

Law, Department of

Mission

The Department of Law 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 including 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 Buffalo, Rochester, Syracuse, Binghamton, Utica, Watertown, Plattsburgh, Poughkeepsie, White Plains, Harlem, Brooklyn, Mineola, and Hauppauge.

Budget Highlights

The FY 2021 Executive Budget recommends \$272.4 million All Funds appropriation for the Department of Law, an All Funds increase of \$8.8 million, which reflects a two percent increase in State Operating funds. Additionally, the Department of Law maintains their workforce of 1,839 FTEs, unchanged from the previous fiscal year.

The FY 2021 Executive Budget includes \$6 million in new capital appropriation for the support of IT equipment and systems upgrades. In addition, \$4 million in capital reappropriations will remain available for the Department of Law's on-going Case Management System Redesign project.

Program Highlights

The **Administration Division** provides budget, finance, personnel, operations, and technology services for the agency.

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.

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.

NYS DOB | FY2021 Executive Budget | Agency Appropriations

The **Regional Offices Division** provides satellite offices across the State to ensure that all New York agencies have cost-effective representation in all local, State and Federal courts, and that citizens have full access to the programs and services of the Department.

**ALL FUNDS
APPROPRIATIONS
(dollars)**

| Category | Available FY 2020 | Appropriations Recommended FY 2021 | Change From FY 2020 | Reappropriations Recommended FY 2021 |
|-------------------|----------------------|--|------------------------|--|
| State Operations | 261,627,000 | 266,446,000 | 4,819,000 | 33,066,000 |
| Aid To Localities | 0 | 0 | 0 | 7,172,000 |
| Capital Projects | 2,000,000 | 6,000,000 | 4,000,000 | 4,005,000 |
| Total | 263,627,000 | 272,446,000 | 8,819,000 | 44,243,000 |

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

| Program | FY 2020 Estimated FTEs 03/31/20 | FY 2021 Estimated FTEs 03/31/21 | FTE Change |
|---------------------------------|---------------------------------------|---------------------------------------|------------|
| Administration | | | |
| General Fund | 185 | 185 | 0 |
| Appeals and Opinions | | | |
| General Fund | 87 | 87 | 0 |
| Counsel for the State | | | |
| General Fund | 336 | 336 | 0 |
| Special Revenue Funds - Other | 114 | 114 | 0 |
| Internal Service Funds | 50 | 50 | 0 |
| Criminal Investigations | | | |
| General Fund | 151 | 151 | 0 |
| Economic Justice | | | |
| General Fund | 1 | 1 | 0 |
| Special Revenue Funds - Other | 135 | 135 | 0 |
| Social Justice | | | |
| General Fund | 74 | 74 | 0 |
| Special Revenue Funds - Other | 84 | 84 | 0 |
| Capital Projects Funds - Other | 7 | 7 | 0 |
| Criminal Justice | | | |
| General Fund | 93 | 93 | 0 |
| Special Revenue Funds - Other | 52 | 52 | 0 |
| Medicaid Fraud Control | | | |
| Special Revenue Funds - Federal | 249 | 249 | 0 |
| Special Revenue Funds - Other | 83 | 83 | 0 |
| Regional Offices | | | |
| General Fund | 138 | 138 | 0 |
| Total | 1,839 | 1,839 | 0 |

NYS DOB | FY2021 Executive Budget | Agency Appropriations
STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)

| Fund Type | Available FY 2020 | Recommended FY 2021 | Change |
|---------------------------------|----------------------|------------------------|------------------|
| General Fund | 109,689,000 | 111,883,000 | 2,194,000 |
| Internal Service Funds | 16,700,000 | 16,700,000 | 0 |
| Special Revenue Funds - Federal | 42,144,000 | 42,912,000 | 768,000 |
| Special Revenue Funds - Other | 93,094,000 | 94,951,000 | 1,857,000 |
| Total | 261,627,000 | 266,446,000 | 4,819,000 |

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

| Program | Available FY 2020 | Recommended FY 2021 | Change |
|---------------------------------|----------------------|------------------------|------------------|
| Administration | | | |
| General Fund | 16,099,000 | 16,099,000 | 0 |
| Appeals and Opinions | | | |
| General Fund | 9,315,000 | 9,481,000 | 166,000 |
| Counsel for the State | | | |
| General Fund | 34,294,000 | 35,048,000 | 754,000 |
| Internal Service Funds | 16,700,000 | 16,700,000 | 0 |
| Special Revenue Funds - Other | 29,625,000 | 29,686,000 | 61,000 |
| Criminal Investigations | | | |
| General Fund | 13,688,000 | 13,897,000 | 209,000 |
| Criminal Justice | | | |
| General Fund | 11,300,000 | 11,300,000 | 0 |
| Special Revenue Funds - Other | 1,436,000 | 1,372,000 | (64,000) |
| Economic Justice | | | |
| General Fund | 64,000 | 152,000 | 88,000 |
| Special Revenue Funds - Other | 29,793,000 | 29,966,000 | 173,000 |
| Medicaid Fraud Control | | | |
| Special Revenue Funds - Federal | 42,144,000 | 42,912,000 | 768,000 |
| Special Revenue Funds - Other | 14,048,000 | 14,304,000 | 256,000 |
| Regional Offices | | | |
| General Fund | 16,937,000 | 17,860,000 | 923,000 |
| Social Justice | | | |
| General Fund | 7,992,000 | 8,046,000 | 54,000 |
| Special Revenue Funds - Other | 18,192,000 | 19,623,000 | 1,431,000 |
| Total | 261,627,000 | 266,446,000 | 4,819,000 |

