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CITY OF SEATTLE

CITY OF SEATTLE
LAW DEPARTMENT

1976 Annual Report

JOHN P. HARRIS
Corporation Counsel

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ASSISTANT CORPORATION COUNSEL

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CHARLES D. BROWN
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ROSS A. RADLEY
GORDON B. DAVIDSON
DIANA F. THOMPSON
MAR'ANNA S. COOKE

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING - SEATTLE, WASHINGTON 98104
AREA CODE 206 TELEPHONE 625-2402

JOHN P. HARRIS, CORPORATION COUNSEL

April 5, 1977

CITY PROSECUTORS

RICHARD S. OETTINGER
ROBERT M. ELIAS
JACK B. REGAN
ROBERT B. JOHNSON
JOSEPH T. SCHLOSSER
DAVID S. ADMIRE
MYRON L. CORNELIUS
ELIZABETH A. HUNEKE
HARRIETT M. CODY
DAVID N. WALTON
ANDRE WOOTEN

CLAIMS MANAGER

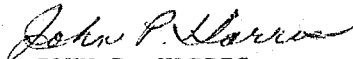
V. L. PORTER

Mr. E. L. Kidd
City Comptroller
The City of Seattle

Dear Sir:

Enclosed herewith is the City Law Department's 1976
annual report to the Mayor and City Council.

Very truly yours,


JOHN P. HARRIS
Corporation Counsel

JPH:mlk
Enclosure

CITY OF SEATTLE LAW DEPARTMENT

Annual Report

1976

JOHN P. HARRIS, *Corporation Counsel*

ASSISTANTS CORPORATION COUNSEL

JAMES M. TAYLOR
GORDON F. CRANDALL
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DAVID N. WALTON
ANDRE S. WOOTON
P. STEPHEN DiJULIO

LEGAL INTERNS

JOANN HARRIS
NORMAN E. PROCTOR II

CLAIMS MANAGER

VINCENT L. PORTER

SECRETARIAL SUPPORT STAFF

IRENE S. WALLING
MURIEL M. ELLINGSON
PATRICIA HARRIGAN
KATHLEEN L. MEEGAN
ARLENE McMILLAN
VIRGINIA M. FIELDS
MARY LOU KEEFE
ROBERTA M. LYONS
AMELIA T. ESMELE

Cover photograph of new Assistants (left to right) David N. Walton, Gordon B. Davidson and Andre S. Wooton, standing, and P. Stephen DiJulio and David S. Admire, seated, by Jack W. Crider, Lighting Department Photographer.

JOHN P. HARRIS
Corporation Counsel
The City of Seattle

To: The Mayor and City Council of The City of Seattle:

Submitted herewith is the annual report of the Law Department for the year ended December 31, 1976, as required by Section 12, Article XXII, of the City Charter.

As in preceding years, there continues to be a substantial growth in numbers of cases tried, opinions and ordinances written, and other work of the Law Department. Reference to the statistics herein clearly demonstrates the magnitude of growth.

During the year just passed, we have continued and intensified our policy of providing "up-front" advisory assistance in the early planning and development of City programs. The Law Department has become involved in the formative and planning stages of programs and projects as varied as the Shorelines Management Program, the Domed Stadium Parking and Access Plan, the "redlining" controversy, computer equipment procurement, the Westlake Project, towing contract specifications, the Solid Waste-Ammonia Project, a deferred compensation plan, reprogramming Forward Thrust Park funds, modernization of Fair Campaign Practices Ordinance, time incentives and value engineering in Public Works contracts, the Fifth Avenue L.I.D. project, and other programs and projects mentioned elsewhere in this report.

One illustration of early and positive involvement of the Law Department arose early in 1976 when in response to vigorous protests by residents in the Greenwood Community to the showing of adult movies at the Ridgmont Theatre, I advised that an ordinance restricting adult motion picture theatres to the downtown area could survive legal challenge provided a favorable decision was rendered by the United States Supreme Court in a pending case involving a Detroit ordinance. Consistent with such advice we prepared an ordinance amending the Zoning Code to permit "adult motion pictures" *only* in the downtown area. The ordinance was enacted shortly before the United States Supreme Court handed down its decision upholding the constitutionality of the Detroit ordinance, and the constitutionality of the Seattle ordinance was similarly upheld by the King County Superior Court early this year.

