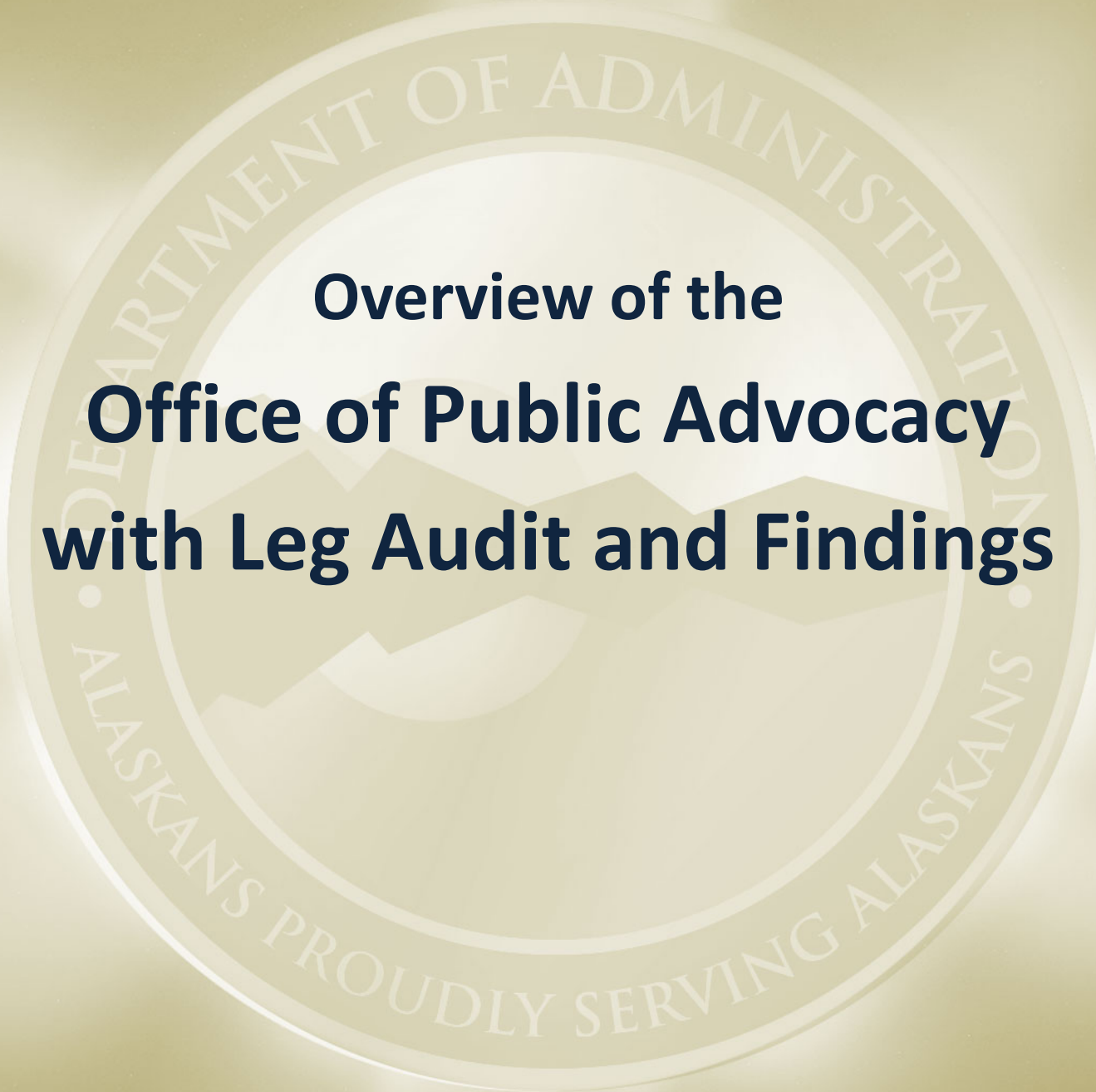


**ALASKA DEPARTMENT OF ADMINISTRATION
OVERVIEW OF
OFFICE OF PUBLIC ADVOCACY
PUBLIC DEFENDER AGENCY
VIOLENT CRIMES COMPENSATION COMMISSION
ALASKA OIL & GAS CONSERVATION COMMISSION**



Presentation to
**House Finance
Budget Subcommittee
February 14, 2013**

Commissioner Becky Hultberg
OPA Director Rick Allen
PDA Director Quinlan Steiner
VCCB Director Kate Hudson
AOGCC Director Cathy Foerster

The background of the slide features a large, faint, circular seal of the Department of Administration, State of Alaska. The seal contains the text "DEPARTMENT OF ADMINISTRATION" at the top and "ALASKANS PROUDLY SERVING ALASKANS" at the bottom, with a central emblem depicting a mountain range and a sun.

Overview of the Office of Public Advocacy with Leg Audit and Findings

OPA LEG AUDIT AND FINDINGS

- **Recommendation No. 1:** *DAS' director should take action to ensure that all OPA professional services are obtained in accordance with state procurement laws.*
 - Finding: Concur with the recommendation
- **Recommendation No. 2:** *DAS' director should take action to ensure that OPA complies with small procurement rules.*
 - Finding: Concur with the recommendation
- **Recommendation No. 3:** *DAS' director should improve the oversight of OPA contract administration procedures to ensure compliance with the State Procurement Code and the AAM.*
 - Finding: Concur with the recommendation

OPA LEG AUDIT AND FINDINGS

Action Taken by DOA and OPA in Response to Leg Audit:

- consolidation of procurement staff in DAS
- evaluation of DOA procurement processes by DGS
- issuance of RFP for OPA attorney pool
- review of OPA, PD and Law statutory procurement authority

MISSION STATEMENT

“The Office of Public Advocacy (OPA) provides legal advocacy and guardianship services to vulnerable Alaskans.”

With offices in Anchorage, Juneau, Fairbanks, Palmer, and Bethel, OPA advocates for abused and neglected children in protective proceedings, provides public guardianship for incapacitated adults, advocacy for victims of elder fraud, attorney services for respondents in adult guardianship proceedings, for parents in child in need of aid cases, and conflict cases received from the Public Defender Agency. A.S. 44.21.400-470.

GENERAL FUNCTIONS

The Office of Public Advocacy:

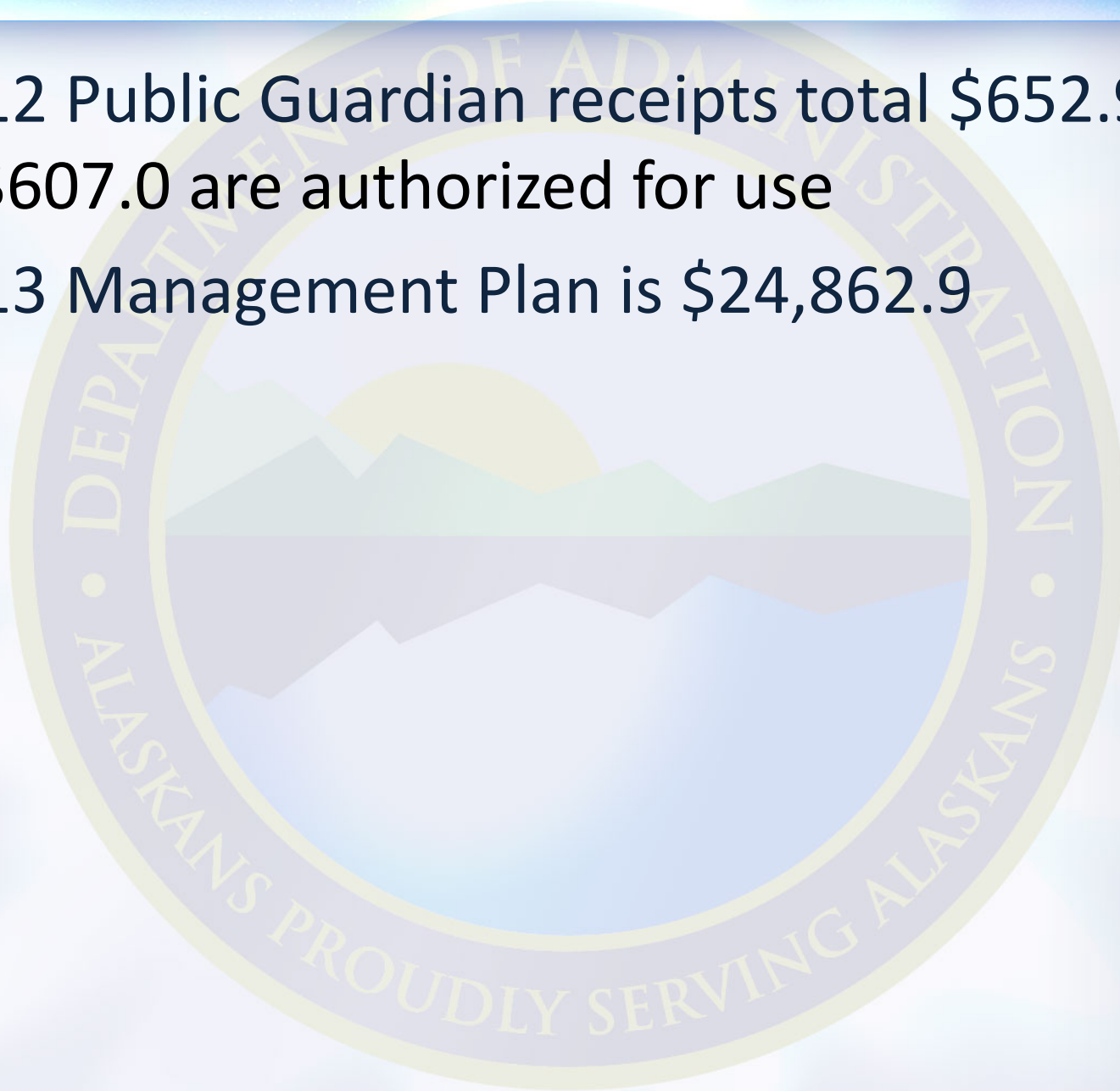
- Provides guardianship and conservatorship services to incapacitated individuals
- Provides guardian ad litem services to abused and neglected children
- Provides representation to elderly victims of fraud and abuse
- Provides attorney services for parents in child in need of aid cases
- Provides representation in conflict cases received from the Public Defender Agency
- Provides Respondent representation in Guardianship proceedings
- Provides Court Visitor services in Guardianship and Conservatorship proceedings

