

**ALASKA STATE LEGISLATURE  
SENATE JUDICIARY STANDING COMMITTEE**

January 27, 2025

1:30 p.m.

**MEMBERS PRESENT**

Senator Matt Claman, Chair  
Senator Jesse Kiehl, Vice Chair  
Senator Gary Stevens  
Senator Löki Tobin  
Senator Robert Myers

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SENATE BILL NO. 1

"An Act relating to appropriations to the civil legal services fund."

- MOVED SB 1 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 1

SHORT TITLE: CIVIL LEGAL SERVICES FUND

SPONSOR(S): SENATOR(S) DUNBAR

01/10/25	(S)	PREFILE RELEASED 1/10/25
01/22/25	(S)	READ THE FIRST TIME - REFERRALS
01/22/25	(S)	JUD, FIN
01/27/25	(S)	JUD AT 1:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR FORREST DUNBAR, District J  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 1.

ARIELLE WIGGIN, Staff  
Senator Forrest Dunbar  
Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Presented the sectional analysis on SB 1, on behalf of the sponsor.

MAGGIE HUMM, Executive Director  
Alaska Legal Services Corporation  
Anchorage, Alaska

**POSITION STATEMENT:** Gave invited testimony on SB 1.

#### **ACTION NARRATIVE**

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CHAIR CLAMAN called the Senate Judiciary Standing Committee meeting to order at 1:30 p.m. Present at the call to order were Senators Kiehl, Myers, Stevens, Tobin, and Chair Claman.

#### **SB 1-CIVIL LEGAL SERVICES FUND**

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CHAIR CLAMAN announced the consideration of SENATE BILL NO. 1 "An Act relating to appropriations to the civil legal services fund."

CHAIR CLAMAN said this is the first hearing of SB 1 in the Senate Judiciary Committee. He invited the bill sponsor to put himself on record and begin his presentation.

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SENATOR FORREST DUNBAR, District J, Alaska State Legislature, Juneau, Alaska, sponsor of SB 1, stated a like bill, Senate Bill 104, was heard by the Senate Judiciary Committee in the previous legislature. SB 1 increases the statutory funding for Alaska Legal Services Corporation (ALSC). ALSC is the number one provider of free legal services to domestic violence survivors in Alaska. It provides civil legal services to low-income individuals. He said Senate Bill 104 passed the Senate unanimously last year and hopes SB 1 passes this year.

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ARIELLE WIGGIN, Staff, Senator Forrest Dunbar, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 1 on behalf of the sponsor.

[Original punctuation provided.]

#### SECTIONAL ANALYSIS SB 104: CIVIL LEGAL SERVICES FUND

**Section 1:** amends AS 37.05.590 *Civil Legal Services Fund* so that up to twenty-five percent, instead of ten percent, of Court System filing fees can be appropriated by the Legislature to the existing Civil Legal Services Fund each year.

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SENATOR TOBIN questioned why Section 1 amends AS 37.05.590 to read 25 percent rather than 50 percent or another percentage.

SENATOR DUNBAR expressed his belief that the initial intent was 25 percent and through legislative compromise was lowered to 10 percent. He expressed uncertainty why that specific amount was originally targeted and deferred to Ms. Humm for clarification.

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CHAIR CLAMAN referred the question to Ms. Humm, requesting that she address the question under "invited testimony."

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CHAIR CLAMAN announced invited testimony on SB 1.

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MAGGIE HUMM, Executive Director, Alaska Legal Services Corporation, Anchorage, Alaska, gave invited testimony on SB 1. ALSC is a nonprofit law firm that has provided comprehensive and free civil legal aid to low-income Alaskans for almost 60 years. She explained the work ALSC performs and the challenges it faces.

MS. HUMM explained that civil legal aid must be adequately funded, pointing out that:

- Unlike in criminal cases, individuals are not entitled to attorneys in civil matters.
- Both the state and federal constitutions guarantee due process and equal protection under the law. However, the civil legal justice system is facing a justice crisis because there is a significant gap between those who can identify and get help for their civil legal needs and those who cannot.
- The Federal Legal Services Corporation revealed that low-income Americans do not receive sufficient legal help for almost all, 92 percent, of their civil legal problems. The consequences of not having civil legal help can be

devastating. It can result in lost income and livelihoods, health care, housing, and jeopardize personal safety.

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MS. HUMM shared the following story to explain the type of work ALSC does and the issues that SB 1 addresses. She said the name in the following story was changed to protect the individual's identity:

Beth is an elderly domestic violence survivor from a rural village. After her doctor recognized signs of abuse, she was referred to ALSC for help. With the assistance of an ALSC attorney, Beth secured a one-year domestic violence protective order, ensuring her safety. In addition to the protective order, the attorney helped Beth resolve an estate case and execute a will. With her legal matters resolved and safety measures in place, Beth was able to safely return to her home village.

MS. HUMM said that ALSC offices and the statewide intake unit receive requests for help from people just like Beth every day. ALSC has nearly 60 staff, a vast network of volunteers who help structure limited resources, and a statewide footprint of 12 regional offices. She said the Alaska Legal Services Corporation is innovating to move the needle forward on addressing the justice crisis. ALSC setup the first of its kind, in the nation, training and resource center. This center trains community members, who are not lawyers, to provide targeted civil legal assistance. She said that there is nationwide interest in this approach to closing the justice gap, and to developing a network of community justice workers. Multiple states, including Texas and Arizona, are either actively in the process of replicating this model or looking to it as a solution to close their own justice gap.

