

# **New York City Law Department**

## **Year in Review 2021**

**GEORGIA M. PESTANA, Corporation Counsel**

**New York City Law Department, 100 Church Street, New York, NY 10007**

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For more information, visit our website: [www.nyc.gov/law](http://www.nyc.gov/law).

**With offices in all five boroughs and Kingston, New York, the New York City Law Department handles over 80,000 active or ongoing legal matters each year. In addition to litigating cases, attorneys draft and review local and State legislation; approve leases, contracts and financial instruments for the sale of municipal bonds; negotiate and structure business transactions; and provide legal counsel to City officials on a wide range of issues, such as criminal justice, social services, education, election reform and environmental policy. Listed below are some major issues and matters handled by the various Law Department divisions in 2021.**

Message from Corporation Counsel Georgia M. Pestana: “The Law Department has historically been at the center of helping to guide the City through crises. As the City faced another year battling COVID, I was appointed Corporation Counsel. Serving as the Law Department’s first woman, first Latina and first ‘home-grown’ attorney to occupy the role, I hope my appointment provided – and continues to provide – inspiration to others. I couldn’t be prouder of all the Law Department has done and continues to do to help the City and its residents not just cope during

these trying times, but emerge more resilient and better prepared for future crises. We've always fought for New Yorkers. We hope you enjoy reading about our many accomplishments in this – our 2021 Annual Review.”

## LEGAL DIVISIONS

### **ADMINISTRATIVE LAW & REGULATORY LITIGATION**

**Division Chief:** Michelle Goldberg-Cahn | **Deputy Chief:** Karen Selvin

- **Public Health Crisis – COVID-19:** Continued to successfully defend scores of constitutional challenges in federal and state courts to the City's policies and emergency orders issued in response to the unprecedented COVID-19 pandemic, including challenges to various vaccination incentivization and requirement programs, such as the Key to New York City policy, requiring patrons of indoor recreational, entertainment, and dining establishments to show proof of vaccination prior to patronizing those establishments.
- **Consumer Protection** – Litigated successfully a challenge to the City's price gouging law which was enacted in response to the pandemic to protect consumers from excessive prices merchants were charging for essential goods – such as personal protective equipment (i.e., face coverings and hand sanitizer) and other items. Continue to defend various challenges by merchants found in violation of the upheld price gouging law.
- **Regulating Air Space:** Litigating case by a media production company specializing in aerial cinematography challenging the constitutionality of a New York City Aviation Law which prohibits the operation of unmanned aerial vehicles, such as drones, within City limits. These aerial cinematography devices are used by filmmakers for film production and plaintiffs claim the laws are not only preempted, but impede their artistic freedom of expression.
- **Regulation of Delivery Apps:** Handling litigation filed by third-party delivery app services challenging on constitutional grounds laws regulating the apps in terms of imposing caps on prices and fees that may be charged by the third-party apps and disclosure of certain customer information to restaurants that utilize the apps.
- **Worker Protection Laws:** Defending several challenges to local laws and agency regulations protecting workers such as laws prohibiting fast food restaurant employers from discharging employees outside specified criteria, laws requiring the payment of severance to hotel workers terminated while hotels were closed during the pandemic, and a local law requiring unions representing workers in the trade waste industry to register with the City agencies and make certain disclosures.

### **AFFIRMATIVE LITIGATION**

**Division Chief:** Gail Rubin | **Deputy Chiefs:** Eric Proshansky & Tonya Jenerette

- **COVID-19 Related Supplies:** Protected the public fisc by recovering millions from a medical supply vendor who wired City funds to a Chinese company for ventilators that were never shipped to the City.

