

**SB**

**1000**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/18/99

FURTHER:

DATE TURNED  
IN TO OFFICE: 4/01/99

Finance Committee considered

SENATE BILL NO. 100

"An Act relating to the payment by indigent persons for legal services and related costs."

and recommends:

- be replaced with \_\_\_\_\_ CS SB 100 (FIN)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical title
- new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Lynne Green</i>	✓				
<i>Tom Wilks</i>	✓	<i>Pete Kelly</i>	✓		
<i>John D. Hennan</i>	✓				
<i>John Conroy</i>	✓				
Co-Chair: <i>John Ingram</i>	✓	Co-Chair: <i>Sean Parnell</i>	✓		
Co-Chair: <i>John Ingram</i>	✓	Co-Chair: <i>Sean Parnell</i>	✓		

**NEW FISCAL NOTE(S):**

Department                      Date      Zero      Fiscal

forthcoming Finance CS			
---------------------------	--	--	--

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date      Zero      Fiscal

AK Court System	3/18/99	0	
Law, Civil Division	3/17/99		68.9

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

No. 2 4/01/99  
 Bill Version: CSSB100(JUD)  
 (S) Publish Date: 3-19-99

**STATE OF ALASKA**  
**1999 LEGISLATIVE SESSION**

Revision Date/Time (Note if correction)	Dept. Affected <u>Law</u>
Title <u>"An Act relating to the payment by indigent persons for legal services and related costs."</u>	BRU <u>Civil Division</u>
Sponsor <u>Senate Judiciary Committee by Request</u>	Component <u>Collections &amp; Support</u>
Requester <u>Senate Judiciary Committee</u>	Component Serial No. <u>2210</u>

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	49.1	49.1	49.1	49.1	49.1	49.1
Travel	0.3	0.3	0.3	0.3	0.3	0.3
Contractual	5.1	5.1	5.1	5.1	5.1	5.1
Supplies	1.4	1.4	1.4	1.4	1.4	1.4
Equipment	13.0					
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>68.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES (1004 GF)</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>1,100.0</b>	<b>1,100.0</b>
-------------------------------------	----------------	----------------	----------------	----------------	----------------	----------------

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	68.9	55.9	55.9	55.9	55.9	55.9
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>68.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>	<b>55.9</b>

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time	1	1	1	1	1	1
Part-time	1	1	1	1	1	1
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*

CSSB 100 (JUD) intends to limit the level of representation an indigent person may receive from state-paid court appointed counsel. The bill further makes changes to statutory provisions concerning repayment to the state for those services. This fiscal note is directed to the repayment amendments, which are contained in Section 2.

Currently, under AS 18.85.120(c) and Criminal Rule 39, Alaska Rules of Court (CR39), criminal defendants who are represented by state-funded legal counsel and are convicted may be required to repay the state for their legal representation and trial costs. CSSB 100 (JUD) requires all criminal defendants, regardless of the outcome of their case, to reimburse the state. The committee substitute also limits the circumstances under which the court can reduce or defer the amount owed.

Prepared by Joan M. Kasson *Joan M. Kasson*  
 Division Attorney General's Office  
 Approved by Commissioner Eric M. Bozinger *Eric M. Bozinger* Attorney General  
 Agency Department of Law

Phone 465-5370  
 Date/Time 3/17/99, 4:20 PM  
 Date 3/17/99

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information, call the Governor's Legislative Office

**ANALYSIS CONTINUATION**

During FY97, approximately 7,200 new cost of appointed counsel judgments against convicted defendants were transferred to the Department of Law for collection. This bill is anticipated to increase the number of new cases each year by more than two and a half times (from 7,200 to an estimated 19,000).

In the past few years, the Collections Unit caseload has grown from 3,300 criminal and civil collection cases to over 100,000 active criminal, civil, and other cases. The unit could not handle the increase proposed by this bill without additional staff. One and a half Administrative Clerk II positions would be necessary for the organization, data entry, tracking, and filing of these additional cases, at an annual cost of \$55,900. One-time new equipment costs of \$6,500 for each position are included in FY00 only. The position costs would be paid for with general fund program receipts from revenues generated by the changes in this bill.

Under current law, CR39 collections are approximately \$680,000 per year. Using a straight line projection, revenues from an additional 11,800 cases would be approximately \$1,100,000 annually (7,200 cases resulting in an average  $\$94.45 = \$680,000$ ; 11,800 cases averaging  $\$94.45 = \$1,114,510$ ). This revenue estimate should be viewed with caution, however, as it assumes that all the new cases will have the same collection rate as the current caseload, or if not, that the proposed limitation on waivers to financial hardship only will offset any decreased collection due to refusal to pay. This bill would affect individuals whose cases were dismissed or who were found not guilty. We would expect that more of these individuals would challenge their judgments and refuse to pay, thus reducing the collection rate for these cases.

# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

4/01/99  
BNo. 2  
Bill Version: CSSB 100 (JUD)  
(S) Publish Date: 3-18-99

Revision Date	Dept. Affected <u>Alaska Court System</u>
Title <u>Repayment of Public Defender Expenses</u>	BRU <u>Alaska Court System</u>
Sponsor <u>Senate Judiciary by Request</u>	Component <u>Trial Courts</u>
Requester <u>Senate Finance</u>	Component Serial No. <u>769</u>

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>						

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY99) cost: None

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
No fiscal impact anticipated.

Prepared by:	<u>Doug Wooliver, Administrative Attorney</u>	Phone:	<u>264-8265</u>
Agency:	<u>Alaska Court System</u>	Date/Time:	<u>3/18/99 7:58 AM</u>
Approved by:	<u>Stephanie J. Cole, Administrative Director</u>	Date:	<u>3/18/99</u>
Agency:	<u>Alaska Court System</u>		



ALASKA COURT SYSTEM  
State of Alaska  
Office of the Administrative Director

Doug Wooliver  
Administrative Attorney

820 West 4th Avenue  
Anchorage, Alaska 99501-2005  
(907) 264-8265  
FAX (907) 264-8291

March 23, 1999

The Honorable John Torgerson  
Co-Chairman, Senate Finance Committee  
State Capitol  
Juneau, Alaska 99811

Dear Senator Torgerson:

The Alaska Court System respectfully requests that CSSB 100(JUD) be scheduled for a hearing before the Senate Finance Committee at your earliest convenience.

