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COMMITTEE REPORT
SENATE

3/13/81

FURTHER: Finance

Date: FEB 1, 1982

Mr. President:

The Committee on JUDICIARY has had SB 289
increasing the number of superior court judges:

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SB 289 same title
 new title
- and recommends HAS INDIVIDUAL RECOMMENDATIONS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Mr. Kay No Rec

Bob #1 in Rec

[Signature]

CHAIRMAN

20 155

Alaska State Legislature

SENATOR
ROBERT H. ZIEGLER, SR.
307 BAWDEN STREET
KETCHIKAN, ALASKA 99901

POUCH V
JUNEAU, ALASKA 99811



Senate

VICE CHAIRMAN
ADMINISTRATIVE REGULATION REVIEW
SENATE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

MEMBER
SENATE RULES COMMITTEE
SENATE COMMERCE AND LABOR COMMITTEE
STEERING COUNCIL FOR ALASKA LANDS
U.S. BORAX TASK FORCE

WESTERN STATES LEGISLATIVE
FORESTRY TASK FORCE
EXECUTIVE COMMITTEE,
WESTERN CONFERENCE COUNCIL
OF STATE GOVERNMENTS
COUNCIL OF STATE GOVERNMENTS
COMMITTEE ON SUGGESTED STATE LEGISLATION

January 18, 1982

The Honorable Patrick M. Rodey,
Alaska State Senator
Chairman, Senate Judiciary Committee
Room 125 Capitol Building
Juneau, Alaska

Re: Proposed Committee Substitute for SB 289,
"An Act increasing the number of superior court
judges."

Good Senator:

This may be a lengthy letter, but I'll do my best to confine my remarks to the factual situation as I believe it to be.

Senators Ferguson and Kerttula introduced SB 289 with the idea in mind of creating Superior Court judgeships in Pt. Barrow and in Palmer. This bill is in your committee.

Before getting more involved, I'd like to express my thanks to you for having indicated your willingness to consider increasing the number of Superior Court Judges from two to three to accommodate Wrangell and Petersburg, which communities are also extremely interested in obtaining a Superior Court Judge for their areas.

Attached to this letter is a proposed committee substitute which I'm told will do the trick if you and a majority of your Judiciary Committee are favorably inclined.

In Pt. Barrow, there are currently two magistrates; there are no District or Superior Court Judges; Senator Ferguson says if he can get a Superior Court Judge, one of the two magistrates can go. Senator Kerttula - and this staggers one's imagination, has only one magistrate currently - no judges of any other type to serve a population estimated to be between 25,000 and 30,000. In Wrangell, Petersburg and Kake there is a District Court Judge, Robin Taylor, with Superior Court services being furnished on occasion by Ketchikan, Sitka or Anchorage Superior Court judges. Judge Taylor, even though he is up for retention or non-retention on this fall's ballot, has advised me he's not reluctant to advocate the elimination of his Court and to substitute a Superior Court in lieu thereof. Were this procedure to be followed, existing District Court personnel could be redesignated and reclassified as Superior Court employees. Accordingly, the only additional expense

Senator Patrick M. Rodey
January 18, 1982
Page Two

involved would be the difference between the two judicial salaries. Judge Taylor will probably run for the new Superior Court position, but he realizes he'll have to get by both the Judicial Council and the Governor. He is prepared to take that chance, acknowledging that if he doesn't make it, the world won't come to an end.

In fairness to Art Snowden, to whom a copy of this letter has been sent, and in candor to you, he feels the Palmer request is fully justified; he does not intend to argue about the Pt. Barrow or Wrangell-Petersburg positions, but he would contend if pressed or asked, the case load of the latter two communities is perhaps insufficient to warrant the new court. If he's not asked, he says, there'll be no objection from the Court System. I have attached a copy of a well-written letter from Mr. Mark Walker which tends to lend justification to the Wrangell-Petersburg request.

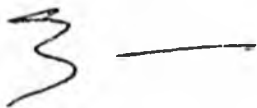
I'm available to testify on the bill if you feel it is necessary and if you schedule it for a hearing. A letter of intent can be drafted by your staff (or mine, if you wish) to spell out with particularity exactly what the bill would accomplish.

A fiscal note should be prepared; that shouldn't prove onerous and we'll do that upon request.

Incidentally, Senators Kerttula and Ferguson have approved of the contents of this letter.

Finally, on information and belief, Chief Justice Burke will interpose no objection to the above and foregoing.

Very truly yours,



Robert H. Ziegler, Sr.

RHZ:lk

Enclosures

cc: Art Snowden, Administrator,
Alaska Court System w/enc.

P.O. Box 1615
Wrangell, Alaska 99929
January 11, 1982

Honorable Edmond W. Burke
Chief Justice
Alaska Supreme Court
303 F. Street
Anchorage, Alaska 99501

Dear Mr. Chief Justice:

The Wrangell Inter-Agency Group consists of representatives from various service agencies within the city of Wrangell who are concerned with the delivery of services to the community. A listing of the membership is attached. We meet monthly to discuss problems of mutual concern and to assist one another as best we can.

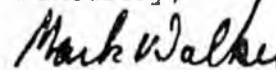
For some time we have lobbied our local representatives to have the court in Wrangell/Petersburg upgraded to a Superior/District Court location. Last spring Representative Ernie Haugen sponsored legislation to make this change but hydroelectric projects and other political matters at the close of the session left House Bill 590 locked in Finance Committee. In March of last year Lieutenant Governor Terry Miller came to Wrangell to meet with us and the upgrading of the court was a prime subject of discussion.

Wrangell and Petersburg are not receiving the quality of service that is taken for granted in the other urban areas of this state. We are not being critical of either Judge Schulz or Judge Taylor, both of whom have made extraordinary efforts to make the system work. The jurisdictional barrier between District and Superior Court means that Judge Taylor can't do certain things and we must wait until a Superior Court judge can travel to Wrangell or some special authority is acquired so that Judge Taylor can act. When no emergency exists, things get delayed until a more convenient time.

Last year's statistics show there were approximately 30 felonies, 40 juvenile petitions, 58 divorces/dissolutions and 11 mental health commitments which arose in Wrangell and Petersburg. These figures are an understatement of actual need as many matters simply aren't filed because it takes too long to get something done; the best example being juvenile matters. If we were a Superior/District court location, all of the above cases would be handled locally. The savings in travel costs and especially time for the agencies will more than offset the minimal cost of upgrading the local court. Probably more important than cost is the fact that adequate judicial services will finally be provided to the people of Wrangell and Petersburg.

In your opening statements upon assuming office, you indicated that you wanted to hear from the people in the trenches and wanted to make more efficient the delivery of judicial services. The creation of a Superior/District court judgeship in Wrangell/Petersburg is a small step which will go a long way toward achieving your goals.

Sincerely,



Mark Walker
Chairman

cc: Representatives Haugen, Freeman & Gardiner
Senators Eliason & Ziegler
Lieutenant Governor Miller



Official Business

Alaska State Legislature

Senate

Committee on Judiciary

Pouch V
State Capitol
Juneau, Alaska 99811

MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

FEBRUARY 1, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

Legislation Before Committee:

SB 289 - "An Act increasing the number of superior court judges."