- **Homeless Shelter Wi-Fi:** Successfully settled action alleging that children residing in homeless shelters lacked reliable internet connections for learning by substantially completing WiFi installations at shelters before the start of the school year.
- **Tenant Protection:** After court finding that purposeful neglect constituted tenant harassment, the City obtained contempt finding and a court order requiring building owners to repair three rent stabilized buildings in Chelsea to allow displaced tenants to return home, or the owners will face jail time.
- **Freelancer Rights:** Sued L’Officiel USA, a publisher of fashion and culture magazines, for failing to properly pay freelancers, in the first City lawsuit to enforce violations of the “Freelance Isn’t Free Act.”
- **Judgment Collection:** Brought extensive judgment enforcement proceedings after former hedge fund manager defaulted on settlement payments in false claims act case and collected \$3 million judgment after multiple court decisions, a Sheriff’s levy, a turnover order, and sales of stock.
- **Insurance Coverage:** Passed the two billion dollar mark in savings to taxpayers on defense and liability costs from tort suits arising out of private contractor work for the City by compelling insurance companies to comply with policy obligations and cover the City as an additional insured.

## APPEALS

**Division Chief:** Richard Dearing | **Deputy Chiefs:** Claude Platton & Devin Slack

- **Pandemic-related litigation:** Handled a wide range of pandemic-related litigation in federal and state appellate courts, from defending against facial and as-applied challenges to vaccination requirements, to responding to challenges to conditions of confinement, to navigating demands for information about the City’s preparation and response to the pandemic.
- **Land Use and Environmental Litigation:** Fended off challenges to a range of developments and projects before the New York State Appellate Division, litigation concerning supertall buildings, the City’s plan to replace Rikers Island with smaller and more humane borough-based facilities, and the City’s efforts to safeguard East River Park from the worst effects of climate change.
- **Recoupment of Medicaid funds:** Persuaded New York’s highest court that the City has the power to audit and recoup misspent millions of dollars in Medicaid funds allocated to providers of personal care services.

## COMMERCIAL & REAL ESTATE LITIGATION

**Division Chief:** Richard Schulsohn | **Deputy Chiefs:** Robert Funkhouser & Amanda Papandrea

- **Protected Public Fisc:** Defeated class certification in action against a City social service contractor by certain building services employees improperly seeking higher wages based on an inapplicable prevailing wage statute as third-party beneficiaries of the City’s contract, as to which the contractor had impleaded the City for indemnity.
- **Ensured AIDS Healthcare Program Could Proceed:** Obtained dismissal of an Article 78 proceeding by an AIDS health care services provider challenging denial of its proposal

to participate in a new City program for outreach and treatment for vulnerable HIV patients; the court upheld the determination and denied the provider's request to stay awards to other providers.

- **Retiree Health Benefits:** Court upheld OLR's procurement award for a new Medicare Advantage Plan, dismissing challenges brought by two insurance health care providers.
- **Successfully Defended the City's Contract Award for a Vital Climate Resiliency Project:** Defended the award of a \$1.2 billion contract for work on a coastal protection initiative jointly funded by the City and the federal government aimed at reducing flood risk in lower Manhattan.
- **Won Dismissal of a \$45.2 Million Claim:** Protected the public fisc by defeating a claim alleging that the City was responsible for delays on a bridge construction project in the Bronx.
- **COVID-19-Related Disputes:** Litigated claims and counseled various City agencies concerning disputes by contractors arising out of enhanced safety protocols.

## CONTRACTS & REAL ESTATE

**Division Chief:** Amrita Prabhakar Barth | **Deputy Chief:** Isabel Galis-Menendez

- **Pandemic Response:** Worked extensively with various agencies and the Mayor's Office of Contracts Services to process hundreds of contracts to aid the city's response to the Covid 19 pandemic, including hundreds of contracts for testing services, vaccination services, isolation hotels and many others.
- **Broadband Infrastructure:** Worked with other Law Department divisions and the Mayor's office of the Chief Technology Officer on planning for the acquisition and construction of quality, affordable broadband infrastructure and related services for underserved areas.
- **Purchase of Renewable Energy Credits:** As part of the City's commitment to renewable energy, worked with the Department of Citywide Administrative Services and the Mayor's Office of Climate and Sustainability to contract with the New York State Energy Research and Development Authority for the purchase of Renewable Energy Credits.
- **Privacy Protections in City Contracts:** Worked with the Office of the City's Chief Privacy Officer to prepare and administer the Citywide Privacy Protection Policies and Protocols, implementing the Identifying Information Law.
- **Response to Hurricane Ida:** Worked with various City agencies and other Law Department divisions on the City's response to damage caused by Hurricane Ida through emergency contracting, including repairs, project management and grants and loan programs.
- **Health Care Staffing Loan Fund:** Worked with New York City Emergency Management, the Office of Management and Budget and the office of the Deputy Mayor for Health and Human Services to facilitate the creation of a loan fund to assist hospitals and other health care institutions to obtain financing for increasing staffing to deal with the effects of the Covid-19 pandemic.

