

COMMITTEE REPORT  
HOUSE

(11)

FURTHER:

3/30/84

Date: 4-27-84

The Committee on FINANCE has had HB 571

"An Act relating to the number of superior and district court judges; and providing for an effective date."

under consideration and recommends:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 571 (Fin)  same title  
 new title
- and recommends 3/25/84
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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Chairman

CHAIRMAN

Original sponsors: Abood and Bussell

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 571 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to venue of actions in superior  
7 court and the number of superior and district court  
8 judges; and providing for an effective date."

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

10 \* Section 1. AS 22.10.030 is amended by adding a new subsection to  
11 read:

12 (g) The chief justice of the supreme court may make exceptions  
13 to the requirements of this section if, consistent with the state and  
14 federal constitutions, the chief justice determines that transporta-  
15 tion facilities reasonably require venue in an urban center in an  
16 adjoining judicial or senate district.

17 \* Sec. 2. AS 22.10.120 is amended to read:

18 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists  
19 of 29 [27] judges, five of whom shall be judges in the first judicial  
20 district, three of whom shall be judges in the second judicial dis-  
21 trict, 16 [14] of whom shall be judges in the third judicial district,  
22 and five of whom shall be judges in the fourth judicial district. At  
23 the time of submitting the names of nominees to the governor to fill a  
24 vacancy on the superior court bench, the judicial council shall also  
25 designate the district in which the appointee is to reside and serve.

26 \* Sec. 3. AS 22.15.020(a) is amended to read:

27 (a) Except as hereinafter provided, each district court of the  
28 State of Alaska shall have the number of district judges set out below  
29 opposite the name of the judicial district over which the court has

1 jurisdiction:

2 First Judicial District ..... 2 [3]

3 Second Judicial District ..... 0 [1]

4 Third Judicial District ..... 12 [4]

5 Fourth Judicial District ..... 4 [2]

6 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.-  
7 10.070(c).  
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STATE OF ALASKA 1984-LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST Page 1 of 3

Bill/Resolution No.: CSHB 571(710)

Title: Number of Superior and District Court Judges

Sponsor: \_\_\_\_\_

Requestor: \_\_\_\_\_

Date of Request: \_\_\_\_\_

FISCAL DETAIL

Agency Affected: Alaska Court System

Program Category Affected: Administration of Justice

BRU, Program or Subprogram(s) Affected: Trial Courts

Trial Courts

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		1,033.4	1,446.7	1,519.0	1,595.0	1,674.8
200 TRAVEL						
300 CONTRACTUAL		308.8	432.4	454.0	476.7	500.5
400 SUPPLIES		4.4	4.6	4.8	5.0	5.3
500 EQUIPMENT		59.7				
600 LAND & STRUCTURES		200.0				
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>1,606.3</b>	<b>1,883.7</b>	<b>1,977.8</b>	<b>2,076.7</b>	<b>2,180.6</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		1,606.3	1,883.7	1,977.8	2,076.7	2,180.6
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>1,606.3</b>	<b>1,883.7</b>	<b>1,977.8</b>	<b>2,076.7</b>	<b>2,180.6</b>

POSITIONS:

FULL-TIME		22	22	22	22	22
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: \_\_\_\_\_ Phone: \_\_\_\_\_  
Division: Alaska Court System Date: 3/28/84

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: Alaska Court System 3/28/84

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

(Committee Substitute for House Bill 571, establishing 2 new superior court and 4 new district court positions in Anchorage).

## FISCAL NOTE ANALYSIS

FISCAL IMPACT:

## Personnel

<u>Position</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total Cost</u>
2 Superior Court Judges	\$147,240	\$174,948	\$ 322,188
2 Law Clerks (Range 13A)	50,664	16,696	67,360
2 Secretaries (Range 12B)	49,032	16,328	65,360
2 In-Court Clerks (Range 12B)	49,032	16,328	65,360
4 District Court Judges	254,544	305,256	559,800
4 In-Court Clerks (Range 12B)	98,064	32,656	130,720
1 Secretary (Range 8B)	24,516	8,164	32,680
4 File Clerks (Range 8B)	77,136	27,932	105,068
1 Criminal Clerk (Range 10B)	21,744	7,538	<u>29,282</u>
			\$1,377,818
Adjustment for First Year Hiring Period Vacancy - 3 month vacancy			( <u>344,454</u> )
Total First Year Personnel Costs			1,033,364
Contractual			
Word Processing Equipment		6,750	
Office Space (15,000 sf at \$2.25/foot/month)		<u>405,000</u>	
		411,750	
Adjustment for First Year Hiring Period Vacancy - 3 month vacancy		( <u>102,939</u> )	
Total First Year Contractual Costs			308,811
Commodities			4,400
Equipment (one-time item)			59,704
Leasehold Improvements - remodeling (one-time item)			<u>\$ 200,000</u>
TOTAL FY 85 COST			<u>\$1,606,279</u>

FISCAL NOTE ANALYSIS (Cont'd)

In his State of the Judiciary message, Chief Justice Burke pointed out a need for an additional two district court and two superior court judges. In the original version of HB 571, the Court System had asked for only one superior court judge and two district court judges, with the assumption that an additional superior court judge could be requested next year or at least in the near future. Since the State of the Judiciary message, the caseloads of the Anchorage Court System have continued to grow and this growth strongly supports the need for two district court and two superior court judges. If two district court and two superior court judges were authorized, the cost in fiscal year '85 would be approximately \$890,000.

The Court System takes no position regarding the Committee Substitute which increases the district court level by four additional judges.

Redd 5/23/84

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CSHB 571 (EIN)  
Title: Increasing the number of  
Superior and District Court Judges  
Sponsor: Representative Abood  
Requestor: SEN. FINANCE  
Date of Request: 5-23-84

FISCAL DETAIL

Agency Affected: Public Safety  
Program Category Affected: \_\_\_\_\_  
Administration of Justice  
BRU, Program or Subprogram(s) Affected: \_\_\_\_\_  
Alaska State Troopers/Support & Service  
(Judicial Services Component)

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		75.7	158.3	167.8	177.9	188.6
200 TRAVEL		2.0	4.2	4.5	4.8	5.1
300 CONTRACTUAL		14.5	30.6	32.4	34.3	36.4
400 SUPPLIES		4.2	8.6	9.1	9.6	10.2
500 EQUIPMENT		39.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		135.5	201.7	213.8	226.6	240.3
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		135.5	201.7	213.8	226.6	240.3
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		135.5	201.7	213.8	226.6	240.3

POSITIONS:

FULL-TIME		3	3	3	3	3
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan Phone: 269-5691  
Division: Alaska State Troopers Date: 04/23/84

Approved by Commissioner: Robert J. Sundberg Date: 5/23/84  
Agency: Public Safety

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CSHB 571 (FIN)

Fiscal Note Analysis

The increase of three judges around the state during 1983 resulted in a manpower and cost drain to the Judicial Services Section that was neither anticipated nor funded.

The addition of four more judges, both civil and criminal, proposed in this legislation will cause a need to increase the number of Judicial Services personnel. The current ratio of officers available for servicing the courts in the Anchorage area is approximately one officer per judge. The added prisoner transportation and service of civil process and other court-required business would further reduce this ratio. Two commissioned State Troopers will be needed to transport prisoners and serve civil process papers necessary for the court to function. Additionally, the required legal paperwork flow involved in processing subpoenas, warrants and other administrative requirements result in a need for a Clerk-Typist III. Currently, Judicial Services is understaffed in clerical support which is impeding the unit's operation. No additional workload can be absorbed.

Without the additional positions requested in this fiscal note, passage of this bill would result in unacceptable delays in both Court services and prisoner movement.

The cost for the Troopers is based upon their entering the January, 1985 Academy. Costs after FY85 are estimated with a 6% inflation and with no equipment costs.

1.	POSITION TITLE <b>State Trooper</b>			RANGE/STEP <b>76/A</b>	BARG UNIT <b>PSEA</b>	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>13.8</b>	RP NUMBER	PCN NUMBER	BRU PRIORITY <b>1 of 3</b>	LOCATION <b>Anchorage</b>	ELECTION DISTRICT <b>7-15</b>	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The State Trooper will be needed to transport prisoners and serve civil process as required by the four new judges. With an increase in the number of judges in the Anchorage Court proposed by this legislation, the Judicial Services unit will be unable to meet its statutory obligations. This position will practically alleviate this situation.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	22,140							
6.	Benefits	5,608							
7.	Supplemental Benefits	1,701							
8.	Fixed Benefits	1,306							
9.	TOTAL PERSONAL SERVICES	01	30.8						
10.	Travel	02	1.0						
11.	Contractual	03	7.0						
12.	Commodities	04	1.7						
13.	Equipment	05	18.5						
14.	Other								
15.	TOTAL COST		59.0						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		59.0					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

Page 1 of 3  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE State Trooper			RANGE/STEP 76/A	BARG UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 2 of 3	LOCATION Anchorage	ELECTION DISTRICT 7-13	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The State Trooper will be needed to transport prisoners and serve civil process as required by the four new judges. With an increase in the number of judges in the Anchorage Court proposed by this legislation, the Judicial Services unit will be unable to meet its statutory obligations. This position will practically alleviate this situation.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	22,140							
6.	Benefits	5,608							
7.	Supplemental Benefits	1,701							
8.	Fixed Benefits	1,306							
9.	TOTAL PERSONAL SERVICES	01	30.8						
10.	Travel	02	1.0						
11.	Contractual	03	7.0						
12.	Commodities	04	1.7						
13.	Equipment	05	18.5						
14.	Other								
15.	TOTAL COST		59.0						
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		59.0					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

Page 2 of 3  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE <b>Clerk Typist III</b>				RANGE/STEP <b>8/A</b>	BARG. UNIT <b>GGU</b>	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.		
2.	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>13.8</b>	RP NUMBER	PCN NUMBER	BRU PRIORITY <b>3 of 3</b>	LOCATION <b>Anchorage</b>	ELECTION DISTRICT <b>7-19</b>	LEG.				
3.	CONTINUATION LEVEL				JUSTIFICATION							
4.	TYPE OF EXPENDITURE				<p>The Clerk Typist III will be needed to provide clerical support in preparing and processing the various forms and paper work in civil process generated by the judges. This need is based upon the current lack of clerical staff to support any increased staff. Lack of clerical support in the past has forced the use of commissioned positions to perform clerical tasks which is inefficient and uneconomical. The Judicial Services unit is 30 days behind in assigning executions as of 4/15/84. This is entirely due to <u>current clerical shortages</u>.</p>							
	1		2								3	
	PERSONAL SERVICES											
5.	Salary	10,179										
6.	Benefits	1,825										
7.	Supplemental Benefits	736										
8.	Fixed Benefits	1,365		14.1								
9.	TOTAL PERSONAL SERVICES	01										
10.	Travel	02										
11.	Contractual	03		.5								
12.	Commodities	04		.8								
13.	Equipment	05		2.1								
14.	Other											
15.	TOTAL COST			17.5								
	RECEIPT CODE	FUNDING SOURCE										
16.		Federal Receipts 1002										
17.		G.F. Match 1003										
18.		General Funds 1004		17.5								
19.		I-A Receipts 1005										
20.		Program Receipts 1028										
21.		Other										
FOR B&M USE ONLY												
4A KEY NUMBER												