In connection with our prosecution of ordinance violation cases we have continued our close liaison with the Code enforcement divisions of the various City departments, and we have further improved our response to their needs by conducting group briefings for enforcement personnel regarding proper citation and trial preparation procedures. In addition, Assistants in the prosecution division are constantly available to resolve on an individual basis the day-to-day

problems of enforcement personnel, including criminal and prefilling advice on specific cases and obtaining the issuance of subpoenas and search warrants for investigatory purposes.

The prosecution function has been further aided by the preparation and periodic supplementation by the prosecution division of a Prosecutor's Manual in which are included recent cases involving constitutional and criminal law principles as enunciated by the state appellate courts and the courts of other state and federal jurisdictions.

To further increase the effectiveness of ordinance enforcement, we initiated in 1976 a program to reduce the existing time delay for trials *de novo* in superior court. With the cooperation of the Presiding Judge of the King County Superior Court we were successful in reducing the delay from a period of seven to nine months which existed at the end of 1975, to approximately three months at the end of 1976. Reflecting that effort, the number of municipal court appeals disposed of in King County Superior Court reached an all-time high of 1306 cases—nearly double the number disposed of in 1975.

Vigorous enforcement of the City's Minimum Housing Code by the Building Department produced 279 prosecutions for violations of that code which were completed by this office in 1976. By the time many of these cases come to trial, the dwelling or other structure has been brought into compliance. This enforcement program has resulted in the marked improvement of housing stock in Seattle.

The City's highly successful consumer protection program has involved the close cooperation of the Law Department and the Department of Licenses and Consumer Affairs. This program, some of the results of which are summarized elsewhere in this report, continues to demonstrate that the City through vigorous enforcement of its laws, can provide meaningful protection of the rights of the consuming public and establish a climate of deterrence to those who would violate those rights.

Special and continued emphasis has been placed on our program of collections, now in its second year. Collections of fines, civil penalties, past due accounts, damages to City property, and similar sums owed to the City resulted in revenue to the City of more than \$145,350 in 1976.

To meet the increasing demand for legal advice and representation in administrative proceedings, one Assistant has been assigned full-time to the litigation of Workmen's Compensation cases, challenged Shorelines Permits, appeals involving compliance with the State Environmental Protection Act (SEPA), license revocation hearings by the Department of Licenses and Consumer Affairs, LEOFF (Law Enforcement Officers and Fire Fighters) disability pension cases, Board of Adjustment appeals, employment discrimination hearings, Civil Service Commission hearings, and other similar cases. Through early and continuing participation in such matters we have

been able to provide vital assistance to the offices directly involved in formulating the for the processing of both present and future

In the fall of 1976 we prepared and in the 1977 Session of the Washington State important proposed state laws. House Bill local government may not be subjected to said to result from activities of an unincorporated House Bill 469 provides a sound legal basis of social service programs, housing assistance programs. These bills are now under consideration in the legislative session.

I have continued a program of rigorous procedures and administrative structure, involving probing of performance and office routines, roles and similar endeavors to improve departmental

Changes in workflow and rearrangement stenographic and word processing techniques for rapid production of typing assignments. Added to the City Council and will continue to "swing shift" in our word-processing center and cost-effective use of the department's fleet of Card typewriters. Some large private technique for rapid production overnight highly cost-effective.

The matters mentioned above and elsewhere illustrate the challenges presented and the response in the rapidly changing and expanding In 1976 the members of my staff—lawyer and personnel alike—have again demonstrated and dedication to the task at hand, and the received from other departments, offices and management during the past year has greatly aided in successfully resolving and responding to the challenges.

