

Institute for Local Government Lawyers

Law Office Management

by

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Managing a Municipal Law Office

A Primer on Best Practices

Practicing law in a municipal setting is demanding, time-sensitive, often high profile and public, and constantly changing. In order to provide high quality legal services, it is important that the city attorney exhibit leadership skills; have a well organized legal staff; and understand the principles of management in many areas, including personnel recruitment and retention, training and development, budgeting, technology, and financial management in addition to managing the legal work, ensuring that your client's legal needs are met and litigation matters properly handled. All these difficult tasks must be done in a setting that most often is characterized by limited resources and high expectations.

City attorneys' offices vary greatly in terms of size, how they are structured, the amount of work handled by inside attorneys vs. outside counsel, whether their office handles only civil or civil and criminal matters, and even whether the city attorney is an elected official. Therefore, it is impossible to articulate a set of practices that will apply equally to all variations of city attorneys' offices. However, there are some underlying themes from which a city attorney can develop the practices that are most relevant to his/her particular situation and can use to develop the right processes to achieve his/her objectives. This paper will set forth ideas that can be viewed as "best practices" and from which can be gleaned the relevant tools applicable to any type of municipal law office.

Overview of Management Issues

It is essential that a city attorney understand and demonstrate leadership, and good management and organizational skills. The topics that will be discussed in this article are (1) organization of the law department, including how to structure management, the importance of articulating and following a mission, the different skills needed by "leaders" and "managers," how to organize a business office, and how to best utilize staff; (2) personnel issues, including compensation, recruitment and retention, professional development, mentoring, and succession planning; (3) delivery of top quality legal services, including how to manage accountability, the important role of technology, the use of outside counsel, and how to measure client satisfaction; and (4) some of the unique challenges of a municipal law department.

The paper is divided into these subparts and is designed to provide the reader with a general outline of important management issues in a legal department setting. Each of these topics could be the subject of a paper all by itself, and this paper is not intended to provide all the answers. Hopefully, the reader will come away with a general understanding of important principles and possible "best practices" and will be able to apply them in his/her own situation.

1. Organization of the Law Department

a. Management structure

Successful management of a law department requires that thoughtful consideration be given to how to structure the organization for maximum efficiency and

effectiveness. This determination will vary from office to office depending on the size of the department and type of work.

A useful way to align the legal staff is into groups aligned by subject matter, i.e., "practice groups." Best practices include a flat organizational structure with minimal management attorneys.[1] This approach allows for concentrated work on particular areas that require certain skill sets, for example areas such as municipal bond work, environmental work, specialized litigation, and other such areas. Each of the management attorneys should be expected to organize his/her group in a manner that allows for sufficient supervision, maximum efficiency, and appropriate development. All the attorneys, regardless of level of experience, should report to the management attorney for supervisory purposes. However, within a practice group, team leaders can be designated to allow for efficient work practices, development of more experienced attorneys and appropriate mentoring of less experienced ones. An organizational chart of the City of Atlanta Law Department is attached as an illustration of how practice groups can be configured.

The practice groups should not designed to be "silos." Rather they are meant to focus a set of attorneys and support staff on particular aspects of the work with expectation that the various practice groups will work together to solve overlapping problems. As important as creating the practice groups to focus on subject matter, it is equally important to create opportunities for "cross practice group teams" to work together to address shared client's legal needs. For example, creating a cross practice group team that focuses on the Procurement Department's needs and brings together all

[1] *See* James Wilbur, "Best Practices of City and County Civil Law Offices" Altman Weil, February 2002, http://www.altmanweil.com/about/articles/government/bestpractices.

the attorneys who work on procurement issues for the various users agencies provided a useful foundation to ensure that consistent advice is being given.

Paralegals should be assigned to particular practice groups and should be an integral part of the team. However, it is also useful to have a "paralegal manager" who is responsible for the general development of the paralegal staff and can also ensure consistency in how the paralegals are evaluated and provided with development opportunities.

b. Mission/vision

Fundamental to successful management of a municipal law office is a meaningful mission and vision statement that the staff understands and embraces. This mission and vision should be tied to how staff members are evaluated and how managers manage. It is not "fluff," nor something to write down just because you have been told you are supposed to have such a statement. It forms the basis of how to talk to staff, how to inspire them, how to communicate to them the nature of where the department is going and how it fits into the overall strategic objectives of the organization, how to set the stage for making decisions on budget and staffing, and how to ensure that the department stays on track with its strategy and objectives. The statement should be tied to everything that the department does from employee evaluations to budgeting. It should be developed in collaboration with staff and implemented consistently by the management team. Doing so will help to ensure sustainability of the plan. The Mission and Vision of the City of Atlanta Law Department is attached to this paper as an example.

c. Leader vs. manager

City attorneys should recognize that they serve in various capacities in their role. The most fundamentally important of these roles is that of a "leader" and a "manager." It is critical to understand the distinction between these roles and the importance of embracing both. These concepts apply to the city attorney and all of the senior staff charged with overseeing the department.

Being a leader means exhibiting qualities and a vision that inspires others to want to follow you and to embrace your leadership. A leader must demonstrate clarity of vision and purpose, the ability to make tough choices in difficult situations, the ability to lead an organization (or his/her part of it) through change that improves the organization's functioning and the ability to forge the parts of an organization together.

In contrast, being a manager requires careful attention to the skills and needs of individual members of the team and determining how best to ensure they are productive and successful. These contrasting roles are complimentary, but require different skills and activities.[2]

c. Business office

An empowered business office administrator is an essential element of successful management of the law department. This individual should oversee all non-legal aspects of running the department and should be the manager of all the non-professional (i.e., administrative) staff. The business office responsibilities include budget development, management of finances, oversight of technology, oversight of facilities issues,

[2] For an interesting contrast in the roles of the "leader" and the "manager," see Robert Goffee and Gareth Jones, "Why Should Anyone Be Led by You?" *Harvard Business Review*, September-October 2002, pp. 63-70, and Marcus Buckingham, "What Great Managers Do," *Harvard Business Review*, March 2005, pp.70-79.

management of human resource issues, and oversight of general day to day operations of the department.

d. Staff ratios/staff utilization

To effectively deliver legal services, particularly in an environment where resources are constrained, it is important to achieve an appropriate balance between professional and support staff. Having a sufficient ratio of paralegals and legal secretaries to attorney staff and having these paraprofessionals properly deployed can significantly increase a law department's ability to achieve its mission and create client satisfaction.[3] It is also important to remember that attorneys typically need training and management in order to achieve proper deployment of the support staff. In addition, paralegal and administrative staff needs to be trained and managed to seek the appropriate level of work in order to maximize their effectiveness.

2. Personnel Matters

Like any organization, city governments must recruit and retain talented people and provide those people with the development and tools that they need to do the job if the organization is to be successful and fulfill its mission. These fundamental needs form the basis of the success of any organization, public or private. Law offices, like all other aspects of an organization, must focus on these fundamentals if they are going to be successful in delivering top quality legal service. Several categories of concerns are discussed below.

a. Compensation

[3] *See* footnote 1, *supra,* for discussion of best practices ratios of paralegals/attorneys.

In addressing issues with staff, compensation is always an issue. Your ability to recruit and retain talented people is dependent upon your ability to provide them with a compensation package that is competitive. Being completely competitive with the private sector, particularly with regard to attorneys, is unlikely in a government setting, and fortunately not always required, given many great people's desire to perform public service. But even with that desire, ultimately people may be forced to either not take the job you offer or not stay because they cannot afford it.