As initially introduced SB 100 amended AS 18.85.120(c) by requiring that all criminal defendants who receive state-funded representation repay the state for the cost of that representation. Under current law, only those who are convicted are subject to the repayment provisions.

Under both the United States and Alaska Constitutions, a criminal defendant has the right to an attorney. If he or she cannot afford an attorney, the state must appoint one. In Alaska, defense services for indigents are generally provided by the Public Defenders Agency or the Office of Public Advocacy

Until 1990, AS 18.85.120(c) authorized a court to order a defendant to pay for defense services, to the extent that the defendant could pay. For a variety of reasons, this statute was ineffective in obtaining repayment of defense costs. These reasons included the difficulty and expense of enforcing this type of repayment order, and the fact that the statute related to a defendant's current ability to pay, ignoring his or her future ability. This was very restrictive when compared to the system used in some states, which allow a court to order repayment from a defendant's future earnings.

In 1990, at the request of the supreme court, the legislature amended AS 18.85.120(c) to allow civil judgments to be entered against defendants who are represented by the public defender or OPA without considering the defendant's current ability to pay. If a defendant became solvent at a future date, the judgment could be enforced; if not, the judgment could not be enforced. This change ensured that indigent defendants would receive counsel but they would repay some of the costs of that representation if they were no longer indigent at some later date.

The Honorable John Torgerson  
March 23, 1999  
Page 2 of 3

In 1993, again at the request of the supreme court, the legislature amended AS 18.85.120(c) to eliminate the three-year moratorium on repayment that followed release from incarceration. That moratorium imposed a significant burden on the Department of Law and needlessly delayed repayment from those with adequate financial resources. The 1993 changes also codified language contained in Criminal Rule 39 of the Alaska Rules of Court. That language was intended to ensure that the repayment requirement was imposed in a fair manner. Because of that change, the statute now includes a provision that allows the court to stay enforcement of a repayment judgment during the pendency of a defendant's appeal; a provision that allows a person subject to a repayment judgment to petition the court at any time to remit, reduce, or defer the unpaid portion of the judgment upon a showing of financial hardship; and a provision that allows the court to remit or reduce the balance owing on the judgment or change the method of repayment if the payment would impose manifest hardship on the person or the person's immediate family.

After this repayment provision was adopted by the legislature in 1993, it was upheld by the Alaska Supreme Court in State v. Albert 899 P.2d 103 (Alaska 1995).

What the supreme court is requesting with the current proposal is to expand the existing repayment provisions so that a person appointed counsel at state expense would be required to contribute to the cost of that representation whether or not he or she was convicted. This is, of course, similar to what non-indigent persons must do (even those who are just barely above the indigency cut-off); that is pay for the cost of defense counsel whether convicted or not. The difference between indigent and non-indigent defendants is that indigent defendants only repay a portion of the cost of defense (pursuant to the cost schedule found in Criminal Rule 39) and the court can remit, reduce, defer, or schedule the repayment if it would impose a hardship.

Like all judgment debtors, a person subject to a repayment order has a certain amount of property and income automatically protected from seizure by the Alaska Exemptions Act (AS 09.38). This act ensures that low-income debtors are protected from the unreasonable demands of creditors. A defendant's income, including the permanent fund dividend, can also be protected under the "manifest hardship" procedure discussed above.

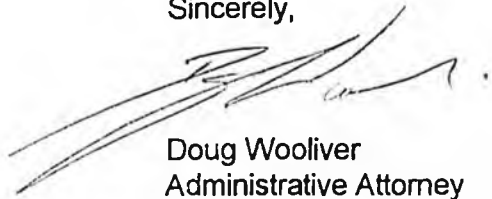
The Senate Judiciary Committee amended SB 100 by adding section 1. That section limits the right of an indigent person to be represented by appointed council to the level and extent required under the United States Constitution and the Constitution of the State of Alaska. Additionally, the committee (1) made mandatory the entry of the judgment for repayment; (2) deleted the provision allowing for the stay of a judgment during the pendency of an appeal; (3) gave the court more discretion in deciding whether to allow for payments to be reduced, remitted, deferred, or collected under a payment schedule; (4) added language making it clear that only the unpaid portion of a judgment could be reduced, remitted, or deferred; and finally, (5) deleted section 3 of AS 18.85.120(c), which allowed the court to remit or reduce the balance owing on the judgment or change the

The Honorable John Torgerson  
March 23, 1999  
Page 3 of 3

method of payment if the payment would impose a manifest hardship on the person or his or her family.

Thank you for your courtesy. Please let me know if I can provide you with any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Wooliver", is written over a light blue horizontal line. The signature is fluid and cursive, with a long horizontal stroke at the end.

Doug Wooliver  
Administrative Attorney

The Alaska Court System  
March 23, 1999

Sponsor Statement CSSB 100(JUD)

Senate Bill 100 was introduced by request of the Alaska Court System. As introduced, the bill amended AS 18.85.120(c) by requiring all criminal defendants who receive state-funded representation to repay the state for the cost of that representation. Under current law, only those who are convicted are subject to the repayment provisions.

Under both the United States and Alaska Constitutions, a criminal defendant has the right to an attorney. If he or she cannot afford an attorney, the state must appoint one. In Alaska, defense services for indigents are generally provided by the Public Defender Agency or the Office of Public Advocacy

Until 1990, AS 18.85.120(c) authorized a court to order a defendant to pay for defense services, to the extent that the defendant could pay. For a variety of reasons, this statute was ineffective in obtaining repayment of defense costs. These reasons included the difficulty and expense of enforcing this type of repayment order, and the fact that the statute related to a defendant's current ability to pay, ignoring his or her future ability. This was very restrictive when compared to the system used in some states, which allows a court to order repayment from a defendant's future earnings.