STRUCTURE

- Employees – Office of Public Advocacy (OPA) has 47 attorneys and 78 staff including the public guardians
- Offices
 - State run offices – 14 individual units
 - Five locations: Fairbanks, Palmer, Bethel, Juneau, Anchorage

BUDGET (NUMBERS IN THOUSANDS)

- FY2012 Public Guardian receipts total \$652.95 of that \$607.0 are authorized for use
- FY2013 Management Plan is \$24,862.9



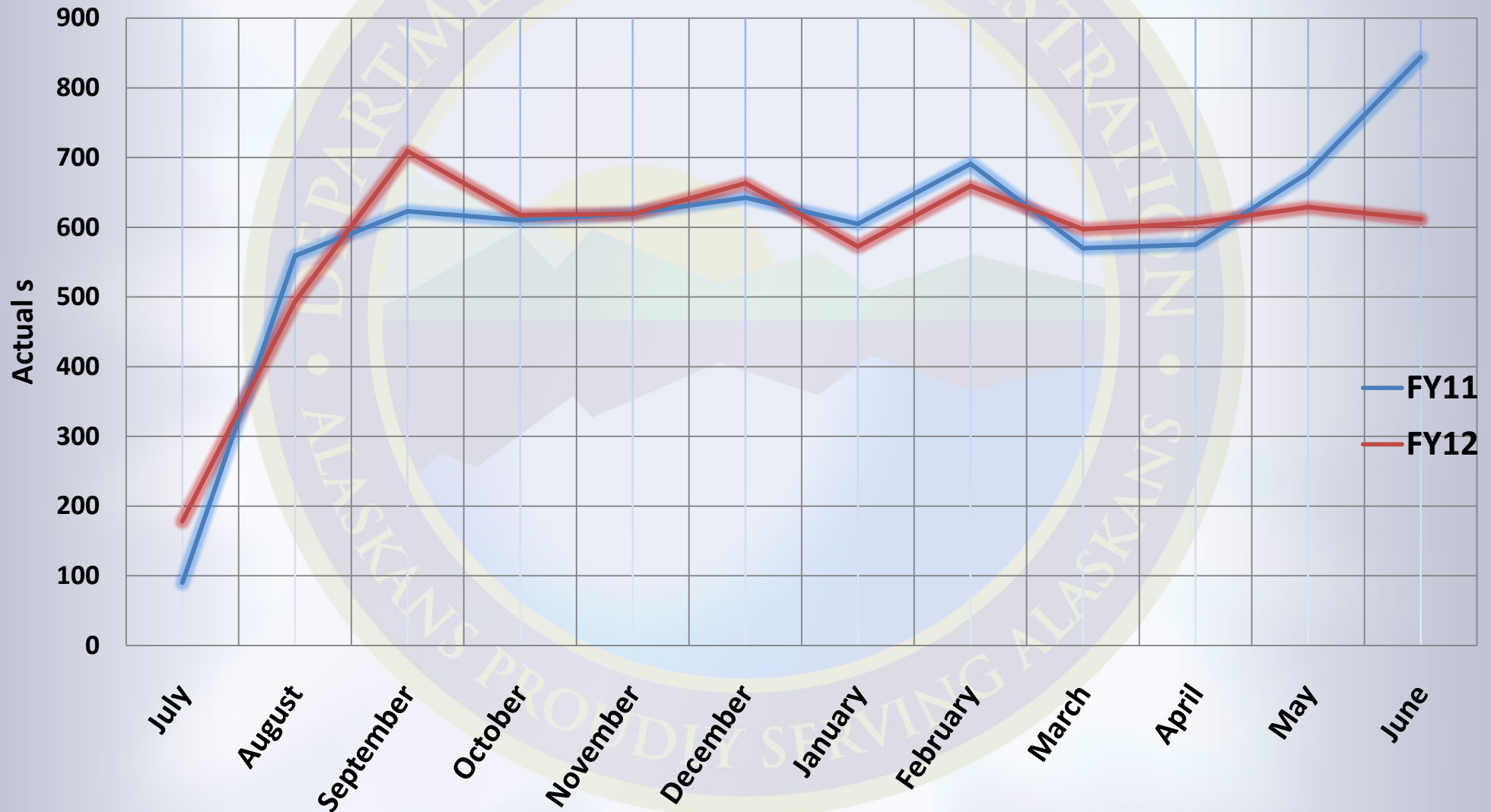
ACCOMPLISHMENTS

- Leveling out contractor costs
- Keeping more cases in-house
- Created new unit without additional positions
- Successfully challenging improper appointments by the court
- Educating the judiciary on proper Office of Public Advocacy (OPA) appointments

OPA BUDGET – CONTRACTOR COSTS

OPA Budget - Contract Advocacy Costs FY11 and FY12

Overall
decrease of 2%
from FY11 to
FY12



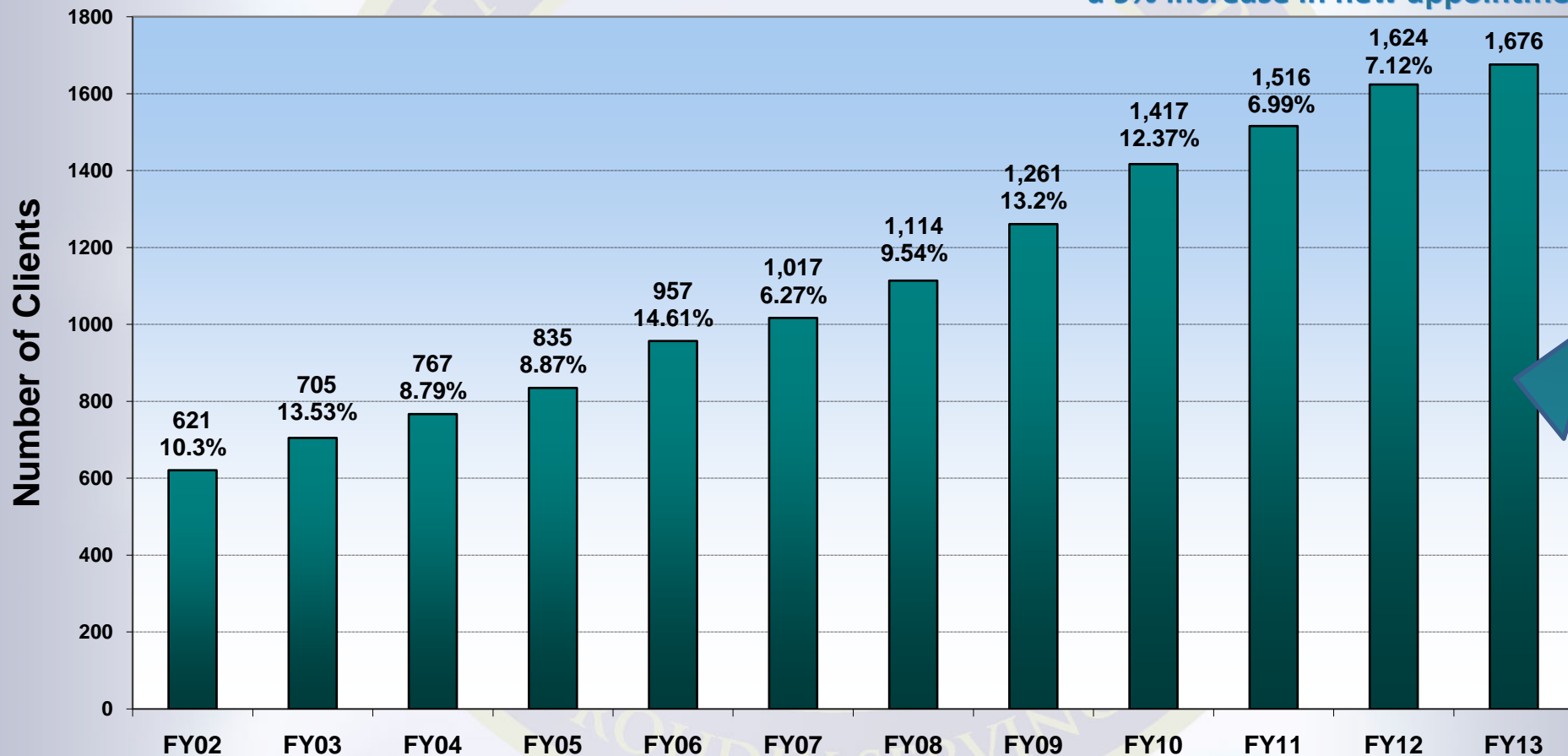
CHALLENGES

- Challenge #1 – Public Guardian caseload continues to increase
- Challenge #2 - Bethel caseload is significantly higher per attorney/staff than elsewhere
- Challenge #3 – The December 2011 Supreme Court ruling; Flores cases are increasing

SUMMARY OF PUBLIC GUARDIAN CLIENT COUNT

Summary of Public Guardian Client Count
FY02 through FY13 (1/17/2013)