City attorneys, like all other department heads in city government, should be prepared to fight for the compensation for their staff. It will typically be difficult to compete with public demands for public safety resources, public works demands and similar issues that are more evident to the constituents of elected officials. However, city attorneys should understand how to benchmark salaries against those of surrounding jurisdictions and in other places, if appropriate. Performing a meaningful compensation study is not simply an exercise in asking other employers what they pay. It is more complicated than that, and if you are going to engage in that activity, you should seek the help of a qualified compensation expert.

Another important aspect of addressing the compensation question with your employees is to be sure that they understand the true nature of the compensation package you are actually offering them. Compensation is more than simply the take home pay, although that is by far what people care most about. But, you may be able to recruit or retain your good employees more effectively, if you explain to them the total value of what the city offers in the way of compensation – including pay, health care, retirement benefits, and other benefits such as educational assistance. Many people lack a

fundamental understanding of the breadth of a compensation package, and employers are wise to take the time to communicate that information to employees.

b. Recruitment and retention

Recruitment and retention of talented staff is an essential duty of any manager. No organization can expect to successfully fulfill its mission if it is faced with the inability to attract good people or with significant turnover on a regular basis. The city attorney should focus on aspects of a successful approach to recruit and retaining qualified staff.

In addition to compensation, recruitment and retention depend on the city attorney being able to articulate the mission and vision of the department and inspire professional staff to embrace it. Opportunities to do important public work, professional development opportunities, advancement, and recognition are all part of what attracts people to a particular organization and keeps them there. If your law department is known within the legal community for high quality work, that reputation will also attract good staff.

c. Professional development

An important aspect of your plan to recruit and retain is to have a well thought out plan for professional development of your staff. If this aspect of your work as a manager is done well, it provides the city attorney a real advantage over the private sector. Many attorneys, particularly young attorneys, seek employment in the public sector because they believe the work will be important and that they can gain experience more quickly than in a private law firm. Given the leaner staffing levels in government settings and the often fascinating work that arises in the public sector, you should be able to meet these expectations. But it won't happen by accident.

If you don't properly manage the training and development aspects that come with recruiting inexperienced attorneys, you will likely leave them disappointed and will be unlikely to retain them. In addition, your department won't have the reputation of a place where young attorneys thrive. In house departments, in the public or private sector, often lack the resources to properly train staff. Therefore, it is imperative that you, as manager of the city law office, ensure that your staff is structured in such a way that appropriate attention is given to this important aspect of your work. The risk you run if you don't is not only that you will lose staff, but you will have attorneys performing work for which they are not qualified. Even those attorneys who have great potential and are capable of figuring it out on their own without a lot of support will not see your office as a place of long term employment if they don't see support for their development or believe it is a system in which there is no focus on their ability to thrive.

The same issue arises with more senior staff. As your experienced staff settles into a career in public service in your office, you should not lose sight of the fact that good employees, and perhaps professionals in particular, need to feel like they are not stagnating. Sometimes this need manifests itself as a desire to get promoted. But, in any setting, the number of people who can actually be rewarded for their good work through a promotion is small. Therefore, it is incumbent on a manager to find other ways to provide professional development to good staff. This development can take the form of opportunities to attend seminars on particular critical and emerging issues for your client, to participate in bar or other community activities, or to be selected to perform some important task for your office, like conducting a training session for less experienced staff.

It is far too easy for a manager to overlook the continuous development needs of experienced staff and to just assume they are satisfied in their present position. If professional development is not on your radar screen as a manager, you will likely find yourself surprised when an experienced staff member – in particular one you want to keep – announces one day that he/she is leaving for a new challenge.

An essential part of any plan to develop your staff has to be a meaningful evaluation system. Often the system developed by an organization focuses on line operations staff and translates poorly to the type of work done in a law office. It is incumbent of the city attorney to take whatever evaluation system that the city imposes and create additional tools for the managers to use that accurately reflect the work of the legal staff and provide meaningful feedback. A thorough discussion of the evaluation process and evaluation instruments and the accompanying metrics is beyond the scope of this paper, but is a topic worthy of the city attorney's attention. The evaluation form for attorneys in the City of Atlanta Law Department is attached to this paper.

d. Mentoring

Mentoring should be a formalized aspect of your management practices. Many of the issues that interfere with your ability to retain staff can be addressed through proper communication. Given the likelihood that it is impossible for the city attorney to communicate as often and as thoroughly as is necessary, having a team of experienced committed staff members to help you send the messages you want your staff to hear can make an importance difference in how successful you are in keeping your employees informed and satisfied.

It is critical to remember, however, that if you are going to task a group of employees in your office with the job of mentoring other employees, you have to make the time to frequently and completely communicate with them. It is far too easy to assume as you go about your day to day work that your staff knows as much about what is going on within the department or the city as you do. This is rarely the case. Learning to communicate effectively is one of the most difficult aspects of any leader's job. More often than not you will find that no matter how well you think you are communicating, you are rarely as successful as you think you are. The best adage to remember is that you can never "over communicate." When you are really tired of hearing yourself say something and believe that your staff must consider you a "broken record," you may actually be getting to the point at which many of them are beginning to understand what you are saying.

e. Succession planning

Succession planning is an often overlooked aspect of a manager's job. This problem occurs in many settings, but may be more prevalent in a government setting in which the top manager is a political appointment and is less likely to be the position for a long period of time. The importance of planning for the future of a law department cannot be overemphasized. If as city attorney, you are dedicated to creating good management practices, part of your focus must be on how you ensure that those practices survive a change in administration of the government and perhaps your tenure as city attorney. This institutionalization of good practices, as well as effective day to day management of the department, is build on a foundation of thoughtful succession planning.

Part of your mission should be to identify and develop the future managers and leaders of your department. Having good people ready to step into places with more responsibility does not happen without a plan. Your succession planning should involve identifying those people who could take on additional responsibility at this time if one of your senior staff is suddenly unavailable. In addition, you should have a well thought plan for how you intend in the long term to create the leaders of tomorrow. Having a plan to identify high potential employees and then creating opportunities for them to learn new skills and for you to evaluate their skills and likelihood of success at a higher level are important aspects of a department manager's role.

3. Legal Services

a. Accountability

The paramount duty of the city attorney is deliver timely, high quality legal services. The ultimate focus and purpose of your management structure should be to ensure the right systems and tools are in place to ensure that those legal services are being delivered and that you are aware of when they fall short. Lawyers, by their nature, tend to work autonomously and often chafe at the notion that they need to be "managed." However, when every attorney in the organization is representing the same client, it is essential that collaboration and communication among the members of the legal staff be well managed and coordinated. This concept is at the core of what "accountability" in an in-house department is all about. Clearly, managers have a responsibility to ensure that the attorneys have the proper skills, are tending to deadlines and other legal responsibilities. But beyond those activities, the city attorney and the management team needs to focus on how to provide superior legal services through a well organized law

staff that collaborates and communicates effectively. If multiple members of your staff are working with an agency within the government, but are not talking to each other, the client agency will likely get confusing and possibly conflicting advice. At the very least, the agency will have a negative impression of the law department and wonder why the lawyers don't talk to each other.

b. Technology

A key driver of more effective delivery of legal services is technology. Often in a municipal setting where resources are tight, law offices lag in the implementation of today's legal technology tools. This is an area where city attorneys should focus attention, learn about the tools available, and make every effort to implement them within the municipal law office. The pay back is significant. In addition to the ubiquitous items like e-mail and calendar programs, city attorneys should acquaint themselves with tools such as matter management systems, document management software, and litigation support software. Programs such as these are now essential elements of a successful approach to lawyering, not luxuries.

