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# COMMITTEE REPORT

## SENATE

FURTHER:

Date 1/20/71

Mr. President

The Committee on Finance considered SB 100

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 100 (S)
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
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\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: \_\_\_\_\_  
 Title: NUMBERS 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

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		690.6	732.0	775.9	822.5	871.9
200 TRAVEL						
300 CONTRACTUAL		4.5	4.8	5.1	5.4	5.7
400 SUPPLIES		2.2	2.3	2.4	2.5	2.7
500 EQUIPMENT		30.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		727.4	739.1	783.4	830.4	880.3
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		727.4	739.1	783.4	830.4	880.3
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		11	11	11	11	11
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: ROBERT G. FISHER Phone: 264-0561  
 Division: ALASKA COURT SYSTEM Date: 1/30/84  
 Approved by Commissioner: [Signature] Date: 1/30/84  
 Agency: ALASKA COURT SYSTEM

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

12/1/83

ANALYSIS:

This bill will create a new superior court judge position, two new district court judge positions, and support staff in the Anchorage Trial Courts. Costs have been projected using an inflation factor of 6% after FY 85. The cost of equipment for the new positions is a one-time change. A detailed summary of the costs is presented below:

FISCAL IMPACT:

Personnel

<u>Position</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total Cost</u>
1 Superior Court Judge	\$ 73,620	\$ 87,474	\$161,094
1 Law Clerk (Range 13A)	25,332	8,348	33,680
1 Secretary (Range 12B)	24,516	8,164	32,680
1 In-Court Clerk (Range 12B)	24,516	8,164	32,680
2 District Court Judges	127,272	-152,628	279,900
2 In-Court Clerks (Range 12B)	49,032	16,328	65,360
1 Secretary (Range 12B)	24,516	8,164	32,680
2 File Clerks (Range 8B)	38,568	13,966	52,534
TOTAL PERSONNEL COSTS			\$690,608
Contractual			4,500
Commodities			2,200
Equipment (One-time item)			<u>30,135</u>
TOTAL FY 85 COST			<u>\$727,443</u>

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: CSHB 571  
 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

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>REV. UE</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: *W. M. Brown* 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

## CSHB 571

(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><u>\$1,606,279</u></u>

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)

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	(Each)	<u>Four</u>
Personal Services	\$41,007	164,028
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				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	<p>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.</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>					
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	1020							
21.		Other								
FOR D&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 5  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Probation Officer II				RANGE/STEP 16A	DARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCH NUMBER	DRU 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	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 1020								
21.		Other								
FOR O&M USE ONLY 4A KEY NUMBER - - - - -										

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 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 3 of 5  
Revised Date

1.	POSITION TITLE Probation Officer II				RANGE/STEP 16A	BARG. UNIT GGU	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	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	100
11.	Contractual		03	5,000
12.	Commodities		04	600
13.	Equipment		05	1,500
14.	Other			
15.	TOTAL COST			48,207

JUSTIFICATION

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.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Hatch 1003	
18.		General Funds 1004	48,20
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

FOR 4A ONLY  
 4A \_\_\_\_\_  
 4A \_\_\_\_\_

AGENCY Adult Corrections  
Offender Confinement, Reformation  
and Supervision

PROGRAM \_\_\_\_\_

DRU Southcentral Regional Corrections

COMPONENT Southcentral Regional Probation

13 REQUEST FOR  
 NEW POSITION

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

FY 8!

1.	POSITION TITLE Clerk-Typist III				RANGE/STEP 8B	BARG. UNIT CCU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RF NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	FLECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				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	1020							
21.		Other								
	FOR B&M USE ONLY									
	6A 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 5 of 5  
Revised Date

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No.: \_\_\_\_\_  
 Title: NUMBERS 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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		690.6	732.0	775.9	822.5	871.9
200 TRAVEL						
300 CONTRACTUAL		4.5	4.8	5.1	5.4	5.7
400 SUPPLIES		2.2	2.3	2.4	2.5	2.7
500 EQUIPMENT		30.1				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		727.4	739.1	783.4	830.4	880.3
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		727.4	739.1	783.4	830.4	880.3
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		11	11	11	11	11
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: ROBERT G. FISHER Phone: 264-0561  
 Division: ALASKA COURT SYSTEM Date: 1/30/84

