

HB

443

STATE OF ALASKA
1992 LEGISLATIVE SESSION

NO. 4
Bill Version: HB 443
(H) Publish Date: 2-28-92

Revision Date: _____
Title: "...increasing superior court judges...
decreasing...district judges in the fourth...district..."
Sponsor: House Judiciary by Request
Requestor: House Judiciary Committee

Department Affected: Department of Law
BRU: Prosecution
Component: Fourth Judicial District

COMPONENT SERIAL

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER FUND SOURCE:	-					
TOTAL						

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director
Division: Administrative Services
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: February 24 1992
Date: February 24, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 443

This bill amends AS 22.10 and AS 22.15 to increase the number of superior court judges in the fourth judicial district from five to six, and to decrease the number of district judges in the fourth judicial district from four to three. The bill will have the effect of increasing the time available to hear felony trials and decreasing the time available to hear misdemeanor trials, to the extent that the time of the two positions involved will be or has been spent on criminal matters. If the time to be spent hearing felony trials is evenly offset by the time that was previously spent hearing misdemeanor trials, there should not be a fiscal impact for the Department of Law.

No. 1

Bill Version: HB 443

(H) Publish Date: 2-28-92

FISCAL NOTE

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act increasing the total number of BRL: Trial Courts
superior court judges... Components: _____
 Sponsor: Judiciary by request
 Requestor: Judiciary COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	118.4	118.4	118.4	118.4	118.4	118.4
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT	7.8					
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	126.2	118.4	118.4	118.4	118.4	118.4
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	126.2	118.4	118.4	118.4	118.4	118.4
FEDERAL FUNDS						
OTHER						
TOTAL	126.2	118.4	118.4	118.4	118.4	118.4

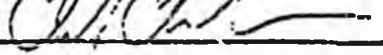
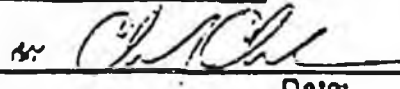
POSITIONS:

FULL-TIME	2.0	2.0	2.0	2.0	2.0	2.0
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228
 Division: Alaska Court System Date: 02/06/92
 Approved by: Arthur H. Snowden, II, Administrative Director 
 Agency: Alaska Court System Date: 02/06/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

No 1
HB 443Alaska Court SystemFiscal Impact of Adding a Superior Court Judge and
Deleting a District Court Judge in the Fairbanks Trial Courts
HB 443Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Cost difference between a Superior Court Judge and a District Court Judge			\$22,812
Law Clerk I, Fairbanks, permanent full-time, 13D	36,684	14,156	50,840
Secretary II, Fairbanks, permanent full-time, 12B	31,824	12,896	44,720
Total Personal Services			<u>118,372</u>

Equipment (one-time cost)

Office equipment for Law Clerk (personal computer, desk, chair, statutes and filing cabinet)			4,100
Office equipment for Secretary (personal computer, desk, chair, and filing cabinet)			3,700
Total Equipment			<u>7,800</u>

Total Costs			<u>\$126,172</u>
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FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 2
Bill Version: HB 443
(H) Publish Date: 2-28-92

Effective Date: _____
Title: An Act increasing the number of Superior Court judges
... and decreasing the number of District Court judges
Sponsor: House Judiciary
Requestor: House Judiciary

Department Affected: Administration
BRU: Office of Public Advocacy
Component: Office of Public Advocacy

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Brant McGee, Public Advocate
Division: Office of Public Advocacy

Phone: 274-1684
Date: February 13, 1992

Approved by Commissioner: Nancy Bear Usara
Agency: Administration

Date: 2/13/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

STATE OF ALASKA.
1992 LEGISLATIVE SESSION

Bill Version: HB 443
(H) Publish Date: 2-28-92

Revision Date: _____
Title: "An Act increasing the total number of superior court judges from 30 to 31."
Sponsor: House Judiciary
Requestor: House Judiciary

Department Affected: Administration
BRU: Public Defender Agency
Component: Public Defender Agency

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact _____

ANALYSIS: (Attach a separate page if necessary.) This bill eliminates a district court judge position and adds a superior court judge position in the fourth judicial district.

Fiscal impact is likely to be minimal as concerns the Public Defender Office in that location.

Prepared by: John Salemi, Public Defender
Division: Public Defender Agency

Phone: 279-7541
Date: February 12, 1992

Approved by Commissioner: Nancy Bear Usara
Agency: Administration

Date: 2/21/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).



Alaska Court System
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III
Staff Counsel

April 6, 1992

303 K Street
Anchorage, AK 99501
(907) 264-8228

The Honorable Rick Halford
Chairman, Senate Judiciary Committee
P. O. Box V
Juneau, Alaska 99811

Dear Senator Halford:

I am writing to request that the Judiciary Committee schedule House Bill 443, relating to the number of judges in the fourth judicial district, at its earliest possible convenience. This bill was introduced at the request of the Alaska Supreme Court. Its purpose is to correct an imbalance in the number and type of judges in the fourth judicial district.

At the present time, the superior court for the fourth judicial district is authorized to have five judges (including four in Fairbanks and one in Bethel), while the district court is authorized to have four (all in Fairbanks). HB 443 would upgrade one of the district court positions to a superior court judgeship, thus reducing the number of district judges to three, and increasing the number of superior court judges to six.

The supreme court is requesting this statutory change because it believes that the superior court workload in the fourth judicial district is excessive for five judges, and that the changes proposed by HB 443 represent the most practical way to address this problem.

At the present time, the five superior court judges sitting in the fourth judicial district are averaging 60 work hours each per week. They are being assisted by a pro tem judge brought out of retirement, as well as by two district judges who are hearing

The Honorable Rick Halford
April 6, 1992
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superior court cases in a pro tem capacity. In spite of this tremendous effort, the superior court has been unable to keep pace with its workload. Because of the high trial rate in the district, we have come close to losing criminal cases that could not be heard in a timely manner. An additional superior court judge is essential.

The reduction in the number of district judges reflected in this upgrade will necessarily cause some strain on the district court. However, the supreme court is cognizant of the fiscal problems facing the state at the present time. It has chosen to pursue this course of action so as to have as little fiscal impact on the state as possible.

A judicial upgrade in the fourth judicial district is essential if the superior and district courts are to operate efficiently, and provide an adequate level of service to the community. Please let me know if I can provide any additional information.

Very truly yours,

C.S. Christensen III / bh
C. S. Christensen III
Staff Counsel

CSC:bh