Since beginning of FY12 OPA has seen
a 9% increase in new appointments

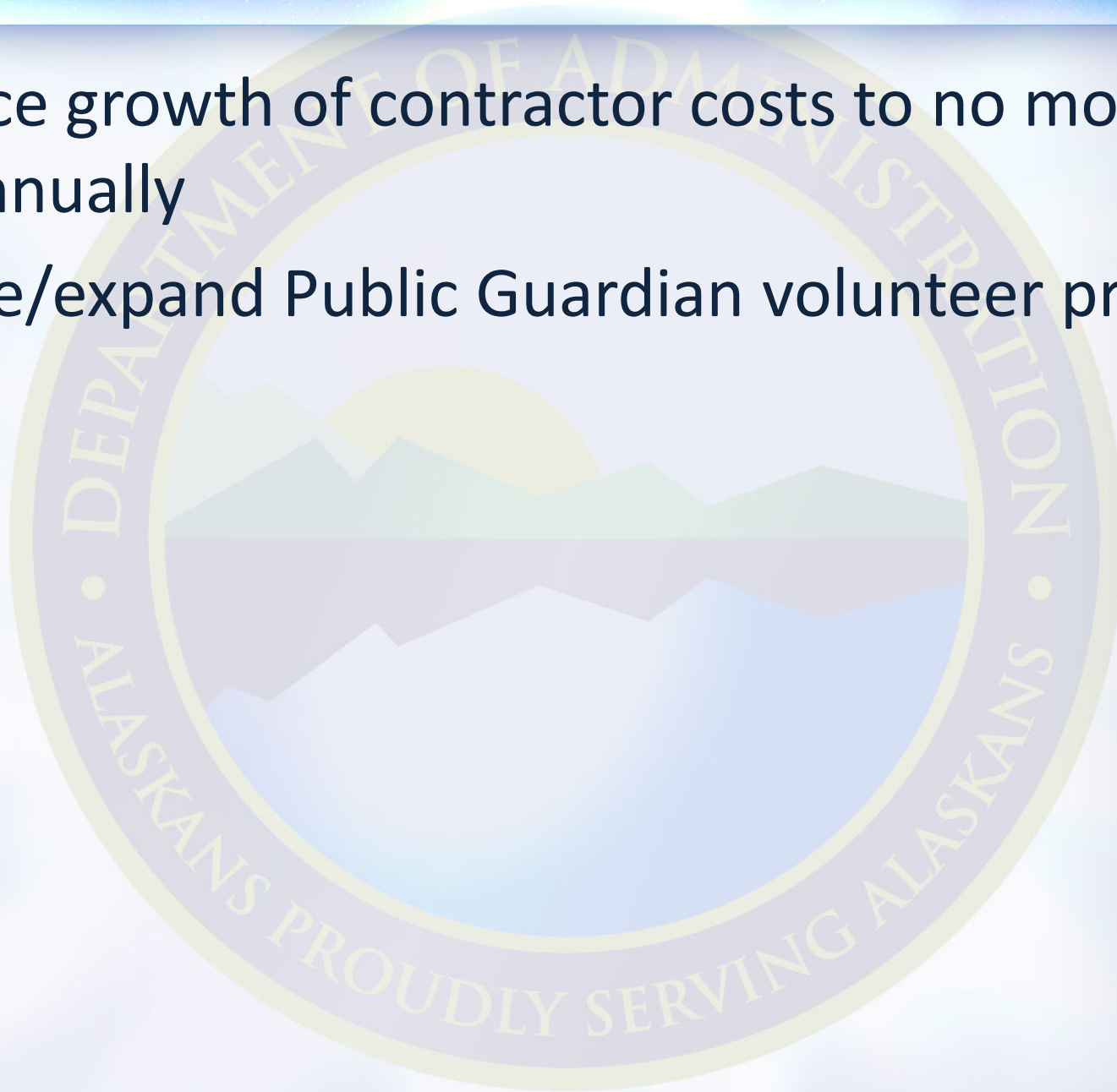


CURRENT EFFICIENCY INITIATIVES

- Criminal Justice Working Group: *electronic discovery*
- Add additional staff in geographic locations with increasing caseloads
- Address definitions within our enabling statute
- Implementation of SEM data system for Public Guardian trust activities.

COST CONTAINMENT PROGRAMS

- Reduce growth of contractor costs to no more than 2% annually
- Create/expand Public Guardian volunteer program



The seal of the Department of Administration, State of Alaska, is a circular emblem. It features a central shield with a stylized mountain range and a sun or moon. The shield is set against a background of radiating lines. The outer ring of the seal contains the text "DEPARTMENT OF ADMINISTRATION" at the top and "ALASKANS PROUDLY SERVING ALASKANS" at the bottom, separated by two small dots on each side.

Overview of the Public Defender Agency

MISSION STATEMENT

“To provide constitutionally mandated legal representation to indigent clients appointed by the court.”

The Public Defender Agency was created by the legislature in 1969 to provide constitutionally mandated defense services to indigent clients in criminal, juvenile delinquency, child-in-need-of-aid, and involuntary commitment matters. A.S. *18.85.010-180.*

SERVICES

- The Agency's primary responsibilities are to:
 - (1) communicate legal rights, legal process, charges and evidence,
 - (2) investigate allegations and viable case strategies, and
 - (3) represent clients in court proceedings
- Agency attorneys represent clients before the Alaska Supreme Court, the Alaska Court of Appeals, and the Superior and District Courts of Alaska

APPOINTMENTS

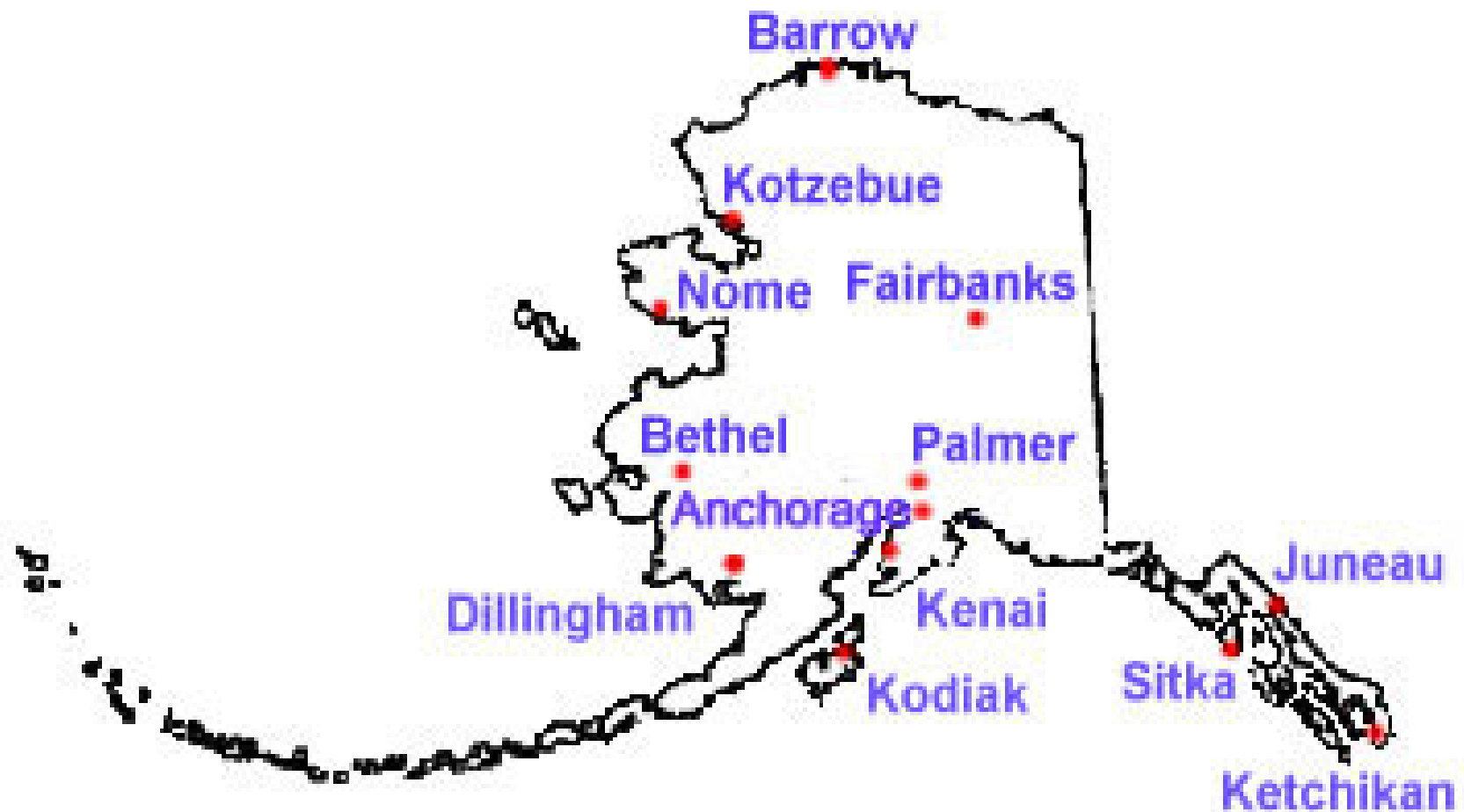
- The Agency receives cases only after an appointment order is issued by the courts. The Agency does not self-appoint and has no control over its caseload.
- Individuals who request public counsel must be indigent as defined by Alaska Law. Alaska Courts are required to find that a client is indigent and qualifies for publicly funded counsel before appointing the Public Defender Agency; *A.S. 18.85.110-120 and A.S. 18.85.170(4)*.
- The Office of Public Advocacy handles all cases in which the Public Defender Agency has a legal conflict of interest.

OFFICES

- The Public Defender Agency is comprised of four internal divisions: Criminal, Civil, Appellate and Administrative
- The Agency maintains 13 offices statewide: Anchorage, Fairbanks, Juneau, Palmer, Kenai, Ketchikan, Sitka, Bethel, Nome, Kotzebue, Dillingham, Kodiak, and Barrow