Approved by Commissioner: [Signature] Date: 1/30/84  
 Agency: ALASKA COURT SYSTEM

Distribution (by Agency preparing fiscal note):

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

12/1/83

ANALYSIS:

This bill will create a new superior court judge position, two new district court judge positions, and support staff in the Anchorage Trial Courts. Costs have been projected using an inflation factor of 6% after FY 85. The cost of equipment for the new positions is a one-time change. A detailed summary of the costs is presented below:

FISCAL IMPACT:

Personnel

<u>Position</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total Cost</u>
1 Superior Court Judge	\$ 73,620	\$ 87,474	\$161,094
1 Law Clerk (Range 13A)	25,332	8,348	33,680
1 Secretary (Range 12B)	24,516	8,164	32,680
1 In-Court Clerk (Range 12B)	24,516	8,164	32,680
2 District Court Judges	127,272	-152,628	279,900
2 In-Court Clerks (Range 12B)	49,032	16,328	65,360
1 Secretary (Range 12B)	24,516	8,164	32,680
2 File Clerks (Range 8B)	38,568	13,966	<u>52,534</u>
TOTAL PERSONNEL COSTS			\$690,608
Contractual			4,500
Commodities			2,200
Equipment (One-time item)			<u>30,135</u>
TOTAL FY 85 COST			<u>\$727,443</u>

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						
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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  
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)

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	(Each)	Four
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.)	1,500	6,000
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.)	3,000	
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.	POSIT ON 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	\$2,5/3/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

JUSTIFICATION

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.

	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 1020	
21.		Other	

FOR O&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 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	DRU 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	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 1079								
21.		Other								
FOR B&M USE ONLY										
4A KEY NUMBER _____										

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.

REQUEST FOR  
13 NEW POSITION

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

FY 85

Page 3 of 5

Revised Date

1.	POSITION TITLE Probation Officer II			RANGE/STEP 16A	ORG. UNIT GCU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCH NUMBER	DRU 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	100
11.	Contractual	03	5,000
12.	Commodities	04	600
13.	Equipment	05	1,500
14.	Other		
15.	TOTAL COST		48,207

JUSTIFICATION

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.

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.		General Funds 1004	48,200
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

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

13 REQUEST FOR  
NEW POSITION

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

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

FY 8!

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		
4.	TYPE OF EXPENDITURE			AMOUNT
	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

JUSTIFICATION

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.

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

	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 Southcentral Regional Corrections  
COMPONENT Southcentral Regional Probation

FY 85

Page 5 of 5  
Revised Date

FISCAL NOTE

Revision Date: March 8, 1984

REQUEST

Bill/Resolution No.: HB 571  
 Title: "...number of superior and district court judges.."  
 Sponsor: Repr. Abood  
 Requestor: OMB - Gov.'s Off.  
 Date of Request: 2-28-84

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		197.0	208.8	221.3	234.6	248.7
200 TRAVEL		15.0	15.9	16.9	17.9	19.0
300 CONTRACTUAL		47.2	50.0	53.0	56.2	59.6
400 SUPPLIES		15.6	11.4	12.1	12.8	13.6
500 EQUIPMENT		18.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	292.8	286.1	303.3	321.5	340.9
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
GENERAL FUND	-0-	292.8	286.1	303.3	321.5	340.9
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
FULL-TIME	-0-	4	4	4	4	4
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 Division Date: 3-8-84

Approved by Commissioner: Richard I. Pegues/for Norman C. Gorsuch Date: 3-8-84  
 Agency: Department of Law

Distribution (by Agency preparing fiscal note):

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

12/1/83

March 8, 1984

The net effect of HB 571 is to increase the number of judges in the Third Judicial District by one superior court judge and two district court judges, at Anchorage. This increase has been requested by the courts because of substantial increases in both felony and misdemeanor 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 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 which 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 in order to meet court calendars. This correlation has in the past and should 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 9 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 27, 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 last five to six years which have not 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. This problem will become particularly severe if these additional judicial positions 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 substantial impact at the superior court level because of the need to assign the new superior court judge in Anchorage to criminal cases.

