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Alaska Commission on Judicial Conduct


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Marla N. Greenstein
Executive Director
1-202-7547-1003 (computer)

January 17, 2002

MEMORANDUM

TO: House Finance

FROM: Marla N. Greenstein
Executive Director 

RE: Mission and Measures

Mission

Alaska's Commission on Judicial Conduct was created by amendment to the state constitution in 1968. The Commission is composed of three state court judges, three attorneys who have practiced law in the state for at least ten years, and three members of the public. This group of nine individuals from differing backgrounds and geographical areas addresses problems of judicial conduct and disability. Any person may file a complaint alleging judicial misconduct.

Unique Role of the Commission

Judicial ethics commissions, like the Alaska Commission on Judicial Conduct, were created in the late sixties and early seventies to address the unique issues of judicial ethics and discipline. These commissions provided vehicles for public participation in judicial discipline through membership on the commission and today every state and the District of Columbia has a judicial ethics commission. By providing an independent agency from the court system, the Commission has some freedom to objectively receive and investigate ethics complaints against the judiciary. There is no other agency that fills this function in our state.

Effectiveness of the Commission

In 1999, the Commission processed more complaints and took informal action in more of those complaints than in prior years. However, the caseload and resulting actions fluctuate over any given time period and the Commission's actions depend on the nature of the complaints filed with us. In 2000, the number dropped to a more typical number

and we held a formal hearing in a formally charged matter. Attached is a chart that reflects the past seven years of Commission activity.

We also undertake educational activities that, hopefully, prevent to some extent future ethical lapses by judges. The Commission issues advisory opinions to judges, publishes a quarterly newsletter, and participates in statewide judicial conferences. In addition, staff makes an effort to speak to local community groups to inform the public of our function and purpose. In fall of 2000, the Commission issued new "Judicial Applicant Guidelines", co-published with the Judicial Council and the Alaska Bar Association to provide ethical guidelines to applicants for judgeships and their supporters.

Staff

Our Commission has a full-time staff of two: an executive director and an administrative assistant. As needed, the Commission hires special counsel when a complaint proceeds to a point that it creates an adversarial relationship between the Commission and the judge.

Measures

While our agency has a very limited function, below are some quantifiable results of our last year's work in the areas of complaint processing, advisory opinions and judicial education. Because we are not in the executive branch, we have not prepared the executive branch style measures and objectives.

I. Complaint Processing Standards

In 2001, staff responded in writing to 85 inquiries and handled approximately 500 verbal inquiries. We had appellate briefing and oral argument in one matter that is currently pending before the Alaska Supreme Court. Staff continued to make efforts to screen many complaints before they actually were filed with the Commission. The Commission consistently tends to open approximately two complaints a month requiring investigation. Since 1991, the Commission has a policy of processing all new complaints within 90 days and minimally investigating three complaints a month. This goal has been accomplished with the exception of complaints that are amended and those that concern on-going court cases.

II. Advisory Opinions and Judicial Education

In 2001, the Commission issued two Formal Advisory Opinions and 60 Informal Advisory Opinions to judicial officers. Formal Opinions are drafted by the Commission's Advisory Opinion Committee and voted on at the next regularly scheduled Commission meeting. Informal advisory opinions are supplied to the inquiring judicial officer within 24 hours.

Memorandum
RE: Mission and Measures

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The Commission staff prepared and presented various educational programs for judicial officers and court staff. Program topics included intra-court communications and applying the Code of Judicial Conduct principles to others in the court. The Commission proposes educational programs annually in areas of concern as extrapolated from the Commission's complaints for the year.

**Comparison of Actions Taken by
Alaska Commission on Judicial Conduct**

Action taken	1995	1996	1997	1998	1999	2000	2001
Complaints investigated	20	15	15	21	32	19	17
Judges asked to respond in writing	0	0	2	0	0	0	1
Judges summoned before Commission	0	0	2	0	1	2	0
Dismissed before formal hearing	0	0	1	0	0	0	0
Dismissed as unsubstantiated	0	0	0	2	1	0	0
Dismissed for lack of jurisdiction	28	16	26	28	41	34	39
Dismissed for insufficient evidence after investigation	20	14	13	17	25	16	12
Private sanctions and cautionary letters	5	1	1	2	6	3	1

1/23/02

Agency Overview: Alaska Judicial Council

January 2002

I. Constitutional and Statutory Duties of the Judicial Council

- Screen applicants for judicial vacancies (Art. IV, sec. 5).
- Evaluate the performance of judges and make recommendations about retention (AS 15.35).
- Conduct studies and make recommendations to improve the administration of justice (Art. IV, sec. 9).

II. Judicial Council Budget

- Continuation budget - same level as FY'02 (\$750.0).
- Continuation of Courtwatch pass-through grant (\$30.0).
- Increments:
 - a) Funding for third year of labor contract (\$16.0);
 - b) Assessment of pro se litigation in Alaska (\$42.4).

III. Judicial Selection activity: past, expected for FY'03

IV. Judicial Retention Activity: past, planned for FY'03

V. Reports and Evaluations: recent work, current work, planned work

A. Criminal Justice Process Study — Charging practices and sentencing for 2,300 1999 felony cases — finished in summer 2002.

B. Criminal Justice Council — Interim status report on CJAC recommendations.

C. Civil case data collection (1997 Tort Reform) — Recent reports, recommended legislation.

D. Evaluation of therapeutic justice projects — Including Wellness Court, HB 172 courts, Mental Health Court, Anchorage Felony Drug Court, others (e.g., Family).

E. Victim's Handbook — Updated and rewritten.

F. Guide to Criminal Justice System — Now being revised.

G. Internet Bar Survey — Plan to finish developing, for cost-saving, better responses.

H. Study of Pro Se Litigation — Proposed in FY'03 increment.

I. Judicial Council Reports to Legislature and Supreme Court — 20th and 21st.

VI. Judicial Council Committee Work

Judicial Council Contact Information:

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CONTACT: Larry Cohn, Executive Director (279-2526 Ext. 1)

OBJECTIVES AND ACCOMPLISHMENT MEASURES:

Objectives

Accomplishment Measures

- | | |
|--|--|
| <p>1. Maintain judicial selection and retention activities.</p> <p>a) Evaluate applicants for judgeships, using in-depth sources of information.</p> <p>b) Evaluate judges standing for retention, maximizing public participation in the process.</p> <p>c) Conduct interim evaluation of judges who will stand for retention in 2004.</p> <p>d) Evaluate pro tem judges requesting certification from Supreme Court.</p> <p>e) Evaluate masters/magistrates based on request from Supreme Court.</p> | <p>a) 50-80 applicants evaluated for approximately six judgeships, using 12 or more sources of information about each applicant.</p> <p>b) Council evaluations of about 17 judges, including surveys of jurors, peace and probation officers, attorneys, court staff; public hearings; and information from credit, criminal, discipline, appeals, peremptory challenges, conflicts of interest, etc.</p> <p>c) Council evaluations of about 14 judges including surveys of attorneys and peace & probation officers.</p> <p>d) Supreme Court informed of evaluations of 4 to 6 judges.</p> <p>e) Complete attorney and peace officer surveys.</p> |
|--|--|

STATUTORY/REGULATORY CITATIONS

AK Const. Art. IV, Sec. 5,8, 9 AS 15.58.050; 18.85.030; 18.85.050; 22.05.080; 22.05.100; 22.07.060; 22.07.070	Judicial selection, research functions of the Council	Admin. Rule 23, Alaska Rules of Court	Judicial performance evaluation
22.10.100; 22.10.120; 22.10.150; 22.15.160; 22.15.170; 11.15.195; 43.05.410	Judicial, Public Defender, and Administrative Tax Law Judge selection and retention functions of the Council	AS 09.68.130; Civil Rule 41(a)(3); Appellate Rule 511(e)	Civil Case Data collection and analysis

**COMPONENT
OBJECTIVES AND
ACCOMPLISHMENT
MEASURES
Form CF2**

AGENCY Judicial Council

BRU Judicial Council

COMPONENT Judicial Council

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FY 03

CONTACT: Larry Cohn, Executive Director (279-2526 Ext. 1)

OBJECTIVES AND ACCOMPLISHMENT MEASURES:

Objectives

Accomplishment Measures

2. Improve administration of justice through recommendations to legislature and supreme court.

- a) Develop new information about the judicial selection process to help design additional, objective criteria for nomination of judicial candidates.
- b) Continue to encourage public participation in judicial performance evaluation by earlier mailouts for juror surveys.
- c) Coordinate data collection and analysis with other state agencies. Provide data on tort reform, civil justice, and domestic relations issues to legislature and others.
- d) Provide accurate and useful information about criminal justice process to legislature, public, and other agencies.

- a) Continue work on database of judicial applicants on imaging system, and judge profile database.
- b) Mail out juror surveys soon after trial is completed for estimated 2,000 jurors. Send juror comments to judges to give feedback from public.
- c) Provide justice-related data in response to requests from legislature, courts, state agencies, and the public. Provide data to assist public through projects such as Child Support Guidelines information web site.
- d) Update manual for public use about the criminal justice process. Continue work with the Criminal Justice Council to carry out the recommendations of the Criminal Justice Assessment Commission. Continue criminal justice process study focusing on disproportionate numbers of minority defendants. Evaluate and accumulate baseline data regarding the therapeutic justice projects including the felony drug court, the court-coordinated resources project, the wellness court, and the two superior court projects in Anchorage and Bethel established by legislature to focus on defendants charged with multiple driving while intoxicated offenses and other alcohol-related offenses.

STATUTORY/REGULATORY CITATIONS

AK Const. Art. IV, Sec. 5,8, 9 AS 15.58.050; 18.85.030; 18.85.050; 22.05.080; 22.05.100; 22.07.060; 22.07.070	Judicial selection, research functions of the Council	Admin. Rule 23, Alaska Rules of Court	Judicial performance evaluation
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**COMPONENT
OBJECTIVES AND
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AGENCY Judicial Council
BRU Judicial Council
COMPONENT Judicial Council

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FY 03

CONTACT: Larry Cohn, Executive Director (279-2526 Ext. 1)

OBJECTIVES AND ACCOMPLISHMENT MEASURES:

Objectives

Accomplishment Measures

(2. Improve administration of justice---continued)

- e) Collect and analyze civil case data as required by statute.
- f) Followup rural justice work to maximize productivity of previous efforts.

- e) Collect data and issue report to legislature.
- f) Work with court, state agencies, public groups and local governments to improve effectiveness of dispute resolution organizations.

STATUTORY/REGULATORY CITATIONS

AK Const. Art. IV, Sec. 5,8, 9 AS 15.58.050; 18.85.030; 18.85.050; 22.05.080; 22.05.100; 22.07.060; 22.07.070	Judicial selection, research functions of the Council	Admin. Rule 23, Alaska Rules of Court	Judicial performance evaluation
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COMPONENT
OBJECTIVES AND
ACCOMPLISHMENT
MEASURES
Form CF2

AGENCY Judicial Council
BRU Judicial Council
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FY 03

ATTACHMENT A
FY 2003 Agency Overview
Alaska Judicial Council
Judicial Council Component

Introduction

The Alaska Judicial Council is charged under Alaska's Constitution and statutes with: (1) screening and nominating judicial applicants; (2) evaluating the performance of judges and making evaluation information and recommendations available to the voters; and (3) conducting studies and making recommendations to improve the administration of justice. The Council's proposed FY 2003 budget falls into two categories. First, the Council is submitting basically a continuation budget at the level of its FY 2002 base. Second, the Council proposes one increment that would enable the Council to undertake an important and timely study of the nature, extent, and effect of self-representation in Alaska. An increment is also included for year three of the state labor contracts. Summaries of components for all parts of the Council's proposed budget are attached (see Attachments B, C, D, E and F).

Continuation Budget

The Council's base budget is \$750.1. The budget in FY 2002 included a one-time carry-over of \$39.2 for the Comprehensive Criminal Justice Process Study (discussed below), resulting in a total of \$789.3. Continuation of the \$750.1 base funding for FY 2003 would allow the Council to carry out its constitutional and statutory duties, if the Council is able to supplement funding by seeking grants and working with other state agencies.

The continuation budget will permit the Council to conduct:

1. **Judicial Selection**: The constitution and statutes require the Council to evaluate applicants for judicial positions (and for public defender and administrative tax law judges) and to make nominations to the governor for appointment. The Council's thorough assessment of each applicant's qualifications includes detailed analysis of work experience, education, character, temperament and skills. For each position, the Council comprehensively investigates all applicants' backgrounds, surveys all members of the bar about applicants' qualifications, holds a public hearing, and interviews each applicant at the location of the vacancy. The Council expects to fill about five or six positions every year.

2. **Judicial Retention**: Alaska statutes require the Council to evaluate every judge standing for retention and make the evaluations public. The Council asks members of the bar, all peace and probation officers, court employees, social workers and guardians ad litem, and jurors who have served with the judge to assess each judge's performance. Public hearings, extensive review of other information about the judges' activities and performance, and interviews with some judges complete the evaluation process. The public participates in every phase of the evaluation, through hearings, advertisements, and public presentations. The Council will be evaluating the judges on the ballot in

2002 during FY 2002 and informing the public, as required by law, about the results of its evaluations in FY 2003.

3. Research

a. *Judicial Selection and Retention:* The Council routinely evaluates and improves its judicial selection and retention procedures. The Council will continue to seek new methods to better evaluate judicial applicants and judges up for retention elections, and to encourage public participation in these processes.

b. *Criminal Justice Computer System Coordination:* The 1993 legislature appropriated \$75.0 in capital funds to support Judicial Council work with the criminal justice agencies to develop a plan to coordinate/integrate Alaska's criminal justice computer systems. While this capital project money was used by FY'95, the Council will continue to work with Alaska's criminal justice agencies to promote coordination of their computer systems. The Council serves on the Statutory Criminal Justice Information Advisory Board and works with several other justice system committees.

c. *Criminal Justice Council:* The Criminal Justice Assessment Commission (CJAC) was established to address prison overcrowding and other criminal justice needs in Alaska. Prison overcrowding in Alaska has been the subject of costly litigation, and the prison population grew to record numbers in FY 2002. Executive and judicial branch agencies formed the Criminal Justice Council (CJC) in May 2000 to implement the CJAC recommendations. Members asked the Judicial Council to staff the CJC work. The Council has provided cost-effectiveness data for the legislature, worked with agencies to reduce prison overcrowding and coordinated policy analyses with the CJC members. The Judicial Council will continue this work, and will report periodically on progress made toward carrying out the CJAC recommendations.

d. *Civil Case Data:* In 1997, as part of "tort reform" legislation, the Council was directed to report on closed civil cases, using data from forms completed by attorneys and parties in those cases. In May, 2001, the Council issued a report based on this data, with analysis and recommendations for future data collection. The Council will continue to collect and analyze data, and to assess ways to enhance the accumulation and significance of this data.

e. *Evaluation of Therapeutic Justice Projects:* The court system, executive branch and the legislature have established several specialized therapeutic justice projects to address drug abuse, alcohol abuse, and persons with mental health problems in the criminal justice system. These projects are intended to reduce recidivism, reduce the cost of incarceration, and increase the likelihood that defendants will return to their communities as productive individuals.

The federally funded felony drug court in Anchorage began operation in June 2001. Two new superior court judgeships in Anchorage and Bethel were established by the legislature to focus on defendants charged with multiple driving while intoxicated defenses and other alcohol-abuse related offenses. Additionally, the district court in Anchorage is administering two therapeutic justice projects. The Court-Coordinated Resources Project identifies and diverts to community based

treatment mentally ill persons who enter the criminal justice system for misdemeanor offenses. The Anchorage Wellness Court focuses on chronic misdemeanants addicted to alcohol.