SJR 6 - Proposing an amendment to the Constitution of the State of Alaska relating to sessions of the legislature.

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:35 P.M. Committee members present were: Senators Rodey, Parr, and Ray. Senators Bennett and Hohman were absent.

The first item on the agenda was SB 289. Senator Kerttula, prime sponsor of SB 289, testified stating his support for this legislation.

Senator Ferguson, a sponsor of SB 289, was brought before the committee to give his testimony. He expressed his support and asked that the committee's intent to place the court in Barrow be clarified. Chairman Rodey indicated that it was the committee's intent that the additional superior court position be for Barrow and that the Finance Committee could direct the location.

Chairman Rodey next called Senator Zeigler to testify before the committee. He proposed that the committee adopt a substitute for SB 289 to include a superior court position for the Wrangell/Petersburg area in the first judicial district.

Rick Berrier, of the Alaska Court System, testified, stating that the Court System does not have a strong stance either for or against the addition of the Wrangell/Petersburg position. In answering committee questions he did state that the Superior Court could take over all duties of the district court in the Wrangell/Petersburg area.

After brief discussion, Senator Ray moved that the committee adopt the committee substitute for SB 289. There was no objection. Senator Ray next moved that CSSB 289 be passed with committee with individual recommendations. There was no objection. Senator Rodey signed do pass. Senators Ray and Parr signed no recommendation.

Chairman Rodey next brought before the committee SB 594 relating to the Administrative Procedures Act. The Chairman discussed the problems with the Act and problems associated with its revision.

Senator Ray expressed the need for revision and requested a letter be drafted to President Kerttula stating the problems with the Act and requesting assistance to both the Judiciary and Transportation committees.

After committee discussion, no further action was taken.

SJR 6 was not brought before the committee today as scheduled.

Chairman Rodey adjourned the meeting at 2:25 P.M.



THE HEART OF THE MATANUSKA VALLEY

CITY OF PALMER

COUNCIL-MANAGER GOVERNMENT
P.O. BOX 1368 • PHONE (907) 745-3271
PALMER, ALASKA 99645

November 27, 1981

The Honorable Jalmar Kerttula
Box Z
Palmer, Alaska 99645

Dear Senator Kerttula,

At the City of Palmer regular City Council meeting held on November 24, 1981, the enclosed resolution was passed unanimously.

We believe it is imperative that a Superior Court be established here in the City of Palmer. The mode of operation that includes going to Anchorage creates a tremendous amount of non-productive man days per year, not only for our police force but the Alaska State Police as well. We must all strive for better efficiency.

I commend you and your fellow legislators for your perception in the growing needs to Alaskans.

Should you have any questions, please feel free to contact me.

Yours truly,

David L. Soulak
City Manager
City of Palmer

DLS/cac

Enclosure

A RESOLUTION FOR ESTABLISHMENT OF A SUPERIOR COURT IN PALMER.

WHEREAS, the Palmer District Court, Third Judicial District serves an estimated population of 25,000 people in the Matanuska-Susitna Borough, and

WHEREAS, the Palmer District Court has had over sixty felony filings for Superior Court action in 1981 to date, and

WHEREAS, this court has handled over ninety divorce filings, and

WHEREAS, there has been over ninety other civil Superior Court filings, and

WHEREAS, there has been over twenty Superior Court Children Proceeding filings, and

WHEREAS, normal Superior Court matters are held in Anchorage which places an undue hardship upon police personnel and those involved in the matters before the Court, and

WHEREAS, since September 1, 1981 the Palmer District Court has been designated as a Probate Court and to date there has been eleven filings, and

WHEREAS, there has been over 815 other criminal filings in the Palmer District Court to date, and

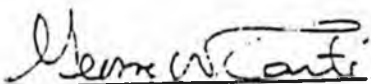
WHEREAS, in addition, there has been over 850 civil filings in district court, and

WHEREAS, the Palmer District Court has handled over 3400 traffic tickets to date,

NOW, THEREFORE, BE IT RESOLVED, the City of Palmer urges the State Legislature during the 1982 session to establish a full-time Superior Court in the Matanuska-Susitna Borough.

BE IT FURTHER RESOLVED, the establishment of a full-time permanent Superior Court in the City of Palmer with support staff will provide a needed service to all Borough residents as well as to many who reside outside of the Borough.

Passed and approved by the City of Palmer, City Council this 24th day of November, 1981.



GEORGE W. CARTE, MAYOR

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 289
 Title An Act Increasing the Number of Superior Court Judges
 Requested by Senate Judiciary Committee Date 1/21/82

II. FISCAL DETAIL

Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		451.4	483.0	516.8	553.0	591.7
200 TRAVEL		15.0	5.0	6.0	7.0	8.0
300 CONTRACTUAL						
400 COMMODITIES		4.0	4.5	5.0	5.5	6.0
500 EQUIPMENT		18.0	-	-	2.0	2.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		488.4	492.5	527.8	567.5	607.7

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		488.4	492.5	527.8	567.5	607.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		6	6	6	6	6
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

SB 289 establishes Superior Court Judge positions in Barrow and Palmer. The cost of establishing these positions and necessary support positions is provided on the attached budget sheet.

IV. DATE 1/22/82 PREPARED BY Richard P. Barrier
 AGENCY Alaska Court System
 Original: Legislative Finance PHONE 264-0545
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

FY 83 COST OF IMPLEMENTING SB 289

	<u>BARROW</u>	<u>PALMER</u>
JUDGE		
SALARY	\$ 78,600 (5)	\$ 69,240
BENEFITS:		
JRS, ACCIDENT, W.C., T.L. (106.48)	83,693	73,727
HI	2,196	2,196
SBS	2,188	2,188
TOTAL	<u>166,677</u>	<u>147,351</u>
LAW CLERK		
SALARY (13A)	30,576	23,136
BENEFITS:		
VARIABLE (.1504)	4,782	3,618
SBS	1,874	1,418
HI	2,196	2,196
TOTAL	<u>39,428</u>	<u>30,368</u>
SECRETARY		
SALARY (12B)	29,460	22,440
BENEFITS:		
VARIABLE	4,608	3,510
SBS	1,806	1,376
HI	2,196	2,196
TOTAL	<u>38,070</u>	<u>29,522</u>
TOTAL PERSONAL SVC.	244,175	207,241
TRAVEL (Including Moving Expense)	10,000	5,000
COMMODITIES	2,000	2,000
EQUIPMENT	9,000	9,000
TOTAL FY 83 BUDGET	<u>\$265,175</u>	<u>\$223,241</u>

WRANGELL JUDICIAL UPGRADE TO SUPERIOR COURT JUDGE

JUDICIAL SALARY DIFFERENTIAL:

Superior Court Judge	\$69,240
District Court Judge	<u>59,844</u>
Difference	9,396
Variable Benefits (JRS & variable--1.0648)	<u>10,004</u>
COST TO UPGRADE JUDGE	<u>19,400</u>

CLERK UPGRADE:

Full Time, Range 10	17,196
Part Time, Range 10 (9 months)	<u>12,897</u>
Salary Difference	4,299
Variable Benefits (PERS, SBS, etc.)	<u>936</u>
COST TO UPGRADE CLERK	<u>5,235</u>