In 1990, at the request of the supreme court, the legislature amended AS 18.85.120(c) to allow civil judgments to be entered against defendants who are represented by the Public Defender Agency or Office of Public Advocacy without considering the defendant's current ability to pay. If a defendant became solvent at a future date, the judgment could be enforced; if not, the judgment could not be enforced. This change ensured that indigent defendants would continue to receive counsel but they would repay some of the costs of that representation if they were no longer indigent at some later date.

In 1993, again at the request of the supreme court, the legislature amended AS 18.85.120(c) to eliminate the three-year moratorium on repayment that followed release from incarceration. That moratorium imposed a significant burden on the Department of Law and needlessly delayed repayment from those with adequate financial resources. The 1993 changes also codified language contained in Criminal Rule 39 of the Alaska Rules of Court. That language was intended to ensure that the repayment requirement was imposed in a fair manner. Because of that change, the statute now includes a provision that allows the court to stay enforcement of a repayment judgment during the pendency of a defendant's appeal; a provision that allows a person subject to a repayment judgment to petition the court at any time to remit, reduce, or defer the unpaid portion of the judgment

upon a showing of financial hardship; and a provision that allows the court to remit or reduce the balance owing on the judgment or change the method of repayment if the payment would impose manifest hardship on the person or the person's immediate family.

After this repayment provision was adopted by the legislature in 1993, it was upheld by the Alaska Supreme Court in State v. Albert 899 P.2d 103 (Alaska 1995).

What the supreme court is requesting with the current proposal is to expand the existing repayment provisions so that a person appointed counsel at state expense would be required to contribute to the cost of that representation whether or not he or she was convicted. This is, of course, similar to what non-indigent persons must do (even those who are just barely above the indigency cut-off); that is, pay for the cost of defense counsel whether convicted or not. The difference between indigent and non-indigent defendants is that indigent defendants only repay a portion of the cost of defense (pursuant to the cost schedule found in Criminal Rule 39) and, if it would impose a hardship, the court can remit, reduce, defer, or schedule the repayment.

Like all judgment debtors, a person subject to a repayment order has a certain amount of property and income automatically protected from seizure by the Alaska Exemptions Act (AS 09.38). This act ensures that low-income debtors are protected from the unreasonable demands of creditors. A defendant's income, including the permanent fund dividend, can also be protected under the "manifest hardship" procedure discussed above.

The Senate Judiciary Committee amended SB 100 by adding section 1. That section limits the right of an indigent person to be represented by appointed council to the level and extent required under the United States Constitution and the Constitution of the State of Alaska. Additionally, the committee (1) made mandatory the entry of the judgment for repayment; (2) deleted the provision allowing for the stay of a judgment during the pendency of an appeal; (3) gave the court more discretion in deciding whether to allow for payments to be reduced, remitted, deferred, or collected under a payment schedule; (4) added language making it clear that only the unpaid portion of a judgment could be reduced, remitted, or deferred; and finally, (5) deleted section 3 of AS 18.85.120(c), which allowed the court to remit or reduce the balance owing on the judgment or change the method of payment if the payment would impose a manifest hardship on the person or his or her family.

Thank you for your consideration of this bill.

**Criminal Rule 39.1. Determining Eligibility for Court-Appointed Counsel.**

(a) **Scope of Application.** This rule specifies the procedure courts shall follow to assess whether a defendant is eligible for court-appointed counsel in a criminal case.

(b) **Eligibility for Appointment.<sup>1</sup>**

(1) **Standard.** A defendant is eligible for court-appointed counsel if the court finds that the total financial resources available to the defendant are not sufficient to pay allowable household expenses and the likely cost of private representation through trial.

(2) **Exception.** The court may determine that a defendant is ineligible for court-appointed counsel under AS 18.85.170(4) if the defendant has disposed of assets in order to qualify for appointed counsel.

(c) **Financial Resources Defined.**

(1) **Resources to be Considered.** In assessing the defendant's ability to pay the likely cost of private representation through trial, the court shall consider all resources available to the defendant, including all sources of expected income, cash, the value of assets readily convertible to cash, and credit or borrowing ability.

(2) **Parents' Resources.** If the defendant is a minor or an adult who cannot live independently, the court shall consider the resources of both the defendant and the defendant's parents, unless the parents were victims of the alleged offense or the court finds other good cause to treat their resources as being unavailable to the defendant.

(3) **Income.** Income includes all categories of income listed in Section II, Parts A and B of the Commentary to Civil Rule 90.3, including permanent fund dividends.

(4) **Cash.** Cash includes cash on hand and accounts in financial institutions. All savings should be considered, except where the use of the savings would deprive the defendant or the defendant's family of food, clothing, shelter, or necessary medical care.

(5) **Assets.** The court shall consider the value of all assets that are readily convertible to cash, other than health aids, clothing, and ordinary household furnishings. With the following exceptions, in valuing an asset, the court shall consider either the amount the defendant would realize if the

asset were sold or the amount the defendant could borrow using the asset as collateral, whichever is greater.

(A) The court shall consider the loan value of tools and equipment essential to employment or to subsistence activity. Tools and equipment are essential only if the defendant could not earn a living or provide basic necessities without them. If the defendant cannot borrow against these assets while continuing to have use of them, the court shall disregard their value in calculating the defendant's available resources.

(B) In valuing the defendant's principal residence, the court shall consider the entire loan value or the amount of the sale value that exceeds the homestead exemption allowed under the Alaska Exemptions Act.<sup>2</sup> If the defendant cannot borrow against the residence and would realize less than the homestead exemption amount if the residence were sold, the court shall disregard the value of the residence in calculating the defendant's available resources.

(C) In assessing the loan value of essential tools and equipment and the principal residence, the court shall consider only the amount the defendant can realistically afford to repay.

(6) *Credit.* Available credit includes amounts available on credit cards and amounts that can be borrowed against life insurance policies or from pension or savings plans. In assessing available credit, the court shall consider only the amount the defendant can realistically afford to repay.