The Judicial Council is collecting data with which to evaluate the effectiveness of these projects. The legislature mandated evaluation of the new courts in Anchorage and Bethel; federal funding provides for evaluation of the felony drug court in Anchorage; and the Mental Health Trust Authority is funding the Court Coordinated Resources Project evaluation. The Judicial Council will collect and evaluate data from these courts over the next two to four years.

f. *Criminal Justice Process Study*: The Supreme Court's Advisory Committee on Fairness and Access recommended that the Judicial Council study felony cases, from arrest through sentencing. The recommendation focused on identifying reasons for the disproportionate numbers of minority defendants in the criminal justice system. The Council has collected data from approximately 2,400 felony cases statewide, and is analyzing it in FY 2002. The Council also will use data it has collected to establish a baseline for evaluating the felony-level therapeutic justice projects discussed above.

g. *Miscellaneous*: Council staff have worked with and expect to continue working with the court system, legislature, and other agencies on such diverse topics as mediation, racial and sexual bias, judicial education, rural justice, domestic violence, child support guidelines, and criminal justice needs and effective measures.

Decrement

In FY 2002, the legislature approved the one-time carry-over of funds (\$39.2) for the Comprehensive Criminal Justice Process Study. The Council anticipates that it will complete this work in FY 2002.

Increment

The Council has submitted a continuation budget because of the State's limited resources. Nevertheless, the Council proposes one new and important project.

The Council seeks to study the extent, nature, and significance of Alaska court cases that involve self-represented litigants. Statistics from the limited number of other jurisdictions that have studied the issue indicate that substantial numbers of civil litigants represent themselves. Some courts report that more than half of their new civil case filings involve one or more self-represented litigants. Research shows that the trend is continuing. In Alaska, history, economy, and values suggest that more than average numbers of parties represent themselves and will continue to do so.

Self-representation is not a phenomenon confined to indigent people. Increasing numbers of "middle class" litigants cannot afford counsel. Nor is self-representation simply dictated by economics. More people are electing to engage in various modes of "self-help" as evidenced by self-service gas stations, do-it-yourself home improvement centers, for sale-by-owner real estate transactions, e-trading, self-help internet medical diagnosis, and home schooling.

The proposed study would quantify the percentages and types of civil cases in Alaska that involve self-represented litigants. The study would include a survey of litigants who had represented

themselves, to better understand their reasons and experiences. The Council would critique the efficacy of self-representation by comparing results achieved by self-represented litigants to results obtained by counsel in similar cases. The assessment would confirm interview and other evidence from judges, lawyers, and the public, that significant numbers of litigants are representing themselves, and make recommendations for improvements.

Self-represented litigants would not be the only beneficiaries of this work. More informed and better prepared self-represented litigants improve the efficiency of the judicial system and foster more just results. Carrying out the report's recommendations would create a justice system more responsive to the public's needs.

The total estimated costs for the proposed project are \$42.4. See Attachment C.

Increment

Documentation for the \$16.5 increment for year three of the labor contracts is attached as Attachment F.

ATTACHMENT B
FY 2003 Agency Overview
Alaska Judicial Council
CourtWatch Component

Introduction

The Alaska Judicial Council is charged under Alaska's Constitution and statutes with: (1) screening and nominating judicial applicants; (2) evaluating the performance of judges and making recommendations to the voters on whether the judges should be retained; and (3) conducting studies and making recommendations to improve the administration of justice. The Council is submitting a continuation budget for the CourtWatch component at exactly the level of its FY 2002 adjusted base. A budget detail is attached (see Attachment E).

Continuation Budget: CourtWatch Component

The Judicial Council's adjusted base budget for this component is \$30.0. Continuation of this level of funding for FY 2003 would allow the CourtWatch program run by the Victims for Justice organization to continue its valuable program that gives volunteer citizens the training and opportunity to evaluate the performance of judges in Anchorage (and more recently in Palmer and Kenai).

The Council values the information from the CourtWatch program and uses it in its retention evaluation of judges and voter pamphlet pages.

ATTACHMENT C
FY 2003 Agency Overview
Alaska Judicial Council

Study of Self-Represented Litigants
(Increment)

Summary

The Council seeks to study the extent, nature, and significance of Alaska court cases that involve self-represented litigants. Research from other jurisdictions demonstrates that substantial numbers of civil litigants represent themselves and that this trend is continuing. Assessment of the scope and character of the pattern in Alaska would benefit litigants, courts, and the dispensation of justice.

The Judicial Council proposes to:

- establish baseline data for the numbers and types of self-represented litigants in Alaska civil cases,
- determine the quality of outcomes for self-represented litigants as compared to those represented by attorneys, and
- assess the need for changes in justice system policies and procedures to allow the most effective interactions between the justice system and self-represented litigants.

The total estimated costs for the proposed project are \$42,395.

Need

No reliable data exist about the numbers and types of self-represented litigants (also called *pro se* litigants) in Alaska courts. National data indicate that in many types of cases in courts throughout the country, as many as 60% to 80% involve one or more *pro se* litigants. The concentrations of self-represented litigants tend to be greater in domestic relations cases, business and torts cases and other civil cases than in criminal cases or child in need of aid cases for which publicly-funded attorneys are available. Although the court's small claims procedures are designed with the assumption that most litigants will represent themselves, most other court rules and procedures assume that litigants will be represented by counsel. Alaska needs to determine what percentage of persons entering the justice system represent themselves, the types of cases in which this is most common, and the quality of outcomes for these litigants. To address the issues raised by increasing numbers of self-represented litigants, the state needs to understand why litigants choose to represent themselves. Finally, the justice system needs to consider what changes in policies and procedures will encourage the most effective and efficient interactions with self-represented litigants.

Benefits

The state will benefit by having baseline data against which to measure future changes in the numbers and types of self-represented litigants. Justice system practitioners and the public also should know how well self-represented litigants fare when compared with those represented by

attorneys. Addressing the needs of self-represented litigants will result in more efficient litigation and more just outcomes. The report would lead to a justice system which is more responsive to the public's needs.

Methods

The Council proposes to assess the needs outlined in this proposal using three methods:

- 1) Data Collection from court case files: The Council will collect data from 1,500 to 2,000 court case files, for selected types of cases. In order to focus the work more precisely on the areas that appear to need the most assistance, the Council will not review appellate cases, criminal cases, child in need of aid cases, some types of probate cases or small claims cases. From the remaining types of cases, the Council will draw weighted samples from several courts around the state.

Data collected from files will include litigant status (represented or not), type of case, status of other parties in the case (represented or not), some estimate of the size or complexity of the case, case outcome and litigants' addresses (for contact with a survey questionnaire). The data collection also will include the case number and other identifying information.

- 2) Survey of litigants: The Council will send a survey to all self-represented litigants whose addresses are available. Follow-up for the survey will include a second mailing and telephone follow-up. The survey questions will include demographic information and questions about litigants' satisfaction with the case outcomes, their perception of the difficulties of representing themselves, and their comments about helpful changes that the justice system could make.
- 3) Interviews: Interviews with up to one hundred litigants will supplement the information obtained from case files and surveys, and will allow the Council to explore litigants' satisfaction and concerns in greater depths. The interviews will be conducted with both self-represented litigants and those represented by attorneys, to compare experiences and satisfaction with the justice system.

Analysis and Report

The Council will analyze the data from each of the three data collections using appropriate statistical and qualitative methods. The report prepared for use by the justice system, legislature and public will present the findings from the analysis of court case files, surveys and interviews. Background information included in the report will provide the context of how Alaska compares with other jurisdictions in numbers and types of self-represented litigants, and their satisfaction and experiences with the justice system. The report will conclude with recommendations for changes in justice system policy and procedures to assure fairness for all participants and best use of resources to effectively handle cases with self-represented litigants.

Budget

The Council estimates that the proposed needs assessment and report will cost \$42,395. Major costs include:

A. Personnel

The Council will use its existing staff for a substantial portion of the work, including project design, data analysis and final preparation of the report. Supplemental staff will include:

1. Two research assistants to collect data. Estimated 2,000 court case files, fifteen minutes per file = 500 hours or 250 hours per assistant = 6.67 weeks, plus two days training = approximately seven weeks each, or 262.5 hours at approximately \$15.68/hour (12A), total per research assistant = \$4,442 each (\$4,115 Gross/\$327 Benefits), or \$8,884 for data collection.
2. Temporary interviewer to conduct in-person interviews with approximately 100 self-represented litigants. Each interview will require about two and one-half hours for preparation, interview (one-half hour) and write-up. Two hundred and fifty hours, plus ten hours of training and ten hours of wrap-up time (270 hours) at approximately \$15.68/hour (12A) = \$4,569 (\$4,232 Gross/\$337 Benefits).

Personal Services Subtotal = \$13,453

B. Professional Services

1. Surveys. Survey questionnaires to approximately 1,000 self-represented litigants, with follow-up questionnaires and phone calls. Estimated cost for printing, mailing, second mailing, data entry, transcription of comments and analysis is \$7,000. It is likely that this work would be contracted to UAA or a private contractor.
2. Data analysis. Much of the preliminary data analysis will be done in-house by Council staff. The cost for these services including University of Alaska indirect costs is estimated at \$70/hours. The most complex data analysis will be contracted to a UAA group (e.g., ISER) or a private contractor for 200 hours, or \$14,000.
3. Report preparation and distribution. Drafts of the report will be written and circulated for review by existing Council staff. To prepare and distribute the final report, the

Council will use temporary clerical assistance at an estimated \$15/hour for three weeks (\$1,688).

Professional Services Subtotal = \$22,688

C. Other Costs

Other costs for this project include printing and mailing of the report. The breakdown for these costs is estimated at:

1. Report printing and mailing. The report will cost an estimated \$4.50 to print (based on recent experience), for 1,000 copies, or \$4,500. Mailing costs are estimated at \$3.50/copy for 500 copies, or \$1,750. The total costs for printing and mailing the report are \$6,250. In addition, the Council will make the report available on its website, and through state, university and local libraries.

Contractual (Other) Subtotal = \$6,250

Budget Total

The total estimated costs for the proposed project are \$42,395.

Attachment D
FY 2003 Budget Detail
Agency: Judicial Council
BRU: Judicial Council
Component: Judicial Council

FY 2003 Budget Request					
Budget Detail	FY 2003 Adjusted Base	FY 2003 Decrement: Criminal Justice Process Review Carry-Over	FY 2003 Increment: Year 3 Labor Costs	FY 2003 Increment: Self- Represented Litigants Study	FY 2003 Budget Request
100 - Personal Services	\$535.2		\$16.5	\$13.4	\$565.1
200 - Travel					
72240 - Field Travel	\$2.3				\$2.3
Staff travel to Council meetings	\$2.3				\$2.3
Travel for research/training	\$0.0				\$0.0
72270 - Administrative Travel	\$1.5				\$1.5
Administrative staff travel to Juneau for legislative work and liaison with executive agencies	\$1.5				\$1.5
72330 - Boards, Commissions and Legislators' Travel	\$12.4				\$12.4
Judicial Council members travel to Council meetings	\$12.4				\$12.4
72390 - Non-Employee Travel	\$0.0				\$0.0
Cost of judicial applicant travel to interviews or judge travel to interviews for retention	\$0.0				\$0.0
72500 - Per Diem	\$8.4				\$8.4
Per diem expenses for all travel described above	\$8.4				\$8.4
TOTAL TRAVEL	\$24.6				\$24.6
300 - Contractual Services					
73100 - Professional Services	\$96.5	(\$39.2)		\$22.7	\$80.0
Criminal Justice Process Study Evaluation and Report	\$39.2	(\$39.2)			\$0.0
Judicial vacancy survey and analysis	\$40.0				\$40.0
Misc. judicial applicant investigation	\$6.5				\$6.5
Research contractual costs	\$5.0			\$21.0	\$26.0
Training/Technical Assistance/Seminars	\$2.0				\$2.0
Temporary Secretary	\$3.0			\$1.7	\$4.7
Council awards, photos, engravings	\$0.8				\$0.8
73253 - DP Chargeback (DOA)	\$0.0				\$0.0

Attachment D
FY 2003 Budget Detail
Agency: Judicial Council
BRU: Judicial Council
Component: Judicial Council

Budget Detail	FY 2003 Adjusted Base	FY 2003 Decrement: Criminal Justice Process Review Carry-Over	FY 2003 Increment: Year 3 Labor Costs	FY 2003 Increment: Self- Represented Litigants Study	FY 2003 Budget Request
73300 - Communications	\$20.4			\$1.8	\$22.2
Telephone costs	\$8.4				\$8.4
Postage	\$12.0			\$1.8	\$13.8
73400 - Transportation	\$1.1			\$0.0	\$1.1
Courier and delivery services	\$1.1				\$1.1
73500 - Advertising, Printing and Binding	\$48.0			\$4.5	\$52.5
Meeting & public hearing notices	\$4.0				\$4.0
Printing selection announcements & surveys	\$5.0				\$5.0
Judicial retention survey/analysis/ads	\$25.0				\$25.0
Misc. printing \ biennial report	\$8.0				\$8.0
Subscriptions, publications	\$2.0				\$2.0
Information services	\$2.0				\$2.0
Research printing	\$2.0			\$4.5	\$6.5
73700 - Minor Repair and Maintenance	\$6.7			\$0.0	\$6.7
Copier maintenance	\$2.7				\$2.7
Computer & network maintenance	\$2.0				\$2.0
Imaging system maintenance	\$1.0				\$1.0
Misc. maintenance & repair (includes telephone, fax, etc)	\$1.0				\$1.0
73800 - Rental for Land, Buildings and Space	\$40.9			\$0.0	\$40.9
Office lease	\$40.9				\$40.9
73860 - Rental for Machinery and Equipment	\$0.8			\$0.0	\$0.8
Postage meter	\$0.8				\$0.8
73900 - Other Expenditures and Services	\$1.5			\$0.0	\$1.5
Conferences and training; professional association memberships	\$1.5				\$1.5
TOTAL CONTRACTUAL	\$215.9	(\$39.2)		\$29.0	\$205.7

Attachment D
FY 2003 Budget Detail
Agency: Judicial Council
BRU: Judicial Council
Component: Judicial Council

Budget Detail	FY 2003 Adjusted Base	FY 2003 Decrement: Criminal Justice Process Review Carry-Over	FY 2003 Increment: Year 3 Labor Costs	FY 2003 Increment: Self- Represented Litigants Study	FY 2003 Budget Request
400 - Supplies					
74220 - Office and Library Supplies	\$3.8				\$3.8
74560 - Data Processing Supplies	\$3.8				\$3.8
TOTAL SUPPLIES AND MATERIALS	\$7.6				\$7.6
500 - Equipment					
75830 - Data Processing Equipment	\$5.5				\$5.5
76050 - Furniture and Office Equipment	\$0.5				\$0.5
TOTAL EQUIPMENT AND MACHINERY	\$6.0				\$6.0
700 - Grants/Claims					
77540 - Other Grants/Awards	\$0.0				\$0.0
TOTAL GRANTS/CLAIMS	\$0.0				\$0.0
Total	\$789.3	(\$39.2)	\$16.5	\$42.4	\$809.0

Attachment E
FY 2003 Budget Detail
Agency: Judicial Council
Component: CourtWatch

FY 2003 Budget Request			
Budget Detail	FY 2003 Adjusted Base		FY 2003 Budget Request
700 - Grants/Claims			
77540 - CourtWatch Grant	\$30.0		\$30.0
TOTAL GRANTS/CLAIMS	\$30.0		\$30.0
Total	\$30.0		\$30.0

Judicial Council (#770)

Attachment F --- FY 2003 Labor Costs (Increment)