TOTAL COST	<u>\$24,635</u>
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CASE FILINGS - DISTRICT COURTS - NON-TRAFFIC CASES

	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>FY 80/81</u>
Kenai	1406	1648	1875	1915
Kodiak	1692	1528	1474	1376
Palmer	1024	1102	1222	2176

DISTRICT COURT - FELONY FILINGS & DISPOSITIONS FY 80/81

	Felony Filings	Dispositions	Held to Answer/Indict
Kenai	58	36	12
Kodiak	134	74	23
Palmer	68	46	13

DISTRICT COURT & SUPERIOR COURT CIVIL FILINGS 80/81

	Dist. Court Level	Superior Court Level	Total
Kenai	538	467	1005
Kodiak	290	321	611
Palmer	1027	214	1241

BARROW SUPERIOR COURT

TRAVEL TO BARROW - 1981

			<u>Trips</u>
Jan.	Hodges	5 days	1
Feb.	X	5 days	1
March	X	2 days	1
April	X	4 days	2
May	X	3 days	1
June	X	2 days	1
July	X	9 days	3
Aug.	X	14 days	4
	Blair	1 day	1
Sept.	X	1 day	1
Oct.	Hodges	9 days	3
Nov.	X	4 days	2
Dec.	X	4 days	1
		<u>63 days</u>	<u>22 trips</u>

Felony Filings in District Court - 1981 - 79 cases
 Felony Filings in Superior Court - 1981 - 51 cases
 Felony Jury Trials - 1981 - 22

Felony Filings in District Court - 1981 - Nome - 43
 Kotz - 49
 Barrow - 79

Jury Fees - 1981
 Nome - \$11,152
 Barrow - \$21,757

Memorandum

Alaska Court System

TO: Arthur H. Snowden, II
Administrative Director

DATE : January 4, 1982

FROM: Dick Delaplain *RWD*
Manager of Technical Operations

SUBJECT: Review of Petersburg/
Wrangell re. New Superior
Court Judgeship

Pursuant to your request, Leanne Flickinger and I have reviewed the case filings, composition of filings, and judicial travel for Petersburg/Wrangell in comparison with Juneau, Ketchikan, and Sitka and have arrived at the following conclusion:

We can see no immediate need or justification for the creation of a new Superior Court judgeship to serve the Petersburg/Wrangell area.

Our conclusion is based on the following data.

Case Filings - District Courts - Non-Traffic Cases

	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>FY80/81</u>
Juneau	1,698	1,881	2,350	2,880
Ketchikan	1,467	1,374	1,432	1,801
Sitka	1,115	680	783	1,123
Petersburg/Wrangell	516	554	645	757

District Court - Felony Filings & Dispositions FY80/81

	<u>Felony Filings</u>	<u>Dispositions</u>	<u>Held to Answer/ Indicted</u>
Juneau	98	59	33
Ketchikan	106	80	23
Sitka	57	43	0
Petersburg/Wrangell	31	19	5

Ketchikan Superior Court showed a sharp rise (50 cases) in felony filings in FY80/81. Some of these cases could have been indictments of individuals from the Petersburg/Wrangell area. We have no information as to home residence of defendants in these cases. Only 5 cases involved felony preliminary hearings in Petersburg or Wrangell that eventually went on to Ketchikan.

District Court & Superior Court Civil Filings FY80/81

	<u>District Court Civil</u>	<u>Superior Court Civil</u>	<u>Total</u>
Juneau	277	709	986
Ketchikan	64	430	494
Sitka	40	271	311
Petersburg/Wrangell	14	9	23

This data indicates that Petersburg/Wrangell does not generate enough Superior Court level activity to warrant having a full-time Superior Court judge. Felony case processing in Petersburg/Wrangell generated only 5 cases that were held to answer or indicted during processing. An unknown number of indictments could have gone directly to Ketchikan although Ketchikan only pulled one grand jury during 1981, so the number couldn't have been very high. Only 9 Superior Court level civil cases were generated in Petersburg/Wrangell.

Considering that Judge Taylor is also a Superior Court Master for civil matters, it seems unlikely that we would witness a dramatic increase in civil filings in this area if we suddenly had a Superior Court judge to handle civil matters.

We also looked at judicial travel during 1980 and 1981 as it is related to Petersburg/Wrangell. A summary of this data follows.

1980 Superior Court Judicial Support

	<u>Travel to Petersburg</u>	<u>to Wrangell</u>	<u>to Petersburg/Wrangell*</u>
January	-	-	-
February	-	Schultz - 8 days	-
March	-	-	Schultz - 1 day
April	-	-	Schultz - 1 day
May	-	-	-
June	-	-	Schultz - 2 days
July	-	-	Schultz - 3 days
August	-	-	Schultz - 1 day
September	Schultz - 3 days	-	-
October	-	-	-
November	-	-	-
December	-	-	-
	3 days	+ 8 days	+ 8 days = 22 days

1981 Superior Court Judicial Support

	<u>Travel to Petersburg</u>	<u>to Wrangell</u>	<u>to Petersburg/Wrangell*</u>
January	Stewart - 4 days	Schultz - 1 day	-
February	-	-	Schultz - 2 days
March	Craske - 2 days	-	-
April	-	-	-
May	-	-	Schultz - 2 days
June	Schultz - 1 day	-	-
July	Schultz - 1 day	-	-
August	-	-	-
September	-	-	-
October	-	-	-
November	-	-	-
December	-	-	Schultz - 2 days
	<hr/> 8 days	+ <hr/> 1 day	+ <hr/> 6 days = 15 days

The primary Superior Court support for Petersburg/Wrangell has come from Judge Schultz in Ketchikan. A Total of 22 days of judge time was given in 1980 and a total of 15 days d (including 4 by Stewart and 2 by Craske) was given in 1

Tr by District Court judges was as follows: Judge Williams spent 2 days in Wrangell in 1980. Judge Keene spent 20 days in Wrangell in 1981. Judge Taylor spent 20 days in Petersburg in 1980 and 22 days in Petersburg during 1981.

*Specific site not identified on travel voucher.

All of our data (even if it were off by 50%) supports the conclusion that there is insufficient Superior Court workload generated in Wrangell and/or Petersburg to warrant the creation of a Superior Court judgeship.

If you have any questions regarding this memo or need additional data please call me.

Data Sources: Annual Report statistics.
Judges travel vouchers '80/'81

cc: Leanne Flickinger
Rick Barrier

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Sen Rodey ① of ③
Natansonka-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-4801

DEPARTMENT OF ADMINISTRATION

January 29, 1987

The Honorable Patrick M. Rodey
Chairman, Senate Judiciary Committee
Alaska State Legislature
Pouch Y
Juneau, Alaska 99811

Dear Senator Rodey:

Re: Superior Court Judgeship in Palmer

By any traditional criteria for establishing a Superior Court Judgeship followed in Alaska in the past 20 years, the Matanuska-Susitna Valley would have been entitled to Superior Court Judgeship some years ago.

At this time, there are 14 attorneys practicing in the Palmer--Wasilla area. This is a number probably in excess of the number of lawyers practicing in any of the following areas each of which have a Superior Court judge: Ketchikan, Sitka, Kodiak, the Kenai area, the Bethel area and the Nome area.