(d) *Likely Cost of Private Representation.* (1) For purposes of this rule, the following amounts represent the likely cost of private representation through trial:

	<i>Estimated Total Cost of Representation</i>
Misdemeanor	\$ 2,000
C Felony	5,000
B Felony	7,500
A or Unclassified Felony	20,000

(2) The court may adjust these amounts under the following circumstances:

(A) If the court finds that the scheduled amount differs from the amount charged by local attorneys, the court may use the amount charged locally.

(B) If the court finds that no local attorneys are available to handle the case, the court may adjust the scheduled amount to include the additional fees and travel costs that an out-of-town attorney would charge.

(C) If the court finds that the case has special characteristics that are likely to increase the cost of private representation, such as the need for expert witnesses, special investigations, or expensive tests, the court may adjust the scheduled amount to include this additional expense.

(3) In assessing a defendant's ability to pay the likely cost of private representation, the court should assume that at least 50 percent of the likely fee must be paid immediately and that the total fee must be paid within four months.

(e) **Determining Eligibility.** The court or its designee shall determine whether a defendant is eligible for court-appointed counsel by placing the defendant under oath and asking about the defendant's financial status, or by requiring the defendant to complete a signed sworn financial statement. A defendant who requests appointed counsel must execute a general waiver authorizing the release of financial information to the court as required by AS 18.85.120.

(f) **Presumptive Eligibility.** The court may appoint counsel without further inquiry if:

(1) the defendant currently receives public assistance benefits through a state or federal program for indigent persons, such as Aid to Families with Dependent Children, the Alaska Temporary Assistance Program, Adult Public Assistance, General Relief, Food Stamps, Medicaid, or Supplemental Security Income (SSI);

(2) counsel was appointed for the defendant within the past twelve months based on an examination of the defendant's financial circumstances, and the defendant's financial condition has not significantly improved; or

(3) the gross annual income available to the defendant is less than the adjusted federal poverty guidelines amount for the defendant's household size, and other financial resources (cash, assets, and credit) available to the defendant are worth less than 50 percent of the amount shown in (d)(1) (the likely cost of private representation through trial).

(g) **Other Eligibility.** If the court does not find that the defendant is presumptively eligible under paragraph (f), the court shall conduct an inquiry sufficient to determine whether the defendant is eligible for court-appointed counsel under the standard stated in paragraph (b). The court may make this

determination based on the information then available to the court or, when appropriate, may

(1) require the defendant to submit a completed financial resources affidavit with supporting documentation of income;

(2) require the defendant to submit information or documentation concerning particular assets or expenses;

(3) require the defendant to appear at a representation hearing or a pretrial services interview; or

(4) require the defendant to make reasonable efforts to retain private counsel and to report these efforts to the court orally or in writing.

(h) **Allowable Household Expenses.** (1) *Allowable Expenses.* The following household expenses are allowable to the extent they are reasonable:

(A) housing;

(B) utilities;

(C) food;

(D) health care;

(E) child care;

(F) insurance;

(G) transportation (for one vehicle for each person whose income is considered);

(H) minimum loan and credit card payments; and

(I) mandatory child support and other court-imposed obligations; and

(J) other expenses that the court deems essential.

(2) *Alternative to Calculating Actual Expenses.* As an alternative to calculating actual household expenses, the court may assume that these expenses are approximately equal to the adjusted federal poverty guidelines amount for the defendant's household size.

(3) *Expenses Paid by Other Persons.* The expenses described in (h)(1) and (h)(2) are allowable only to the extent they are paid (or were supposed to be paid) by the defendant. If another person, such as a spouse, relative, or roommate, pays some or all of the household expenses, the court shall disregard the portion

of the expenses paid by that person. If the defendant is married, the court should assume, absent a showing of good cause, that each spouse pays an amount proportionate to that spouse's relative income.

(i) **Adjusted Federal Poverty Guidelines.** The "adjusted federal poverty guidelines amount" is the federal poverty guidelines amount for Alaska increased by the geographic cost-of-living adjustment established in AS 39.27.020 for the court location nearest the defendant's residence.

(j) **Responsibilities of Administrative Director.** The administrative director shall

(1) publish annually an administrative bulletin specifying the adjusted federal poverty guidelines amount for each court location; and

(2) periodically review the efficacy of the appointment procedure established by this rule.

#### Notes

<sup>1</sup> AS 18.85.170(4) defines "indigent person" for purposes of public defender appointments as "a person who, at the time need is determined, does not have sufficient assets, credit, or other means to provide for payment of an attorney and all other necessary expenses of representation without depriving the party or the party's dependents of food, clothing, or shelter and who has not disposed of any assets since the commission of the offense with the intent or for the purpose of establishing eligibility for assistance under this chapter."

<sup>2</sup> For the current homestead exemption amount, see 8 AAC 95.030. This Department of Labor regulation, rather than AS 09.38.010, establishes the amount of the homestead exemption. See AS 09.38.115.

c:\IGCRULE10.TXT(03/11/99)

**Criminal Rule 39. Appointment of Counsel.**

(a) **Informing Defendant of Right to Counsel.** The court shall advise a defendant who appears without counsel for arraignment, change of plea, or trial of the right to be represented by counsel, and ask if the defendant desires the aid of counsel. The court shall not allow a defendant to proceed without an attorney unless the defendant understands the benefits of counsel and knowingly waives the right to counsel.

(b) **Appointment of Counsel for Persons Financially Unable to Employ Counsel.**

(1) If a defendant desires the aid of counsel but claims a financial inability to employ counsel, the court or its designee shall determine whether the defendant is eligible for court-appointed counsel under Criminal Rule 39.1 ~~an "indigent person," as defined by statute, by placing defendant under oath and asking about defendant's financial status, or by requiring defendant to complete a signed sworn financial statement. The court shall order defendant to execute a general waiver authorizing release of income information to the court. The court may require defendant to attempt to arrange private representation before the court makes a final determination on indigency.~~

(2) Before the court appoints counsel for an indigent defendant at public expense, the court shall advise the defendant that the defendant will be ordered to repay the prosecuting authority for the cost of appointed counsel, in accordance with paragraph (d) of this rule, if the defendant is convicted of an offense. The court may enter such orders as appear reasonably necessary to prevent the defendant from dissipating assets to avoid payment of this cost.