Without
COLA
FY'03
Annual
Salary

Agency: Judicial Council

BRU: Judicial Council

Component: Judicial Council

Without 3% COLA Increase

Core Positions		Months	Type of Position	SBS	PERS	Health Ins + Risk Mgt	Variables	Total Benefits	Total Salary & Benefits
EXECUTIVE DIRECTOR	\$81,242	12.0	FT	\$4,980	\$5,849	\$7,578	\$3,453	\$21,860	\$103,102
SENIOR STAFF ASSOCIATE	\$106,152	12.0	FT	\$5,202	\$7,643	\$7,578	\$4,511	\$24,934	\$131,086
STAFF ATTORNEY	\$53,899	12.0	FT	\$3,304	\$3,881	\$7,578	\$2,291	\$17,053	\$70,952
SYSTS ENGR/PROGRAMMER	\$64,094	12.0	FT	\$3,929	\$4,615	\$7,578	\$2,724	\$18,846	\$82,940
FISCAL OFFICER	\$59,131	12.0	FT	\$3,625	\$4,257	\$7,578	\$2,513	\$17,973	\$77,104
ADMIN. ASSISTANT/WEB ADMINISTRATOR	\$54,107	12.0	FT	\$3,317	\$3,896	\$7,578	\$2,300	\$17,090	\$71,197
RESEARCH ASSOCIATE	\$29,269	9.6	FT	\$1,794	\$2,107	\$7,578	\$1,244	\$12,723	\$41,992
EXECUTIVE SECRETARY	\$26,795	11.2	FT	\$1,643	\$1,929	\$7,578	\$1,139	\$12,289	\$39,084
Subtotal Staff	\$474,689	92.8		\$27,793	\$34,178	\$60,624	\$20,174	\$142,769	\$617,458
Increment: Study of Self-Represented Litigants									
RESEARCH ASSISTANT	\$3,995	2.0	PT	\$245	\$0	\$0	\$73	\$318	\$4,313
RESEARCH ASSISTANT	\$3,995	2.0	PT	\$245	\$0	\$0	\$73	\$318	\$4,313
RESEARCH INTERVIEWER	\$4,109	2.0	PT	\$252	\$0	\$0	\$75	\$327	\$4,436
Subtotal Increment	\$12,099	6.0		\$742	\$0	\$0	\$220	\$962	\$13,061
Total FY2003 Budget Request	\$486,788	98.8		\$28,534	\$34,178	\$60,624	\$20,394	\$143,731	\$630,519

With 3%
COLA
FY'03
Annual
Salary

With 3% COLA Increase

Core Positions		Months	Type of Position	SBS	PERS	Health Ins/Risk Mgt	Variables	Total Benefits	Total Salary & Benefits
EXECUTIVE DIRECTOR	\$83,679	12.0	FT	\$5,130	\$6,025	\$7,578	\$3,556	\$22,289	\$105,968
SENIOR STAFF ASSOCIATE	\$109,337	12.0	FT	\$5,202	\$7,872	\$7,578	\$4,647	\$25,299	\$134,635
STAFF ATTORNEY	\$55,516	12.0	FT	\$3,403	\$3,997	\$7,578	\$2,359	\$17,338	\$72,854
SYSTS ENGR/PROGRAMMER	\$66,017	12.0	FT	\$4,047	\$4,753	\$7,578	\$2,806	\$19,184	\$85,201
FISCAL OFFICER	\$60,905	12.0	FT	\$3,733	\$4,385	\$7,578	\$2,588	\$18,285	\$79,190
ADMIN. ASSISTANT/WEB ADMINISTRATOR	\$55,730	12.0	FT	\$3,416	\$4,013	\$7,578	\$2,369	\$17,375	\$73,106
RESEARCH ASSOCIATE	\$30,147	9.6	FT	\$1,848	\$2,171	\$7,578	\$1,281	\$12,878	\$43,025
EXECUTIVE SECRETARY	\$27,599	11.2	FT	\$1,692	\$1,987	\$7,578	\$1,173	\$12,430	\$40,029
Subtotal Staff	\$488,930	92.8		\$28,471	\$35,203	\$60,624	\$20,780	\$145,077	\$634,007
Increment: Study of Self-Represented Litigants									
RESEARCH ASSISTANT	\$4,115	2.0	PT	\$252	\$0	\$0	\$75	\$327	\$4,442
RESEARCH ASSISTANT	\$4,115	2.0	PT	\$252	\$0	\$0	\$75	\$327	\$4,442
RESEARCH INTERVIEWER	\$4,232	2.0	PT	\$259	\$0	\$0	\$77	\$336	\$4,569
Subtotal Increment	\$12,462	6.0		\$764	\$0	\$0	\$227	\$991	\$13,453
Total FY2003 Budget Request	\$501,392	98.8		\$29,234	\$35,203	\$60,624	\$21,006	\$146,068	\$647,459

Core positions only-Does not include Self-Represented Litigants Increment already calculated on Form C100 and Increment Form C5.

Benefits

SBS .0613 PERS .0720

Health Insurance: \$630 Risk Mgt. - \$1.50 Total \$631.50

Variables: Leave Cash-in .0029, Terminal Leave .0076, UI .0037, WC .0138, Medicare .0145 -- Total .0425

FY'03
Increment
\$16.5

1/23/02

ALASKA COURT SYSTEM

The mission of the Alaska Court System is to provide an accessible and impartial forum for the just resolution of all cases that come before it, and to decide such cases in accordance with the law, expeditiously and with integrity.

Who are the customers of the Alaska Court System include:

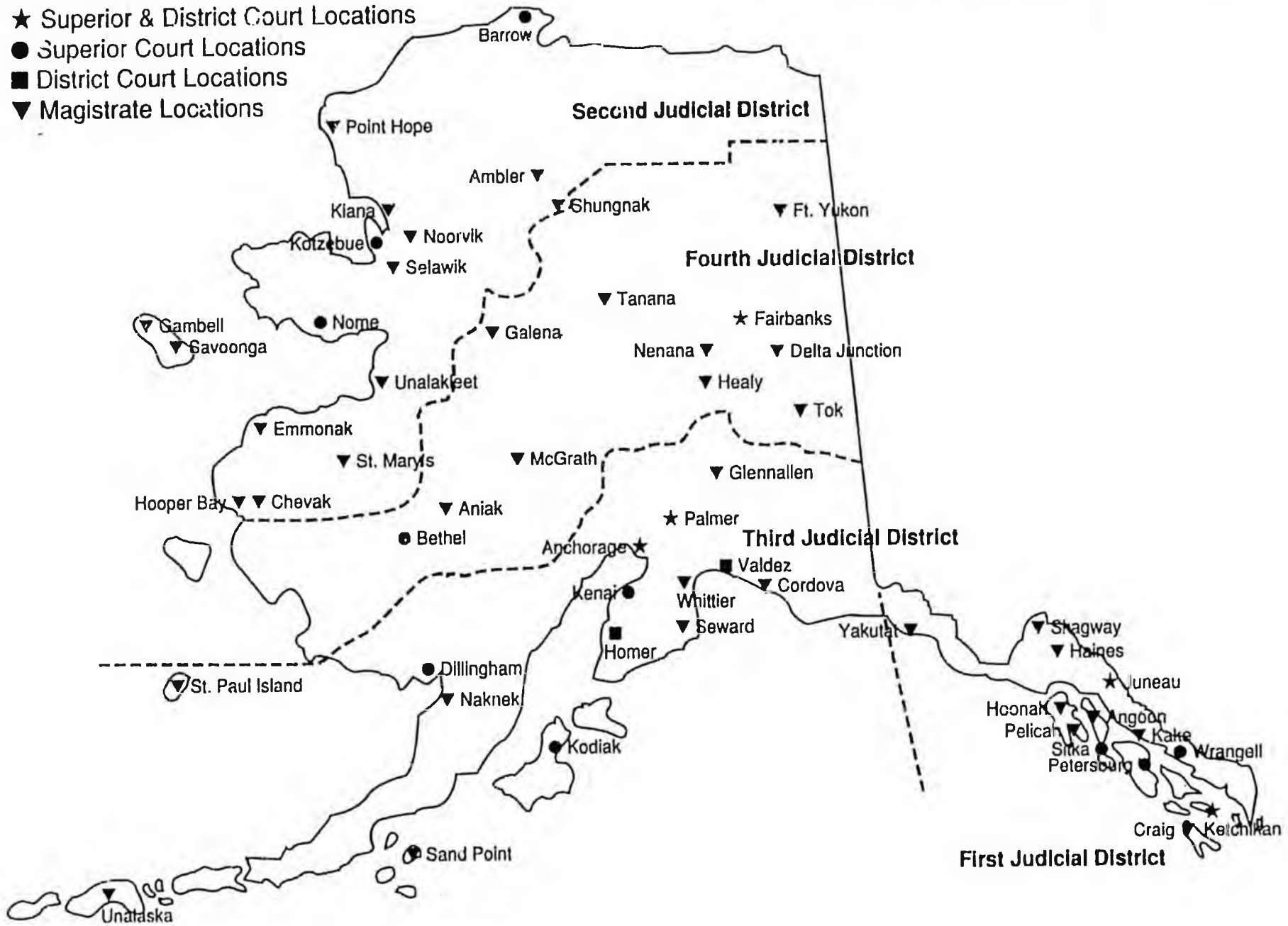
- ◆ Individual citizens of Alaska, who access the courts as litigants, jurors and witnesses, and for such auxiliary services as deposits of wills and public record information
- ◆ Businesses and organizations, which access the courts as litigants and which are recipients of justice system information
- ◆ The attorneys of the Alaska Bar Association who represent litigants before the courts
- ◆ The agencies of the executive branch, and the Legislature, both as litigants and as recipients of justice information and statistics
- ◆ Representatives of the media, who seek information about court cases and court business
- ◆ Researchers (in-state, national and international) as recipients of justice information and statistics

Eight accepted purposes of courts are:

1. To do individual justice in individual cases
2. To appear to do justice in order to promote public trust in our system of government
3. To provide a forum for the resolution of legal disputes
4. To protect individuals from the arbitrary use of governmental power
5. To provide a formal record of legal status
6. To deter criminal behavior
7. To rehabilitate persons convicted of crimes
8. To separate persons convicted of crimes from society, in appropriate cases

ALASKA COURT LOCATIONS

- ★ Superior & District Court Locations
- Superior Court Locations
- District Court Locations
- ▼ Magistrate Locations



ALASKA COURT SYSTEM
(Information as of June 30, 2001)

Fiscal Year:	July 1 - June 30
Geographical Area Served:	586,413 square miles
Number of Judges:	5 supreme court judges 3 court of appeals judges 32 superior court judges 18 district court judges 60 magistrates
Number of Court Locations:	16* combined superior and district court 42 district courts only (judge and/or magistrate)

*Includes three locations without resident superior court judges: Wrangell, Petersburg and Valdez.

FIVE LARGEST TRIAL COURTS
(by number of permanent full-time employees)

Anchorage	212
Fairbanks	82
Juneau	33
Palmer	25
Kenai	21

Alaska Court System
FY 2002 Authorized Budget Overview
 (Excludes Federal Grant Funds)

<u>Budget Category</u>	<u>Funding Amount</u>	<u>Percentage of Budget</u>
Personal Services	\$38,725,300	76.2%
<u>Classification</u>		
<i>(Permanent positions)</i>		
Clerical <i>(ranges 6 - 14)</i>	437	60.7%
Law clerk <i>(ranges 13 - 15)</i>	56	7.8%
Semi-professional <i>(ranges 15 - 20)</i>	49	6.8%
Manager <i>(ranges 21 and above)</i>	42	5.8%
Magistrate	60	8.3%
Judge <i>(active / pro tem)</i>	76	10.6%
Totals	720	100.0%
Travel	973,600	1.9%
<i>Case-related travel (21%), jury meals and lodging (24%), administrative travel (26%) and employee training (29%)</i>		
Contractual	9,829,900	19.3%
<i>Jury, witness & professional fees (19%), space rental & utilities (30%), equipment rental (3%), telephone, postage & network (15%), subscriptions (13%), repairs & maintenance (18%), and other (2%)</i>		
Supplies	795,400	1.6%
<i>Office and library supplies</i>		
Equipment	295,100	0.6%
<i>Replacement office and courtroom equipment</i>		
Leasehold Improvements	186,600	0.4%
<i>Minor remodeling, painting and carpeting</i>		
Total FY 2002 Budget (excluding federal funding)	\$ 50,805,900	100.0%

Alaska Court System

FY2001 Funds Collected on behalf of Cities and Boroughs

<u>City/Borough</u>	<u>Total Funds Collected by Court</u>
Anchorage	\$839,144
Angoon	520
Barrow	11,370
Bethel	6,262
Cordova	7,764
Craig	1,092
Dillingham	1,848
Emmonak	760
Fairbanks	19,061
Fairbanks Borough	4,395
Galena	586
Haines	3,586
Homer	30,137
Hoonah	3,595
Juneau	94,123
Kake	738
Kenai	23,420
Ketchikan	43,085
Klawock	874
Kodiak	18,948
Kodiak Island Borough	75
Kotzeube	3,813
Matsu Borough	9,505
Nenana	33,030
Nome	1,070
North Pole	4,395
Palmer	66,969
Petersburg	300
Point Hope	240
St. Mary's	1,330
St. Paul	1,141
Seward	18,808
Sitka	23,579
Skagway	2,541
Soldotna	12,000
Unalakleet	1,810
Unalaska	655
Valdez	27,201
Wasilla	65,836
Wrangell	5,643
Yakutat	330
Totals	<u><u>\$1,391,577</u></u>

ALASKA COURT SYSTEM

October 2001 Permanent Fund Dividends Processed
(as of 1/8/02)

<u>Court</u>	<u>PFD Totals by Court</u>
Anchorage Court	\$5,345,914
Angoon	4,701
Aniak	10,012
Barrow	81,709
Bethel	134,428
Chevak/Scam Bay/Hoop Bay	5,197
Cordova	6,120
Craig	38,987
Delta Junction	21,136
Dillingham	74,101
Emmonak	3,663
Fairbanks	1,592,651
Fort Yukon	8,578
Galena/McGrath	5,825
Glennallen	22,755
Haines	19,287
Healy	3,304
Homer	74,452
Hoonah	13,725
Juneau	969,334
Kake	9,989
Kenai	496,176
Ketchikan	452,977
Kodiak	135,609
Kotzebue	67,059
McGrath	4,809
Naknek	18,403
Nenana	10,905
Nome	90,778
Palmer	669,740
Petersburg	46,164
Saint Marys/Mtn Village	15,096
Saint Paul Island	7,315
Sand Point	6,942
Seward	41,518
Sitka	157,360
Tanana	4,410
Tok	24,045
Unalakleet	22,944
Unalaska	14,339
Valdez	31,731
Wrangell	53,401
Yakutat	10,992
Totals	<u><u>\$10,828,672</u></u>

Alaska Court System
FY01 Court Revenues Deposited to the General Fund

Fines and Forfeitures	\$3,910,300
Case Filing Fees	1,714,900
Clerical and Miscellaneous Fees (Transcripts, Notaries, Copies)	319,900
Cost Recoveries	233,000
Interest Income	<u>429,000</u>
Total FY01 General Fund Revenue	<u><u>\$6,607,100</u></u>

Alaska Court System
FY01 Revenues Collected for Other State Agencies

Alaska Police Standards Council (Surcharges)	\$576,102
Health and Social Services (Vital Statistics)	<u>217,800</u>
Total FY01 Revenues Collected for Other State Agencies	<u><u>\$793,902</u></u>

Department of Law
FY01 Collections of Costs and Fees Imposed by Courts

Cost of Appointed Counsel	\$936,026
Cost of Incarceration	853,777
Court Fines and Bonds	1,439,085
Traffic and Minor Offense Fines	524,459
Collection Costs	117,225
Court Costs	95,869
Civil	<u>27,139</u>
Total Dept. of Law FY01 Collections of Court Costs and Fees	<u><u>\$3,993,580</u></u>

¹ Information supplied by Nancy Sullivan, Collections Coordinator, Collections and Support Section

Alaska Court System
FY 2003 Operating Budget Request

FY 2002 Authorized Budget (Conference Committee)	\$50,244,900
WAN Fees Carryforward	\$125,000
HB132, HB172, HB179	\$436,000
Grants Budget	<u>\$516,000</u>
 FY 2002 Final Budget (668 PFTs, 52 PPTs & 21 NPPs)	 \$51,321,900
 Increment A - Court System Operating Budget Requests	 \$2,026,100
Increment B - Department of Public Safety Request	\$3,948,900
Increment C - 3% Salary and Benefits Increase	<u>\$1,558,300</u>
FY 2003 Request (677 PFTs, 53 PPTs & 21 NPPs)	<u><u>\$58,355,200</u></u>

(An increase of 11.6% over the FY 2002 Final Budget, of which 3.9% represents court system increments and 7.7% is for the Department of Public Safety's courthouse security increment.)

