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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary 2-24-86 1:30 pm

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HR515
 Title: "An Act increasing the number of superior court judges..."
 Sponsor: Rep. Sund
 Requestor: Judiciary
 Date of Request: 2/14/86

FISCAL DETAIL

Agency Affected: Dept. of Administration
 BRU: Office of Public Advocacy
 Components: Office of Public Advocacy

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-0-	152.7	161.9	171.6	181.9	192.8
TRAVEL		5.0	5.3	5.5	5.9	6.3
CONTRACTUAL		186.7	197.9	209.8	222.4	235.7
SUPPLIES		3.0	3.2	3.4	3.6	3.8
EQUIPMENT		16.7	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	364.1	368.3	390.4	413.8	438.6

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND	-0-	364.1	368.3	390.4	413.8	438.6
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	364.1	368.3	390.4	413.8	438.6

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by: Erant McGee, Public Advocate *Erant McGee* Phone: 274-1684
 Division: Office of Public Advocacy Date: 2/20/86

Approved by Commissioner: Eleanor Andrews *Eleanor Andrews* Date: _____
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB515

This bill establishes four new superior court judgeships: one for the First Judicial District to be located in Ketchikan, two for the Third Judicial District to be located in Palmer and Kenai, and one for the Fourth Judicial District to be located in Bethel. The addition of judges in any court location results in a substantial increase in required court appearances for Office of Public Advocacy staff attorneys and contract professionals who provide guardian ad litem representation for abused and neglected children. The OPA must have staff attorneys and contract professionals available to appear in the additional court hearings scheduled before the new judges.

BUDGET ANALYSIS

First District - Ketchikan

Additional Contract Professionals

300- Contractual Services 47.5

Third District - Kenai & Palmer

Additional Anchorage Staff to Cover Kenai & Palmer Courts

Attorney IV	72.2
Associate Attorney II	53.1
Clerk Typist III	<u>27.4</u>
	152.7

100- Personal Services	152.7
200- Travel	5.0
300- Contractual Services	80.2
400- Supplies	3.0
500- Equipment (One-Time)	16.7

Fourt District - Bethel

Additional Contract Professionals

300- Contractual Services 59.0

TOTAL 364.1

Position Title Attorney IV - Anchorage			No. of Positions 1	Range/Step 24/A	Barq. Unit 8	Obj.	Agency	Month
Time Status PFT	Staff Months 12.0	RP Number	Location EBA		Election District 8			
Type of Expenditure			Amount					
1			3					
Salary	4,687/PER MO.	56.24						
Benefits		15,997						
Premium Pay								
Other								
Total Personal Services			72,234					
Travel			2,500					
Contractual			7,600					
Commodities			1,000					
Equipment			3,100					
Other								
Total Cost			86,434					
Receipt Code		Funding Source						
		Federal Receipts 1002						
		D. P. Match 1003						
		General Funds 1004 86,434						
		I-A Receipts 1005						
		Program Receipts 1028						
		CIP Receipts 1061						
		Other						
For B&M Use Only Key Number								

Justification

The increase in criminal caseloads in the Palmer and Kenai areas necessitates the addition of another felony trial lawyer in the Anchorage office. This single attorney could provide cost effective staff coverage of these locations. This position will enable OPA to absorb the increased caseload to be anticipated from the addition of Superior Court judges and court appearances for these areas.

**Request For
New Position**

Agency Department of Administration
 DRU Office of Public Advocacy
 Component Office of Public Advocacy

FY 87

Page 3 of 5
 Revised Date _____

Position Title Associate Attorney II - Anchorage			No. of Positions 1	Range/Step 19/A	Org. Unit X	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12.0	RP Number	Location EBA		Election District 8	Leg.		
Type of Expenditure			Justification					
			<p>The increase in children's proceedings in the Palmer and Kenai areas necessitates the addition of another Associate Attorney II position in the Anchorage office. This single position would provide guardian ad litem representation to abused and neglected children in children's proceedings in Kenai and Palmer.</p>					
1	2	3						
Salary 3,353/Mo.	10,236							
Benefits	12,849							
Premium Pay								
Other								
Total Personal Services		53,085						
Travel		2,500						
Contractual		7,600						
Commodities		1,000						
Equipment		3,100						
Other								
Total Cost		67,285						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	Q. F. Match 1003							
	General Funds 1004		67,285					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only Key Number								

**Request For
New Position**

Agency Department of Administration
 BRU Office of Public Advocacy
 Component Office of Public Advocacy

FY 87

Page 4 of 5
 Revised Date

Position Title Clerk Typist III - Anchorage			No. of Positions 1	Range/Step 08/A	Burg. Unit C	Gov. Approv.	Disapp.
Time Status PFT	Start Months 12.0	RP Number	Location EBA	Election District 8	Est.		
Justification							
<p>The addition of two professional positions in the Anchorage office necessitates an additional clerk typist position. Presently, the Anchorage office has three legal secretary positions who are providing clerical support to 12 professional positions. The Anchorage office has no receptionist position and these duties are covered by the legal secretaries. The addition of two professional positions will increase the secretarial workload substantially. The present secretary positions will be able to absorb this additional workload only if they are relieved from receptionist duties.</p>							
Type of Expenditure		Amount					
1	2	3					
Salary	1,631/Mo.	19,572					
Benefits		7,805					
Premium Pay							
Other							
Total Personal Services			27,377				
Travel			0				
Contractual			0				
Commodities			1,000				
Equipment			10,500				
Other							
Total Cost			38,877				
Receipt Code	Funding Source						
	Federal Receipts 1002						
	Q. E. Match 1003						
	General Funds 1004						
	I-A Receipts 1005						
	Program Receipts 1028						
	CIP Receipts 1061						
	Other						
For B&M Use Only Key Number							

**Request For
New Position**

Agency Department of Administration
 BRU Office of Public Advocacy
 Component Office of Public Advocacy

FY 87

Page 5 of 5
 Revised Date

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 515
 Title : An Act Relating to the Number
of Judges

 Sponsor : _____
 Requestor : _____
 Date of Request : 2/3/86

FISCAL DETAIL

Agency Affected : Alaska Court System
 BRU : Trial Courts

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		1,171.8	1,242.1	1,316.6	1,395.6	1,479.3
TRAVEL						
CONTRACTUAL		23.6	25.0	26.5	28.1	29.8
SUPPLIES		8.0	8.5	9.0	9.5	10.1
EQUIPMENT		68.2				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		1,271.6	1,275.6	1,352.1	1,433.2	1,519.2

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		1,271.6	1,275.6	1,352.1	1,433.2	1,519.2
FEDERAL FUNDS						
OTHER						
TOTAL		1,271.6	1,275.6	1,352.1	1,433.2	1,519.2

POSITIONS :

FULL-TIME		16	16	16	16	16
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Robert G. Fisher Phone : 264-8215
 Division : Alaska Court System Date : 2/3/86
 Approved by Commissioner : Arthur H. Snowden, II Date : 2/3/86
 Agency : Alaska Court System

Distribution (by Agency preparing fiscal note) :