In the final analysis, however, no small must be attributed to our ability to attract and of specialists in the field of municipal law, I express my appreciation to the City Council for provide the budgetary support which has made

Respectfully



JOHN P. HAGGERTY
City of Seattle
Corporation

including criminal and prefilling the issuance of subpoenas and purposes.

been further aided by the preparation by the prosecution division of a included recent cases involving principles as enunciated by the state other state and federal jurisdictions. effectiveness of ordinance enforcement, reduce the existing time delay for with the cooperation of the President Superior Court we were successful in

of seven to nine months which approximately three months at the end the number of municipal court appeals Superior Court reached an all-time the number disposed of in 1975. City's Minimum Housing Code by 279 prosecutions for violations of by this office in 1976. By the time the dwelling or other structure has this enforcement program has resulted in a net increase of housing stock in Seattle.

consumer protection program has the Law Department and the Department of Consumer Affairs. This program, some of which is detailed elsewhere in this report, contributes to the protection of the rights of the consumer through vigorous enforcement of the program. The program has had a significant impact of deterrence to those who

has been placed on our program year. Collections of fines, civil penalties to City property, and similar sums have resulted in an increase in revenue to the City of more than

and for legal advice and representation, one Assistant has been assigned to handle Workmen's Compensation cases, challenges involving compliance with the Clean Air Act (SEPA), license revocation hearings and Consumer Affairs, LEOFF (Seattle Fire Fighters) disability pension cases, employment discrimination hearings, and other similar cases. In our participation in such matters we have

been able to provide vital assistance to the City departments and offices directly involved in formulating the City's policy and strategy for the processing of both present and future cases.

In the fall of 1976 we prepared and submitted for introduction in the 1977 Session of the Washington State Legislature two vitally important proposed state laws. House Bill 648 provides that units of local government may not be subjected to damage claims which are said to result from activities of an uniquely governmental nature. House Bill 469 provides a sound legal basis for local implementation of social service programs, housing assistance, and certain other programs. These bills are now under consideration in the current legislative session.

I have continued a program of rigorous review of office procedures and administrative structure, involving constant testing and probing of performance and office routines, redefinition of duties and roles and similar endeavors to improve delivery of services.

Changes in workflow and rearrangement of the department's stenographic and word processing techniques has resulted in more rapid production of typing assignments. Additionally, I have proposed to the City Council and will continue to urge implementation of a "swing shift" in our word-processing center to make more efficient and cost-effective use of the department's four automated IBM Magnetic Card typewriters. Some large private law firms already use this technique for rapid production overnight and have found it to be highly cost-effective.

The matters mentioned above and elsewhere in this report illustrate the challenges presented and the response made by this department in the rapidly changing and expanding field of municipal law. In 1976 the members of my staff—lawyers, secretaries, and claims personnel alike—have again demonstrated their high competence and dedication to the task at hand, and the fine cooperation we have received from other departments, offices and agencies of City government during the past year has greatly aided this department in successfully resolving and responding to the challenges presented.

In the final analysis, however, no small measure of our success must be attributed to our ability to attract and retain a career staff of specialists in the field of municipal law, and I wish to particularly express my appreciation to the City Council which has continued to provide the budgetary support which has made this possible.

Respectfully submitted,



JOHN P. HARRIS
Corporation Counsel

I.
GENERAL STATEMENT OF LITIGATION

1. Tabulation of Cases:

The following is a general tabulation of suits and other civil proceedings commenced, pending and ended in the Municipal, Justice, Superior, Federal and Appellate courts during the year.

	Pending Dec. 31 1975	Commenced During 1976	(1966)	Ended During 1976	(1966)	Pending Dec. 31 1976
Condemnation suits	7	3	(5)	1	(10)	9
Damages for personal injuries	168	128	(80)	121 ^a	(89)	175 ^b
Damages for other than personal injuries	147	49	(29)	54 ^c	(30)	142 ^d
Damages—City as plaintiff	89	35	(—)	34	(—)	90
Contract actions	18	14	(—)	6	(—)	26
Collections on Municipal Court Judgments	67	94	(—)	85	(—)	76
Extraordinary writs (injunctions, mandamus, certiorari, habeas corpus)	117	40	(17)	45	(18)	112
Administrative proceedings Municipal Court Civil Actions	38	55	(—)	33	(—)	60
Miscellaneous proceedings	169	174	(—)	279	(—)	64
Sub-total	152	47	(56)	50	(41)	149
Appeals from Municipal Courts (Traffic and other violations)	972	639	(187)	708	(188)	903
Grand Total	1,329	1,294	(874)	1,306	(749)	1,317
	2,301	1,933	(1,061)	2,014	(937)	2,220

a Including 15 Metro cases. c Including 8 Metro cases.
b Including 14 Metro cases. d Including 1 Metro case.

