

26. LEGAL SERVICES

The goal of Legal Services is to provide responsive, cost effective legal support to Council, boards/agencies and staff on strategic initiatives, legislative compliance, risk management and operations issues, using best efforts to see that the actions undertaken by the municipality comply with applicable laws and have the desired legal effect.

Some specific objectives of legal services include:

- timely, accurate and effective legal advice
- protect, advocate for and advance the legal interests of the municipality and the public interest
- provide efficient and cost effective representation of the municipality before the courts and board/tribunals
- prepare, negotiate and review contracts and agreements effectively to protect the municipality's interests
- oversee the delivery of services under the Provincial Offences Act consisting of administrative, prosecutorial and court support functions

What should you consider when reviewing these results?

Each municipality's results are influenced to varying degrees by a number of factors, including:

- organizational form: determines whether all legal costs are controlled centrally by legal services as well as the mix of external vs. in-house lawyer hours
- staffing model: the ratio of paralegal and administrative staff to lawyers affects the cost per lawyer hour, as only lawyer hours are tracked
- litigation costs: the nature and volume of legal claims (including civil claims, human rights matters, contractual disputes, by-law challenges, and applications for Judicial review) drive legal costs.
- council philosophy: cost benefit of settling claims at different stages
- municipal services: different services can demand varying levels of legal support
- client initiatives: new initiatives (i.e. re-organization or restructuring, amendments to by-laws, introduction of new by-laws, official plan review, major infrastructure projects) can generate a considerable amount of legal work and may impact both internal and external legal hours and cost per hour
- reimbursement of legal fees employees and council members may be reimbursed for legal costs incurred to retain external lawyers when they are not represented by in-house lawyers

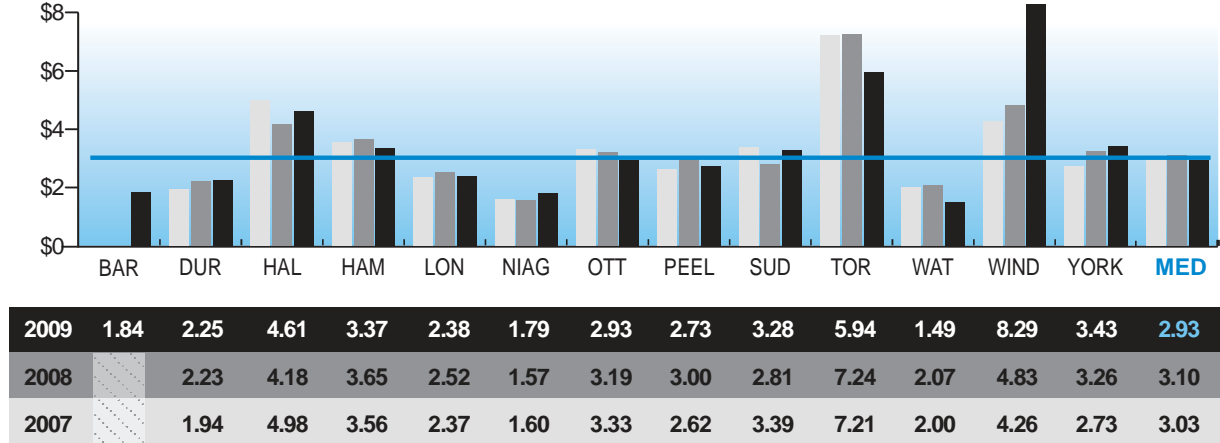
NOTE: At this time, Thunder Bay is not participating in the collection of performance data for this program area due to changes in their organizational structure.

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What are the results?

What is the demand for legal services relative to total municipal expenditures?

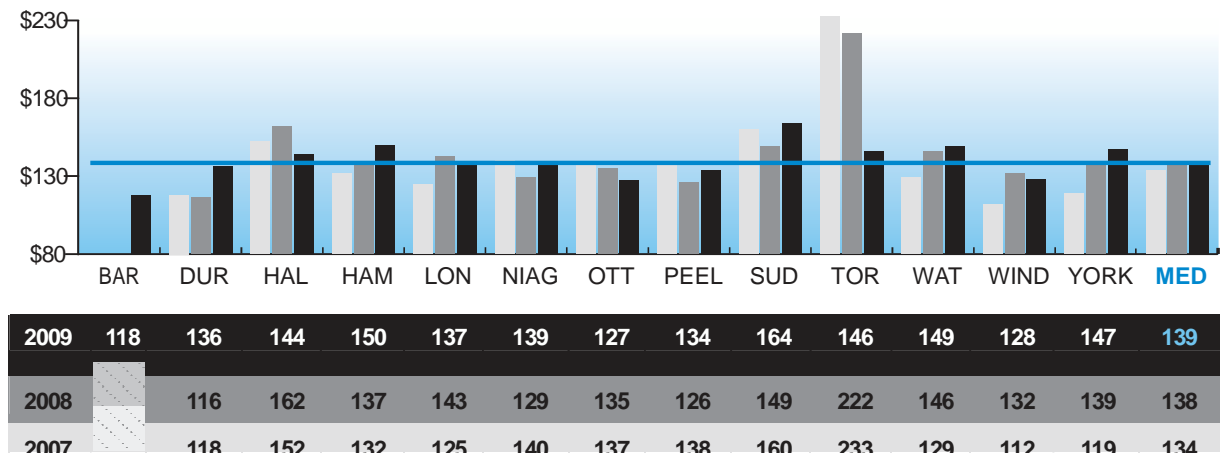
Fig. 26.1 Legal Services Operating Cost per 1,000 Dollars Municipal Capital and Operating Expenditures



Source: LEGL260 (Service Level)

How much do municipalities pay for an hour of in-house legal service?

Fig. 26.2 In-House Legal Operating Costs per In-house Lawyer Hour

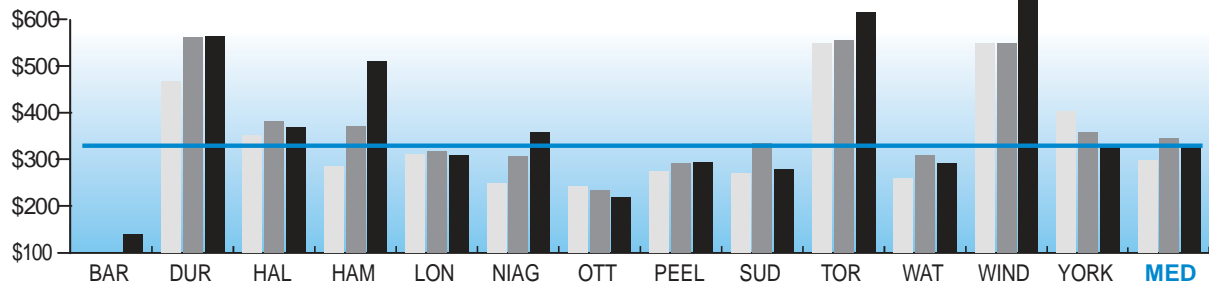


Source: LEGL315 (Efficiency)

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How much do municipalities pay for an hour of external legal services?

Fig. 26.3 External Legal Cost per External Lawyer Hour



2009	139	563	370	511	308	357	218	294	279	615	292	650	330	330
2008		562	381	371	318	306	233	292	334	556	308	550	357	346
2007		468	352	286	311	248	243	274	270	550	261	550	402	298

Source: LEGL320 (Efficiency)