

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 and administrative functions of the Department of Law are divided into eight major divisions: Administration, Appeals and Opinions, Counsel for the State, Criminal Justice, Economic Justice, Investigations, Social Justice and Regional Offices. Each division consists of smaller bureaus or specialized units dealing with specific issues.

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, and White Plains.

BUDGET HIGHLIGHTS

The Executive Budget recommends **\$209 million** All Funds (\$101.4 million General Fund; \$34.8 million Federal Funds; \$72.8 million Other Funds) for the Department of Law. This is a decrease of **\$1 million (-0.5 percent)** from 2010-11. This decrease is the net result of a 10 percent (\$11.3 million) decrease in the General Fund, a \$1 million decrease in Federal Funds, and an increase of \$11.3 million in Other Funds. Executive Budget appropriations support a workforce of up to **1,747 FTEs**.

PROGRAM HIGHLIGHTS

Agency divisions perform the following functions:

- The Administration Division provides budget, personnel, operations and technology services for the Department.
- 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 Justice 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.

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- The Investigations Division provides investigative support for legal divisions throughout the Department, and works cooperatively with State, local and Federal law enforcement agencies on cases that cross jurisdictional lines.
- 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 Economic Justice defends and protects the public interest in the courts. It enforces laws to prevent restraint of trade, protects consumers from fraudulent and/or deceptive business practices, regulates the sale of securities, and addresses people's concerns about criminal online activities.
- The Division of Social Justice also defends and protects the public interest in the courts. It ensures compliance with the State's health care and environmental laws, enforces State Labor and Workers' Compensation Laws, protects charitable donors and beneficiaries, and enforces laws prohibiting discrimination.
- The Regional Offices' Division provides 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 2010-11	Appropriations Recommended 2011-12	Change	Reappropriations Recommended 2011-12
State Operations	210,026,000	209,020,000	(1,006,000)	26,655,000
Aid To Localities	0	0	0	0
Capital Projects	0	0	0	0
Total	<u>210,026,000</u>	<u>209,020,000</u>	<u>(1,006,000)</u>	<u>26,655,000</u>

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

Program	Full-Time Equivalent Positions (FTE)		
	2010-11 Estimated FTEs 03/31/11	2011-12 Estimated FTEs 03/31/12	FTE Change
Administration			
General Fund	170	170	0
Appeals and Opinions			
General Fund	56	56	0
Counsel for the State			
General Fund	355	355	0
Special Revenue Funds - Other	211	211	0
Criminal Investigations			
General Fund	95	95	0
Economic Justice			
General Fund	126	126	0
Special Revenue Funds - Other	14	14	0
Social Justice			
General Fund	136	136	0
Capital Projects Funds - Other	7	7	0
Criminal Justice			
General Fund	82	82	0
Special Revenue Funds - Other	68	68	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	222	222	0
Special Revenue Funds - Other	74	74	0
Regional Offices			
General Fund	131	131	0
Total	1,747	1,747	0

The above table does not reflect layoffs that may be necessary in the absence of negotiated workforce savings.

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

Fund Type	Available 2010-11	Recommended 2011-12	Change
General Fund	112,641,000	101,381,000	(11,260,000)
Special Revenue Funds - Federal	35,820,000	34,820,000	(1,000,000)
Special Revenue Funds - Other	61,565,000	72,819,000	11,254,000
Total	210,026,000	209,020,000	(1,006,000)

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

Program	Available 2010-11	Recommended 2011-12	Change
Administration			
General Fund	15,036,000	13,533,000	(1,503,000)
Appeals and Opinions			
General Fund	5,786,000	5,207,000	(579,000)
Counsel for the State			
General Fund	35,810,000	32,229,000	(3,581,000)
Special Revenue Funds - Other	46,530,000	57,997,000	11,467,000
Criminal Investigations			
General Fund	9,743,000	8,769,000	(974,000)
Economic Justice			
General Fund	11,276,000	10,149,000	(1,127,000)
Special Revenue Funds - Other	977,000	977,000	0
Social Justice			
General Fund	13,075,000	11,768,000	(1,307,000)
Criminal Justice			
General Fund	7,324,000	6,594,000	(730,000)
Special Revenue Funds - Other	2,000,000	2,000,000	0
Medicaid Fraud Control			
Special Revenue Funds - Federal	35,820,000	34,820,000	(1,000,000)
Special Revenue Funds - Other	12,058,000	11,845,000	(213,000)
Regional Offices			
General Fund	14,591,000	13,132,000	(1,459,000)
Total	<u>210,026,000</u>	<u>209,020,000</u>	<u>(1,006,000)</u>