## ECONOMIC DEVELOPMENT

**Division Chief:** Betty Woo | **Deputy Chief:** Kim Bryan

- **Grand Hyatt Redevelopment:** Executed master agreement and negotiated lease for demolition of the midtown hotel adjacent to Grand Central Terminal and construction of a commercial building with hotel and office space.
- **School Buses:** Created NYC School Bus Umbrella Services (NYCSBUS) entity and closed on acquisition of assets from Reliant Transportation so NYCSBUS can operate school bus routes for Department of Education.
- **Airports Lease:** Extended lease for JFK and LaGuardia airports to enable major renovations expected to generate approximately 20,000 jobs and provide to the City additional \$5M annual revenue (on top of current annual revenue of approximately \$150M).
- **GrowNYC:** Executed lease for new facility at Hunts Point Food Distribution Center to serve as food distribution hub for locally grown farm products to community organizations such as food pantries, senior centers and farmers markets.
- **NYCHA:** Entered into numerous PILOT agreements enabling NYCHA to long-term lease properties to private developers for conversion to Section 8 under HUD's Rental Assistance Demonstration program to ensure permanent affordability, construction of new units and renovation of existing units, resulting in 493 new affordable units and 5210 renovated units across 9 NYCHA developments.

## ENVIRONMENTAL LAW

**Division Chief:** Hilary Meltzer | **Deputy Chief:** Chris Reo

- **Advancing Land Use Decisions:** Advised on several land use decisions, including the environmental and other land use reviews, and defended the City's public review processes in challenges to the SoHo/NoHo and Gowanus rezonings.
- **Supporting Homeless Shelters:** Advised on environmental and equity issues and defended several challenges to new homeless shelters.
- **Challenging Greenwashing by Fossil Fuel Companies:** Pursued an action alleging that oil companies violated—the City's Consumer Protection Law through misleading advertising campaigns directed at consumers in NYC, and participated as an amicus in greenwashing litigation brought by other state and local governments.
- **Resiliency Projects:** Advised agencies on projects designed to make the City more resilient to sea level rise, including the Rockaways, the South Shore of Staten Island, and Lower Manhattan.
- **Environmental Review:** Advised City agencies on updates to the City's technical manual used in preparing environmental reviews for projects in the City.

## FAMILY COURT

**Division Chief:** Jennifer Gilroy Ruiz | **Deputy Chiefs:** Jessica Latour, Rosemarie Peyton, Aimee Sklar-Calogero & Cecillia Shepard

- **Juvenile Delinquency Prosecution:** Worked on behalf of the children, families and communities of New York City, 365 days, nights, weekends and holidays in the citywide

Family, Criminal and Supreme Courts. Handled all juvenile delinquency cases and more than 85 percent of adolescent offender cases that originated in the Youth Parts. Supported those harmed by youth crime including at the five borough-based Child Advocacy Centers. Advocated for rehabilitative outcomes, that balance the needs and best interests of youth with the need for community safety. Enhanced investigation and prosecution of serious felony matters, including a substantial increase in firearms cases. Developed in-house legal trainings for attorneys and support professionals across the division including beginning and advanced skills trial advocacy programs.

- **Interstate Child Support:** Established orders of parentage and child support; pursued modification and enforcement of existing child support orders on behalf of City residents and out-of-state families. Supported the expansion of the Parent Support Program to all five boroughs. Developed in-house legal and skills trainings for attorneys and support professionals across the division and collaborated with other jurisdictions by conducting virtual presentations to child support professionals in other states.
- **Community Outreach and Diversion:** Pivoting quickly in response to the pandemic, worked to provide virtual community outreach and increased diversion for youth. Our diversion team has identified additional community resources, allowing for a greater number of youth to be appropriately diverted away from the formal court process and to engage in culturally competent programs with a restorative aspect. The number of referrals to diversion programs increased from 2020 to 2021.