This part of Alaska is growing very rapidly. We currently have approximately 22,000 population. Over the past 20 years we have more than doubled population each decade. If we have 22,000 in 1980 we are almost certain to have 30 to 40,000 population in 1990.

The absence of a Superior Court judge creates additional cost and delay for local lawyers, businessmen and others who must, from time to time, find their recourse in the courts.

Although I would anticipate that a new Superior Court judge would be fully loaded with a case load from the very beginning, if there should be any slack time, as there occasionally is in some of the other judicial districts, it would be a fairly simple matter for the Palmer Superior Court Judge to render assistance to the Anchorage bench.

See below (2) of (3)

I would think that the Matanuska-Susitna Valley would meet any criteria that might be reasonably established for establishment of a new judgeship. If you have any questions regarding population growth, housing starts, etc. that might throw light on the total volume of activity that engenders a need for a Superior Court judgeship in this area, please let me know and we will furnish it.

Sincerely,

Gary Thurlow
Gary Thurlow
Borough Manager

er

cc: Senator Jalmar Kerttula
Representative Pat Carney

Sen Rodey
P. O. Box 4
Palmer, AK 99645
January 29, 1982

The Honorable Patrick M. Rodey
Chairman, Senate Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

re: Superior Court Judgeship, sitting in Palmer, Alaska,
House Bill #289

Dear Senator Rodey:

At its Board of Directors' meeting January 27, 1982, after review of statistics afforded by the Matanuska Bar Association, and serious consideration of the needs of the citizens of the city of Palmer and its surrounding communities, the Greater Palmer Chamber of Commerce unanimously agreed that the Matanuska Valley sorely needs a Superior Court judge sitting at Palmer, Alaska.

As such, I have been authorized and instructed as president of the Greater Palmer Chamber of Commerce to commit the following resolution to you:

BE IT RESOLVED:

That the president of the Greater Palmer Chamber of Commerce advise the chairman of the Senate Judiciary Committee, Senator Julius Kerttula, and Representative Pat Carney of its overwhelming support for Senate Bill #289, which provides for the appointment of a Superior Court Judge sitting at Palmer, Alaska.

Your serious consideration of the Chamber's resolution would be greatly appreciated.

Sincerely,

GREATER PALMER CHAMBER OF COMMERCE

by
WILLIAM T. TULL
President

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POSITION PAPER

SENATE BILL NO. 289

"An act increasing the number of superior court judges."

This bill increases the number of superior court judges from 23 to 25 by locating a superior court in Barrow and Valdez.

Historically, whenever a new judgeship and court is created at the superior level in a remote location of the state, a full workload is created for a district probation office. Probation officers are officers of the superior court and subject to the court's instruction and direction with regards to completing investigations for the court and supervising probationers. Probation itinerant service is acceptable when the judge also travels, but becomes unacceptable service to the court when the judge's position is fixed in one location but without the constant services of a probation officer. The court's policy of taking justice proceedings to the location of the incident to be adjudicated also demands the presence of a probation officer as part of the court retinue.

Adult Corrections

The towns of Barrow and Valdez are presently serviced by itinerant probation officers who travel out of Fairbanks and Anchorage respectively. It is not possible for the Division of Adult Corrections to relocate probation officer positions because of the present workloads in Fairbanks and Anchorage.

The department's having to establish probation offices in Nome, Sitka, and Bethel in the past are examples of what this position paper purports.

A workload standard of 65 units per month per officer is considered manageable. Last year's workload figures indicated that the Barrow itinerant officer averaged 33 units per month, and the Valdez itinerant officer averaged about 25 units per month. These figures do not represent the true picture as only mandatory minimum work was completed. No counseling, arranging services or on-going supervision of any significance was offered to probationers or parolees in these two areas.

If a superior court judge position is established in Barrow and Valdez, at least twice as many work units will be assigned within the year.

Youth Corrections

Presently, the Division of Family and Youth Services does not have probation officers in either of these jurisdictions. In Barrow the Division's staff consists of a social work supervisor and two social workers. The office handles an overall caseload of 225 (75 cases per worker). The office has no clerical support and no vehicles.

Recently, due to an increasing probation caseload in Barrow, the Division assigned the social work supervisor to do pre-disposition reports on adjudicated delinquents and to monitor the probationer's, rather than serve Barrow on an itinerant basis out of Fairbanks. In one month this has increased the work-

load in the office by an additional 37 cases.

The addition of a superior court judge in Barrow would further increase the office workload. The Division of Family and Youth Services would probably be assigned the court intake functions (now handled through the Fairbanks court intake office). This, basically, would result in the Division's workers screening every police contact with juveniles to determine the necessity for intervention.

The Department feels this increase in workload, along with the already high caseloads, necessitates the addition of one Probation Officer II and a Clerk Typist III, as well as a vehicle for the Barrow office.

The addition of a superior court judge in Valdez would make less of an impact initially on the Division's services in this area. The Division presently has a half-time social worker position in the Valdez office and has requested an increase of this position to full-time in the Governor's FY 82 budget. In addition, the Division has workers in Glenallen and Cordova. The Department feels it can handle most of the increased workload generated by the court through cross training of these workers to handle probation cases. However, the Department would request a Clerk Typist III and a vehicle to support the position in Valdez.

Recommended by: Charles F. Campbell
Charles F. Campbell, Director
Division of Adult Corrections

Date: 4-6-81

Recommended by: John Pugh
John Pugh, Director
Division of Family and
Youth Services

Date: 4/7/81

Approved by: Helen D. Beirne
Helen D. Beirne, Commissioner
Dept. of Health & Social Services

Date: 4/18/81

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 289

Title "An Act increasing the number of Superior Court judges."

Requested by Ferguson and Kerttula

Date 3/13/81

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services

Program Category Affected Offender Confinement, Reformation & Supervision

BRU, Program, or Subprogram(s) Affected Probation and Community Programs

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		158.0	172.2	187.7	204.6	223.0
200 TRAVEL		21.7	14.9	16.3	17.7	19.3
300 CONTRACTUAL		41.0	22.9	25.0	27.2	29.6
400 COMMODITIES		3.0	3.3	3.6	3.9	4.2
500 EQUIPMENT		8.9	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	232.6	213.3	232.6	253.4	276.1

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	232.6	213.3	232.6	253.4	276.1
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section 'II)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office is created. Therefore, creating superior court judgeships in Barrow and Valdez will result in the requirement for new district offices in these two communities. Each office must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III.

B. First year costs include \$20,000 for the purchase of two vehicles for the Department of Transportation/Public Facilities Highway Working Capital Fund, \$8,000 for office equipment for the four positions and

IV. DATE March 24, 1981

PREPARED BY Roger C. Lange

AGENCY Division of Adult Corrections

Original: Legislative Finance

PHONE 465-3376

cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approval [Signature]

Date 4/3/81

\$8,000 for moving promoted employees to Barrow and Valdez. These one time costs were not carried forward into FY 1983 and subsequent years.