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

Page 3 of 3  
Revised Date \_\_\_\_\_

**FY 85**

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

I. REQUEST

Bill/Resolution No.: HB 571  
 Title: "number of superior and  
district court judges."  
 Sponsor: Rep. Russell  
 Requestor: Rep. Russell  
 Date of Request: 5/22/84

II. FISCAL DETAIL

Agency Affected: Administration  
 Program Category Affected: Due Process  
 BRU, Program of Subprogram(s) Affected:  
Public Defender Agency

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		117.4	124.4	131.9	139.9	148.3
200 TRAVEL						
300 CONTRACTUAL		5.2				
400 COMMODITIES						
500 EQUIPMENT		4.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
<b>TOTAL OPERATING</b>	-0-	127.1	124.4	131.9	139.9	148.3
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	127.1	124.4	131.9	139.9	148.3
FEDERAL FUNDS						
OTHER (Specify Source)						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME	-0-	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						
<b>TOTAL</b>	-0-	3.0	3.0	3.0	3.0	3.0

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Dana Fabe, Public Defender *[Signature]* Phone: 279-7541  
 Division: Public Defender Agency Date: 5/22/84

Approved by Commissioner: Lisa Rudd, Commissioner *[Signature]* Date: 5/23/84  
 Department: Administration

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

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FISCAL NOTE ANALYSIS

HB571  
Public Defender Agency  
May 22, 1984

Page 2 of 6

This bill would add new judges for Anchorage. According to the Alaska Court System, one superior court judge and two district court judges would be assigned to handle criminal matters. The reason for the additional judges is to process more criminal cases through the system in a more expeditious manner.

In order for the criminal justice system to get full use out of additional criminal judges, there must be additional prosecutors and public defenders available to be present and ready for trial in the courtrooms of those judges. If we do not have enough assistant public defenders to appear before these new judges, they will not be fully utilized and the cases will not be moved through the court system in a speedy manner. The Public Defender Agency is thus requesting an Attorney IV to appear in Superior Court in felony cases and an Attorney III to appear before the new District Court judges in misdemeanor cases, as well as a legal secretary I to provide clerical back-up for these positions. All of these positions would be funded for only nine months for FY 85, since there will be a commensurate delay for recruitment and selection of these new judges.

EXPENDITURE ANALYSIS  
(9 months costs)

	<u>Atty IV</u>	<u>Atty III</u>	<u>Leg. Sec. I</u>	<u>Total</u>
Personal Services (for 9 mos)	50.9	45.0	21.5	117.4
Contractual Space (9 mos for FY 85 only)	2.6	2.6		5.2
Equipment--one time (statutes, rules, dicta- phones, etc.)	1.5	1.5	1.5	<u>4.5</u>
			TOTAL	127.1

1.	POSITION TITLE <b>Attorney IV</b>				RANGE/STEP <b>24A</b>	BARG. UNIT <b>PX</b>	FORM 12 PAGE/LINE	COV.	APPROV.	DISAPP
2.	TYPE OF POSITION <b>PET</b>	STAFF MONTHS <b>9.0</b>	RP HOUR	PCN NUMBER	BRU PRIORITY	LOCATION <b>Anchorage</b>	ELECTION DISTRICT <b>8</b>	LEC.		

3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary <b>AA6A/mo for 9 mos</b>	<b>40,176</b>	
6.	Benefits for 9 mos	<b>6,873</b>	
7.	Supplemental Benefits	<b>7,912</b>	
8.	Fixed Benefits	<b>1,972</b>	
9.	TOTAL PERSONAL SERVICES	<b>01</b>	<b>50,933</b>
10.	Travel	<b>02</b>	
11.	Contractual	<b>03</b>	<b>2,625</b>
12.	Commodities	<b>04</b>	
13.	Equipment	<b>05</b>	<b>1,500</b>
14.	Other		
15.	TOTAL COST		<b>55,058</b>

**JUSTIFICATION**

A new superior court judge assigned to criminal cases in the Third Judicial District requires a full level Attorney IV for the Public Defender Agency. Space leasing for 9 months and equipment such as statutes, rules and dictaphones are included.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal receipts 1032	
17.		G.F. Patch 1003	
18.		General Funds 1004	<b>55,058</b>
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&H USE ONLY  
4A KEY NUMBER \_\_\_\_\_

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**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Administration  
 PROGRAM Due Process  
 BRU Public Defender Agency  
 COMPLEMENT Third Judicial District

Page 3 of 6

**FY 85**

1.	POSITION TITLE <b>Attorney III</b>				RANGE/STEP <b>22A</b>	BARG. UNIT <b>PX</b>	FORM 12 PAGE/LINE	CON.	APPROV.	DISAPP.		
2.	TYPE OF POSITION <b>PPT</b>	STAFF MONTHS <b>9.0</b>	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION <b>Anchorage</b>	ELECTION DISTRICT <b>8</b>	LEG.				
3.	CONTINUATION LEVEL				JUSTIFICATION							
4.	TYPE OF EXPENDITURE				<p>Two new district court judges in the Third Judicial District require an Attorney III for the Public Defender Agency. Space leasing and equipment such as rules, statutes, and dictaphone is included.</p>							
	1		2								3	
	PERSONAL SERVICES											
5.	Salary 3900/mo for 9 mos		35,100									
6.	Benefits for 9 mos		6,006									
7.	Supplemental Benefits		1,912									
8.	Fixed Benefits		1,972									
9.	TOTAL PERSONAL SERVICES		01								44,990	
10.	Travel		02									
11.	Contractual		03								2,625	
12.	Commodities		04									
13.	Equipment		05								1,500	
14.	Other											
15.	TOTAL COST										49,115	
	RECEIPT CODE	FUNDING SOURCE										
16.		Federal Receipts 1002										
17.		G.F. Match 1003										
18.		General Funds 1004		49,115								
19.		I-A Receipts 1005										
20.		Program Receipts 1028										
21.		Other										
FOR B&H USE ONLY												
4A KEY NUMBER _____												

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**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Administration  
PROGRAM Due Process  
BRU Public Defender Agency

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**FY 85**

COMPONENT Third Judicial District

1.	POSITION TITLE <b>Legal Secretary I</b>				RANGE/STEP <b>10A</b>	BARC. UNIT <b>GG</b>	FORM 12 PAGE/LINE	CDV	APPROV.	DISAPP.
2.	TYPE OF POSITION <b>PFT</b>	STAFF MONTHS <b>9.0</b>	HP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION <b>Anchorage</b>	ELECTION DISTRICT <b>8</b>	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary 1748/mo for 9 mos		15,732							
6.	Benefits for 9 mos		2,691							
7.	Supplemental Benefits		964							
8.	Fixed Benefits		2,046							
9.	TOTAL PERSONAL SERVICES		01		21,433					
10.	Travel		02							
11.	Contractual		03							
12.	Commodities		04							
13.	Equipment		05		1,500					
14.	Other									
15.	TOTAL COST				22,933					
RECEIPT CODE      FUNDING SOURCE										
16.			Federal Receipts 1002							
17.			G.F. Match 1003							
18.			General Funds 1004		22,933					
19.			I-A Receipts 1005							
20.			Program Receipts 1028							
21.			Other							
FOR B&M USE ONLY										
QA KEY NUMBER _____										

21 for 6

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Administration  
 PROGRAM Due Process  
 BRU Public Defender Agency  
 COMPONENT Third Judicial District

Page 5 of 6

**FY 85**

Introduced: 2/2/84  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY ABOOD

2

HOUSE BILL NO. 571

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the number of superior and  
7 district court judges; and providing for an effective  
8 date."

9

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

10

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

11

Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists  
12 of 25 [27] judges, five of whom shall be judges in the first judicial  
13 district, three of whom shall be judges in the second judicial  
14 district, 15 [14] of whom shall be judges in the third judicial  
15 district, and five of whom shall be judges in the fourth judicial  
16 district. At the time of submitting the names of nominees to the  
17 governor to fill a vacancy on the superior court bench, the judicial  
18 council shall also designate the district in which the appointee is to  
19 reside and serve.

20

\* Sec. 2. AS 22.15.020(a) is amended to read:

21

(a) Except as hereinafter provided, each district court of the  
22 State of Alaska shall have the number of district judges set out below  
23 opposite the name of the judicial district over which the court has  
24 jurisdiction:

25

First Judicial District ..... 3 [3]

26

Second Judicial District ..... 0 [1]

27

Third Judicial District ..... 11 [4]

28

Fourth Judicial District ..... 6 [2]

29

\* Sec. 3. This Act takes effect immediately in accordance with

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: May 11, 1984

REQUEST:

Bill/Resolution No.: CSHB 571 (Fin)  
Title: "An Act relating to the number of superior and district court judges..."  
Sponsor: House Finance Committee  
Requestor: Senate Judiciary Committee  
Date of Request: May 11, 1984

FISCAL DETAIL:

Agency Affected: DEPARTMENT OF CORRECTIONS  
Program Category Affected: Administration of Justice  
BRU, Program or Subprogram(s) Affected: Southcentral and Northern Regional Corrections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		190.5	202.0	214.1	226.9	240.5
200 TRAVEL		3.6	3.8	4.0	4.3	4.5
300 CONTRACTUAL		23.6	25.0	26.5	28.1	29.8
400 COMMODITIES		3.0	3.2	3.4	3.6	3.8
500 EQUIPMENT		9.0	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	229.7	234.0	248.0	262.9	278.6

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	229.7	234.0	248.0	262.9	278.6
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	-0-	229.7	234.0	248.0	262.9	278.6

POSITIONS:

FULL-TIME	-0-	5	5	5	5	5
PART-TIME						
TEMPORARY						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Funds to offset the fiscal impact of this bill have not been identified by the bill sponsor.

ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Roger C. Lange *Roger C. Lange*  
Division: Administrative Services

Phone: 465-3376  
Date: May 11, 1984

Approved by Commissioner: *[Signature]*  
Department: DEPARTMENT OF CORRECTIONS

Date: *May 14, 1984*

Distribution:

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency (ies)

*Rec'd  
5-14-84*

ANALYSIS

A. Assumptions:

The addition of two superior court judges will not affect input but will increase the number of pre-investigation reports in a given time period. We can expect approximately a 15% increase in the number of presentence investigation requests and persons sentenced. It is also recognized that additional judges are needed because of the increasing number of persons arrested for felony offenses. Approximately 600 presentence investigations are currently completed each year in Southcentral Alaska. Therefore, it is estimated that 90 additional presentence investigations will be necessary. A full time presentence investigator/report writer (P.O. II) will publish 96 reports per year (8 per month). A full time caseload supervisor can successfully supervise 60 to 70 clients. Therefore, an additional Probation Officer II will be needed for this function. One additional Probation Officer II is needed to handle the presentence reports/case work for the additional offenders. The addition of seven (7) district court judges is expected to create, at a minimum, one full time case load for a Probation Officer II supervising misdemeanor offenders on probation. One clerical position is necessary to provide support for the four (4) probation officers.

A 6% inflation rate is assumed for all fiscal years subsequent to 1985.

B. Program Summary:

Positions

1. Four Probation Officers II	<u>(Each)</u>	<u>Four</u>
Personal Services	\$41,007	164,023
Travel	900	3,600
Contractual (rent, telephone, etc.)	5,000	20,000
Commodities (office supplies)	600	2,400
Equipment (desk, chair, etc.)	<u>1,500</u>	<u>6,000</u>
Total	\$49,007	\$196,028
2. Clerk-Typist III (clerical support)		
Personal Services	\$26,502	
Contractual (rent, copy supplies)	3,600	
Commodities (office supplies)	600	
Equipment (typewriter, desk, etc.)	<u>3,000</u>	
Total	\$33,702	

C. Economic Impact:

It is anticipated that there will be no impact on the State's economy if this proposed legislation is enacted.

D. Impact on Local Governments:

It is anticipated that there will be no fiscal impact on any local governmental unit if this proposed legislation is enacted.

DEPARTMENT OF CORRECTIONS

Pouch T  
Juneau, Alaska 99811

POSITION PAPER  
CS for House Bill No. 571 (Finance)

Committee Substitute for House Bill No. 571 (Finance) would create two additional superior court judgeships and eight additional district court judgeships. The two superior court judges would be assigned to the third judicial district. The district court judgeships would be numerically realigned as well as adding eight new judges. The third judicial district would gain eight district court judges; the fourth district would gain two district court judges; and the first and second judicial districts would each lose one district court judge.

Overcrowding in the correctional system exists statewide, but is particularly severe at the Cook Inlet Pretrial Facility. Convicted felons spend an average of 118 days in that facility from date of arrest for the crime to date of sentencing after their trial. It is our considered opinion that the length of time from arrest to sentencing can be reduced with the addition of judges. While it will not reduce the total inmate population, it will permit the transfer of sentenced offenders to other facilities, as considered appropriate through the classification process. This enhancement of moving inmates out of the Cook Inlet Pretrial Facility will take some of the pressure off that facility.

The Department of Corrections supports the concept of this bill.

Prepared by: Roger C. Lange  
Roger C. Lange  
Internal Management Administrator

Date: May 14, 1984

Approved by: Roger V. Endell  
Roger V. Endell  
Commissioner  
Department of Corrections

Date: May 14, 1984

1.	POSITION TITLE Probation Officer II			RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The position request is to provide a staff person to write presentence reports for the court. It is estimated that the addition of a superior court judgeship will result in an additional 90 presentence investigations and reports annually. A journeyman Probation Officer conducts approximately 96 investigations with reports per year.</p> <p>This additional workload cannot be absorbed by the currently authorized staff.</p>				
	1	2	3						
PERSONAL SERVICES									
5.	Salary	\$2,573/mo.	30,876						
6.	Benefits		5,510						
7.	Supplemental Benefits		1,893						
8.	Fixed Benefits		2,728						
9.	TOTAL PERSONAL SERVICES		01	41,007					
10.	Travel		02	2,000					
11.	Contractual		03	5,000					
12.	Commodities		04	600					
13.	Equipment		05	1,500					
14.	Other								
15.	TOTAL COST			50,107					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		50,107					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation  
and Supervision  
BRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 1 of 5  
Revised Date

1.	POSITION TITLE Probation Officer II				RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
PERSONAL SERVICES										
5.	Salary	\$2,573/mo.	30,876							
6.	Benefits		5,510							
7.	Supplemental Benefits		1,893							
8.	Fixed Benefits		2,728							
9.	TOTAL PERSONAL SERVICES		01	41,007						
10.	Travel		02	1,000						
11.	Contractual		03	5,000						
12.	Commodities		04	600						
13.	Equipment		05	1,500						
14.	Other									
15.	TOTAL COST			49,107						
RECEIPT CODE                      FUNDING SOURCE										
16.			Federal Receipts 1002							
17.			G.F. Match 1003							
18.			General Funds 1004		49,107					
19.			I-A Receipts 1005							
20.			Program Receipts 1028							
21.			Other							
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position request is to provide a case supervisor level Probation Officer. It has been the experience of this agency that within a year from the creation of a superior court judgeship, a full caseload of persons requiring supervision on probation/parole exists.

The incumbent will provide the entire gamut of probation services/supervision to persons legally requiring the same.

This additional workload cannot be absorbed by the currently authorized staff.

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation and Supervision  
BRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 2 of 5  
Revised Date

1.	POSITION TITLE Probation Officer II			RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	
4.	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	\$2,573/mo.	30,876
6.	Benefits		5,510
7.	Supplemental Benefits		1,893
8.	Fixed Benefits		2,728
9.	TOTAL PERSONAL SERVICES	01	41,007
10.	Travel	02	500
11.	Contractual	03	5,000
12.	Commodities	04	600
13.	Equipment	05	1,500
14.	Other		
15.	TOTAL COST		48,607

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	48,607
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

JUSTIFICATION

The addition of seven (7) district court judges in the Third Judicial District will create, at an estimated minimum, one full-time misdemeanor probation caseload. The incumbent will provide street supervision of the probationers, establish collateral contacts, make progress reports, etc.

The additional workload cannot be absorbed by the current authorized staff.

FOR B&M USE ONLY  
4A KEY NUMBER \_\_\_\_\_

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation and Supervision  
BRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 3 of 5  
Revised Date

1.	POSITION TITLE Probation Officer II				RANGE/STEP 16A	DARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEC.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary	\$2,573/mo.	30.876							
6.	Benefits		5,510							
7.	Supplemental Benefits		1,893							
8.	Fixed Benefits		2,728							
9.	TOTAL PERSONAL SERVICES		01		41,007					
10.	Travel		02		100					
11.	Contractual		03		5,000					
12.	Commodities		04		600					
13.	Equipment		05		1,500					
14.	Other									
15.	TOTAL COST				48,207					
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		48,20						
19.		I-A Receipts 1005								
20.		Program Receipts 1020								
21.		Other								
FOR D&M USE ONLY										
4A KEY NUMBER _____										

The position request is to provide a staff person to write presentence reports for the court and provide supervision to offenders.

This additional workload cannot be absorbed by the currently authorized staff.

**13** REQUEST FOR  
NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation and Supervisoin  
DRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

Page 4 of 5  
Revised Date

**FY 85**

1.	POSITION TITLE Clerk-Typist III				RANGE/STEP 8B	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	\$1,598/mo.	19,176							
6.	Benefits		3,423							
7.	Supplemental Benefits		1,175							
8.	Fixed Benefits		2,728							
9.	TOTAL PERSONAL SERVICES		01	26,502						
10.	Travel		02							
11.	Contractual		03	3,600						
12.	Commodities		04	600						
13.	Equipment		05	3,000						
14.	Other									
15.	TOTAL COST			33,702						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		33,702						
19.		I-A Receipts 1005								
20.		Program Receipts 1020								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

This position will support three (3) Probation Officer II positions. This incumbent will have a significant amount of typing with lengthy pre-sentence reports and casefile entries for an estimated 50 to 70 probationer/parolees. In addition to the typing, there will be receptionist responsibilities, filing, photo copying, periodically making travel arrangements for professional staff, etc.

The workload created by the addition of three probation officers could not be absorbed by the currently authorized staff.

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation and Supervision  
DRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 5 of 5  
Revised Date

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: May 15, 1984

REQUEST:

Bill/Resolution No.: CSHB 571 (Fin)  
Title: "An Act relating to the number of superior and district court judges..."  
Sponsor: House Finance Committee  
Requestor: Senate Judiciary Committee  
Date of Request:

FISCAL DETAIL:

Agency Affected: DEPARTMENT OF CORRECTIONS  
Program Category Affected: Administration of Justice  
BRU, Program or Subprogram(s) Affected: Southcentral and Northern Regional Corrections

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		149.5	158.5	168.0	178.1	188.7
200 TRAVEL		2.7	2.9	3.0	3.2	3.4
300 CONTRACTUAL		18.6	19.7	20.9	22.2	23.5
400 COMMODITIES		2.4	2.5	2.7	2.9	3.0
500 EQUIPMENT		7.5	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	180.7	183.6	194.6	206.4	218.6

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	180.7	183.6	194.6	206.4	218.6
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL	-0-	180.7	183.6	194.6	206.4	218.6

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Funds to offset the fiscal impact of this bill have not been identified by the bill sponsor.

ANALYSIS: Attach a separate page for any Analysis.

Prepared By: Roger C. Lange  
Division: Administrative Services

Phone: 465-3376  
Date: May 15, 1984

Approved by Commissioner: [Signature]  
Department: DEPARTMENT OF CORRECTIONS

Date: May 16, 1984

Distribution:

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

ANALYSIS

A. Assumptions:

The addition of two superior court judges will not affect input but will increase the number of pre-investigation reports in a given time period. We can expect approximately a 15% increase in the number of presentence investigation requests and persons sentenced. It is also recognized that additional judges are needed because of the increasing number of persons arrested for felony offenses. Approximately 600 presentence investigations are currently completed each year in Southcentral Alaska. Therefore, it is estimated that 90 additional presentence investigations will be necessary. A full time presentence investigator/report writer (P.O. II) will publish 96 reports per year (8 per month). A full time caseload supervisor can successfully supervise 60 to 70 clients. Therefore, an additional Probation Officer II will be needed for this function. The addition of four (4) district court judges is expected to create, at a minimum, one full time case load for a Probation Officer II writing presentence reports and supervising misdemeanor offenders on probation. One clerical position is necessary to provide support for the three (3) probation officers.