#### **GENERAL LITIGATION**

**Division Chief:** Thomas Crane | **Deputy Chiefs:** Marilyn Richter & Jonathan Pines

- **Access to Public Facilities:** Handled challenges brought under the Americans with Disabilities Act to the accessibility of various public facilities including police precincts and courthouses.
- **High School Sports:** Settled a lawsuit seeking increased opportunities for minority high school students to participate in varsity sports activities.
- **Prison Conditions Litigation:** Handled a large volume of cases brought by inmates seeking damages and/or injunctive relief arising out of prison conditions during the Covid pandemic.
- **Summary Inquiry into Garner Death:** Litigated a judicial summary inquiry into various aspects of the City's handling of circumstances relating to the death of Eric Garner in police custody.
- **COVID 19:** Defended a federal challenge to the mandate that all students wear masks in school.

#### **LABOR & EMPLOYMENT LAW**

**Division Chief:** Andrea O'Connor | **Deputy Chiefs:** Maxwell Leighton & Iván Méndez

- **Vaccination Mandate:** Successfully defended against nearly a dozen challenges seeking to enjoin the vaccination mandates applicable to all City and DOE employees thereby ensuring a safe workplace for City workers.

- **Reasonable Accommodations:** Liaised with agencies to advise on reasonable accommodations requests, particularly with respect to medical and religious accommodations to the vaccination mandate.
- **Return to Office:** Advised the Department of Citywide Administrative Services and the Office of Labor Relations on policies relating to returning the City’s workforce to in-office work.
- **Trials and Client Advice:** Continued handling the division’s usual high-volume caseload while advising agency clients on novel and emerging labor & employment law developments.

## LEGAL COUNSEL

**Division Chief:** Stephen Louis | **Deputy Chiefs:** Martha Mann Alfaro & Spencer Fisher

- **Supported COVID-19 Mandates:** Worked closely with attorney and policymakers at City Hall at the Department of Health and Mental Hygiene, to analyze the legality of and draft multiple COVID-19-related Mayoral emergency executive orders and Board of Health orders to require testing or vaccination of employees in various high-risk settings, culminating in the City’s vaccination requirement for all public- and private-sector work spaces. Developed and drafted the Key to NYC Order to require proof of vaccination for recreational activities, as well as requirements for vaccination of students in the City’s secondary schools who participate in high-risk extracurricular activities.
- **Enhancing worker protections:** Worked with the Department of Consumer and Worker Protection and the City Council to draft innovative local laws that establish new protections for restaurant delivery workers so that they can set limitations on the distances and routes of their trips, are given information about trips before accepting, are provided with delivery bags, and are paid all that they are entitled to; and that create rights for fast food workers not to be terminated without cause, and to be recalled after termination for bona fide economic reasons. Division members also worked with the City Human Rights Commission and the City Council to expand protections against discrimination based on prior involvement in the justice system, extend protections of the Human Rights Law to domestic workers, and promote pay equity by requiring employers to include salary range information in job advertisements.
- **Racial Justice Commission/Charter Revision Commission:** Advised on the establishment by executive order of the City’s Racial Justice Commission, which has also acted as a Charter Revision Commission, and subsequently worked closely with the Racial Justice Commission and its staff on the preparation of three proposed amendments to the Charter, with accompanying questions, abstracts and report text. These amendments would create a new preamble to the Charter, and establish a racial equity planning and reporting framework. All these materials were filed with the City Clerk in December 2021, to be voted upon in the 2022 general election.
- **Changes in elections:** Advised with respect to implementation of, and public education on, the new ranked choice voting system that the City used for its primary elections in 2021. Advised City officials concerning landmark local legislation to implement non-citizen voting in local elections, which became Local Law 11 of 2022, as well as state legislative proposals – still under consideration in 2022 -- to restructure election administration in New York City.

- **Civilian Complaint Review Board (CCRB) reforms:** Analyzed and drafted local legislation to clarify and expand the ability of the CCRB to investigate acts of bias, as well to initiate and investigate its own complaints (Local Laws 47 of 2021 and 24 of 2022 respectively), and worked with City officials to draft a state legislative proposal to give the CCRB access to sealed records in furtherance of its duties.