Increments Summary (organized by budget request unit)

Appellate Courts

Software, computers, computer peripherals, workstations **\$79,000**
 Replacement computers & peripherals \$60,000, software licensing \$10,000, computer workstations \$9,000.

Judicial Retirement System (JRS) Increase **\$96,700**
 The rate assessed for the judicial retirement benefit increased from 17.07% in FY2002 to 28.28% in FY2003. The increase was due to changes in member demographics and the changes in mortality rate tables.

Administration

New positions **\$235,700**

Library Assistant I, Anchorage, 8A, permanent part-time **\$17,900**
Support position to provide customer service, update reference materials and assist with a variety of library tasks.

Human Resources Assistant, Anchorage, 8A, permanent part-time **\$17,900**
This position will be responsible for data entry, maintenance of filing systems, front desk reception duties and other clerical functions as required.

Computer Training Specialist, 14A, Anchorage, permanent full-time **\$58,200**
Information Systems Support position to assist with desktop programming, help desk, requests and overall user support. Request includes \$13,000 for area-wide travel and training.

Alaska Court System
FY 2003 Operating Budget Request
Administration (continued)

Computer Training Specialist, 16A, Anchorage, permanent full-time **\$67,300**

Information Systems Support position to train users throughout the court system. With an increase in computer systems associated with the DARS and CMS projects and general computerization of the court system, this position is required to support on-going user training needs. Request includes \$13,000 for area-wide travel.

Computer Programmer/Analyst 18A, Anchorage, permanent full-time **\$74,400**

Information Systems Support position to support increased programming needs associated with systems development. This position will program in Visual Basic 6.0 and support users' programming requirements associated with the RUG system. Request includes \$10,000 for travel and training.

Trial Courts

New positions

\$373,900

Second District

In-Court Clerk, Kotzebue, 12A, permanent full-time **\$59,500**

Superior court case filings up 3% from FY00 to FY01 and 11% from FY99 to FY01. District court non-traffic case filings are up 8% from FY00 to FY01 and 19% from FY99 to FY01. For trials and hearings, staff is borrowed from the clerk's office to cover in-court duties. This results in diminished customer service.

Rural Court Trainer, 2nd District, 16A, permanent full-time **\$64,300**

The ACA is responsible for the RCTA duties. For a variety of reasons, including turnover, management of 2nd district appeals, and the daily responsibilities of the ACA, the ACA has not been able to develop an adequate training program for the court clerks. It is critical that the clerks receive the necessary training to perform core job functions. Without this training, procedural changes associated with the new CMS project will be even more confusing and frustrating for the clerks.

Third District

Court Clerks (2), Palmer, 10A, permanent full-time **\$78,600**

This court has the second highest number of non-traffic case filings per clerical position. To assist with the increasing judicial workload, it is anticipated that an Anchorage district court judge will be assigned to Palmer two weeks per month. The clerk positions will provide the required in-court coverage and secretarial services to the Palmer district court judge and magistrate, who do not currently have any secretarial support.

District Court Judge, Palmer, 81A, permanent full-time **\$140,200**

This court has the highest number of case filings per judicial position. Adding a standing master will reduce this ratio, but Palmer will still have the highest number of filings per judicial officer. In FY01, superior court filings totaled 1,396 cases or 698 per superior court position. The addition of a district court judge will provide some relief within the superior court operations.

Alaska Court System

FY 2003 Operating Budget Request

Trial Courts (continued)

Fourth District

In-Court Clerk, Chevak, 10A, permanent full-time

\$31,300

This court is one of the busiest in the fourth district. Chevak had 381 case filings in FY01. This is a 42% increase over FY00 case filings. The Chevak court is staffed with a part-time magistrate and a part-time court clerk. Minimal staffing and a sustained annual caseload of greater than 260 filings will continue to result in inefficiencies in court operations. Funding requested will increase the part-time position to full-time.

Judicial Retirement System (JRS) Increase

\$583,500

The rate assessed for the judicial retirement benefit increased from 17.07% in FY2002 to 28.28% in FY2003. The increase was due to changes in member demographics and the changes in mortality rate tables.

Facility operations, maintenance and leasehold improvements

\$255,100

Second District

Unalakleet Courts

\$9,100

The City of Unalakleet has indicated an intent to increase our leased space expense from \$357/month to \$1,118/month. The court desires to retain the current leased space as it is unlikely adequate space can be located elsewhere within the community. The court has been paying \$ 0.58/sq.ft. for this space. This rate is well below market rates. The increase will adjust the rate to \$1.80/sq.ft, which is reasonable for this community.

Third District

Kenai and Palmer Courts

\$150,000

The US Marshal's Service conducted security surveys of the Kenai and Palmer courts. The absence of security screening systems and personnel to operate these systems resulted in these facilities being at high risk for security breaches. Funding is requested for the placement of contractual security personnel in these court locations to partially address some of the security issues. The equipment for this project is requested in the FY03 capital budget.

Unalaska Court

\$60,000

The present courthouse is too small and poorly configured for many court proceedings. There is limited public waiting space outside the courtroom and no space for private conferences. Crowding in the clerical work areas lends itself to unsafe conditions. Jury pools are required to assemble in the street in front of the building because the courtroom is too small to accommodate the entire group. Public parking is limited. This request is for additional leasehold funding (\$30,000) to secure suitable court space and funding for furnishing (\$30,000) the new space.

Fourth District

Bethel Court

\$36,000

With the addition of the superior court position and related staff, additional leased space at the Bethel court is necessary. Increased space will help to meet the court's calendaring needs.

Alaska Court System
FY 2003 Operating Budget Request
Trial Courts (continued)

Travel & Training Funds **\$100,000**

These funds will be used for two purposes: 1) to support the recommendations of the Fairness & Access Committee by providing travel funds for increased judicial presence in rural areas. The Committee suggested that judicial officers routinely conduct hearings, trials and participate in local justice matters in rural areas 2) Renewed emphasis on core competency training for supervisors. Since 1998 the court system has experienced a high level of turnover in supervisory positions due to the retirement incentive plans. As a result of attrition, over 50% of present supervisors have been employed with the court system for less than 5 years. Many of these supervisors are clerks of court and magistrates in rural court locations who have additional administrative responsibilities. This has created an immediate need for renewed emphasis on competency based training for supervisors.

Increase juror fees by \$2.50 to \$27.50 a day **\$113,100**

The current \$25 a day allowance for jury duty has not changed since 1981 despite significant increases in the Consumer Price Index. Jurors must pay for parking, child care, transportation and other costs while in service. Jury service impacts over 25,000 Alaskans each year. The court system has requested an increase in the fee to \$30 a day for many years. We are requesting an incremental increase of 10% to \$27.50. The court will continue to request additional funding until the rate is increased to \$30 a day.

2nd Year Funding for HB172 (Therapeutic Courts) **\$146,100**

Positions and WAN expenses approved under HB172 were funded for 9 months in Anchorage and 6 months in Bethel. This request is for the balance of funding needed for all positions and related costs for a 12 month period.

2nd Year Funding for HB132 (Felony Lookback) **\$18,000**

National studies suggest that states adopting a .08 blood alcohol rate reduction have seen a 10% increase in the number of cases brought before the court. This would mean an additional 500 misdemeanor filings a year and an additional 28 felony filings a year. The court received the additional funding required for the FY02 increases, but needs to request the additional funding required for FY03.

FY03 CCRP Funds from Mental Health Trust Authority **\$25,000**

The court system received \$150,000 in FY02 to fund the Court Coordinated Resources Project. This increased funding will be used for case management services and court supervision for Trust beneficiaries convicted of misdemeanor offenses.

Subtotal Increment A **\$2,026,100**

FY03 3% Salary & Benefits Increase - Increment B **\$1,558,300**

Improve courthouse security - Increment C **\$3,948,900**

The court system is requesting funding for 35 court security officers. Courthouse security is the responsibility of the Department of Public Safety (DPS). Under the direction of the Supreme Court, DPS identified ten courts where additional security staffing is needed. This funding will be transferred to the DPS via a reimbursable services agreement.

Total Increments A, B, & C **\$7,533,300**

**Alaska Court System
FY03 Budget Increments**

Location	Increment Title	Cost
All Districts	Travel & Training	100,000
All Districts	Juror Pay Increased from \$25 to \$27.50/day	113,100
All Districts	JRS Benefit Cost from 17.07% to 28.28%	583,500
All Districts	3% Salary and Benefits Increase	1,312,600
2nd District	Rural Court Trainer, Computer, desk, chair, WAN	64,300
2nd District	Court Clerk III - Kotzebue	59,500
2nd District	Unalakleet Lease Expense	9,100
3rd District	Balance of HB132 (Felony Lookback) Costs	18,000
3rd District	Security System & Contractual Positions - Kenai/Palmer	150,000
3rd District	Court Clerk II Palmer (2 positions)	78,600
3rd District	Unalaska Lease Expense	60,000
3rd District	District Court Judge - Palmer	140,200
3rd District	Mental Health Trust Authorized Receipts	25,000
3rd & 4th District	Balance of HB172 (Therapeutic Courts) Costs	146,100
4th District	Court Clerk II - Chevak	31,300
4th District	Bethel Lease Expense	36,000
Trial Court Total		2,927,300
Appellate	JRS Benefit Cost from 17.07% to 28.28%	96,700
Appellate	Computers, Software Upgrades	79,000
All Districts	3% Salary and Benefits Increase	64,900
Appellate Court Total		240,600
Administration	HR Assistant I (PPT)	17,900
Administration	Library Assistant I (PPT)	17,900
Administration	Computer Support Specialists (3 positions)	199,900
Administration	3% Salary and Benefits Increase	180,800
Administration Total		416,500
Subtotal Court Operating Increments		3,584,400
DPS Support for Court Security Officers		3,948,900
FY03 Increments Summary		7,533,300

1/23/02

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

FY02 MISSIONS AND MEASURES PRESENTATION

TO THE HOUSE FINANCE COMMITTEE

JANUARY 18, 2002

COMMISSIONER JOE PERKINS

THANK YOU FOR INVITING ME TO PRESENT A REPORT ON THE PERFORMANCE OF THE DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES. THERE ARE VARIOUS WAYS TO DETERMINE HOW WELL AN AGENCY IS PERFORMING AND I WOULD LIKE TO DISCUSS SOME OF THOSE AREAS TODAY.

- FIRST, A LOOK AT SOME OF THE DEPARTMENT'S ACCOMPLISHMENTS
- SECOND A REVIEW OF THE AWARDS RECEIVED BY THE DEPARTMENT AND SOME OF ITS EMPLOYEES.
- AND FINALLY, A DISCUSSION OF THE PERFORMANCE MEASURES CONTAINED IN HOUSE BILL 250. I WILL BE VERY BRIEF SINCE THERE ARE 45 PERFORMANCE MEASURES FOR DOT&PF.

AS I'M SURE YOU ARE AWARE, THE **DEPARTMENT'S MISSION** IS TO DEVELOP, OPERATE, MAINTAIN, AND MANAGE FACILITIES,

VEHICLES, AND TRANSPORTATION MODES. WE ARE RESPONSIBLE FOR OVER 6,000 CENTERLINE MILES OF ROADS, 715 BRIDGES, 260 AIRPORTS PLUS 2 INTERNATIONAL AIRPORTS, 600 BUILDINGS, 79 HARBORS, 9 FERRIES, AND OVER 7,600 PIECES OF EQUIPMENT.

I WOULD LIKE TO TELL YOU ABOUT JUST A FEW MAJOR ACCOMPLISHMENTS THAT YOU SHOULD BE AWARE OF BEFORE WE GO FURTHER. FIRST, THIS PAST YEAR WE WERE ABLE TO AWARD THE CONSTRUCTION CONTRACT FOR "C" CONCOURSE AT THE TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT – WITHIN BUDGET. WE HAVE RECENTLY AWARDED THE CONTRACT FOR THE DESIGN AND CONSTRUCTION OF OUR FIRST 2 FAST VEHICLE FERRIES TO IMPLEMENT THE SOUTHEAST ALASKA TRANSPORTATION PLAN, AND FINALLY, WITH A GREAT DEAL OF ASSISTANCE FROM THE DEPARTMENT OF LAW, WE REACHED SETTLEMENT ON THE \$46 MILLION KENNICOTT CLAIM THAT COST US JUST \$500,000. WE HAVE ALSO HAD MANY CHALLENGES INCLUDING HOMELAND SECURITY ISSUES – DID YOU KNOW WE WERE THE FIRST STATE TO GET ITS AIRPORTS BACK ON LINE AFTER SEPT. 11? ON THE WHOLE, WE HAVE HAD A GOOD YEAR.

HOW ARE WE DOING COMPARED TO OUR PEERS IN OTHER STATES? I BELIEVE THAT IS AN EXCELLENT MEANS OF DETERMINING OUR PERFORMANCE. THE NATIONWIDE ROAD INFORMATION PROGRAM RATED ALASKA ROADS AT 60% IN GOOD OR FAIR CONDITION, 34% IN MEDIOCRE CONDITION AND 6% IN POOR CONDITION. THE NATIONAL AVERAGE IS 68% IN GOOD OR FAIR CONDITION, 21% IN MEDIOCRE CONDITION AND 11% IN POOR CONDITION. CONSIDERING THE EXTREME WEATHER AND HARSH PHYSICAL CONDITIONS, WHICH WE DEAL WITH IN ALASKA (PERMAFROST, THERMAL CRACKING, WETLANDS, AND LOW MAINTENANCE BUDGETS) I THINK WE STACK UP REAL WELL WITH THE OTHER STATES. HOWEVER WE NEED TO CONTINUE TO CONCENTRATE ON OUR MEDIOCRE ROADS AND MOVE A LARGER PERCENTAGE OF THEM INTO THE GOOD CATEGORY. WE CAN DO THIS BY REPAVING THE ROADS. (GEORGIA HAS THE BEST – FOLLOWED BY ALABAMA, FLORIDA, WYOMING, KANSAS – THE WORST – CALIFORNIA, MASSACHUSETTS, MISSOURI, CONNECTICUT, LOUISIANA).

OVER THE PAST YEAR MANY NATIONAL AWARDS HAVE BEEN BESTOWED UPON DOT EMPLOYEES AND PROJECTS AND I'D LIKE TO TELL YOU ABOUT A FEW OF THEM:

- AFTER RECEIVING 7 AWARDS IN 2000, THE WHITTIER TUNNEL RECEIVED AN ADDITIONAL AWARD LAST YEAR. THE PRESTIGIOUS AMERICAN SOCIETY OF CIVIL ENGINEERS 2001 OUTSTANDING CIVIL ENGINEERING ACHIEVEMENT AWARD. WE BEAT OUT THE NEW DOMED STADIUM IN HOUSTON, TEXAS FOR THIS AWARD. IT IS ALSO ONLY THE FOURTH TIME THIS AWARD HAS BEEN GIVEN TO A HIGHWAY PROJECT.

OTHER AWARDS INCLUDED:

- TOM MOSES, PROJECT MANAGER FOR THE WHITTIER TUNNEL PROJECT RECEIVED THE AASHTO PRESIDENT'S AWARD FOR HIGHWAYS AND THE WESTERN ASSOCIATION OF STATE HIGHWAY & TRANSPORTATION OFFICIALS (WASHTO) HEWES AWARD. THESE ARE THE NATIONAL AND WESTERN STATES AWARDS FOR THE TOP HIGHWAY ENGINEER IN THE 18 WESTERN STATES AND THE NATION.
- AMONG THE TEAM AWARDS RECEIVED FROM AASHTO TEAM RECOGNITION PROGRAMS THE SOUTHEAST REGION'S REPATRIATION OF BODIES INTERRED IN SITKA (CALLED THE

JOURNEY BACK HOME) RECEIVED THE EXEMPLARY PARTNER AWARD.