A 6% inflation rate is assumed for all fiscal years subsequent to 1985.

B. Program Summary:

Positions

1. Three Probation Officers II	<u>Each</u>	<u>Total</u>
Personal Services	\$41,007	123,021
Travel	900	2,700
Contractual (rent, telephone, etc.)	5,000	15,000
Commodities (office supplies)	600	1,800
Equipment (desk, chair, etc.)	<u>1,500</u>	<u>4,500</u>
Total	\$49,007	\$147,021
2. Clerk-Typist III (clerical support)		
Personal Services	\$26,502	
Contractual (rent, copy supplies)	3,600	
Commodities (office supplies)	600	
Equipment (typewriter, desk, etc.)	<u>3,000</u>	
Total	\$33,702	

FISCAL NOTE  
CS for House Bill No. 571 (Finance)  
Page 3

C. Economic Impact:

It is anticipated that there will be no impact on the State's economy if this proposed legislation is enacted.

D. Impact on Local Governments:

It is anticipated that there will be no fiscal impact on any local governmental unit if this proposed legislation is enacted.

1.	POSITION TITLE Probation Officer II			RANGE/STEP 16A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL	ADDITION		JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The position request is to provide a staff person to write pre-sentence reports for the court. It is estimated that the addition of a superior court judgeship will result in an additional 90 presentence investigations and reports annually. A journeyman Probation Officer conducts approximately 96 investigations with reports per year.</p> <p>This additional workload cannot be absorbed by the currently authorized staff.</p>				
	1	2		3					
	PERSONAL SERVICES								
5.	Salary	\$2,573/mo.	30,876						
6.	Benefits		5,510						
7.	Supplemental Benefits		1,893						
8.	Fixed Benefits		2,728						
9.	TOTAL PERSONAL SERVICES		01	41,007					
10.	Travel		02	900					
11.	Contractual		03	5,000					
12.	Commodities		04	600					
13.	Equipment		05	1,500					
14.	Other								
15.	TOTAL COST			49,007					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		49,007					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER									

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation  
and Supervision  
BRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 1 of 4  
Revised Date

1.	POSITION TITLE Probation Officer II			RANGE/STEP 16A	BARC. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The position request is to provide a case supervisor level Probation Officer. It has been the experience of this agency that within a year from the creation of a superior court judgeship, a full caseload of persons requiring supervision on probation/parole exists.</p> <p>The incumbent will provide the entire gamut of probation services/supervision to persons legally requiring the same.</p> <p>This additional workload cannot be absorbed by the currently authorized staff.</p>				
	1		2	3					
	PERSONAL SERVICES								
5.	Salary	\$2,573/mo.	30,876						
6.	Benefits		5,510						
7.	Supplemental Benefits		1,893						
8.	Fixed Benefits		2,728						
9.	TOTAL PERSONAL SERVICES		01	41,007					
10.	Travel		02	900					
11.	Contractual		03	5,000					
12.	Commodities		04	600					
13.	Equipment		05	1,500					
14.	Other								
15.	TOTAL COST			49,007					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		49,007					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER - - - - -									

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation  
and Supervision  
BRU Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 2 of 4  
Revised Date



1.	POSITION TITLE Clerk-Typist III			RANGE/STEP 8B	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This position will support three (3) Probation Officer II positions. This incumbent will have a significant amount of typing with lengthy pre-sentence reports and casefile entries for an estimated 60 to 70 probationer/parolees. In addition to the typing, there will be receptionist responsibilities, filing, photo copying, periodically making travel arrangements for professional staff, etc.</p> <p>The workload created by the addition of three probation officers could not be absorbed by the currently authorized staff.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	\$1,598/mo.	19,176						
6.	Benefits		3,423						
7.	Supplemental Benefits		1,175						
8.	Fixed Benefits		2,728						
9.	TOTAL PERSONAL SERVICES		01	26,502					
10.	Travel		02						
11.	Contractual		03	3,600					
12.	Commodities		04	600					
13.	Equipment		05	3,000					
14.	Other								
15.	TOTAL COST			33,702					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		33,702					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

REQUEST FOR  
13 NEW POSITION

AGENCY Adult Corrections  
PROGRAM Offender Confinement, Reformation  
and Supervision  
BRU \_\_\_\_\_  
COMPONENT \_\_\_\_\_

FY 85

Page 4 of 4  
Revised Date \_\_\_\_\_

DEPARTMENT OF CORRECTIONS  
Pouch T  
Juneau, Alaska 99811

POSITION PAPER  
CS for House Bill No. 571 (Finance)

Committee Substitute for House Bill No. 571 (Finance) would create two additional superior court judgeships and four additional district court judgeships. The two superior court judges would be assigned to the third judicial district. The district court judgeships would be numerically realigned as well as adding four new judges in the third judicial district.

Overcrowding in the correctional system exists statewide, but is particularly severe at the Cook Inlet Pretrial Facility. Convicted felons spend an average of 118 days in that facility from date of arrest for the crime to date of sentencing after their trial. It is our considered opinion that the length of time from arrest to sentencing can be reduced with the addition of judges. While it will not reduce the total inmate population, it will permit the transfer of sentenced offenders to other facilities, as considered appropriate through the classification process. This enhancement of moving inmates out of the Cook Inlet Pretrial Facility will take some of the pressure off that facility.

The Department of Corrections supports the concept of this bill.

Prepared by:

*Roger C. Lange*

Roger C. Lange  
Internal Management Administrator

Date:

May 15, 1984

Approved by:

*Roger V. Endell*

Roger V. Endell  
Commissioner  
Department of Corrections

Date:

May 16, 1984

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CSHB 571 (JUD)  
Title: Increasing the number of Superior and District Court Judges  
Sponsor: Representative Abood  
Requestor: House Judiciary  
Date of Request: 2/23/84

FISCAL DETAIL

Agency Affected: Public Safety  
Program Category Affected: Administration of Justice  
BRU, Program or Subprogram(s) Affected: Alaska State Troopers/Support & Service (Judicial Services Component)

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<b>OPERATING</b>						
100 PERSONAL SERVICES		137.3	286.8	304.0	322.2	341.5
200 TRAVEL		4.0	8.5	9.0	9.5	10.1
300 CONTRACTUAL		28.5	60.1	63.7	67.5	71.6
400 SUPPLIES		7.6	15.6	16.5	17.5	18.6
500 EQUIPMENT		76.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>253.5</b>	<b>371.0</b>	<b>393.2</b>	<b>416.7</b>	<b>441.8</b>
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		253.5	371.0	393.2	416.7	441.8
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>253.5</b>	<b>371.0</b>	<b>393.2</b>	<b>416.7</b>	<b>441.8</b>

POSITIONS:

FULL-TIME		5	5	5	5	5
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan *F.C.A.* Phone: 269-5691  
Division: Alaska State Troopers Date: 04/23/84

Approved by Commissioner: Robert J. Sundberg Date: 4/26/84  
Agency: Public Safety

Distribution (by Agency preparing fiscal note):

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

CSHB 571 (JUD)  
Fiscal Note Analysis

The increase of three judges around the state during 1983 resulted in a manpower and cost drain to the Judicial Services Section that was neither anticipated nor funded. The current ratio of officers available for servicing the Courts to the Anchorage area is approximately one officer per judge. This does not allow for transportation of prisoners as mandated by the Department of Corrections and the service of civil processes and other Court-required business which would further reduce this ratio.

The addition of four more judges proposed in this legislation in the Anchorage Court House will cause a need to increase the number of Judicial Services personnel. Four commissioned State Troopers will be needed to provide court security and prisoner movement both around the state and between the lower 48 states and Alaska. Additionally, these judges will increase the amount of civil and criminal process that must be served by these commissioned personnel. The required legal paperwork flow involved in processing subpoenas, warrants, transportation scheduling and other administrative requirements result in a need for a Clerk Typist III. The additional workload cannot be absorbed by the current staff in this unit. Without the additional positions requested in this fiscal note, passage of this bill would result in unacceptable delays in both Court services and prisoner movement for Corrections.

The cost for the Troopers is based upon their entering the January 1985 Academy. Costs after FY85 are estimated with a 6% inflation and with no equipment costs.

1.	POSITION TITLE State Trooper				RANGE/STEP 76/A	BARC. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 1 of 5	LOCATION Anchorage	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		22,140							
6.	Benefits		5,608							
7.	Supplemental Benefits		1,701							
8.	Fixed Benefits		1,306							
9.	TOTAL PERSONAL SERVICES		01		30.8					
10.	Travel		02		1.0					
11.	Contractual		03		7.0					
12.	Commodities		04		1.7					
13.	Equipment		05		18.5					
14.	Other									
15.	TOTAL COST				59.0					
RECEIPT CODE      FUNDING SOURCE										
16.			Federal Receipts 1002							
17.			G.F. Match 1003							
18.			General Funds 1004		59.0					
19.			I-A Receipts 1005							
20.			Program Receipts 1028							
21.			Other							
FOR B&M USE ONLY										
4A KEY NUMBER _____										

The State Trooper will be needed to provide court security, prisoner transportation and to serve civil and criminal process as required by the Court and Department of Corrections. With an increase in the number of Judges in the Anchorage Court proposed by this legislation of the Judicial Severices unit will be unable to meet its statutory obligations. This position will particaly alleviate this situation.