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

ALASKA COURT SYSTEM
 HB 515 - AN ACT INCREASING
 THE NUMBER OF JUDGES

FISCAL IMPACT

PERSONAL SERVICES:	Salary	Benefits	Total Costs
Kenai: Superior Court Judge	\$82,716	\$96,245	\$178,961
In-Court Clerk (PFT, range 12B)	27,432	9,247	36,679
Secretary (PFT, range 12B)	27,432	9,247	36,679
Law Clerk (PFT, range 13A)	28,380	9,462	37,842
Palmer: Superior Court Judge	80,004	96,155	176,159
In-Court Clerk (PFT, range 12B)	26,604	9,059	35,663
Secretary (PFT, range 12B)	26,604	9,059	35,663
Law Clerk (PFT, range 13A)	27,432	9,247	36,679
Ketchikan: Superior Court Judge	77,304	93,066	170,370
In-Court Clerk (PFT, range 12B)	25,740	8,864	34,604
Secretary (PFT, range 12B)	25,740	8,864	34,604
Law Clerk (PFT, range 13A)	26,604	9,059	35,663
Bethel: Superior Court Judge	90,828	96,512	187,340
In-Court Clerk (PFT, range 12B)	33,816	10,695	44,511
Secretary (PFT, range 12B)	33,816	10,695	44,511
Law Clerk (PFT, range 13A)	34,920	10,945	45,865

Total Personal Services			1,171,793
 CONTRACTUAL:			
Telephone and postage costs			8,000
Word processors			15,600

Total Contractual			23,600
 SUPPLIES:			
			8,000
 EQUIPMENT: (one-time items)			
Office furniture			49,256
Reference materials (chambers and courtroom)			18,924

Total Equipment			68,180

TOTAL COST			\$1,271,573
			=====

Subsequent fiscal years adjusted to reflect 6% inflation.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB515
 Title: "An Act increasing the number of superior court judges..."
 Sponsor: Rep. Sund, etc.
 Requestor: H. Judiciary
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 BRU: Alaska State Troopers
 Components: Judicial Services

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		191.3	200.9	210.9	221.5	232.5
TRAVEL		6.0	6.3	6.6	6.9	7.3
CONTRACTUAL		33.6	35.3	37.0	38.9	40.8
SUPPLIES		9.9	10.4	10.9	11.5	12.0
EQUIPMENT		57.6				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		298.4	252.9	265.4	278.8	292.6

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		298.4	252.9	265.4	278.8	292.6
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

See Attachment

Prepared by: Francis C. Allan G.C.A.
 Division: Alaska State Troopers

Phone: 259-5691
 Date: 2/13/86

Approved by Commissioner: [Signature]
 Agency: Public Safety

Date: 2/17/86

Distribution (by Agency preparing fiscal note):

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

The additional three judges will force an increase in work load for for the Judicial Services Component that will need to be covered by three additional State Trooper personnel. Current staffing levels will be unable to cover any increases. The positions will be used to provide court security, move prisoners and serve civil and criminal process. Related clerical activities can be handled by current staff. These positions will be located in Palmer, Ketchikan, Bethel and Kenai/Soldotna at the same locations as the judges. Additional workload in Bethel can be handled by the current staff. Costs are as follows:

Alaska State Troopers
Judicial Services

	Palmer	Kenai	Ketchikan	FY87 Total
Personal Services	\$63.8	\$ 65.9	\$61.6	\$191.3
Travel	2.0	2.0	2.0	6.0
Contractual	11.2	11.2	11.2	33.6
Supplies	3.3	3.3	3.3	9.9
Equipment	19.2	19.2	19.2	57.6
Total	<u>\$99.5</u>	<u>\$101.6</u>	<u>\$97.3</u>	<u>\$298.4</u>

Assumptions: The fiscal note was prepared on the basis that equipment would be needed in the first year only and that a 5% inflation will take place each year after FY87.

PALMER

Trooper

PERSONAL SERVICES - 100

\$3,363 x 12 months =	\$40,356	
+ 180 hours OT	5,587	
SUB TOTAL	<u>\$45,943</u>	
+ .261327% Benefits	12,006	
+ .0613 SBS	2,800	
+ Health Benefits	<u>3,006</u>	
TOTAL PERSONAL SERVICES		\$63,755

TRAVEL & PER DIEM - 200

Average - This will vary		
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Photo Processing, \$40 per month x 12	480	
PSEA Physical Exam, Average	300	
Uniform PSEA Cleaning Allowance	636	
HWCF Vehicle - Monthly Cost Replacement \$292 per month + 1,500 miles x .29	<u>8,724</u>	
TOTAL CONTRACTUAL		11,160

SUPPLIES AND MATERIALS - 400

Uniforms/with all accessories; jacket, hats, handcuffs, etc.	1,900	
Film Supplies + Office Supplies	750	
Vehicle Accessories - Blanket, tire chains, snow tires, flares, etc.	<u>650</u>	
TOTAL SUPPLIES AND MATERIALS		3,300

EQUIPMENT - 500

Patrol - Vehicle - initial cost	12,000	
Underhood Speaker	100	
Car Radio	3,000	
Siren/Amplifier	250	
MX 360 Radio-Portable w/charger	3,200	
Firearms (revolver, shotgun, & rifle)	<u>650</u>	
TOTAL EQUIPMENT		<u>19,200</u>

TOTAL TROOPER COST TO THE BRU		\$99,415
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Position Title State Trooper			No. of Positions 1	Range/Step 76/A	Base Unit PSEA	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Kenai		Election District 16	Leg.		
Justification								
This commissioned State Trooper will be needed to provide court security, move prisoners and serve criminal and civil process. The position will provide coverage for the increased workload created by the additional superior court judge proposed. Current staff cannot handle the increase.								
Type of Expenditure			Amount					
1	2	3						
Salary	41,880							
Benefits	18,266							
Premium Pay	5,799							
Other								
Total Personal Services			65.9					
Travel			2.0					
Contractual			11.2					
Commodities			3.3					
Equipment			19.2					
Other								
Total Cost			101.6					
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
			101.6					
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Public Safety
 BRU Alaska State Troopers
 Component Judicial Services

Page 2 of 3
 Revised Date _____

FY 87

Kenai/Soldotna

Trooper

PERSONAL SERVICES - 100

\$3,990 x 12 months =	\$41,880	
+ 180 hours OT	5,799	
SUB TOTAL	<u>\$47,679</u>	
+ .261327% Benefits	12,460	
+ .0613 SBS	2,800	
+ Health Benefits	<u>3,006</u>	
TOTAL PERSONAL SERVICES		\$65,945

TRAVEL & PER DIEM - 200

Average - This will vary		
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Photo Processing, \$40 per month x 12	480	
PSEA Physical Exam, Average	300	
Uniform PSEA Cleaning Allowance	636	
HWCF Vehicle - Monthly Cost Replacement \$292 per month + 1,500 miles x .29	<u>8,724</u>	
TOTAL CONTRACTUAL		11,160

SUPPLIES AND MATERIALS - 400

Uniforms/with all accessories; jacket, hats, handcuffs, etc.	1,900	
Film Supplies + Office Supplies	750	
Vehicle Accessories - Blanket, tire chains, snow tires, flares, etc.	<u>650</u>	
TOTAL SUPPLIES AND MATERIALS		3,300

