

City Attorney

Current Year Department Budgeted Expense Total:

\$4,156,451

Change from Prior year:

\$149,269



Overall Budget Justification:

The FY26 budget for the City Attorney is \$4,156,451, which includes an increase of \$149,269 over FY25. The City Attorney's Office currently has several vacant positions that are being filled now that the move to the new city hall building is complete. Previously, the physical space did not allow for filling some positions even with office sharing and remote work being utilized. Two positions will remain vacant. Filling these positions will result in additional monthly charges for telephone, parking, membership fees, miscellaneous equipment (computers), office supplies (furniture), and subscriptions for license fees (Westlaw).

There is an approximate increase of \$22,732 in O&M costs due to increased regular monthly charges (IT, Telephone, Facilities, Parking, certification requirements, subscriptions, surface travel, etc.). This total also includes an approximate \$3,600 due to a yearly increase in bar association dues, subscriptions, and software licenses.

New or Expanded Programs:

None proposed for FY 2026.

Staffing Changes:

The only staffing change is converting a criminal deputy to a civil deputy. This change is necessary due to adjustments in staffing requirements following passage of the mill levy in 2021. The City Attorney's office pledged to dedicate resources to Code Enforcement to assist with litigation of code violation cases and nuisance properties. These cases are civil in nature and are not handled by a criminal prosecutor. This is not an additional position; it is a transfer of an authorized position from the criminal to the civil division.

Additional Comments:

Yellowstone County Justice of the Peace, David Carter, has been coordinating a plan to organize and implement an arraignment court which includes all courts in Yellowstone County. The arraignment court was put into practice in February 2025 for all county agencies. Billings Municipal Court has not yet been incorporated into practice at this time and the plan is for Municipal Court to begin participating in the arraignment court this spring. The City Attorney's Office will be required to appear during any court

hearings involving Municipal Court defendants. It is unclear what impact this may have on the daily workload of the Municipal Court and the City Attorney's Office and will depend on the number of defendants being seen in arraignment court. The City Attorney's Office is hopeful additional staff will not be necessary to effectively maintain the services it currently provides.

Department Goals for FY 2026:

- To prosecute criminal cases in a timely and efficient manner in the best interests of justice, the best interests of the citizens of Billings, and the interests of victims of crime.
- To be a critical part of the City's leadership team through integration with department directors, City Council, and other city agencies such as the various city boards and commissions.
- To work effectively with the Billings Police Department and other law enforcement agencies, including the Airport Police and MSU-Billings Police Department to enforce state laws and city ordinances related to misdemeanor offenses within the city.
- To work with other city personnel and officials in enforcing city ordinances including zoning, building code, fire code, etc.
- To provide legal advice to the City Administrator, Mayor, City Council, departmental staff, and city boards concerning legal matters that arise with respect to city services and operations.
- To practice preventative law by being an integral member of the city's departmental teams and by providing legal risk management services and proactive legal advice.

Budgeted Revenues:

CITY ATTORNEY DEPARTMENT REVENUE

REVENUE BY FUND	ACTUAL FY 23	ACTUAL FY 24	BUDGET FY 25	ESTIMATE FY 25	PROPOSED FY 26
GENERAL FUND	\$ 2,803	\$ 11,185	\$ -	\$ 7,356	\$ -
CITY ATTORNEY GRANTS	<u>596,319</u>	<u>589,566</u>	<u>626,693</u>	<u>628,036</u>	<u>805,400</u>
TOTAL REVENUE	<u>\$ 599,122</u>	<u>\$ 600,751</u>	<u>\$ 626,693</u>	<u>\$ 635,392</u>	<u>\$ 805,400</u>

