

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSSB 134(JUD)
 Fiscal Note Number 4
 (S) Publish Date 4/7/12

Identifier (file name) CSSB134(HSS)-ACS-TRC-3-7-2012 Dept. Affected Alaska Court System
 Title Child Support Awards Appropriation Trial Courts
 Allocation _____
 Sponsor Senator Kookesh
 Requester _____ OMB Component Number 768

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services			1,009.8	1,009.8				
Travel			63.0	63.0				
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	1,072.8	1,072.8	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts							
1003	GF Match							
1004	GF		1,072.8	1,072.8				
1005	GF/Prgm (DGF)							
1037	GF/MH (UGF)							
1178	temp code (UGF)							
TOTAL		0.0	0.0	1,072.8	1,072.8	0.0	0.0	0.0

POSITIONS

Full-time							
Part-time							
Temporary			10.0	10			

CHANGE IN REVENUES

Estimated **SUPPLEMENTAL (FY12) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY13) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Effective date amended to July 1, 2013

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Alaska Court System

Phone 907-463-4736
 Date/Time 3/07/2012 4:00 P.M.
 Date 3/7/2012

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Analysis

SB 134 will repeal Civil Rule 90.3, the court rule that contains the current child support guidelines, and replace it with a new chapter in the statutes setting out the method for calculating child support awards. The formula for calculating the amount to be awarded will change from the current “percentage of income” approach, in which a set percentage of the non-custodial parent’s income is presumed to be the appropriate support amount, to an “income shares” approach, in which a set dollar amount that depends on the parents’ incomes is the presumptive support obligation. The bill also makes other changes to the current method for establishing the appropriate support amounts.

Under AS 25.14.170(b), the adoption of child support award guidelines or a significant amendment to guidelines is a material change in circumstances such that a party to an existing order would have grounds to seek modification of that order. The Child Support Services Division (CSSD) has estimated that it is enforcing about 20,000 child support orders, and an additional unknown number of court orders are in existence in which the parties opted not to use the CSSD for enforcement. It is estimated that 10,000 modification requests could be made after the bill takes effect; about half of the requests (5,000) are likely to be handled by the CSSD directly without court involvement, and about half (5,000) could come to the court for consideration and resolution.

The Court System estimates that, on average, each of the predicted 5,000 requests for modification of child support orders would require three hours of a judge’s time to consider and resolve. The motions are expected to be filed by parties over a two-year period following the effective date of the bill. To handle these motions, the court will hire 3.8 temporary (pro tem) judges (NPP FTE), as well as 3.8 (NPP FTE) court clerks to assist those judges with paperwork and case management during FY 13 and FY 14. The court allocated these positions to the different court locations based on the prior two fiscal years’ statistics that show where similar motions have been filed statewide. The personal service costs for these pro tem judges who will be assigned to the courts with the highest predicted number of these motions amounts to \$760,000 for each of the two years, as shown on page three.

In addition, the pro tem judges and clerks will be required to travel to other courts locations to handle the motions in the courts in which the parties file them; it is estimated that travel costs would amount to \$63,000 for each of the two years.

Finally, the court’s Family Law Self-Help Center, which is the court’s free statewide service to help people represent themselves in family law cases, anticipates that the number of requests for assistance would rise significantly, requiring two additional full-time temporary facilitators for each year over the two-year period following the effective date of the bill.

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Analysis Continued

Alaska Court System	
Fiscal Note Calculations for SB 134	
<u>Personal Services:</u>	Cost
Pro Tems Superior Court Judge - Anchorage (2.2 NPP FTE)	424,700
Pro Tems Superior Court Judge - Fairbanks (.6 NPP FTE)	120,000
Pro Tems Superior Court Judge - Palmer (.4 NPP FTE)	84,200
Pro Tems Superior Court Judge - Kenai (.2 NPP FTE)	46,900
Pro Tems Superior Court Judge - Remaining Court Locations (.4 NPP FTE)	84,200
Clerical Staffing In-Court Clerks for ProTem Judges (3.8 NPP FTE)	160,100
Facilitator for Family Law Self Help Center (2.0 NPP FTE)	89,700
Subtotal Personal Services Cost	1,009,800
<u>Travel:</u>	
Travel to Various Court Locations:	
Estimate 25 trips X \$400 Airfare for Judge and Clerk	20,000
Estimate 25 trips X \$60 Per Diem X 5 Days for Judge and Clerk	15,000
Estimate 25 trips X \$125 Lodging X 4 Days for Judge and Clerk	25,000
Estimate 25 trips - Ground Transportation, Parking @ \$60/Trip for Judge and Clerk	3,000
Subtotal Travel Cost	63,000
Total Estimated Cost	1,072,800