- ON A PERSONAL NOTE, I COMPLETED MY TERM AS PRESIDENT OF THE 18 STATE WESTERN ASSOCIATION OF STATE HIGHWAY TRANSPORTATION OFFICIALS AND HAVE ENTERED MY THIRD YEAR AS THE CHAIRMAN OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY TRANSPORTATION OFFICIALS (AASHTO) STANDING COMMITTEE ON HIGHWAYS, WHICH OTHER THINGS, SETS THE STANDARDS FOR ALL OF AMERICA'S ROADS. I ALSO AM ONE OF TWO OFFICIAL UNITED STATES REPRESENTATIVES TO THE WORLD ROAD CONGRESS WHICH INCLUDES OVER 60 OTHER COUNTRIES.

THE ALASKA DOT WILL BE HOSTING THE AASHTO ANNUAL MEETING IN ANCHORAGE THIS OCTOBER 11 TO 16. WE EXPECT UP TO 2,000 ATTENDEES INCLUDING THE DOT COMMISSIONERS OR SECRETARIES AND STAFFS FROM THE 50 STATES AND NUMEROUS FEDERAL OFFICIALS INCLUDING THE SECRETARY OF TRANSPORTATION. I LOOK AT THIS AS AN OPPORTUNITY TO EXCEL AND AM SURE ALASKA WILL.

I AM VERY PROUD AND ALASKA SHOULD BE PROUD OF WHAT THE DEPARTMENT'S PROFESSIONAL STAFF HAS ACCOMPLISHED. THE ALASKA DOT&PF HAS EARNED AND IS RECOGNIZED NATIONALLY AS ONE OF THE TRANSPORTATION LEADERS IN THE UNITED STATES.

I WILL NOW ADDRESS THE PERFORMANCE MEASURES FROM HOUSE BILL 250.

1. THE PERCENTAGE OF DIVISIONS THAT REACH ASSIGNED PERFORMANCE MEASURES.

ALL DIVISIONS ARE TRACKING LEGISLATIVELY ASSIGNED PERFORMANCE MEASURES CONTAINED IN CHAPTER 90, SLA 2001. SOME MEASURES TAKE MORE THAN A YEAR TO ACCOMPLISH, BUT PLANS FOR REACHING THOSE MEASURES HAVE BEEN DEVELOPED AND ARE BEING IMPLEMENTED.

2. THE PERCENTAGE OF STATE NATIONAL HIGHWAY SYSTEM LANE MILES OF ROAD THAT MEET STANDARDS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS.

WE HAVE MADE A CONCERTED EFFORT TO MODERNIZE THE NATIONAL HIGHWAY SYSTEM (NHS) ROUTES IN ALASKA, THERE ARE

NOW 1,487 MILES OF THE NHS THAT MEET NATIONAL STANDARDS COMPARED TO 1,424 MILES LAST YEAR. THIS IS A GAIN OF 63 MILES. 615 MILES DO NOT MEET THESE STANDARDS. OF THE 615 MILES APPROXIMATELY 350 MILES ARE ON THE DALTON HIGHWAY. SIGNIFICANT PROGRESS HAS BEEN MADE ON THE SEWARD, GLENN, PARKS, DALTON AND OTHER MAJOR HIGHWAYS WHICH IMPROVES OUR NATIONAL HIGHWAY SYSTEM FOR CITIZENS AND COMMERCE WHILE ADDING TO SAFETY.

3. THE PERCENTAGE OF REQUESTED ENGINEERING FIRM AUDITS AND DESK REVIEWS COMPLETED IN THE PREVIOUS FISCAL YEAR.

DURING FISCAL YEAR 2001, INTERNAL REVIEW RECEIVED REQUESTS FOR AND COMPLETED 51 ENGINEERING FIRM AUDITS OR DESK REVIEWS. THIS IS A SLIGHT INCREASE FROM 50 COMPLETED IN THE PREVIOUS YEAR. THEY CONTINUE TO DO A GREAT JOB.

4. THE PERCENTAGE OF REQUIRED COMPLIANCE REVIEWS FOR RESPONSIVENESS TO DISADVANTAGED BUSINESS ENTERPRISE AND ON-THE-JOB TRAINING CONTRACT REQUIREMENTS COMPLETED.

140% OF REQUIRED COMPLIANCE REVIEWS WERE COMPLETED. THE CIVIL RIGHTS OFFICE IS ANNUALLY TASKED BY FHWA WITH COMPLETING 10 MAJOR CONTRACT COMPLIANCE REVIEWS. 14 REVIEWS WERE INITIATED AND COMPLETED DURING FISCAL YEAR 2001. THEY HAVE DONE AN OUTSTANDING JOB.

5. THE AVERAGE TIME TAKEN TO RESPOND TO COMPLAINTS AND QUESTIONS THAT HAVE BEEN ELEVATED TO THE COMMISSIONER'S OFFICE.

THE AVERAGE TIME TAKEN TO RESPOND TO WRITTEN OR EMAIL QUESTIONS OR COMPLAINTS IS APPROXIMATELY 3 WEEKS. THE AMOUNT OF TIME PER COMPLAINT DEPENDS ON THE COMPLEXITY OF THE ISSUE AND THE AVAILABILITY OF STAFF AND INFORMATION. WE CONTINUE TO WORK TO REDUCE THIS TIME.

6. WHETHER THE AVERAGE TIME FOR PAYMENT TO VENDORS IS 29 DAYS OR LESS.

OVER THE PAST THREE YEARS THE DEPARTMENT HAS MAINTAINED AN AVERAGE OF 24 DAYS FOR PAYMENT TO VENDORS. THROUGH THE FIRST QUARTER OF FY02 THE DEPARTMENT IS CONTINUING TO MAINTAIN A 24-DAY AVERAGE FOR PAYMENTS.

7. HOW LONG IT TAKES THE DIVISION TO PROCESS A PURCHASE REQUEST BEFORE THE ORDER IS PLACED.

THE DEPARTMENT CONVERTED TO AN AUTOMATED PURCHASING SYSTEM IN JANUARY 2001. INFORMATION FOR THIS MEASURE IS INCOMPLETE AND ONLY REPRESENTS ESTIMATED ACTIVITY OF SMALL PROCUREMENTS UNDER \$50,000. A FULL YEAR OF DATA WILL BE AVAILABLE NEXT YEAR. IN THE 10 MONTHS AFTER CONVERTING TO THE AUTOMATED SYSTEM, OUR NORTHERN REGION IDENTIFIED AN AVERAGE OF 2.9 DAYS; CENTRAL REGION ESTIMATED AN AVERAGE OF 7.6 DAYS; AND SOUTHEAST REGION IS AVERAGING 5.0 DAYS. WE DEFINITELY ARE SPEEDING UP THE ORDERING PROCESS AND I BELIEVE THE AUTOMATED SYSTEM IS THE ANSWER.

8. THE PERCENTAGE OF PROTEST AND CLAIMS APPEALED TO THE COMMISSIONER THAT COURTS OVERTURNED DURING THE FISCAL YEAR.

THIS MEASURE TELL US HOW WELL OUR CONSTRUCTION CLAIMS PROCESS WORKS. THERE WERE 4 DOT&PF CONSTRUCTION RELATED APPEALS FROM PRIOR YEARS IN SUPERIOR COURT AT THE BEGINNING OF FY2001.

- ONE WAS SETTLED IN FAVOR OF THE STATE

- ANOTHER WAS RULED IN FAVOR OF THE STATE BY THE SUPERIOR COURT, BUT HAS BEEN APPEALED TO THE SUPREME COURT.
- THE LAST 2 ARE STILL ACTIVE IN SUPERIOR COURT.

DURING FY2001, THERE WERE SIX NEW APPEALS FILED WITH THE COMMISSIONER. NONE OF MY DECISIONS HAVE BEEN APPEALED TO THE COURTS.

9. THE PERCENTAGE REDUCTION IN PAYROLL CALCULATION ERRORS.

THE DIVISION BEGAN TRACKING THE EXTENT OF PAYROLL CALCULATION ERROR RATES AND THEIR CAUSES IN JANUARY 2001. THE DATA SHOWS THE ERROR RATE AT 1.9% BASED ON ERRORS PER NUMBER OF PAYROLL WARRANTS ISSUED. OF THAT RATE, 1.3% IS RELATED TO AVOIDABLE ERRORS. WE WILL DO BETTER ON THIS.

10. THE NUMBER AND DOLLAR VALUE OF PLANNED PROJECTS THAT ARE CONSTRUCTED AS A PERCENTAGE OF THE VALUE OF PROJECTS ON THE NEEDS LIST AND THE NUMBER PROPOSED.

AROUND \$500 MILLION IS CONSTRUCTED EACH YEAR OR 6.6% OF AN APPROXIMATE \$7.5 BILLION NEEDS LIST. THE NEEDS LIST IS DEFINED BY THE STATE, BOROUGH, AND LOCAL COMMUNITIES.

IMPROVEMENT OF OUR ABILITY TO CONSTRUCT A LARGER PART OF THE CURRENT NEEDS WILL DEPEND ON AVAILABILITY OF ADDITIONAL STATE OR FEDERAL TRANSPORTATION FUNDING.

11. **THE PERCENTAGE OF REQUIRED FEDERAL PLANNING, PROGRAMMING, AND DATA COLLECTION COMPLETED AND ACCEPTED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION ON A FEDERAL FISCAL YEAR BASIS.**

THE DEPARTMENT IS IN 100 PERCENT COMPLIANCE. THE STATE HAS NEVER LOST FEDERAL FUNDS DUE TO A FAILURE TO MEET TRANSPORTATION DATA COLLECTION REQUIREMENTS.

12. **THE NUMBER OF MOTOR VEHICLE CRASHES DURING THE FISCAL YEAR AT WHICH SERIOUS INJURY OR FATALITY OCCURRED.**

IN 1999, THERE WERE 79 FATAL MOTOR VEHICLE CRASHES IN THE STATE. THAT FIGURE ROSE TO 103 IN 2000 WHICH GIVES ME AND GLEN GODFREY CONCERN. TO GIVE YOU A COMPARISON, THE NATIONAL AVERAGE OF FATAL ACCIDENTS PER 100 MILLION MILES TRAVELED IN THE YEAR 2000 IS 1.6. ALASKA'S AVERAGE IS 2.2. WE NEED TO LOWER OUR ACCIDENT RATE AND WE WILL BE REVIEWING

THIS PROBLEM IN DETAIL AND DEVELOPING MORE SAFETY PROGRAMS AIMED AT REDUCING FATALITIES.

13. THE PERCENTAGE OF FEDERAL HIGHWAY FUNDS

OBLIGATED IN THE PREVIOUS FEDERAL FISCAL YEAR.

100% OF FEDERAL HIGHWAY FUNDS WERE OBLIGATED THIS YEAR. THE DEPARTMENT'S PERFORMANCE IN FY2001 PLACED THE STATE IN A POSITION TO RECEIVE AN ADDITIONAL \$2.2 MILLION IN FUNDING FROM THE FEDERAL HIGHWAY ADMINISTRATION. WE HAD RECEIVED AN ADDITIONAL \$1.5 MILLION IN FY2000. THE ADDITIONAL FUNDS ARE AVAILABLE BECAUSE OTHER STATES ARE UNABLE TO OBLIGATE THEIR FULL ALLOCATION OF FEDERAL-AID. I CAN'T SPEAK FOR PREVIOUS ADMINISTRATIONS, BUT SINCE I'VE BEEN HERE, THE STATE OF ALASKA HAS NEVER TURNED BACK FEDERAL HIGHWAY FUNDS BECAUSE WE WERE NOT ABLE TO OBLIGATE THEM.

14. THE PERCENTAGE OF PROJECTS IN THE CAPITAL BUDGET

THAT HAVE BEEN BID IN THE YEAR PROGRAMMED.

ABOUT 95% OF THE PROJECTS IN THE STIP PROGRAM ARE BID IN THE YEAR PROGRAMMED. THE 5% WHICH ARE NOT BID ARE PROJECTS

WHICH ARE DELIBERATELY INCLUDED IN THE PROGRAM IN THE EVENT EXTRA FEDERAL FUNDS ARE APPROPRIATED.

15. THE PERCENTAGE OF TOTAL PROJECT COSTS SPENT ON PROJECT DEVELOPMENT.

14.4% OF TOTAL PROJECT COSTS WERE SPENT ON PROJECT DEVELOPMENT IN FY 2001. FOR FY2000, THE PERCENTAGE WAS 14%.

16. THE PERCENTAGE DIFFERENCE BETWEEN FINAL PROJECT ESTIMATES AND CONSTRUCTION BIDS.

THE DIVISION HAS A CONSULTANT UNDER CONTRACT DEVELOPING A BID ANALYSIS AND ESTIMATE PROGRAM. THE PROGRAM IS 50% COMPLETE AND SHOULD BE FINALIZED THIS SUMMER. WE WILL REPORT ON THIS ITEM NEXT YEAR.

17. WHETHER THE DEPARTMENT IS SUCCESSFUL IN REQUIRING PRIVATE CONTRACTORS PERFORMING DESIGN AND ENGINEERING SERVICES FOR THE STATE TO REPORT ON THE SAME MEASURES.

WORK PERFORMED UNDER CONTRACT IS ALREADY INCLUDED IN THE RESULTS OF OUR OTHER MEASURES.

18. THE PERCENTAGE OF THE DESIGN AND ENGINEERING WORK OF THE DIVISION THAT WAS PERFORMED BY PRIVATE CONTRACTORS.

MORE THAN 50% OF THE DESIGN AND ENGINEERING WORK WAS PERFORMED BY PRIVATE CONTRACTORS. THIS IS IN LINE WITH THE NATIONAL TRANSPORTATION RESEARCH BOARD'S RECOMMENDATION THAT THE OPTIMAL PROGRAM IS A BALANCE OF ONE-HALF IN-HOUSE AND ONE-HALF CONSULTANT DESIGNS.

19. THE PERCENTAGE OF THE TOTAL CONSTRUCTION COSTS THAT WERE SPENT ON CONTRACT ADMINISTRATION.

THE PERCENTAGES OF CONTRACT ADMINISTRATION COSTS DURING FY01 WERE AS FOLLOWS:

	HIGHWAYS	
	FY01	(FY00)
CENTRAL REGION	14.6%	(18%)
NORTHERN REGION	14.7%	(18%)
SOUTHEAST REGION	12.5%	(19%)

WE HAVE MADE SIGNIFICANT IMPROVEMENT IN THIS AREA.

20. THE PERCENTAGE OF THE TOTAL CONSTRUCTION COSTS THAT WERE SPENT ON CHANGE ORDERS.

THE PERCENTAGE OF CHANGE ORDER COSTS DURING FY00 WAS AS FOLLOWS:

	HIGHWAYS	
	FY01	(FY00)
CENTRAL REGION	5.7%	(6%)
NORTHERN REGION	6.3%	(6%)
SOUTHEAST REGION	5.8%	(8%)

WE ARE WELL WITHIN THE INDUSTRY NORM FOR THIS ITEM.

21. WHETHER THE NET VALUE OF FACILITIES DEFERRED MAINTENANCE INCREASES OR DECREASES ANNUALLY.

THE ACCUMULATED DEFERRED MAINTENANCE BACKLOG HAS INCREASED FROM \$44.8 MILLION (NOT INCLUDING ADA) A YEAR AGO, TO \$55.4 MILLION. THIS 22 % INCREASE IS DUE LARGELY TO 3 DOT&PF MAINTENANCE FACILITIES BEING CONDEMNED, RESULTING IN ADDITIONAL DEFERRED MAINTENANCE COSTS. WE RECEIVED A TOTAL OF \$800,000 IN FY02 FOR MAINTENANCE OF ALL OF THE STATE-OWNED FACILITIES THE DEPARTMENT IS RESPONSIBLE FOR MAINTAINING. THIS AREA NEEDS YOUR ATTENTION.

