

MEMORANDUM

ALASKA COURT SYSTEM

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TO: Representative Andy Josephson
Chair, House Finance Judiciary Subcommittee

FROM: Doug Wooliver
Deputy Administrative Director
Alaska Court System

DATE: February 7, 2022

RE: Questions from Representative Snyder

The following are answers to questions from Representative Snyder regarding the recruitment and retention of court system employees.

- **Could we get the checkbox report pulled?**

It's my understanding that the "checkbox report" is a report generated through the Alaska Budget System. The court system doesn't prepare its budget through this system, but in response to the next question, I have included a report that provides some of the same information.

- **Could we also get a summary of the number of positions open, number of long-term vacancies (positions vacant for 6 months or longer), and their ranges/pay?**

Attached is a report that details all 62 positions that were vacant as of the Pay Period Ending (PPE) 1/9/2022; 30 of those positions have been vacant for six months or more. See Attachment A.

- **What vacancy rate does the Judicial Branch budget for? What has their average vacancy rate been over the last few years?**

The budgeted vacancy savings for FY23 is \$5.3 million, which represents a 5.6% underfunding rate. Historically, prior to the pandemic, the court system has operated with a 7% underfunding rate. The lowered rate for FY23 can be attributed to the court system's practice of budgeting vacant positions at the A step of the range, and the currently high rates of turnover and vacancies. For example, when a range 12M position retires or terminates, the court's practice is to budget this position at range 12A, though if recruitment is difficult we may increase the starting pay to a higher level.

- **How have vacancies impacted staff's workload, burnout, and delivery of services?**

Our staff are significantly impacted when there are department vacancies. There have been some departments and court locations that have seen a reduction in their staff by 30-50% at times. When this happens, it has a direct impact on workload, burnout, and delivery of services. For example, records requests that used to take days to respond to now can take weeks.

Burnout is high because the work does not diminish. When there is a vacancy, staff have to carry the workload of others. This is especially true in situations where there is a constitutional timeline requirement on when a service/hearing must be delivered.

- **What work has been done to improve recruitment?**

The court recently created an employee referral program. When an employee refers someone for a court system job, and that person is hired, the existing employee receives a day of leave upon the referred employee's hire; a day of leave with successful completion of a six-month probationary period; and, a day of leave upon the referred employee's one-year anniversary. Please see Attachment B.

We have moved most of our job bulletins from having defined closing dates to "open until filled". This allows managers to see applications more quickly.

We are piloting a recruitment "fast track" method in Anchorage. Please see Attachment C for more details.

We have expanded our outreach to include Facebook. This includes advertising to some targeted Facebook groups like JBER military spouses.

The court system is now accepting resumes and cover letters as an alternate to our traditional application process through Workplace Alaska. Workplace Alaska is an online process that, while convenient for some, is a barrier for others.

Our Employee Advisory Committee has established a subcommittee to assist with suggestions on recruitment improvements. The committee is trying to come up with low-cost incentives to keep people remain engaged and motivated.

- **What work has been done to improve retention?**

The HR department has been conducting telephonic employee stay-surveys in many of our court locations. This is in addition to our traditional exit interview surveys that we have sent out for years. Our goal is to determine if our employees could use some additional training, resources or assistance as a part of their professional development. So far, the theme we are hearing is the need for more consistent training.

In 2021, the court created a class specification for a Clerical Education Manager. This position is responsible for assisting managers with the creation and implementation of training resources, and with developing initial employee orientation that is more streamlined and targeted.

The court system has worked with managers to help them provide flexibility in staff scheduling. We recognize that many employees have personal constraints that may inhibit them from working a traditional workweek schedule. We have tried to be accommodating, especially when COVID or childcare concerns arise, by allowing employees to work alternate schedules when possible.

In September 2021, we surveyed all of our non-judicial employees about the possibility of an optional 37.5-hour workweek. The employee feedback coupled with the savings generated from an unusually number of high vacant positions helped the Supreme Court decide to offer the extended workweek to the employees through the end of the fiscal year.

- **What's harder? Recruitment or retention? Why?**

Recruitment can be difficult and frustrating for managers when there are small applicant pools or unqualified applicants. Generally, but not always, this can be remedied by extending the recruitment period or getting creative in how we advertise our positions.

But retention is more difficult because it has an impact not just on the manager, but on all of the staff. When a court is consistently experiencing turnover, it increases the burnout of existing staff and creates morale concerns. It is the snowball effect; retention difficulty leads to burnout and frustration which leads to more retention difficulty. It is a very difficult cycle break.