## MUNICIPAL FINANCE

**Division Chief:** Albert Rodriguez | **Deputy Chief:** Michael Moore

- **Bond Transactions:** Provided legal services on \$18 billion of City bond issues which financed City capital projects or refinanced previously issued bonds.
- **Bond Refinancings:** Refinancing transactions resulted in debt service savings of \$1.8 billion for City bond issuers.
- **COVID-19 Surge Staffing Loan Fund:** The Division worked with other City agencies and the NYC Economic Development Corporation to establish the Fund which provides emergency loans to safety-net hospitals to hire staff and purchase PPE.
- **Taxi Medallion Loan Restructuring Program:** Advised and assisted the New York City Taxi and Limousine Commission and other City agencies in negotiating and structuring the City’s Medallion Relief Program to reduce the debt burdens of distressed New York City medallion owners.
- **Homeless Shelter Contracts:** Worked with DHS and OMB on amendments to the current form of contracts which finance shelter facilities and proposals to finance shelter facilities with City bond financing.
- **Geothermal Demonstration Program:** Advised City agencies and participated in reviewing and drafting legislation which would authorize and finance City-owned geothermal demonstration projects in order to provide renewable heating and cooling services for buildings in the City.

## SPECIAL FEDERAL LITIGATION

**Division Chief:** Patricia Miller | **Deputy Chiefs:** Frances Sands, Peter Farrell & Elizabeth Dollin

- **Protest Cases:** Defending law enforcement (first responders/high ranking officials) and the former Mayor in the many federal lawsuits stemming from protests following the 2020 death of George Floyd. Specifically, the Division handles 10 consolidated matters pending in the SDNY seeking monetary and equitable relief as well as class certification; and more than 70 other cases filed separately in both the SDNY and EDNY covering 83 protest locations.
- **Trials:** SF has been, and continues to be, a trial Division -- even in a pandemic. By May 2021, the federal courts had implemented Covid protocols to safely try cases in-person. From May until the end of 2021, the Division tried 9 jury trials (10 if a matter withdrawn with prejudice by plaintiff just before trial is counted). Moreover, despite what can often be ‘not positive portrayals’ of police in the media, the Division obtained defense verdicts in 7 of the 9 jury trials.

## TAX & BANKRUPTCY LITIGATION

**Division Chief:** Vincent D’Orazio | **Deputy Chiefs:** Rochelle Cohen & Andrea Chan

- **Real Property Tax Law:** The City prevailed in the Appellate Division, First Department on a challenge brought by multiple telecommunications companies claiming that the City’s assessment of certain backup power equipment resulted in double taxation.
- **Eminent Domain Used for Street Improvement and Flood Protection:** Acquired title by eminent domain to over 400 street bed properties in the New Dorp neighborhood of Staten Island which enabled the City’s Department of Design and Construction to improve living conditions by reconstructing the roadway and installing sanitary and storm sewers.
- **Bankruptcy Win Affirmed on Appeal in the Eleventh Circuit Court:** Obtained the dismissal of a suit filed in bankruptcy court in Florida seeking \$60 million in damages. In this case, the plaintiff filed an adversary proceeding against the City seeking \$60 million in damages for continuous trespass and a declaration that the City had improperly assessed its real property for tax purposes since 1987 through the current tax year.
- **Income and Excise Tax:** Successfully defended Department of Finance’s assessment of General Corporation Tax on capital gain realized by nondomiciliary corporation on the sale of an interest in a limited liability company doing business in the City.

## TORT

**Division Chief:** Fay Leoussis | **Deputy Chiefs:** Jenny Montana-O’Connor, Lavanya Pisupati, Andrew Potak, David Santoro & Nancy Savasta | **Director of Personnel Management:** LaVonne Pridgen

