;

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- The Division of Appeals and Opinions handles appellate litigation in both State and Federal courts. The Division also prepares opinions, both formal and informal, interpreting State laws for State agencies and municipalities;
- The Criminal Division investigates and prosecutes criminal cases, including those involving Medicaid fraud, auto insurance fraud, white collar and organized crime cases involving multi-county, multi-state and even multi-national criminal activities occurring within New York State;
- The Division of State Counsel provides State agencies, the Governor, other State officials and the Legislature with counsel and representation in legal proceedings. It recoups non-tax revenue on behalf of State taxpayers and provides legal assistance to State agencies in connection with the acquisition and disposition of public land;
- The Division of Public Advocacy defends and protects the public interest in the courts. It enforces laws to prevent trade restraint, protects charitable donors and beneficiaries and enforces laws prohibiting discrimination. The Division protects consumers from fraudulent, and/or deceptive business practices, enforces environmental laws and regulates sales of investment securities. It also enforces the State's health care laws and addresses concerns about on-line criminal or fraudulent activities; and
- The Regional Offices program provides mini-satellite offices across the State to ensure that all New York agencies have cost effective representation in all local and Federal courts, and that citizens have full access to the programs and services of the Department.

**ALL FUNDS
APPROPRIATIONS
(dollars)**

Category	Available 2006-07	Appropriations Recommended 2007-08	Change	Reappropriations Recommended 2007-08
State Operations	229,960,000	235,992,000	6,032,000	52,041,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>229,960,000</u>	<u>235,992,000</u>	<u>6,032,000</u>	<u>52,041,000</u>

**ALL FUND TYPES
PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM
FILLED ANNUAL SALARIED POSITIONS**

Program	Full-Time Equivalent Positions (FTE)		
	2006-07 Estimated FTEs 03/31/07	2007-08 Estimated FTEs 03/31/08	FTE Change
Administration			
General Fund	176	181	5
Appeals and Opinions			
General Fund	63	63	0
Counsel for the State			
General Fund	341	353	12
Special Revenue Funds - Other	258	258	0
Criminal Prosecutions			
General Fund	199	199	0
Special Revenue Funds - Other	68	68	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	242	259	17
Special Revenue Funds - Other	80	86	6
Public Advocacy			
General Fund	290	290	0
Special Revenue Funds - Other	6	6	0
Capital Projects Funds - Other	7	7	0
Regional Offices			
General Fund	151	151	0
Total	<u>1,881</u>	<u>1,921</u>	<u>40</u>

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)**

Fund Type	Available	Recommended	Change
	2006-07	2007-08	
General Fund	126,788,000	130,360,000	3,572,000
Special Revenue Funds - Federal	35,616,000	37,480,000	1,864,000
Special Revenue Funds - Other	67,556,000	68,152,000	596,000
Total	<u>229,960,000</u>	<u>235,992,000</u>	<u>6,032,000</u>

Adjustments:			
Transfer(s) From			
State Police, Division of			
General Fund	(710,000)		
Appropriated 2006-07	<u>229,250,000</u>		

**STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

<u>Program</u>	<u>Available 2006-07</u>	<u>Recommended 2007-08</u>	<u>Change</u>
Administration			
General Fund	29,594,000	28,675,000	(919,000)
Appeals and Opinions			
General Fund	5,435,000	5,956,000	521,000
Counsel for the State			
General Fund	34,412,000	38,178,000	3,766,000
Special Revenue Funds - Other	49,508,000	49,223,000	(285,000)
Criminal Prosecutions			
General Fund	20,236,000	19,371,000	(865,000)
Special Revenue Funds - Other	4,904,000	4,904,000	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	35,616,000	37,480,000	1,864,000
Special Revenue Funds - Other	13,144,000	14,025,000	881,000
Public Advocacy			
General Fund	24,965,000	24,667,000	(298,000)
Regional Offices			
General Fund	12,146,000	13,513,000	1,367,000
Total	<u>229,960,000</u>	<u>235,992,000</u>	<u>6,032,000</u>

**STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2007-08 RECOMMENDED
(dollars)**

<u>Program</u>	<u>Total</u>		<u>Personal Service Regular (Annual Salaried)</u>	
	<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Administration	11,933,000	(2,493,000)	10,400,000	(2,493,000)
Appeals and Opinions	5,129,000	521,000	5,079,000	521,000
Counsel for the State	28,121,000	3,502,000	27,420,000	3,502,000
Criminal Prosecutions	16,368,000	(865,000)	15,871,000	(865,000)
Public Advocacy	23,090,000	1,102,000	22,649,000	1,102,000
Regional Offices	11,809,000	1,367,000	11,699,000	1,367,000
Total	<u>96,450,000</u>	<u>3,134,000</u>	<u>93,118,000</u>	<u>3,134,000</u>

<u>Program</u>	<u>Temporary Service (Nonannual Salaried)</u>		<u>Holiday/Overtime Pay (Annual Salaried)</u>	
	<u>Amount</u>	<u>Change</u>	<u>Amount</u>	<u>Change</u>
Administration	1,476,000	0	57,000	0
Appeals and Opinions	31,000	0	19,000	0
Counsel for the State	562,000	0	139,000	0
Criminal Prosecutions	289,000	0	208,000	0
Public Advocacy	118,000	0	323,000	0
Regional Offices	39,000	0	71,000	0
Total	<u>2,515,000</u>	<u>0</u>	<u>817,000</u>	<u>0</u>

STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2007-08 RECOMMENDED
(dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	16,742,000	1,574,000	5,100,000	0
Appeals and Opinions	827,000	0	0	0
Counsel for the State	10,057,000	264,000	0	0
Criminal Prosecutions	3,003,000	0	5,000	0
Public Advocacy	1,577,000	(1,400,000)	0	0
Regional Offices	1,704,000	0	0	0
Total	33,910,000	438,000	5,105,000	0

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	257,000	0	11,385,000	1,574,000
Appeals and Opinions	0	0	827,000	0
Counsel for the State	399,000	0	9,658,000	264,000
Criminal Prosecutions	420,000	0	582,000	0
Public Advocacy	394,000	0	1,183,000	0
Regional Offices	350,000	0	1,354,000	0
Total	1,820,000	0	24,989,000	1,838,000

Program	Equipment		Maintenance Undistributed	
	Amount	Change	Amount	Change
Administration	0	0	0	0
Appeals and Opinions	0	0	0	0
Counsel for the State	0	0	0	0
Criminal Prosecutions	1,996,000	0	0	0
Public Advocacy	0	0	0	(1,400,000)
Regional Offices	0	0	0	0
Total	1,996,000	0	0	(1,400,000)

STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2007-08 RECOMMENDED
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	49,223,000	(285,000)	16,505,000	0
Criminal Prosecutions	4,904,000	0	0	0
Medicaid Fraud Control	51,505,000	2,745,000	26,331,000	2,585,000
Total	105,632,000	2,460,000	42,836,000	2,585,000

Program	Nonpersonal Service	
	Amount	Change
Counsel for the State	32,718,000	(285,000)
Criminal Prosecutions	4,904,000	0
Medicaid Fraud Control	25,174,000	160,000
Total	62,796,000	(125,000)