

Judiciary

All Dollars in Thousands

	(GF Only)	Change	% Change	See Note:
FY18 Conference Committee (GF Only)	\$105,356.6			
FY18 Fiscal Notes	-			
CarryForward	-			
Misc Adjustments	-			
Multi-Years/Specials	-			
Vetoes	-			
FY18 Management Plan (GF only)	\$105,356.6	\$0.0	0.0%	
One-time Items Removed	-			
Fiscal Note One-Time Items	-			
Fund Source Change	-			
Temporary Increments (IncTs)	-			
Maintenance Increments (IncMs) and Increments	-			
FY19 Contractual Salary Increases	-			
FY19 Adjusted Base Budget (GF only)	\$105,356.6	\$0.0	0.0%	
Lang/Lang OTIs/MiscAdj/Carryforward/MultiYears/Contingent	-			
FY19 Governor's GF Increments/Decrements/Fund Changes	606.3			
FY19 Governor's Agency Request (GF only)	\$105,962.9	\$606.3	0.6%	
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FY19 Governor's Increments, Decrements, Fund Changes and Language	FY19 Adjusted Base Budget (GF Only)	FY19 Governor's Request (GF only)	Change from FY19 Adj Base to FY19 Governor's Request	See Note:
Allocation				\$606.3
Trial Courts	81,504.9	82,014.9	510.0	1
Therapeutic Courts	4,729.9	4,826.2	96.3	2
Non-General Fund Agency Summary	FY19 Adjusted Base Budget	FY19 Governor's Request	Change from FY19 Adj Base to FY19 Governor's Request	See Note:
Other State Funds (all allocations)	1,986.7	2,206.1	219.4	3
Federal Funds (all allocations)	1,225.6	1,225.6	-	
Total Non-General Funds (all allocations)	\$3,212.3	\$3,431.7	\$219.4	
Position Changes (From FY18 Authorized to Gov)	781	782	1	
PFT	739	740	1	2
PPT	37	37	-	
Temp	5	5	-	
Governor's Capital Request	State Funds (GF + Other)	Federal Funds	Total	See Note:
Planning and Research	-	-	-	
Maintenance and Repairs	-	-	-	
Remodel, Reconstruction and Upgrades	-	-	-	
New Construction and Land Acquisition	-	-	-	
Equipment and Materials	-	-	-	
Information Systems and Technology	-	-	-	
Other	-	-	-	
TOTAL CAPITAL	\$0.0	\$0.0	\$0.0	

Judiciary

Alaska has a unified, centrally administered, and primarily state-funded judicial system, which consists of three independent entities: the Alaska Court System, the Alaska Judicial Council, and the Alaska Commission on Judicial Conduct. Judiciary's budget is presented in four appropriation requests: the Alaska Court System, Therapeutic Courts, the Alaska Commission on Judicial Conduct, and the Alaska Judicial Council.

There are four levels of courts in the court system, each with different powers, duties, and responsibilities. The four levels of courts are the Supreme Court, the Court of Appeals, the Superior Court, and the District Court. The Supreme Court and the Superior Court were established in the Alaska Constitution. The District Court was established by state statute in 1959. The Court of Appeals was established by state statute in 1980. Jurisdiction and other areas of the judicial responsibility for each level of court are set out in Title 22 of the Alaska Statutes.

BUDGET SUMMARY

Judiciary's FY19 general fund operating budget request is \$606.3 (0.6%) above the FY19 Adjusted Base [all Unrestricted General Funds (UGF)]. The Governor transmitted the Judicial branch's operating request to the legislature without modification. Significant issues are highlighted in the notes below and correspond to the numbers in the last column on the preceding spreadsheet.

FUNDING INCREASES

1. Trial Courts – Increases in the Cost of Jury Pay and Jury Travel: \$510.0

UGF. Given the Governor's request for additional prosecutors in the Department of Law's FY19 budget request and other factors, the number of cases going to trial has increased and is expected to continue to increase. The \$510.0 request by Trial Courts is 0.6 percent above the FY18 budget (and 2.5% below FY17 actual expenditures).

- **Jury Pay: \$360.0 UGF.** Costs for jury pay are expected to increase by about \$370.0 between FY17 and FY18. The Court System did not receive an increment for jury pay in FY18. The Court System's FY19 request falls short of FY18 anticipated costs and does not build in cost increases for FY19.
- **Jury Travel: \$150.0 UGF.** To increase the pool of individuals eligible for jury duty in relatively remote areas of the State, jurors may be drawn from a 50-mile radius of these communities. When jurors are required to travel to the hub court, the Court System is required to provide meals and lodging for the duration of their jury service. On average, 81% of all juror travel costs are the result of trials held in Dillingham and Bethel.

Legislative Fiscal Analyst Comment: The Court System is currently assessing whether to submit an FY18 supplemental request to cover unanticipated jury and travel costs of \$525.6.

2. Therapeutic Courts – Add a position in the Anchorage Veterans' Court to Align with National Standards and Address Increased Utilization: \$96.3 UGF, 1 PFT Position. The Anchorage Veterans' Court, which started in 2004,

is a specialized court designed to facilitate the rehabilitation of eligible veterans charged with criminal offenses. In addition to connecting veterans with VA housing, employment, rehabilitation, and treatment services, the Veterans' Court collaborates with prosecutors, defense attorneys, and the Department of Veterans' Affairs to monitor conditions of alternative sentencing plea agreements. According to Therapeutic Courts, these agreements are designed to help eligible veterans succeed in returning to a productive and law-abiding lifestyle.

Currently, non-veterans' and veterans' court cases are distributed among existing Therapeutic Courts staff. This increment request adds funding for a project coordinator position focused on providing services to veterans and to align Veterans' Court practices with recently established national standards. According to Courts, given the Anchorage and Palmer caseload growth, "management of the Veterans' Court is not sustainable using staff who are already stretched too thin."

MENTAL HEALTH TRUST FUNDING

3. Ongoing Mental Health Trust Authority Recommendations – Therapeutic Courts: \$219.4 Mental Health Trust Authority Authorized Receipts (MHTAAR) (Other). All MHTAAR funding in state agencies is removed from the adjusted base and reconsidered by the Alaska Mental Health Trust Authority (AMHTA) each fiscal year (zero-based budgeting). The AMHTA's FY19 request of \$219.4 is identical to the amount included in the FY18 budget. MHTAAR funding for the Mental Health Trust Disability Justice Initiative is as follows:

- **\$204.4 IncOTI** – Continue Juneau Mental Health Court funding to provide a therapeutic court alternative for AMHTA beneficiaries. The program's objective is to identify the underlying reasons for an individual's contact with the criminal justice system, and develop and monitor court-ordered treatment plans.
- **\$15.0 IncOTI** – Additional professional training for Therapeutic Court staff.

ORGANIZATIONAL CHANGES

There are no organizational changes requested.

CAPITAL REQUEST

Although Judiciary did not request capital project funding in the FY19 capital budget bill, the Governor's "Alaska Economic Recovery Plan" includes \$3.0 million UGF from the proposed Alaska Economic Recovery Act account for deferred maintenance projects in FY19, \$1 million in FY20 and \$1 million in FY21. Per the project description, the \$5 million appropriated over three years will address the majority of the Courts' \$5.3 million deferred maintenance backlog. Funding for the Alaska Economic Recovery Act account requires passage of separate legislation. See the Capital Overview in this publication for more details.