Use of technology is important within the municipal setting for several reasons. Efficiency is created through the sharing of documents through a document management system, eliminating the need to reinvent pleadings, legal opinions and contracts by each individual attorney. This efficiency also supports knowledge management activities and provides a basis to ensure consistency in how issues are addressed. Through software programs such as document management and litigation support tools, the legal work can continue seamlessly even when staff turnover occurs. Documents are easily accessible, and case strategy and information are retained even if counsel is replaced.

Understanding the scope and nature of the many matters handled by the law department, through use of a matter management system, assists the city attorney with planning for and justifying staffing and budget requests. Department wide use of calendars allows for better management of staff. Litigation support software enhances the ability of attorneys to manage their cases and caseload, and its use within a municipal setting levels the playing field for attorneys who litigate against private firm attorneys, who most often today have these tools available.

c. Inside vs. Outside Counsel

An issue that city attorneys who run large in-house departments must consider is when it is necessary and appropriate to engage outside counsel to handle a particular matter. Once again, the budgetary constraints that municipal law departments face can influence this decision. City Council members and even members of your own staff might look upon a request for funds for outside counsel as inappropriate, thinking that such money is better spent on inside resources or not spent at all. This type of thinking is dangerous and could create significant detrimental effects for the city.

Attorneys have an ethical obligation not to handle matters in which they have no expertise. Given the complexity of issues facing municipalities today, it is inevitable that such issues will arise for the municipal law office. Such matters might include patent infringement lawsuits, challenges to the city's pension funds by the Internal Revenue Service, complex class action litigation, and difficult bankruptcy issues. Additionally, at times the sheer size of a matter may require a depth of resources that a municipal law office simply doesn't have and is unlikely to achieve, at least not in the short term.

Carefully targeting which types of matters should be sent to outside counsel is essential to the wise use of limited dollars.

Equally essential is the proper management of the outside counsel after they are engaged. Such management must include setting the expectations of the outside firm on the type of communication and budget management you expect as well as properly training and managing your own staff to perform that management. It is critical that you develop a set of guidelines for outside counsel and ensure that they are well communicated and properly adhered to by outside counsel. Attached to this paper are the *Guidelines for Outside Counsel* used by the City of Atlanta Law Department.

d. Client Satisfaction/Strategic Lawyering

Ultimately, the principal role of the city attorney is to provide the very best legal services to the governmental entity he/she represents. As this paper explains, accomplishing that task has many facets, and just figuring out whether you are being successful is itself a difficult task. Most popular management models rightfully include the use of appropriate metrics and tracking of improvements in the work. Creating these metrics is a difficult task in a legal environment and often the activities or tasks that can be tracked provide little meaningful data to assess whether your goals are being accomplished. The clearest way to determine whether you are being successful is to ask your clients on a regular basis – what is working and what is not? This can be done through survey instruments, but those tools also have their limitations. Therefore, the city attorney should plan to have regular discussions with key client representatives to determine whether their needs are being met.

One of the key measures to assess (which is more subjective than objective) is to determine whether your staff attorneys are viewed as strategic partners, who are helping to move the business of the organization forward. Particularly in an in-house setting, strategic lawyering should be a key component of your staff's skill development and provision of legal services to the client. A strategic lawyer is one who understands his/her client's business and can effectively add value to the discussions about how to address issues, plan initiatives and solve problems. This type of lawyer is one who can appropriately evaluate risk and provide an thoughtful basis upon which the client can make good decisions and accomplish the goals of the organization.[4]

4. Unique Challenges of the Municipal Law Office

Within a municipal law office, as well as other government offices, there exist some unique challenges that do not exist in a private law firm or corporate law office environment. These challenges arise from the political nature of the client and its many facets and make implementation of the good management practices more difficult.

Practicing in an environment run by elected officials creates obstacles to the implementation of good management practices that do not exist in the private sector. These challenges can be summed up in the adversarial nature of an organization controlled by elected officials who, although they generally have the organization's best interests at heart, must also consider their own interests particularly during election years. An in-house counsel at a corporation would be very unlikely to face a situation in which senior management makes a decision about good management practices and budget

[4] For a good discussion of the role of the "strategic lawyer," see Jill Schachner, "The Strategic Lawyer," *ABA Journal,* July 2005, pp. 42-47.

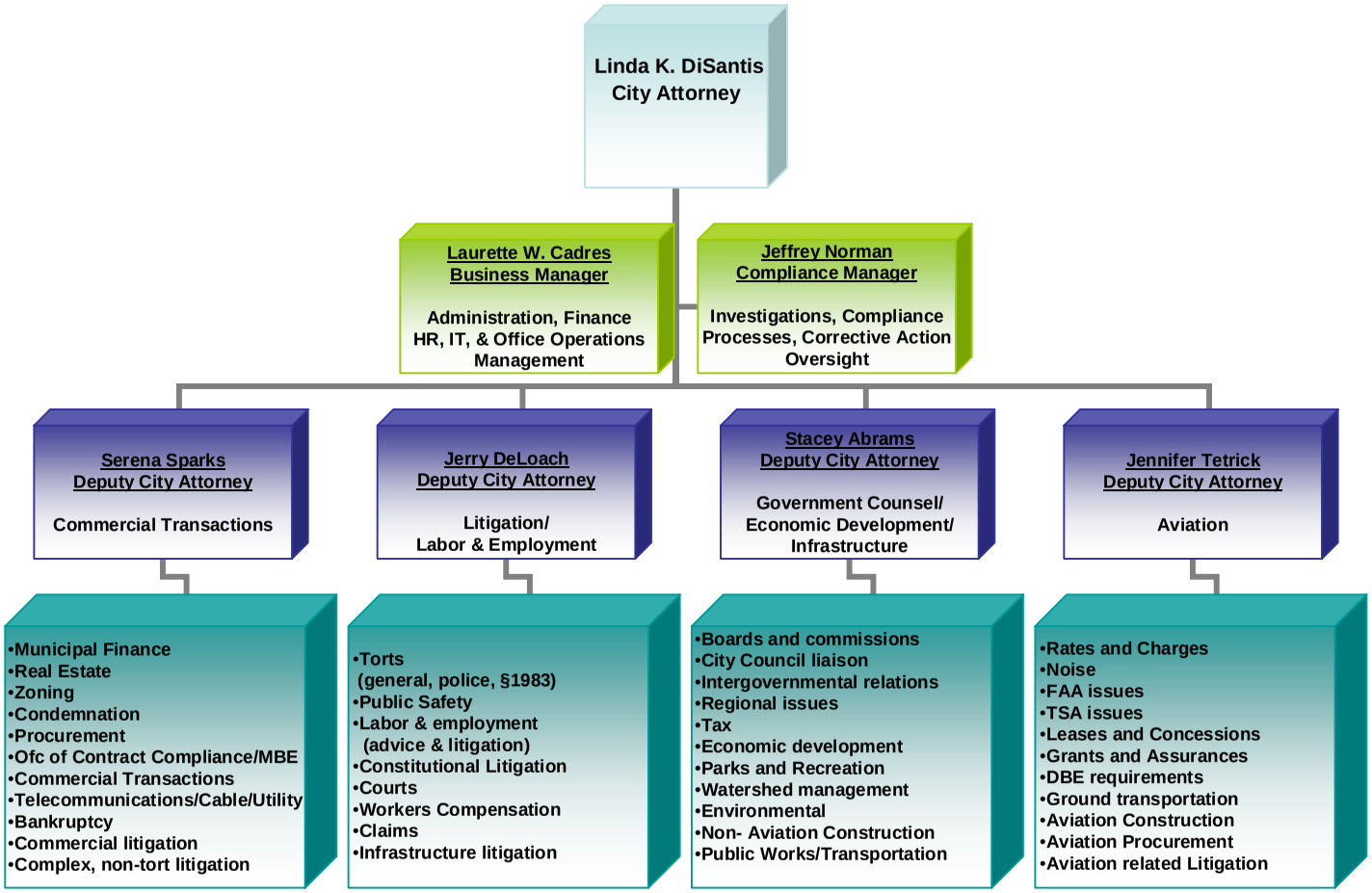
priorities and then has to face a challenge from employees who have another forum in which to raise their discontent. City Council members often feel compelled to respond to employee complaints about compensation, retirement benefits, and how the city is managed, even if they understand the need for managers to make tough decisions.

