

Judiciary
FY22 - Summary of Significant Budget Issues
(\$ thousands)

Item	Appropriation / Allocation	Description	Governor Request	Amount Enacted	Comment
1	Alaska Court System / Appellate Courts	Restoration of Full Funding for the Appellate Court Budget	\$334.7 Gen Fund (UGF)	\$334.7 Gen Fund (UGF)	The FY20 and FY21 Governor's vetoes of the appellate court's budget were litigated and found unconstitutional by the Superior Court.
2	Alaska Court System / Trial Courts	Risk Management Reduction	(\$99.3) Gen Fund (UGF)	n/a	Fiscal Analyst Comment: The court decision was not appealed and the funding was restored. The legislature denied the Governor's request to reduce authority in Trial Courts for projected savings through the Department of Administration, Risk Management Division's proposal to self-insure against certain property losses rather than purchase insurance policies with high excess coverage limits. Savings would not be sustainable without an increase to the unbudgeted balance of the State Insurance Catastrophe Reserve Account from \$5 million to \$50 million, which requires a statute change (AS 37.05.289). This reduction should therefore be a fiscal note to that legislation, HB 102/SB 88, which did not pass during the 2021 legislative session.
3	Alaska Court System / Trial Courts	OPA Court Visitors - Transfer of Responsibilities to the Alaska Court System	\$960.6 Gen Fund (UGF) 1 PFT Position	n/a	The legislature denied the Governor's request to reduce funding from the Office of Public Advocacy (OPA) and transfer the Court Visitor Program from OPA to the Alaska Court System as this requires statutory changes. These changes were proposed in HB 155 with corresponding fiscal notes but didn't pass during the 2021 legislative session.
4	Alaska Court System / Trial Courts	GA 208 Transfer from Dept. of Transportation & Public Facilities to Align Maintenance & Operations with Occupying Agency	\$1,243.8 Gen Fund (UGF)	\$1,243.8 Gen Fund (UGF)	Authority was transferred from the Department of Transportation and Public Facilities (DOT&PF) to the Trial Courts allocation to cover anticipated facility maintenance and operations costs for the buildings listed below. 1. Kodiak State Court/Office Building (96% occupancy) 2. Ketchikan Court/Office Building (58% occupancy) 3. Sitka Court/Office Building (53% occupancy) 4. Boney Court Building (100% occupancy) 5. Boney Parking Garage (100% occupancy) 6. Galena Airport Maintenance Shop (9% occupancy) 7. Delta Junction Court House (93% occupancy) 8. Fort Yukon Combined Facility (17% occupancy) 9. Valdez Combined Facility (55% occupancy)

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4	Alaska Court System / Trial Courts	GA 208 Transfer from Dept. of Transportation & Public Facilities to Align Maintenance & Operations with Occupying Agency	\$1,243.8 Gen Fund (UGF)	\$1,243.8 Gen Fund (UGF)	(continued) The request stated that the transfer was necessary to provide consistent treatment of DOT&PF's various facilities - some agencies were billed for occupancy in prior years while others were not (because the building maintenance funding existed in DOT&PF's budget) and that by aligning facility costs with agency budgets, agencies can determine if the costs continue to be necessary and can evaluate their need in the future. With the transfer of funding to agencies, all agencies can be billed for the facility maintenance costs consistently. However, with these transfers, facility maintenance cost increases billed by DOT&PF will require agencies to submit budget requests to cover those increases. If those budget requests are unfunded, agencies may have to cut costs in other areas to pay for DOT&PF's bill increase, or cut facility maintenance and operations service levels, with potential risk of facility conditions deteriorating.
5	Alaska Court System / Trial Courts	Court System Parity with Department of Law	n/a	\$1,014.7 Gen Fund (UGF) 3 PFT Positions 3 PPT Positions	While this will appear to be an increase in the Trial Court's budget, it is a net zero budget transfer at the statewide level. The legislature added positions and associated funding in the Trial Courts allocation in order to address the increase in caseloads that will likely result from the increase of new prosecutor staff, a total of 19 prosecution positions, within the Department of Law. The new positions will focus on sexual assault and sexual abuse crimes.
6	Alaska Court System / Trial Courts	CC: One-Time Fund Source Change to Utilize ARPA Revenue Replacement	n/a	Net Zero (\$80,000.0) Gen Fund (UGF)	Additionally, funding of \$1,350.0 UGF and 7 full-time public defender positions were added to the Department of Administration, Public Defender Agency allocation for the same purpose. This one-time fund source change by the legislature allows the Trial Courts to utilize American Rescue Plan Act funds and offset UGF.

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6	Alaska Court System / Trial Courts	CC: One-Time Fund Source Change to Utilize ARPA Revenue Replacement	n/a	(continued) \$80,000.0 ARPA Rev R (UGF)	This one-time fund source change by the legislature allows the Trial Courts to utilize American Rescue Plan Act funds and offset UGF.
7	Therapeutic Courts / Therapeutic Courts	GA 209 Implement Recommendations from Alaska State Legislature Task Force	\$480.4 Gen Fund (UGF)	\$480.4 Gen Fund (UGF)	The Alaska State Legislature Task Force on Therapeutic Courts report included recommendations for three additional personnel: one new prosecutor, one new public defender, and one person to oversee and coordinate peer support groups for the various therapeutic court participants and graduates. This funding includes the cost of training and travel.
8	Various	Salary Increase to Maintain Parity with Union Pay for Non-Judicial Employees	\$597.3 Gen Fund (UGF)	\$597.3 Gen Fund (UGF)	The Governor negotiated and the legislature funded three-year contracts with several executive branch unions. Those contracts include cost of living increases of 3% for FY20, and 1% for both FY21, and FY22. The legislature approved the same cost of living adjustment for the non-judicial employees in the judicial branch (that is, for employees other than judges or justices). This funding request is for the final 1% cost of living adjustment for FY22.
					Fiscal Analyst Comment: Although this is not a contractual term under a union contract, it has been the historical practice for the legislature to approve these salary adjustments.
9	Various	SB 55, Ch. 9, SLA 2021 Employer Contributions to PERS	\$3,155.0 Gen Fund (UGF)	\$3,155.0 Gen Fund (UGF)	SB 55 removes the 22% cap on payroll contributions to the Public Employee Retirement System (PERS) for the State of Alaska as a PERS employer. The budgetary impact of this legislation is reflected as a shift from the direct appropriation to PERS, which is typically funded with UGF, to agency payroll, where the cost can be spread across all fund sources. This shift results in a UGF increase to Agency Operations of \$72,871.7, and a UGF decrease to Statewide Items of \$95,794.5, for a net statewide UGF savings of \$22,922.8. Specifically, the UGF impact to the Judiciary is \$3,155.0 spread across multiple allocations.