- C. Inflation was assumed to be 9% from year to year for all expenditure object groups.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
Bill/Resolution No. Senate Bill No. 289
Title "An Act increasing the number of superior court judges."
Requested by _____ Date _____

II. FISCAL DETAIL
Agency Affected Department of Health and Social Services
Program Category Affected Administration of Justice
BRU, Program, or Subprogram(s) Affected Youth Services Juvenile Probation and Parole
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		103.2	112.8	123.0	134.1	146.2
200 TRAVEL		9.0	9.8	10.7	11.7	12.8
300 CONTRACTUAL		32.7	35.6	38.8	42.3	46.1
400 COMMODITIES		1.2	1.3	1.4	1.5	1.6
500 EQUIPMENT		31.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		177.5	159.5	173.9	189.6	206.7

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		177.5	159.5	173.9	189.6	206.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		3.0	3.0	3.0	3.0	3.0
PART TIME						
TEMPORARY		36.0	36.0	36.0	36.0	36.0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The juvenile offender caseload increases which will result in the Barrow and Valdez areas by the addition of superior court judges require a Probation Officer II and a Clerk Typist III in Barrow (4th District). A Clerk Typist III will be required in Valdez (3rd District) to support the existing part-time Social Worker position which is being made full-time in the Governor's budget. Costs for FY 82 are as follows:

Juvenile Probation and Parole Component

	3rd District	4th District	Total
Personnel Services	\$26.3	\$ 77.2	\$103.5
Travel	3.2	5.8	9.0
Contractual	13.5	19.2	32.7
Commodities	.4	.8	1.2
Equipment	15.0	16.1	31.1
TOTALS	\$58.4	\$119.1	\$177.5

IV. DATE 2/1/81 PREPARED BY John R. Pugh, Director
AGENCY Division of Family and Youth Services
PHONE 465-3170

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

D. M. ...
4/8/81

Travel within the districts is necessary to provide counseling, to monitor juveniles on probation, and travel to the regional office for administrative meetings. Contractual includes communications, copier usage, office space rental, printing and advertising, and lease of a vehicle under the DOT/PF Highway Working Capital Fund. Commodities include expendable general office supplies. Equipment includes office furniture, and the initial vehicle purchase of a DOT/PF vehicle. The vehicles are essential for transporting juveniles.

An inflation factor of 9% has been added to estimated costs for FY 83-86.

Introduced: 3/13/81
Referred: Judiciary and
Finance

1 IN THE SENATE

BY FERGUSON AND KERTTULA

2 SENATE BILL NO. 289

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act increasing the number of superior court
7 judges."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 22.10.120 is amended to read:

10 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists
11 of 25 [23] judges, four of whom shall be judges in the first judicial
12 district, three [TWO] ^{BAZETROW} of whom shall be judges in the second judicial
13 district, 13 [12] ^{PRINCE} of whom shall be judges in the third judicial
14 district, and five of whom shall be judges in the fourth judicial
15 district. At the time of submitting the names of nominees to the gover-
16 nor to fill a vacancy on the superior court bench, the judicial council
17 shall also designate the district in which the appointee is to reside
18 and serve.

19
20 JRO - Prince
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*Correct
7/PTF*

Introduced: 3/13/81
Referred: Judiciary and
Finance

1 IN THE SENATE

BY FERGUSON AND KERTTULA

2

SENATE BILL NO. 289

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

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PATRICK RODEY
ANCHORAGE

601 W. 5TH AVE. SUITE 820
ANCHORAGE, ALASKA 99501

Alaska State Senate
JUNEAU, ALASKA 99811

DURING SESSION
POUCH V
JUNEAU, ALASKA 99811

March 31, 1981

Ms. Becky Gay
P. O. Box 4-966
Anchorage, Alaska 99509

Dear Ms. Gay:

Thank you for your comments on land disposals.

I agree with Senator Kerttula on this matter, having discussed it many times, and I intend to support SB 298 when it comes to the floor.

Sincerely,



Patrick M. Rodey

PMR/ods

5

MSG 81-00010255 PRTY 1 03/30/81 12:00:49 ORIG: LA00 IN= 0007 OUT= 00
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: POM PAGE 00

TO: SENATORS RODEY, STURGULEWSKI, AND KERTTULA
REPRESENTATIVES COTTEN AND CARNEY

FROM: BECKY GAY, PO BOX 4-966, ANC 99509, 240-3882

THE TOKOSHA CITIZENS COUNCIL SUPPORTS THE STAND OF THE MAT-SU
ASSEMBLY AND SENATOR KERTTULA, REGARDING THE DNR SUBDIVISION DISPOSALS.
WE URGE DNR TO REALIZE THE IMPACT THESE SUBDIVISIONS HAVE ON THE PRESENT
RESIDENTS, AND THE FUTURE PROBLEMS THAT ARE IMPLICIT IN SUCH ILL PLANNED
DISPOSALS. BECKY GAY, CO-CHAIRMAN, TOKOSHA CITIZENS COUNCIL

SB 298
290 DAY EXTENSION

WRANGELL JUDICIAL UPGRADE TO SUPERIOR COURT JUDGE

JUDICIAL SALARY DIFFERENTIAL:

Superior Court Judge	\$69,240
District Court Judge	<u>59,844</u>
Difference	9,396
Variable Benefits (JRS & variable--1.0648)	<u>10,004</u>
COST TO UPGRADE JUDGE	<u>19,400</u>

CLERK UPGRADE:

Full Time, Range 10	17,196
Part Time, Range 10 (9 months)	<u>12,897</u>
Salary Difference	4,299
Variable Benefits (PERS, SBS, etc.)	936
COST TO UPGRADE CLERK	<u>5,235</u>

TOTAL COST	<u>\$24,635</u>
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FY 83 COST OF IMPLEMENTING SB 289

	<u>BARROW</u>	<u>PALMER</u>
JUDGE		
SALARY	\$ 78,600 (5)	\$ 69,240
BENEFITS:		
JRS, ACCIDENT, W.C., T.L. (106.48)	83,693	73,727
HI	2,196	2,196
SBS	2,188	2,188
TOTAL	<u>166,677</u>	<u>147,351</u>
LAW CLERK		
SALARY (13A)	30,576	23,136
BENEFITS:		
VARIABLE (.1504)	4,782	3,618
SBS	1,874	1,418
HI	2,196	2,196
TOTAL	<u>39,423</u>	<u>30,368</u>
SECRETARY		
SALARY (12B)	29,460	22,440
BENEFITS:		
VARIABLE	4,608	3,510
SBS	1,806	1,376
HI	2,196	2,196
TOTAL	<u>38,070</u>	<u>29,522</u>
TOTAL PERSONAL SVC.	244,175	207,241
TRAVEL (Including Moving Expense)	10,000	5,000
COMMODITIES	2,000	2,000
EQUIPMENT	9,000	9,000
	<hr/>	<hr/>
TOTAL FY 83 BUDGET	\$265,175	\$223,241

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 289
 Title An Act Increasing the Number of Superior Court Judges
 Requested by Senate Judiciary Committee Date 1/21/82

II. FISCAL DETAIL

Agency Affected Alaska Court System
 Program Category Affected Administration of Justice
 BRU, Program, Or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		451.4	483.0	516.8	553.0	591.7
200 TRAVEL		15.0	5.0	6.0	7.0	8.0
300 CONTRACTUAL						
400 COMMODITIES		4.0	4.5	5.0	5.5	6.0
500 EQUIPMENT		18.0	-	-	2.0	2.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		488.4	492.5	527.8	567.5	607.7

FUNDING (Thousands of Dollars)

GENERAL FUND		488.4	492.5	527.8	567.5	607.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME		6	6	6	6	6
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

SB 289 establishes Superior Court Judge positions in Barrow and Palmer. The cost of establishing these positions and necessary support positions is provided on the attached budget sheet.