In addition to the political challenges that arise in this setting, attorneys face the ethical dilemmas of representing multiple parts of an organization that often fundamentally disagree. The rules of professional conduct do not neatly answer questions for city attorneys who represent both the mayor and the city council and must respond to both, even when they are directly at odds. These ethical challenges can cause considerable stress on the staff attorneys, and management of the stress should be part of what your managers understand and address.

Finally, city attorneys have to grapple with the fact that implementation of good management structures and activities take a long time. Given that in many cities, city attorneys are political appointments who are not necessary long term employees, it may be impossible to get good practices implemented and institutionalized. Your strategy should keep this fact in mind, and you should train your managers in how to manage and ensure that they are equipped to carry on with the plan even if you are replaced with a change in administration.

Department of Law

Organizational Chart



City of Atlanta
Law Department

Mission Statement

We are a team of professionals committed to providing excellent legal services to the City of Atlanta.

This work will be accomplished through:

1) **a team that consistently provides top quality customer service; is proactive, creative, and integrated into the day-to-day activities of the City; and is a force for positive change throughout the City;**
2) **an environment that is supportive and empowering and in which professional development for all members of the staff is a key objective;**
3) **a team that focuses on providing legal services that are efficient and cost effective; and**
4) **a team that is consistently looking for ways to improve the delivery of legal services.**

Vision Statement

We will be viewed as a "best in class" municipal law department – an exemplary benchmark. We will have the trust of our clients and be known within the City and the legal community as a law staff that provides excellent legal advice and performs excellent legal work that is timely, thorough and continuously improving. We will be considered an employer of choice. Our staff will be appropriately compensated and supported, provided with professional development opportunities, and have access to solid technology that creates efficiency and effectiveness in the practice of law. We will have a staff that is proud to be part of this organization and who always seeks to enhance the quality of our work and of our professional reputation.

ATTORNEY EVALUATION FORM

ATTORNEY BEING EVALUATED:
DEPUTY:

This form will be used within the City of Atlanta Law Department as the primary departmental evaluation tool. The information will be used to complete the QPAI form. By signing the form, the Deputy and attorney indicate their agreement with the plan.

The attorney being evaluated will fill out the self-assessment portion of the form and return it to his/her Deputy. The Deputy will complete the evaluation portion of the form, provide it to the attorney, and discuss it with the attorney. The attorney being evaluated and the Deputy will complete the development plan. The objectives of this process are (1) to communicate the expectations of the Department; (2) to evaluate each attorney's performance and to provide direction on improvements needed, if any; (3) to discuss career development interest and opportunities; (4) to provide each attorney the opportunity to give feedback on the evaluation; and (5) to align the attorney's performance with the mission and vision of the City and of the Law Department.

Mission Statement

We are a team of legal professionals committed to providing excellent legal services to the City of Atlanta and supporting the City's vision of customer-focused, efficient, effective, and fiscally sound government.

This work will be accomplished through:

1) a team that consistently provides top quality customer service; is proactive, creative, and integrated into the day-to-day activities of the City; and is a force for positive change throughout the City;
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PROFESSIONAL CORE COMPETENCIES

An important consideration in the evaluation is the Core Competency feature, being used throughout the City. Stated below are the Core Competencies for a professional level manager, which includes attorneys in the Law Department. Many aspects of these Core Competencies are imbedded in the Law Department CJEs and performance indicators. In preparing your self-assessment, you should consider whether you demonstrate these attributes. They will be considered by your Deputy in evaluating your performance.

- **Mission Execution** – Demonstrates understanding of the mission and goals of the organization including statutory mandates, services & measures of the organizational effectiveness; helps create & implement strategic initiatives
- **Customer Service** – Exemplifies & promotes a customer-focused way of doing business
- **Leadership** – Works & manages collaboratively with others to achieve team & organizational goals; develops team members
- **Business Process** –Supports & implements changes to enhance efficiency & effectiveness
- **Professional Behavior** – Demonstrates a positive, "can-do" attitude; responds constructively to new information; helps team members with changing conditions & unexpected obstacles

SELF ASSESSMENT

Instructions: Complete the Self Assessment portion of this form. Please be as specific as possible in answering the questions. Return this form to your Deputy in the time frame requested.

CLIENT/CUSTOMER SERVICE

Critical Job Element: Provides proactive and creative client/customer service

1. What do you do well in providing customer and client service that meets the objectives of the City's and the Law Department's customer service goals? How have you idenitifed your clients' expectations? List your most significant accomplishments or contributions and provide specific examples of good customer service.

2. What do you see as your areas of improvement relating to customer service?

3. What is your specific goal for the next year relating to how you provide customer service?

TEAMWORK AND DEVELOPMENT

Critical Job Element: Demonstrates a commitment to teamwork and professional development of self and others, working collaboratively with others to achieve team and organizational goals

1. What do you do well relating to teamwork and communication in the Law Department (e.g., development of Law Department staff [including more junior attorneys and support staff], relationships with others in the Department; communication with Department management and support staff; showing consideration for others; contributions to overall success of the Law Department)? Please list any activities you have initiated or actively participated in as part of an effort to encourage camaraderie and teamwork within your group and the Department. What was the result?

2. What do you need to improve on with regard to teamwork, communication, and professional development for yourself or others on your team?

3. What specific plans do you have for the next year to improve the teamwork in the Law Department and your professional development?

FINANCIAL RESPONSIBILITY

Critical Job Element: Supports Department's financial objectives

1. What have you done in the last year that you believe has had a positive effect on the City's financial condition or on the Law Department's ability to meet its budget? Be as specific as possible.

2. What plans do you have for the next year related to improved financial performance?

PROCESS IMPROVEMENT AND INNOVATION

Critical Job Element: Supports and implements changes to enhance efficiency and effectiveness

1. What have you done in the last year to improve and support the processes of the Law Department? In your area of practice or team? Your comments should reflect how you believe the actions you have taken support the mission and vision of the Law Department.

2. Have you successfully performed any new tasks or additional duties outside the scope of your regular responsibilities? If so, please specify.

3. How have you utilized the technology provided by the Law Department in improving processes?

4. What plans do you have for the next year to improve the processes of the Law Department? Of your practice area or team?

POSITION SPECIFIC DUTIES

Critical Job Element: Consistently performs position-specific elements in an effective manner

Please use this section to add any other information you believe should be considered in your evaluation. This section can include accomplishments, development needs, and other information that you wish your manager to consider in your evaluation. You may also use this section to comment on the evaluation form itself and the process in general, if you wish.