22. THE PERCENTAGE OF FACILITY MECHANICAL SYSTEMS THAT PASS SAFETY INSPECTIONS EACH YEAR.

95% OF OUR MECHANICAL SYSTEMS PASSED SAFETY INSPECTIONS DURING THE PAST YEAR. THE REMAINING 5% REQUIRE SIGNIFICANT CAPITAL IMPROVEMENTS TO BE CODE COMPLIANT, AND ARE INCLUDED IN THE DEFERRED MAINTENANCE BACKLOG.

23. THE PERCENTAGE OF RURAL AIRPORT LEASES THAT ARE RENEWED OR NEWLY LEASED AT FAIR MARKET VALUE DURING THE FISCAL YEAR.

WITH DELAYS IN ADOPTING NEW TITLE 17 REGULATIONS, WE HAVE BEEN UNABLE TO INCREASE RURAL AIRPORT LEASE RATES TO BRING THEM CLOSER TO FAIR MARKET VALUE. WHEN THE NEW RURAL AIRPORT REGULATIONS ARE IMPLEMENTED IN THE NEXT TWO MONTHS, WE WILL BE ABLE TO GRADUALLY INCREASE LEASE RATES TOWARD FAIR MARKET VALUE. THE REPORT NEXT YEAR SHOULD SHOW PROGRESS.

24. THE TRANSFER OF STATE-OWNED PORTS AND HARBORS TO LOCAL CONTROL.

CHAPTER 61, SLA 2001 AUTHORIZED FUNDING TO TRANSFER KETCHIKAN BAR HARBOR SOUTH, PELICAN HARBOR, AND PARTIAL FUNDING FOR THE TRANSFER OF SITKA FACILITIES. AS OF DECEMBER 2001, PELICAN HARBOR AND SITKA HAVE TRANSFERRED,

AND KETCHIKAN WAS EXPECTED TO TRANSFER SOON. TO DATE, 22 FACILITIES HAVE BEEN TRANSFERRED WITH 31 MORE CANDIDATES READY AND AWAITING ADEQUATE FUNDING. THE COST FOR TRANSFERRING THESE 31 HARBORS IS ESTIMATED AT APPROXIMATELY \$38 MILLION.

25. **WHETHER 80 PERCENT OF THE FLEET WET RENTALS ARE RETURNED TO THE DIVISION AS SCHEDULED FOR PREVENTIVE MAINTENANCE ON OR BEFORE JUNE 30 OF THE FISCAL YEAR.**

AS OF OCTOBER 2001, THE STATEWIDE AVERAGE WAS 85% WHICH EXCEEDS THE PERFORMANCE MEASURE

26. **THE AVERAGE DOWN TIME FOR LIGHT DUTY, ACTIVELY USED EQUIPMENT IN URBAN AREAS.**

THE FIRST FULL YEAR OF DATA IN FY01 SHOWED THE STATEWIDE AVERAGE AS 7.3%, WITH REGIONAL RANGES FROM 5.8% TO 11.3%.

27. **THE NUMBER OF LOCATIONS OF THE STATE EQUIPMENT FLEET WHOSE RATES ARE EQUAL TO OR LESS THAN THE RENTAL RATES PUBLISHED IN INDUSTRY GUIDE BOOKS**

SEF HAS COMPLETED THE COMPARISON OF THE FY2001 RENTAL RATES WITH THE CURRENT RENTAL RATE BLUE BOOK FOR CONSTRUCTION EQUIPMENT. A TOTAL OF 1,478 VEHICLES IN 162 REGIONAL RATE CLASSES WERE INCLUDED IN THE STUDY. IN ALL REGIONS SEF RATES WERE LOWER THAN THOSE IN THE BLUE BOOK, WITH THE EXCEPTION OF 2 INSTANCES. THE SEF HAD A STATEWIDE AVERAGE OF 34% -- DOWN FROM 39% IN FY2000. THOSE 2 INSTANCES I REFERRED TO ARE FOR HIGH MAINTENANCE 1 TON PICKUPS ON THE DALTON HIGHWAY AND CENTRAL REGION MOWER BOOMS. WE HAVE FOUND THAT WE ARE KEEPING THESE ITEMS TOO LONG, CAUSING MAINTENANCE TO BE EXCESSIVE AND WE ARE NOW IN THE PROCESS OF REPLACING THEM.

28. (COMMERCIAL VEHICLE) SAFETY INSPECTIONS PER FULL-TIME-EQUIVALENT EMPLOYEE OF THE DIVISION.

IN FY2001 ACTUAL PERFORMANCE WAS 278 INSPECTIONS PER FULL-TIME-EQUIVALENT EMPLOYEE COMPARED TO 165 PER FULL-TIME-EQUIVALENT EMPLOYEE IN FY00. TOTAL INSPECTIONS IN FY01 WAS 5,830. OUR COMMERCIAL VEHICLE INSPECTION PEOPLE ARE DOING A GREAT JOB.

**29. WEIGHING AND MEASURING DEVICE INSPECTIONS
CONDUCTED PER FULL-TIME-EQUIVALENT EMPLOYEE OF
THE DIVISION.**

DURING FY2001 THERE WERE A TOTAL OF 11,372 WEIGHING AND MEASURING DEVICES INSPECTED FOR A TOTAL OF 1,422 INSPECTIONS CONDUCTED PER FULL-TIME-EQUIVALENT EMPLOYEE OF THE DIVISION. IN FY00 THE DEPARTMENT CONDUCTED 1.767 INSPECTIONS PER FULL TIME EQUIVALENT. THE DECREASE IS ATTRIBUTABLE TO A DECREASE IN THE NUMBER OF AVAILABLE INSPECTION HOURS CAUSED BY TURNOVER OF STAFF AND TRAINING ISSUES ASSOCIATED WITH NEW STAFF. WE ARE LOOKING AT PRODUCTIVITY ENHANCEMENTS TO ACHIEVE 1.600 INSPECTIONS NEXT YEAR.

**30. THE NUMBER OF MILES OF GRAVEL ROADS THAT ARE
SURFACED WITH CHIP SEAL, HOT MIX, OR HIGH FLOAT
ASPHALT FOR THE FIRST TIME, REPORTED REGIONALLY.**

	FY01 TOTAL
	LANE MILES
CENTRAL REGION	72
NORTHERN REGION	244.4

SOUTHEAST REGION	15
TOTAL	331.4

WE ARE MAKING GREAT PROGRESS IN PAVING ALASKA'S
HIGHWAYS.

**31. THE PERCENTAGE OF HIGHWAY AND AIRPORT LANE MILES
PER FULL-TIME-EQUIVALENT EMPLOYEE COMPARED TO
THE AVERAGE OF MEMBER STATES OF THE WESTERN
ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION
OFFICIALS.**

NORTHERN REGION MAINTAINS HIGHWAY AND AIRPORT LANE
MILES WITH 42.2 LANE MILES PER FULL TIME EQUIVALENT
POSITION. SOUTHEAST REGION AVERAGES 35.3 HIGHWAY AND
AIRPORT LANE MILES PER FULL TIME EQUIVALENT. CENTRAL
REGION MAINTAINS HIGHWAY AND AIRPORT LANE MILES WITH AN
AVERAGE OF 37 LANE-MILES PER FTE POSITION.

FIFTEEN OF THE 18 WESTERN STATES AVERAGED 29.3 LANE MILES
PER FULL TIME EQUIVALENT POSITION.

**32. THE NUMBER OF MILES OF ROAD MAINTENANCE FOR
WHICH RESPONSIBILITY IS TRANSFERRED TO LOCAL
GOVERNMENTS.**

IN FY01 35.2 LANE MILES OF ROAD MAINTENANCE RESPONSIBILITY WAS TRANSFERRED TO LOCAL GOVERNMENTS. THIS IS AN INCREASE FROM 22.6 LANE MILES TRANSFERRED DURING FY00. FY01 TRANSFERS INCLUDED FAIRBANKS TRAINOR GATE ROAD, NOME CITY STREETS, KOTZEBUE 3RD AVENUE, HAINES PORCUPINE ROAD, JUNEAU POINT LOUISE SPUR AND 2 MILES OF THE GLACIER HIGHWAY, AND IN THE MATSU BOROUGH-WEST MATANUSKA SPUR, JENSEN ROAD, CHURCH STREET, 4-MILE ROAD, WILLOW CREEK PARKWAY, COLLIER ROAD, SCHELIN SPUR, EDGERTON PARK ROAD, COTTLE LOOP, LAKEVIEW CIRCLE, RUE ROAD, CRYSTAL LAKE ROAD, DESHKA LANDING ROAD AND WILLOW STATION ROAD. THIS PROGRAM IS WORKING AND THE COOPERATION FROM THE BOROUGHES AND MUNICIPALITIES I NAMED ABOVE IS COMMENDABLE.

33. WHETHER THE DEPARTMENT FULLY IMPLEMENTS THE MAINTENANCE MANAGEMENT SYSTEM STATEWIDE BY JUNE 30, 2003.

WE'RE RUNNING ABOUT THREE MONTHS BEHIND SCHEDULE. THE CONSULTANT HIRED TO DETERMINE THE APPROACH AND SCOPE OF A MAINTENANCE MANAGEMENT SYSTEM COMPLETED THEIR WORK

IN EARLY 2001. WE HIRED A PROJECT MANAGER ON MAY 1. RECENTLY A CONSULTANT WAS SELECTED TO ACQUIRE SOFTWARE AND PROVIDE CONSULTING SERVICES FOR IMPLEMENTATION OF THE MAINTENANCE MANAGEMENT SYSTEM. THAT WORK WILL START IN FEBRUARY. THE SYSTEM WILL BE DEPLOYED STATEWIDE BY SEPTEMBER 30, 2003.

34. WHETHER THE DEPARTMENT MAINTAINS THE PAVEMENT CONDITION INDEX (PCI) AT 70 FOR RUNWAYS AND 60 FOR TAXIWAYS AND APRONS AT EVERY APPLICABLE RURAL AIRPORT 99 PERCENT OF THE TIME.

OF THE RUNWAYS, APRONS AND TAXIWAYS INSPECTED, 48% IN CENTRAL REGION, 51% IN NORTHERN REGION, AND 96% IN SOUTHEAST REGION HAVE EXCEEDED THE PAVEMENT CONDITION INDEX IDENTIFIED IN THIS MEASURE. THE ACTUAL PCI BY AIRPORT IS EXTREMELY VARIABLE DEPENDING ON WHERE THE AIRPORT IS AND WHEN IT WAS LAST UPGRADED.

FOR EXAMPLE, THE SKAGWAY AIRPORT HAS RECENTLY BEEN RECONSTRUCTED AND, AS THE PAVED AREAS ARE ALL NEW, PCI SCORES ARE ALMOST 100. ON THE OTHER HAND, YAKUTAT HAS A PCI OF 50 AND WILL NOT BE RESURVEYED UNTIL A MAJOR RECONSTRUCTION PROJECT IS COMPLETED. THAT PROJECT WILL

BEGIN IN 2002. REHABILITATION PAVING HAS TAKEN PLACE ON THE AIRPORTS AT NOME AND GAMBELL SINCE THE LAST SURVEY, BUT HAVE NOT BEEN INCLUDED IN THE NORTHERN REGION STATISTICS. FUNDING FOR THE REPAVING WILL GOVERN WHETHER OR NOT WE ATTAIN THIS MEASURE.

35. WHETHER THE DEPARTMENT COMPLETES THE ENVIRONMENTAL IMPACT STATEMENT PHASE ON THE KETCHIKAN AIRPORT ACCESS BY DECEMBER 31, 2001.

WORK ON THE DRAFT ENVIRONMENTAL DOCUMENT CONTINUES. A DRAFT PREFERRED ALTERNATIVE HAS BEEN DETERMINED.

EXTENSIVE WORK IN DETERMINING IMPACTS ON THE CRUISE SHIP INDUSTRY HAS CAUSED A 3 MONTH SLIPPAGE IN OUR SCHEDULE.

36. THE PERCENTAGE OF PRIVATE MAINTENANCE CONTRACTS AT NON-CERTIFIED AIRPORTS COMPARED TO THE TOTAL NUMBER OF NON-CERTIFIED AIRPORTS.

THE DEPARTMENT HAS 191 NON-CERTIFICATED AIRPORTS. FIRMS OR INDIVIDUALS ON CONTRACT MAINTAIN 70% OF OUR NON-CERTIFIED AIRPORTS - (134 OUT OF 191).

MOST OF THE NON-CERTIFIED AIRPORTS MAINTAINED BY DOT&PF (THE REMAINING 57 OF 191) ARE LOCATED NEXT TO HIGHWAYS. OUR HIGHWAY CREWS ARE VERY COST EFFECTIVE IN MAINTAINING THESE AIRPORTS AND I DON'T SEE THAT CHANGING.

37. WHETHER THE DEPARTMENT MAINTAINS THE 100 PERCENT PASS LEVEL OF ANNUAL FEDERAL AIRPORT CERTIFICATION INSPECTIONS FOR RESPONSE AND SAFETY STANDARDS SET OUT IN FEDERAL AVIATION REGULATIONS.

THE FEDERAL AVIATION ADMINISTRATION (FAA) INSPECTS CERTIFICATED AIRPORTS AT LEAST ANNUALLY TO MAKE SURE THEY ARE BEING OPERATED SAFELY. 100% OF OUR AIRPORTS PASSED CERTIFICATION INSPECTION WITH NO MAJOR DISCREPANCIES NOTED.

38. THE ANNUAL INCREASE OR DECREASE, EXPRESSED AS A PERCENTAGE, IN CARGO LANDINGS AT THE INTERNATIONAL AIRPORTS MEASURED ON A THREE-YEAR ROLLING AVERAGE.

THE TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT CONTINUES TO EXPERIENCE A VIBRANT CARGO BUSINESS THAT IS

VITAL TO THE STATE OF ALASKA ECONOMY. FY01 CARGO LANDINGS VS. FY00 LANDINGS SHOWED A GROWTH RATE OF 4.3%. THE 3 YEAR ROLLING AVERAGE FOR ANCHORAGE SHOWED A GROWTH RATE OF 8.4%.

FAIRBANKS INTERNATIONAL AIRPORT HAS ACHIEVED A THREE-YEAR ROLLING AVERAGE OF ABOUT 12% THIS LARGE INCREASE IS DUE TO THE ADDITION OF 1 SMALL CARGO CARRIER THAT WASN'T PREVIOUSLY REPORTING LANDINGS.

39. WHETHER THE DEPARTMENT COMPLETES THE GATEWAY ALASKA TERMINAL REDEVELOPMENT PROJECT BY SEPTEMBER 1, 2004.

WE DO EXPECT THE PROJECT TO BE COMPLETED BY THE END OF 2004. HOWEVER, WE ARE REDESIGNING THE NEW TERMINAL TO INCLUDE ADDITIONAL SECURITY MEASURES WHICH HAVE BEEN PLACED IN EFFECT SINCE 9/11. IMPACT OF THESE CHANGES IS NOT KNOWN AT THIS TIME. IT WILL BE MUCH EASIER TO INCLUDE THE REQUIRED CHANGES IN THE CURRENT CONTRACTS RATHER THAN LATER BY JACK HAMMER.

40. THE PERCENTAGE OF AIRPORTS THAT HAVE A FEDERAL AVIATION ADMINISTRATION APPROVED AIRPORT LAYOUT PLAN.

AIRPORT LAYOUT PLANS (ALPS) ARE THE DRAWINGS THAT DEPICT EXISTING CONDITIONS AND THE ULTIMATE DEVELOPMENT THAT IS PLANNED AT AN AIRPORT. NORTHERN REGION HAS 89% OF THEIR AIRPORT LAYOUT PLANS APPROVED (93 OUT OF 104). CENTRAL REGION HAS 72% OF THEIR AIRPORT LAYOUT PLANS APPROVED (79 OUT OF 109) AND SOUTHEAST REGION HAS AIRPORT LAYOUT PLANS APPROVED FOR 100% OF THEIR AIRPORTS.