2. Segregation--Personal Injury Actions:

	Number	Amount Involved
Pending December 31, 1975	168 ^a	\$34,602,675.40
Commenced since January 1, 1976	128 ^b	32,743,606.57
Total	296	\$67,346,281.97
Tried and concluded since January 1, 1976	121	16,663,390.47
Pending December 31, 1976	175 ^c	\$50,682,891.50

a Includes 12 cases in which amount of damages is unspecified.
b Includes 29 cases in which amount of damages is unspecified.
c Includes 22 cases in which amount of damages is unspecified.

Of the 121 personal injury actions concluded in 1976, 13 involving \$614,895.00 were won outright. In 1 case in which \$1,000,000.00 was claimed, plaintiff recovered \$71,000.00.

Of the remaining 107 cases in which plaintiffs claimed in excess of \$15,048,495.47, 49 cases involving in excess of \$3,885,229.25 were covered by insurance, 56 cases involving in excess of \$11,063,266.22 were settled or dismissed without trial for a total of \$1,143,833.80, and 2 cases with total claimed amount of over \$100,000.00 were returned to Metro.

3. Segregation—Damages Other Than Personal Injuries

	Number	\$
Pending December 31, 1975	147 ^a	
Commenced since January 1, 1976	49 ^b	
Total	196	
Tried and concluded since January 1, 1976.....	54	
Pending December 31, 1976	142 ^c	

a Includes 7 cases in which amount of damages is unspecified.
 b Includes 3 cases in which amount of damages is unspecified.
 c Includes 7 cases in which amount of damages is unspecified.

Of the 54 cases involving damages other than personal injuries concluded in 1976, 25 involving \$1,114,694.46 were tried. In 9 cases involving in excess of \$7,094,600 plaintiffs recovered \$2,917,357.88. The remaining 20 cases involving \$3,885,229.25 were settled or dismissed without trial for a total of \$8,416,681.19.

The above actions concluded in 1976, involving damages other than personal injuries and damages other than personal injuries are classified as to department or activity involved, as follows:

	Number
Building Department (includes 1 case covered by insurance)	12
Comptroller	1
Engineering Department:	
Sewer Utility	5
Sidewalk (includes 1 case covered by insurance)	8
Street (includes 2 cases covered by insurance)	23
Fire Department	1
Library	1
Licenses and Consumer Affairs	1
Lighting Department (includes 2 cases covered by insurance)	8
Model Cities	1
Municipality of Metropolitan Seattle	38
Parks and Recreation Department	5
Police Department (includes 39 cases covered by insurance)	50
Public Health Department (includes 1 case covered by insurance)	4
Seattle Center (includes 6 cases covered by insurance)	8
Transportation Department	2
Water Department	7

4. Appellate Proceedings:

At the close of 1975, six appeals involving the City of Seattle were pending in the State Supreme Court, 36 in the State Court of Appeals and 10 before the United States Court of Appeals.

In 1976, six new appeals were filed in the State Supreme Court and 22 were filed in the State Court of Appeals. Four appeals were transferred to the State Supreme Court from the Court of Appeals and six cases before the Court of Appeals were consolidated.

The City prevailed in 12 of the 15 cases involving damages other than personal injuries which the State Court of Appeals rendered a decision.

I. STATEMENT OF LITIGATION

General tabulation of suits and other civil proceedings pending and ended in the Municipal, Justice, Superior and Appellate courts during the year.

Pending Dec. 31 1975	Commenced During 1976	(1966)	Ended During 1976	(1966)	Pending Dec. 31 1976
7	3	(5)	1	(10)	9
168	128	(80)	121 ^a	(89)	175 ^b
147	49	(29)	54 ^c	(30)	142 ^d
89	35	(-)	34	(-)	90
18	14	(-)	6	(-)	26
67	94	(-)	85	(-)	76
117	40	(17)	45	(18)	112
38	55	(-)	33	(-)	60
169	174	(-)	279	(-)	64
52	47	(56)	50	(41)	149
972	639	(187)	708	(188)	903
329	1,294	(874)	1,306	(749)	1,317
301	1,933	(1,061)	2,014	(937)	2,220

c Including 8 Metro cases.
 d Including 1 Metro case.