The next section of the Self-Assessment asks you to rate yourself on particular characteristics. You will be using the same rating scale that is used by your manager when he/she evaluates your performance. Please evaluate yourself on all factors that apply to you. If you think a particular characteristic does not apply to you, please use N/A. For each instance of "not applicable," please explain why you think the particular characteristic does not apply.

The rating system used is:

Outstanding (5): Consistently exceeds performance standards *and* contributes in areas well beyond job responsibilities

Highly Effective (4): Regularly exceeds performance standards

Effective (3): Completely fulfills expected performance standards

Needs Improvement (2): Meets most but not all performance standards

Unacceptable (1): Fails to meet performance standards on one or more CJEs

Customer Service	O	HE	E	NI	U	N/A
Technical skills (skills related to your specific job and/or level)	O	HE	E	NI	U	N/A

Improvement in skills	O	HE	E	NI	U	N/A
Quality of your work product	O	HE	E	NI	U	N/A
Productivity	O	HE	E	NI	U	N/A
Identification of client needs	O	HE	E	NI	U	N/A
Responsiveness (timeliness and thoroughness)	O	HE	E	NI	U	N/A
Contribution to improvement of Law Department functioning	O	HE	E	NI	U	N/A
Use of available technology (word processing, Outlook, Time Matters)	O	HE	E	NI	U	N/A
Time management and organizational skills	O	HE	E	NI	U	N/A
Interpersonal skills (positive attitude; ability to get along well with co-workers/clients/vendors)	O	HE	E	NI	U	N/A
Communication skills - verbal/written (legal documents, correspondence, legislation, etc.)	O	HE	E	NI	U	N/A
Innovation and creativity	O	HE	E	NI	U	N/A
Collaboration/team mentoring skills	O	HE	E	NI	U	N/A
Leadership skills (takes initiative on projects; helps develop others)	O	HE	E	NI	U	N/A
Professionalism (punctuality, attendance; conduct; responsiveness, and follow through)	O	HE	E	NI	U	N/A
Overall	O	HE	E	NI	U	N/A

Use this space to explain why you believe certain characteristics are not applicable (N/A):

Date submitted to Deputy:

EVALUATION FORM

This portion of the form will be completed by the Deputy following review of the self assessment portion of this form completed by the attorney. The Self Assessment and this portion of the form will be discussed with the attorney at his/her review.

The rating system used is:

Outstanding (O): Consistently exceeds performance standards *and* contributes in areas well beyond job responsibilities

Highly Effective (HE) Regularly exceeds performance standards

Effective (E): Completely fulfills expected performance standards

Needs Improvement (NI): Meets most but not all performance standards

Unacceptable (U): Fails to meet performance standards on one or more CJEs

CLIENT/CUSTOMER SERVICE

Critical Job Element: Provides proactive and creative client/customer service

Identifies clients' expectations and provides customer service consistent with City's and Department's goals	O	HE	E	NI	U	N/A
Exhibits creativity and decisiveness in resolving matters	O	HE	E	NI	U	N/A
Possesses appropriate analytical and communication skills; demonstrates these to clients and to department management	O	HE	E	NI	U	
Inspires confidence	O	HE	E	NI	U	N/A
Exhibits high quality written and oral expression	O	HE	E	NI	U	N/A

Evaluator's Comments: (comments should reflect basis of score given for each element)

TEAMWORK AND DEVELOPMENT

Critical Job Element: Demonstrates a commitment to teamwork and professional development of self and others, working collaboratively with others to achieve team and organizational goals

Exhibits creativity in supporting group and department, and provides training and development opportunities for staff consistent with level of experience and expertise	O	HE	E	NI	U	N/A
Exhibits strategic thinking through collaboration and collective problem solving; demonstrates positive attitude working with colleagues	O	HE	E	E	U	N/A
Seeks resolution of problems or concerns in a constructive and cooperative manner	O	HE	E	NI	U	N/A
Reports progress and nature of work appropriately	O	HE	E	NI	U	N/A
Seeks opportunities for professional development and improvement in skills and advancement in responsibility	O	HE	E	NI	U	N/A

Evaluator's Comments: (comments should reflect basis of score given for each element)

FINANCIAL RESPONSIBILITY

Critical Job Element: Supports Department's financial objectives

Uses resources efficiently	O	HE	E	NI	U	N/A
Manages costs effectively; supports department business processes	O	HE	E	NI	U	N/A
Provides creative constructive input into management of financial resources	O	HE	E	NI	U	N/A
Works to achieve department goals regarding cost control	O	HE	E	NI	U	N/A

Evaluator's Comments: (comments should reflect basis of score given for each element)

PROCESS IMPROVEMENT AND INNOVATION

Critical Job Element: Supports and implements changes to enhance efficiency and effectiveness

Presents constructive ideas for doing things better	O	HE	E	NI	U	N/A
Organizes area of responsibility to produce maximum results in an efficient manner	O	HE	E	NI	U	N/A
Contributes to the overall needs of the Department; shares ideas for process improvement consistent with the mission and vision of the Department	O	HE	E	NI	U	N/A
Is responsive to critiques of work processes and seeks to improve	O	HE	E	NI	U	N/A

Evaluator's Comments: (comments should reflect basis of score given for each element)

POSITION-SPECIFIC ELEMENTS

Critical Job Element: Performs position-specific elements in an effective manner

Practices law consistent with level of experience and years of practice; demonstrates characteristics consistent with grade level of position; seeks opportunities for increased responsibility	O	HE	E	NI	U	N/A
Provides leadership and mentoring consistent with grade level of position (For *Associate City Attorneys*: Seeks opportunities for skill development through work assignments and relationships with other professional staff)	O	HE	E	NI	U	N/A
Demonstrates professionalism within the Department, the City and the legal community at large	O	HE	E	NI	U	N/A
Demonstrates an understanding of and commitment to the vision and mission of the Department consistent with experience as an attorney and as a member of the Department	O	HE	E	NI	U	N/A

Evaluator's Comments: (comments should reflect basis of score given for each element)

Evaluator's Signature

_____

Date: _____

Attorney's Signature

_____

Date:_____

DEVELOPMENT PRIORITIES

This section of the Evaluation Form will be completed by the Deputy and the attorney being evaluated. The Deputy and attorney will agree on the development priorities and complete that section of the form at the conclusion of the evaluation or within 3 days of the completion of the evaluation. The attorney will draft the plan for development and submit it to the Deputy within three days of completion of the development priorities. By signing the form, the Deputy and attorney indicate their agreement with the plan.

DEVELOPMENT PRIORITIES *(to be completed by the attorney and Deputy)*

List the three most important development priorities for the attorney:

1.

2.

3.

PLAN FOR DEVELOPMENT *(to be prepared by the attorney)*

_____	_____
Attorney Signature	Evaluator Signature
_____	_____
Date	Date



CITY OF ATLANTA
DEPARTMENT OF LAW
GUIDELINES FOR OUTSIDE COUNSEL

Date: August 2005

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City of Atlanta Department of Law

Mission Statement

We are a team of professionals committed to providing excellent legal services to the City of Atlanta.

This work will be accomplished through:

1) a team that consistently provides top quality customer service; is proactive, creative, and integrated into the day-to-day activities of the City; and is a force for positive change throughout the City;
2) an environment that is supportive and empowering and in which professional development for all members of the staff is a key objective;
3) a team that focuses on providing legal services that are efficient and cost effective; and
4) a team that is consistently looking for ways to improve the delivery of legal services.

