

SB

49

<TARGET><BILL>SB 49</BILL><SUBJECT>SB
49</SUBJECT><COMM>SFIN29</COMM></TARGET>

29th Alaska State Legislature

Session:
State Capitol, Room 121
Juneau, AK 99801
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Senator Lesil McGuire

SPONSOR STATEMENT

Senate Bill 49

Version A

"An Act allowing appropriations to the civil legal services fund from court filing fees."

This bill is designed to help fund civil legal services for low-income Alaskans. Senate Bill 49 will provide a mechanism for funding the Alaska Legal Services Corporation (ALSC), by allowing the legislature to appropriate up to 25 percent of filing fees paid to the Alaska Court System during the previous fiscal year into the Civil Legal Services Fund.

The Alaska Legal Services Corporation was established in 1966 to address the civil legal aid needs of low-income Alaskans. ALSC is not a state agency, but is instead a nonprofit charitable 501(c) (3) whose funding comes from a variety of state, federal, and private sources. ALSC's current funding of \$4.2 million is the same as it was in 1984 however the number of low-income Alaskans eligible for services has more than doubled from (41,000 in 1984 to over 100,000 in 2014). ALSC struggles to serve a growing number of poverty-level applicants. Appropriations from the State of Alaska that were once as high as \$1.2 million in FY84 are currently at \$550,000. Senate Bill 49 aims to correct this lack of funding and helps ensure civil legal representation for Alaska's most needy population.



Alaska Legal Services Corporation

SB49: Amending the Civil Legal Services Fund

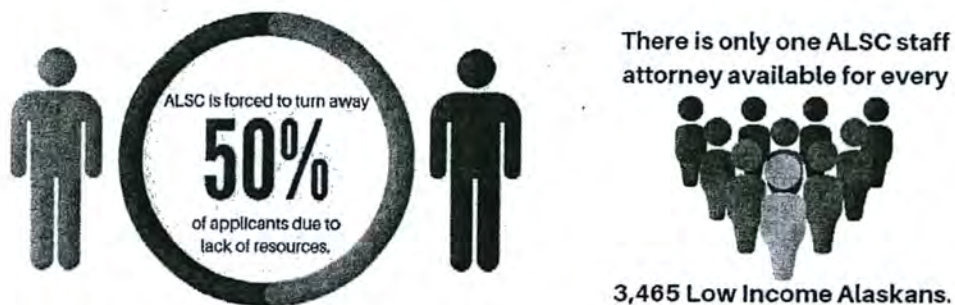
SB49 seeks to amend AS 37.05.590 (the statute creating the Civil Legal Services Fund) so that up to 25% of Court System filing fees can be appropriated by the Legislature to the Civil Legal Services Fund each year to provide access to the civil legal aid for low-income Alaskans with critical legal needs.

Why is Adequate Funding for Civil Legal Aid Important?

Civil legal aid ensures fairness for all in the justice system. It provides access to legal help for people who cannot afford it otherwise, to protect their livelihood, their health or their family. Access to the justice should not depend on how much money you have. We need civil legal aid to ensure that the very principle our founding fathers envisioned remains alive: justice for all, not the few who can afford it.

SB49 is Needed to Bridge Alaska's Growing Justice Gap

The "justice gap" is the difference between the level of legal assistance available and the level that is necessary to meet the needs of low-income individuals. At current funding levels, ALSC turns away hundreds of families seeking assistance each year due to resource limitations.



Current Funding

The amount available for appropriation into the fund depends on whether the state has collected any punitive damages, which has not happened for the last three years.

State appropriations to ALSC steadily declined from a high of \$1.2 million in 1984 to \$550,000.

ALSC State Appropriation

Year	Total Appropriation to ALSC	Population Below Poverty Level
1984	\$1.2 Million	41,616
2014	\$0.5 Million	100,498

Source: 1980 Census of Population, PC80-1-C1 "General Social and Economic Characteristics", table 245.
Source: U.S. Census Bureau, 2011-2013 3-Year American Community Survey

**Advisory Board on Alcoholism
and Drug Abuse**



Alaska Mental Health Board

ALASKA MENTAL HEALTH BOARD
ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE
431 NORTH FRANKLIN STREET, SUITE 200
JUNEAU, ALASKA 99801
(907) 465-8920

February 20, 2015

Senator Lesil McGuire
Alaska State Legislature
Capitol Building, Room 121
Juneau, Alaska 99801

Re: SB 49 – Civil Legal Services Fund

Dear Senator McGuire,

On behalf of the Alaska Mental Health Board and Advisory Board on Alcoholism and Drug Abuse, I would like to express our support for SB 49. We appreciate your championing of legal services for Alaska's indigent and vulnerable citizens. For individuals experiencing mental health and substance use disorders, these non-profit public interest firms are often the only source of legal assistance. SB 49 preserves access to justice for Alaskans who do not always have a voice, and reinforces the Alaskan value of taking care of our neighbors in need.

Alaska Legal Services, the Disability Law Center, and other public interest law firms provide services imperative to the health and safety of vulnerable Alaskans. Without the high quality services offered by their lawyers, paralegals, advocates and staff, many veterans, seniors, victims of violence, and people experiencing disabilities would be left alone and without recourse when faced with unfair or unjust treatment.

The Boards support SB 49 and the additional financial support for civil legal services providers serving indigent, elderly, and disabled clients. We appreciate your advocacy on behalf of these agencies, but more importantly, on behalf of their clients and the entire justice system in Alaska.