IV. DATE 1/22/82 PREPARED BY Richard P. Barrier
 AGENCY Alaska Court System
 Original: Legislative Finance PHONE 264-0545
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 289
Title An Act Increasing the Number of Superior Court Judges
Requested by Senate Judiciary Committee Date 1/21/82

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200 TRAVEL		15.0	5.0	6.0	7.0	8.0
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GENERAL FUND		488.4	492.5	527.8	567.5	607.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		6	6	6	6	6
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

SB 289 establishes Superior Court Judge positions in Barrow and Palmer. The cost of establishing these positions and necessary support positions is provided on the attached budget sheet.

IV. DATE 1/22/82 PREPARED BY Richard P. Barrier
AGENCY ALASKA COURT SYSTEM
Original: Legislative Finance PHONE 264-0645
cc: Budget and Management
Prime Sponsor: First Legislator Name: _____

FY 83 COST OF IMPLEMENTING SB 289

	<u>BARROW</u>		<u>PALMER</u>
JUDGE			
SALARY	\$ 78,600	(5)	\$ 69,240
BENEFITS:			
JRS, ACCIDENT, W.C., T.L. (106.48)	83,693		73,727
HI	2,196		2,196
SBS	2,188		2,188
TOTAL	<u>166,677</u>		<u>147,351</u>
LAW CLERK			
SALARY (13A)	30,576		23,136
BENEFITS:			
VARIABLE (.1504)	4,782		3,618
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TOTAL	<u>39,428</u>		<u>30,368</u>
SECRETARY			
SALARY (12B)	29,460		22,440
BENEFITS:			
VARIABLE	4,608		3,510
SBS	1,806		1,376
HI	2,196		2,196
TOTAL	<u>38,070</u>		<u>29,522</u>
TOTAL PERSONAL SVC.	244,175		207,241
TRAVEL (Including Moving Expense)	10,000		5,000
COMMODITIES	2,000		2,000
EQUIPMENT	9,000		9,000
TOTAL FY 83 BUDGET	<u>\$265,175</u>		<u>\$223,241</u>

WRANGELL JUDICIAL UPGRADE TO SUPERIOR COURT JUDGE

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Superior Court Judge	\$69,240
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Part Time, Range 10 (9 months)	12,897
Salary Difference	<u>4,299</u>
Variable Benefits (PERS; SBS, etc.)	936
COST TO UPGRADE CLERK	<u>5,235</u>

TOTAL COST \$24,635

CASE FILINGS - DISTRICT COURTS - NON-TRAFFIC CASES

	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>FY 80/81</u>
Kenai	1406	1648	1875	1915
Kodiak	1692	1528	1474	1376
Palmer	1024	1102	1222	2176

DISTRICT COURT - FELONY FILINGS & DISPOSITIONS FY 80/81

	Felony Filings	Dispositions	Held to Answer/Indict
Kenai	58	36	12
Kodiak	134	74	23
Palmer	68	46	13

DISTRICT COURT & SUPERIOR COURT CIVIL FILINGS 80/81

	Dist. Court Level	Superior Court Level	Total
Kenai	538	467	1005
Kodiak	290	321	611
Palmer	1027	214	1241

BARROW SUPERIOR COURT

TRAVEL TO BARROW - 1981

			<u>Trips</u>
Jan.	Hodges	5 days	1
Feb.	X	5 days	1
March	X	2 days	1
April	X	4 days	2
May	X	3 days	1
June	X	2 days	1
July	X	9 days	3
Aug.	X	14 days	4
	Blair	1 day	1
Sept.	X	1 day	1
Oct.	Hodges	9 days	3
Nov.	X	4 days	2
Dec.	X	4 days	1
		<u>63 days</u>	<u>22 trips</u>

Felony Filings in District Court - 1981 - 79 cases
 Felony Filings in Superior Court - 1981 - 51 cases
 Felony Jury Trials - 1981 - 22

Felony Filings in District Court - 1981 - Nome - 43
 Kotz - 49
 Barrow - 79

Jury Fees - 1981
 Nome - \$11,152
 Barrow - \$21,757

Memorandum

Alaska Court System

TO: Arthur H. Snowden, II
Administrative Director

DATE : January 4, 1982

FROM: Dick Delaplain *RWD*
Manager of Technical Operations

SUBJECT: Review of Petersburg/
Wrangell re. New Superior
Court Judgeship

Pursuant to your request, Leanne Flickinger and I have reviewed the case filings, composition of filings, and judicial travel for Petersburg/Wrangell in comparison with Juneau, Ketchikan, and Sitka and have arrived at the following conclusion:

We can see no immediate need or justification for the creation of a new Superior Court judgeship to serve the Petersburg/Wrangell area.

Our conclusion is based on the following data.

Case Filings - District Courts - Non-Traffic Cases

	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>FY80/81</u>
Juneau	1,698	1,881	2,350	2,880
Ketchikan	1,467	1,374	1,432	1,801
Sitka	1,115	680	783	1,123
Petersburg/Wrangell	516	554	645	757

District Court - Felony Filings & Dispositions FY80/81

	<u>Felony Filings</u>	<u>Dispositions</u>	<u>Held to Answer/ Indicted</u>
Juneau	98	59	33
Ketchikan	106	80	23
Sitka	57	43	0
Petersburg/Wrangell	31	19	5

Ketchikan Superior Court showed a sharp rise (50 cases) in felony filings in FY80/81. Some of these cases could have been indictments of individuals from the Petersburg/Wrangell area. We have no information as to home residence of defendants in these cases. Only 5 cases involved felony preliminary hearings in Petersburg or Wrangell that eventually went on to Ketchikan.

District Court & Superior Court Civil Filings FY80/81

	<u>District Court Civil</u>	<u>Superior Court Civil</u>	<u>Total</u>
Juneau	277	709	986
Ketchikan	64	430	494
Sitka	40	271	311
Petersburg/Wrangell	14	9	23

This data indicates that Petersburg/Wrangell does not generate enough Superior Court level activity to warrant having a full-time Superior Court judge. Felony case processing in Petersburg/Wrangell generated only 5 cases that were held to answer or indicted during processing. An unknown number of indictments could have gone directly to Ketchikan although Ketchikan only pulled one grand jury during 1981, so the number couldn't have been very high. Only 9 Superior Court level civil cases were generated in Petersburg/Wrangell.

Considering that Judge Taylor is also a Superior Court Master for civil matters, it seems unlikely that we would witness a dramatic increase in civil filings in this area if we suddenly had a Superior Court judge to handle civil matters.

We also looked at judicial travel during 1980 and 1981 as it is related to Petersburg/Wrangell. A summary of this data follows.