Vision Statement

We will be viewed as a "best in class" municipal law department – an exemplary benchmark. We will have the trust of our clients and be known within the City and the legal community as a law staff that provides excellent legal advice and performs excellent legal work that is timely, thorough and continuously improving. We will be considered an employer of choice. Our staff will be appropriately compensated and supported, provided with professional development opportunities, and have access to solid technology that creates efficiency and effectiveness in the practice of law. We will have a staff that is proud to be part of this organization and who always seeks to enhance the quality of our work and of our professional reputation.

Introduction

The City of Atlanta Law Department Guidelines for Outside Counsel ("Guidelines") are designed to provide law firms engaged by the City Attorney on behalf of City, its departments, agencies, commissions, and employees (herein, collectively referred to as the "City") with the requirements for such legal representation. These Guidelines are mandatory for all law firms engaged by the City of Atlanta Law Department (the "Law Department" or "Department"). All law firms representing the City are required to adhere to these guidelines, and each such law firm shall ensure that all attorneys and support staff working on City matters are familiar with the requirements set forth herein.

As stated in the Vision and Mission statements on the preceding page, the Law Department is committed to providing top quality legal services to the City. The Department recognizes that its vision will not become reality or it mission accomplished without the involvement and expertise of outside counsel on particular matters. These guidelines are designed to ensure that the relationship between the Department and the outside firms is well managed and that all interested parties understand the relationship. These Guidelines also serve to articulate the specific requirements of the relationship.

These Guidelines set forth the basis for the retention of outside law firms by the City of Atlanta Department of Law. When representing the City, you are expected to adhere to the requirements. The Guidelines will be modified from time to time. Changes to the Guidelines will be communicated to the law firms representing the City at the time of the changes. It is the responsibility of each law firm to ensure it is operating under the most current version of the Guidelines.

General Guidelines Applicable to All City of Atlanta Matters

The information contained in this section of the Guidelines pertains to all matters in which law firms are engaged on behalf of the City. Each law firm is responsible to ensure that all attorneys and support staff working on matters for the City are familiar with these Guidelines.

City Attorney Authority

The City Charter, 3-303, and the City Code of Ordinances, § 2-396 *et seq*., provide that only the City Attorney has authority to engage outside counsel on behalf of the City. Therefore, it is essential that outside law firms do not perform work on behalf of the City unless the firm has been engaged by the City Attorney, pursuant to an arrangement consistent with these Guidelines and unless the representation has been memorialized in an engagement letter sent by the City Attorney to the law firm.

Budgets

Each law firm that is engaged on a legal matter for which it will be compensated in any manner other than a flat fee for the representation must submit to the City Attorney a good-faith estimate of the cost of the work. While it is likely in many engagements that the cost of the matter will be difficult to estimate at the early stages of the representation, the law firm should make a serious effort to estimate fees for the entire matter, or if that is not possible, for a defined portion of the matter as is deemed appropriate. The estimate will be used by the City Attorney to determine what level of funding to seek during the engagement. Each law firm that is engaged by the City will be expected to continuously monitor the extent of fees generated and to inform the City Attorney as soon as possible if the fees are expected to exceed previous estimates.

At times, it may be appropriate to estimate the fees according to various aspects of the work and plan to submit supplemental requests for funding. It is expected that, if this method is used, the law firm (through the Principal Client Contact) will work closely with the City Attorney to anticipate when a particular phase of the work is drawing to a close and additional authority is needed. For litigation matters, please see additional information on budgets included in the section on litigation guidelines.

Relationship Partner

When the law firm is first engaged by the City Attorney, the firm will designate a Relationship Partner, who will be responsible for managing the overall relationship between the law firm and the City Attorney. The Relationship Partner is responsible to designate the Client Service Team for every matter for which the firm is engaged, to oversee the billing (including arranging for any alternative billing arrangements), to ensure adherence to these Guidelines and top quality service, and to interact regularly with the City Attorney and the designated staff within the Law Department and to address with the City Attorney any potential conflicts of interest. The Relationship Partner will be required, from time to time, to engage in a review of the relationship between the law firm and the City and to assess the quality and costs of the service with the City Attorney. The Relationship Partner will designate a Principal Client Contact for each engagement with the City, who will be responsible to manage the particular engagement to ensure that the Relationship Partner and the City Attorney are kept informed of developments in the particular matter and that the Client Service Team works closely with the designated Law Department staff attorneys.

City Client Service Team

Each law firm providing service to the City is required to designate a Client Service Team to coordinate with the Law Department in the representation. The team shall include the following

1. ***Principal Client Contact***

   For each engagement, the Relationship Partner will designate a Principal Client Contact who will be responsible for the particular matter. The Principal Client Contact will be responsible to assemble the Client Service Team needed to address the particular matter and to work closely with the Responsible Law Department Attorney, other Law Department staff and the Business Contacts.

2. ***Client Service Teams***

   At the time a matter is assigned to the law firm, the Department will expect the law firm to designate a work team appropriate to the particular matter. The experience of the team members and the number of attorneys and support staff assigned to each matter will be determined by the law firm in consultation with the Responsible Law Department Attorney (defined below) and will be designed to properly staff the matter in a manner that is appropriate, while being cost-effective. Changes to the Client Service Team should not be made unless first reviewed by the law firm with the Responsible Law Department Attorney.

City of Atlanta Contacts

It is essential that, when providing legal services to the City of Atlanta, the City Attorney and the law firms work closely at all times. It is not acceptable for a law firm, after being assigned a particular matter, to work only with business contacts in the City and not communicate regularly with the Law Department. It is also not acceptable for any law firm to accept work from anyone in the City of Atlanta other than the Law Department. Therefore, it is necessary that

good communication be established among the law firm, the Law Department and the appropriate City Business Representative (discussed below).

1. ***Responsible Law Department Attorney***

   When a law firm is engaged to represent the City, the City Attorney will designate a "Responsible Law Department Attorney" to serve as the principal contact person in the Law Department for the particular matter(s) for which the firm has been engaged. The role of the Responsible Law Department Attorney is to closely manage the relationship with the firm on the particular matter and ensure that the representation by the firm is consistent with the strategic goals of the City and the objectives of the Law Department. Strategic and tactical decisions about the case may not be made by the law firm without the input and approval of the Responsible Law Department Attorney. Although the law firm attorneys may need to work closely with the City Business Contact in representing the City, the firm must provide continuous updates and information to the Responsible Law Department Attorney.

   The method used to provide this communication will likely vary according to the nature of the matter. For example, engagement of a firm to do multiple condemnations will require a different type of communication than one involving a single litigation matter. The Responsible Law Department Attorney will inform the law firm of the type of communication that is expected for the particular matter, and the law firm shall adhere to those requirements.

2. ***City Business Representative***

   Frequently, it will be necessary for the Law Department to arrange for the law firm to work directly with City representatives outside of the Law Department. If this type of activity is appropriate, the Responsible Law Department Attorney will inform the law firm of the business contacts with whom the attorneys should work. The Responsible Law Department Attorney will designate (in conjunction with the department being represented) a City Business Representative, who will serve as the principal business contact for the particular matter. The Responsible Law Department Attorney will inform the Principal Client Contact of the names of Business Representative(s) that the firm should contact and/or work with. In addition, the Responsible Law Department Attorney will inform the Principal Client Contact of how the firm should communicate with the Business Contact and when the Law Department Attorney should be included in those contacts. If in doubt, the law firm should always err on the side of communicating with the Law Department.

Matter Assignment

Legal work for the City of Atlanta will only be assigned by the Law Department. Law firms performing work for the City should not accept any work outside the scope of the representation previously designated by the Law Department without specific written approval from the City Attorney. Any requests by business contacts to perform legal work should be immediately referred to the Law Department via the Responsible Law Department Attorney. Any questions regarding whether a particular matter is within the designated representation for which

the firm has been retained should be directed to the Responsible Law Department Attorney or the City Attorney.