Personal Injury Actions:

	Number	Amount Involved
1976	168 ^a	\$34,602,675.40
.....	128 ^b	32,743,606.57
.....	296	\$67,346,281.97
January 1, 1976	121	16,663,390.47
.....	175 ^c	\$50,682,891.50

^a amount of damages is unspecified.

^b amount of damages is unspecified.

^c amount of damages is unspecified.

Personal injury actions concluded in 1976, 13 involving damages other than personal injuries outright. In 1 case in which \$1,000,000.00 was recovered \$71,000.00.

There were 56 cases in which plaintiffs claimed in excess of \$100,000.00 in damages involving in excess of \$3,885,229.25. In 56 cases involving in excess of \$11,063,000.00, 56 cases involving in excess of \$11,063,000.00 were dismissed without trial for a total of \$1,143,000.00. The total claimed amount of over \$100,000.00.

3. Segregation—Damages Other Than Personal Injuries:

	Number	Amount Involved
Pending December 31, 1975	147 ^a	\$16,414,467.68
Commenced since January 1, 1976	49 ^b	9,816,652.19
Total	196	\$26,231,119.87
Tried and concluded since January 1, 1976.....	54	3,007.69
Pending December 31, 1976	142 ^c	\$14,123,112.18

a Includes 7 cases in which amount of damages is unspecified.

b Includes 3 cases in which amount of damages is unspecified.

c Includes 7 cases in which amount of damages is unspecified.

Of the 54 cases involving damages other than personal injuries concluded in 1976, 25 involving \$1,114,694.46 were won outright. In 9 cases involving in excess of \$7,094,600 plaintiffs recovered \$2,917,357.88. The remaining 20 cases involving \$3,328,678.50 were settled or dismissed without trial for a total of \$843,243.52.

The above actions concluded in 1976, involving both personal injuries and damages other than personal injuries are further classified as to department or activity involved, as follows:

	Number	Amount Paid By City
Building Department		
(includes 1 case covered by insurance)	12	\$2,897,634.00
Comptroller	1	14,000.00
Engineering Department:		
Sewer Utility	5	26,200.00
Sidewalk (includes 1 case covered by insurance)	8	8,579.30
Street (includes 2 cases covered by insurance)	23	473,737.44
Fire Department	1	450,000.00
Library	1	350.00
Licenses and Consumer Affairs	1	—
Lighting Department		
(includes 2 cases covered by insurance)	8	288,500.00
Model Cities	1	13,000.00
Municipality of Metropolitan Seattle	38	185,407.30
Parks and Recreation Department	5	382,000.00
Police Department		
(includes 39 cases covered by insurance)	50	46,093.66
Public Health Department		
(includes 1 case covered by insurance)	4	1,750.00
Seattle Center (includes 6 cases covered by insurance) ..	8	30,283.50
Transportation Department	2	71,000.00
Water Department	7	86,900.00

4. Appellate Proceedings:

At the close of 1975, six appeals involving the City were pending in the State Supreme Court, 36 in the State Court of Appeals and 1 before the United States Court of Appeals.

In 1976, six new appeals were filed in the State Supreme Court and 22 were filed in the State Court of Appeals. Four appeals were transferred to the State Supreme Court from the Court of Appeals and six cases before the Court of Appeals were consolidated for decision.

The City prevailed in 12 of the 15 cases involving the City in which the State Court of Appeals rendered a decision in 1976. The

City's petition for review of one adverse decision is pending before the State Supreme Court. Three cases before the Court of Appeals in which the City had prevailed in lower courts were dismissed for lack of prosecution by the appellant; another was withdrawn by the appellant. In four actions pending in the Court of Appeals the appeal was dismissed following settlement of the case.