OFFICE LOCATIONS

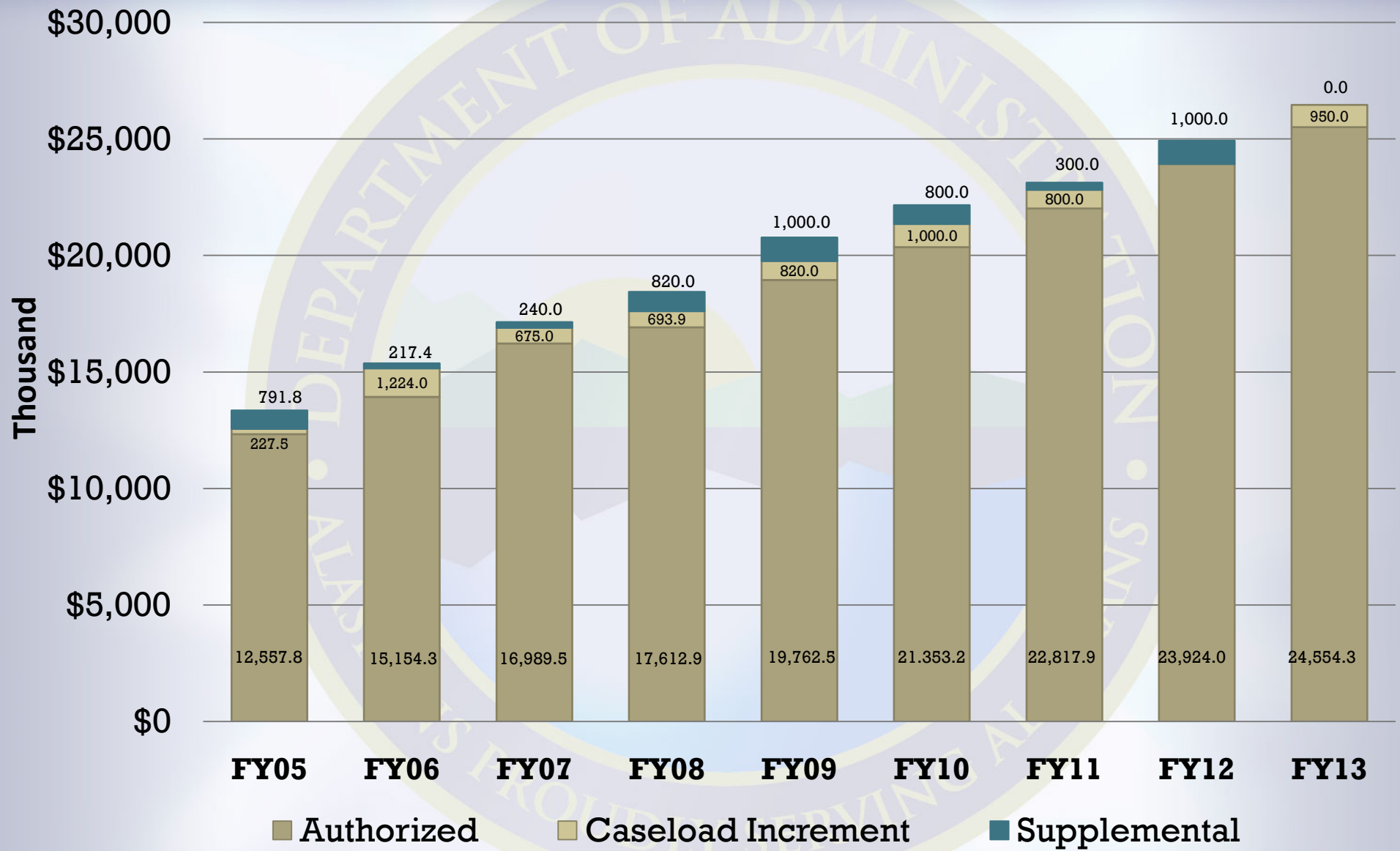
Public Defender Office Locations



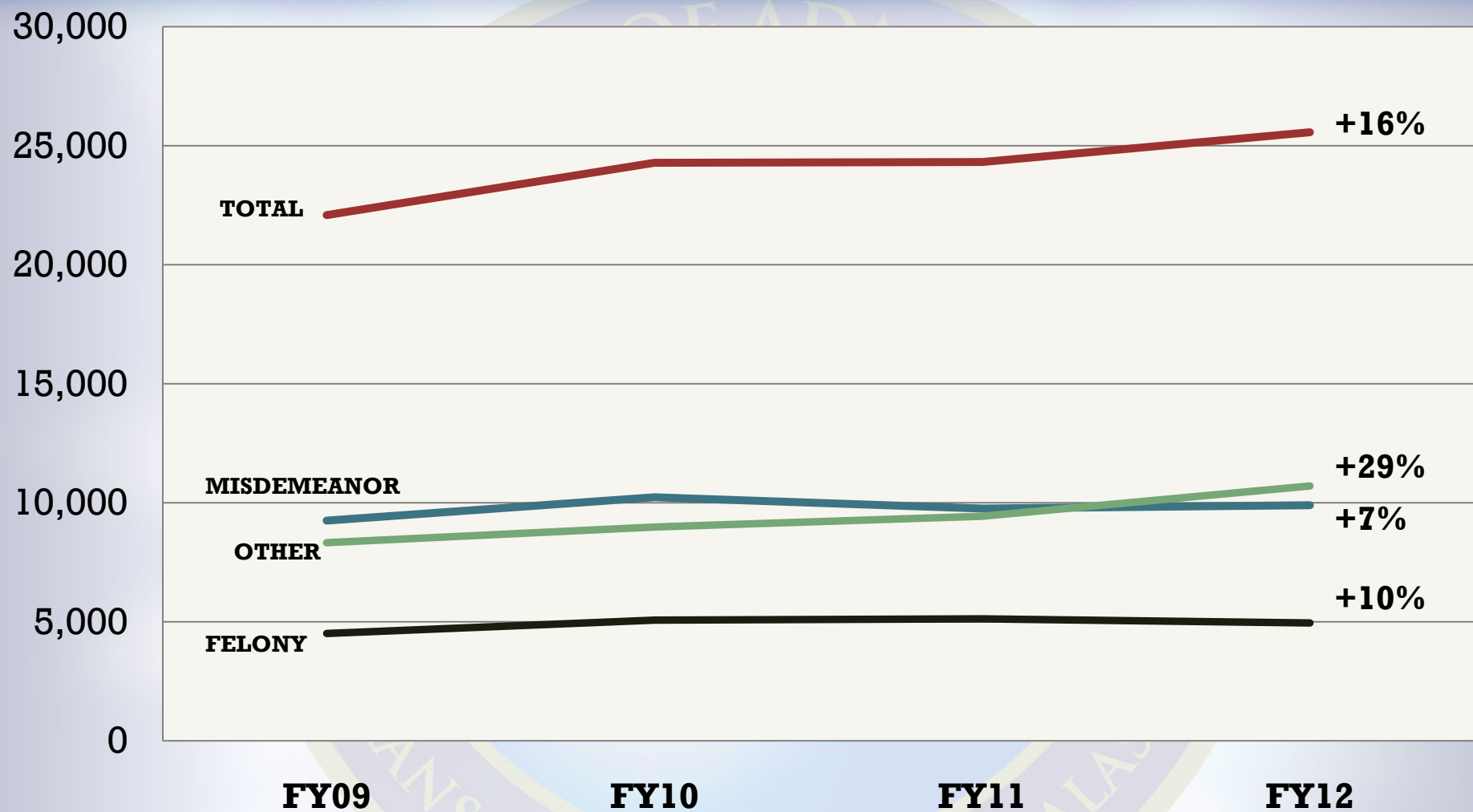
STAFF AND BUDGET

- The Agency employs 173 attorneys, investigators, paralegals, and support staff
- FY2013 Management Plan is \$25,504.3 (thousand)
- FY2013 includes a caseload increment of \$950.0 (thousand)

