

Alaska State Legislature

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Senator Lesil McGuire

DATE: February 1, 2011

TO: Senator Hollis French, Chair Senate Judiciary Committee

FR: Senator Lesil McGuire

RE: Request to Schedule SB 62: "An Act allowing appropriations to the civil legal services fund from court filing fees."

Dear Senator French,
Please schedule SB 62 for a hearing in the Senate Judiciary Committee at your earliest convenience.

Attached is a bill packet that contains the following:

1. Sponsor Statement
2. Current Version of the Bill: SB 62
3. Fiscal Note
4. Supporting Documents
 - a. Alaska Legal Services Corporation handouts

To Testify:

Nikole Nelson
Executive Director of Alaska Legal Services Corp
(907) 222-4508 Testifying from Anchorage LIO

Vance Sanders
ALSC Board President. 586-1648.
He is Juneau based and will testify in person.

Michele Sharp,
ALSC client, 884-0141. Testifying from Anchorage LIO.

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Senator Lesil McGuire

SPONSOR STATEMENT for Senate Bill 62

“An Act allowing appropriations to the civil legal services fund from court filing fees.”

This bill is designed to help fund civil legal services for low-income Alaskans. Senate Bill 62 will provide a mechanism for funding the Alaska Legal Services Corporation (ALSC), by allowing the legislature to appropriate up to 25 percent of filing fees paid to the Alaska Court System during the previous fiscal year into the Civil Legal Services Fund.

The Alaska Legal Services Corporation was established in 1966 to address the civil legal aid needs of low-income Alaskans. ALSC is not a state agency, but is instead a nonprofit charitable 501(c)(3) whose funding comes from a variety of state, federal, and private sources. Over the last several years ALSC funding has dwindled, from \$4.2 million as of 1987 to less than \$3.1 million as of 2010, while it struggles to serve a growing number of poverty-level applicants. Appropriations from the State of Alaska that were once as high as \$1.2 million in FY84 are currently at \$350,000. Senate Bill 62 aims to correct this lack of funding and helps ensure civil legal representation for Alaska’s most needy population.

SENATE BILL NO. 62

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY SENATOR MCGUIRE

Introduced: 1/24/11

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act allowing appropriations to the civil legal services fund from court filing fees."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 37.05.590 is amended to read:

4 **Sec. 37.05.590. Civil legal services fund.** The civil legal services fund is
5 established as a special account in the general fund. The fund consists of
6 appropriations to it. Annually, the legislature may appropriate to the fund only from
7 amounts deposited into the general fund of the state under AS 09.17.020(j) and an
8 amount from the general fund that is up to 25 percent of the filing fees received
9 by the Alaska Court System during the previous fiscal year. The legislature may
10 make appropriations from the fund to organizations that provide civil legal services to
11 low-income individuals. Nothing in this section creates a dedicated fund. In this
12 section, "low-income individual" means an individual with an income equal to or less
13 than 125 percent of the most recent federal poverty guidelines for Alaska set by the
14 United States Department of Health and Human Services.

Alaska Legal Services Corporation

Serving Alaska Communities and Families for over 40 years

Who we are:

- ♦ Alaska Legal Services Corporation (ALSC) is a private, non-profit law firm that provides free legal services to seniors and low-income Alaskans.

Our Mission:

- ♦ To provide meaningful access to justice in resolving civil legal problems for low-income clients, thus promoting family stability and reducing the legal consequences of poverty.

Who We Serve:

- ❖ Alaskans below 125% of the Alaska poverty ceiling
- ❖ Seniors --- over 600 per year
- ❖ Children --- nearly 1/2 of those assisted have children in their households
- ❖ Domestic Violence Victims --- over 400 cases per year
- ❖ Rural residents --- 38% of all clients served resided in rural communities
- ❖ Veterans---preventing homelessness and assuring access to healthcare

Community Need:

- ♦ An estimated 88,000 Alaskans live below the poverty ceiling. At present, there is only one ALSC attorney for every 4,000 Alaskans living in poverty.
- ♦ In 2009, ALSC received over 3,400 inquiries and 2,834 applications for legal help.
- ♦ We turned away over 500 families that could have been helped if we had the resources.
- ♦ Many more did not apply, knowing our resource limitations.

Providing Statewide Access To Justice With Offices In:

Anchorage	Bethel	Dillingham	Fairbanks	Juneau
Kenai	Ketchikan	Kotzebue	Nome	Palmer

Strong Local Support:

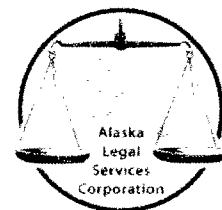
- ♦ Nearly all of our offices enjoy local financial support. Each office sets its own case acceptance priorities based on local needs.

Our Services:

Legal Advice and Counseling	Court Representation	Advocacy
Community Legal Clinics	On-line Self-Help	Pro Bono program

Types of Cases:

Domestic Violence Protection	Foreclosures	Family Law
Wills & Healthcare Directives	Public Benefits	Consumer Protection
Housing Protection	Debtor Relief	
Health care Advocacy	Employment	
Probates & Estates		
Veteran's Benefits		



Access to Justice for Alaskans in Need

Alaska Legal Services Corporation



Serving Victims of Domestic Violence

Who we are:

- ◆ ALSC is a non-profit civil legal aid agency, providing free legal services to Alaska's poor. We are by far the largest provider of legal services to domestic violence victims in Alaska. We served over 400 families experiencing domestic violence last year alone. Children were present in 80% of these households.
- ◆ ALSC has provided legal assistance, including representation to domestic violence victims, for over 40 years, with a particular emphasis on service delivery in Alaska's rural areas.

Community need:

- ◆ In 2009, ALSC saw a 15% increase in requests for assistance from victims of abuse. Our ability to help is limited by available resources, forcing us to turn away over 500 families each year.
- ◆ The Governor's initiative funds stronger criminal efforts but relies on pro bono efforts to increase civil representation. The lack of dedicated funding for increased civil representation is a weak link in this initiative.

What we do:

- ◆ ALSC attorneys provide advice and/or representation aimed at increasing victims' safety and long term stability by keeping or securing housing, obtaining orders of protection and assisting with income maintenance issues such as securing child support and public benefits.

Why we do what we do:

- ◆ Alaska's rates of domestic violence and sexual assault are among the highest in the nation. A 2003 study seeking to explain a decline in domestic violence found the provision of civil legal services to victims significantly lowers the incidence of abuse and was the **only** service designed to help victims having this impact.
- ◆ Domestic Violence is the number one precursor to child abuse and neglect. Services to victims also protect children.
- ◆ Legal services address practical matters that make leaving abusive relationships a realistic alternative.