

HB

154

<TARGET><BILL>HB 154</BILL><SUBJECT>HB
154</SUBJECT><COMM>SSTA29</COMM></TARGET>

Alaska State Legislature
REPRESENTATIVE BRYCE EDGMON
House District 37



Memorandum

Date: March 24, 2016

To: Senator Bill Stoltze, Chair
Senate State Affairs Committee

From: Representative *Bryce Edgmon*

RE: Hearing request for HB 154 "An Act allowing appropriations to the civil legal services fund from court filing fees."

I respectfully request a hearing for House Bill 154, relating to the Civil Legal Services Fund, at your earliest convenience.

The accompanying bill packet includes:

- HB 154, Version A
- Sponsor Statement
- Current Fiscal Note
- Fact Sheet for ALSC
- Fact Sheet—ALSC Regions Served
- ALSC Clarification on Restrictions on Certain Case Types
- Letters and Resolutions of Support

We expect testimony from Alaska Legal Services Corporation Executive Director Nikole Nelson. She can be reached at 907-222-4508 or nnelson@alsc-law.org.

My staff contact for this legislation is Tim Clark, who can be reached at 465-2839.

Thank you.

State Capitol Building
120 East 4th Street, Juneau, AK 99801
Phone: 907 465 4451 Toll Free: 800 898 4451 Fax: 907 465 3445
Rep.Bryce.Edgmon@akleg.gov

Adak
Akutan
Aleknagik
Anvik
Atka
Attu Station
Chignik
Chignik Lagoon
Chignik Lake
Clark's Point
Cold Bay
Dillingham
Egegik
Ekwok
False Pass
Flat
Grayling
Holy Cross
Igiugig
Iliamna
Ivanof Bay
King Cove
King Salmon
Kokhanok
Koliganek
Lake Minchumina
Levelock
Lime Village
Manokotak
McGrath
Naknek
Nelson Lagoon
New Stuyahok
Newhalen
Nikolai
Nikolski
Nondalton
Pedro Bay
Perryville
Pilot Point
Pope-Vannoy
Port Alsworth
Port Heiden
Portage Creek
Red Devil
Sand Point
Shageluk
Sleetmute
South Naknek
St. George
St. Paul
Stony River
Takotna
Togiak
Twin Hills
Ugashik
Unalaska

29th Alaska State Legislature

Session:
State Capitol, Room 410
Juneau, AK 99801
Phone: (907) 465-2995
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Interim:
716 W 4th Avenue
Anchorage, AK 99501
Phone: (907) 269-0250
Fax: (907) 269-0249

Representative Bryce Edgmon

SPONSOR STATEMENT

House Bill 154

Version A

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

This bill will safeguard low-income Alaskans’ access to the civil justice system by creating a stable mechanism for funding the Alaska Legal Services Corporation (ALSC). It allows the Legislature to appropriate up to 25 percent of filing fees paid to the Alaska Court System during the previous fiscal year into the already existing Civil Legal Services Fund.

It would always be at the Legislature’s discretion to appropriate monies both into the fund and from the fund. The amount of funds appropriated would also be completely the Legislature’s decision.

The Alaska Legal Services Corporation—established in 1966—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 strives to serve a growing number of poverty-level applicants. Since 1984, the number of Alaskans eligible for legal services has more than doubled, from 41,000 to over 100,000. Yet currently, the state’s contribution to ALSC is only a fraction of what it was 30 years ago.

House Bill 154 aims to stabilize ALSC funding and help ensure that civil legal representation is available to Alaska’s most needy population.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	HB 154
Fiscal Note Number:	2
(H) Publish Date:	3/21/2016

Identifier: HB154-ACS-TRC-03-09-16
 Title: CIVIL LEGAL SERVICES FUND
 Sponsor: EDGMON
 Requester: House Rules Committee

Department: Judiciary
 Appropriation: Alaska Court System
 Allocation: Trial Courts
 OMB Component Number: 768

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
			FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated for 2016 session; fiscal impact remains at zero.

Prepared By: Nancy Meade, General Counsel
 Division: Alaska Court System
 Approved By: Nancy Meade for Christine Johnson, Administrative Director
 Agency: Alaska Court System

Phone: (907)463-4736
 Date: 03/09/2016 04:00 PM
 Date: 03/09/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

House Bill 154 would allow the legislature to appropriate, from the general fund, up to 25% of the filing fees received by the Court System during the previous fiscal year to the Civil Legal Services Fund.