- **Settlements During COVID.** Continued moving cases towards resolution while the state courts were not operating normally. Initiated a variety of settlement projects, which, as of the end of December 2021 resulted in almost as many settlements as the prior year: 3,139. Trained staff on the art and skill of negotiation, which will continue enhancing the office’s ability to resolve cases through settlement well into the future. In the busiest borough, Brooklyn, the Division managers worked collaboratively with the courts to conference cases for resolution more efficiently resulting in the same number of settlements as in the pre-COVID era.
- **Medicare Reporting:** Continued a “platinum standard of practice” via the Medicare Compliance and Recovery Unit regarding Medicare (MCRU) reporting and reimbursement. MCRU has facilitated the collection of more than \$2 million in Medicare reimbursements in 2021, for a grand total of \$21.5 million collected since 2011. Due to the sophisticated tracking and procedures implemented by the Medicare team, *no* judgments have been entered against the City for non-payment of Medicare settlements.
- **Comprehensive Training Programs:** Developed and delivered a virtual seven-week summer intern training program that addressed the fundamentals of Tort practice. Provided Legal Education-accredited Tort Division Training Program for new attorneys, which provided 48 different courses over a 3-month period. Created and provided an inclusive training program for legal and support professionals that involved substantive lectures, workshops, and e-learning videos, along with manager skills and leadership development courses for newly appointed supervisory staff. In addition, provided enhanced-CLE-approved remote interactive in-house trial trainings for Intake attorneys, managers, and

second-year ACCs that addressed all aspects of trial, including how to effectively prepare a case for trial, jury selection, motions in limine, opening statements, how to admit evidence at trial (e.g., hearsay, non-party discovery), direct- and cross-examination of lay and expert witnesses, closing arguments, preservation of the record, and post-verdict motion practice.

- **Revised and Implemented Efficient Workflow in Pleadings Production and Central Disposition:** The Division’s Early Intervention Unit, which houses the Central Disposition Unit, processes about 6,500 settlements for payment annually. The Unit perfected a totally electronic workflow that has enabled it to keep current and ensure that requests for settlement payments are processed timely, thereby avoiding costly interest penalties for failure to do so.

## WORKERS’ COMPENSATION

**Division Chief:** Paul M. Zaragoza | **Deputy Chief:** Levi Grosswald

- **New Claims:** Received, processed and managed 14,775 new work related accident claims from municipal employees. Represented the City at 16,861 administrative hearings before the Workers’ Compensation Board. Provided \$508 million in wage replacement and paid \$50 million for medical care.
- **Revenue Recovery:** Achieved revenue recovery of \$8.3 million asserting third party liens, intercompany transfer arbitration and reimbursement through the State Second Injury Fund.
- **Agency Support and Timely Filing:** Continued outreach to clients agencies and emphasized the importance to injured workers and to the City of timely filing and compliance with the requirements of the Workers’ Compensation Board.

## SUPPORT DIVISIONS

### ADMINISTRATION

**Division Chief:** Kenneth Majerus | **Deputy Chief:** Jennie Nagle-Yndigoyen

- **COVID-19 Response:** Helped spearhead the Law Department’s multi-pronged approach to responding to the pandemic and ensure that New York City’s legal operations continued while encouraging safety for staff and residents. This included:
  - Took the lead since the beginning of the pandemic to secure face coverings, gloves and disinfecting supplies from a variety of sources and deployed those to employees required to be in the office to provide administrative and other support, and assembled and distributed kits of PPE for each work unit in advance of the agency-wide return to in-office work.
  - Oversaw, via work of key colleagues, the implementation of the Agency’s Reopening Resources Sharepoint page with vital information about the Agency’s COVID-19 response and return-to-office planning, and the agency’s eventual full time return to office.

- Maintained, via our Facilities staff, 20 offices with physical distancing signage and decals, sneezeguards and plexiglass partitions, touchless hand sanitizer dispensers, and disinfecting wipe dispensers in support of our emergency operations agencywide.
- Coordinated and oversaw all COVID-19 remediation for 20 locations as part of the agency's 'Rapid Response Team'.
- Worked closely with various HVAC vendors to ensure all filters supplying fresh air to our offices met the CDC, DOHMH and DCAS MERV rating standards.
- **Encumbrance Control Unit:** Recorded 18,191 payment records for budget purposes, which were later uploaded to our LawManager case management system, representing nearly \$46 million in spending.
- **New Space Acquisition:** Moved Tort's Brooklyn Borough Unit out of 350 Jay Street and into a roughly 31,000-square-foot space on the 4<sup>th</sup> floor of 1 Pierrepont, the culmination of years of design and outfitting work by our Special Projects team. This move allowed us to relocate Family Court from 1 Metrotech to 350 Jay Street, which in turn allowed us to end the license agreement at 1 Metrotech.
- **Personnel Moves:** Achieved, via our Personnel Unit, the hiring and processing of 209 paid and unpaid legal and support staff starting in March, using as many online systems as possible, all while working remotely for much of the year.
- **Payroll/Timekeeping:** Processed over 42,000 direct deposits, audited and distributed 906 checks, and mailed 1,348 checks in 2021.