In his State of Judiciary message to the Legislature on February 28, 1984, Chief Justice Burke anticipated that the new superior court judge 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 the 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 judge, in order to meet the speedy trial requirements of Criminal Rule 45 in the face of the increased number and complexity of <sup>120 day trials</sup> 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 three new judges will devote some proportion of their time to civil cases, we are requesting that the District Attorney's Office at Anchorage be increased by two (rather than three) attorneys, one paralegal assistant and one legal secretary. One attorney will be assigned to the superior court to handle major felony prosecutions with emphasis on sexual assault and homicide cases. The second attorney will be assigned to district court cases and handle misdemeanor cases exclusively. The Criminal Division believes that it can, for the present, adequately cover the caseload through the addition of two attorneys, rather than three, through an additional paralegal assistant at substantially lesser cost to assist in case preparation and the coordination of witnesses. A single legal secretary position will be needed to provide support services in the processing of these cases and to handle the work that will be generated by the two attorneys and the paralegal. The total costs associated with these positions is (\$292,800.) Attached is a summary sheet which breaks this cost down by each position and relevant budgetary object code.

Fiscal Note Analysis  
HB 571

FY 85  
Cost Schedule

<u>Object</u>	<u>Atty IV</u>	<u>Atty III</u>	<u>Paralegal Asst II</u>	<u>Leg. Sec I</u>	<u>Total</u>
Personal Services	67.5	59.7	40.6	29.2	197.0
Travel - Witness travel subsistence, staff travel	5.0	5.0	5.0	-0-	15.0
Contractual Services					
Office commo., equip. repair	4.8	4.8	4.8	2.4	16.8
Copy - postage					
WP Maintenance				1.8	1.8
Space Rental	5.2	5.2	4.1	4.1	18.6
Expert Witness/ Witness Costs	5.0	5.0			10.0
					<u>47.2</u>
Commodities - ongoing					
Office consumables	1.8	1.8	1.8	1.8	7.2
Law Library	1.2	1.2	1.2	-0-	3.6
Commodities - one time					
New position materials	1.2	1.2	1.2	1.2	4.8
					<u>15.6</u>
Equipment - one time					
New position equip. Word Processor	1.5	1.5	1.5	1.5 12.0	6.0 12.0
					<u>18.0</u>
<b>TOTALS</b>	<u>93.2</u>	<u>85.4</u>	<u>60.2</u>	<u>54.0</u>	<u>292.8</u>

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

1.	POSITION TITLE ATTORNEY IV			RANGE/STEP 24A	DEPT. UNIT PX	FORM NO. PAGE/LINE	GOV.	APPROV.	DISA
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 one of two 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. Hatch 1003	
18.		General Funds 1004	93,233
19.		I-A Receipts 1005	
20.		Program Receipts 1020	
21.		Other	

FOR DEB USE ONLY  
 4A KEY NUMBER \_\_\_\_\_

AGENCY DEPARTMENT OF LAW  
 PROGRAM DUE PROCESS  
 DRU PROSECUTION

13 REQUEST FOR  
 NEW POSITION

FY 8!

1.	POSITION TITLE ATTORNEY III			RANGE/STEP 22A	DEPT. UNIT PX	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAP.
2.	TYPE OF POSITION PPT	STAFF MONTHS 12	RP NUMBER	PCH NUMBER	BRU 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 second of two attorney positions being requested to handle the expanded court calendar that will occur when three 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
19.		I-A Receipts	1005
20.		Program Receipts	1020
21.		Other	
			85,355

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4A KEY NUMBER

13 REQUEST FOR NEW POSITION

AGENCY DEPARTMENT OF LAW  
PROGRAM DUE PROCESS  
BRU PROSECUTION

FY 81

1.	POSITION TITLE PARALEGAL ASSISTANT II			
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER
3.	CONTINUATION LEVEL			
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	

RANGE/STEP 16A	ORG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAP.
DRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT 8	LEG.		

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	

FOR DRU USE ONLY  
4A KEY NUMBER \_\_\_\_\_

AGENCY DEPARTMENT OF LAW  
PROGRAM DUE PROCESS  
DRU PROSECUTION

13 REQUEST FOR  
NEW POSITION

FY 85

1.	POSITION TITLE LEGAL SECRETARY I				RANGE/STEP 10B	ORG. UNIT GGU	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	ICG.		

