

CSSB 312 (Jud)
Fiscal Note Analysis
Prepared by Administrative Services
Department of Administration

Date: February 7, 1984

Establishment of the Office of Public Advocacy will transfer numerous attorney functions, now being handled by the court system through contracts with attorneys in private practice, to a new office with staff attorneys and guardians. The attached breakdown of budget figures is based on suggested staffing for this office provided to the Department of Administration by the Alaska Court System.

Due to the fact that the Office of Public Advocacy, like the Public Defender Agency, will be unable to control which cases are assigned it by the court system, flexibility must be allowed the department. This was the reason for the original lump sum fiscal note presented to this committee.

A number of variables associated with transforming these attorney functions in to a new State agency still exist. These variables necessitate giving the Department of Administration maximum flexibility in allocation of funds between personal services and contractual and or transfer of positions from one geographic area to another to accomplish the following:

1. Provision of quality services to indigent clients in remote bush areas by contracting with local attorneys on a case-by-case basis;
2. Handling multiple-defendant conflict cases by contract where the Public Defender Agency and the Office of Public Advocacy are each already handling one defendant and have a conflict in representing additional defendants associated with the case; and
3. Transfer of attorneys, guardians, and clerical positions from one Office of Public Advocacy branch office to another as the caseloads warrant.

These projected costs are predicated upon utilization of attorneys as State employees rather than engagement of private attorneys contracted on an as-needed basis. However, some private attorney contracts will continue to be necessary in cases of multiple party conflict and to assist the Office of Public Advocacy in remote locations.

It is intended that the court system will continue to handle the responsibilities of the guardianship cases in FY 85 and the completion of any open contracts until the cases are resolved. The court system will retain the seven guardian PCN's and one accounting clerk, and the Department of Administration will allocate Reimbursable Services Agreement funds to the court for these costs. In FY 86 these 8 positions will transfer to the Department of Administration.

The Department of Administration will manage the Public Advocacy FY 85 Budget Appropriation during the transition period and RSA funds to the Court System to pay the continued contract costs during this period.

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The Department of Administration, Division of Administrative Services, has projected the need for two additional accounting technicians to handle the increased responsibilities of another division within the department. These positions are for additional workload in professional contracts, vendor payment and payroll functions for these three new offices.

This Fiscal Note is based on information from the court system on caseloads, location of cases, hours per case and costs of guardianship.

Because the Public Advocacy Office will be administered differently than in the court system, we can not guarantee that moving the function will be a cost saving matter. Neither can we guarantee the actual costs since we have used court system projections without having performed this function ourselves.