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

**FY 85**

Page 1 of 5  
Revised Date \_\_\_\_\_

1.	POSITION TITLE State Trooper				RANGE/STEP 76/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 2 of 5	LOCATION Anchorage	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1	2			3					
	PERSONAL SERVICES									
5.	Salary	22,140								
6.	Benefits	5,608								
7.	Supplemental Benefits	1,701								
8.	Fixed Benefits	1,306								
9.	TOTAL PERSONAL SERVICES	01			30.8					
10.	Travel	02			1.0					
11.	Contractual	03			7.0					
12.	Commodities	04			1.7					
13.	Equipment	05			18.5					
14.	Other									
15.	TOTAL COST				59.0					
<p>The State Trooper will be needed to provide court security, prisoner transportation and to serve civil and criminal process as required by the Court and Department of Corrections. With an increase in the number of Judges in the Anchorage Court proposed by this legislation of the Judicial Severices unit will be unable to meet its statutory obligations. This position will particaly alleviate this situation.</p>										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			59.0					
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
<p>FOR B&amp;M USE ONLY 4A KEY NUMBER _____</p>										

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

**FY 85**

Page 2 of 5  
Revised Date \_\_\_\_\_

1.	POSITION TITLE State Trooper				RANGE/STEP 76/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 3 of 5	LOCATION Anchorage	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		22,140							
6.	Benefits		5,608							
7.	Supplemental Benefits		1,701							
8.	Fixed Benefits		1,306							
9.	TOTAL PERSONAL SERVICES		01		30.8					
10.	Travel		02		1.0					
11.	Contractual		03		7.0					
12.	Commodities		04		1.7					
13.	Equipment		05		18.5					
14.	Other									
15.	TOTAL COST				59.0					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
4A KEY NUMBER _____										

The State Trooper will be needed to provide court security, prisoner transportation and to serve civil and criminal process as required by the Court and Department of Corrections. With an increase in the number of Judges in the Anchorage Court proposed by this legislation of the Judicial Severices unit will be unable to meet its statutory obligations. This position will particaly alleviate this situation.

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

Page 3 of 5  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE State Trooper				RANGE/STEP 7/6/A	BARG. UNIT PSEA	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.	
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 4 of 5	LOCATION Anchorage	ELECTION DISTRICT 7-15	LEG.			
3.	CONTINUATION LEVEL				JUSTIFICATION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1	2	3								
	PERSONAL SERVICES										
5.	Salary	22,140									
6.	Benefits	5,608									
7.	Supplemental Benefits	1,701									
8.	Fixed Benefits	1,306									
9.	TOTAL PERSONAL SERVICES	01	30.8								
10.	Travel	02	1.0								
11.	Contractual	03	7.0								
12.	Commodities	04	1.7								
13.	Equipment	05	18.5								
14.	Other										
15.	TOTAL COST		59.0								
RECEIPT CODE FUNDING SOURCE											
16.		Federal Receipts	1002								
17.		G.F. Match	1003								
18.		General Funds	1004	59.0							
19.		I-A Receipts	1005								
20.		Program Receipts	1028								
21.		Other									
FOR B&M USE ONLY 4A KEY NUMBER _____											

The State Trooper will be needed to provide court security, prisoner transportation and to serve civil and criminal process as required by the Court and Department of Corrections. With an increase in the number of Judges in the Anchorage Court proposed by this legislation of the Judicial Severices unit will be unable to meet its statutory obligations. This position will partically alleviate this situation.

**13** REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

**FY 85**

Page 4 of 5  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Clerk Typist III				RANGE/STEP 8/A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 13.8	RP NUMBER	PCN NUMBER	BRU PRIORITY 5 of 5	LOCATION Anchorage	ELECTION DISTRICT 7-15	LEG.		
3.	CONTINUATION LEVEL		ADDITION		JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>The Clerk Typist III will be needed to provide clerical support in preparing and processing the various forms and paper work in criminal and civil process generated by the Judges. This need is based upon the current lack of clerical staff to support any increased staff. Lack of clerical support in the past has forced the use of commissioned positions to perform clerical tasks which is inefficient and uneconomical. The ratio of support vs commissioned positions in Judicial Services is approximately 4:1. This ratio would be maintained if all of the positions requested in this fiscal note are funded.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	10,179								
6.	Benefits	1,825								
7.	Supplemental Benefits	736								
8.	Fixed Benefits	1,365								
9.	TOTAL PERSONAL SERVICES	01		14.1						
10.	Travel	02								
11.	Contractual	03		5						
12.	Commodities	04		8						
13.	Equipment	05		2.1						
14.	Other									
15.	TOTAL COST			17.5						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004		17.5						
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

**13** REQUEST FOR  
NEW POSITION

01-1136 (7/82) - 13

AGENCY Department of Public Safety  
PROGRAM Crime ID & Apprehension  
BRU Alaska State Troopers/S&S  
COMPONENT Judicial Services

**FY 85**

Page 5 of 5

Revised Date \_\_\_\_\_

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

Page 1 of 6

I. REQUEST

Bill/Resolution No.: SB 571(SUD)  
Title: ... "number of superior and district court judges..."  
Sponsor: Rep. Missell  
Requestor: Rep. Missell  
Date of Request: 3/21/84

II. FISCAL DETAIL

Agency Affected: Administration  
Program Category Affected: Due Process BRU, Program of Subprogram(s) Affected: Public Defender Agency

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		156.5	165.9	175.9	186.5	197.7
200 TRAVEL		3.0	3.2	3.4	3.6	3.8
300 CONTRACTUAL		12.0	12.7	13.5	14.3	15.2
400 COMMODITIES		3.0	3.2	3.4	3.6	3.8
500 EQUIPMENT		4.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	179.0	185.0	196.2	208.0	220.5
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	179.0	185.0	196.2	208.0	220.5
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME	-0-	3.0	3.0	3.0	3.0	3.0
PART-TIME						
TEMPORARY						
TOTAL	-0-	3.0	3.0	3.0	3.0	3.0

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

General Fund

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Dana Fabe, Public Defender Phone: 279-7541  
Division: Public Defender Agency Date: 3/21/84

Approved by Commissioner: Lisa Rudd, Commissioner Date: 4/16/84  
Department: Administration

Distribution:

Original to Legislative Finance  
Copy to Office of Management and Budget (for Legislature introduced bills)  
Copy to Department (for Governor introduced bills)  
Copy to Sponsor  
Copy to Requestor (if different from Sponsor)

9/14/83



1.	POSITION TITLE <b>Attorney IV</b>			RANGE/STEP 24A	BARG. UNIT PX	FORM 12 PAGE/LINE	COV.	APPROV.	DISA
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	FCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.	
3.	CONTINUATION LEVEL	ADDITION			JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT	<p>A new superior court judge assigned to criminal cases in the Third Judicial District requires a full level Attorney IV for the Public Defender Agency. Witness and expert travel and expert's fees are included.</p>				
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	4464/mo	53,568						
6.	Benefits		9,165						
7.	Supplemental Benefits		2,550						
8.	Fixed Benefits		2,630						
9.	TOTAL PERSONAL SERVICES	01		67,913					
10.	Travel	02		3,000					
11.	Contractual	03		8,500					
12.	Commodities	04		1,000					
13.	Equipment	05		1,500					
14.	Other								
15.	TOTAL COST			81,900					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		81,900					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&M USE ONLY									
4A KEY NUMBER _____									

**13** REQUEST FOR  
NEW POSITION

AGENCY Dept. of Administration  
PROGRAM Due Process  
BRU Public Defender Agency  
COMPONENT Third Judicial District

Page 3 of 6  
Revised Date \_\_\_\_\_

**FY 85**

1.	POSITION TITLE <b>Attorney III</b>				RANGE/STEP 22A	DARG. UNIT PX	FORM 12 PAGE/LINE	COV.	APPROV.	DISAP
2.	TYPE OF POSITION PPT	STAFF MONTHS 12.0	AP NUMBER	PCI NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.		
3.	CONTINUATION: LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary	3900/mo.	46,800							
6.	Benefits		8,007							
7.	Supplemental Benefits		2,550							
8.	Fixed Benefits		2,630							
9.	TOTAL PERSONAL SERVICES		01		59,987					
10.	Travel		02							
11.	Contractual		03		3,500					
12.	Commodities		04		1,000					
13.	Equipment		05		1,500					
14.	Other									
15.	TOTAL COST				65,987					
JUSTIFICATION										
Two new district court judges in the Third Judicial District require an Attorney III for the Public Defender Agency. No travel is needed for this position, but space leasing is included.										
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003								
18.		General Funds 1004			65,987					
19.		I-A Receipts 1005								
20.		Program Receipts 1026								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

**13** REQUEST FOR  
NEW POSITION

AGENCY Dept. of Administration  
PROGRAM Due Process  
BRU Public Defender Agency  
COMPONENT Third Judicial District

**FY 85**

Page 4 of 6  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Legal Secretary I			RANGE/STEP 10A	DARG. UNIT GG	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12.0	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.	
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION				
4.	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
	PERSONAL SERVICES								
5.	Salary	1748/mo.	20,976						
6.	Benefits		3,588						
7.	Supplemental Benefits		1,285						
8.	Fixed Benefits		2,728						
9.	TOTAL PERSONAL SERVICES		01	28,577					
10.	Travel		02						
11.	Contractual		03						
12.	Commodities		04	1,000					
13.	Equipment		05	1,500					
14.	Other								
15.	TOTAL COST			31,077					
	RECEIPT CODE	FUNDING SOURCE							
16.		Federal Receipts 1002							
17.		G.F. Match 1003							
18.		General Funds 1004		31,077					
19.		I-A Receipts 1005							
20.		Program Receipts 1028							
21.		Other							
FOR B&H USE ONLY									
4A KEY NUMBER _____									

Two new attorneys for the Public Defender Agency in Anchorage will necessitate additional secretarial help. This position will be outfitted with an existing Mag Card so only supplies and equipment (furniture, dictation) will be needed.

**13** REQUEST FOR  
NEW POSITION

AGENCY Dept. of Administration  
PROGRAM Due Process  
BRU Public Defender Agency  
COMPONENT Third Judicial District

Page 5 of 6  
Revised Date \_\_\_\_\_

**FY 85**

Introduced: 2/2/84  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY ABOOD

2 HOUSE BILL NO. 571

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the number of superior and  
7 district court judges; and providing for an effective  
8 date."

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

10 \* Section 1. AS 22.10.120 is amended to read:

11 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists  
12 of 28 [27] judges, five of whom shall be judges in the first judicial  
13 district, three of whom shall be judges in the second judicial  
14 district, 15 [14] of whom shall be judges in the third judicial  
15 district, and five of whom shall be judges in the fourth judicial  
16 district. At the time of submitting the names of nominees to the  
17 governor to fill a vacancy on the superior court bench, the judicial  
18 council shall also designate the district in which the appointee is to  
19 reside and serve.