(3) If the court or its designee determines that ~~the~~ a defendant is eligible for court-appointed counsel under Criminal Rule 39.1, ~~an "indigent person,"~~ the court shall appoint counsel pursuant to Administrative Rule 12 and notify counsel of the appointment.

(4) In the absence of a request by a defendant otherwise entitled to appointment of counsel, the court shall appoint counsel unless the court finds that the defendant understands the benefits of counsel and knowingly waives the right to counsel.

(5) If the trial court denies a defendant's request for appointed counsel, the defendant may request review of this decision by the presiding judge of the judicial district by filing a motion with the trial court within three days after the date of notice, as defined in Criminal Rule 32.3(c), of the denial. The trial court shall forward the motion, relevant materials from the court file, and a cassette tape of any relevant proceedings to the presiding judge. The presiding judge or his or her designee shall issue a decision within three days of receipt of these materials.

(c) **Costs of Appointed Counsel.**

(1) *Entry of Judgment.*

(A) Upon conviction of an offense, revocation of probation, denial of a motion to withdraw plea, and denial of a motion brought under Criminal Rule 35.1, the court shall prepare a notice of intent to enter judgment for the cost of appointed counsel in accordance with paragraph (d) of this rule, provide a copy of the notice to the defendant, and order the defendant to apply for permanent fund dividends every year in which the defendant qualifies for a dividend until the judgment is paid in full.

(B) A defendant ~~Defendant~~ may oppose entry of judgment by filing a written opposition within 10 days after the date of notice, as defined in Criminal Rule 32.3(c), of the court's intent to enter judgment. The opposition ~~shall~~ must specifically set out the grounds for opposing entry of the judgment. The prosecuting authority may oppose the amount of the judgment by filing a written opposition ~~within~~ by the same deadline.

(C) If no opposition is filed within the time specified in section 39(c)(1)(B), the clerk shall enter judgment against the defendant for the amount shown in the notice. If a timely opposition is filed, the matter must be decided by the court. ~~The court may in its discretion set the matter for a hearing the court may set the matter for a hearing and shall have authority to enter the judgment.~~

(D) The judgment must be in writing. A copy of the judgment ~~shall~~ must be mailed to the defendant's address of record. The judgment ~~shall~~ bears interest at the rate specified in AS 09.30.070(a) from the date judgment is entered.

(2) *Collection.*

\* \* \* \*

(e) **Review of Defendant's Financial Condition.**

(1) The court may review a defendant's financial status at any time after appointment of counsel to determine (A) whether the defendant continues to be eligible for court-appointed counsel under Criminal Rule 39.1 ~~an "indigent person," as defined by statute;~~ or (B) whether the defendant was eligible for court-appointed counsel when the appointment was made ~~an indigent person at the time counsel was appointed.~~

(2) If the court determines that a defendant is no longer eligible for court-appointed counsel under Criminal Rule 39.1 ~~an indigent person,~~ the court may

(A) terminate the appointment; or

(B) continue the appointment and, at the conclusion of the criminal proceedings against the defendant in the trial court, enter judgment against the defendant for the actual cost of appointed counsel, including actual expenses, from the date of the change in the defendant's financial status through the conclusion of the trial court proceedings.

(3) If the court determines that a defendant was not eligible for court-appointed counsel when the appointment was made ~~an indigent person at the time counsel was appointed,~~ the court may

(A) terminate the appointment and enter judgment against the defendant for the actual costs of appointed counsel, including actual expenses, from the date of appointment through the date of termination; or

(B) continue the appointment and, at the conclusion of the criminal proceedings against the defendant in the trial court, enter judgment against the defendant for the actual cost of appointed counsel from the date of the appointment through the conclusion of the trial court proceedings.

(4) A defendant may request review of the court's decision to terminate the appointment according to the procedure set out in subparagraph 39(b)(5).

(5) Judgment may be entered against a defendant under this paragraph regardless of whether the defendant is convicted of an offense.

~~NOTE: 23-23.35.170(1) defines "indigent person" for purposes of public defender appointments as "a person who, at the time need is determined, does not have sufficient assets, credit, or other means to provide for payment of an attorney and all other necessary expenses of representation without depriving the party or the party's dependents of food, clothing, or shelter and who has not disposed of any assets since the commission of the offense with the intent or for the purpose of establishing eligibility for assistance under this chapter."~~

G:\IGC\CrR39-LEG.doc



ALASKA COURT SYSTEM  
State of Alaska  
Office of the Administrative Director

820 West 4th Avenue  
Anchorage, Alaska 99501-2005  
(907) 264-8265  
FAX (907) 264-8291

Doug Wooliver  
Administrative Attorney

March 16, 1999

The Honorable Robin Taylor  
Chairman, Senate Judiciary Committee  
State Capitol  
Juneau, Alaska 99811

Dear Senator Taylor:

This letter is in response to questions that arose during the March 15, 1999 Senate Judiciary Committee hearing on SB 100.

- 1) Question: Are the Criminal Rule 39 fees for the repayment of public defender representation in addition to other costs such as travel?

Answer: No. If a court enters a civil judgment against a person to pay for defense costs, that judgment is the full extent of his or her liability for that representation. No additional fees are added for travel or other expenses.

- 2) Question: When were the Criminal Rule 39 fees last amended?

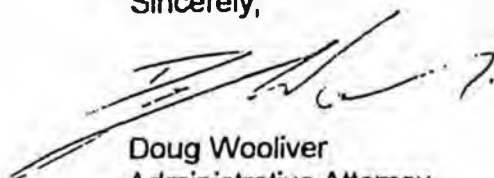
Answer: The fees were adopted in 1992 and have not been amended.

- 3) Question: What is the difference between the Criminal Rule 39 fees and the cost of private counsel?

Answer: I have attached a copy of Criminal Rule 39 and Appellate Rule 209, which contain the scheduled fees. I have also sent you a copy of the recently adopted Criminal Rule 39.1, which includes estimates of the cost of private representation for a variety of offenses.

Please let me know if you have any other questions.

