

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 1,831 positions for 2001-02.

FISCAL BACKGROUND AND BUDGET HIGHLIGHTS

The Executive Budget recommends \$175.2 million for the Department. This recommendation includes \$119.6 million in tax dollars from the General Fund, which will finance 68 percent of these expenses for 2001-02. Additional support for 2001-02 will be provided by:

- Federal funding of \$28.6 million to finance Medicaid fraud efforts;
- Revenues of \$20.9 million related to the collection of non-tax debt and litigation settlements; and
- \$6.2 million from assets seized as part of criminal prosecution activities and Medicaid fraud recoveries.

PROGRAM HIGHLIGHTS

Agency divisions perform the following functions:

- The Administration Division provides budget, 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 Division investigates and prosecutes criminal cases, including those involving Medicaid fraud, white collar and organized crime cases involving multi-county, multi-state and even multi-national criminal activities occurring within New York State.

LAW

- 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. It also 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 online criminal or fraudulent activities.
- 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	Appropriations	Change	Reappropriations
	2000-01	Recommended 2001-02		Recommended 2001-02
State Operations	165,943,800	175,187,000	9,243,200	43,474,500
Aid To Localities	200,000	0	(200,000)	220,000
Capital Projects	0	0	0	0
Total	<u>166,143,800</u>	<u>175,187,000</u>	<u>9,043,200</u>	<u>43,694,500</u>

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

Full-Time Equivalent Positions (FTE)

Program	2000-01	2001-02	FTE Change
	Estimated FTEs 03/31/01	Estimated FTEs 03/31/02	
Administration			
General Fund	189	189	0
Appeals and Opinions			
General Fund	66	66	0
Counsel for the State			
General Fund	317	320	3
Special Revenue Funds - Other	141	141	0
Internal Service Funds	109	109	0
Criminal Prosecutions			
General Fund	185	185	0
Special Revenue Funds - Other	5	5	0
Medicaid Fraud Control			
General Fund	90	90	0
Special Revenue Funds - Federal	269	269	0
Public Advocacy			
General Fund	303	303	0
Regional Offices			
General Fund	154	154	0
Total	<u>1,828</u>	<u>1,831</u>	<u>3</u>

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

<u>Fund Type</u>	<u>Available 2000-01</u>	<u>Recommended 2001-02</u>	<u>Change</u>
General Fund	112,821,800	119,574,000	6,752,200
Special Revenue Funds - Federal	26,631,000	28,573,000	1,942,000
Special Revenue Funds - Other	19,461,000	19,835,000	374,000
Internal Service Funds	<u>7,030,000</u>	<u>7,205,000</u>	<u>175,000</u>
Total	<u>165,943,800</u>	<u>175,187,000</u>	<u>9,243,200</u>

Adjustments:

Transfer(s) From

Special Pay Bill			
General Fund	(6,939,000)		
Special Revenue Funds - Federal	(1,315,000)		
Special Revenue Funds - Other	(932,000)		
Internal Service Funds	<u>(358,000)</u>		
Appropriated 2000-01	<u>156,399,800</u>		

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

<u>Program</u>	<u>Available 2000-01</u>	<u>Recommended 2001-02</u>	<u>Change</u>
Administration			
General Fund	28,137,723	29,654,000	1,516,277
Appeals and Opinions			
General Fund	4,705,304	4,789,000	83,696
Counsel for the State			
General Fund	28,835,034	32,906,000	4,070,966
Special Revenue Funds - Other	13,461,000	13,667,000	206,000
Internal Service Funds	7,030,000	7,205,000	175,000
Criminal Prosecutions			
General Fund	15,088,227	16,003,000	914,773
Special Revenue Funds - Other	2,500,000	2,570,000	70,000
Medicaid Fraud Control			
General Fund	4,422,514	4,654,000	231,486
Special Revenue Funds - Federal	26,631,000	28,573,000	1,942,000
Special Revenue Funds - Other	3,500,000	3,598,000	98,000
Public Advocacy			
General Fund	20,162,428	20,304,000	141,572
Regional Offices			
General Fund	<u>11,470,570</u>	<u>11,264,000</u>	<u>(206,570)</u>
Total	<u>165,943,800</u>	<u>175,187,000</u>	<u>9,243,200</u>

**STATE OPERATIONS - GENERAL AND OFFSET FUNDS
SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES
2001-02 RECOMMENDED
(dollars)**

