



Law Department
CITY OF PHILADELPHIA

2023 Year in Review

City of Philadelphia Law Department
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2023 Staff Photo

About the Law Department



We employ **240+** attorneys, **100+** professional staff, and **40+** interns.

We serve the residents of Philadelphia by providing excellent legal counsel as trustworthy partners to our clients, no matter the challenges we face; we promote an environment of comradery, accountability, and inclusiveness where our staff can do their best work while achieving balance in their lives; and, above all, we are dedicated to bettering the city of Philadelphia for all residents.

Our Responsibilities Include:

- Advising and representing the City and its officials and employees in all legal matters;
- Drafting, negotiating and approving City contracts;
- Collecting unpaid taxes, fines, and other debts; and
- Preparing law for introduction in City Council.



Our Practice

Our attorneys specialize in a range of issues, providing legal counsel to clients across the City of Philadelphia government.

Corporate and Tax Group

- Tax and Revenue Unit
- Property Assessment Unit
- Commercial Law Unit
- Real Estate and Development Unit
- Regulatory Law Unit

Litigation Group

- Civil Rights Unit
- Code and Public Nuisance Unit
- Labor and Employment Unit
- Tort Litigation Unit
- Affirmative and Special Litigation Unit
- Appeals Unit

Social Services Group

- Child Welfare Unit
- Health and Adult Services Unit

New: Compliance and Legislation Group

- HIPAA and Privacy Unit
- Legislation and Legal Counsel Unit
- Right To Know Unit
- ADA Compliance
- E-Discovery
- Public Safety Compliance

Office Culture

Diversity, Equity, and Inclusion

The Law Department's dedication to legal excellence is inseparable from its commitment to diversity, equity, and inclusion (DEI). We celebrate the diversity of our staff, the City's workforce, and the residents whom we serve, and are committed to fostering an inclusive and equitable work environment.



Therapy Dog Visit



Administrative Professionals Day

2023 DEI Milestones

- ▶ Expansion of recruiting efforts of diverse attorneys with the hiring of a Diversity, Equity, and Inclusion Coordinator
- ▶ Implementation of diverse interviewing panels in hiring
- ▶ Introduction of mandatory emotional intelligence and implicit bias training for supervisors
- ▶ Addition of DEI-focused component in all performance evaluations



2023 Holiday Party

The Law Department is proudly **Mansfield Plus certified**, employing 30% historically underrepresented lawyers – including women lawyers, underrepresented racial and ethnic lawyers, LGBTQ+ lawyers, and lawyers with disabilities.

Based on a self identification survey,



- 66%** of staff are women
- 25%** of staff are Black or African American
- 6%** of staff are Asian
- 6%** of staff are Hispanic or Latino
- 3%** of staff are two or more races

Office Events

The Law Department regularly hosts staff events to enhance a sense of community and inclusion across the department and promote staff wellbeing.



Arts and Crafts Fair, April 2023



Plant Swap, March 2023



2023 CLE Conference



"Addressing Modern Racism" panel sponsored by the DEI Committee



City Solicitor Diana Cortes and featured speaker, Joanna McClinton, Speaker of the PA House of Representatives



Continuing Legal Education

Every year, the Law Department hosts a two-day Continuing Legal Education (CLE) Conference, during which attorneys are invited to complete their CLE credit requirement through a series of courses planned and presented by their colleagues. This is a unique opportunity provided to Law Department attorneys to complete their requirements free-of-charge. In 2023, the Law Department welcomed Joanna McClinton, Esq., Speaker of the Pennsylvania House of Representatives as the featured speaker.

Awards

Awardees are listed on the following page.

During the conference each year, staff members are recognized with awards, as nominated by their colleagues, to acknowledge their achievements and dedication to public service throughout the year.



2023 CLE Awards

Longevity Award

Laura Bonnington
Lynda Moore
Vernette Dow
Leonard Reuter
Dean Erlick

Creativity Award

Maggy White

Team Player Award

Rachel McHale
Katie Farris
Steve Blumberg
Sean Gallagher

Collaboration Award

Marta Sanchez
Elise Bruhl

Community Service Award

Desjeneé Davis

Mentorship Award

Russel Crofts
MJ Markle

Impact Award

Feige Grundman

Diversity Champion Award

Zach Strassburger

Certificate of Recognition

Kadidja Nanakasse
Marta Sanchez
Catherina (Nina) DePaz
Shanita Walker
Juanita Johnson
Zita Jackson
Jacque Bethea



Committees

Committees work with the Executive Team to identify staff needs, create engagement opportunities, and further the goals of the Law Department.