Sincerely,



Doug Wooliver  
Administrative Attorney

## Citation/Title

RCRP Rule 39, RULE 39. APPOINTMENT OF COUNSEL

## Rules of Criminal Procedure, Rule 39

**WEST'S ALASKA COURT RULES  
RULES OF CRIMINAL PROCEDURE  
PART IX. GENERAL PROVISIONS**

*Current with amendments received through 7-1-98.*

**RULE 39. APPOINTMENT OF COUNSEL**

(a) **Informing Defendant of Right to Counsel.** The court shall advise a defendant who appears without counsel for arraignment, change of plea, or trial of the right to be represented by counsel, and ask if defendant desires the aid of counsel. The court shall not allow a defendant to proceed without an attorney unless defendant understands the benefits of counsel and knowingly waives the right to counsel.

(b) **Appointment of Counsel for Persons Financially Unable to Employ Counsel.**

(1) If defendant desires the aid of counsel but claims a financial inability to employ counsel, the court or its designee shall determine whether defendant is an "indigent person," as defined by statute, by placing defendant under oath and asking about defendant's financial status, or by requiring defendant to complete a signed sworn financial statement. The court shall order defendant to execute a general waiver authorizing release of income information to the court. The court may require defendant to attempt to arrange private representation before the court makes a final determination on indigency.

(2) Before the court appoints counsel for an indigent defendant at public expense, the court shall advise defendant that defendant will be ordered to repay the prosecuting authority for the cost of appointed counsel, in accordance with paragraph (d) of this rule, if the defendant is convicted of an offense. The court may enter such orders as appear reasonably necessary to prevent defendant from dissipating assets to avoid payment of this cost.

(3) If the court or its designee determines that defendant is an "indigent person," the court shall appoint counsel pursuant to Administrative Rule 12 and notify counsel of the appointment.

(4) In the absence of a request by a defendant otherwise entitled to appointment of counsel, the court shall appoint counsel unless the court finds that defendant understands the benefits of counsel and knowingly waives the right to counsel.

(5) If the trial court denies defendant's request for appointed counsel, defendant may request review of this decision by the presiding judge of the judicial district by filing a motion with the trial court within three days after the date of notice, as defined in Criminal Rule 32.3(c), of the denial. The trial court shall forward the motion, relevant materials from the court file, and a cassette tape of any relevant proceedings to the presiding judge. The presiding judge or his or her designee shall issue a decision within three days of receipt of these materials.

\*417 (c) **Costs of Appointed Counsel.**

(1) **Entry of Judgment.**

(A) Upon conviction of an offense, revocation of probation, denial of a motion to withdraw plea, and denial of a motion brought under Criminal Rule 35.1, the court shall prepare a notice of intent to enter judgment for the cost of appointed counsel in

## RCRP Rule 39, RULE 39. APPOINTMENT OF COUNSEL

accordance with paragraph (d) of this rule, provide a copy of the notice to defendant, and order defendant to apply for permanent fund dividends every year in which the defendant qualifies for a dividend until the judgment is paid in full.

(B) Defendant may oppose entry of judgment by filing a written opposition within 10 days after the date of notice, as defined in Criminal Rule 32.3(c), of the court's intent to enter judgment. The opposition shall specifically set out the grounds for opposing entry of judgment. The prosecuting authority may oppose the amount of the judgment by filing a written opposition within the same deadline.

(C) If no opposition is filed within the time specified in section 39(c)(1)(B), the clerk shall enter judgment against defendant for the amount shown in the notice. If a timely opposition is filed, the court may set the matter for a hearing and shall have authority to enter the judgment.

(D) The judgment must be in writing. A copy of the judgment shall be mailed to defendant's address of record. The judgment shall bear interest at the rate specified in AS 09.30.070(a) from the date judgment is entered.

(2) Collection.

(A) The judgment has the same force and effect as a judgment in a civil action in favor of the prosecuting authority and is subject to execution.

(B) All proceedings to enforce the judgment shall be in accordance with the statutes and court rules applicable to civil judgments. The judgment is not enforceable by contempt. Payment of the judgment may not be made a condition of a defendant's probation. Default or failure to pay the judgment may not affect or reduce the rendering of services on appeal or any other phase of defendant's case in any way. A defendant does not have a right to be represented by appointed counsel in connection with proceedings under subparagraph 39(c) or any proceedings to collect the judgment.

(C) Upon a showing of financial hardship, the court shall allow a defendant subject to a judgment under this rule to make payments under a repayment schedule. A defendant may petition the court at any time for remission, reduction or deferral of the unpaid portion of the judgment. The court may remit or reduce the balance owing on the judgment or change the method of payment if payment would impose manifest hardship on defendant or defendant's immediate family.

\*418 (D) Notwithstanding section 39(c)(2)(B), a defendant may be held in contempt for failing to comply with an order under this rule to apply for a permanent fund dividend.

(3) Appeal.

(A) If defendant appeals the conviction, enforcement of the judgment may be stayed by the trial court or the appellate court upon such terms as the court deems proper.

(B) If defendant's conviction is reversed, the clerk shall vacate the judgment and order the prosecuting authority to repay all sums paid in satisfaction of the judgment, plus interest at the rate specified in AS 09.30.070(a).

(d) Schedule of Costs. The following schedules govern the assessment of costs of appointed counsel under paragraph 39(c). If a defendant is convicted of more than one offense in a single dispositive court proceeding, costs shall be based on the most serious offense of which the defendant is convicted. If a defendant is otherwise convicted of more than one offense, costs shall be separately assessed for each conviction. For good cause shown, the court may waive the schedule of costs and assess fees up to the actual cost of appointed counsel, including actual expenses.

Misdemeanors

## RCRP Rule 39, RULE 39. APPOINTMENT OF COUNSEL

Trial	\$ 500.00
Change of plea	200.00
Post-conviction relief or contested probation revocation proceedings in the trial court	250.00

## Felonies

	Class B & C	Class A and Unclassified (Except Murder)	Murder in the 1st and 2nd Degrees
Trial	\$1,500.00	\$2,500.00	\$5,000.00
Change of plea after substantive motion work and hearing and before trial commences	1,000.00	1,500.00	2,500.00
Change of plea post-indictment but *419 prior to substantive motion work and hearing	500.00	1,000.00	2,000.00
Change of plea prior to indictment	250.00	500.00	750.00
Post-conviction relief or probation revocation proceeding in trial court	250.00	500.00	750.00

## (c) Review of Defendant's Financial Condition.

(1) The court may review defendant's financial status at any time after appointment of counsel to determine (A) whether defendant continues to be an "indigent person," as defined by statute; or (B) whether defendant was an indigent person at the time counsel was appointed.