41. THE PERCENTAGE OF TIMES THAT THE MARINE HIGHWAY VESSELS DEPART ON TIME.

OUR GOAL OF 75.1% WAS EXCEEDED IN FY01 WITH A 79% ON-TIME DEPARTURE RATE THIS IS UP FROM 77% IN FY00.

42. THE REVENUE PER RIDER MILE DIVIDED BY THE OPERATIONAL COSTS PER RIDER MILE.

THE RATIO OF MARINE HIGHWAY REVENUE PER RIDER MILE TO COST PER RIDER MILE FOR FY01 WAS .48. THIS IS A DECREASE FROM LAST YEAR'S FIGURE OF .51 AND A DROP OF 6.5%. THIS WAS CAUSED BY FUEL PRICE INCREASES OF 30% BETWEEN FY00 AND FY01, WHICH

DROVE THE COST PER RIDER MILE UP 9.5%. WE HAVE SINCE INCREASED SOME OF OUR FARES AND FUEL COSTS HAVE DECREASED SLIGHTLY, SO HOPEFULLY THAT TREND WILL CHANGE.

43. THE TOTAL RIDERSHIP, INCLUDING PASSENGERS AND VEHICLES, COMPARED TO THE FIVE-YEAR RIDERSHIP AVERAGE.

THE FIVE-YEAR RIDERSHIP AVERAGE FOR PASSENGERS HAS BEEN 359,169, WHILE FOR VEHICLES IT HAS BEEN 102,097. AS EXPECTED DUE TO THE REDUCED OPERATING WEEKS AND THE COLUMBIA BEING OFF LINE FOR THE SUMMER, RIDERSHIP FOR BOTH PASSENGERS AND VEHICLES DECREASED IN FY01. PASSENGER RIDERSHIP WENT DOWN 5.5% TO 339,296 AND VEHICLES DECREASED 4.4% TO 97,596.

44. THE AVERAGE ONBOARD REVENUE PER PASSENGER, INCLUDING CABIN OCCUPANCY, FOOD, BEVERAGE, AND OTHER SOURCES OF REVENUE.

THE ONBOARD SALES PER PASSENGER INCREASED IN FY01. IN FY00 THE AVERAGE WAS \$20.89. IN FY01 IT WENT UP TO \$21.19. THIS IS ACTUALLY QUITE GOOD CONSIDERING THE COLUMBIA FIRE

CAUSED A REDUCTION IN LONG HAUL CAPACITY DURING THE SUMMER.

45. **OUR LAST MEASURE IS THE PERCENTAGE OF PERSONS SERVED (BY THE ALASKA MARINE HIGHWAY SYSTEM) WHO ARE SATISFIED CUSTOMERS.**

THE UNIVERSITY OF ALASKA PERFORMED AN INDEPENDENT ANALYSIS OF ONBOARD CUSTOMER COMMENT CARDS. THE PERCENTAGE OF CUSTOMERS WHO RATED OVERALL CUSTOMER SERVICE VERY GOOD TO EXCELLENT INCREASED FROM 75% TO 83%.

THIS COMPLETES MY COMMENTS ON THE PERFORMANCE MEASURES.

WRAP-UP

IN SUMMARY, I WOULD LIKE TO THANK THE FHWA FOR ALLOWING US TO USE \$30 PLUS MILLION OF OUR FEDERAL DOLLARS FOR MAINTENANCE TYPE WORK. OUR ROADS ARE IN BETTER SHAPE NOW THAN THEY HAVE BEEN FOR YEARS. WE ARE BRINGING TO CONSTRUCTION THIS YEAR AN INCREASED FEDERAL HIGHWAY AND AVIATION PROGRAM WHICH INCLUDES SPECIAL FUNDING

APPROPRIATED LAST YEAR FOR THE DALTON HIGHWAY AND THE PARKS/GLENN INTERCHANGE PROJECTS. WE JUST RECEIVED AN ADDITIONAL \$15 MILLION IN THIS YEAR'S APPROPRIATION FOR THE SEWARD HIGHWAY BIRD CREEK SAFETY PROJECT. DURING 2002 WE WILL CONTINUE TO IMPROVE THE QUALITY AND COST EFFECTIVENESS OF ALL OUR PROGRAMS WHILE CONCENTRATING ON SAFETY AND SECURITY. WE ARE EMPHASIZING SAFETY WITHIN DOT THIS YEAR TO REDUCE OUR WORKMAN'S COMPENSATION COST AND PROVIDE OUR PEOPLE WITH AS SAFE A WORKING ENVIRONMENT AS IS POSSIBLE. WE ALSO WILL BE CONCENTRATING ON POSITIONING OURSELVES FOR THE REAUTHORIZATION OF TEA-21 IN 2003. THIS IMPORTANT AUTHORIZATION BILL WILL SET THE AMOUNT OF FEDERAL HIGHWAY FUNDING ALASKA GETS FOR THE NEXT 5 OR 6 YEARS. THERE WILL BE AROUND \$200 BILLION AT STAKE AND WE NEED TO INSURE THAT ALASKA'S PROBLEMS ARE RECOGNIZED AND THAT WE ARE WELL REPRESENTED. 2001 WAS A GOOD YEAR FOR DOT&PF. THE EMPLOYEES OF DOT&PF ARE DOING A GREAT JOB!! I CAN'T COMPLIMENT THEM ENOUGH. I WANT TO ALSO THANK THE HOUSE FOR ITS 37-1 VOTE IN SUPPORT OF GARVEE BONDS LAST YEAR. THIS IS A TOP PRIORITY OF THE DEPARTMENT.

WE BELIEVE THAT DOT&PF SHOULD BE GRADED ON OUR STATUS IN MEETING THESE PERFORMANCE MEASURES. WE HAVE PREPARED A DOT&PF REPORT CARD ON WHICH I HAVE GIVEN DOT&PF A TOTAL B+ GRADE. I WOULD HOPE YOU AGREE WITH THE GRADE. PLEASE PASS OUT THE REPORT CARDS.

THANK YOU.

I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU HAVE.

Department of Law
Missions and Measures Overview

January 23, 2002

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Department Mission

The mission of the Department of Law is to provide legal services to state government and to prosecute crime.

Criminal Division Mission

The mission of the Criminal Division is to assure safe and healthy communities by prosecuting and convicting criminal offenders in urban and rural Alaska.

Civil Division Mission

The mission of the Civil Division is to protect the human, financial, and natural resources of the state.

Criminal Division

Key Performance Measures for FY2003

◆ **Measure:**

The legislature intends to measure the success of the division in achieving its mission by considering, for each Criminal Division budget component the number of violent felony prosecutions

Sec 94 (b) (1) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 1,115 FY 2001 - 1,109

Background and Strategies:

The following background is applicable to all the Criminal Division performance measures that follow:

The workload for the Criminal Division is driven by factors largely beyond its control, such as the staffing levels and policies of local police agencies, staffing levels of defense attorneys, whether municipalities control alcohol, and the policies and practices of local courts and local defense attorneys. As such, the division is able to exercise very little control over attorney caseload ratios and no control whatsoever over the volume of work coming in at any given time. Thus available quantitative information often does not show the effectiveness and competency of the work. For example, it is very difficult to draw meaningful conclusions based on conviction rates. More convictions don't necessarily mean that attorneys are doing a better job. Instead it may mean any or a combination of the following: (1) crime is up, (2) the police are conducting better investigations, (3) new laws are more effective, (4) the division is understaffed and therefore plea-bargaining more, (5) the public defender agency is understaffed and they are pleading out more of their clients.

Because Alaska is one of a very few states that handles all types of criminal offenses at the state level, useful comparative data of attorney caseload is impossible to attain. For these reasons, knowing the number of cases handled is the best measure of the division's performance.

The number of cases handled by the Criminal Division as shown in its performance measures reflects a leveling of caseload, after several years of increasing workload. With the decrease in crime reported at the national level, it is hoped that the current flattening of Alaska prosecutor caseloads will follow that trend and also go down. However, a decrease in caseloads is not at all certain. Although crime may drop overall, this will allow the police to fully investigate crimes that could not be investigated adequately before, so the overall number of cases being sent to prosecutors may not decrease at all. In addition, there have been occasions in the past when prosecutor caseload leveled off from one year to the next, only to resume its steady upward climb after a couple years. We will have to wait at least another year or two before we can have any confidence in predicting a long-term change at hand.

◆ **Measure:**

Number of felony drug case prosecutions

Sec 94 (b) (2) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 691 FY 2001 - 675

◆ **Measure:**

Number of misdemeanor domestic violence assault prosecutions

Sec 94 (b) (3) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 2,200 FY 2001 - 2,255

◆ **Measure:**

Number of felony property prosecutions

Sec 94 (b) (4) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 1,179 FY 2001 - 1,128

◆ **Measure:**

Number of felony drunk driving prosecutions

Sec 94 (b) (5) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 235 FY 2001 - 228

◆ **Measure:**

Number of misdemeanor drunk driving prosecutions

Sec 94 (b) (6) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 3,267 FY 2001 - 3,260

◆ **Measure:**

Number of felony cases in which charges that were initially accepted for prosecution are later reduced

Sec 94 (b) (7) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2001 - 1,581

Background and Strategies:

This measure was obtained using the following method of calculation method of calculation:

Of cases received in FY 2000, there were 3,749 persons whose cases were accepted for prosecution for a felony crime. Of those FY 2000 cases as of 10/23/2001, there were 3,532 felony defendants whose cases were resolved (94%). Of those cases resolved, 2,915 were convicted of some crime (83%). Of the cases that resulted in conviction, 1,581 were convicted of lesser charges than those that were accepted for prosecution (54%).

Final FY 2001 measures are not available because 20% of felony cases from that fiscal year are still outstanding.

◆ **Measure:**

Number of misdemeanor cases in which charges that were initially accepted for prosecution are later reduced

Sec 94 (b) (8) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2001 - 1,639

Background and Strategies:

This measure was obtained using the following method of calculation:

Of cases received in FY 2000, there were 17,219 persons whose cases were accepted for prosecution for a misdemeanor crime or a violation. Of those FY 2000 cases, as of 10/23/01 there were 16,586 misdemeanor defendants whose cases were resolved (96%). Of those cases resolved, 12,941 were convicted of some crime (78%). Of the cases that resulted in conviction, 1,639 were convicted of lesser charges than those which were accepted for prosecution (13%).

Final FY 2001 measures are not available because 10% of misdemeanor cases are still outstanding at this time.

◆ **Measure:**

Number of new criminal cases reviewed for prosecution

Sec 95 (b) (1) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 305 FY 2001 - 243

◆ **Measure:**

Number of criminal cases resolved

Sec 95 (b) (2) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 197 FY 2001 - 163

Background and Strategies:

In this context, "resolved" takes the same meaning as "closed".

◆ **Measure:**

Number of new appeals and petitions opened

Sec 95 (b) (3) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 335 FY 2001 - 315

◆ **Measure:**

Number of appeals and petitions resolved

Sec 95 (b) (4) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 149 FY 2001 - 148

◆ **Measure:**

Average cost per criminal case reviewed

Sec 95 (b) (5) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - \$3,760 FY 2001 - \$4,490

Background and Strategies:

Although the FY 2001 overall costs of special criminal prosecutions were less than those incurred in FY 2000, the per case cost rose because overall costs were spread over a smaller number of cases as is evident when comparing the numbers of new cases reviewed in Sec 95 (b) (1).

◆ **Measure:**

Average cost per appeal or petition opened

Sec 95 (b) (6) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - \$3,185 FY 2001 - \$3,598

Background and Strategies:

Per case costs for appeals and petitions opened will also vary as case numbers fluctuate.

**Civil Division
Key Performance Measures for FY2003**

◆ **Measure:**

The legislature intends to measure the success of the division in achieving its mission by considering the monetary value of disputed oil and gas taxes received by the state, whether obtained through court judgment or settlement

Sec 96 (b) (1) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 1999 - \$62,032,574
FY 2000 - \$433,079,583
FY 2001 - \$38,470,447

◆ **Measure:**

Monetary value of disputed oil and gas royalties received, whether obtained through court judgment or settlement

Sec 96 (b) (2) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 1999 - \$1,500,000
FY 2000 - \$14,500,000
FY 2001 - \$42,018,249

Background and Strategies:

These amounts shown in Sec. 96 (b) (1) and (2), will vary from year to year depending on a number of factors including the length of audit cycles, which sometimes cover more than one year, and the number and value of disputed payments.

◆ **Measure:**

Monetary value of the criminal and civil judgments collected, including indigent defense costs, costs of incarceration for offenders convicted of driving while intoxicated, and other fines and costs owed to the state and the number of civil and criminal judgments satisfied in full

Sec 96 (b) (3) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

	Amount Collected	Judgments Satisfied
FY 1997	\$2,278,500	Not available
FY 1998	\$2,469,900	8,569
FY 1999	\$3,111,000	10,125
FY 2000	\$2,769,600	8,805
FY 2001	\$3,993,590	15,981

In the FY 2002 Governor's budget, it was anticipated that FY 2001 collections would be unusually high. As predicted, one of the reasons for the high dollar amount and number of collections related to catching up on a backlog that had built up due to staffing vacancy. Additionally, implementation of the unit's new EXCEL database allowed the capturing of two years of minor offense fines and related court and collection costs that had previously been uncollectable because there was no way to track and match them for the PFD attachment. The unit oversees 81,565 unpaid judgments at this time.

Background and Strategies:

The function of the collections unit is to collect money owed to the state in criminal, civil, and some administrative cases. The criminal cases include the cost of imprisonment in driving while intoxicated or refusal cases, cost of appointed counsel in cases where a public defender or public advocate appointment is made to represent a defendant, and outstanding fines and bond forfeitures. While the courts can collect on fines and bond forfeitures (these cases are only transferred to the collections unit if they are overdue to the court) the cost of appointed counsel cases are automatically transferred to the unit. Civil case collections must have a judgment in excess of \$250 entered with the court and the money collected must be free for deposit into the general fund.

There are a number of factors that affect the amount collected. The most important factor is the amount and number of judgments transferred by the courts. If a judgment is not transferred, it is unlikely the unit will receive voluntary payments and cannot seize money from a permanent fund dividend. The second factor is the number and dollar value of voluntary payments made by defendants. The only recourse the department has for nonpayment is the potential to seize the obligor's permanent fund dividend. Additional factors include the actual amount of the permanent fund dividend, the number of defendants applying for dividends; the number of defendants determined to be eligible for dividends; and other agencies or cases with statutory priority to seize dividends before our seizures are possible.

◆ Measure:

Number of new case files opened, categorized by type of case, for each year for the past 10 years

Sec 96 (b) (4) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

File Type	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	FY 2000
Oral Advice/Aid to Agency	1,447	1,467	1,941	1,826	1,871	1,718	1,842	1,548	1,122	948	899
General Litigation	1,519	1,682	1,637	1,638	1,851	1,851	1,559	1,610	1,770	1,523	1,360
Executions	62	55	57	62	61	93	98	63	68	40	41
Torts	135	123	103	127	128	147	130	134	132	127	135
Child Support Proceedings	767	695	833	1,142	1,456	2,222	1,650	1,848	918	998	1,184
Children's Proceedings	1,105	1,294	1,185	1,130	1,154	1,211	1,007	1,063	1,405	1,434	1,350
Legislative Drafting	65	110	87	79	51	55	79	111	61	74	86
Legislative Review	215	107	155	86	151	115	166	120	148	103	144
Regulations Review	131	136	125	170	173	146	134	139	168	145	171
	5,446	5,669	6,123	6,260	6,896	7,558	6,665	6,636	5,792	5,392	5,370

Background and Strategies:

Child Support Enforcement file openings decreased when a concerted effort was made to resolve concerns using the administrative hearing process. In recent years, the number of cases opened by Department of Law has once again increased, as a reflection of the growth in this area of state government.