STATE OPERATIONS - GENERAL FUND SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2011-12 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	10,821,000	(1,203,000)	10,395,000	(1,155,000)
Appeals and Opinions	4,599,000	(511,000)	4,598,000	(511,000)
Counsel for the State	26,616,000	(2,957,000)	26,603,000	(2,956,000)
Criminal Investigations	8,393,000	(932,000)	8,192,000	(910,000)
Economic Justice	9,951,000	(1,105,000)	9,940,000	(1,104,000)
Social Justice	11,570,000	(1,285,000)	11,540,000	(1,282,000)
Criminal Justice	6,430,000	(713,000)	6,295,000	(699,000)
Regional Offices	10,146,000	(1,128,000)	10,132,000	(1,126,000)
Total	<u>88,526,000</u>	<u>(9,834,000)</u>	<u>87,695,000</u>	<u>(9,743,000)</u>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Administration	402,000	(45,000)	24,000	(3,000)
Appeals and Opinions	0	0	1,000	0
Counsel for the State	0	0	13,000	(1,000)
Criminal Investigations	0	0	201,000	(22,000)
Economic Justice	0	0	11,000	(1,000)
Social Justice	0	0	30,000	(3,000)
Criminal Justice	49,000	(5,000)	86,000	(9,000)
Regional Offices	0	0	14,000	(2,000)
Total	<u>451,000</u>	<u>(50,000)</u>	<u>380,000</u>	<u>(41,000)</u>

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**STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2011-12 RECOMMENDED
(dollars)**

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	2,712,000	(300,000)	1,589,000	(176,000)
Appeals and Opinions	608,000	(68,000)	0	0
Counsel for the State	5,613,000	(624,000)	0	0
Criminal Investigations	376,000	(42,000)	0	0
Economic Justice	198,000	(22,000)	0	0
Social Justice	198,000	(22,000)	0	0
Criminal Justice	164,000	(17,000)	5,000	0
Regional Offices	2,986,000	(331,000)	0	0
Total	12,855,000	(1,426,000)	1,594,000	(176,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	102,000	(11,000)	876,000	(97,000)
Appeals and Opinions	0	0	608,000	(68,000)
Counsel for the State	133,000	(15,000)	5,480,000	(609,000)
Criminal Investigations	91,000	(10,000)	285,000	(32,000)
Economic Justice	0	0	198,000	(22,000)
Social Justice	0	0	198,000	(22,000)
Criminal Justice	77,000	(8,000)	82,000	(9,000)
Regional Offices	139,000	(15,000)	2,847,000	(316,000)
Total	542,000	(59,000)	10,574,000	(1,175,000)

Program	Equipment	
	Amount	Change
Administration	145,000	(16,000)
Appeals and Opinions	0	0
Counsel for the State	0	0
Criminal Investigations	0	0
Economic Justice	0	0
Social Justice	0	0
Criminal Justice	0	0
Regional Offices	0	0
Total	145,000	(16,000)

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
2011-12 RECOMMENDED
(dollars)**

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	57,997,000	11,467,000	12,167,000	2,256,000
Economic Justice	977,000	0	589,000	0
Criminal Justice	2,000,000	0	0	0
Medicaid Fraud Control	46,665,000	(1,213,000)	25,632,000	0
Total	107,639,000	10,254,000	38,388,000	2,256,000

Program	Nonpersonal Service	
	Amount	Change
Counsel for the State	45,830,000	9,211,000
Economic Justice	388,000	0
Criminal Justice	2,000,000	0
Medicaid Fraud Control	21,033,000	(1,213,000)
Total	69,251,000	7,998,000