(2) If the court determines that defendant is no longer an indigent person, the court may

(A) terminate the appointment; or

(B) continue the appointment and, at the conclusion of the criminal proceedings against defendant in the trial court, enter judgment against defendant for the actual cost of appointed counsel, including actual expenses, from the date of the change in defendant's financial status through the conclusion of the trial court proceedings.

(3) If the court determines that defendant was not an indigent person at the time counsel was appointed, the court may

(A) terminate the appointment and enter judgment against defendant for the actual costs of appointed counsel, including actual expenses, from the date of appointment through the date of termination; or

(B) continue the appointment and, at the conclusion of the criminal proceedings against defendant in the trial court, enter judgment against defendant for the actual cost of appointed counsel from the date of the appointment through the conclusion of the trial court proceedings.

## RCRP Rule 39, RULE 39. APPOINTMENT OF COUNSEL

(4) A defendant may request review of the court's decision to terminate the appointment according to the procedure set out in subparagraph 39(b)(5).

(5) Judgment may be entered against a defendant under this paragraph regardless of whether the defendant is convicted of an offense.

[Rescinded and repromulgated effective July 1, 1992; amended effective July 1, 1993; October 1, 1993.]

## Citation/Title

RAP Rule 209, RULE 209. APPEALS AT PUBLIC EXPENSE

## Rules of Appellate Procedure, Rule 209

**WEST'S ALASKA COURT RULES  
RULES OF APPELLATE PROCEDURE  
PART II. PROCEDURE ON APPEALS AS OF RIGHT**

*Current with amendments received through 7-1-98.*

**RULE 209. APPEALS AT PUBLIC EXPENSE**

(a) Civil Matters. [Pub. Note: See provisions following this version for text of Rule 209(a) adopted by Laws 1995, c. 79, § 19, effective July 1, 1995.]

(1) A party to a civil action may file in the supreme court a motion to appeal or to petition for review at public expense. The motion shall be accompanied by a sworn financial statement on a form provided by the clerk of the appellate courts.

(2) In considering the motion to appeal or petition for review at public expense, the court shall determine the indigence or nonindigence of the party.

(3) If the motion is granted:

[a] The court shall specify in the order granting the motion which of the following costs or partial costs are to be covered at public expense:

[1] Filing fees,

[2] Transcript fees,

[3] Costs of printing briefs,

[4] Other costs;

[b] Any costs and attorney fees awarded to the appellant or petitioner as a prevailing party in the supreme court shall accrue to the state to reimburse it for costs relating to the appeal or petition for review.

(4) Leave to file at public expense may be conditioned on repayment of costs to the state. The conditions may include the imposition of liens in favor of the state on costs, attorney fees and other recoveries awarded to the indigent appellant or petitioner.

(5) An appeal or petition for review at public expense will be allowed without additional motion in cases where the appellant is represented by court-appointed counsel.

(6) The provisions of this paragraph do not apply to the filing fees in a prisoner's appeal against the state or an officer, agent, employee, or former officer, agent, or employee of the state that is governed by the provisions of AS 09.19. A prisoner may request a filing fee reduction in an appeal governed by AS 09.19 by submitting an application which satisfies the requirements of AS 09.19.010 with the prisoner's notice of appeal and the items specified in Appellate Rule 204(b).

## RAP Rule 209, RULE 209. APPEALS AT PUBLIC EXPENSE

\*560 (a) Civil Matters. [Pub. Note: Laws 1995, c. 79, § 19, effective July 1, 1995, amended Rule 209(a) to read as follows. See preceding version for text as amended by the Alaska Supreme Court, effective July 15, 1996.]

(1) A party to a civil action in the superior court may file in the superior court a motion to appeal or to petition for review at public expense. The motion shall be accompanied by:

- [a] An affidavit of the party detailing the party's inability to pay fees and costs or to give security for fees and costs;
- [b] An affidavit of the party stating that the party believes the party is entitled to redress on appeal or on petition for review;
- [c] A concise statement of the points on which the party intends to rely in the party's appeal or petition for review.

(2) The motion shall be considered ex parte. In considering the motion to appeal or petition for review at public expense, the superior court shall determine:

- [a] The indigence or nonindigence of the party;
- [b] Whether any of the proposed points on appeal are frivolous and, if so, the reasons.

(3) If the motion is granted:

- [a] The party may proceed without further application to the supreme court;
- [b] The superior court shall specify in the order granting the motion which of the following costs or partial costs are to be covered at public expense:

- [1] Filing fees,
- [2] Transcript fees,
- [3] Costs of printing briefs,
- [4] Other costs;

[c] Any costs and attorney fees awarded to the appellant or petitioner as a prevailing party in the supreme court shall accrue to the state to reimburse it for costs relating to the appeal or petition for review.

(4) If the motion is denied in whole or in part:

- [a] The superior court shall state in writing the reasons for denial;
- [b] The party who made the original motion has ten days from the date shown in the clerk's certificate of distribution on the order denying the motion to file with the supreme court a motion to appeal or to petition for review at public expense. The motion shall be accompanied by copies of the affidavits and statements of points filed in superior court, and by a copy of the reasons given by the superior court for its action.

(5) Leave to file at public expense granted by the superior court or the supreme court may be conditioned on repayment of costs to the state. The conditions may include the imposition of liens in favor of the state on costs, attorney fees and other recoveries awarded

**RAP Rule 209, RULE 209. APPEALS AT PUBLIC EXPENSE**

to the indigent appellant or petitioner.

\*561 (6) An appeal or petition for review at public expense will be allowed without additional motion in cases where the appellant is represented by court-appointed counsel.