EQUIPMENT - 500

Patrol - Vehicle - initial cost	12,000	
Underhood Speaker	100	
Car Radio	3,000	
Siren/Amplifier	250	
MX 360 Radio-Portable w/charger	3,200	
Firearms (revolver, shotgun, & rifle)	<u>650</u>	
TOTAL EQUIPMENT		<u>19,200</u>

TOTAL TROOPER COST TO THE BRU

\$101,605

KETCHIKAN

Trooper Costs

PERSONAL SERVICES - 100

\$3,242 x 12 months =	\$38,904	
+ 180 hours OT @ \$30 per hr	5,400	
SUB TOTAL	<u>\$44,304</u>	
+ .261327% Benefits	11,578	
+ .0613 SBS	2,716	
+ Health Benefits	<u>3,006</u>	
TOTAL PERSONAL SERVICES		\$61,604

TRAVEL & PER DIEM - 200

Average - This will vary		
TOTAL TRAVEL & PER DIEM		2,000

CONTRACTUAL - 300

Telephone/Postage, \$85 per month x 12	1,020	
Photo Processing, \$40 per month x 12	480	
PSEA Physical Exam, Average	300	
Uniform PSEA Cleaning Allowance	636	
HWCF Vehicle - Monthly Cost Replacement \$292 per month + 1,500 miles x .29	<u>8,724</u>	
TOTAL CONTRACTUAL		11,160

SUPPLIES AND MATERIALS - 400

Uniforms/with all accessories; jacket, hats, handcuffs, etc.	1,900	
Film Supplies + Office Supplies	750	
Vehicle Accessories - Blanket, tire chains, snow tires, flares, etc.	<u>650</u>	
TOTAL SUPPLIES AND MATERIALS		3,300

EQUIPMENT - 500

Patrol - Vehicle - initial cost	12,000	
Underhood Speaker	100	
Car Radio	3,000	
Siren/Amplifier	250	
MX 360 Radio-Portable w/charger	3,200	
Firearms (revolver, shotgun, & rifle)	<u>650</u>	
TOTAL EQUIPMENT		<u>19,200</u>

TOTAL TROOPER COST TO THE BRU		\$97,264
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STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB515
 Title : "An Act increasing the number
 of superior court judges..."
 Sponsor : Rep. Sund
 Requestor : Judiciary
 Date of Request : 2/14/86

FISCAL DETAIL

Agency Affected : Dept. of Administration
 BRU : Public Defender Agency
 Components : First Judicial District
Third Judicial District
Fourth Judicial District

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		388.2	403.7	419.9	436.7	454.2
TRAVEL		15.0	15.6	16.2	16.9	17.6
CONTRACTUAL		32.0	33.3	19.0	19.8	20.6
SUPPLIES		7.5	7.9	9.3	9.6	9.9
EQUIPMENT		17.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	459.7	460.4	463.4	482.0	501.3

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND	-0-	459.7	460.4	463.4	482.0	501.3
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME	-0-	7.0	7.0	7.0	7.0	7.0
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

(See attached page.)

Prepared by : Dana Fabe, Public Defender *OK*
 Division : Public Defender Agency *Dana Fabe (BS)*

Phone : 279-7541

Date : Feb. 14, 1986

Approved by Commissioner : *Marion Hubbard*
 Agency : _____

Date : _____

Distribution (by Agency preparing fiscal note) :

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB515

The Alaska Court system is requesting four new superior court judges, one for the First Judicial District to be located in Ketchikan, two for the Third Judicial District to be located in Palmer and Kenai, and one for the Fourth Judicial District to be located in Bethel. The addition of judges in any court location results in a substantial increase in required court appearances for attorneys in the Public Defender Agency. The Agency must have attorneys available to appear at the additional court hearings scheduled before the new judges along with necessary support staff in order to avoid unnecessary delays and continuances.

FUDGET ANALYSIS

<u>First District:</u>	<u>Ketchikan-</u>	Attorney III	64.0
		100 Personal Services	64.0
		200 Travel	2.5
		300 Contractual	6.0
		400 Supplies	1.0
		500 Equipment (one time)	1.5
		Total	75.0
<u>Third District:</u>	<u>Kenai-</u>	Attorney III	68.0
		Clerk/Typist	28.9
	<u>Palmer-</u>	Attorney III	66.1
		Paralegsl II	44.9
		100 Personal Services	207.9
		200 Travel	7.5
		300 Contractual	16.0
		400 Supplies	4.0
		500 Equipment (one time)	9.0
		Total	244.4
<u>Fourth District:</u>	<u>Bethel-</u>	Attorney III	82.3
		Clerk/Typist	34.0
		100 Personal Services	116.3
		200 Travel	5.0
		300 Contractual	10.0
		400 Supplies	2.5
		500 Equipment (one time)	6.5
		Total	140.3
		GRAND TOTAL	459.7

Position Title Attorney III			No. of Positions 1	Range/Step 22A	Barg. Unit PX	Gov.	Approv.	Disapp.																																																											
Time Status PFT	Staff Months 12.0	RP Number	Location Ketchikan		Election District 1	Leg.																																																													
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**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component First Judicial District

Page 3 of 9
 Revised Date _____

FY 87

Position Title Attorney III			No. of Positions 1	Range/Step 22A	Base Unit PX	Gov.	Approv.	Disapp.																																							
Time Status PFT	Staff Months 12.0	RP Number	Location Kenai		Election District 5	Leg.																																									
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**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

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 Revised Date _____

FY 87

Position Title Clerk/Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit CG	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12.0	RP Number	Location Kenai		Election District 5	Leg.		
Justification								
Type of Expenditure			Amount					
1			2			3		
Salary \$1731 x 12			20,772					
Benefits			8,098					
Premium Pay								
Other								
Total Personal Services			28,870					
Travel			-0-					
Contractual			1,000					
Commodities			1,000					
Equipment			4,500					
Other								
Total Cost			35,370					
Receipt Code		Funding Source						
		Federal Receipts 1002						
		G. F. Match 1003						
		General Funds 1004						
		I-A Receipts 1005						
		Program Receipts 1028						
		CIP Receipts 1061						
		Other						
For B&M Use Only Key Number _____								

HB 515 establishes a new Superior Court judge in Kenai. This is in addition to the present Superior Court judge and a magistrate. The Agency has three attorneys and a paralegal assigned here and the new judicial position would require another assistant public defender and a clerk/typist. They are necessary to cover the caseload and mandatory court appearances.