Sincerely,

J. Kate Burkhart
Executive Director

cc: Joe Dingman, chairperson, Alaska Mental Health Board
Bob Coghill, chairperson, Advisory Board on Alcoholism and Drug Abuse
Nikole Nelson, executive director, Alaska Legal Services Corporation
David Fleurant, executive director, Disability Law Center



2/24/15

Senator Lesil McGuire
State Capitol Room 121
Juneau AK. 99801

RE: Support of Senate Bill No.49

Dear Senator McGuire,

I am writing in strong support of Senate Bill No. 49, amending the Civil Legal Services Fund.

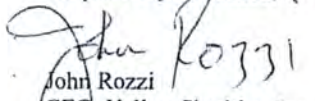
I represent one of eight Mat-Su agencies implementing the Valley's Homeless Assistance Program grant. These agencies collaborate closely with Alaska Legal Services Corporation (ALSC), the largest non-profit civil legal service provider in our state, to provide needed services to our low-income; or most financially challenged Alaskans. For the past two and a half years the eight nonprofit agencies have assisted approximately 3000 Mat-Su households to remain in their homes.

Since 1984 our population living below the poverty level has more than doubled. While the financial appropriations to Alaska legal Services Corporation has declined from \$1.2 million to \$500K. As a result, financially challenged Alaskans fall through the cracks and develop larger problems that can affect landlords and local businesses. Your legislation will create a financial avenue for those Alaskans with the strong possibility to reduce those burdens.

Despite the funding decline Alaska Legal Services Corporation has proven to be efficient stewards of their funding. This is demonstrated by the five to one return on investment in total income and savings for Alaska's residents annually. Unfortunately, they turn away more than 50% of families with the greatest need for services because they lack the financial resources. An additional 182 families can be receive services per \$100K of state funded appropriations.

That is why we support Senate Bill No.49 and Alaska Legal Services Corporation.

Respectfully submitted,


John Rozzi
CEO, Valley Charities, Inc.
907-376-5740



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of
Health and Social Services

ALASKA COMMISSION ON AGING

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Juneau, Alaska 99811-0693
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February 19, 2015

Senator Lesil McGuire
Alaska State Capitol, Room 121
Juneau, AK 99801-1182

Subject: Support for SB 49, Civil Legal Services Fund

Dear Senator McGuire:

The Alaska Commission on Aging (ACoA) is pleased to offer our support for SB 49, a bill authored by you to establish a mechanism to enhance funding for organizations that provide civil legal services to low-income individuals, veterans and older Alaskans by allowing the Legislature to appropriate up to 25% of filing fees paid annually to the Alaska Court System.

Alaska Legal Services Corporation (ALSC), a nonprofit civil legal aid agency that has provided no-cost civil legal help to low-income Alaskans for over 45 years, is an example of an organization that would benefit from this legislation. ALSC is the sole statewide agency that provides free civil legal assistance to low-income seniors, veterans, and other eligible Alaskans.

Legal assistance for seniors is provided statewide by ALSC and assures that seniors, especially those at greatest social and economic risk, have access to the civil justice system. Last year, Alaska Legal Services provided direct legal aid to more than 850 seniors. ALSC helps seniors establish Miller Trusts, guardianships, conservatorships, advance directives and wills; prevents seniors from losing their housing due to predatory lending practices, illegal foreclosure or eviction, and renter-landlord disputes; and helps seniors obtain and maintain Social Security benefits. Alaska Legal Services employs approximately twenty attorneys statewide.

The Commission supports SB 49 and appreciates your leadership of this legislation. Access to legal information, advice, and assistance helps older Alaskans preserve their financial and personal independence, retain control of their financial and health care decisions, maintain appropriate family relationships, and protect their personal assets and well-being.

Sincerely,

A handwritten signature in cursive script, reading "Mary E. Shields".

Mary E. Shields
Chair, Alaska Commission on Aging

Sincerely,

A handwritten signature in cursive script, reading "Denise Daniello".

Denise Daniello
ACoA Executive Director



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

Senior and Disabilities Services
Governor's Council on Disabilities & Special Education
Patrick J. Reinhart, Executive Director

3601 C Street, Suite 740
Anchorage, Alaska 99503
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Fax: 907.269.8995

February 24, 2015

Senator Lesil McGuire
Alaska State Legislature
Capitol Building, Room 121
Juneau, Alaska 99801

RE: SB 49: Civil Legal Services Fund

Dear Senator McGuire,

The Governor's Council on Disabilities and Special Education (the Council) would like to extend its support for SB 49. Your sponsorship of this bill is greatly appreciated as we feel that it will positively impact Alaska's most vulnerable populations, including individuals with disabilities.

For low-income Alaskans with disabilities, legal services are primarily received through non-profit public interest firms. Without these vital legal services, low-income Alaskans with disabilities could be at risk of losing their home, healthcare, access to food, or even the ability to be protected from abuse. Such consequences have an obviously disastrous human impact, truly highlighting the imperative need for quality legal services to be available for all those who are in need of them. Without sufficient funding to allow full access to necessary services, individuals could be subject to unfair treatment and would certainly not be able to fully utilize the justice system.

The Council strongly supports SB 49 and the finances it would provide to enhance the provision of civil legal services to low-income Alaskans, including those who experience a disability. A clear disparity exists between the available funding for legal services for low-income individuals and the number of individuals in need of said services. In the past 30 years the number of Alaskans below the poverty level has increased, while the total appropriations for such services have decreased. SB 49 will be a positive step towards meeting the current need. Thank you for working to ensure that the Alaska justice system is fully accessible to all of the residents of this great state.

Sincerely,

A handwritten signature in black ink, appearing to read "Ric Nelson".

Ric Nelson,
Council Chair

A handwritten signature in black ink, appearing to read "Dean Gates".

Dean Gates,
Legislative Committee Chair