This bill does not impact the court system. The court system turns over all filing fees (and all other fees and monies) that it collects to the state's general fund; the legislature appropriates from that fund as it deems appropriate. The court system's budget would not be impacted by the amount the legislature may choose to appropriate to the Civil Legal Services Fund under this bill.

The court system therefore submits this zero fiscal note.



Alaska Legal Services Corporation

Access to Justice in the Last Frontier FY 2015

Statewide

2,690 Cases helping 5,831 low income Alaskans

Majority of cases involved housing, health, family issues
32% involved individuals with at least one disability
16% involved housing issues
32% involved Seniors
19% involved Domestic Violence victims

Barrow

89 Cases impacting 246 low income Alaskans

Majority of cases involved family, housing, wills and estates
10% involved housing issues
52% involved households with children
35% involved Seniors
11% involved Domestic Violence victims

Bethel

283 Cases helping 735 low income Alaskans

Majority of cases involved Tribal, wills, income maint. issues
4% involved housing issues
45% involved households with children
23% involved Seniors
27% involved Domestic Violence victims

Fairbanks

287 Cases helping 629 low income Alaskans

Majority of cases involved family, consumer, housing issues
14% involved housing issues
43% involved Households with children
27% involved Seniors
21% involved Domestic Violence victims

Ketchikan

104 Cases helping 149 low income Alaskans

Majority of cases involved income maint., health, and housing
81% involved individuals with at least one disability
9% involved Veterans
16% involved housing issues
53% involved Seniors

Kotzebue

107 Cases helping 290 low income Alaskans

Majority of cases involved family, tribal law, wills and estates
3% involved housing issues
59% involved Households with children
20% involved Seniors
9% involved Domestic Violence victims

Anchorage

1,022 Cases impacting 2,036 low income Alaskans

Majority of cases involved family, health, and housing issues
21% involved housing issues
33% involved households with children
33% involved Seniors
20% involved Domestic Violence victims

Dillingham

110 Cases helping 273 low income Alaskans

Majority of cases involved family, Income maint., wills/estates
18% involved individuals with at least one disability
6% involved housing issues
83% involved households with children
40% involved Seniors

Juneau

291 Cases helping 584 low income Alaskans

Majority of cases involved family, health, and housing issues
17% involved housing issues
49% involved individuals with at least one disability
35% involved Seniors
14% involved Domestic Violence victims

Kenai

149 Cases helping 296 low income Alaskans

Majority of cases involved family, health, and housing
40% involved individuals with at least one disability
18% involved housing issues
32% involved Seniors
40% involved Domestic Violence victims

Mat-Su

174 Cases helping 402 low income Alaskans

Majority of cases involved housing, consumer, family issues
42% involved individuals with at least one disability
20% involved housing issues
33% involved Seniors
14% involved Domestic Violence victims

Nome

74 Cases helping 191 low income Alaskans

Majority of cases involved family, wills/estates and housing
16% involved housing issues
45% involved households with children
47% involved Seniors
22% involved Domestic Violence victims



ALASKA LEGAL SERVICES CORPORATION

Delivering high quality free legal services for over 45 years.

<p>\$4.1M Annual Budget 11 Offices 174 Communities 2,690 Cases 5,831 Alaskans</p>	<h2 style="text-align: center;">LIFE-CHANGING RESULTS FOR ALASKANS</h2> <p>Alaska Legal Services Corporation (ALSC) is a private, non-profit law firm that provides free civil legal help to low-income clients and seniors. We are dedicated to assuring that all Alaskans have equal access to our civil justice system, not just those who can afford an attorney.</p> <p>In the process of providing access to justice for Alaska's most vulnerable residents, ALSC produces millions of dollars of quantifiable economic impacts. ALSC maximizes this impact by partnering with local governments and other nonprofits to coordinate services and leverage scarce dollars. Through these efforts, ALSC is able to maintain a physical presence in rural Alaska - and is the only private provider of free legal services to do so. Every dollar invested in ALSC generates five dollars in economic benefit to ALSC's clients, their communities, and the state.*</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div data-bbox="568 861 812 934"> <p>Direct Benefits Across Alaska</p> <p>11 Offices 174 Communities 2,690 Cases 5,831 Alaskans</p> </div> <div data-bbox="828 777 1185 1218"> </div> <div data-bbox="1201 861 1461 1071" style="background-color: #444; color: white; padding: 5px;"> <p>Our Services:</p> <ul style="list-style-type: none"> - Advice and Counseling - Court Representation - Community Legal Clinics - Advocacy - Online Self-Help - Pro Bono Program </div> </div>
<p>86% ALSC produces positive results for clients in 86% of cases. ALSC focuses its resources on critical legal issues affecting family safety, stability, health and self-sufficiency.</p>	
<p>5 to 1 ALSC achieves a 5:1 return on investment in total income and savings for Alaska's residents annually.</p>	
<p>\$450,000 The current state appropriation for ALSC stands at \$450,000, which is used to leverage scarce resources throughout our 11 strategically located hub offices to effectively reach every community in Alaska.</p>	
<p>>50% ALSC must turn away one family for each one that we help due to lack of resources. Many potential clients do not apply, knowing that ALSC faces resource limitations.</p>	<h2 style="text-align: center;">THE JUSTICE GAP</h2> <p>When serious legal needs of low-income people go unmet due to grossly insufficient funding and support, it creates an enormous "justice gap". The justice gap is an extreme reality for low-income individuals who suffer a civil injustice.</p> <p>An applicant unable to obtain assistance risks losing their home, healthcare, access to food, or their ability to protect themselves or family members against abuse. These unresolved problems can multiply, tearing families apart and driving them further into poverty with consequences that destabilize the social and economic fabrics of communities.</p>
<p>182 Number of individuals ALSC could serve with each additional \$100,000.</p>	