20 \* Sec. 2. AS 22.15.020(a) is amended to read:

21 (a) Except as hereinafter provided, each district court of the  
22 State of Alaska shall have the number of district judges set out below  
23 opposite the name of the judicial district over which the court has  
24 jurisdiction:

- 25 First Judicial District ..... 2 [3]
- 26 Second Judicial District ..... 0 [1]
- 27 Third Judicial District ..... 11 [4]
- 28 Fourth Judicial District ..... 4 [2]

29 \* Sec. 3. This Act takes effect immediately in accordance with

6

FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CSHB 571 (Jud)  
 Title: "...number of superior and district court judges..."  
 Sponsor: Repr. Abood  
 Requestor: OMB - Governor's Ofc.  
 Date of Request: March 29, 1984

FISCAL DETAIL

Agency Affected: Department of Law  
 Program Category Affected: Administration of Justice  
 BRU, Program or Subprogram(s) Affected: Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		293.7	311.3	330.0	349.8	370.8
200 TRAVEL		20.0	21.2	22.5	23.9	25.3
300 CONTRACTUAL		70.5	74.7	79.2	84.0	89.0
400 SUPPLIES		22.8	16.5	17.5	18.6	19.7
500 EQUIPMENT		33.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	440.0	423.7	449.2	476.3	504.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
GENERAL FUND	-0-	440.0	423.7	449.2	476.3	504.8
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FULL-TIME	-0-	6	6	6	6	6
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Richard I. Pegues, Director Phone: 465-3672  
 Division: Administrative Services Date: 3-30-84  
 Approved by Commissioner: Norman C. Gorsuch Date: 3-30-84  
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

March 30, 1984

C.S. for HB 571, adopted by the Judiciary Committee on March 29, 1984, increases the number of judges in the Third Judicial District by two superior court judges and four district court judges, at Anchorage. An increase in the number of judges has been requested by the court system because of substantial increases in both felony and misdemeanor criminal cases and because of a growing backlog of both criminal and civil cases.

During the last 15 months, the Anchorage area has grown by approximately 30,000 residents. This increase in itself exceeds the total population served by the criminal justice system in Juneau, which is made up of 2 superior court judges, 1 district court judge and a District Attorney's Office consisting of three attorneys, one paralegal assistant and three legal secretaries. By comparison, no additional judicial or prosecution positions have been authorized to handle the increased caseload in Anchorage during this period.

Included in this population growth is a disproportionate number of young, highly transient males who tend to account for a considerable portion of the increase in serious criminal cases in the Anchorage area. Although many of the presently backlogged criminal cases consist of minor offenses, there has also been a disturbing increase in the number of sexual assault

cases involving children and in the number of complex homicide cases. Both types of cases require substantial additional judicial and prosecution resources in order to ensure that they are properly handled.

Historically, there has been a direct correlation between the number of judges in a particular district and the number of prosecutors required to handle court calendars. This correlation has in the past and ideally should continue to equal one prosecutor for each full-time judge. This balance is required in order to ensure that cases are effectively and efficiently processed. Over the past few years the balance between judges and prosecutors in the Third Judicial District has tipped towards the judicial side of the scales. There are currently 14 authorized superior court judges and 8 district court judges in the Third Judicial District. In addition, there are 4 full-time magistrates in the district who also have authority to serve as district judges, thus bringing the number of full-time judges to 26, as opposed to 23 prosecuting attorneys.

The number of prosecutors has not kept pace with the number of judges due to legislative authorized increases in the number of judicial positions in the last five to six years. The

authorized increases have not consistently included additional prosecuting attorney resources. To an extent, the Department of Law has been able to handle most case settings as a result of economies of scale realized over the past several years. However, we are rapidly falling behind in our ability to adequately cover present court calendars, particularly in the rural areas which are directly serviced or supplemented by personnel from the Anchorage District Attorney's Office. This problem will become particularly severe if the additional judicial positions contained in CSHB 571 (Jud) are added without an increase in prosecuting attorney positions.

The Criminal Division of the department will not be able to continue to handle all of the cases and court calendars, particularly with the addition of these new judges, without additional prosecution resources. This imbalance between judges and prosecutors will be particularly severe at the district court level because of the higher volume of cases, although there will also be an impact at the superior court level because of the need to assign criminal cases to the new superior court judges in Anchorage.

In his State of the Judiciary message to the Legislature on February 28, 1984, Chief Justice Burke anticipated

that the new superior court judge which he had requested would be assigned to the criminal division. See Senate and House Joint Journal Supplement No. 20 at pages 7-8. The administrative office of the Court System has indicated, however, that any new superior court judge will be expected to devote half of his time to criminal cases and half to civil cases. Regardless of the actual breakdown of the duties assigned to the new judges, in order to meet the speedy trial requirements of Criminal Rule 45 in the face of the increased number and complexity of felony criminal trials, it is certain that civil division judges will continue to handle a substantial percentage of the criminal case load.

Recognizing that the six new judges authorized in CSHB 571 (Jud) will devote some proportion of their time to civil cases, we are requesting that the District Attorney's Office at Anchorage be increased by three (rather than six) attorneys, one paralegal assistant and two legal secretaries. <sup>1/</sup> One attorney

---

1/ It should be noted that the court system's estimate of fiscal impact for CSHB 571 (Jud) is more than double the estimate submitted for the original version of the bill. In contrast, the Department of Law's estimate shows only a 50% increase over the estimate submitted for the original version of the bill.

will be assigned to the superior court to handle major felony prosecutions with emphasis on sexual assault and homicide cases. The other two attorneys will be assigned to district court cases and will handle misdemeanor cases exclusively. The Criminal Division believes that it can, for the present, adequately cover the caseload through the addition of three attorneys, rather than six, through the use of the additional paralegal assistant (at substantially less cost) to assist in case preparation and the coordination of witnesses. The two legal secretary positions will be needed to provide support services in the processing of these cases and to handle the work that will be generated by the attorneys and the paralegal. The total costs associated with these positions is \$440,000.

Attached is a summary sheet which breaks this cost down by each position and relevant budgetary object code.

Fiscal Note Analysis  
 CSHB 571 (Jud)

FY 85  
Cost Schedule

<u>Object</u>	(2) <u>Atty IV</u>	(1) <u>Atty III</u>	(1) <u>Paralegal Asst II</u>	(2) <u>Leg. Sec I</u>	<u>Total</u>
Personal Services	135.0	59.7	40.6	58.4	293.7
Travel - Witness travel subsistence, staff travel	10.0	5.0	5.0	-0-	20.0
Contractual Services					
Office commo., equip. repair	9.6	4.8	4.8	4.8	24.0
Copy - postage					
WP Maintenance				3.6	3.6
Space Rental	10.4	5.2	4.1	8.2	27.9
Expert Witness/ Witness Costs	10.0	5.0			15.0
					<u>70.5</u>
Commodities - ongoing					
Office consumables	3.6	1.8	1.8	3.6	10.8
Law Library	2.4	1.2	1.2	-0-	4.8
Commodities - one time					
New position materials	2.4	1.2	1.2	2.4	7.2
					<u>22.8</u>
Equipment - one time					
New position equip.	3.0	1.5	1.5	3.0	9.0
Word Processor				24.0	24.0
					<u>33.0</u>
<b>TOTALS</b>	<u>186.4</u>	<u>85.4</u>	<u>60.2</u>	<u>108.0</u>	<u>440.0</u>

Costs beyond FY 85 include a 6% annual inflation factor.

1.	POSITION TITLE ATTORNEY IV				RANGE/STEP 24A	DARG. UNIT PX	FORM 12 PAGE/LINE	GOV	APPROV.	DISAP	
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.			
3.	CONTINUATION LEVEL				ADDITION						
4.	TYPE OF EXPENDITURE				AMOUNT						
	1		2		3						
	PERSONAL SERVICES										
5.	Salary	4,464	53,568								
6.	Benefits		8,785								
7.	Supplemental Benefits		2,550								
8.	Fixed Benefits		2,630								
9.	TOTAL PERSONAL SERVICES		01	67,533							
10.	Travel		02	5,000							
11.	Contractual		03	15,000							
12.	Commodities		04	4,200							
13.	Equipment		05	1,500							
14.	Other										
15.	TOTAL COST			93,233							

JUSTIFICATION

This is the first of three attorney positions that are being requested to provide the additional prosecution services that will be needed to handle an expanded court calendar when the number of judgeships in Anchorage is increased. This position will handle sexual assault cases in the superior court, particularly those involving children, and the position will also handle misdemeanor cases in the district court. Allocation to the full working level of Attorney IV is recommended because of the requirement to handle sensitive crimes independently.

	RECEIPT CODE	FUNDING SOURCE		
16.		Federal Receipts	1002	
17.		G.F. Match	1003	
18.		General Funds	1004	93,233
19.		I-A Receipts	1005	
20.		Program Receipts	1020	
21.		Other		

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4A KEY NUMBER \_\_\_\_\_

AGENCY DEPARTMENT OF LAW  
PROGRAM DUE PROCESS  
DRU PROSECUTION  
THIRD JUDICIAL DISTRICT

FY 85

Page 1 of 1  
Revised Date

13 REQUEST FOR NEW POSITION

POSITION TITLE ATTORNEY IV				RANGE/STEP 24A	DANG. UNIT PX	FORM 12	PAGE/LINE	GOV	APPROV	DISAP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG		
3.	CONTINUATION LEVEL			ADDITION	JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT	<p>This is the second of three attorney positions that are being requested to provide the additional prosecution services that will be needed to handle an expanded court calendar when the number of judgeships in Anchorage is increased. This position will handle the more complex misdemeanors and it will also assist with the prosecution of a growing number of complex homicides. Allocation to the full working level of Attorney IV is recommended because of the requirement to handle sensitive crimes independently.</p>					
	1	2	3							
	PERSONAL SERVICES									
5.	Salary	4,464	53,568							
6.	Benefits		8,785							
7.	Supplemental Benefits		2,550							
8.	Fixed Benefits		2,630							
9.	TOTAL PERSONAL SERVICES	01	67,533							
10.	Travel	02	5,000							
11.	Contractual	03	15,000							
12.	Commodities	04	4,200							
13.	Equipment	05	1,500							
14.	Other									
15.	TOTAL COST		93,233							
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts	1002							
17.		G.F. Match	1003							
18.		General Funds	1004	93,233						
19.		I-A Receipts	1005							
20.		Program Receipts	1020							
21.		Other								
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4A KEY NUMBER										

AGENCY DEPARTMENT OF LAW

PROGRAM DUE PROCESS

DRU PROSECUTION

THIRD JUDICIAL DISTRICT

13 REQUEST FOR  
NEW POSITION

FY 85

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Revised Date

1.	POSITION TITLE ATTORNEY III			RANGE/STEP 22A	ORG. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.	

3.	CONTINUATION LEVEL	ADDITION		
4.	TYPE OF EXPENDITURE		AMOUNT	
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	3,900	46,800	
6.	Benefits		7,675	
7.	Supplemental Benefits		2,550	
8.	Fixed Benefits		2,630	
9.	TOTAL PERSONAL SERVICES	01	59,655	
10.	Travel	02	5,000	
11.	Contractual	03	15,000	
12.	Commodities	04	4,200	
13.	Equipment	05	1,500	
14.	Other			
15.	TOTAL COST		85,355	

JUSTIFICATION

This is the third of three attorney positions being requested to handle the expanded court calendar that will occur when six new judges are added in the Third Judicial District at Anchorage. This position will be assigned to district court matters and handle the growing backlog of misdemeanor cases that has been caused by a rapidly growing population. Allocation to the Attorney III grade is recommended because of the level of criminal violations to be prosecuted by the position.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	85,355
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

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AGENCY DEPARTMENT OF LAW  
PROGRAM DUE PROCESS  
DRU PROSECUTION  
THIRD JUDICIAL DISTRICT

13 REQUEST FOR  
NEW POSITION

FY. 85

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Revised Date

1.	POSITION TITLE PARALEGAL ASSISTANT II				RANGE/STEP 16A	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	URU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.		