## **E-DISCOVERY**

**Division Chief:** Sandra Metallo-Barragan | **Deputy Chief:** Rachel Kaufman

- **E-Discovery Services:** Provided legal guidance and technical services to support Law Department attorneys and client agencies in all aspects of the discovery of electronic evidence in litigation, governmental investigations, subpoenas and FOIL requests.
- **Empowering Attorneys:** Enabled the City's litigators to comply with their e-discovery obligations in more than 200 cases.

## **INFORMATION TECHNOLOGY**

**Chief Information Officer:** Intekhab Shakil | **Deputy Chiefs:** Maria Rodriguez & Pervez Ahmed

- **Multifactor Authentication (MFA):** All agency end users, agency business partners with LAW user accounts, and external business partners accessing agency's environment were enrolled in the Citywide Multi-Factor Authentication Solution.
- **O365 Implementation:** Migration of all agency Department user assets (email accounts and data) to the Citywide Cloud hosted O365 tenant from the on-premises Office 2010 exchange environment.
- **Windows 10 Implementation:** Deployed new Windows 10 PCs to all agency staff and reimaged upgradable Dell PCs with the standardized Windows 10 image developed and deployed for agency end users.

- **Software Application Remediation:** Upgrade all software inventory to current, supported versions; align software use with applicable Citywide policies and standards; create an enterprise software catalog that's continuously supported and maintained centrally by IT.
- **Server & Database Remediation:** Ongoing remediation, rebuild, and/or decommissioning of agency servers and databases to ensure all database infrastructure complies with Citywide Security and Server OS version requirements (Server 2019).
- **Vulnerability Management & Patch Deployment:** In response to the ongoing vulnerabilities identified by NYC3 (CYBER), IT maintains, tracks, and implements security patches as identified on a rolling basis to mitigate identified risks and prevent security risks to agency's IT environment.
- **Help Desk Response Time:** Augmented Help Desk and Tech Support staff to provide improved user experience resulting in drastic reduction of pending emails and time to respond.

## **LITIGATION SUPPORT & INFORMATION MANAGEMENT**

**Division Chief:** John Hupper | **Deputy Chief:** Beth Nedow | **Director:** Patricia DeLisa

- **Practice Management:** Deployed upgraded client software to all users for iManage document management system and the matter management system in partnership with Information Technology; spearheaded floor support to assist all employees with the rollout of Windows 10 and O365 across all office locations. Continued to generate over 1000 production reports on regular schedules and over 3600 civil lawsuit checks for various City, State and Federal prosecutor &/or investigative offices from the matter management system. Also continued to publish basic case-related data about our civil litigation dating back to 1960 pursuant to the City's Open Data Law and regarding Alleged Misconduct Actions commenced and disposed pursuant to the City's Administrative Code.
- **Agency-Based Discovery:** Continued to provide support by conducting searches in response to discovery requests at DOT and Parks. Continued to provide support to DEP to facilitate discovery requests and to DOE to conduct searches in response to discovery requests. Continued training and management of temporary staff assisting with searches in response to discovery requests.
- **Information Governance:** Continued to give wide-ranging techno-legal advice, including on electronic retention policies.

## **OPERATIONS**

**Division Chief:** Jonathan Pinn | **Deputy Chief:** Omer Soykan

- **Division Office:** Created processes to facilitate the Annual Report of Workers' Compensation Claims, generated and distributed well over 2,000 reports (e.g., agency reports, statements of costs, etc.) and contact lists. Ensured uptime and efficiency of HotDocs Template Portal, while adding a brand new Division to HotDocs use, Municipal Finance. In reconciling invoices, Operations analysts helped to realize well over \$225k in savings by identifying and correcting invoices.
- **Communications & Docketing (CDS)** – Timely processed 1,789 buckets of mail which represented a 12% increase from 2020.