Procurement of Legal Services by the Law Department

It is the goal of the Law Department to procure legal services that are tailored to the particular legal need that has been identified. The selection of outside counsel will be made according to criteria that are consistent with the overall goals of the City in providing top quality legal work and opportunities for diverse law firms and attorneys to participate in the City's legal representation.

At times, legal services will be procured through a request for proposals ("RFP") process. This process will be undertaken when, in the discretion of the City Attorney, an RFP process is consistent with providing for the legal needs of the City. This type of process will typically be used when procuring legal services that are not urgently needed and will be of a longer duration. If the RFP process is used, law firms will be expected to include in their proposals an opportunity for minority and women owned firms to participate in the representation consistent with the City's procurement practices.

Promotion of Diversity

It is the policy of the Law Department to obtain legal services in a manner that is consistent with the City of Atlanta's equal business opportunity policies. All requests for proposals sought by the City Attorney for the provision of legal services will include a statement from the proponents on meaningful diversity practices and initiatives. Selection of outside counsel will be reviewed in light to the City's diversity objectives with consideration given to the establishment of co-counsel relationships between minority or female and majority-owned firms, the presence of female and minority partners in majority owned firms, mentor-protégé relationships, and meaningful opportunities for medium, small and sole practitioners to participate in work on behalf of the City.

Correspondence and Documents

All correspondence, pleadings and other documents created or transmitted by the law firm in connection with the representation of the City on a particular matter should be copied to the Responsible Law Department Attorney, unless instructed otherwise. All correspondence should clearly identify the matter on which the law firm is working.

Media Inquiries

Law firms retained by the City Law Department must refrain from responding to media inquiries about the legal work of the City. All requests from the media for comment should immediately be referred to the City Attorney and/or the Responsible Law Department Attorney. If the City Attorney and the Responsible Law Department Attorney are not available, the law firm should contact the Mayor's Communication office at (404) 330-6395.

Conflicts of Interest

All law firms representing the City must be free of conflicts of interests. Any potential conflicts should be discussed with the City Attorney, whether they arise when the law firm is first engaged or arise after the relationship has been established. Conflicts will be discussed by the

City Attorney and the Relationship Partner and will be resolved in a manner that is consistent with the Georgia Rules of Professional Conduct.

In addition to conflicts of interest that typically arise in law firms when representing private entities, an additional concern will be taken into account by the City Attorney when a determination is made on whether to grant a waiver of a conflict requested by a firm representing the City. If the request for a waiver relates to a matter of particular importance in the City's initiatives, the Mayor's priorities, or a particularly important public policy issue facing the City, the City Attorney may not agree to a waiver. The City Attorney recognizes that most law firms will have other clients who interact with the City on many levels and many issues. It is the intent of the City Attorney to address conflict waiver requests in a manner that affords maximum flexibility to the firms in representing other clients. However, law firms agreeing to perform work for the City should recognize that such work may at times create an "issue conflict" and preclude the firm from representing other clients on certain public issues.

Training Programs

At times, law firms may be asked by City Business Representatives to provide training to city employees regarding particular issues of interest. Although the Law Department does not prohibit such training, no training should be undertaken without the prior approval of the City Attorney. Any training materials to be used by the law firm must be reviewed first by the Responsible Law Department Attorney working with the law firm on the related matter.

Professional Liability Insurance

The City requires the law firms that represent it to carry professional liability insurance with coverage of not less than $1,000,000 per claim and annual aggregate. The policy shall include at least a three (3) year Extended Reporting Provision. The Department may request a certificate of insurance to substantiate such coverage.

Retention of Records by Law Firms/Open Records Requests

The law firm should keep records of matters it handles for the City consistent with the Georgia Rules of Professional Conduct and the firm's internal record retention practices. Law firm should consider that some records it has in it possession, if not covered by attorney/client privilege, work product protection or any other privilege, could be subject to an Open Records request pursuant to Georgia law. O.C.G.A. § 50-18-70, *et seq.* If a law firm receives an Open Records request relating to a City matter, the City Attorney should be contacted immediately.[1]

[1] The Open Records Act, O.C.G.A. § 50-18-70 (f), requires a response within three business days.

Guidelines Regarding Litigation

In addition to the general guidelines, the following guidelines apply when a law firm is engaged by the Law Department to represent the City in litigation matters. These rules are supplemental and in addition to the response dates and conferences required by the Georgia Civil Practice Act and the Federal Rules of Civil Procedure.

Early Case Assessment

The Law Department believes that early evaluation of litigation brought against the City is an important aspect of providing cost-effective legal services. When a litigation matter is assigned to a law firm, the law firm should plan, within the first 60 days after the matter is assigned, to hold a conference (the "Early Case Assessment Conference) with the Responsible Law Department Attorney regarding how to handle the case. This early case assessment should include at least the following:

1. Fact evaluation: The law firm should develop the facts of the particular matter as fully as practicable during the first 60 days after the matter is assigned. This factual investigation should include review of the available documents and interviews (in person, if possible) with the key witnesses.
2. Legal authority: The law firm should, during the early case assessment, prepare a summary of the principal legal authority relative to the matter and review this material with the Responsible Law Department Attorney.
3. Summary: As part of the Early Case Assessment Conference, the law firm should prepare a written summary of the facts and law to be provided to the Responsible Law Department Attorney prior to the Conference.

Litigation Budget

At the time a law firm is engaged to represent the City in litigation, the law firm is required to prepare a litigation budget, which should include the law firm's best estimate of the cost of litigating the matter, considering the need for expert witnesses, fact witness discovery and potential trial exhibits. The budget should be submitted to the Responsible Law Department Attorney within 60 days after the matter is assigned to the firm. The budget should be submitted using the form at Attachment B.

Retention of Experts

Approval by the Responsible Law Department Attorney is required prior to any engagement of an expert by the law firm. The expert is required to submit a budget for his/her services, and approval of the budget must be obtained from the Responsible Law Department Attorney prior to the authorization for any services. As litigation proceeds, the law firm is required to ensure that the budget is kept current. Before any written reports or summaries are elicited from an expert, the Responsible Law Department Attorney must be contacted to discuss the effect of any such report on the case strategy.

Extensions of Time

Because extensions of time to respond to pleadings or provide discovery responses can increase the cost of litigating a matter or delay its resolution, such extensions should not be routinely sought. Prior to any such request, the law firm must discuss the request with the Responsible Law Department Attorney.

Vendors

Use by the law firm of vendors, such a court reporters, document management companies, or investigators, should be coordinated by the law firm with the Responsible Law Department Attorney. The City of Atlanta Law Department encourages law firms to seek opportunities to include minority, women and locally-owned business among its vendors, and to include such businesses among those who do work on City matters.

Alternative Dispute Resolution

The Law Department recognizes that certain matters should be considered for alternative dispute resolution ("ADR"). Any law firm engaged to represent the City in a litigation matter should, throughout that representation, seek to identify times when the use of ADR might an appropriate and cost effective option to resolve the matter. As these opportunities arise, the outside attorney should discuss the possibility with the Responsible Law Department Attorney, who in conjunction with the law firm, make a determination as to whether the City will engage in ADR.

