

# FISCAL NOTE No. 1

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

Bill Version: SB100  
(S) Publish Date: 3-18-99

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Law  
 Title "An Act relating to the payment by indigent persons for legal services and related costs." BRU Civil Division  
 Component Collections & Support  
 Sponsor Senate Judiciary Committee by Request  
 Requester Senate Judiciary Committee Component Serial No. 2210

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	15.2	15.2	15.2	15.2	15.2	15.2
Travel	0.2	0.2	0.2	0.2	0.2	0.2
Contractual	3.3	3.3	3.3	3.3	3.3	3.3
Supplies	1.0	1.0	1.0	1.0	1.0	1.0
Equipment	6.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>26.2</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>

**CAPITAL EXPENDITURES**

CHANGE IN REVENUES (1004 GF)	100.0	100.0	100.0	100.0	100.0	100.0
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	26.2	19.7	19.7	19.7	19.7	19.7
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>26.2</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>	<b>19.7</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time	1	1	1	1	1	1
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 SB 100 amends AS 18.85.120(c) to require all criminal defendants receiving state-funded legal representation reimburse the state for a portion of that representation. Under current law, and Criminal Rule 39, Alaska Rules of Court (CR39), only those defendants who are convicted must repay the state.  
  
 The Collections Unit in the Department of Law currently handles the collection of CR39 judgments for the Alaska Court System, among its other duties. With the infrastructure already in place, it is anticipated the department will handle the increased caseload proposed by this bill.  
  
 During FY97, approximately 7,200 new cost of appointed counsel judgments against convicted

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 Approved by Commissioner *Richard W. Bielecki* Date 3/15/99  
 Agency Department of Law

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ANALYSIS CONTINUATION

defendants were transferred to the Department of Law for collection. This bill would add an estimated 2,300 to 2,400 new cases each year, assuming the current ratio of number of judgments for repayment to number of convictions remains the same (59 percent).

In the past few years, the Collections Unit caseload has grown from 3,300 criminal and civil collection cases to over 100,000 active criminal, civil, and other cases. The unit could not handle the increase proposed by this bill without additional staff. A part-time Administrative Clerk II would be necessary for the organization, data entry, tracking, and filing of these additional cases, at an annual cost of \$19,700. One-time new equipment costs of \$6,500 are included in FY00 only. The position costs would be paid for with general fund program receipts from revenues generated by this bill.

Under current law, CR39 collections are approximately \$680,000 per year. Using a straight line approach, revenues from an additional 2,300 cases could be as much as \$224,400 annually (2,300 new cases are 33 percent of 7,200; 33 percent of \$680,000 is \$224,400). However, a more conservative estimate is likely, due to the nature of these particular cases. This bill would impact individuals whose cases were dismissed, or who were found not guilty. It is likely that a higher ratio of these cases would be waived from having to make payment, and more of these individuals would challenge their judgment and refuse to pay. The department believes annual revenues are more likely to be in the range of \$100,000 per year.