- **What are the reasons for those leaving? How is it distributed? For example, promotion, retirement, termination, etc.**

Below is a chart of our internal transfers, retirements, separations, and terminations since 7/1/2021.

Reason for Vacancy*	Count
Judicial Retirement	2
Employee Retirement	6
Separation (left ACS, may include transfers to other SOA branches)	63
Termination	0
Internal Transfer (lateral or promotion)	43

* Please note this includes vacancies for regular, temp, LTNP, and project employees.

Representative Snyder also asked about a recent sting operation that apparently netted 22 defendants charged with attempting to purchase sexual services.

- **Does the court system dedicate funding for sting operations conducted by law enforcement agencies?**

No, the court system accepts cases generated by sting operations into the general flow of cases.

- **What is the fiscal impact on the court system of a sting operation that led to charging 22 people with class B misdemeanors under AS 11.66.100(a)(2) (offering a fee for sexual services)?**

Because the district court receives over 20,000 misdemeanor case filings each year, the addition of 22 will not appreciably impact the court's budget or workload.

- **Do the therapeutic courts interact with people charged with buying and selling sexual services.**

The therapeutic courts are substance use courts, and participants are there because the crime they are charged with was somehow related to their substance use. Though I don't know if we have ever had a person in therapeutic court whose substance use led them to purchase sexual services, I believe that we have had participants who have been selling sexual services as a result of their substance use.

Alaska Court System

Review of Vacant Positions - Through Pay Period Ending (PPE) 1/09/2022

2/3/2022

Court Location	PCN	Position Title	Type	COLA %	Range / Step	Months	FY22 Budgeted Salary	PPE Last Paid or FYTD Vacant
Juneau	411079	Trial Court Trainer 1	PFT	5	14A	12	49,350	7/20/2020
Anchorage	413463	Superior Court Judge	PFT	0	82A	12	190,445	7/25/2021
Kotzebue	412036	Court Case Manager 2	PPT	60	12A	8	45,753	8/22/2021
Fiscal Ops	416517	Imaging Technician 2	PFT	0	11J	12	48,638	8/22/2021
Bethel	414126	Court Supervisor 3	PFT	50	14O	12	104,678	9/5/2021
Juneau	411016	Chambers Judicial Assistant 1	PFT	5	12C	12	46,406	9/19/2021
Ketchikan	411044	Court Case Manager 2	PFT	0	12M	12	56,720	9/19/2021
Juneau	411060	Court Case Manager 2	PFT	5	12A	12	43,687	10/3/2021
Anchorage	413369	Court Case Manager 1	PFT	0	10A	12	36,546	10/3/2021
Fiscal Ops	416048	Central Services Clerk 2	PFT	0	11O	12	57,246	10/3/2021
Juneau	411050	Court Case Manager 2	PFT	5	12A	12	43,901	10/17/2021
Anchorage	413064	Court Case Manager 2	PFT	0	12R	12	68,564	10/17/2021
Anchorage	413239	Court Supervisor 3	PFT	0	14A	12	47,000	10/17/2021
Information S	416098	Network Specialist 1	PFT	0	18C	12	66,475	10/17/2021
Anchorage	413235	Court Case Manager 2	PFT	0	12C	12	44,576	10/31/2021
Anchorage	413276	Court Supervisor 5	PFT	0	16B	12	56,552	10/31/2021
Anchorage	413444	Court Case Manager 1	PFT	0	10A	12	37,002	10/31/2021
Bethel	414130	Court Case Manager 2	PFT	50	12N	12	88,380	10/31/2021
Admin	416024	Administrative Office Manager	PFT	0	15D	12	56,994	10/31/2021
Admin	416536	Administrative Attorney 3	PFT	0	24C	12	99,076	11/14/2021
Nome	412038	Court Case Manager 2	PPT	37	12A	8	39,176	11/14/2021
Anchorage	413228	Court Case Manager 1	PFT	0	11J	12	48,335	11/14/2021
Utqiagvik	412902	Law Clerk 1	PFT	50	13D	12	75,931	11/28/2021
Fiscal Ops	416077	Senior Accounting Clerk	PFT	0	12A	12	41,191	11/28/2021
Valdez	413025	Clerk of Court 3-DM	PFT	11	16B	12	62,122	12/12/2021
Anchorage	413057	Court Case Manager 2	PFT	0	12F	12	48,335	12/12/2021
Anchorage	413174	Court Case Manager 1	PFT	0	10A	12	36,228	12/12/2021
Kodiak	413259	Court Case Manager 1	PFT	11	10A	12	41,226	12/12/2021
Angoon	411086	Clerk of Court	PPT	0	12A	3	10,829	12/26/2021
Fairbanks	414028	Courtroom Judicial Assistant	PFT	3	12C	12	45,684	12/26/2021
Fairbanks	414200	Court Case Manager 2	PPT	3	12A	6	23,996	12/26/2021
Thera Court	415005	Administrative Program Mgr 1	PFT	0	14A	12	47,435	12/26/2021
Ketchikan	411018	Court Case Manager 1	PFT	0	10A	12	36,228	Vac FYTD 22
Petersburg	411061	Court Case Manager 1	PPT	0	10A	3	9,430	Vac FYTD 22
Ketchikan	411064	Law Clerk 1	PFT	0	13D	12	50,621	Vac FYTD 22
Juneau	411087	Courtroom Judicial Assistant	PFT	5	12A	12	43,259	Vac FYTD 22