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

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 Revised Date _____

FY 87

Position Title Attorney III			No. of Positions 1	Range/Step 22A	Barg. Unit PX	Gov.	Approv.	Disapp	
Time Status PFT	Staff Months 12.0	RP Number	Location Palmer		Election District 16	Leg.			
Type of Expenditure			Justification						
			HB 515 establishes a new Superior Court judge in Palmer. This is in addition to the present Superior Court judge and District Court judge. The Agency has two permanent attorneys assigned here and the new judicial position would require another assistant public defender and a paralegal assistant.						
1		2							3
Salary	\$4246 x 12	50,952							
Benefits		15,142							
Premium Pay									
Other									
Total Personal Services									66,094
Travel									2,500
Contractual									6,000
Commodities									1,000
Equipment									1,500
Other									
Total Cost									77,094
Receipt Code			Funding Source						
			Federal Receipts 1002						
			G. F. Match 1003						
			General Funds 1004						
			I-A Receipts 1005						
			Program Receipts 1028						
			JIP Receipts 1061						
			Other						
			77,094						
For B&M Use Only Key Number _____									

**Request For
New Position**

Agency Department of Administration
 BRJ Public Defender Agency
 Component Third Judicial District

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 Revised Date

FY 87

Position Title Paralegal II			No. of Positions 1	Range/Step 16A	Barg. Unit GG	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12.0	RP Number	Location Palmer		Election District 16	Leg.		
Type of Expenditure			Justification					
		Amount	HB 515 establishes a new Superior Court judge in Palmer. This is in addition to the present Superior Court judge and District Court judge. The Agency has two permanent attorneys assigned here and the new judicial position could require another assistant public defender and a paralegal assistant.					
1	2	3						
Salary	\$2804 x 12	33,648						
Benefits		11,240						
Premium Pay								
Other								
Total Personal Services		44,888						
Travel		2,500						
Contractual		3,000						
Commodities		1,000						
Equipment		1,500						
Other								
Total Cost		52,888						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	52,888					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Third Judicial District

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 Revised Date

FY 87

Position Title Attorney III			No. of Positions 1	Range/Step 22A	Barg. Unit PX	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12.0	RP Number	Location Bethel		Election District 25	Leg.		
Type of Expenditure			Justification					
		Amount	IIB 515 establishes a new Superior Court judge in Bethel. This is in addition to the present Superior Court judge and a magistrate. The Agency has three attorneys and a paralegal assistant assigned here and the new judicial position would require another assistant public defender and a clerk/typist. They are necessary to cover the caseload and mandatory court appearances. Additional office space would be required.					
1	2	3						
Salary	\$5385 x 12	64,620						
Benefits		17,640						
Premium Pay								
Other								
Total Personal Services		82,260						
Travel		5,000						
Contractual		9,000						
Commodities		1,000						
Equipment		2,000						
Other								
Total Cost		99,260						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	99,260					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Fourth Judicial District

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 Revised Date

FY 87

Position Title Clerk/Typist III			No. of Positions 1	Range/Step 8A	Barg. Unit GG	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12.0	RP Number	Location Bethel		Election Distri. 25	Leg.		
Type of Expenditure			Justification					
			<p>HB 515 establishes a new Superior Court judge in Bethel. This is in addition to the present Superior Court judge and a magistrate. The Agency has three attorneys and a paralegal assistant assigned here and the new judicial position would require another assistant public defender and a clerk/typist. They are necessary to cover the caseload and mandatory court appearances. Additional office space would be required.</p>					
Amount		3						
1	2							
Salary \$2072 x 12	24,864							
Benefits	9,096							
Premium Pay								
Other								
Total Personal Services		33,960						
Travel		--0--						
Contractual		1,000						
Commodities		1,500						
Equipment		4,500						
Other								
Total Cost		40,960						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
			40,960					
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Department of Administration
 BRU Public Defender Agency
 Component Fourth Judicial District

Page 9 of 9
 Revised Date _____

FY 87

Introduced: 1/27/86
Referred: Judiciary and
Finance

BY SUND, TAYLOR, RINKLEY,
HURLEY, GRUSSENDORF, DUNCAN,
M.M.MILLER, GOLL AND LARSON

1 IN THE HOUSE

2

HOUSE BILL NO. 515

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

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

10 Sec. 22.10.120. NUMBER OF JUDGES. The superior court consists
11 of 33 [29] judges, six [FIVE] of whom shall be judges in the first
12 judicial district, three of whom shall be judges in the second judi-
13 cial district, 18 [16] of whom shall be judges in the third judicial
14 district, and six [FIVE] of whom shall be judges in the fourth judi-
15 cial district. At the time of submitting the names of nominees to the
16 governor to fill a vacancy on the superior court bench, the judicial
17 council shall also designate the district in which the appointee is to
18 reside and serve.

19 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).



ALASKA STATE LEGISLATURE
Katie Hurley, House of Representatives

Pouch V
Juneau, Alaska 99811
Ph: (907) 465-4763
Box 870157
Wasilla, Alaska 99687

Chair, State Affairs Committee
Member, Health Education & Social Services
Member, Alaska Legislative Council
Member, House Special Committee on Fisheries

M E M O R A N D U M

TO: Representative Mike M. Miller
Chair, House Judiciary Committee

FROM: Representative Katie Hurley *Katie Hurley*

SUBJECT: HB 509 and HB 515 (increasing
number of superior court judges)

DATE: February 4, 1986

I am enclosing back-up material in support of House Bill No. 509 and House Bill No. 515 (increasing the number of superior court judges) which I have co-sponsored.

As you can see from reading the attached, the numbers are staggering. The filings per judge in the Palmer area are 6374, in contrast to Juneau, which has 2975, and Anchorage, which has 2720, for example.

I would appreciate being notified when these bills are scheduled in your committee as I would like to testify.

Chambers of
BEVERLY W. CUTLER, Judge



Superior Court
State of Alaska

(907) 745-5071

THIRD JUDICIAL DISTRICT
BOX 860
PALMER, ALASKA 99645-0860

January 28, 1986

Mr. John D. Shaw
P. O. Box "V"
Palmer, Alaska 99645

Dear Mr. Shaw:

Thank you very much for giving me the opportunity to write to you about the Mat-Su Valley's need for a second judge.

First, I should emphasize that it is imperative that we obtain a new court building as soon as possible. We desperately need both that and another judicial officer.

There is not enough room in the Hillstrom Building for us even now. Many of our current functions are compromised by our lack of space, particularly the functions that must be private, such as Grand Jury and all juvenile proceedings. We lack sufficient hallway and conference room space for attorneys, witnesses and litigants. We also lack sufficient space for jurors, and for file and exhibit storage. We have had several escapes from the court house within the last year due to a lack of adequately secured areas.

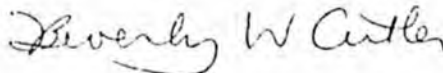
I imagine you are well versed on the present plans for obtaining a new court house. The City of Palmer and the court are working together on this but the politics of getting it funded never seem to cease. Right now the City of Palmer is attempting to get grant money from the legislature, or to obtain authority to enter into a lease/purchase option with the state.

Mr. John D. Shaw
January 28, 1986
Page Two

In response to your request for specific data on our caseload, the latest statistics show we have surpassed Kenai in filings, and in fact have more filings than Juneau, which has two Superior Court judges and one District Court judge. We have only one Superior Court, no District Court judge, and one magistrate. Printed statistics from the Alaska Court System 1985 annual report are included. You might note that Palmer is almost off the chart in the column "Filings Per Judge." The statistics justify at least two new judges! (I note that Fairbanks has only 150% of our case load but 500% as many judicial officers and 500% as much court space, with a new building planned.)