3.	CONTINUATION LEVEL				ADDITION		
4.	TYPE OF EXPENDITURE				AMOUNT		
	1		2		3		
	PERSONAL SERVICES						
5.	Salary	2,573	30,876				
6.	Benefits		5,064				
7.	Supplemental Benefits		1,893				
8.	Fixed Benefits		2,730				
9.	TOTAL PERSONAL SERVICES		01	40,563			
10.	Travel		02	5,000			
11.	Contractual		03	8,900			
12.	Commodities		04	4,200			
13.	Equipment		05	1,500			
14.	Other						
15.	TOTAL COST			60,163			

JUSTIFICATION

This paralegal position is requested to provide victim/witness assistance services to the victims of child sexual abuse. A part of the growing case backlog that caused by the courts to seek additional judges at Anchorage has been a disturbing increase in the number of child sexual abuse cases. The victims of this abuse often have the additional ordeal of appearing in court as witnesses against the persons who have abused them. Paralegal assistants have proven invaluable in interviewing and assisting these victims in a manner that assures their well-being as witnesses.

	RECEIPT CODE	FUNDING SOURCE		
16.		Federal Receipts	1002	
17.		G.F. Match	1003	
18.		General Funds	1004	60,163
19.		I-A Receipts	1005	
20.		Program Receipts	1020	
21.		Other		

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4A KEY NUMBER - - - - -

13 REQUEST FOR  
NEW POSITION

AGENCY DEPARTMENT OF LAW  
PROGRAM DUE PROCESS  
URU PROSECUTION  
THIRD JUDICIAL DISTRICT

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Revised Date

FY. 85

1.	POSITION TITLE LEGAL SECRETARY I				RANGE/STEP 10B	DEPT. UNIT GGU	FORM 12 PAGE/LINE	GOV	APPROV.	DISA/I
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEC		

3.	CONTINUATION LEVEL		ADDITION	
4.	TYPE OF EXPENDITURE			AMOUNT
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	1,803	21,636	
6.	Benefits		3,548	
7.	Supplemental Benefits		1,326	
8.	Fixed Benefits		2,730	
9.	TOTAL PERSONAL SERVICES		01	29,240
10.	Travel		02	-0-
11.	Contractual		03	8,300
12.	Commodities		04	3,000
13.	Equipment		05	13,500
14.	Other			
15.	TOTAL COST			54,040

JUSTIFICATION

This is the first of two positions being requested to provide the clerical support required to handle the paperwork that will be generated by the three attorneys and the paralegal who are being added in response to the six judges being added at Anchorage. This position will provide communications, staff scheduling, filing and produce the court documents generated by the new legal positions. Allocation of the position to Legal Secretary I level is therefore recommended.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	54,040
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

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AGENCY DEPARTMENT OF LAW

PROGRAM DUE PROCESS

DRU PROSECUTION

THIRD JUDICIAL DISTRICT

13 REQUEST FOR  
NEW POSITION

FY 85

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1. POSITION TITLE  
LEGAL SECRETARY I

RANGE/STEP 10B	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV	APPROV.	DISA/I
DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG		

2. TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER
----------------------------	--------------------	-----------	------------

3. CONTINUATION LEVEL

4. TYPE OF EXPENDITURE

1		2	3
PERSONAL SERVICES			
5. Salary	1.803	21,636	29,240
6. Benefits		3,548	
7. Supplemental Benefits		1,326	
8. Fixed Benefits		2,730	
9. TOTAL PERSONAL SERVICES		01	
10. Travel		02	-0-
11. Contractual		03	8,300
12. Commodities		04	3,000
13. Equipment		05	13,500
14. Other			
15. TOTAL COST			54,040

JUSTIFICATION

This is the second of two positions being requested to provide the clerical support required to handle the paperwork that will be generated by the three attorneys and the paralegal who are being added in response to the six judges being added at Anchorage. This position will provide communications, staff scheduling, filing and produce the court documents generated by the new legal positions. Allocation of the position to Legal Secretary I level is therefore recommended.

RECEIPT CODE	FUNDING SOURCE	
16.	Federal Receipts 1002	
17.	G.F. Match 1003	
18.	General Funds 1004	54,040
19.	I-A Receipts 1005	
20.	Program Receipts 1020	
21.	Other	

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4A KEY NUMBER

AGENCY DEPARTMENT OF LAW

PROGRAM DUE PROCESS

DRU PROSECUTION

THIRD JUDICIAL DISTRICT

13 REQUEST FOR  
NEW POSITION

FY 85

Page 1 of 1

*John*

~~XXXXXX~~  
BACK UP  
ON  
AMENDMENT  
MADE IN  
THE C.S

AMENDMENT TO AS 22.10.030, RELATING TO VENUE

Proposed by Alaska Court System

Existing statute:

Sec. 22.10.030. Where actions are to be brought. (a) All actions in ejectment or for the recovery of the possession of, quieting title to, for the partition of, or the enforcement of liens upon, real property shall be commenced in the superior court in the judicial district in which the real property, or any part of it affected by the action, is situated.

(b) If, in a civil action other than one specified in (a) of this section, a defendant can be personally served within a judicial district of the state, the action against that defendant shall be commenced in that judicial district or in the judicial district in which the claim arose.

(c) All prosecutions for crimes and offenses shall be commenced in the judicial district in which the crime or offense was committed.

(d) Subject to AS 22.10.040, a trial and any precedent or antecedent hearings in an action shall be conducted in a senate district within the judicial district at a location which would best serve the convenience of the parties and witnesses. However, if there is any part of more than one senate district within the boundaries of a borough, the trial and related hearings shall be conducted within the borough's boundaries at a location which would best serve the convenience of the parties and witnesses. If the presiding judge of the district determines that there are no facilities, reasonably suited to the purpose, available for the trial or related hearings in the senate district specified in this subsection, the presiding judge may direct the proceedings to be held in the nearest senate district with reasonably suitable facilities.

(e) Actions in cases not covered by this section may be commenced in any judicial district of the state.

(f) Failure to make timely objection to improper venue waives the requirements of this section.

Proposed amendment:


(g) An exception to any of the above requirements exists if, consistent with constitutional requirements, the Chief Justice of the supreme court determines that transportation facilities reasonably require venue in an urban center in an adjoining judicial or senate election district.

# Memorandum

Alaska Court System

TO:  Arthur H. Snowden, II  
Administrative Director

DATE : March 29, 1984

FROM: Don C. Bauermeister  
Court Rules Attorney 

SUBJECT: Proposed Amendment  
to Alaska Statute  
22.10.030

Alaska Statute 22.10.030(c) provides that all prosecutions for crimes shall be commenced in the judicial district in which the crime or offense was committed. (underline added). Subsection (d) provides that the trial hearings may take place at a senate district within the judicial district which would best serve the convenience of the parties and witnesses. No specific provision is made for bringing criminal cases outside the judicial district in which the crime occurred.

The reason for criminal venue occurring in the judicial district of the criminal act is unclear. The judicial district lines now existing are almost the same as those lines were in pre-statehood days. They essentially followed the transportation patterns available at that time. Thus, steamships going up the Kuskokwim or Yukon would create the transportation service patterns for the flow of commerce and judicial services.

In today's bush Alaska, the transportation patterns are set by air travel. Commerce and judicial services can be efficiently administered only if they follow the already existing air transportation routes. Offering services outside those routes means that charter plans must be hired at greatly increased cost to the agencies using them.

The present problem is that the old judicial districting lines do not follow the present path of available air transportation. Thus, approximately 14 villages and a large number of unincorporated living areas are served by the Bethel air transportation and commercial network and yet are directed by the above statute to seek judicial services from Nome. This is totally impractical because the people oftentimes must travel through Bethel (and pass a superior court) on their way to Anchorage and then back to Nome to appear in court. Obviously, what should be happening is that these people should be served by the Bethel superior court.

Most of these villages are in Senate District L. They include Hooper Bay, Chevak, Sheldon Point, Emmonak, Alakanuk, Kotlik, Scammon Bay, and Stebbins. The Senate District M

villages include: St. Marys, Mt. Village, Russian Mission, Pilot Station, and Marshal. There are unincorporated communities in both Senate Districts that are affected.

The cost of offering criminal justice service to this group of villages out of the Nome area as opposed to the Bethel area is staggering. John Cain, Director of the Northern Region for the Probation Office, estimates travel costs alone will go up 500% if these villages must be served by Nome instead of Bethel. These cost increases are primarily due to the increase in charter flight costs over what it costs to use regular existing transportation routes. Of course, additional costs would accrue in moving personnel and materials from Bethel to Nome in order to service a larger caseload from Nome. These costs can be repeated for the office of the prosecutor, the public defender, corrections, and for additional state trooper service.

As far as I can determine a broad interpretation of the present Alaska Statute 22.10.030(d) has been used to allocate the present criminal justice service to those villages from the Bethel area. In fact, the prior amendment to this section contains an editor's note which recognizes that the amendment was implemented to provide greater administrative flexibility in determining appropriate venue.

In my view, the possible contradiction between subsection (c) and (d) should be statutorily resolved. An easy way to remedy the situation would be to add a single sentence subsection (g) which recognized the judicial authority necessary to preserve administrative flexibility. It is my suggestion that Alaska Statute 22.10.030 be amended by the addition of the following subsection:

(g) An exception to any of the above requirements exists if consistent with constitutional requirements the Chief Justice of the Supreme Court determines that transportation facilities reasonably require venue in an urban center in an adjoining judicial or senate election district.