Settlement Authorization

No case or claim in the City of Atlanta in excess of $500 may be settled, even by the City Attorney, without the authorization of the Atlanta City Council. The Principal Client Contact should familiarize him/herself with *Karen Black v. City of Atlanta*, 265 Ga. 425 (1995). Any law firm representing the City should not make any offers of settlement without prior authorization from the Responsible Law Department Attorney. All approved offers of settlement should include information about the necessity of gaining authority to settle from the governing authority of the City. The Court and opposing counsel should be informed that any settlement offer communicated is contingent on such approval.

Approval Required

Pleadings and discovery responses must be approved by the Responsible Law Department Attorney prior to their submittal to the court or opposing counsel. Drafts must be sent to the Responsible Law Department Attorney in sufficient time to ensure review prior to the due date. It is recommended that the drafts be presented with at least one week for review within the Law Department.

Questions Regarding Litigation

Any questions regarding the guidelines for handling litigation matters should be directed to Deputy City Attorney, Jerry De Loach at (404) 330-6495 or jdeloach@atlantaga.gov.

Legal Fees and Billing Requirements

Alternative Billing Arrangements

The Law Department encourages the use of alternative billing arrangements whenever appropriate for work done by outside counsel. Such alternative billing arrangements could include flat fees for certain aspects of the work; blended rates for all personnel working on the matter; discounts associated with certain aspects of the works; standard government rates comparable to those offered the State of Georgia or other local governments; and similar arrangements.

When the standard hourly billing method is used, the Law Department encourages law firms to consider the nature of public sector representation and adjust their hourly rates to reflect the need to be prudent in the expenditure of public money.

All billing arrangements must be discussed by the Principal Client Contact and the City Attorney at the time the representation begins. The billing arrangement will be included in the engagement letters signed by the City Attorney and the Principal Client Contact.

Billing Requirements

All bills for legal services should adhere to the following guidelines:

1) Bills should be submitted to the City Attorney with a copy to the Responsible Law Department Attorney.
2) Bills should include a record of all timekeepers on the file and the description of the work should be in sufficient detail to allow the Law Department attorneys to assess the nature and scope of the work performed, while protecting attorney/client privileged information.
3) The matter name will be identified in the engagement letter, and this name should be used when the bill is submitted. Multiple matters should be submitted on separate invoices.
4) The preferred billing cycle is monthly. Bills should be submitted monthly covering each month's activity.
5) At the beginning of the representation, the Relationship Partner should provide to the Law Department that name and contact information for the billing manager in the event we need to contact the billing manager regarding an invoice
6) The bill should be submitted in the form substantially like the one described on Attachment C.

Travel

The City will reimburse outside counsel for reasonable travel expenses associated with the legal work performed on behalf of the City. All travel must be pre-approved by the Responsible Law Department Attorney, and the law firm representatives should make travel arrangements that are consistent with the prudent use of public funds. Law firms will not be reimbursed for first class air travel, expenses at luxury hotels or similar expenditures. The City

also will not pay for time spent traveling unless the attorney was performing work for the City while in route.

Staffing

When staffing a matter for the City, care should be taken to ensure that the staffing is appropriate for the matter, with limitations on the number of timekeepers assigned to the file. The number of timekeepers and the experience level of those timekeepers should be consistent with professional standards considering the complexity of the matter and the volume of the work. Staffing should be established at the beginning of the representation, and any changes to that staffing must be reviewed with the Responsible Law Department Attorney and the City Attorney.

Disbursements

The City will reimburse law firms for reasonable disbursements. The cost of filing fees, long distance phone calls (telephony and facsimile), messenger and overnight delivery charges will be reimbursed at the actual expense incurred. Copying charges will be reimbursed at the maximum rate of 10¢ per page. If a law firm has negotiated within the firm for a flat fee for computer assisted research, it is expected that the firm will not charge the City for that research in addition to the time spend performing the research by the timekeeper. The City will not pay for secretarial overtime, library services, temporary employees, and similar expenses that should be included in the law firm's overhead.

[LAW DEPARTMENT LETTERHEAD]
Date

[Relationship Partner]

Re: [Matter identification]

Dear _____:

We are pleased to retain your firm as outside counsel in conjunction with the above referenced matter. Your firm is retained pursuant to the authority granted to the City Attorney in the City of Atlanta Code of Ordinances. The terms of your representation are contained in the *City of Atlanta Law Department Guidelines for Outside Counsel*, which are attached to this letter. Please familiarize yourself with the requirements contained in the *Guidelines* and ensure that all personnel working on City of Atlanta matters are familiar with them as well. By undertaking this engagement, you are agreeing to abide by the terms of the *Guidelines*.

You are required under the *Guidelines* to appoint a Principal Client Contact to serve as the Law Department's main point of contact for this engagement. Please identify this individual for us. The Responsible Law Department Attorney for this engagement is _____. You are expected to keep _____ informed regarding all aspects of the work in accordance with the requirements set out in the *Guidelines*. Please note that all bills should be submitted to my attention with a copy to _____. Please use the name of the matter, as identified above, on your bills, and bill this matter separately from any other work you are performing for the City. Please provide us with a business office contact if we have any billing inquiries.

You have indicated to us that your fees would be at the following rates: _____. If your assessment changes, the *Guidelines* require that you review staffing changes with us.

As you may know, the City of Atlanta is committed to meeting the goals of the City's Equal Business Opportunity ordinance. During the engagement, we may want to discuss with you how the firm can provide opportunities to minority or women owned firms or minority or female attorneys within the firm.

We look forward to working with you on this matter to provide the highest level of legal services to the City of Atlanta.

Sincerely,

Linda K. DiSantis
City Attorney

Attachment
cc: _____, Deputy City Attorney
_____, Responsible Law Department Attorney
Laurette Cadres, Law Department Business Manager
Thelinjoris Roberts, Law Department Administrative Analyst

Attachment A

Litigation Budget
Privileged and Confidential
Protected by Attorney/Client Privilege
Attorney Work Product

Date: _____

Matter Name and Case Number: _____

Responsible Law Department Attorney: _____

Principal Client Contact and Law Firm: _____

Law Firm Attorney who prepared this budget: _____

1. Case Assessment/Case Work up

   Estimated budget: _____

2. Pretrial Activities, excluding discovery

   Estimated budget: _____

3. Discovery

   Estimated budget: _____

4. Trial Preparation

   Estimated budget: _____

5. Expenses and Disbursements

   Estimated budget: _____

6. Appeal

   Estimated budget: _____

Counsel may breakdown the activities within each category as needed. The budget should be submitted as early after case assignment as possible, but no later than 60 days. The budget should be updated on a regular basis, as determined by the Responsible Law Department Attorney. All budget updates, submitted after the original budget, should include information as to the amount of the original budget, the amount spent to date, and an explanation for any changes to the original estimate.

This form should be modified to reflect any flat billing rates or other alternative billing arrangements.

Attachment B

Required Billing Format

[Date]

_____
City Attorney
City of Atlanta Department of Law
Suite 4100
68 Mitchell Street, S.W.
Atlanta, GA 30335

Re: [Matter Name As Identified in the Engagement Letter]

Timekeeper	Hours	Description	Fee
Susan Jones	.50	Phone call with Bill Castings regarding appeal of condemnation decision	75.00
Tom Smith	1.00	Review request for documents and organize documents for production	85.00
Mary Thompson	.25	Review case strategy with S. Jones	75.00

Copy charges	100 copies @ 10¢/copy		$10.00

Total Disbursements	$10.00
Total Fees	$235.00
Total this bill	$245.00

Timekeepers	Position	Hourly Rate
Mary Thompson	Partner	$300.00
Susan Jones	Associate	$150.00
Tom Smith	Paralegal	$85.00

cc: Responsible Law Department Attorney

Attachment C