

COUNCIL OF THE DISTRICT OF COLUMBIA
 1350 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004

Memorandum

2011 DEC 29 AM 11:19

December 29, 2011

OFFICE OF THE
 SECRETARY



TO: Nyasha Smith, Secretary to the Council
 FR: Phil Mendelson, Chairman, Committee on the Judiciary
 RE: Request to Agendize PR 19-483 (Reprogramming Disapproval)

Please place on Wednesday's legislative meeting agenda PR 19-483, the "Reprogramming of \$2,581,154 from the Settlement and Judgments Funds Disapproval Resolution of 2011." As you can see from the attached table, this reprogramming would leave the Settlements and Judgments Fund well below what is needed to handle litigation against the District.

History of Spending: Settlement & Judgments Fund

<i>Fiscal Year</i>	<i>Fund Expenditures</i>	<i>Add'l Spending*</i>	<i>Total</i>
2007	25,046,229	\$9,391,567	\$34,437,796
2008	21,014,528	10,000,000	31,014,528
2009	17,325,398	-0-	17,325,398
2010	21,470,259	3,000,000	24,470,259
2011	21,477,000	11,727,818	33,201,818
<i>2012 Budget</i>	<i>21,477,000</i>	<i>less 2,581,154</i>	<i>revised 18,895,846</i>

*Additional spending for settlements & judgments is authorized by §§ 103 or 803 of the Appropriations Act

The reprogramming would have the effect of reducing the budget for the Settlements & Judgments Fund to below \$18.896 million. This would be well below historical needs. Further, spending year-to-date indicates that the Fund needs more monies, not less. The following table looks at first quarter spending.

First Quarter Spending: Settlements & Judgments Fund

Fiscal Year	Budget	Expenditures	% Spent
FY 2012	\$21,477,000	\$12,738,561	59.3%
2012 Revised	\$18,895,846	\$12,738,561	67.4%

Not only would the reprogramming reduce the Fund to well below historical need, but it would mean over two-thirds of the Fund has been spent in the first quarter of the Fiscal year. For these reasons, the reprogramming should be disapproved.