The major reason for this proposed change is to provide the public with judicial access it can afford to get to. Additionally, the State of Alaska would save large sums in providing its criminal justice service over the already existing transportation patterns instead of attempting to charter new ones. The section itself recognizes authority should be placed in the Chief Justice to determine the exceptional circumstances when judicial district line venue

Arthur H. Snowden, II  
March 29, 1984  
Page Three

should be crossed in order to practically follow existing transportation lines. This authority would not do away with any present existing protections that venue requirements are intended to create for litigants. Neither the holding of Alvarado v. State, 486 P.2d 891 (Alaska 1971) nor the general statutory intent of the rest of Alaska Statute 22.10.030 is affected by providing the Chief Justice with authority to recognize the practical effect of existing transportation patterns.

DCB:le



Trial Courts  
State of Alaska

THIRD JUDICIAL DISTRICT  
303 K STREET  
ANCHORAGE, ALASKA  
99501

264-0415

ALBERT H. SZAL  
Area Court Administrator

March 22, 1984



Hon. Charlie Bussell, Chairman  
Hon. Donald Clocksin, Member  
Committee on the Judiciary  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Chairman Bussell and Rep. Clocksin:

At your hearing on Saturday, March 17, 1984, regarding House Bill 571, Representative Clocksin asked if the number of cases superior court judges were taking under advisement had changed over the past two to three years.

In reviewing the data compiled by the technical operations division of the administrative director's office, it appears the number of cases taken under advisement for FY 82 compared with FY 83 were relatively constant, 125 and 114 respectively.

If you have any questions regarding the above, please feel free to contact my office.

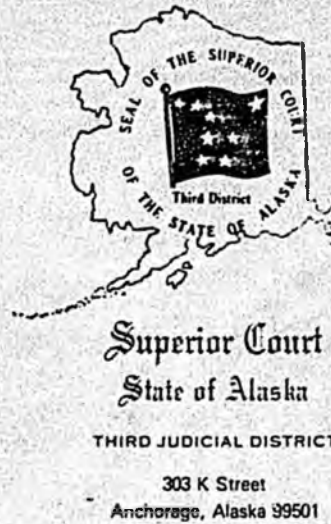
Sincerely,

A handwritten signature in cursive script that reads "Albert H. Szal".

Albert H. Szal  
Area Court Administrator

AHS pb

cc Judge Rowland  
Goldeen Goodfellow



CHAMBERS OF  
DOUGLAS J. SERDAHELY

March 15, 1984

The Honorable Charlie Bussell  
Chairman, House Judiciary Committee  
Alaska State Legislature  
State Capitol Building, Room 124  
Juneau, Alaska 99811

Re: House Bill 571

Dear Chairman Bussell:

I regret that I am unable to personally attend and testify at the hearing regarding the pending legislation seeking authorization for additional District Court and Superior Court judges (House Bill 571). With this letter, I wish to summarize the comments and testimony I would have provided at the hearing in Anchorage on March 17, 1984.

By way of background, I have been serving as a Superior Court Judge in Anchorage for over three years. I am, and have been, assigned to the Civil Division of the Court during all of this time.

I earnestly support the Alaska Court System's application for at least one additional Superior Court position -- and ideally more than one -- for the Anchorage Superior Court Bench.

Since coming to the Bench three years ago, I have seen my civil case load (meaning non-domestic, non-criminal cases) increase from approximately 600 cases in April of 1981 to approximately 1100 cases at the present time.

In addition to an absolute increase in the number of cases, it is also my impression that there is an increase in the complexity, length, and expense of the civil

The Honorable Charlie Bussell  
March 15, 1984  
Page 2

cases that are now being litigated. Thus, for example, I have spent the last four months trying two cases: a prisoners' class action case that lasted 7 weeks, and a securities litigation case that lasted 11-12 weeks. In the latter case alone, the parties filed 50-60 volumes of pleadings (exclusive of certain discovery documents), presented in excess of 3,000 documentary exhibits at trial, filed innumerable motions before and during trial, and took at least 15 petitions for review (interlocutory appellate review attempts) to the Alaska Supreme Court. Although this latter case may be an extreme example, it is my impression that in the last year or so, the Court System has experienced a relative increase in complex civil litigation.

Besides, the cases mentioned above, during the last year I have also tried a class action civil rights case that lasted 5-6 weeks and a wrongful death action that lasted 4-5 weeks. During the next 12-14 months, I have currently scheduled for trial 4 cases which are expected to last one month or more in duration, including a condemnation action of approximately 4 weeks; a personal injury action of approximately 4-5 weeks; a wrongful death action of approximately 5 weeks; and a commercial insurance litigation case of approximately 8 weeks.

The impact of larger case loads, as well as lengthier and more complex civil litigation on the trial calendar is obvious. The four months of trial time I spent on the two cases mentioned above consumed nearly 40% of the total available trial time on this year's calendar, thereby making it impossible for other cases to be tried during that period. Further, delays in obtaining trial setting conferences, and trial dates, are increasing at a substantial rate. Currently, a trial which would require more than 2 weeks could not be set on my trial calendar until mid-April, 1985 -- a 12-14 month delay. I am informed that most of the other civil judges' calendars are in approximately the same circumstance.

Additionally, it is my impression that more cases, including the complex cases, are proceeding to trial, rather than settling, or being disposed of by some other means. This means that the judges will tend to "overset" fewer cases per week. Several years ago, when fewer cases were proceeding to trial, I was oversetting 3-4 cases per week. Now that more cases appear to be going through trial, I am oversetting only 1-2 cases a week -- and in some instances, not oversetting at all. This, of course, means still further delays between the commencement of an action and the trial date in the action.

The Honorable Charlie Bussell  
March 15, 1984  
Page 3

The increase in cases and trials also impacts adversely on the Court's time and resources available for non-trial matters which require judicial attention. Thus, for example, during a typical day, a civil judge would hold trial from 8:30 a.m. through 1:30 p.m. During the "luncheon" break (1:30 - 2:30), the judge will typically meet with his or her law clerk and review emergency matters which must be considered that day. Then, for the remainder of the afternoon, the judge typically would have scheduled settlement conferences, trial setting conferences, oral argument hearings on motions, oral argument hearings on agency appeals, evidentiary hearings on injunctions, hearings on domestic violence petitions, and other emergency matters. In view of the foregoing hearings, it is not uncommon for a judge to run well into the early evening before completing the day's activities.

In addition to trial matters, hearings and conferences scheduled during the typical day, the judge must also deal with numerous matters submitted to the Court on motions or briefs, without requests for oral argument or hearing. A rough estimate of a typical day in my chambers is that we receive, and are required to give attention to, as many as 2-3 dozen matters per day. These matters would include motions on the briefs (including discovery motions, dispositive motions, motions for sanctions, motions to amend pleadings, and the like), stipulations, emergency motions, and appeals on the briefs from administrative agencies or entities. The Court must also deal with, as a matter of priority, domestic violence petitions. Such petitions are typically being handled through hearing time in the Courtroom, although the judges are on call 24 hours a day.

Given the increase in cases, and increase in complex cases, the number of matters submitted to the Court on the briefs has also dramatically increased. And, consistently, the delays in issuing rulings on such matters have likewise increased. For example, it may take months to issue rulings on summary judgment motions or agency appeals that have been submitted to the Court on the briefs, without oral argument.

In order to perform all of the foregoing tasks, the Court has an extremely limited staff, consisting of one full-time law clerk, one secretary, and the judge. In my view, substantially additional assistance is, and will be, absolutely necessary in order to process the increased work load in a prompt and professional manner. At a minimum, it seems to me that additional Superior Court judges are immediately required. Ideally, additional support staff,

The Honorable Charlie Bussell  
March 15, 1984  
Page 4

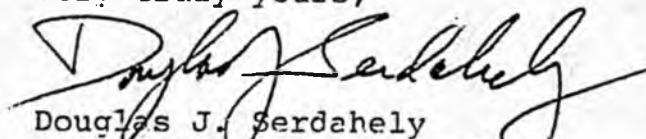
including further law clerk positions and/or externship positions would be extremely useful.

In the absence of additional judicial manpower, it seems to me quite realistic to expect that the already substantial delays in processing cases through trial will become even greater. Ultimately, I suppose, it becomes a policy question of how much delay is too much delay? I respectfully submit that for Alaska's population, and particularly for the population of the Southcentral area embodied in the Third Judicial District, delays of 1½ to 2 years to get cases to and through trials are unacceptable. Longer delays are, obviously, more unacceptable.

Accordingly, the thoughtful attention of you and your Committee to the pressing need for additional judicial manpower will be greatly appreciated.

Thank you sincerely for your consideration of these remarks.

Very truly yours,



Douglas J. Serdahely  
Judge of the Superior Court

DJS:lge

Offered: 3/30/84  
Referred: Finance

Original sponsor: Abood

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE  
2 CS FOR HOUSE BILL NO. 571 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the number of superior and dis-  
7 trict court judges; and providing for an effective  
8 date."

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

10 \* Section 1. AS 22.10.120 is amended to read:

11 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists  
12 of 29 [27] judges, five of whom shall be judges in the first judicial  
13 district, three of whom shall be judges in the second judicial dis-  
14 trict, 16 [14] of whom shall be judges in the third judicial district,  
15 and five of whom shall be judges in the fourth judicial district. At  
16 the time of submitting the names of nominees to the governor to fill a  
17 vacancy on the superior court bench, the judicial council shall also  
18 designate the district in which the appointee is to reside and serve.

19 \* Sec. 2. AS 22.15.020(a) is amended to read:

20 (a) Except as hereinafter provided, each district court of the  
21 State of Alaska shall have the number of district judges set out below  
22 opposite the name of the judicial district over which the court has  
23 jurisdiction:

24 First Judicial District ..... 2 [3]

25 Second Judicial District ..... 0 [1]

26 Third Judicial District ..... 12 [4]

27 Fourth Judicial District ..... 4 [2]

28 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
29 10.070(c).

Introduced: 2/2/84  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY ABOOD

2

HOUSE BILL NO. 571

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

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district, three of whom shall be judges in the second judicial

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district, 15 [14] of whom shall be judges in the third judicial

15

district, and five of whom shall be judges in the fourth judicial

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Third Judicial District ..... 11 [4]

28

Fourth Judicial District ..... 4 [2]

29

\* Sec. 3. This Act takes effect immediately in accordance with

1 AS 01.10.070(c).

Arata Fin Fisual Nots

HB 571

Court System 890,00 ✓

Corrections 49,007 \*

Public Safety 76,500 \*

Public Defender 127,100 ✓

Law 127,100 ✓

redone

10 out -

185  
2.1  
2.25