*For more information, see "An Analysis of the Economic Impacts and Social Benefits of Assistance Provided by Alaska Legal Services Corporation", a report prepared by The Resource for Great Programs, Inc., with Funding Provided by the Alaska Mental Health Trust Authority.



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.**



There is only one ALSC staff attorney available for every



3,465 Low Income Alaskans.

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.



Alaska Legal Services Corporation

Access to Justice for Alaskans in Need

45 YEARS of
SERVING
ALASKANS

March 2, 2015

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

RE: SB 49, Civil Legal Services Fund - clarification re: restrictions on ALSC's cases

Dear Senator McGuire:

At last week's Senate Judiciary hearing there appeared to be some confusion regarding the types of cases that Alaska Legal Services Corporation can provide assistance with. Given this, I wanted to take the opportunity to clarify for the record that there are certain categories of cases that Alaska Legal Services is specifically prohibited by federal law from engaging in. As a recipient of funds from the national Legal Services Corporation, Alaska Legal Services Corporation is **PROHIBITED** by federal law (see 42 U.S.C. 2996 et seq., 45 CFR Part 1610) from participating in any of the following types of cases:

- Criminal cases;
- Abortion related litigation of any kind;
- Representation of undocumented immigrants (except where human trafficking is involved);
- Class Actions;
- Representation of prisoners;
- Representation of those evicted from public housing due to illegal drug use;
- Redistricting activities; and
- Cases where a private attorney would take the case on a contingency fee basis.

ALSC takes these restrictions very seriously and is audited yearly to assure our compliance with these regulations. I hope this information allays any concerns the committee may have that if ALSC were better funded, we would engage in such activities. We are clearly bound by federal law from doing so.

Please let me know if you have any questions. Thank you again for your support of SB 49.

Sincerely,

Nikole Nelson

Nikole Nelson

BRISTOL BAY NATIVE ASSOCIATION
P. O. Box 310
Dillingham, Alaska 99576
(907) 842-5257