Beginning in FY 1999, Department of Law changed the case opening procedure with respect to mental commitments. Prior to FY 1999, a file was opened for each new respondent in a mental commitment case. Because few of the cases go to a hearing, in FY 1999, a new file was opened only if the case went to a hearing. This change would have affected General Litigation files.

Some additional factors contributing to changes in file numbers are due to reusing aid-to-agency file numbers rather than opening new files each year, and the possibility that the tendency toward mediation rather than litigation in recent

years may have an effect. The count on other types of files has remained relatively steady over past years. The growth in the child protection category would not be detected by an analysis of this type, because those attorneys often use one generic file type in each office location. This reduces the administrative burden of opening many hundreds of new files each year on attorneys who are whose caseloads are higher than the benchmarks suggest.

◆ **Measure:**

Number of new cases opened relating to protecting children in the state against abuse and neglect

Sec 96 (b) (5) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

In FY 2001, 568 child protection cases representing 999 Alaskan children were opened statewide.

Background and Strategies:

This represents a 13.5 percent decrease from FY 2000, and a 16.2 percent decrease from FY 1999. While statewide statistics indicate a decrease overall, this was largely felt in southcentral Alaska. Northern Alaska had a much smaller decrease, and southeast actually had more child protection cases opened in FY2001 than in the prior year.

◆ **Measure:**

Percentage of child abuse and neglect cases completed in the permanency placement backlog

Sec 96 (b) (6) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

(1) 661 children were identified for the Balloon Project as having been in out-of-home care 15 of the prior 22 months as of November 19,1997. As of 9/15/01, 590 of these children were in permanent placements, and another 53 were legally free for adoption, completing the Department of Law's role in their placement. These children represent 98 percent of the original cases. New phases (Phases II -V) involving additional children in out-of-home care have been gradually added to the project. The five phases include more than 1,600 children, and all who were in state custody more than 24 months on April 2, 2001. As of 9/15/01, 1,167 of these children were in a permanent placement, and another 224 are legally free for adoption. These children represent 86 percent of the total project.

Background and Strategies:

See Background and Strategies discussion for Sec. 96 (b)(7).

◆ **Measure:**

Percentage of other child abuse and neglect cases that are resolved within the statutory deadline of no more than 21 months of out-of-home placement

Sec 96 (b) (7) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

(2) New statutory deadlines for legal action in child abuse and neglect cases became effective on September 14, 1998; thus the department looked at 164 children's cases opened in October and November of that year as the benchmark. Of 164, 91 percent had the required legal action taken in their cases within 21 months, and in 2 percent, the required legal action took between 21 and 23 months to complete. Seven percent are still pending. This year the department looked at 116 children's cases opened in December 1998 and January 1999. Of those cases, 83 percent had the required legal action taken within 21 months of the child's entry into foster care. In 13 percent of the cases, the required legal action took more than 21 months, and 4 percent of the cases are still pending.

The success in meeting statutory deadlines is largely driven by Law's attorney workload. According to the American Bar Association, Center for Children and the Law, a reasonable caseload for child protection attorneys is between 40 and 50 active cases. Caseload statistical data has been developed over the course of the last four years. The following average statewide child protection caseloads of Law's Human Services section are "snapshots in time" and reflect that the success of our efforts in permanency placement for Alaskan children is largely driven by staff levels that result in much more reasonable caseloads per attorney.

October 1, 1997	95.2
December 9, 1998	91.0
September 2, 1999	70.0
September 25, 2000	57.6
October 1, 2001	69.3

Background and Strategies:

With the passage of Ch. 99, SLA 98, the new state child protection law and the new federal Adoption and Safe Families Act, important changes were made as to how long children may remain in the child protection legal system, and when certain actions must occur. These new statutory changes at the state and federal level more concretely define parental responsibility and the changes move cases to conclusion faster to ensure that when reunification with the family is not in the child's best interest, the child can be made legally eligible for placement in a permanent home more quickly. The large number of cases placed on the accelerated schedules when the legislation became effective severely impacted attorney workloads.

The legislation defines the timelines for permanency hearings and termination of parental rights. As previously discussed, in order to achieve those timelines, and in order to eliminate the permanency placement backlog and provide the assistance outlined above, the per attorney caseload must be manageable. Maintenance of our existing resources for child protection is necessary in order for us to effectively manage this important responsibility. In FY 2002, for example, we had to cut half of an attorney position in the Human Services component due to a reduction in the Balloon Project funding received by DHSS. This cut has had a direct impact on the Anchorage Human Services section, resulting in an increase in the average per attorney child abuse and neglect caseload.

◆ **Measure:**

Number of child support enforcement cases completed

Sec 96 (b) (8) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

Fiscal Year	Number of Closed Files
FY 1999	688
FY 2000	1,425
FY 2001	1,328

The FY 2000 increase of more than 200% stems from two factors: first, beginning in February 1998, CSED migrated to a new computer system and the ensuing year was a transition period that resulted in far fewer files transferred to Law's child support unit; second, an additional attorney was added to the unit in November of 1999. The end of the computer system transition period at CSED and the attorney added during FY 2000 resulted in a renewed focus on processing these cases.

Background and Strategies:

The child support unit represents the Child Support Enforcement Division (CSED) in court, including paternity establishment and disestablishment, modification of child support orders, employer non-compliance actions, criminal non-support prosecutions, licensing appeals, and miscellaneous other activities related to enforcement of child support orders. In addition, the unit provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSED. A reimbursable services agreement from CSED funds this work in the Department of Law.

The downturn in the number of cases completed in FY 2001 is an indication of the changing nature of CSED cases. Up to the time of the implementation of welfare reform, the bulk of the workload for this unit involved custodial parents and obligors who were on public assistance. Dollars related to these disputes were small, oppositions were rarely filed, and very few cases went to hearing so it was possible to close quite a large number of cases quickly. Since welfare reform, there has been a dramatic drop in the number of custodial parents receiving public assistance - which was, after all, one of the intentions of welfare reform. However, as a result dollars in dispute tend to be more significant, the cases are more complicated and frequently oppositions are filed. Before welfare reform, just 10% of the cases went to a hearing, now about 50% do.

The unit is finding that specializing provides some relief. Some paraprofessionals and attorneys just do paternity cases while others handle bankruptcies or appeals. The Governor's FY 2003 budget includes an increment for CSED to pay for the 8 attorneys positions designated to perform this work. Currently, in FY 2002, one of those positions is being held vacant because of a funding shortfall. However, full funding for all positions may not result in additional case closures in FY 2003. At this time, we have been unable to develop a strategy to remarkably increase resolving cases short of adding new staff.

◆ Measure:**Number of collections of civil and criminal judgments overseen by the collections unit**

Sec 96 (b) (9) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 - 76,000 approximately

FY 2001 - 81,565

**Administration & Support
Key Performance Measures for FY2003**

◆ **Measure:**

The legislature intends to measure the success of the office in achieving its mission by considering the cost of legal services rendered on behalf of each state agency

Sec 97 (b) (1) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

<i>Civil Division</i>	<i>FY 2001</i>
Office of the Governor	652.3
Court System	25.3
Legislature	0.8
University of Alaska	0.1
Department of Administration	2,891.0
Department of Community and Economic Development	1,572.4
Department of Corrections	69.9
Department of Education (Including Postsecondary Education)	545.6
Department of Environmental Conservation	1,184.2
Department of Fish and Game	845.1
Department of Health and Social Services	4,830.0
Department of Labor and Workforce Development	338.2
Department of Military and Veterans Affairs	73.4
Department of Natural Resources	1,576.3
Department of Public Safety	98.2
Department of Revenue (Including AHFC and the Permanent Fund Corporation)	4,466.1
Department of Transportation	2,775.0
	21,943.9
<i>Criminal Division</i>	
Department of Health and Social Services	710.8
Department of Public Safety	811.5
Department of Environmental Conservation	78.6
Department of Fish and Game	123.1
Department of Revenue	50.0
Department of Corrections	589.3
Legislature	26.1
Department of Administration	41.7
	2,431.1

Background and Strategies:

These costs include all fund sources, both those directly appropriated to Law, and those RSA'd from the indicated client agency.

◆ **Measure:**

Whether the division and offices in the department meet the performance measures set out in secs. 93 - 98 of this Act

Sec 97 (b) (2) Ch 90 SLA 2001(HB 250)

◆ **Measure:**

Average time taken to respond to complaints and questions that have been elevated to the Office of the Attorney General

Sec 97 (b) (3) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

During the first four months of FY 2002, the Criminal Division responded to five inquiries. The average response time was 9.5 days, which includes weekends.

During the first four months of FY 2002, the Civil Division responded to 14 consumer protection/antitrust questions and complaints. The average response time was 6 days, which includes weekends. During the first four months of FY 2002, the Civil Division responded to 6 child support enforcement related questions and complaints. The average response time was 12.5 days, which includes weekends.

Background and Strategies:

The Criminal Division tracks written inquiries received by the Attorney General's Office in Juneau regarding pending criminal cases or cases that were declined for prosecution. The complaints are sent to the Deputy Attorney General in Anchorage. The Deputy Attorney General communicates with staff in the District Attorney Office handling the case to obtain reports, pleadings, or other relevant documents. The Deputy Attorney General often talks to the prosecutor and/or paralegal handling the matter to obtain additional information. In some cases, additional research, such as reviewing court files and contacting law enforcement agencies is necessary.

The Civil Division tracks written questions and complaints received by the Attorney General's Office in Juneau regarding consumer protection and antitrust matters, and child support enforcement issues. The question or complaint is referred to the assistant attorney general who supervises the consumer protection/antitrust unit in the Fair Business Practices section, and to the assistant attorney general who supervises the Collections and Support section, respectively, for review and preparation of a response. If the question or complaint is about a particular pending case, the supervising attorney will often consult with the attorney or paraprofessional handling the matter and will review relevant pleadings or documents. In some cases, additional research may be necessary in order to prepare a response.

◆ **Measure:**

Cost of the division compared to personnel costs for the department

Sec 98 (b) (1) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

FY 2000 Total actual cost of the Administrative Services Division	\$1,096,300
FY 2000 Total Personal Services Costs for the Department of Law	\$30,684,300
Ratio: 3.6%	

FY 2001 Total Actual Cost of the Administrative Services Division	\$1,146,900
FY 2001 Total Personal Services Costs for the Department of Law	\$31,030,600
Ratio: 3.7%	

Background and Strategies:

The Administrative Services Division of the Department of Law is highly centralized encompassing those positions associated with fiscal functions, personnel and payroll, acquisition of equipment and supplies and procurement of contractual services, mailroom services, budgeting, computer network and desktop support, and administrative management. Each individual Civil and Criminal Division office employs one to two positions, depending on the size of the office, in part to assist with administrative functions such as small procurements of office supplies, disbursements of field warrants, and completing some personnel and travel forms. Those positions are not part of the Administrative Services Division.

◆ **Measure:**

Number of late penalties incurred for payroll or vendor payments

Sec 98 (b) (2) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

No late penalties were incurred for payroll charges. The department incurred \$1,650 in penalties for late vendor payments.

◆ **Measure:**

Number of audit exceptions

Sec 98 (b) (3) Ch 90 SLA 2001(HB 250)

Alaska's Target & Progress:

Neither the FY 2000 nor FY 1999 statewide single audits contain any audit exceptions for the Department of Law.

Performance Measures

·Maintain the pavement condition index (PCI) at 70 for runways and 60 for taxiways and aprons at every applicable rural airport 99 percent of the time.

·Whether the department completes the environmental impact statement phase on the Ketchikan Airport Access by December 31, 2001.

·The percentage of private maintenance contracts at non-certified airports compared to the total number of non-certified airports program.

·Whether the department maintains the 100 percent pass level of annual federal airport certification inspections for response and safety standards set out in federal aviation regulations.

·The annual increase or decrease in cargo landings at the international airports measured on a three-year rolling average.

·Whether the department completes the Gateway Alaska Terminal Redevelopment Project by September 1, 2004.

·The percentage of airports that have a federal aviation administration approved airport layout plans.

·The percentage of times that vessels depart on time.

·The revenue per rider mile divided by the operational costs per rider mile.

·The total ridership, including passengers and vehicles, compared to the five-year ridership average.

·The average onboard revenue per passenger, including cabin occupancy, food, beverage, and other sources of revenue.

·The percentage of persons served who are satisfied customers.

(1) adequate year-to-year data not available

(2) no improvement necessary

(3) regulations not in place to implement this measure

(4) records show an even or decreased level of performance

(5) approximately 3 months behind

On Track
Improved
Other

X

X(5)

X

X

X

X

X

X

X(4)

X(4)

X

X

MISSIONS AND MEASURES REPORT CARD 2001

Nice work!



Alaska Department of Transportation and Public Facilities

Performance Measures

	Vehicle or On Track	Improved	Other
•The percentage of divisions that reach assigned performance measures		X	
•The percentage of state national highway system lane miles of road that meet standards of the American Association of State Highway Transportation Officials.		X	
•The percentage of requested engineering firm audits and desk reviews completed in the previous fiscal year.		X(2)	
•The percentage of required compliance reviews for responsiveness to disadvantaged business enterprise and on-the-job training contract requirements completed.		X(2)	
•Average time taken to respond to complaints and questions elevated to the Commissioner's Office.			X(1)
•Average time for payment to vendors is 29 days or less.	X		
•How long it takes the division to process a purchase request before the order is placed.			X(1)
•The percentage of protest and claim decisions of the division overturned by the courts during the fiscal year.		X(2)	
•The percentage reduction in payroll calculation errors.			X(1)
•The number and dollar value of planned projects that are constructed as a percentage of the value of projects on the needs list and the number proposed.		X	
•Percentage of required federal planning, programming, and data collection completed and accepted by the US Department of Transportation on a federal fiscal year basis.		X(2)	
•The number of motor vehicle crashes during the fiscal at which serious injury or fatality occurred.			X(4)
•The percentage of federal highway funds obligated the previous federal fiscal year.		X(2)	
•The percentage of projects in the capital budget that have been bid in the year programmed.		X	
•Percentage of project costs spent on project development.			X(4)
•The percentage difference between final project estimates and construction bids.		X	
•Requiring private contractors performing design and engineering services to report on the same measures.	X		

Performance Measures

	Vehicle or On Track	Improved	Other
•The percentage of the design and engineering work of the division that was performed by private contractors.			X
•The percentage of the total construction costs that were spent on contract administration.			X
•Percentage of construction costs spent on change orders.			X
•Whether the net value of facilities deferred maintenance increases or decreases annually.			X(4)
•The percentage of facility mechanical systems that pass safety inspections each year.			X(4)
•The percentage of rural airport leases that are renewed or newly leased at fair market value during the fiscal year.			X(3)
•The transfer of state-owned ports and harbors to local control with legislative appropriation support.	X		
•Whether 80 percent of the fleet wet rentals are returned to the division as scheduled for preventive maintenance on or before June 30, 2001.	X		
•The average down time for light duty, actively used equipment in urban areas.			X(1)
•The number of locations of the state equipment fleet whose rates are equal to or less than the rental rates published in industry guide books.		X	
•Commercial vehicle safety inspections per full-time-equivalent employee of the division.		X	
•Weighing and measuring device inspections conducted per full-time-equivalent employee of the division.			X(4)
•The number of miles of gravel roads surfaced with chip seal, hot mix, or high float asphalt for the first time.		X	
•The percentage of highway and airport lane miles per full-time-equivalent employee compared to the average of member states of the Western Association of State Highway and Transportation Officials.			X(4)
•The number of miles of road maintenance for which responsibility is transferred to local governments.		X	
•Whether the department fully implements the maintenance management system statewide by June 30, 2003.			X(5)