Diversity, Equity, and Inclusion Committee
The Diversity, Equity, and Inclusion Committee (DEI) promotes a culture of inclusion through programming, supports the welcoming and retention of a diverse staff, and advocates for equity within the workplace at the Law Department.

Professional Development Committee
The Professional Development Committee (PDC) addresses the professional needs of employees of the Law Department by providing targeted programming, and administers the Department's mentorship program.

Public Service Committee
The Public Service Committee (PSC) facilitates the creation of public service and volunteer opportunities for Law Department staff.



The Diversity, Equity, and Inclusion Committee represents the Law Department at the Philadelphia Pride March, June 2023

In the Community

The Law Department encourages employee participation in professional development opportunities and leadership roles in various legal and community organizations. Staff regularly serve as representatives in the legal community to raise awareness of the Department's work, its culture, and opportunities for employment to aid in the recruitment of diverse talent.

Through the Department's ongoing relationships with diverse bar associations, local nonprofit organizations, and educational institutions, staff are often involved in service efforts ranging from pro bono legal service to donation drives.

Staff are also provided with a Philadelphia Bar Association membership, through which they may access award-winning CLE programming and networking opportunities with other legal professionals.



Undergraduate Mock Trial Competition



Philadelphia Bar Association Member Appreciation Reception



Barrister's Association Annual Amber Racine Turkey Drive



SeniorLAW Center Life Planning Clinic

Budget

The Law Department submits a detailed budget proposal to the Mayor's Office each year, which is then considered by City Council for approval. Below is the Law Department's budget breakdown from Fiscal Years (FY) 2021-2023.

FY	2021	2022	2023
Materials, Supplies, Equipment	\$85,983	\$125,065	\$216,403
Purchase of Services	\$7,391,567	\$8,619,045	\$9,406,946
Employee Comp.	\$13,872,133	\$18,474,809	\$20,280,371
Total Operating Budget	\$21,349,683	\$27,218,919	\$29,903,720

2023 Overview

Right-to-Know Law

2,545 public records requests fulfilled

255 appeals processed



Privacy + HIPAA Compliance

The HIPAA + Privacy Unit (HPU) continued to direct the City's HIPAA compliance, which included annual HIPAA Training for **4,342** City workforce members as well as two internal HIPAA audits of the City's HIPAA-Covered Units.

The HPU directed the Law Department's Privacy Review Committee and completed **96 privacy reviews** in 2023.



Code Enforcement

2,576 Code Enforcement cases filed by the City to bring property owners and businesses into compliance with the Philadelphia Code

\$3,787,214 in fines, fees and costs collected

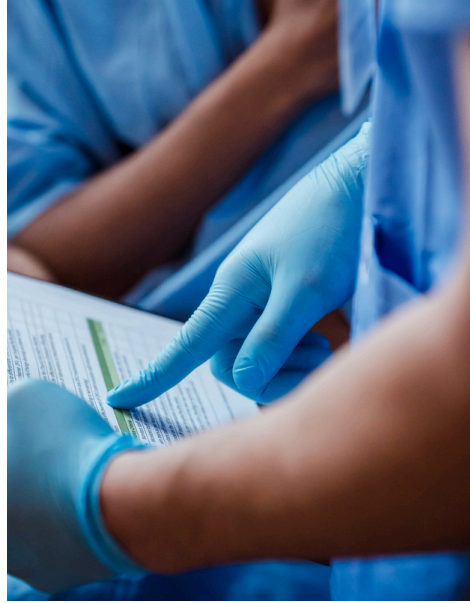
Social Services

10,876 commitment orders drafted by the Health + Adult Services Unit to ensure adults struggling with mental health conditions receive treatment

298 record requests fulfilled for firearms background checks from State Police

139 new lead cases referred to the Law Department by the Health Department for legal action

132 lead cases litigated



3,500 foster care cases in dependency court handled by the Child Welfare Unit to protect the health and safety of Philadelphia's most vulnerable youth.

As the City seeks to place youth with family members, the number of foster care cases in dependency court has decreased over **30%** since 2021.





Critical Issue: *Ghost Guns*

A “**ghost gun**” is a firearm that is privately manufactured, home-assembled, and unserialized. Ghost gun parts are sold in kits, which can be bought without a background check by any person with access to a credit card. Purchasers can use the kits to assemble fully functional firearms in just minutes, at home, using common household tools.