CITY ATTORNEY DEPARTMENT ALL FUNDS

REVENUE BY CLASSIFICATION	ACTUAL FY 23	ACTUAL FY 24	BUDGET FY 25	ESTIMATE FY 25	PROPOSED FY 26
CHARGE FOR SERVICE	\$ 2,803	\$ 8,224	\$ -	\$ 5,505	\$ -
FINES AND FORFEITURE	47,573	57,386	46,000	40,630	46,000
INTERGOVERNMENTAL	104,973	206,392	270,000	241,884	270,000
INVESTMENT EARNINGS	(4)	3,671	-	2,039	-
TRANSFER IN	<u>443,777</u>	<u>325,078</u>	<u>310,693</u>	<u>345,334</u>	<u>489,400</u>
TOTAL REVENUE	<u>\$ 599,122</u>	<u>\$ 600,751</u>	<u>\$ 626,693</u>	<u>\$ 635,392</u>	<u>\$ 805,400</u>

Budgeted Expenditures:

CITY ATTORNEY DEPARTMENT EXPENSE BY FUND

EXPENSE BY FUND	ACTUAL FY 23	ACTUAL FY 24	BUDGET FY 25	ESTIMATE FY 25	PROPOSED FY 26
GENERAL FUND	\$ 2,474,916	\$ 2,557,939	\$ 3,423,409	\$ 2,702,648	\$ 3,351,051
CITY ATTORNEY GRANTS	<u>597,731</u>	<u>594,627</u>	<u>623,773</u>	<u>600,748</u>	<u>805,400</u>
TOTAL EXPENDITURES	<u>\$ 3,072,647</u>	<u>\$ 3,152,566</u>	<u>\$ 4,047,182</u>	<u>\$ 3,303,396</u>	<u>\$ 4,156,451</u>

CITY ATTORNEY

DEPARTMENT ALL FUNDS BY CLASS

EXPENSE BY CLASSIFICATION	ACTUAL FY 23	ACTUAL FY 24	BUDGET FY 25	ESTIMATE FY 25	PROPOSED FY 26
PERSONAL SERVICES	\$ 2,281,468	\$ 2,527,284	\$ 3,266,115	\$ 2,652,272	\$ 3,200,647
OPERATIONS AND MAINTENANC	347,402	300,204	470,374	305,790	453,106
TRANSFERS	<u>443,777</u>	<u>325,078</u>	<u>310,693</u>	<u>345,334</u>	<u>502,698</u>
TOTAL EXPENDITURES	<u>\$ 3,072,647</u>	<u>\$ 3,152,566</u>	<u>\$ 4,047,182</u>	<u>\$ 3,303,396</u>	<u>\$ 4,156,451</u>

Staffing:

**CITY ATTORNEY
STAFFING AUTHORIZATION**

CITY ATTORNEY POSITION	ACTUAL FY 23	ACTUAL FY 24	BUDGET FY 25	PROPOSED FY 26
CITY ATTORNEY	1.0	1.0	1.0	1.0
ASSISTANT CITY ATTORNEY	1.0	1.0	1.0	1.0
CHIEF DEPUTY CITY ATTORNEY	-	-	1.0	1.0
DEPUTY CITY ATTORNEY	8.0	8.0	8.0	8.0
LEGAL OFFICE MANAGER	-	-	1.0	1.0
VICTIM WITNESS SPECIALIST	2.0	2.0	3.0	3.0
LEGAL SECRETARY	1.0	1.0	-	-
PARALEGAL	1.0	1.0	1.0	1.0
ADMINISTRATIVE SUPPORT II	3.0	3.0	5.0	5.0
TOTAL	<u>17.0</u>	<u>17.0</u>	<u>21.0</u>	<u>21.0</u>
LEGAL GRANT POSITION				
VICTIM WITNESS SPECIALIST	3.0	3.0	3.0	3.0
ADMINISTRATIVE ASSISTANT	-	-	-	-
DEPUTY CITY ATTORNEY	<u>2.0</u>	<u>2.0</u>	<u>3.0</u>	<u>3.0</u>
TOTAL	<u>5.0</u>	<u>5.0</u>	<u>6.0</u>	<u>6.0</u>
TOTAL CITY ATTORNEY	<u><u>22.0</u></u>	<u><u>22.0</u></u>	<u><u>27.0</u></u>	<u><u>27.0</u></u>