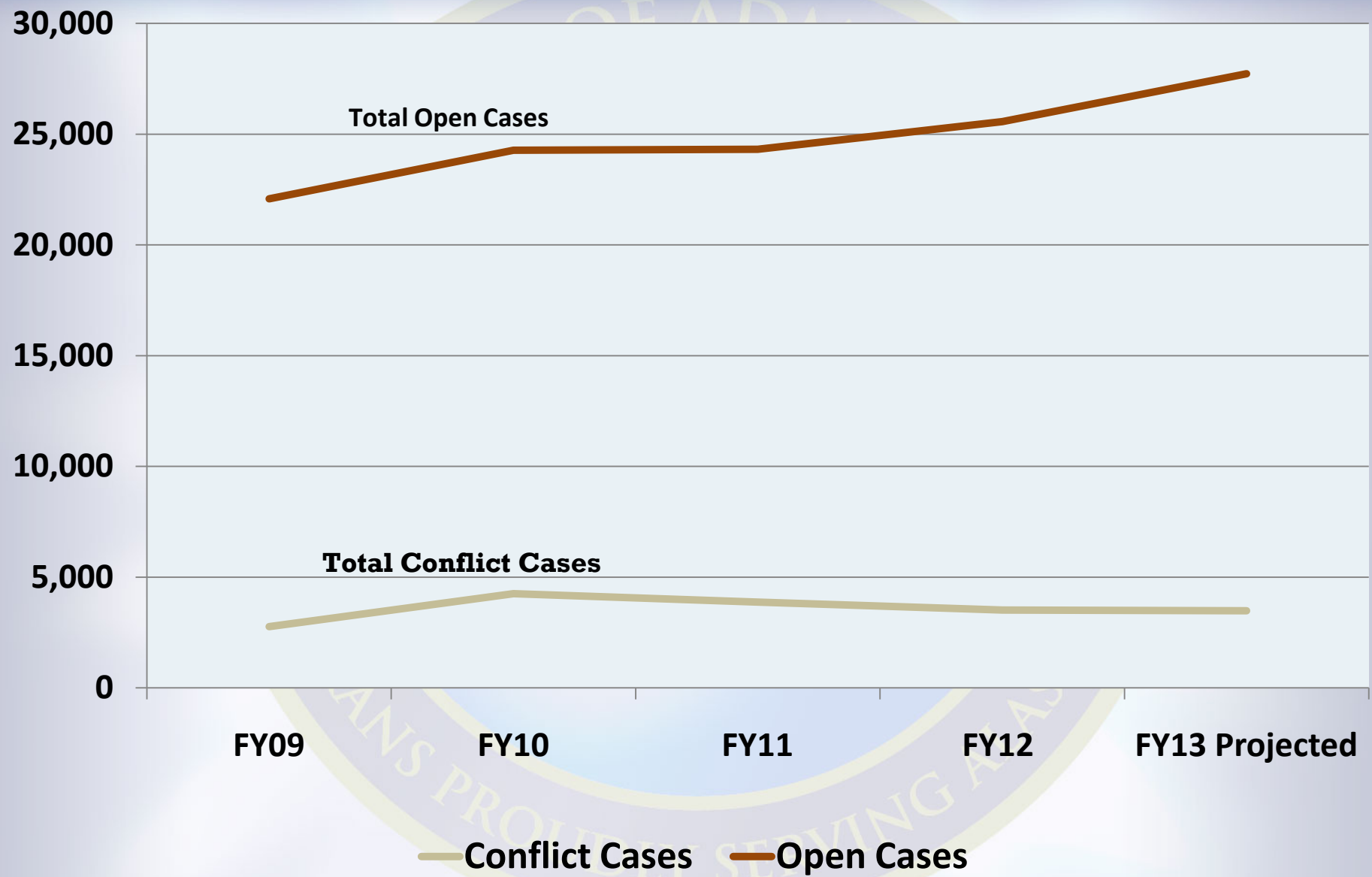
FY05-FY12 BUDGET SUMMARY



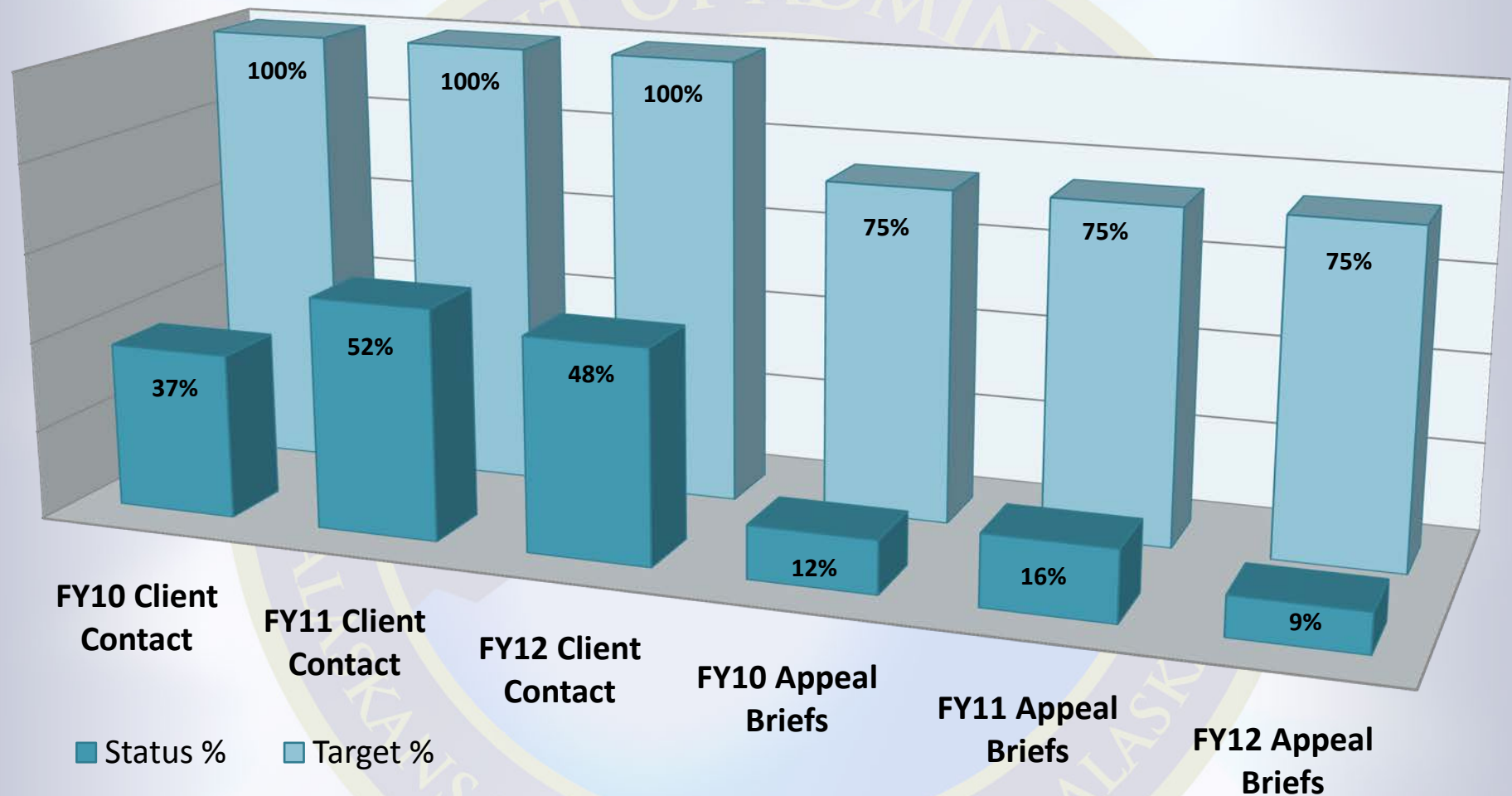
CASELOAD GROWTH



CONFLICT CASES



PERFORMANCE MEASURES



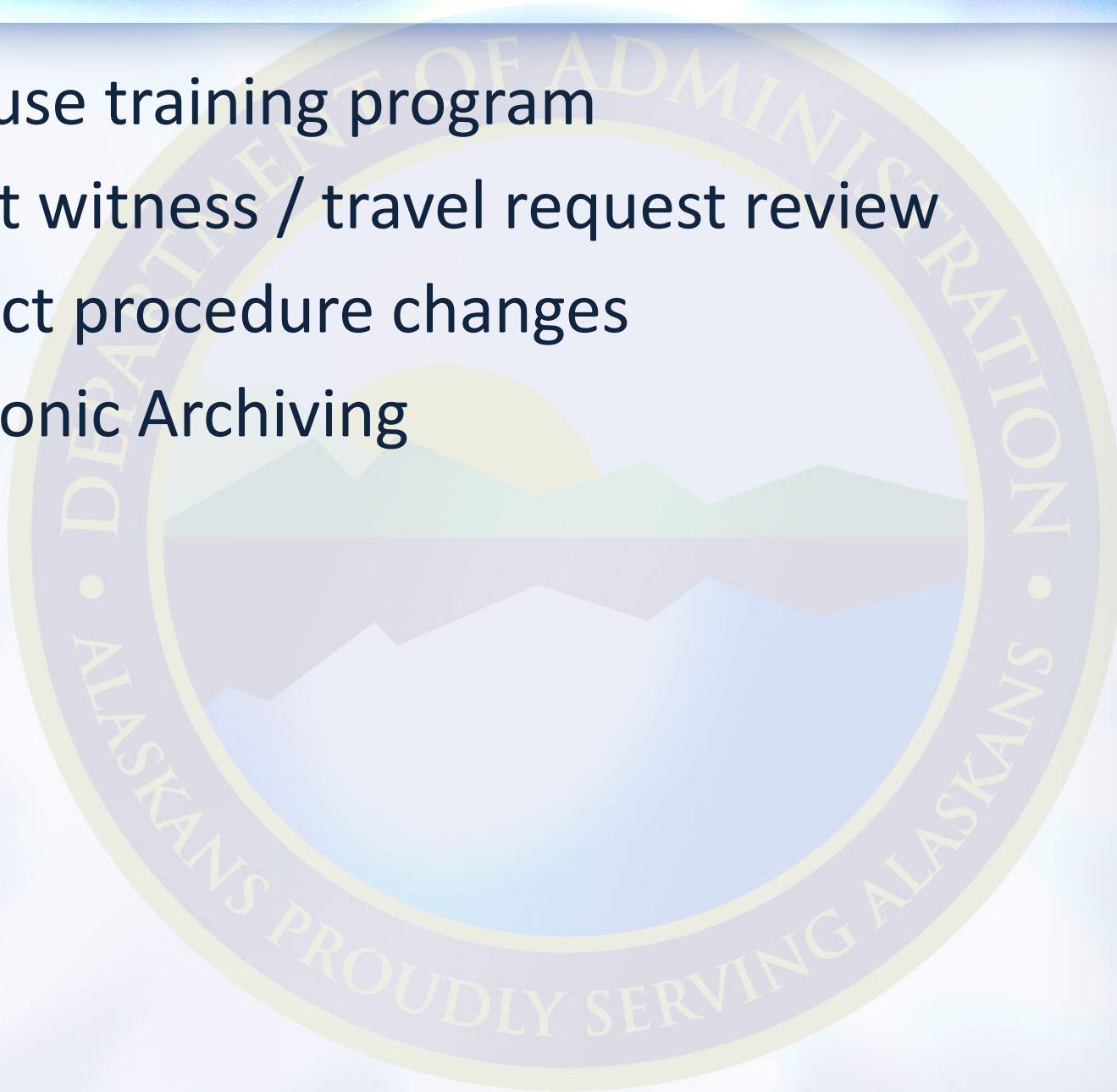
Client Contact = telephonic or in-person contact with client within 7 days of case opening
Appeal Briefs = opening briefs filed within 90 days

CURRENT EFFICIENCY INITIATIVES

- Criminal Justice Working Group: *electronic discovery*
- New case management system / performance measures
- Redeployment of resources: Nome to Anchorage Appeals, Kotzebue to Palmer LOA, Anchorage Civil to Anchorage Criminal Paralegal

COST CONTAINMENT PROGRAMS

- In-house training program
- Expert witness / travel request review
- Conflict procedure changes
- Electronic Archiving



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Overview of the Violent Crimes Compensation Board

MISSION STATEMENT

“To help mitigate financial losses that are the direct result of violent crimes that occur to Alaskans and visitors to Alaska. In addition, the board helps to foster victim advocacy and services and promotes victim recovery.”

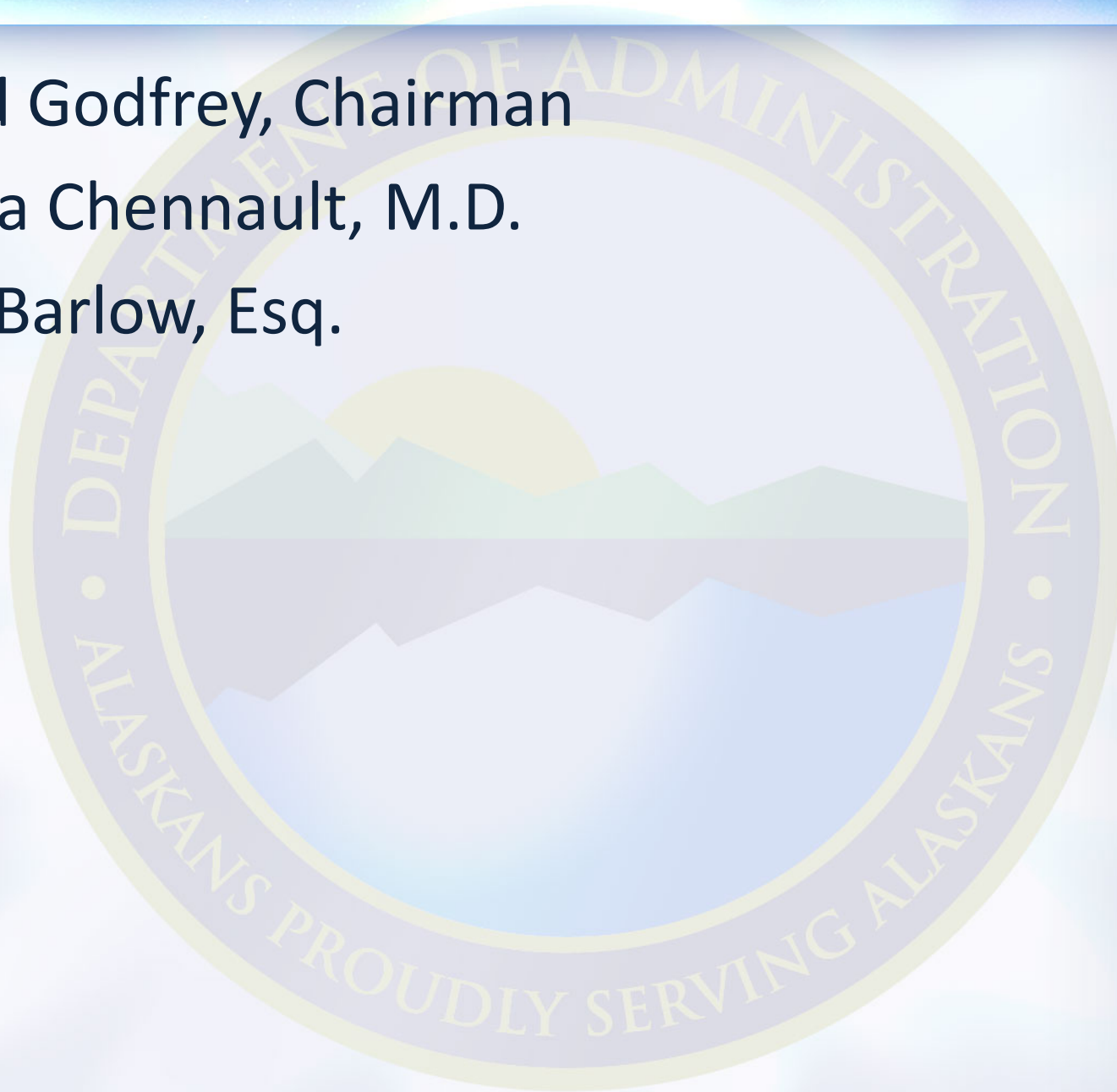


HISTORY OF VCCB

- Established by statute (1972)
- First Board meeting (1973)
- Department of Health and Social Services
- Department of Public Safety (1977)
- Department of Administration (2003)

CURRENT BOARD MEMBERS

- Gerad Godfrey, Chairman
- Regina Chennault, M.D.
- Nora Barlow, Esq.