I have found it very helpful to emphasize that we are the court for the Mat-Su Valley, not just for Palmer, or even for Palmer and Wasilla. Please let me know if there is anyone else I should be communicating our needs to.

Very truly yours,



Beverly W. Cutler
Superior Court Judge

BWC:pah
cc: Senator Kerttula
Enclosures

ALASKA COURTS FILINGS

FY 85

LOCATION	SUPERIOR COURT	DISTRICT COURT	TOTAL	% OF STATE-WIDE TOTAL	FILINGS PER JUDGE
Anchorage	11602	69992	81594	49.5	2720
Barrow	285	574	859	.5	430
Bethel	469	1585	2054	1.2	1027
Cordova		501	501	.3	501
Dillingham		317	317	.5	317
Fairbanks	3448	14660	18108	11.0	1646
Glennallen		882	882	.5	882
Homer		2779	2779	1.7	2779
Juneau	1211	7714	8925	5.4	2975
Kenai	928	7570	8498	5.2	4249
Ketchikan	813	4669	5482	3.3	1827
Kodiak	455	3733	4188	2.5	2094
Kotzebue	263	1109	1372	.9	686
Nome	330	814	1144	.7	572
Palmer	1148	11600	12748	7.8	6374
Petersburg		598	598	.4	598
Seward		3121	3121	1.9	3121
Sitka	322	2371	2693	1.6	1347
Tok		1044	1044	.6	1044
Unalaska		429	429	.3	429
Valdez	133	743	876	.5	876
Wrangell	219	599	818	.5	409
OTHER (Low Vol.)		5042	5042	3.1	140
TOTAL	21626	142946	164570	100	1496

BY JUDICIAL DISTRICT

First	2565	17427	19992	12.1	1052
Second	878	2797	3675	2.2	245
Third	14266	103096	117362	71.3	2395
Fourth	3917	19626	23543	14.3	872

FISCAL YEAR JULY 1 — JUNE 30

ALASKA COURTS AUTHORIZED PERSONNEL POSITIONS

FY 85

LOCATION	POSITIONS BY RANGE					% OF STATEWIDE TOTAL
	BELOW 10	10 THROUGH 12	13 THURGH 16	OVER 16	TOTAL	
Anchorage	36	105	33	7	181	46.6
Barrow	1	4	1		6	1.5
Bethel	1	4	1		6	1.5
Cordova		1			1	.3
Diillingnam	1	1			2	.5
Fairbanks	12	50	11	4	77	19.8
Glennailen	1	1			2	.5
Homer	1	1	1		3	.8
Juneau	2	12	5	1	20	5.2
Kenai	2	10	1	1	14	3.6
Ketchikan	0	10	3	1	14	3.6
Kodiak	3	4	2		9	2.3
Kotzebue	1	3	1		5	1.3
Nome	1	4	1		6	1.5
Palmer	4	7	2		13	3.4
Petersburg	1	1			2	.5
Seward	1	1			2	.5
Sitka	1	4	2		7	1.8
Tok		1			1	.3
Unalaska		1			1	.3
Valdez	1	2			3	.8
Wrangell	1	2			3	.8
OTHER (Low Vol)	2	8			10	2.6
TOTAL	73	237	64	14	388	100

Alaska Court System Personnel, Foster June 30, 1985
BY JUDICIAL DISTRICT

First	6	31	10	2	49	12.6
Second	3	11	3	0	17	4.4
Third	51	135	39	8	233	60.1
Fourth	13	60	12	4	89	22.9

FISCAL YEAR JULY 1 — JUNE 30

ALASKA COURTS
AUTHORIZED JUDICIAL POSITIONS

FY 85

LOCATION	SUPERIOR COURT	DISTRICT COURT	MAGI-STRATES	MASTERS	TOTAL	% OF STATE-WIDE TOTAL
Anchorage	12	9	5	4	30	27.2
Barrow	1		1		2	1.8
Bethel	1		1		2	1.8
Cordova			1		1	.9
Dillingham			1		1	.9
Fairbanks	4	4	2	1	11	10.0
Glennallen			1		1	.9
Homer		1			1	.9
Juneau	2	1			3	2.7
Kenai	1		1		2	1.8
Ketchikan	1	1	1		3	2.7
Kodiak	1		1		2	1.8
Kotzebue	1		1		2	1.8
Nome	1		1		2	1.8
Palmer	1		1		2	1.8
Petersburg			1		1	.9
Seward			1		1	.9
Sitka	1		1		2	1.8
Tok			1		1	.9
Unalaska			1		1	.9
Valdez	1				1	.9
Wrangell	1		1		2	1.8
OTHER (Low Vol.)			36		36	32.7
TOTAL	29	16	60	5	110	100

Alaska Court System Personnel Roster June 30, 1985

BY JUDICIAL DISTRICT

First	5	2	12	0	19	17.3
Second	3	0	12	0	15	13.6
Third	16	10	19	4	49	44.5
Fourth	5	4	17	1	27	24.5

FISCAL YEAR JULY 1 — JUNE 30

ALASKA COURTS
AUTHORIZED JUDICIAL POSITIONS

FY 85

LOCATION	SUPERIOR COURT	DISTRICT COURT	MAGISTRATES	MASTERS	TOTAL	% OF STATE-WIDE TOTAL
Anchorage	12	9	5	4	30	27.2
Barrow	1		1		2	1.8
Bethel	1		1		2	1.8
Cordova			1		1	.9
Dillingham			1		1	.9
Fairbanks	4	4	2	1	11	10.0
Glennallen			1		1	.9
Homer		1			1	.9
Juneau	2	1			3	2.7
Kenai	1		1		2	1.8
Ketchikan	1	1	1		3	2.7
Kotliak	1		1		2	1.8
Kotzebue	1		1		2	1.8
Nome	1		1		2	1.8
Palmer	1		1		2	1.8
Petersburg			1		1	.9
Seward			1		1	.9
Sitka	1		1		2	1.8
Tok			1		1	.9
Unalaska			1		1	.9
Valdez	1				1	.9
Wrangell	1		1		2	1.8
OTHER (Low Vol.)			36		36	32.7
TOTAL	29	16	60	5	110	100

Alaska Court System Personnel Roster June 30, 1985

BY JUDICIAL DISTRICT

First	5	2	12	0	19	17.3
Second	3	0	12	0	15	13.6
Third	16	10	19	4	49	44.5
Fourth	5	4	17	1	27	24.5

FISCAL YEAR JULY 1 — JUNE 30

bcc: Al Szal

M E M O R A N D U M

RECEIVED

JAN 20 1986

Office of Trial Court Administrator
3rd Judicial District

TO: Arthur Snowden
Administrative Director

FROM: Dick Delaplain *RWD*
Manager, Technical Operations

SUBJECT: Review of need for superior court judgments for
Palmer, Kenai, Ketchikan and Dillingham

DATE: January 18, 1986

Per your instructions my staff have reviewed relevant statistical and workload data in these four sites regarding the need for additional superior court judges in Palmer, Kenai and Ketchikan and the creation of a superior court in Dillingham.