In matters before the State Supreme Court in 1976, the City prevailed in 4 of the 5 cases in which it was involved where the Supreme Court rendered a decision. The City's position prevailed in 4 of the 5 cases where the Supreme Court denied further review of prior decisions of the Court of Appeals. One case in which the City had prevailed in the trial court was dismissed for lack of prosecution.

The City prevailed in the single case decided by the United States Court of Appeals.

In three of the above cases decided in 1976 where the City had prevailed, petitions for writs of certiorari were filed in the United States Supreme Court. All three petitions were denied.

At the close of the year, there were 11 appeals involving the City pending in the State Supreme Court and 25 were pending before the State Court of Appeals.

5. Miscellaneous Cases and Extraordinary Writs:

Miscellaneous cases pending at the close of 1975 and commenced in 1976 are segregated as follows:

Eighty-nine cases filed by the City for recovery of damages were pending at the close of 1975, and 35 cases were commenced in 1976. Of this total, 17 were completed in which the City recovered \$164,896.99 and 17 involving \$12,232.03, were dismissed; 90 cases are pending. Ninety-four Superior Court cases for collection of Municipal Court imposed civil penalties for Housing Code violations were filed in 1976 and 85 of such cases were completed in 1976 in which the City recovered \$63,080.05; 76 Superior Court collection cases were pending at the close of 1976. Over \$22,212.00 was collected in 1976 on Municipal Court civil penalties without filing separate actions.

Eighteen contract actions were pending at the close of 1975, and 14 were commenced during 1976. Last year 3 contract cases involving the City were dismissed without payment by the City; in 3 cases involving \$84,588.37, plaintiffs recovered \$22,284.22.

Of the other miscellaneous proceedings, the City lost 22 and won or otherwise disposed of 28; 149 such cases were pending at the end of 1976.

In addition 17 injunctive actions were concluded in 1976, of which the City won 16; 37 injunctive actions are pending. Three writs of certiorari were concluded in favor of the City during 1976 and 2 were lost; 22 are pending. Two habeas corpus writs were processed; 5 are pending. Eight writs of certiorari were closed in 1976, 6 of which

were denied; 15 are pending. Twelve cases involving requests for declaratory relief were completed in 1976 and of such cases the City won 10 and lost 2; 32 are pending. One writ of prohibition was granted in 1976 and 1 is pending.

II. CLAIMS IN 1976

The Claims Division of the Law Department investigated 438 claims filed against the City, and in the event of litigation, assisted legal staff pending ultimate disposition of the case. The following tabulation reflects the Claims Division's activities during 1976:

	Number	Amount Involved
On file January 1, 1976	2,251	\$85,086.32
Referred for investigation	1,062	61,755.71
Suits initiated	149	36,690.00
Closed without payment	637	18,270.00
Claims paid	438	(Asked) 647,900.00 (Paid) 283,123.98
On file December 31, 1976:	2,089	\$91,233.82

Payment of \$283,123.98 was made in settlement of 438 claims involving various departments of the City and was effectuated as follows:

- 19 claims involving \$157,264.47 were paid pursuant to specific ordinances passed by the City Council for such purpose.
- 419 claims involving a total of \$125,859.51 were paid pursuant to Ordinance 103167 which authorizes the Corporation Counsel to authorize payment of individual claims of not more than \$2,500.00.

Following is a tabulation showing in detail the departments involved and the amounts paid:

Department	Number	Amount Paid
Building	5	\$ 2,000.00
Engineering	8	3,000.00
Construction	1	1,000.00
Sanitary Sewer	27	17,000.00
Sewer Utility	28	18,000.00
Sidewalks	1	1,000.00
Solid Waste Utility	8	4,000.00
Storm Sewer	19	11,000.00
Street Maintenance	7	6,000.00
Traffic	2	1,000.00
Fire	1	1,000.00
General Services	83	122,000.00
Lighting	28	2,000.00
Parks & Recreation	33	2,000.00
Police	4	1,000.00
Seattle Center	36	16,000.00
Water	147	71,000.00
Vehicle Fleet (All departments)*	438	\$283,123.98

* During the year 554 accidents were evaluated and 216 claims were processed. The estimate of ultimate claims cost for the year is \$116,379.01.

review of one adverse decision is pending before the State Supreme Court. Three cases before the Court of Appeals had prevailed in lower courts were dismissed for lack of prosecution by the appellant; another was withdrawn by the appellant. Two cases pending in the Court of Appeals the appeal was pending settlement of the case.