3.	CONFIRMATION 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	-			
11.	Contractual		03	8,300			
12.	Commodities		04	3,000			
13.	Equipment		05	13,500			
14.	Other						
15.	TOTAL COST			54,040			

JUSTIFICATION

This position is requested to provide the clerical support required to handle the paperwork that will be generated by the two attorneys and the paralegal who are being added in response to the three 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. Hatch	1003	
18.		General Funds	1004	54,040
19.		I-A Receipts	1005	
20.		Program Receipts	1020	
21.		Other		

FOR DRU USE ONLY  
 4A KEY NUMBER \_\_\_\_\_

AGENCY DEPARTMENT OF LAW  
 PROGRAM DUE PROCESS  
 DRU PROSECUTION

13 REQUEST FOR  
 NEW POSITION

FY 85



Superior Court  
State of Alaska

THIRD JUDICIAL DISTRICT

303 K Street  
Anchorage, Alaska 99501



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

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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.

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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,

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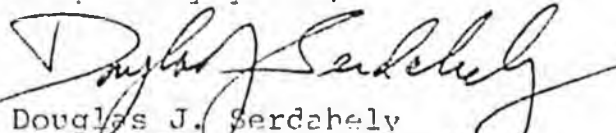
including further law clerk positions and/or externship positions would be extremely useful.

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



## Superior Court

State of Alaska

THIRD JUDICIAL DISTRICT  
303 K STREET  
ANCHORAGE, ALASKA 99501

February 22, 1984

MARK C. ROWLAND  
Superior Court Judge

Hon. Charlie Bussell  
Chairman, House Judiciary Committee  
Alaska State Legislature  
Room 124, State Capitol Building  
Juneau, AK 99811

Dear Mr. Bussell:

The following is in response to a request for additional information through Rep. Abood's staff in support of our request for two additional district court judges and one additional superior court judge for the Anchorage trial courts.

### ANCHORAGE DISTRICT COURT

Problem: The Anchorage district court has had seven judges since FY 1977. During that period, a 69% increase in Anchorage Police Department (APD) officers has contributed to a 175% increase in DWI arrests. A large portion of this increase was due to a special enforcement program operated by the APD and the Anchorage criminal prosecutor. This program, which is now funded by the Municipality of Anchorage, was instituted in 1981 and is slated to continue. The district court has simply been inundated with hearings and trials generated by the increased police activity, particularly that relating to DWI arrests. This, coupled with greater penalties, has caused attorneys to litigate longer and harder to protect their clients' interests. Complex, lengthy pretrial motions are routinely filed in criminal cases. Drunk driving cases often receive as much pretrial attention as many routine felonies. This causes the court to spend more time in each case than was previously necessary.

Consequences: The Anchorage district court is at the point of being unable to keep abreast of all the DWIs as well as other cases coming before it. Routinely, each day's calendar has

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*cases scheduled for calendar a day when the calendar is full are waited to the next day and so on until heard so passed - Rule 45 - then they must be dismissed. The trailing cases push into trailing status.*

between five to ten criminal cases trailing, i.e., cases which were set for trial that day or earlier but cannot be reached because the judges are trying other cases. Almost daily the court is faced with the threat of having to dismiss cases under Criminal Rule 45 for not being able to hear the case within 120 days of arrest. If the Anchorage district court does not receive some added judicial and clerical resources, some criminal cases will be dismissed simply because they cannot be reached.

Solution: The district court, in conjunction with the administrative office of the courts, has developed and implemented procedural changes to speed up the trial process. Clerical staff have been added. Visiting judges and magistrates have been scheduled to sit in Anchorage. Supreme court justices, appellate court and superior court judges have sat in district court when their schedules allow. However, these are stopgap measures. Additional judicial resources are now necessary to meet the growing backlog.

#### ANCHORAGE SUPERIOR COURT

Problem: The Anchorage superior court has had ten superior court judges since FY 81. Since that time, felony cases and civil cases have become more complex and presumptive sentencing, along with other factors, has made it more likely that criminal cases will be tried. Criminal felony trials have more than doubled from 40 during FY 81 to 92 during FY 83, an increase of 130%. In July 1981, each civil judge had a pending caseload of 588 cases. As of December 1983, that number passed 1,000 cases, an increase of 70%. The Anchorage superior court is also responsible for traveling to six bush locations 36 out of 52 weeks each year (69%). This is a further drain on judicial resources in Anchorage. The bush calendars are predominately criminal cases.