- **Process & Couriers:** Responded to nearly 5,000 requests to serve, file, deliver and pick-up and, in order to support Citywide work-from-home policies, onsite members helped to scan more than 4,000 notice of claims packages to the Comptroller's Office and to Law Department personnel.
- **Central Services Units (Brooklyn, Queens and Bronx):** Handled and processed nearly 5,000 requests for process service.
- **Document & Data Processing (DDP):** DDP's production rose slightly, handling 6,530 requests for data entry, typing, proofing, video editing and language services.
- **Duplication & Finishing:** Responded, to nearly 3,500 requests resulting in over 1.4 million pages printed and well over 355,000 original pages scanned for clients.
- **Electronic Information Group** – Processed well over 150k case file emails in the, many of which contained multiple attachments to be reviewed and acted on. EIG Team members also facilitated well over 1,000 requests for legal representation.
- **Training Unit:** Taught multiple classes in near record time and offered, for the first time, remote learning opportunities to larger groups of learners on subjects including but not limited to using Microsoft 365 during the migration. Unit members also assisted IT setting up users with the new system at the office, and assisted clients in accessing the Web version of applications and also assisted the Helpdesk in trouble shooting technical issues with staff at the office and those working remotely with the new systems.

## SUPPORT UNITS

### **LAW LIBRARY**

**Director:** Diana Bracho

- **Research:** Upgraded the Library catalog which ensured that our attorneys had access to our extensive collection, electronically.
- **Social Media and Background Investigations:** Obtained and preserved volumes of evidence.
- **Information Resources:** Acquired and maintained access to standard legal resources as well as analyzed new resources for procurement.
- **Training:** Kept staff updated on the newest features available in our electronic legal databases.

### **LEGAL RECRUITMENT**

**Director:** Lillian Evans

- **Experienced Attorney Hiring:** Recruited 22 experienced attorneys to work in five different divisions.
- **Entry-Level Hiring:** Hired 34 recent law school graduates from 15 law schools to work in nine different divisions.

- **Summer Program:** Hosted 32 Summer Honors law student interns who, though remote, were able to experience working for New York City firsthand.

### **INTERNAL COMMS/SPECIAL PROJECTS**

**Director:** Kate O'Brien Ahlers

- **Internal Comms:** Connected staff officewide through targeted internal updates, especially during COVID, through "In the News" cites and critical advisories.
- **Special Projects:** Lead communication initiatives necessary as a result of the pandemic, including Town Halls, Knock-Out COVID, a Healthy Distance intranet news, and Emergency System updates.

### **PUBLIC AFFAIRS & PRESS**

**Director:** Nick Paolucci

- **Communication Planning and Execution:** Developed and supported communication plans for the Law Department, client agencies, and the Mayor's Office in connection with the City's pandemic response and numerous significant cases
- **Media Relations:** Managed hundreds of media and client agency inquiries related to the pandemic and the City's significant matters throughout 2021.
- **Press Events, Interviews and Speaking Engagements:** Developed backgrounders, talking points, and speeches for the Corporation Counsel, client agencies, and the Mayor's Office.

### **PROFESSIONAL & ORGANIZATIONAL DEVELOPMENT**

**Director:** June Witterschein | **Deputy Director:** John Campbell

- **Welcoming New Volunteers and Employees:** To enhance engagement of Volunteers and Employees, created and implemented multiple interactive programs carried out over many months to maintain strong connections, and to empower people to effectively represent the City
- **Trial Advocacy Training:** Created and Implemented Monthlong Mock Trial Training for Litigators, who interacted with Supervisors as Judges; Summer Interns as Witnesses; and Support Professionals as Jurors-- for a wholistic and realistic learning experience
- **Performance Appraisal Process:** Responding to the pandemic needs of ACCs, created and implemented Evaluation Interviews to ensure that ACCs could share their accomplishments; have their hard work acknowledged and valued by their Supervisors; and to hear feedback from Supervisors to guide their learning and future work.