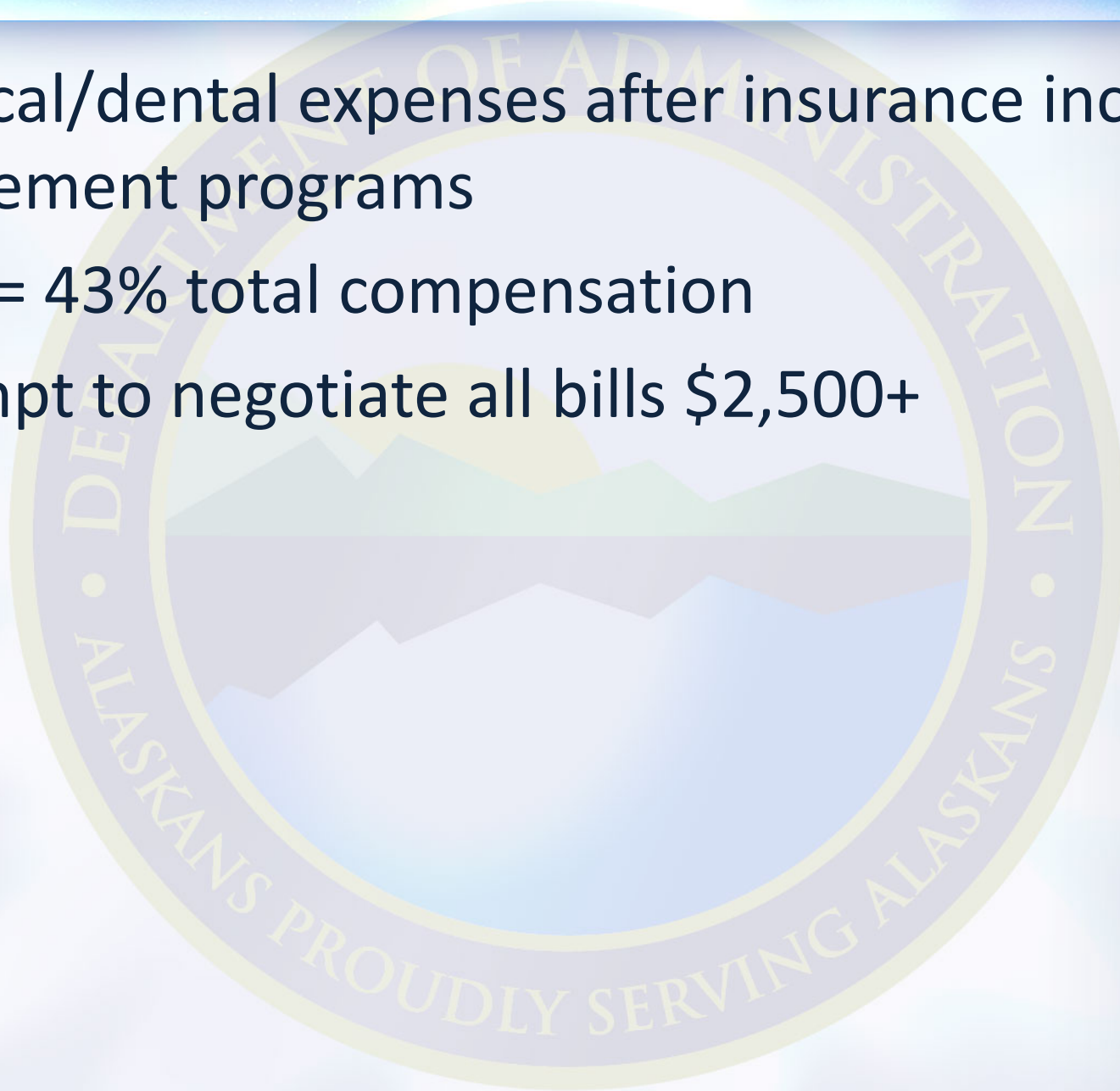


WHAT WE DO

- Three members of staff located in Juneau
- Process applications and investigate claims
- Make recommendations to Board for adjudication
- Process payments once award made (with accounting support from Administrative Services)

MEDICAL/DENTAL AWARDS

- Medical/dental expenses after insurance including entitlement programs
- FY12 = 43% total compensation
- Attempt to negotiate all bills \$2,500+



OTHER TYPES OF AWARDS

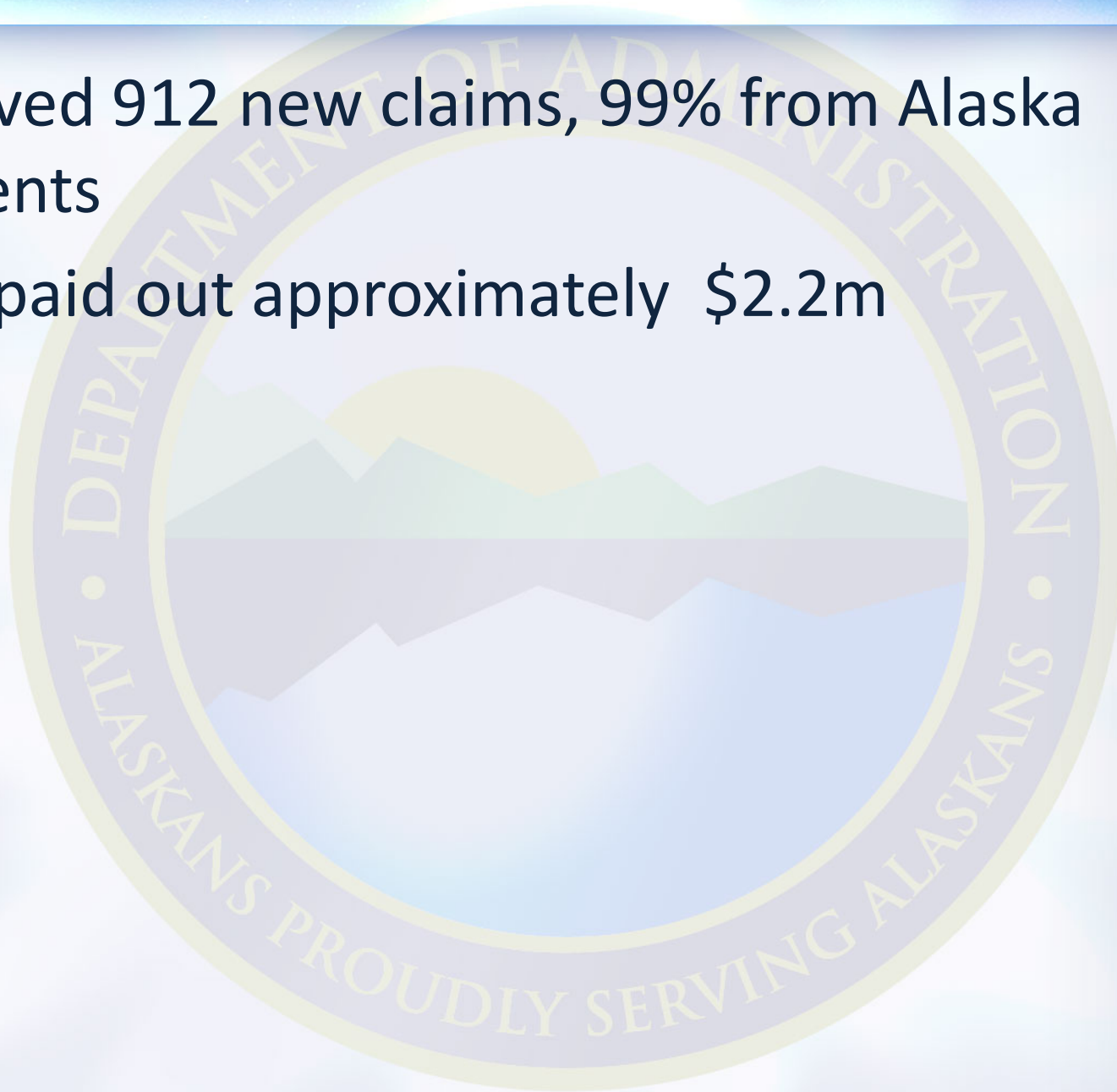
- Counseling
- Lost wages
- Loss of support in homicide cases
- Funeral expenses
- Relocation where safety or trauma is an issue
- Security measures
- No compensation for loss of property
- Compensation for damaged property where medically necessary or for safety reasons

FUNDING

- PFD Criminal Fund (appropriated into the Crime Victims Compensation Fund)
- Federal grant under VOCA
- Three open federal grants (open for three years)
 - FFY10 (\$666,000 almost fully expended, expires 9/30/13)
 - FFY11 (\$434,000 expires 9/30/14)
 - FFY12 (\$646,000 expires 9/30/15)
- FY14 budget request \$2.8m, \$2.3m of which is for awards
- Receive modest amount of restitution, recoveries, reimbursements.
- FY12 received \$47,000
- Receipts appropriated into the Crime Victims Compensation Fund. Funds do not lapse