It is our conclusion that current and projected workload data would support the creation of superior court judgments in each of these sites if budget was not a consideration. Given the reality of declining state revenues/budgets, it our recommendation that additional superior court judgments be placed in Palmer and Kenai. Palmer would be the number one priority due to the tremendous recent growth in this area and the probable short term future growth.

Ketchikan has required more than one judge to stay current with superior court workload for the last two years. This support has been supplied by using approximately 75% of the Wrangell/Petersburg judges time in Ketchikan. This is not a long term solution to Ketchikan's workload, but will suffice for the next year.

Dillingham could be the central hub for a "service area" (similar to Bethel) that would serve Dillingham, the Bristol Bay area and the Aleutian Chain court sites. Workload in such a court would be equivalent to the workload in Bethel. The major drawback to recommending such a court is the lack of adequate routine transportation between Dillingham and the Aleutian Chain courts (Unalaska, Cold Bay, etc.). Current transportation patterns would require a Dillingham judge to travel via Anchorage to service most of his/her district court sites. Until more convenient transportation patterns are available this area should be serviced by Anchorage judges.

Statistical data regarding Ketchikan and Dillingham follows under separate cover.

cc: Stephanie Cole
Karla Forsythe

REVIEW OF NEED FOR SUPERIOR COURT JUDGSHIPS IN KENAI AND PALMER

Attached are statistical analyses regarding additional superior court judges in Kenai and Palmer.

In evaluating the following statistics for the either location it is assumed there will be a continued growth in the coming years or at the least no decrease in current activity levels. None of the statistical sources makes any specific predictions for the future. However, the Department of Labor does predict a 2 - 3% per year increase in the labor force for the entire state.

The current workload and statistical data from both Kenai and Palmer was compared to Juneau because it is our only two Superior Court judge location.

Sources of statistics used in these reviews include the following:

Population:	1980 Census 1981 - 1984 Alaska Population Overview Alaska Department of Labor
Labor Force:	1980 - 1983 Alaska Planning Information Alaska Department of Labor
Attorneys:	Alaska Bar Association
Police/Troopers:	Local Police Departments and local Trooper Posts (Palmer and Kenai)
Judges Travel:	Judges' travel claims filed in the Administrative Accounting Office
Jury Costs:	Jury pay amounts from the Jury Transaction Computer File
Caseload Statistics:	Case filings reported to the Technical Operations Office by the individual courts.

COMPARISON STATISTICS - 1985 TRIAL COURT STATISTICS

	JUNEAU
Population	: 25,964
Labor Force	: 12,853
Attorneys In Area	: 178
Police/Troopers	: 43
Judge Travel Days To	: 105 days
Judge Travel Days From	: 69 days
Net support days	: 36 days
% of FTE Judge	: 16%
Jury Costs FY85	: \$59,757

FY 85 Caseload Statistics (Filings)

	JUNEAU
Felony	162
Misdemeanor	2243
Civil	1295
Small Claims	1671
Children	28*
TOTAL	<u>5399</u>
Traffic	3404

PALMER JUDGSHIP

(Includes Matanuska Borough Census Division)

The Matanuska Borough Census Division has experienced the largest population growth of any census division in Alaska during the past five years. Palmer experienced a 68% increase in population between 1980 and 1984. Its' 1984 population of 29,836 is now larger than Juneau's population of (25,964).

The available labor force in the Palmer area has experienced a 91% increase between 1981 and 1985. Their August 1985 estimated labor force of 14,601 is 13% larger than Juneau's (12,853).

There are 33 practicing attorneys in the Matanuska Valley which is a 106% increase over 1980. There are 39 law enforcement officers which is a 117% increase over 1980 and comparable to Juneau's 43 officers.

In 1984 Palmer had 44 days of visiting judge time which was a 120% increase over 1980. Partial year 1985 reports show 41 days of visiting judge time in Palmer. These partial reports would project out to approximately 55 days of visiting judge time for the entire calendar year. Fifty-five days of judge time is approximately 25% of a full-time-equivalent judgeship. Need for visiting/pro tem judges can be projected to increase significantly due to the significant increases in superior court civil filings in Palmer. The portion of these cases that will go to trial will not be evident in workload for the next 1-2 years.

Jury costs in Palmer have increased 264% between FY81 and FY85. Total FY85 jury costs in Palmer of \$67,251 were 9% greater than Juneau (\$59,737).

Total non-traffic citation caseload for the Palmer court has increased approximately 120% during the last five years. Traffic citations have approximately doubled during this same period.

The rate of growth in the valley is expected to slow down in the next five years, however it is likely to level off at least a 2 to 3% annual population growth rate with no decline projected by any State agency. It can be anticipated that the workload in this court will continue to increase although at a hopefully slower rate than the last five years.

There is currently sufficient workload to justify a second Superior Court judge for this location. Demand for service can be expected to continue to increase significantly in each of the next five years.

It is our recommendation that a second superior court judge be placed in Palmer at this time. This judge should be expected to handle both superior and district court duties.

Wanted to note visiting judge costs if Palmer has a courtroom available plus staff. C.N.J.

PALMER AREA STATISTICAL DATA

Population		Labor Force	
	Matsu Census Area		Matsu Borough
1980 Census	17766	1980	7664
1981 Dept Labor	19123	1981	7321
1982 Dept Labor	25212	1982	10540
1983 Dept Labor	24734	1983	11765
1984 Dept Labor	29836(+68%)	Aug 1984	13925
		Aug 1985	14601(+91%)

Attorneys		Police/Troopers	
1980	16	1980	18
1981	14	1981	27
1982	22	1982	n/a
1983	28	1983	n/a
1984	31	1984	36
1985	33 (+106%)	1985	39(+117%)

Visiting/Pro Tem Judge Days

CY	Days
1980	20 days
1981	29 days
1982	37 days
1983	2 days
1984	44 days (20% of Judge)
1985	41 days partial year through 8/31/85.

Jury Costs

FY	Cost
81	\$18,462
82	37,512
83	43,666
84	58,060
85	\$67,251(+264%)

Caseload Statistics

	FY 81	FY 82	FY 83	FY 84	FY 85	% CHANGE '81-'85	% CHANGE '84-'85
CRIMINAL							
Felony	68	79	170	141	136	+100%	- 4%
Misdemeanor	766	1059	1313	1808	2163	+182%	+ 20%
Criminal Sub Totals	834	1138	1483	1949	2299	+176%	+ 18%
CIVIL							
D.C. Civil	310	419	67	49	104	- 66%	+112%
S.C. Civil	*	*	92	139	229	*+149%	+ 65%
Dom. Relations	*	*	314	442	578	*+ 84%	+ 31%
Probate	*	*	58	72	98	*+ 69%	+ 36%
Small Claims	931	841	578	651	1158	+ 24%	+ 78%
Civil Sub Totals	1241	1250	1109	1353	2167	+ 75%	+ 73%
CHILDREN'S MATTERS	*	*	25	71	107	*+328%	+ 51%
TOTAL NON-TRAFFIC	2075	2388	2617	3373	4573	+120%	+ 36%
TRAFFIC CITATIONS	4470	3085	5170	4970	8049	+ 80%	+ 62%
COURT TOTALS	6545	5473	7787	8343	12622	+ 93%	+ 51%

* Superior court established in Palmer as of 7/1/82. Superior court judgeship filled effective 10/26/82. Percentage change from FY81-FY85 for Superior Court Civil, Domestic Relations, Probate and Children's Matters categories are actually the percentage change in filings between FY83 and FY85 for these categories.