Program	Total Personal Service		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	10,201,000	1,180,677	9,972,000	1,180,577
Appeals and Opinions	4,088,000	64,796	3,997,000	64,996
Counsel for the State	21,376,000	1,092,466	20,945,000	1,091,866
Criminal Prosecutions	13,037,000	833,973	12,791,000	833,673
Medicaid Fraud Control	4,654,000	248,486	4,577,000	231,486
Public Advocacy	18,541,000	93,172	18,149,000	92,872
Regional Offices	9,358,000	(258,670)	9,126,000	(258,670)
Total	<u>81,255,000</u>	<u>3,254,900</u>	<u>79,557,000</u>	<u>3,236,800</u>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	229,000	100	0	0
Appeals and Opinions	91,000	(200)	0	0
Counsel for the State	431,000	600	0	0
Criminal Prosecutions	243,000	(300)	3,000	600
Medicaid Fraud Control	77,000	17,000	0	0
Public Advocacy	382,000	0	10,000	300
Regional Offices	214,000	0	18,000	0
Total	<u>1,667,000</u>	<u>17,200</u>	<u>31,000</u>	<u>900</u>

STATE OPERATIONS - GENERAL AND OFFSET FUNDS
SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED
APPROPRIATIONS AND CHANGES
2001-02 RECOMMENDED
(dollars)

Program	Total Nonpersonal Service		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	19,453,000	335,600	94,000	2,400
Appeals and Opinions	701,000	18,900	354,000	9,800
Counsel for the State	11,530,000	2,978,500	164,000	4,500
Criminal Prosecutions	2,966,000	80,800	71,000	1,800
Medicaid Fraud Control	0	(2,517,000)	0	(34,600)
Public Advocacy	1,763,000	48,400	81,000	2,700
Regional Offices	1,906,000	52,100	19,000	100
Total	<u>38,319,000</u>	<u>997,300</u>	<u>783,000</u>	<u>(13,300)</u>

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	68,000	2,100	18,913,000	612,400
Appeals and Opinions	29,000	500	316,000	8,900
Counsel for the State	380,000	10,500	895,000	24,000
Criminal Prosecutions	306,000	8,400	1,998,000	54,400
Medicaid Fraud Control	0	(38,900)	0	(987,900)
Public Advocacy	78,000	2,200	1,465,000	40,000
Regional Offices	219,000	6,300	1,631,000	44,700
Total	<u>1,080,000</u>	<u>(8,900)</u>	<u>25,218,000</u>	<u>(203,500)</u>

Program	Equipment		General State Charges	
	Amount	Change	Amount	Change
Administration	378,000	(281,300)	0	0
Appeals and Opinions	2,000	(300)	0	0
Counsel for the State	156,000	4,500	0	0
Criminal Prosecutions	591,000	16,200	0	0
Medicaid Fraud Control	0	(4,900)	0	(1,450,700)
Public Advocacy	139,000	3,500	0	0
Regional Offices	37,000	1,000	0	0
Total	<u>1,303,000</u>	<u>(261,300)</u>	<u>0</u>	<u>(1,450,700)</u>

Program	Maintenance Undistributed	
	Amount	Change
Counsel for the State	9,935,000	2,935,000
Total	<u>9,935,000</u>	<u>2,935,000</u>

STATE OPERATIONS - OTHER THAN GENERAL FUND AND OFFSET FUNDS
SUMMARY OF APPROPRIATIONS AND CHANGES
2001-02 RECOMMENDED
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Counsel for the State	20,872,000	381,000	7,406,000	56,000
Criminal Prosecutions	2,570,000	70,000	0	0
Medicaid Fraud Control	32,171,000	2,040,000	17,082,000	1,384,000
Total	<u>55,613,000</u>	<u>2,491,000</u>	<u>24,488,000</u>	<u>1,440,000</u>

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Counsel for the State	6,261,000	150,000	7,205,000	175,000
Criminal Prosecutions	0	0	2,570,000	70,000
Medicaid Fraud Control	11,491,000	558,000	3,598,000	98,000
Total	<u>17,752,000</u>	<u>708,000</u>	<u>13,373,000</u>	<u>343,000</u>

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)**

<u>Fund Type</u>	<u>Available 2000-01</u>	<u>Recommended 2001-02</u>	<u>Change</u>
General Fund	200,000	0	(200,000)
Total	<u>200,000</u>	<u>0</u>	<u>(200,000)</u>

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

<u>Program</u>	<u>Available 2000-01</u>	<u>Recommended 2001-02</u>	<u>Change</u>
Public Advocacy			
General Fund	150,000	0	(150,000)
Legislative Initiatives			
General Fund	<u>50,000</u>	<u>0</u>	<u>(50,000)</u>
Total	<u>200,000</u>	<u>0</u>	<u>(200,000)</u>