Philadelphia law enforcement are increasingly recovering **ghost guns** in a wide variety of criminal investigations involving drugs, juvenile possession, and intimate partner violence. Ghost guns have also been involved in suicides, where firearm access plays a crucial role in heightening the risk of serious injury and even result in death.

In 2019, ghost guns represented just 2 percent of firearms recovered from criminal investigations across Philadelphia. By 2022, the number of ghost guns recovered had increased a staggering 31 percent. In 2022 alone, the Philadelphia Police Department recovered over 575 ghost guns while conducting criminal investigations.

On behalf of the City of Philadelphia, the Law Department has initiated several legal actions to address the proliferation of ghost guns.

→ **Legislation:** [Bill 200593](#) entitled "Use of Three-Dimensional Printer to Manufacture Firearms," was signed into law by City Council and Mayor Kenney to prohibit the use, transfer, manufacturing, and conversion of unfinished firearms and certain equipment. The Bill outlines penalties for violations, including fines and criminal charges for individuals that commit multiple violations. Gun Owners of America challenged the bill to prohibit the City from enforcing the ordinance. After defeating the challenge in the trial court, in 2023, the Law Department argued the appeal in Commonwealth Court. In early 2024, the Commonwealth Court affirmed the trial court's decision, which upheld the ordinance. Plaintiffs have sought a further appeal to the Pennsylvania Supreme Court, and the City will continue to defend the legislation.

→ **Litigation:** In May of 2023, the City of Philadelphia Law Department filed a lawsuit with co-counsel GIFFORDS Law Center to Prevent Gun Violence and the Hausfeld law firm against primary distributors of ghost guns, Polymer80 and JSD Supply, alleging that the named defendants have perpetuated the gun violence crisis and threatened the public's right to health and safety by illegally distributing unserialized ghost gun kits in Philadelphia.

87 percent of the ghost guns recovered in Philadelphia in 2023 were manufactured by Polymer80, a defendant named in the lawsuit. The City reached a [settlement agreement](#) with the defendants in April of 2024, which prevents the sale of ghost gun kits in Philadelphia.

Success Stories

- THEMES
- Public Health and Safety
 - Clean and Green
 - Economic Opportunity
 - City Infrastructure and Services

► **Firearms Litigation:** In 2023, the Law Department initiated new affirmative litigation to against companies that are knowingly contributing to gun crime in Philadelphia and continued to defend the City’s reasonable and lawful efforts to enact and enforce common-sense gun safety measures.

Straw Purchasing: In July of 2023, the City filed a [lawsuit](#) against several firearms vendors that it alleges have recklessly and repeatedly engaged in straw purchasing transactions, consequently fueling gun violence in Philadelphia. Two vendors located in Northeast Philadelphia and one vendor located in Jamison, PA are named in the lawsuit filed with co-counsel Everytown Law and the law firm, Kramer Levin.



Jointly, these three vendors are the source of more than **1,300** crime guns recovered in Philadelphia from 2015-2019, the last years for which this data is publicly available. This litigation is ongoing.

Firearms Preemption: *Crawford v. Commonwealth* is a case brought by the City of Philadelphia, CeasefirePA, and residents who have been impacted by gun violence to challenge the firearm preemption statutes under the Pennsylvania Constitution. Through this lawsuit, the City sought to declare the firearm preemption statutes unconstitutional to enable Philadelphia to enact and enforce gun laws at the local level, alleging that the statutes violate the PA Constitution, which protects the right to enjoy and defend life and liberty. In 2023, the Pennsylvania Supreme Court heard oral argument in the case.



Lost and Stolen Guns: In 2019, the Law Department announced a partnership with the District Attorney's Office to investigate and prosecute offenses under the City's "Failure to Report Lost and Stolen Firearms" law. The City's first enforcement action under the law, *City of Philadelphia v. Armstrong*, alleged that the defendant, who has a history of straw purchasing firearms, failed to report a firearm missing or stolen to the Philadelphia Police Department within 24 hours. The defendant argued that the ordinance was preempted by State law. The appeal was heard by the Court. The City asserts that the ordinance falls outside the scope of the Pennsylvania firearms preemption statutes. The case is currently on appeal to the PA Supreme Court, which has paused further litigation until a decision in *Crawford v. Commonwealth* is issued.