KENAI JUDGSHIP

(Includes Kenai Cook Inlet Census Division)

The Kenai Cook Inlet Census Division had a total population of 38,285 in 1984 which was a 51% increase over the 1980 census. Kenai itself had a population of 24,502 which is comparable to Juneau's 1985 population of 25,964. The Kenai court services the entire Kenai Cook Inlet Census Division.

The Kenai Peninsula Borough had an estimated August 1985 labor force of 20,044 which is a 90% increase over 1980s labor force. Juneau's labor force on the other hand is only 12,853.

There are 34 attorneys with resident practices in Kenai in 1985 which is a 21% increase over 1980. There has been a 64% increase in the number of police/troopers assigned in the Kenai area during the period 1980 to 1985. The current force of 46 law enforcement personnel in the Kenai area is slightly higher than Juneau's 43 law enforcement personnel.

Kenai has required approximately 1.6 superior court judges to stay current with with caseload for the last several years. The additional judge needs have been met through utilization of considerable amounts of visiting and pro tem judge time. In 1984 there were 132 visiting/pro tem judge days which was an 120% increase over 1980 and equals approximately 60% of a FTE judge. The partial data for 1985 already shows 98 visiting judge days utilized. Projecting this data out for the full 1985 year (final '85 data is not available as of this writing) would indicate that Kenai will require approximately the same visiting/pro tem judge resources in 1985 as in 1984.

Kenai jury costs have increased by 40% over the years FY 81 to FY 85. This figure does not include any judge time or jury costs associated with the existing Kenai judge trying cases in either Homer or Seward.

The total caseload for Kenai has increased 57% for non-traffic cases and 51% overall since FY 81. There has been a 42% increase in felony filings and a 73% increase in civil filings. The construction of a high security prison facility in Seward will no doubt add additional caseload to Kenai in that it will be the nearest superior court site to the prison.

It is evident that the large increases in population, labor force and resident law enforcement personnel have created a significant increase in the superior court caseload in Kenai. A review of visiting/pro tem judge days show that the need for an additional judge in Kenai has existed for the last 2-3 years.

The dramatic increases in population and workforce that have occurred on the Kenai Peninsula in the last 5 years will probably not be as sharp in the next few years, however they should continue at a reduced rate of increase. A second superior court judge in Kenai is needed to handle the current workload in superior court and to assist in handling the continuing growth of district court work.

It is our recommendation that a second superior court judge be placed in Kenai at this time. This judge should be expected to handle both superior and district court duties.

KENAI AREA STATISTICAL DATA

(4)

Population					Labor Force	
	Kenai Area	Other Kenai Cook Inlet Census	Total Kenai Cook Inlet Census Area		Kenai Peninsula Borough	
1980 Census	19785	5497	25282	1980	10534	
1981 Dept Labor	20686	5834	26520	1981	10204	
1982 Dept Labor	20791	11695	32486	1982	12349	
1983 Dept Labor	22488	12649	35137	1983	13494	
1984 Dept Labor	24502	13783	38285	Aug 1984	19036	
			(+51%)	Aug 1985	20044(+90%)	

Attorneys	
1980	26
1981	26
1982	28
1983	32
1984	33
1985	34 (+21%)

Police/Troopers	
1980	28
1981	32
1982	n/a
1983	n/a
1984	38
1985	46(+64%)

Visiting/Pro Tem Judge Days	
CY	Days
1980	60 days
1981	65 days
1982	44 days
1983	40 days
1984	132 days (+120%) 60% of Judge
1985	98 days partial year - as of 8/31/85

Jury Costs		
FY		
81	\$32620	
82	31137	
83	41205	
84	50326	
85	45794(+40%)	

Caseload Statistics

	FY81	FY82	FY83	FY84	FY85	% Change '81-'85	% Change '84-'85
Criminal	Felony	81	95	100	102	115	+42%
	Misdemeanor	1149	1268	1797	2315	1995	+74%
Criminal Sub Totals		1319	1363	1897	2417	2110	+60%
Civil	D.C. Civil	83	79	98	34	121	+46%
	S.C. Civil	134	126	203	207	248	+85%
	Dom. Relations	272	341	354	425	484	+78%
	Probate	61	49	81	88	96	+57%
	Small Claims	455	405	308	426	592	+30%
Civil Sub Totals		1005	1000	1044	1180	1541	+53%
Children's Matters		110	81	81	129	25(NC)	--
Non Traffic Total		2434	2444	3022	3726	3676	+51%
Traffic		6033	4106	4810	5218	4747	-21%
COURT TOTALS		8467	6550	7832	8944	8423	-1%

NC - not complete reporting on Children's matters.

KEN CUSACK

CUSACK & MOLLOY
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
110 SOUTH WILLOW STREET
SUITE 102
KENAI, ALASKA 99611
TELEPHONE
(907) 283-7373

ROBERT J. MOLLOY

January 27, 1986

JAN 29 1986

Senator Jay Kerttula
Pouch V, State Capitol
Juneau, AK 99811

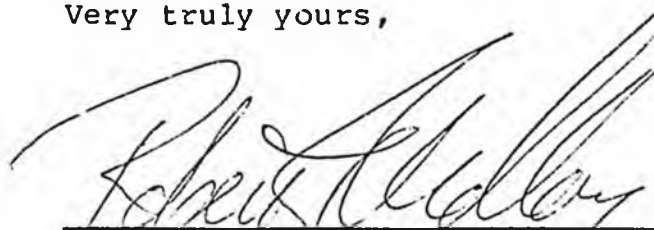
RE: SB 344

Dear Senator Kerttula:

Thank you for your letter of January 21, 1986 in regard to SB 344. As a former law clerk for Judge Hanson in Kenai and a lawyer in private practice for the last five years practicing primarily in Kenai, Alaska, I know that Kenai is in dire need of a second Superior Court Judge on a full-time basis as a result of the tremendous increase in population in the area over the past five years. Since the Mat-Su Valley has had a corresponding increase in population growth, I am sure that the Mat-Su Valley also needs a second Superior Court Judge at this time. I support SB 344 and your expressed intent that the two new Superior Court Judgeships will be placed in the Mat-Su Valley and in Kenai.

Thank you for your assistance with this legislation.

Very truly yours,



ROBERT J. MOLLOY

cc: Hon. Charles K. Cranston
Superior Court Judge in Kenai

corporations, refuse to recognize the claim. The battle — with miners and pro-development interests siding with the state and environmentalists backing the park service — is just warming up. It could last for years.

A symbol of the conflict sits rusting on the tundra of the Yukon-Charley Rivers National Preserve, northeast of Fairbanks.

Joe Vogler, a Fairbanks placer miner, refused to apply for a National Park Service permit to move mining equipment across the preserve. He started across the tundra in July 1984 with a bulldozer and a large-tired transporter, "just as happy as a clam at high tide," he said. Park officials, armed with rifles and a judge's restraining order, stopped him inside the preserve's border.