NYS DOB | FY2021 Executive Budget | Agency Appropriations
STATE OPERATIONS - GENERAL FUND
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
FY 2021 RECOMMENDED
(dollars)

| Program | Total | | Personal Service Regular (Annual Salaried) | |
|-------------------------|--------------------|------------------|---|------------------|
| | Amount | Change | Amount | Change |
| Administration | 14,932,000 | 0 | 14,735,000 | 0 |
| Appeals and Opinions | 8,438,000 | 166,000 | 8,411,000 | 147,000 |
| Counsel for the State | 32,919,000 | 754,000 | 32,839,000 | 686,000 |
| Criminal Investigations | 13,521,000 | 209,000 | 12,925,000 | 155,000 |
| Criminal Justice | 10,125,000 | 0 | 10,104,000 | 0 |
| Economic Justice | 152,000 | 88,000 | 0 | 0 |
| Regional Offices | 14,682,000 | 923,000 | 13,949,000 | 303,000 |
| Social Justice | 5,332,000 | 54,000 | 5,305,000 | 54,000 |
| Total | 100,101,000 | 2,194,000 | 98,268,000 | 1,345,000 |

| Program | Temporary Service (Nonannual Salaried) | | Holiday/Overtime Pay | |
|-------------------------|---|----------------|----------------------|---------------|
| | Amount | Change | Amount | Change |
| Administration | 160,000 | 0 | 37,000 | 0 |
| Appeals and Opinions | 26,000 | 19,000 | 1,000 | 0 |
| Counsel for the State | 78,000 | 68,000 | 2,000 | 0 |
| Criminal Investigations | 0 | 0 | 596,000 | 54,000 |
| Criminal Justice | 0 | 0 | 21,000 | 0 |
| Economic Justice | 152,000 | 88,000 | 0 | 0 |
| Regional Offices | 731,000 | 620,000 | 2,000 | 0 |
| Social Justice | 0 | 0 | 27,000 | 0 |
| Total | 1,147,000 | 795,000 | 686,000 | 54,000 |

STATE OPERATIONS - GENERAL FUND
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
FY 2021 RECOMMENDED
(dollars)

| Program | Total | | Supplies and Materials | |
|-------------------------|-------------------|----------|------------------------|----------|
| | Amount | Change | Amount | Change |
| Administration | 1,167,000 | 0 | 775,000 | 0 |
| Appeals and Opinions | 1,043,000 | 0 | 389,000 | 0 |
| Counsel for the State | 2,129,000 | 0 | 1,000 | 0 |
| Criminal Investigations | 376,000 | 0 | 12,000 | 0 |
| Criminal Justice | 1,175,000 | 0 | 2,000 | 0 |
| Regional Offices | 3,178,000 | 0 | 2,000 | 0 |
| Social Justice | 2,714,000 | 0 | 35,000 | 0 |
| Total | 11,782,000 | 0 | 1,216,000 | 0 |

NYS DOB | FY2021 Executive Budget | Agency Appropriations

| Program | Travel | | Contractual Services | |
|-------------------------|----------------|----------|----------------------|----------|
| | Amount | Change | Amount | Change |
| Administration | 107,000 | 0 | 285,000 | 0 |
| Appeals and Opinions | 20,000 | 0 | 634,000 | 0 |
| Counsel for the State | 0 | 0 | 2,128,000 | 0 |
| Criminal Investigations | 94,000 | 0 | 270,000 | 0 |
| Criminal Justice | 60,000 | 0 | 1,113,000 | 0 |
| Regional Offices | 100,000 | 0 | 3,076,000 | 0 |
| Social Justice | 0 | 0 | 2,679,000 | 0 |
| Total | 381,000 | 0 | 10,185,000 | 0 |

**STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
FY 2021 RECOMMENDED
(dollars)**

| Program | Total | | Personal Service | |
|------------------------|--------------------|------------------|-------------------|-----------------|
| | Amount | Change | Amount | Change |
| Counsel for the State | 46,386,000 | 61,000 | 10,785,000 | (2,961,000) |
| Criminal Justice | 1,372,000 | (64,000) | 0 | 0 |
| Economic Justice | 29,966,000 | 173,000 | 12,816,000 | 201,000 |
| Medicaid Fraud Control | 57,216,000 | 1,024,000 | 29,472,000 | 1,792,000 |
| Social Justice | 19,623,000 | 1,431,000 | 9,607,000 | 910,000 |
| Total | 154,563,000 | 2,625,000 | 62,680,000 | (58,000) |

| Program | Nonpersonal Service | |
|------------------------|---------------------|------------------|
| | Amount | Change |
| Counsel for the State | 35,601,000 | 3,022,000 |
| Criminal Justice | 1,372,000 | (64,000) |
| Economic Justice | 17,150,000 | (28,000) |
| Medicaid Fraud Control | 27,744,000 | (768,000) |
| Social Justice | 10,016,000 | 521,000 |
| Total | 91,883,000 | 2,683,000 |

**CAPITAL PROJECTS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

| Comprehensive Construction Program | Available FY 2020 | Recommended FY 2021 | Change | Reappropriations FY 2021 |
|---|-------------------|---------------------|------------------|--------------------------|
| IT Initiative Program | | | | |
| Capital Projects Fund - Authority Bonds | 2,000,000 | 6,000,000 | 4,000,000 | 4,005,000 |
| Total | 2,000,000 | 6,000,000 | 4,000,000 | 4,005,000 |

Note: Most recent estimates as of 01/29/2020