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MS. HUMM reported that in state fiscal year 2024, ALSC services:

- Provided direct representation in over 6,200 cases across more than 204 communities.
- Focused on Alaska's most vulnerable, including survivors of domestic violence and sexual assault, seniors, and individuals with disabilities.

- Were the sole provider of lawyers and advocates delivering this type of assistance in the areas where it operated.
- Stabilized households in crisis, preventing problems upstream.

MS. HUMM said that ALSC services have a measurable financial impact on communities. An independent study, commissioned in 2012, found that ALSC services provided a five to one return on investment. Annually, ALSC brings almost \$18 million in economic benefits to communities statewide. She qualified these statistics, stating they are in 2012 numbers.

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MS. HUMM explained ALSC had to turn away hundreds of families with compelling needs who sought help last year. It lacked the resources to help. On average, ALSC turns away one family or individual for each one served. The target population grows each year and funding does not keep pace. She said that state funding is nearly half of what it was 40 years ago, but the poverty population has tripled.

MS. HUMM informed the committee that SB 1 pertains to a critical funding source for the corporation, the civil legal services fund. She explained how the civil legal services fund operates currently:

- At the legislature's discretion, it is funded by a 50 percent share of the state's civil punitive damage awards.
- Additionally, up to 10 percent of the Alaska Court System filing fees collected in the most recent fiscal year is allocated to the fund.

MS. HUMM explained that the availability of funds is dependent on Alaska Court System filing fees and punitive damage awards, causing the amount collected to vary. Since its inception over 15 years ago, funds fluctuated from \$110,000 to \$0 to \$360,000. In FY 2024, \$296,400 was appropriated. SB 1 proposes to increase the portion of court system filing fees allocated to 25 percent, which would have amounted to approximately \$741,000 for the current fiscal year. ALSC estimates that for every additional \$100,000, it can help 182 more Alaskans.

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MS. HUMM sought clarification on a question pertaining to court system filing fee percentages and whether the number stated was "50" percent.

CHAIR CLAMAN replied that is correct.

MS. HUMM expressed her understanding that initially ALSC requested 25 percent. However, legislation passed in 2018 approved ten percent. Prior to 2018, the legislature only collected funds derived from punitive damage awards. She said punitive damages often totaled zero dollars; punitive damage awards often bore no fruit. She said that ALSC asked the legislature to amend its funding source to include 25 percent of court filing fees. The legislature negotiated the percentage down to 10 percent with a promise to revisit the amount. She said that ALSC has followed up on this subject for many years, asking for 25 percent. She said the amount could be 50 percent, stating the amount appropriated is not keeping pace with the rising cost of providing services and the increased demand of services. Fifty percent would cover the cost of providing services better. She said the proposal is 25 because that is what it has been for the last several years.

MS. HUMM reiterated that there is an extraordinary need for critical civil legal services that ALSC cannot meet alone. The passage of SB 1 would promote fairness and equal access to the justice system and help protect more vulnerable Alaskans. She expressed appreciation to the committee for their time and consideration of SB 1.

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SENATOR TOBIN asked with whom the 10, 25, and 50 percent figures were negotiated.

CHAIR CLAMAN recalled that the legislation was initially introduced at 25 percent. He said that during legislative discussions, one consideration was the figure which could realistically pass. There was agreement to move the bill forward at 10 percent. He stated that this decision was communicated to the Alaska Legal Services Corporation. He said that ALSC was happier at ten percent than zero. He clarified that ALSC was not actively involved in the negotiations; rather, advocates within the legislature reached a compromise.

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SENATOR STEVENS referenced a statistic that for each one served, ALSC turns one away. He asked how ALSC determines whom to serve and whom to turn away.

MS HUMM replied this is an excellent question that ALSC staff navigate every day, and she listed some factors that are considered:

- Board of Directors.  
The board of directors sets ALSC priorities. The organization functions within that set of priorities for helping its communities.
- The Day-to-Day Resources Available in an ALSC Office.  
Resources vary from office to office. She explained whether an individual is served may depend on the workload of that particular office.
- Income and Asset Screening.  
Federal regulation requires ALSC to screen for income and assets and other eligibility factors.

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MS. HUMM said that these and other eligibility criteria determine who receives services. She explained that even individuals with high-priority cases who meet financial and other eligibility requirements are sometimes turned away due to the full caseload of a particular office. She noted that while ALSC has rolling applications and always completes an intake, there are times when a case handler or office is too busy to take on a new case.

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CHAIR CLAMAN opened public testimony on SB 1; finding none, he closed public testimony.

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CHAIR CLAMAN discussed the differences in the screening process used by large firms that provide pro bono services. He explained that for-profit firms evaluate cases based on three key factors:

- The strengths and weaknesses of the case.
- The client's ability to pay.
- In contingent fee cases, the at-fault party's ability to pay damages.

CHAIR CLAMAN noted that while the strength of the case is a significant consideration, the client's financial situation or

the potential recovery amount plays a lesser role in the analysis.

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CHAIR CLAMAN solicited the will of the committee.

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SENATOR KIEHL moved to report SB 1, work order 34-LS0004/A, from committee with individual recommendations and attached fiscal note(s).

[1:49:12 PM](#)

CHAIR CLAMAN found no objection and SB 1 was reported from the Senate Judiciary Standing Committee.

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There being no further business to come before the committee, Chair Claman adjourned the Senate Judiciary Standing Committee meeting at 1:49 p.m.