	<u>1980 Superior Court Judicial Support</u>		
	<u>Travel to Petersburg</u>	<u>to Wrangell</u>	<u>to Petersburg/Wrangell*</u>
January	-	-	-
February	-	Schultz - 8 days	-
March	-	-	Schultz - 1 day
April	-	-	Schultz - 1 day
May	-	-	-
June	-	-	Schultz - 2 days
July	-	-	Schultz - 3 days
August	-	-	Schultz - 1 day
September	Schultz - 3 days	-	-
October	-	-	-
November	-	-	-
December	-	-	-
	<hr/> 3 days	<hr/> 8 days	<hr/> 8 days = 22 days

	<u>1981 Superior Court Judicial Support</u>		
	<u>Travel to Petersburg</u>	<u>to Wrangell</u>	<u>to Petersburg/Wrangell*</u>
January	Stewart - 4 days	Schultz - 1 day	-
February	-	-	Schultz - 2 days
March	Craske - 2 days	-	-
April	-	-	-
May	-	-	Schultz - 2 days
June	Schultz - 1 day	-	-
July	Schultz - 1 day	-	-
August	-	-	-
September	-	-	-
October	-	-	-
November	-	-	-
December	-	-	Schultz - 2 days
	8 days	+ 1 day	+ 6 days = 15 days

The primary Superior Court support for Petersburg/Wrangell has come from Judge Schultz in Ketchikan. A Total of 22 days of judge time was given in 1980 and a total of 15 days (including 4 by Stewart and 2 by Craske) was given in 1981.

Travel by District Court judges was as follows: Judge Williams spent 2 days in Wrangell in 1980. Judge Keene spent 2 days in Wrangell in 1981. Judge Taylor spent 20 days in Petersburg in 1980 and 22 days in Petersburg during 1981.

*Specific site not identified on travel voucher.

All of our data (even if it were off by 50%) supports the conclusion that there is insufficient Superior Court workload generated in Wrangell and/or Petersburg to warrant the creation of a Superior Court judgeship.

If you have any questions regarding this memo or need additional data please call me.

Data Sources: Annual Report statistics.
Judges travel vouchers '80/'81

cc: Leanne Flickinger
Rick Barrier



THE HEART OF THE MATANUSKA VALLEY

CITY OF PALMER

COUNCIL-MANAGER GOVERNMENT
P.O. BOX 1368 • PHONE (907) 745-3271
PALMER, ALASKA 99645

November 27, 1981

The Honorable Jalmar Kerttula
Box Z
Palmer, Alaska 99645

Dear Senator Kerttula,

At the City of Palmer regular City Council meeting held on November 24, 1981, the enclosed resolution was passed unanimously.

We believe it is imperative that a Superior Court be established here in the City of Palmer. The mode of operation that includes going to Anchorage creates a tremendous amount of non-productive man days per year, not only for our police force but the Alaska State Police as well. We must all strive for better efficiency.

I commend you and your fellow legislators for your perception in the growing needs to Alaskans.

Should you have any questions, please feel free to contact me.

Yours truly,

David L. Soulak
City Manager
City of Palmer

DLS/cac

Enclosure

CITY OF PALMER, ALASKA

RESOLUTION NO. 475

A RESOLUTION FOR ESTABLISHMENT OF A SUPERIOR COURT IN PALMER.

WHEREAS, the Palmer District Court, Third Judicial District serves an estimated population of 25,000 people in the Matanuska-Susitna Borough, and

WHEREAS, the Palmer District Court has had over sixty felony filings for Superior Court action in 1981 to date, and

WHEREAS, this court has handled over ninety divorce filings, and

WHEREAS, there has been over ninety other civil Superior Court filings, and

WHEREAS, there has been over twenty Superior Court Children Proceeding filings, and

WHEREAS, normal Superior Court matters are held in Anchorage which places an undue hardship upon police personnel and those involved in the matters before the Court, and

WHEREAS, since September 1, 1981 the Palmer District Court has been designated as a Probate Court and to date there has been eleven filings, and

WHEREAS, there has been over 815 other criminal filings in the Palmer District Court to date, and

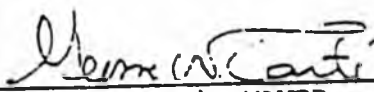
WHEREAS, in addition, there has been over 850 civil filings in district court, and

WHEREAS, the Palmer District Court has handled over 3400 traffic tickets to date,

NOW, THEREFORE, BE IT RESOLVED, the City of Palmer urges the State Legislature during the 1982 session to establish a full-time Superior Court in the Matanuska-Susitna Borough.

BE IT FURTHER RESOLVED, the establishment of a full-time permanent Superior Court in the City of Palmer with support staff will provide a needed service to all Borough residents as well as to many who reside outside of the Borough.

Passed and approved by the City of Palmer, City Council this 24th day of November, 1981.



GEORGE W. CARTER, MAYOR

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. C.S. for Senate Bill No. 289 (Judiciary)
Title "An Act increasing the number of Superior Court Judges."
Requested by Judiciary Committee Date February 2, 1982

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
Program Category Affected Offender Confinement, Reformation & Supervision
BRU, Program, Or Subprogram(s) Affected Probation & Community Programs
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		163.5	175.0	187.2	200.3	214.3
200 TRAVEL		32.9	16.2	17.7	19.3	21.0
300 CONTRACTUAL		44.7	25.0	27.2	29.7	32.3
400 COMMODITIES		3.3	3.6	3.9	4.2	4.6
500 EQUIPMENT		8.9				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	253.3	219.8	236.0	253.5	272.2

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	-0-	253.3	219.8	236.0	253.5	272.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	-0-	4	4	4	4	4
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

A. It has been the experience of the Division of Adult Corrections that whenever a new judgeship and court is created at the Superior Court level in a remote location of the state, a full workload for a district probation office is created. Therefore, creating superior court judgeships in Barrow and Wrangell will result in the requirement for new district offices in these two communities. Each office must be staffed with a Probation Officer III, with the clerical support of a Clerk Typist III. Since a district probation office exists in Palmer, no additional staff will be required for the new Superior Court judgeship in the Third Judicial District.

B. First year costs include \$21,800 for the purchase of two vehicles for the Department of Transportation/Public Facilities Highway Working Capital Fund, \$8,900 for office equipment for the four

IV. DATE February 16, 1982 PREPARED BY Roger C. Lange
AGENCY Division of Adult Corrections

Original: Legislative Finance PHONE 465-3376

cc: Budget and Management
Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

JOC

Bill No. C.S. for Senate Bill 289 (Judiciary) Continuation

positions and \$18,000 for moving promoted employees to Barrow and Wrangell. These one time costs were not carried forward into FY 1984 and subsequent years.

C. Inflation was assumed to be 9% from year to year for all expenditure object groups, with the exception of Personal Services where 7% was used.