Vogler said he needed no permission to use a historic trail. The park service said he strayed from the trail, but added that even if

law's repeal, the state had to follow the trail.

In Alaska, about 85 percent of the old trails were access routes to mines, Gustafson said. Others, such as the Iditarod Trail from Seward to Nome, were used by dog-sledding mail carriers. Hundreds of shorter trails connected villages.

Since statehood in 1959, many of the federal government's unreserved holdings have become state land, or private homesteads, Native land, national parks, preserves, monuments and wildlife refuges.

Most of the new landowners assumed they controlled old trails on their property. But in 1974, the state released a list of 1,400 possible trails and asserted its right to them.

Not much has been resolved in the 12 years since the state released its list.

The state recently persuaded the National

Several historic trails fall within the expanded boundaries of Denali National Park.

Park Service to include maps of more than a hundred possible trails in park management plans due this spring. But state and federal officials are haggling over what the maps mean.

The park service said it has the right to regulate trails crossing national parks and preserves.

The Wilderness Society's Susan Alexander put it this way: "If a trail was used by horses in the past, it cannot be used by bulldozers in the future. RS 2477 was simply not intended to provide for the construction of superhighways."

Natives, meanwhile, say Alaska's claim to

trails is overridden by the 1971 Alaska Native Claims Settlement Act, which recognized their claims to 44 million acres.

A public meeting set for mid-March in Fairbanks may resolve some questions, Gustafson said.

Under its draft, the state would assess a potential trail's value to the public, then consider prior uses, alternative routes and the necessity of asserting a claim.

Alaska would be willing to defend in court any assertion it makes — an important point, Gustafson said, since more legal battles like Vogler's are likely.

Palmer Courthouse handles more cases with fewer resources than any other in Alaska

Continued from Page C-1

ten said, and small claims cases can't be heard sooner than nine months after filing.

By comparison, disputed small claims cases in Ketchikan Court must wait 30 to 60 days, in Nome 60 to 120 days, and in Fairbanks 30 to 40 days, according to court workers in those localities.

The Palmer building is also considerably smaller than other courthouses with comparable case loads, according

to Gerry Dubie, manager of materials operation for the state court system. Palmer has 6,810 square feet of usable space, compared to 13,400 for Kodiak, 26,200 for Kenai, and 77,000 for Juneau.

Because little space exists for waiting areas, jurors, defendants, witnesses and lawyers often find themselves elbow to elbow, Cutler said.

"You shouldn't have to sit in a hallway and stare at your ex-husband 'til you practically have DV (domestic vio-

lence)," Cutler said.

"I've been left with literally no room for attorney-client conferences unless you go to the men's room or stand outside," said Randy Luffberry, a Palmer attorney and president of the Mat-Su Bar Association.

Luffberry said that less time is usually available for presenting evidence in the Palmer court than in Anchorage or other facilities. Cutler also has fewer opportunities to confer with attorneys in

the case, he said.

Children's proceedings, which would get 30 minutes of hearing time in Anchorage, get 15 minutes in Palmer, Cutler said.

"It's better to have 15 minutes than no hearing at all," she said.

Growth is the reason behind Palmer's glut of cases, according to Al Szal, area court administrator for the Third Judicial District.

"The kind of growth that took place in the Mat Valley I

don't think anyone could have predicted," Szal said.

The number of court filings increased by 32 percent from 1984 to 1985, and 73 percent from 1983 to 1984, according to the annual report.

Sen. Jay Kertula, D-Palmer, introduced a bill Jan. 16 that would provide two new Superior Court judges for the Third Judicial District, which includes Anchorage and Kenai. If passed, state court system administrator Art Snowden II has guaranteed one

judge each for Kenai and Palmer, Kertula said.

The new judges would cost the state at least \$250,000 a year, Kertula said.

With its single courtroom, however, the Palmer courthouse couldn't possibly accommodate additional judges in its present building, Cutler said.

The City of Palmer planned construction of a new, \$4.5 million courthouse four years ago, but hasn't lined up funding yet.

Tailgate entrepreneurs promise bargains

Continued from Page C-1

"I just kept thinking, 'This stuff's got to be hot.' Aren't these guys illegal or something?"

They may seem pushy and their setup may seem just a hair to the far side of respectability. But police have

them aren't guys doing the same thing out there that aren't legitimate, though. People just have to be careful."

These industrious salesmen must have graduated with honors from the hard-sell school of merchandising, judging from those who've said "no" to their "don't-

sold sometime.

"They called out to me while I was getting in my blue-and-white (police cruiser)," said Officer Cathy Brewster, who was targeted a few weeks ago as she walked to her department take-home car. "The guy asks me if I want a tape deck, and I said 'NO.' Then he asks if I need

Legislators consider pay bill

Continued from Page C-1

the interim panel's proposal won't fly because it wouldn't really reduce pay for the legislature.

"Frankly, there's virtually no difference," said Rep. Pat Pourchot, D-Anchorage.

Pourchot and Hurley are among the sponsors of a bill to repeal the 1983 legislative

raise and return to 1983 pay levels is scheduled to go before voters on the November ballot.

Efforts by some lawmakers to repeal the raise were blocked last year, but the legislature did create an interim committee to study the problem and propose alternatives.

The committee, chaired jointly by Sen. Mitch Abood,

Mackay

Continued from Page C-1

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Doing more with less

Too much work, too little space in Palmer Courthouse

By CHRIS GEIGER
Daily News reporter

PALMER — At the Palmer Courthouse, hearings are sometimes held in the library, and attorneys confer with clients in a storage room. Exhibits are stored in what used to be holding cells, and filing tasks are sometimes days behind, court personnel say.

According to the Alaska Court System's 1985 report, the Palmer courthouse ranks behind only Anchorage and Fairbanks in number of court filings in the state.

In fiscal year 1985, the Palmer court saw 12,748 filings, or 7.8 percent of the state total. Anchorage's 81,594 filings accounted for 49.5 percent of the total, while Fairbanks' 18,108 was 11 percent of the total. Twelve Superior Court judges sit in Anchorage and four sit in Fairbanks.

With only one judge and a magistrate in Palmer, the high volume of filings spells longer waits, and less attention to people passing through the judicial system here, according to court personnel and lawyers.

The state report indicates

that in filings per judge — including magistrates — Palmer was the highest in the state with 6,374. Kenai's court ranked second, with 4,249. Anchorage had a rate of 2,720.

Palmer's lone Superior Court judge, Beverly Cutler, is trying to drum up support for state funding to build a new courthouse and hire additional judges there.

"Politically, judges aren't supposed to speak out, for fear of looking greedy — of wanting bigger windows in their office or something," Cutler said.

Help may be on the way in the current legislative session, in the form of a new courthouse and one additional judge. But it would only take one lengthy civil or criminal trial "to literally push us over the brink," Cutler said.

Palmer Court Clerk Jackie Allen said her staff is overworked by the number of cases. As a result, work is often days behind, and long lines form at the civil case counter, she said.

Requests for motions and orders must wait from one week to several months, Al-

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Fairbanks judge