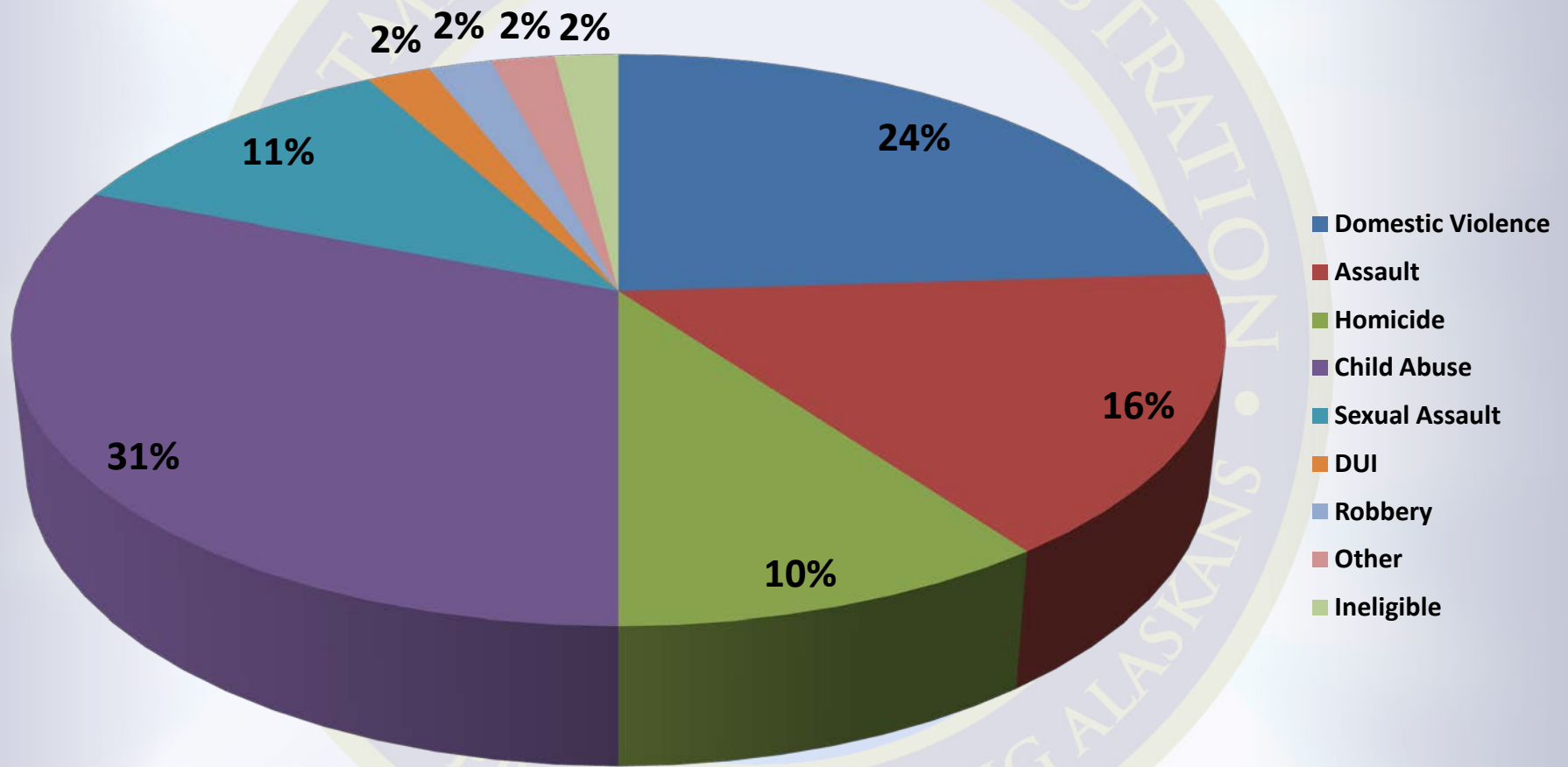
FY12 STATISTICS

- Received 912 new claims, 99% from Alaska residents
- Total paid out approximately \$2.2m



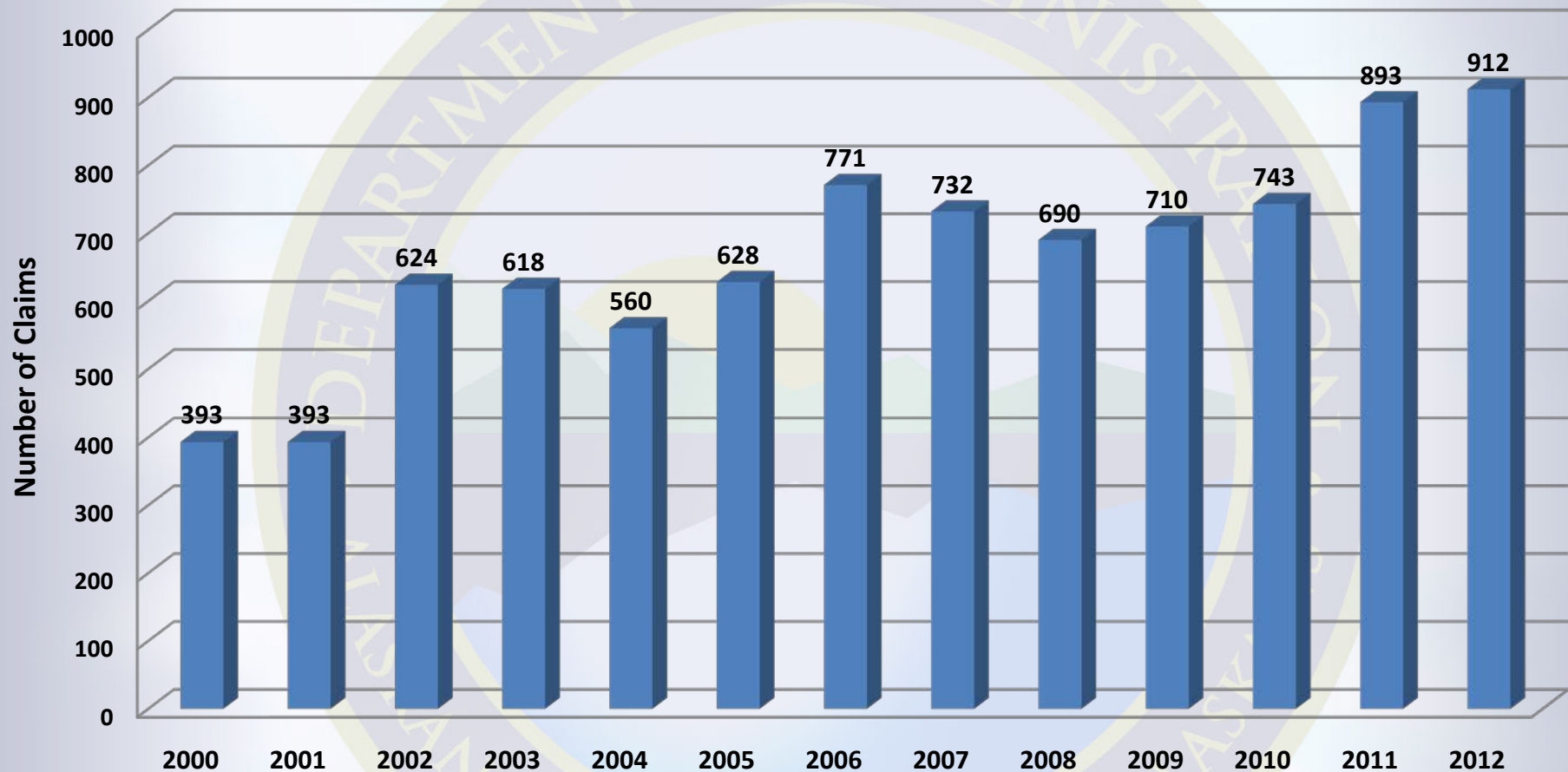
NEW CLAIMS IN FY12 BY CRIME

New Claims by Crime Type



CHALLENGES

New Claims Received



- Slow but steady increase in claims.
- FY13 on target for 1000+ new applications

INITIATIVES

- **Claims management system**
 - Document Imaging has improved claims processing efficiency and customer service
 - Reduced storage/archiving requirements
 - May need to upgrade to a more sophisticated system at some point in future – possibly allow sharing of information more readily between agencies
- **Restitution**
 - Hoping to work with other agencies to look at ways to improve recovery of restitution

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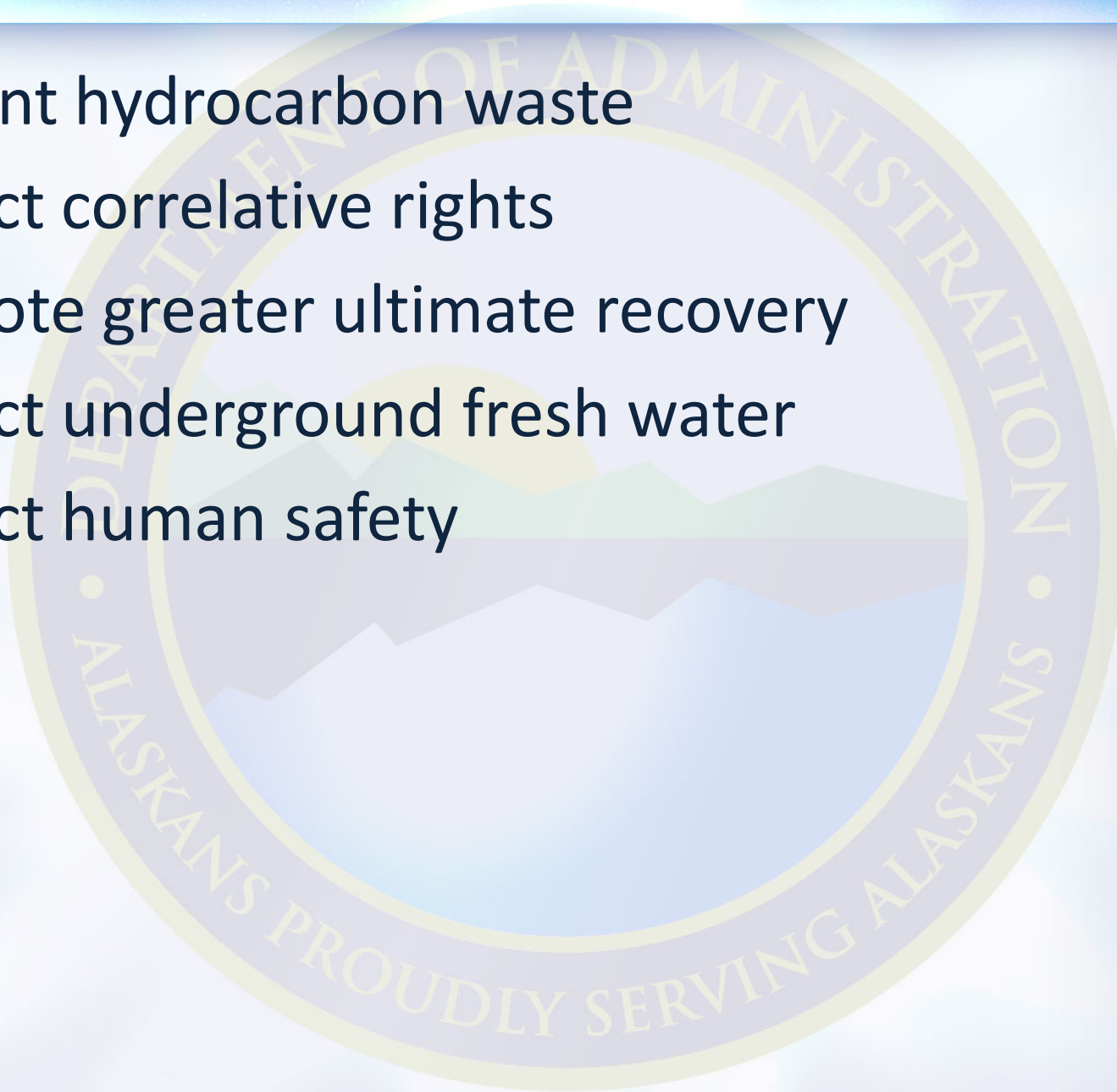
Overview of the Alaska Oil & Gas Conservation Commission