D. Personal Services Costs:

Probation Officer III - Barrow

Annual Salary	at \$3917/mo.	\$47,004
Variable Benefits	at 16.63%	7,817
Supplemental Benefits	at 6.13%	2,881
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$59,898</u>

Probation Officer III - Wrangell

Annual Salary	at \$2998/mo.	\$35,076
Variable Benefits	at 16.63%	5,983
Supplemental Benefits	at 6.13%	2,205
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$46,360</u>

Clerk-Typist III - Barrow

Annual Salary	at \$2010/mo.	\$24,120
Variable Benefits	at 16.63%	4,011
Supplemental Benefits	at 6.13%	1,479
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$31,806</u>

Clerk-Typist III - Wrangell

Annual Salary	at \$1570/mo.	\$18,936
Variable Benefits	at 16.63%	3,149
Supplemental Benefits	at 6.13%	1,161
Health Insurance	at \$ 183/mo.	2,196
	TOTAL	<u>\$25,442</u>

TOTAL SALARIES \$163,506

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS Senate Bill No. 289

Title "An Act increasing the number of superior court judges."

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services

Program Category Affected Administration of Justice & Social Services

BRU, Program, Or Subprogram(s) Affected Youth Svcs., 2nd & 4th Dist., Soc. Svcs.

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.) So. Reg.

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		44.7	48.7	53.1	57.9	63.1
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES		.4	.4	.5	.5	.6
500 EQUIPMENT		14.9				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		60.0	49.1	53.6	58.4	63.7

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		60.0	49.1	53.6	58.4	63.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		2.0	2.0	2.0	2.0	2.0
PART TIME		(1.0)				
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Youth Services, 2nd and 4th Districts of Family and Youth Services, Barrow:

In Barrow the Divisions staff consists of a social work supervisor, two social workers, and one probation officer (new in FY 82). The office handles one of the highest caseloads in the State. In March, 1981 the Division began serving delinquents through the local office rather than on an itinerant basis. Within two months the office had a full caseload of delinquent youth. The addition of a superior court judge would further increase the office workload. The Department feels this increase in workload, along with the already high caseload, necessitates the addition of a Clerk Typist III, as well as a vehicle for the Barrow office.

CONTINUED ON PAGE 2

IV. DATE February 18, 1982

PREPARED BY *John R. Pugh* John R. Pugh, Director

AGENCY Division of Family & Youth Services

Original: Legislative Finance

PHONE 468-3170

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Fiscal Year 83 costs are as follows (future years estimates include a 9% inflation factor):

Personal Services

Clerk Typist III, Barrow 8B	\$2,010/mo. x 12 =	\$24,120
	Benefits .1663	4,011
	SBP .0613	1,479
	HI 183 x 12	2,196
		<u>\$31,806</u>

Commodities

General Office Supplies	\$	400
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Equipment

DOT Vehicle Purchase	\$14,000
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Desk	\$580	
Chair	270	
	<u>\$850</u>	
Freight 5%	43	
	<u>\$893</u>	
		893
		<u>\$14,893</u>

TOTAL COSTS: \$47,099

Social Services, Southern Region, Wrangell:

The addition of a superior court judge in Wrangell would increase the number of legal documents required to be submitted by the Wrangell office of the Division of Family and Youth Services. To meet the increased workload, the existing Clerk Typist III position must be upgraded from part-time to full-time.

Salary	\$1,502/mo. x 6 mos. =	\$ 9,012
Benefits	at .1655 =	1,491
Supp. Benefits	at .0613 =	552
Health Ins.	at \$150/mo. =	1,800
		<u>\$12,885</u>

1	POSITION TITLE Clerk Typist III				RANGE/STEP 8B	BARG. UNIT. GGU	LOCATION Barrow	GOV	APPROV	DISAP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY		FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position will provide the sole clerical support for the Barrow office of the Division of Family and Youth Services, which is presently comprised of four professional staff.				
	1	2	3							
4	PERSONAL SERVICES:									
	SALARY		24,120							
5	BENEFITS		4,011							
6	FICA		1,479							
7	HEALTH INS		2,196							
8	TOTAL PERSONAL SERVICES		31,806							
9	TRAVEL									
10	CONTRACTUAL									
11	COMMODITIES		400							
12	EQUIPMENT		14,893							
13	OTHER									
14	TOTAL COS:		47,099							
	CODE	FUNDING SOURCE								
15		FED RCPTS.								
16		GF MATCH.								
17		GEN. FUND		47,099						
18		I-A RCPTS.								
19		PGM RCPTS								
20		OTHER								
21	CONTINUATION									
22	ADDITION			FOR B&M USE ONLY						
4A	KEY NUMBER			COLUMN NO.						

AGENCY Department of Health and Social Services PROGRAM Administration of Justice

BRU Youth Services

COMPONENT Second and Fourth Districts

13 REQUEST FOR NEW POSITION.

Page 1 of 2

REVISED DATE _____

FY 82

1	POSITION TITLE Clerk Typist III			RANGE/STEP 8B	BARG. UNIT. GGU	LOCATION Wrangell	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 6	RP No.	PCN No. 3399	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY		9,012						
5	BENEFITS		1,491						
6	SBS		552						
7	FIXED BENEFITS		1,800						
8	TOTAL PERSONAL SERVICES		01	12,885					
9	TRAVEL		02						
10	CONTRACTUAL		03						
11	COMMODITIES		04						
12	EQUIPMENT		05						
13	OTHER								
14	TOTAL COST			12,885					
JUSTIFICATION:									
The increase of this position from part-time to full-time will be required to provide all clerical support functions for the Family Services office in Wrangell. The increased caseload will result in an additional workload in case record transcription, documents for court hearings, filing, recordkeeping and other related functions.									
	RECEIPT CODE	FUNDING SOURCE							
15		FED RCPTS. 1002							
16		GF MATCH. 1003							
17		GEN. FUND 1004			12,885				
18		I-A RCPTS. 1005							
19		PGM RCPTS 1028							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER _____ COLUMN NO. _____									

AGENCY Department of Health and Social Services PROGRAM Social & Econ. Asst. for the Gen. Pop.

BRU Social Services

COMPONENT Southern Region

13 REQUEST FOR NEW POSITION.

Page 2 of 2 REVISED DATE _____

FY 83

Corrections
FYS
Joint P+FC

Original Sponsors: Ferguson and Kerttula

Offered: *2/27/82*
Referred: *Finance*

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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CS FOR SENATE BILL NO. 289 (Judiciary)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act increasing the number of superior court judges."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 22.10.120 is amended to read:

Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists of 26 [23] judges, five [FOUR] of whom shall be judges in the first judicial district, three [TWO] of whom shall be judges in the second judicial district, 13 [12] of whom shall be judges in the third judicial district, and five of whom shall be judges in the fourth judicial district. At the time of submitting the names of nominees to the governor to fill a vacancy on the superior court bench, the judicial council shall also designate the district in which the appointee is to reside and serve.

FRANK Smyg

264-0574

Stanley S. COURT
D. COURT

MILWAUKEE -

ADDITIONAL PERSONNEL

ASSISTANCE Supreme COURT LAW CLERK	}	Borrow - more work coming in
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~~270,000~~

270,000

18% A YEAR

PRIMER JUDGE LAW CLERK CLERICAL	}	225,000 + 18% A YEAR
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1ST DISTRICT

Monday - 1:30

SB 289

DA - Stream reports that Bill will
have a fiscal impact

PD - have contacted Bob Stokes, ~~the~~
will w/up figures with site demands