During the year the State Supreme Court in 1976, the City prevailed in 4 of the cases in which it was involved where the Supreme Court denied further review of prior decisions. The City's position prevailed in 4 of the cases before the Court of Appeals. One case in which the City had prevailed in the Court of Appeals was dismissed for lack of prosecution. One case in which the City had prevailed in the single case decided by the United States Supreme Court.

During the year above cases decided in 1976 where the City had prevailed for writs of certiorari were filed in the United States Supreme Court. All three petitions were denied.

During the year, there were 11 appeals involving the City before the State Supreme Court and 25 were pending before the Court of Appeals.

Cases and Extraordinary Writs:

Cases pending at the close of 1975 and commenced during 1976 are as follows:

During the year 1975, 35 cases were commenced in which the City recovered \$164,000.00. Of these, 12 cases involving \$12,232.03, were dismissed; 90 cases are pending in Superior Court cases for collection of Municipal civil penalties for Housing Code violations were completed in 1976 in which the City recovered \$63,080.05; 76 Superior Court collection cases were completed in 1976. Over \$22,212.00 was collected in 1976. Over 200 contract actions were pending at the close of 1975, and during 1976. Last year 3 contract cases involving \$100,000.00 were dismissed without payment by the City; in 3 cases involving \$100,000.00, plaintiffs recovered \$22,284.22.

In miscellaneous proceedings, the City lost 22 and won 28; 149 such cases were pending at the end of 1975.

Injunctive actions were concluded in 1976, of which 17 injunctive actions are pending. Three writs of habeas corpus were concluded in favor of the City during 1976 and 2 writs of habeas corpus were pending. Two habeas corpus writs were processed; 6 writs of certiorari were closed in 1976, 6 of which

were denied; 15 are pending. Twelve cases involving requests for declaratory relief were completed in 1976 and of such cases the City won 10 and lost 2; 32 are pending. One writ of prohibition was lost in 1976 and 1 is pending.

II. CLAIMS IN 1976

The Claims Division of the Law Department investigates all claims filed against the City, and in the event of litigation, assists the legal staff pending ultimate disposition of the case. The following tabulation reflects the Claims Division's activities during 1976:

	Number	Amount Involved
On file January 1, 1976	2,251	\$85,086,321.62
Referred for investigation	1,062	61,755,726.00
Suits initiated	149	36,690,154.17
Closed without payment	637	18,270,082.03
Claims paid	438	
	(Asked)	647,954.56
	(Paid)	283,123.98
On file December 31, 1976:	2,089	\$91,233,856.86

Payment of \$283,123.98 was made in settlement of 438 claims involving various departments of the City and was effectuated as follows:

- 19 claims involving \$157,264.47 were paid pursuant to specific ordinances passed by the City Council for such purpose.
- 419 claims involving a total of \$125,859.51 were paid pursuant to Ordinance 103167 which authorizes the Corporation Counsel to approve payment of individual claims of not more than \$2,500.00.

Following is a tabulation showing in detail the departments involved and the amounts paid:

Department	Number	Amount Paid
Building	5	\$ 2,829.07
Engineering		
Construction	8	3,734.21
Sanitary Sewer	1	676.06
Sewer Utility	27	17,913.44
Sidewalks	28	18,742.60
Solid Waste Utility	1	67.50
Storm Sewer	8	4,078.06
Street Maintenance	19	11,454.75
Traffic	7	6,443.86
Fire	2	573.71
General Services	1	84.31
Lighting	83	122,038.69
Parks & Recreation	28	2,754.29
Police	33	2,664.98
Seattle Center	4	1,434.95
Water	36	16,010.68
Vehicle Fleet (All departments)*	147	71,622.82
	438	\$283,123.98

* During the year 554 accidents were evaluated and 216 claims were filed. The estimate of ultimate claims cost for the year is \$116,379.01.