AOGCC OFFICE



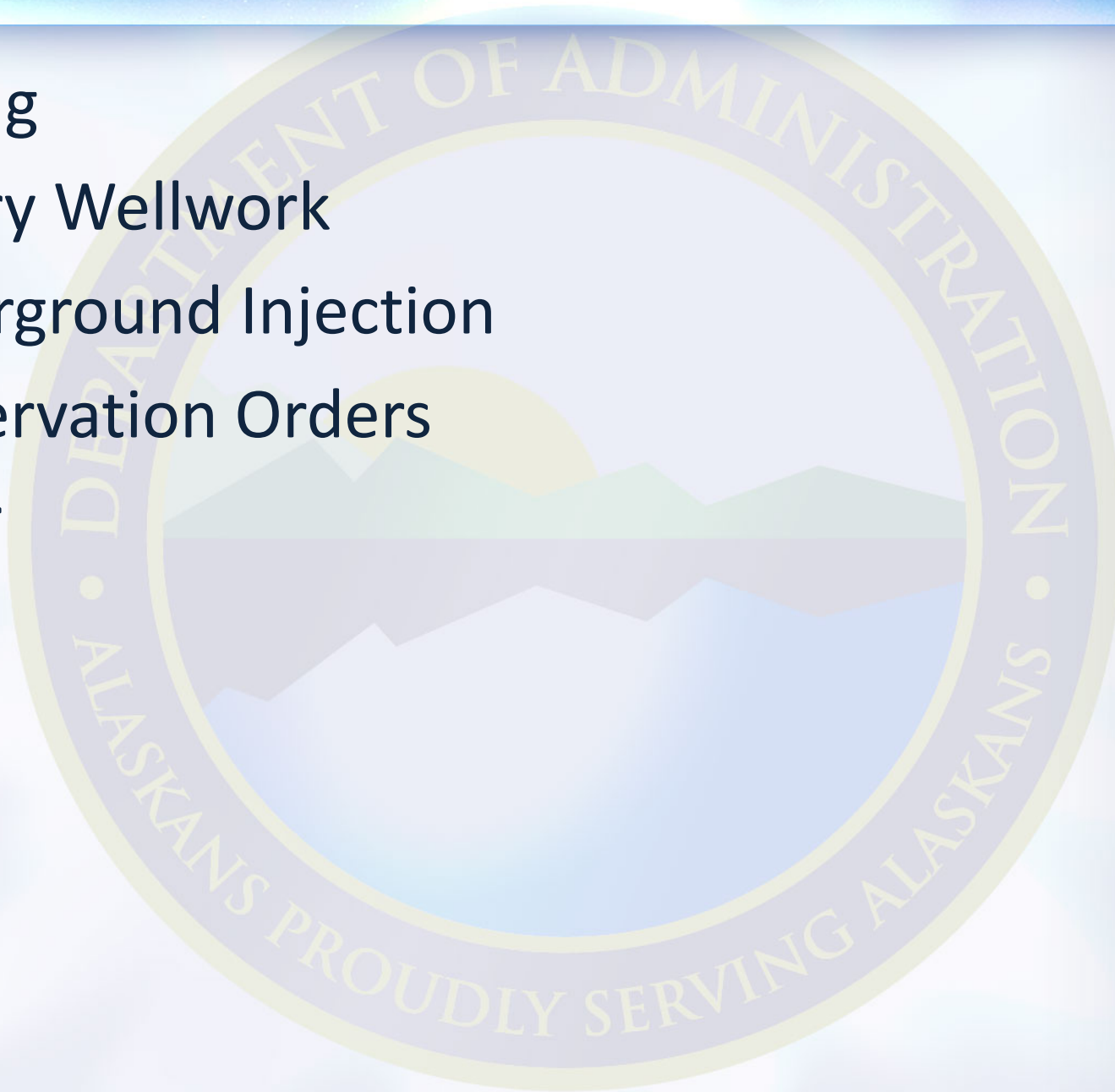
AOGCC MISSION

- Prevent hydrocarbon waste
- Protect correlative rights
- Promote greater ultimate recovery
- Protect underground fresh water
- Protect human safety



TYPICAL AOGCC APPROVALS

- Drilling
- Sundry Wellwork
- Underground Injection
- Conservation Orders
- Other

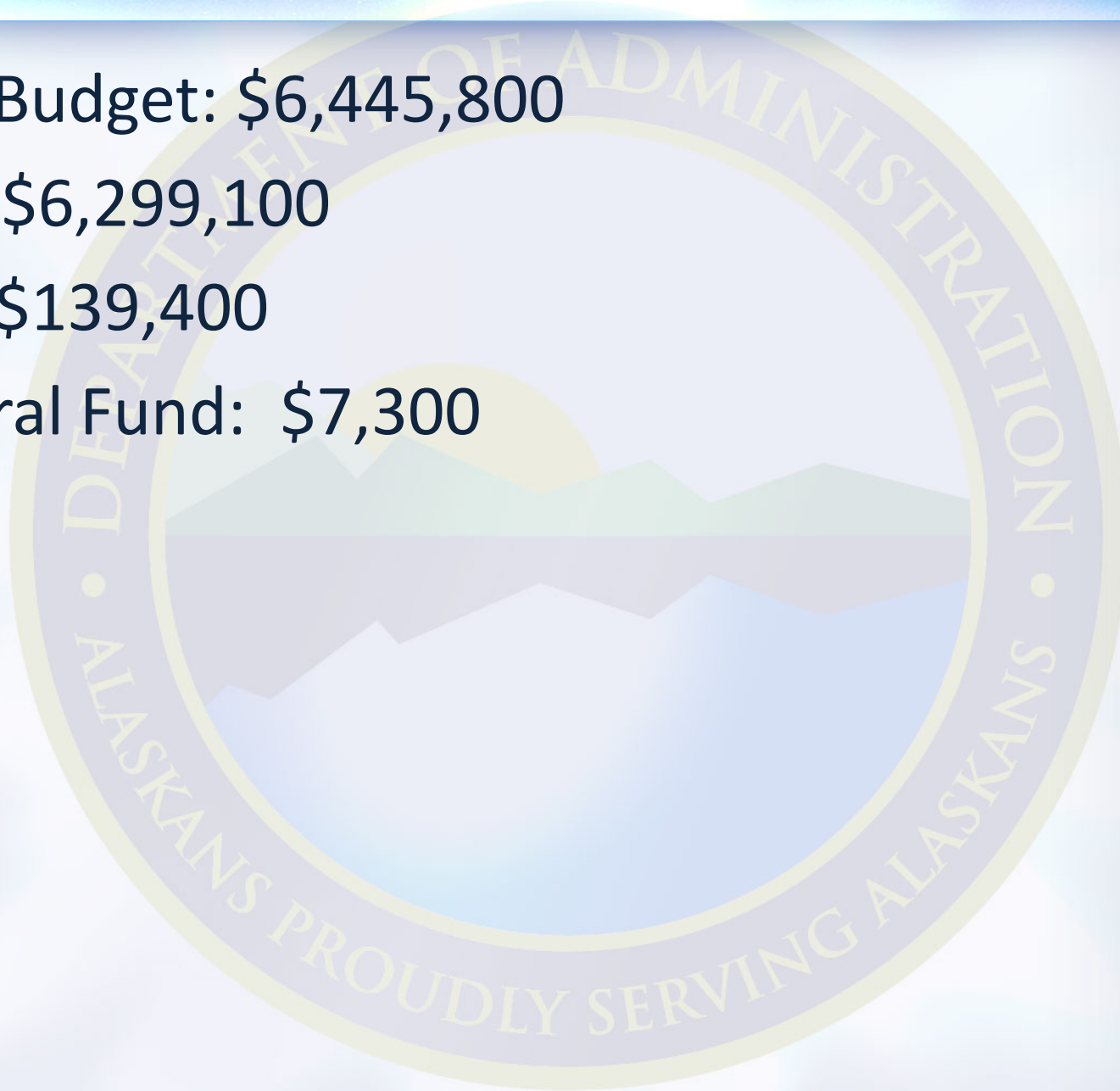


MAJOR ISSUES BEFORE THE AOGCC

- Cook Inlet offshore drilling
- Other increases in Cook Inlet activity
- Hydraulic fracturing regulations
- Suspended, orphaned, and BLM legacy well clean-up
- North Slope gas sales

2014 BUDGET OVERVIEW

- Total Budget: \$6,445,800
- RCC: \$6,299,100
- EPA: \$139,400
- General Fund: \$7,300



INCREMENT: INSPECTOR OVERTIME

- Total: \$125,000 – RCC Funding
- Inspector duties:
 - Blowout preventer tests
 - Safety valve systems tests
 - Well mechanical integrity tests
 - Custody transfer meter proving
 - Incident investigations
 - Well abandonment inspections

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Thank you!

Visit www.DOA.alaska.gov

for more information about our department.

Questions?