Alaska Court System

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2/3/2022

Court Location	PCN	Position Title	Type	COLA %	Range / Step	Months	FY22 Budgeted Salary	PPE Last Paid or FYTD Vacant
Yakutat	411099	Clerk of Court 1	PPT	0	12A	3	10,722	Vac FYTD 22
Nome	412016	Chambers Judicial Assistant 1	PFT	37	12A	12	56,438	Vac FYTD 22
Anchorage	413133	Rural Court Administrator 3	PFT	0	18A	12	61,626	Vac FYTD 22
Anchorage	413153	Court Case Manager 1	PFT	0	10A	12	36,228	Vac FYTD 22
Kodiak	413162	Court Case Manager 2	PFT	11	12A	12	45,722	Vac FYTD 22
Anchorage	413198	Court Case Manager 1	PFT	0	10A	12	36,228	Vac FYTD 22
Palmer	413260	Court Case Manager 1	PPT	0	10A	6	20,137	Vac FYTD 22
Unalaska	413328	Court Case Manager 2	PPT	60	12A	10	54,904	Vac FYTD 22
Anchorage	413389	Court Case Manager 1	PPT	0	10A	6	20,137	Vac FYTD 22
Anchorage	413451	Programmer Analyst 1	PFT	0	18A	12	61,626	Vac FYTD 22
Anchorage	413452	Programmer Analyst 1	PFT	0	18A	12	61,626	Vac FYTD 22
Anchorage	413468	Court Case Manager 2	PFT	0	12A	12	41,191	Vac FYTD 22
Anchorage	413924	Special Projects Coordinator	PFT	0	23A	12	86,499	Vac FYTD 22
Anchorage	413953	Electronics Technician 2	PFT	0	15A	12	50,290	Vac FYTD 22
Anchorage	413998	Court Case Manager 2	PFT	0	12A	12	41,191	Vac FYTD 22
Fairbanks	414035	Court Case Manager 1	PFT	3	10A	12	37,318	Vac FYTD 22
Fairbanks	414107	Court Case Manager 1	PFT	3	10A	12	37,318	Vac FYTD 22
Thera Court	415004	Project Coordinator 1	PPT	0	16A	6	29,908	Vac FYTD 22
Administrativ	416568	Administrative Assistant 2	PFT	0	13A	12	43,917	Vac FYTD 22
Fairbanks	417997	Pro Tem Superior Court Judge	PPT	0	82A	10	104,405	Vac FYTD 22
Anchorage	417998	Pro Tem Superior Court Judge	PFT	0	82A	12	130,507	Vac FYTD 22
Anchorage	417999	Pro Tem Superior Court Judge	PFT	0	82A	12	130,507	Vac FYTD 22
Appellate	419023	Transcript Supervisor	PFT	0	14A	12	47,000	Vac FYTD 22
Appellate	419034	Court Case Manager 2	PFT	0	12A	12	41,191	Vac FYTD 22
Appellate	419039	Court Security Manager	PFT	0	23C	12	92,571	Vac FYTD 22
Appellate	419059	Legal Technician 1	PFT	0	12A	12	41,191	Vac FYTD 22

Memorandum

Alaska Court System

TO: All ACS Employees

DATE: July 30, 2021

FROM: Sara Grondahl
HR Director

SUBJ: Employee Referral Program (ERP)
Pilot Project Policy

The Alaska Court System is always looking for new talent to join our justice team, and no one understands the court system's working environment and culture better than our existing employees. Effective August 1, 2021, the court system will implement a pilot employee referral program (ERP) to help us attract new members to our team. We believe that the act of referring great talent to the court system deserves to be rewarded. Tenured employees will receive administrative leave if they refer a candidate who is successfully hired.