◆◆ **Legislative Accomplishments:** The Law Department helped enact legislation at the City and State level to enhance public safety and support City operations. Some of these efforts included: **1)** Renewal of the Roosevelt Boulevard Speed Cameras, continuing a speed enforcement program that demonstrably reduced speeding. It also added a pilot project for school zones that will keep student pedestrians safer. **2)** Bus Camera Parking Enforcement bill authorizes enforcement of stopping violations via cameras on public transit, which will reduce congestion and increase public transit efficiency. **3)** The Right-of-Way Management Amendments brings the City into compliance with state law for regulating utilities in the ROW and ensures the City's ongoing ability to manage excavation and restoration of street and sidewalk.



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▶▶ Philadelphia's Juvenile Justice Services Center:

In 2022, the City filed a lawsuit against Pennsylvania Department of Human Services, seeking relief from PA-DHS's failure to timely take custody of youth held at the PJJSC who had already been adjudicated delinquent and court-ordered to a Commonwealth treatment facility. In 2023, the Law Department successfully obtained preliminary injunctive relief against PA-DHS, significantly alleviating overcrowding at the PJJSC.



▶ **Opioid Epidemic:** With efforts beginning in 2017, the Law Department sued manufacturers, distributors, and pharmacy dispensaries of prescription opioids for fueling the opioid epidemic which has impacted countless Philadelphians. In 2022, the City settled its litigation with four companies: AmerisourceBergen, Cardinal Health, McKesson, and Johnson & Johnson for \$200 Million+. In early 2024, the City [settled](#) its litigation with Walgreens for \$110 Million. The City's claims against other retail pharmacies are pending in the Philadelphia Court of Common Pleas.



◆ **Airport Wireless Infrastructure:** The Regulatory Law Unit helped to negotiate and finalize a 10-year concession agreement between the Airport and Slice Wireless for the installation and operation of a new Distributed Antenna System and Wifi infrastructure at the Philadelphia Airport and the Northeast Philadelphia Airport. Slice will create and manage a new high speed system that will provide the Airports with state-of-the-art wireless services.

◆ **Airport Use and Lease Agreement:** The Regulatory Law Unit supported the execution of a new Use & Lease Agreement with airline partners for \$935 Million in new capital funding for terminal improvements.



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▶ **Addressing Critical Nuisances:** In July 2023, Mayor Kenney signed a bill amending Section 9-4400 of The Philadelphia Code (Responsible Business Operations) creating a category of serious violent behaviors that allow a business to be designated a critical nuisance and be issued an intent to cease after a single occurrence. These behaviors were not part of the ordinance previously and provide the City a strong tool for working with businesses to improve operations, or in the event that fails, ceasing operations until such corrections are made.

▶ **Monitoring AI:** With ChatGPT and other new generative AI programs making waves in 2023, the HIPAA + Privacy Law Unit (HPU) worked collaboratively with OIT and other departments on Generative AI Guidelines. Our AI-related guidance will be updated and refined as our understanding of AI continues to develop.

▶ ***City of Philadelphia v. Republic Services Inc.:*** In June 2023, the City filed a complaint against one of the most prolific dumpster companies in the City of Philadelphia for over 700 code violation notices issued over several years. A settlement was reached in January 2024 for over \$100K in fines and an agreement for future compliance of violations within 30 days.

▶ **Professional Service Contracts:** The Law Department's Commercial Law Unit approved as to form 2,054 professional service contracts in FY23. Additionally, the Law Department also approved as to form 1,341 contracts, including contracts procured by sealed competitive bids and a variety of ad hoc contracts including data license agreements, facility use agreements, leases, and grant agreements.

▶ **Green City, Clean Waters:** The Law Department continued to provide support for the Green City, Clean Waters program, the Water Department’s 25-year plan to improve the quality of our waterways by installing green infrastructure in our neighborhoods, coupled with traditional infrastructure enhancements. We worked on close to 100 agreements in 2023 requiring developers and property owners to manage stormwater runoff on their properties in compliance with Water Department regulations.



▶▶ **Clean Air:** The Law Department worked with the Department of Public Health Air Management Services to update the Air Management Regulation VI for the first time since 1986. AMR VI regulates hazardous air pollutants and the amendments passed in April 2023 represent a huge step forward in better protecting the environment and the public health of Philadelphia’s residents.

▶▶ **Environmental PFAS Litigation:** The City’s [lawsuit](#) against chemical companies responsible for the presence of PFAS on City property and in natural resources is ongoing. We continue to aggressively prosecute companies who contribute to pollution, seeking compensation to reimburse the City for loss-of-use of its natural resources, the cost of remediating pollutants, and its legal costs.