(7) The provisions of this subsection do not apply to the filing fees in a prisoner's appeal against the state or an officer, agent, employee, or former officer, agent, or employee of the state that is governed by the provisions of AS 09.19.

**(b) Criminal Matters.**

(1) In criminal matters the appellate court shall authorize appeals and petitions for review at public expense on behalf of defendants who are "indigent," as defined by statute, in accordance with the rules and decisions of the appellate courts of Alaska, and where such proceedings are required to be provided by state courts by decisions of the Supreme Court of the United States. Where an appeal or petition for review at public expense is authorized by the court, the costs which shall be borne at public expense include those of providing counsel and of preparing a transcript and briefs.

(2) If a defendant is allowed to proceed at public expense, the clerk of the appellate courts shall send the defendant a written notice and order, to the address provided under Appellate Rule 204(b), that

(A) advises the defendant that, if the defendant's conviction is not reversed, the defendant will be ordered to repay the prosecuting authority for the cost of appointed appellate counsel, in accordance with the schedule of costs set out in subparagraph 209(b)(6); and

(B) orders the defendant to apply for permanent fund dividends every year in which the defendant qualifies for a dividend until the cost is paid in full.

(3) A defendant authorized to proceed at public expense in the trial court is presumed to be entitled to appeal or petition for review at public expense.

(4) Counsel appointed to represent a defendant in the trial court pursuant to Criminal Rule 39 shall remain as appointed counsel throughout an appeal or petition for review at public expense authorized under this paragraph and shall not be permitted to withdraw except upon the grounds authorized in Administrative Rule 12. An attorney appointed by the court under Administrative Rule 12(b)(1)(B) will be permitted to withdraw upon a showing that either the public defender agency or the office of public advocacy is able to represent the defendant in the appellate proceeding. If an appeal is to be taken, trial counsel will not be permitted to withdraw until the notice of appeal and the documents required to be filed with the appeal by Rule 204 have been accepted for filing by the clerk of the appellate courts.

\*562 (5) At the conclusion of the appellate proceeding, the clerk of the appellate courts shall enter judgment against the defendant for the cost of appointed appellate counsel unless the defendant's conviction was reversed by the appellate court. The amount of the judgment shall be determined by reference to the schedule in subparagraph 209(b)(6). Before entering judgment, the clerk shall mail, to the defendant's address of record, a notice that sets out the amount of the proposed judgment. The defendant may oppose entry of the judgment by filing a written opposition within 45 days after the date shown in the clerk's certificate of distribution on the notice. The opposition shall specifically set out the grounds for opposing entry of judgment. The prosecuting authority may oppose the amount of the judgment by filing a written opposition within the same deadline. Criminal Rule 39(c)(1)(D) and (c)(2) shall apply to judgments entered under this subparagraph.

(6) The following schedule governs the cost of appointed appellate counsel:

Type of Appellate Proceeding

Misdemeanor      Felony

## RAP Rule 209, RULE 209. APPEALS AT PUBLIC EXPENSE

Sentence Appeal or Petition for Sentence Review	\$ 250	\$ 500
Merit Appeal or Appeal from Post-Conviction Relief Proceedings	750	1,500
Combined Merit Appeal and Sentence Appeal or Petition for Sentence Review	1,000	2,000
Other Appellate Actions (Petition for Review, Petition for Hearing, etc.)	500	1,000

(c) Costs. Costs, attorney's fees, damages, and interest may be allowed as in other cases, but the state shall not be liable for any of them.

[Amended effective January 15, 1988; July 1, 1992; October 1, 1993; July 15, 1994; July 1, 1995, by Laws 1995, c. 79, § 19; July 15, 1995; January 22, 1996; July 15, 1996.]

## Note

Ch. 79 § 1 SLA 1995 amends AS 09 by adding a new chapter related to prisoner litigation against the state. AS 09.19.010 prohibits the court from accepting any filing in an action governed by AS 09.19 until the filing fee required by AS 09.19.010 has been paid.

Section 19 of chapter 79 amends Appellate Rule 209(a) to add subparagraph (a)(6) which states that the provisions of paragraph (a) do not apply in a prisoner's appeal that is governed by AS 09.19. Section 5 of [SCO 1238] is adopted for the sole reason that the legislature has mandated the amendment.

SENATE FINANCE COMMITTEE

SIGN-IN

SB 100-REIMBURSEMENT FOR PUBLIC DEFENDER

NAME: Doug Wooliver Sub./Bill No: SR 100  
Co./Dept./Title: Alaska Court System Phone: 963-4750  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes \_\_\_ No \_\_\_ Respond to Questions

NAME: \_\_\_\_\_ Sub./Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify? \_\_\_ Yes \_\_\_ No \_\_\_ Respond to Questions

NAME: \_\_\_\_\_ Sub./Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify? \_\_\_ Yes \_\_\_ No \_\_\_ Respond to Questions

NAME: \_\_\_\_\_ Sub./Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify? \_\_\_ Yes \_\_\_ No \_\_\_ Respond to Questions

SENATE FINANCE COMMITTEE

SIGN-IN

SB 100-REIMBURSEMENT FOR PUBLIC DEFENDER

NAME: Doug Wooliver Subject/Bill No: SB 100  
Co./Dept./Title: Alaska Court System Phone: 463-4750  
Address: 820 W. 4<sup>th</sup> Av. Anch. Ak. Zip: 99501

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

NAME: \_\_\_\_\_ Subject/Bill No: \_\_\_\_\_  
Co./Dept./Title: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you wish to testify?  Yes  No  Respond To Questions

04/01/99  
08:04:30

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM  
PARTICIPANT LIST (ALL PARTICIPANTS)  
TCN:90490 SCHEDULED FOR:04/01/99 08:00 TO 11:00  
PUBLIC HEARING SENATE FINANCE

LTN1150  
BY:ANC  
FOR:ANC

LOCATION:ANCHORAGE

SB 100  
SB 100

DIANE  
BARBARA

*Wendlandt*

WENDLANDT\_\_\_ANS ?S  
BRINK

A.G. OFFICE TESTIFY  
AK PUBLIC DEFENDTESTIFY