Process:

New hires will be asked to indicate on their employment application (through Workplace Alaska or other job posting sites) if they were referred by a current court system employee. If that applicant is ultimately hired into the position, the tenured employee will receive administrative leave as the new employee reaches the following milestones:

- *Classified New Hires:*
 - Upon hire = 8 hours
 - At mid-probation evaluation (with "meets or exceeds" rating) = 8 hours
 - At first annual evaluation (with "meets or exceeds" rating) = 8 hours
- *Partially Exempt New Hires:*
 - Upon hire = 8 hours
 - At six months of full-time employment = 8 hours
 - At first annual evaluation (with "meets or exceeds" rating) = 8 hours

Administrative leave does not have a cash value. The leave will be used upon the first instance of personal leave reported on the employee's timesheet. Administrative leave will not transfer if an employee leaves the court system or accepts a position at another state agency.

Eligibility:

Current employees who are a salary range 18 or below (or work in the IS department and are salary range 20 or below) may participate in the ERP.

Exclusions:

- You cannot refer an existing employee of the court system.
- You cannot refer an applicant who has previously worked for the Alaska Court System.

- As a supervisor, you cannot refer an applicant who would be working for you as a direct report.
- As a manager, you cannot refer an applicant for a recruitment in which you are on the interview panel.
- You may not refer close relatives¹ or household members as this could lead to exclusion under the court's nepotism policy.

Pilot Program Timeframe:

The pilot program will be in effect August 1, 2021 through June 30, 2022. Throughout that timeframe, we will gather data to determine if the program is having a positive impact on recruitment and retention. Based on the information learned, we will decide if the program will continue in FY 23.

¹ "Close relative" is defined as father, mother, son, daughter, brother, sister, husband, wife, grandfather, grandmother, grandson, granddaughter, uncle, aunt, first cousin, niece, nephew, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law, including those involving half or step relationships.

ACS Recruitment “Fast Track” Method

The United States is currently going through a staffing crisis. This is known as the “great resignation”. In order to attract talent to the Alaska Court System during this difficult time, we have developed a recruitment method that will aid in hiring applicants more quickly.

Step 1: Open Continuous Recruitments

- Supervisors have the option of choosing an open continuous recruitment which means that applicants will be encouraged to apply quickly because the position is only available until filled. When applications come in through NeoGov or other means, they will be forwarded to the hiring manager within 1 business day.

Step 2: Pre-Screening Phone Interview

- Once the manager reviews an application and determines that the applicant meets the screening criteria for an interview, they are encouraged to do a short 10-20 minute pre-screening phone interview. This can be done by a single hiring manager versus the entire hiring panel. The questions during this first interview should be based more upon personality and fit rather than focused on the clerical skills of the employee. Hiring someone who has a personality that matches your management style is key to a successful hire.

Step 3: Applicant Authorization and Background Check Forms

- If the applicant successfully passes the pre-screening interview they should be prompted by the hiring manager to complete and email their applicant authorization form and background check form. The authorization form gives the manager the discretion to do reference checks. Both forms should be forwarded to HR for inclusion in the recruitment folder.

Step 4: Reference Checks via SurveyMonkey

- Reference checks should be conducted after the pre-screening phone interview, and before the second in-person or Zoom interview. A fast and efficient way to conduct reference checks is to send an email with the reference check SurveyMonkey link to the references listed on the resume. Please cc Denise Bruneau in this correspondence. HR can check SurveyMonkey and will forward any references for that applicant to the hiring manager. Preferably two references are desirable, but one excellent reference from a current or former manager is acceptable to move an applicant to the final hiring phase.

Step 5: Zoom or In-Person Interview

- If the applicant has excellent references, they can be invited to a second interview which can be conducted via Zoom or in-person. Often Zoom is a more convenient option for the applicant and the hiring manager. This interview should include approximately 5 substantive questions about the applicant's skills that would directly pertain to the duties they would perform for the court. This is a great opportunity to look at current interview questions and determine which are the ones that provide you the best information about the applicants skills as they pertain to the job duties. The interview should also include a practical exercise if possible and any housekeeping questions such as possible start date. If the applicant does well during this interview, an offer can be made to them during the interview. This offer will be conditional based upon the outcome of their background check.

Step 6: Inform HR

- Once a verbal offer has been made HR (Denise Bruneau and Brooke Singleton) should be informed and any recruitment materials should be forwarded to them. In this correspondence the hiring supervisor should make note of a start date for the offer letter.