▶ **Environmental Justice Working Group:** The Regulatory Law Unit coordinates a Department-wide Environmental Justice Working Group (EJWG) that meets quarterly to discuss developments regarding environmental justice in the legal and policy spaces. The EJWG hosts client Departments to discuss their EJ initiatives and concerns, and the EJWG also functions as a clearinghouse to discuss any EJ-related issues in a group setting. The Unit also represents the Law Department in the City-wide EJ and Climate Resiliency Working Group.

▶▶▶ **I-95 Cap:** The Law Department facilitated the negotiation of agreements related to the expansion of a cap over Delaware Avenue and I-95. The city and PennDOT broke ground on the project in September of 2023. The expanded cap will bring greater recreational, entertainment and education amenities and opportunities to the riverfront and will help connect Old City with the Delaware, increasing long term economic development opportunities.

▶▶ **AMS's Title VI Grievance Procedures:** The Law Department worked with the Department of Public Health to draft and implement a Title VI Grievance Procedure. The 1964 Civil Rights Act prohibits discrimination against protected classes in the programming of recipients of federal funding. Under this procedure, citizens can submit a written complaint, and PDPH will conduct an informal investigation of the matter. Implementation of Title VI programs for all federal grant recipients is an environmental justice priority of the Biden Administration.

◆◆ **Protecting Rivers and City Infrastructure:** The Law Department’s Regulatory Law Unit handles enforcement actions against industrial wastewater dischargers in the City and those in the surrounding suburbs who discharge into the City’s system. In 2023, the City recovered over \$30K in fines due to these efforts.

◆◆ **Water Rates:** The Law Department helped the Water Department with its water rate filing for FY24-25, so that the City can continue to provide crucial, high-quality drinking water and wastewater services, while ensuring that programs and policies are in place for continued service for low-income households.



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▶ **Zoning for Affordable Housing:** The Real Estate + Development Unit processed a number of zoning bonus agreements that secured commitments from developers to develop nearly 40 affordable housing units and to make payments to the city's housing trust fund of over \$10 Million.

▶ **Deed Restriction Releases:** The Real Estate + Development Unit processed over 200 deed restriction releases of reversionary interests for former city vacant properties. In addition to helping to clear title on these properties and make them more marketable, the unit was able to secure almost \$115,000 in payments from non-compliant owners.

▶ **Property Assessment:** In FY 2023, the Law Department successfully represented the Office of Property Assessment in almost 14,000 real estate tax assessment appeals pending before the Board of Revision of Taxes.

▶ ***Zilka v. Tax Review Board***: The Dormant Commerce Clause of the Constitution has been, in some cases, interpreted to require that taxpayers be provided credits against their taxes for taxes paid on the same income to other jurisdictions. Philadelphia provides a credit to resident taxpayers against their respective wage, earnings, and net profits tax liabilities for similar taxes paid to another locality, but it does not provide a credit for similar taxes paid to another state. Taxpayers have challenged the City's refusal to grant a credit for taxes paid to other states, and the Law Department has successfully defended the City's position before the Tax Review Board, the Common Pleas Court, the Commonwealth Court, and the Pennsylvania Supreme Court. If this success stands, it will save the City more than \$10 million in refunds and will result in additional revenue every year going forward.

▶ **Tax Sequestration**: The Sequestration program, in which a court-appointed sequestrator collects rent from delinquent properties, has collected more than \$150 million in real estate tax and water debt since the program was reinstated in 2013.



IMLA Awards

Every year, the Law Department submits nominations to receive awards at the International Municipal Lawyers Association Annual Conference, based on suggestions and input from staff. The awardees are selected by the IMLA Board of Directors.



Conference presenters and awardees at the 88th Annual IMLA Conference in La Quinta, California

Congratulations to these Law Department attorneys for their recognition by IMLA!

Schaundra Oliver, Child Welfare Unit
Recipient of the James H. Epps III Award for Longevity of Service to a Community

Vernette Dow, Health & Adult Services Unit
Recipient of the Burk E. Delventhal Legal Advocacy Award

Desjeneé Davis, Code & Public Nuisance Litigation Unit
Recipient of the Daniel J. Curtin Young Public Lawyer Award

Keep in Touch

Have a question or looking to host a staff member of the Law Department for a speaking engagement?

Call (215) 683-5000

Our office is open Monday through Friday from 9 AM to 5 PM.

Follow Along

Keep up to date on what's happening at the Law Department on LinkedIn:



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Work at the Law Department

If you're interested in working with a passionate team of people who care about the future of Philadelphia, consider a career in the Law Department! We are always seeking talented attorneys and professional staff to join our team.

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lawdepartmentrecruiting@phila.gov





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