Lengthy trials in both criminal and civil matters are becoming more common. The increased length and number of trials, coupled with Criminal Rule 45 which requires trials be started within 120 days of arrest, has necessitated assignment of criminal cases to the civil division. The civil division has heard approximately 25% of the criminal division's caseload, which has helped create a backlog of civil cases awaiting disposition.

The civil division has had its share of lengthy cases as well. The Olsen v. Afognak case involving multiple parties will require almost ten weeks of trial before completion. The lawsuit challenging Anchorage jail conditions has required seven weeks of

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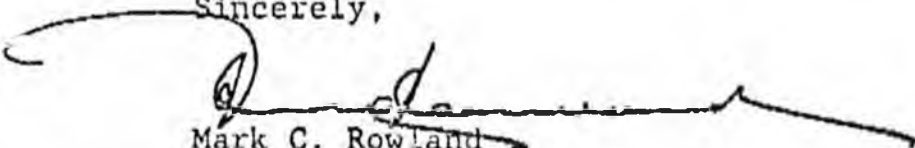
trial. One civil division judge has five cases coming up, each of which will require four weeks or longer to try.

Consequences: Without additional resources, more civil cases will have to be postponed in order for the court to hear felony cases. This means more and more domestic cases and other civil cases will take a back seat to the criminal calendar. This will prolong the disruption and uncertainty experienced by civil litigants, particularly in divorce cases involving custody of children. The level of judicial services to which the residents of the third judicial district are entitled will continue to diminish and could approach the inordinate delays of three or more years a person must wait for a civil trial in some jurisdictions in the "lower 48".

Solution: Additional judicial and support resources are required if we are to avert the scenario above. The superior court calendaring system was modified in 1981 with a great deal of success. Growth in court business since then has overcome the benefits of that change. When schedules allow, visiting or retired judges are scheduled into the Anchorage superior court. However, as with the district court, this is a temporary solution.

Both Elaine Andrews, assistant presiding judge for the district court, and I hope to have an opportunity to meet with you at your convenience. If you have any questions regarding this information or any aspect of our request, please contact me at 264-0406. Thank you.

Sincerely,



Mark C. Rowland  
Presiding Judge

MCR pb

cc Members of the House Judiciary Committee  
Hon. Mitch Abood  
Chief Justice Edmond W. Burke  
Arthur H. Snowden, II  
Anchorage Superior Court Judges  
Anchorage District Court Judges  
Albert H. Szal, Area Court Administrator

Enclosures

In that the district court has not increased its size since FY 77 and the superior court has not increased since FY 81, the statistical information below represents caseload growth before those two courts since FY 77 and FY 81 respectively.

ANCHORAGE DISTRICT COURT

	<u>FY 77</u>	<u>FY 83</u>	<u>Increase</u>	<u>Pctge.</u>
<u>Caseload (Factors)</u>				
Anchorage Police Department (APD) Officers	174	294	120	69%
Square Mileage Patrolled	31	110	79	255%
DWI Arrests by APD	651	1,790	1,139	175%
Search Warrants Requested	99	350*	251	254%
Small Claims Filings	2,744	4,734	1,990	73%
<u>Judicial Staffing</u>				
District Court Judges	7	7	0	0%
Committing Magistrates	1	1**	0	0%

\*182 handled by committing magistrates.

\*\*One committing magistrate work station is manned 24 hours each day, 365 days per year by five individuals on a rotating schedule. This position is primarily responsible for setting bail during non-duty hours and conducting traffic trials during duty hours. From 1977 to 1978, one individual was assigned traffic trials only during duty hours.

ANCHORAGE SUPERIOR COURT

	<u>FY 81</u>	<u>FY 83</u>	<u>Increase</u>	<u>Pctge.</u>
<u>Caseload (Filings)</u>				
Felony Cases	413	583	170	41%
Domestic Relations Cases	3,737	4,917	1,180	32%
Other Civil Cases	2,156	2,511	355	16%
Children's Matters	445	593	148	33%
Probate Cases	<u>777</u>	<u>1,356</u>	<u>579</u>	<u>75%</u>
Total Increase	7,528	9,960	2,432	32%
 <u>Felony Trials</u>	 40	 92	 52	 130%
 <u>Judicial Staffing</u>				
Superior Court Judges	10	10	0	0%
Superior Court Masters	<u>4</u>	<u>4</u>	<u>0</u>	<u>0%</u>
Total Increase	14	14	0	0%

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