

## UCF ADMINISTRATIVE UNIT PERFORMANCE REPORT

Division: President's DivisionUnit: General CounselFY: 1996-97

Unit Mission	Performance Indicators	Performance Measurements	Measurement Results	Results Utilization
<p>The mission of the University Counsel's office is to render competent legal advice to university executives and others in a timely manner and to provide legal representation for the university in all matters, including administrative and judicial proceedings.</p>	<p>1. Provide competent, timely legal services to constituents. The General Counsel will answer 80% of simple legal questions that are provided in writing to this office within 1 - 3 days. The office will answer 80% of complex questions requiring legal research that are submitted in writing within 5 - 7 days. The office will process 80% of contracts within 5 - 7 days and 80% of consortia within 3 - 5 days</p>	<p>1a. Maintain files of all written requests for legal advice along with the responses provided and will conduct an audit at the end of each fiscal year to track whether it has responded within the targeted time periods.</p> <p>1b. Conduct an annual audit at the end of the fiscal year of contracts and consortia to determine if it has processed them within the targeted time periods.</p>	<p>1a. The General Counsel reviewed the files maintained on legal questions provided in writing to this office during the past fiscal year. The review revealed that the office met its goal of responding to 80% of simple legal questions within 1 - 3 days, but responded to only 70% of complex legal questions within the desired time limits.</p> <p>1b. The General Counsel audited all contracts and consortia reviewed during the past fiscal year and found that the office met its goals of processing 80% of contracts within 5 - 7 days and 80% of consortia between 3 - 5 days.</p>	<p>1a. Target not met. Providing answers to 80% of complex legal questions within 5 - 7 days proves to be unrealistic. For complex legal questions, the office must sometimes seek advice from BOR attorneys or other government officials at the state or federal level. This process can take anywhere from two days to several weeks. Consequently, it proves to be more realistic to alter our performance indicator to state that we will respond to 80% of complex legal questions within 7 - 21 days.</p> <p>1b. Target met. Use the information gathered from internal audit to decrease the time to process contracts and consortia. We would like to reduce the time it takes to process contracts to 3-5 days, and consortia to 2-3 days.</p>
<p>2. Insure that all contracts and consortia comply with federal, state, and SUS laws, regulations, and policies. To aid in this process, the General Counsel will develop standardized contracts and consortia and standardized review procedures.</p>	<p>2a. Conduct an annual audit at the end of the fiscal year of contracts and consortia to insure that all contracts and consortia entered into during the year are reviewed by the General Counsel prior to execution.</p>	<p>2a. The General Counsel audited all university vice-presidents, deans and department heads. The audit revealed that the General Counsel did review all contracts entered into during the past fiscal year prior to their execution.</p>	<p>2a. Target met. No further action required. However, the General Counsel will continue to conduct an annual audit at the end of the fiscal year to insure that all contracts and consortia are reviewed prior to execution.</p>	

Unit Mission	Performance Indicators	Performance Measurements	Measurement Results	Results Utilization
		<p>2b. Maintain a log of all contracts rejected by the State Comptroller for failure to comply with applicable laws, regulations, or policies.</p>	<p>2b. The State Comptroller did not return any contracts during the past fiscal year for failure to adhere to the appropriate laws, regulations, or policies.</p>	<p>2b. Target met. No further action required.</p>
	<p>3. Resolve disputes and conclude without litigation at least 40% of disputes which the General Counsel determines to be meritorious.</p>	<p>3a. Where appropriate, hire outside counsel to handle litigation or administrative disputes involving university personnel and monitor the performance of such counsel. Work with the Division of Risk Management and the Attorney General's office to settle claims and to conduct litigation when claims cannot be settled.</p> <p>b. Conduct an annual audit at the end of the fiscal year to determine how many disputes of the total reached a fair resolution promptly without formal litigation.</p>	<p>3a. During the past fiscal year the General Counsel hired outside counsel to handle two major legal actions brought against the university. In both cases the university prevailed. Working with the Division of Risk Management and the Attorney General's office, the university settled two employment discrimination lawsuits.</p> <p>3b. The General Counsel audited disputes brought against the university during the past fiscal year and found that, of those considered meritorious by the General Counsel, 50% were resolved without litigation.</p>	<p>3a. Target met. Continue to work with outside counsel where appropriate to respond to claims against the university or university personnel as well as with the Division of Risk Management and the Attorney General's office. By utilizing a number of different outside counsel to respond to claims during the past year, the General Counsel has found several attorneys that have delivered excellent service to the university and that the university would hire in future cases if the need arose.</p> <p>3b. Target met. No further action required. Because litigation is so fact-specific, it is difficult to accurately forecast how many disputes can or should be settled in a given year. The university settled an unusually high number of cases this year due to several unique circumstances which are highly unlikely to be repeated. In a more normal year, 40% is still a realistic estimate of how many cases we will need or want to settle.</p>