By the Full Board of Directors

Resolution 2015-15

A RESOLUTION OF SUPPORT FOR ALASKA LEGAL SERVICES CORPORATION

- WHEREAS: Alaska Legal Services Corporation (ALSC) provides civil legal aid to ensure fairness for all in the justice system by providing access to legal help for people who cannot afford it otherwise to protect their livelihood, their health, and their safety; and
- WHEREAS: ALSC's lawyers in eleven offices around the state serve a population of over 100,000 Alaskans living below 125% of the poverty threshold, including more than 29,350 Alaska Natives; and
- WHEREAS: Alaskans potentially eligible for ALSC's services face approximately 65,000 legal problems each year and ALSC's current resources only stretch far enough to help about 6,300 people each year; and
- WHEREAS: ALSC must turn away over 600 qualified individuals each year with critical legal needs due to its limited resources; and
- WHEREAS: The vast majority of ALSC's cases involve the basic human necessities of family safety, shelter, food, access to medical care, and income maintenance; and,
- WHEREAS: Although the May 2000 Alaska Supreme Court Access to Civil Justice Task Force Report recommended that ALSC be funded at \$5 million annually (non inflation adjusted dollars), and ALSC's actual funding is far less than that at only \$4.1 million; and
- WHEREAS: Several regional nonprofits including: Bristol Bay Native Association, Association of Village Council Presidents, the Tanana Chiefs Conference and Maniilaq Association currently partner with ALSC to support local ALSC offices and staff in the communities of Bethel, Dillingham, Fairbanks and Kotzebue; and
- WHEREAS: Several regional for-profits have provided significant financial and in-kind support to ALSC's regional offices: including Arctic Slope Regional Corporation, CIRI, Bering Straits Native Corporation, Bristol Bay Native Corporation, Doyon, Ltd, and the Sitnasuak Native Corporation; and
- WHEREAS: Several tribal governments including the Central Council of Tlingit-Haida Indian Tribes of Alaska, the Kenaitze Indian Tribe, the Inupiaq Community of the Arctic Slope, the Nome Eskimo Community, and Orutsararmiut Native Council have also provided financial support for and partnered with ALSC; and
- WHEREAS: Since 1984 when ALSC received an appropriation from the State of Alaska of \$1.2 Million to serve a population of 41,000 people eligible for ALSC's services,

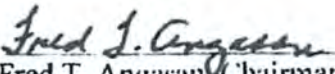
the number of Alaskans eligible for ALSC's help has more than doubled, yet the state's current contribution to ALSC is only a fraction of what it was 30 years ago; and

WHEREAS: The State of Alaska did make an appropriation to ALSC for FY 2015, approved by Governor Walker, in the amount of \$450,000, which is \$100,000 less than what was appropriated in FY 2014, and is far less than what is needed to assure that all Alaskans have access to equal justice and it is unclear whether this will be sustained in future fiscal years; and

WHEREAS: Every additional \$100,000 of funding enables ALSC to directly benefit 182 more people; and

WHEREAS: During the Twenty-Ninth Alaska State Legislature First Regular Session Senator Lesil McGuire introduced SB 49 and Representative Bryce Edgmon sponsored companion bill HB 154 to allow appropriation to the civil legal services fund from court filing fees to safeguard low-income Alaskans' access to the civil justice system by creating a stable and sustainable mechanism for funding ALSC; and

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Bristol Bay Native Association that it urges the Governor of Alaska to retain and increase the appropriation for ALSC in his proposed FY 2016 budget, and urges the Alaska Legislature to appropriate that funding, and urges the Alaska Legislature to pass bills SB 49 and HB 154 to create a stable funding source for ALSC to provide access to civil legal aid, and urges Congress to award sufficient funding to the federal Legal Services Corporation to support Alaska Legal Services Corporation's mission of providing free legal services on vital issues to low income Alaskans.


Fred T. Angasan, Chairman

CERTIFICATION:

I, the undersigned Secretary of the Bristol Bay Native Association, Inc. do hereby certify that the foregoing resolution was passed by the Full Board of Directors of the Bristol Bay Native Association at a duly called and noticed meeting on the 18th day of September, 2015, and that a quorum was present.


Robert Heyano, Secretary



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of
Health and Social Services

ALASKA COMMISSION ON AGING

P.O. Box 110693
Juneau, Alaska 99811-0693
Main: 907.465.3250
Fax: 907.465.1398

March 6, 2015

Representative Bryce Edgmon
Alaska State Capitol, Room 410
Juneau, AK 99801-1182

Subject: Support for HB 154, Civil Legal Services Fund

Dear Representative Edgmon:

The Alaska Commission on Aging (ACoA) is pleased to offer our support for HB 154, 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 HB 154 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,

Handwritten signature of Mary E. Shields in cursive.

Mary E. Shields
Chair, Alaska Commission on Aging

Sincerely,

Handwritten signature of Denise Daniello in cursive.

Denise Daniello
ACoA Executive Director

Cc: Representative Max Gruenberg



First Lady Donna Walker
Honorary Chair

Ramona Reeves, *Chair*

Michael Lesmann, *Vice Chair*

Lisa Wimmer, *Treasurer*

Melanie Bahnke, *Secretary*

Diane Kaplan, *Past Chair*

Susan Anderson

Ginger Baim

Elsie Boudreau

Com. Valerie Davidson

Com. Michael Hanley

Carley Lawrence

Tlisa Northcutt

Ivy Spohnholz

William Streur

Marcus Wilson

2 March 2015

Senator Lesil McGuire
Chair Senate Judiciary
Alaska State Legislature
Capitol Building, Room 121

Re: SB49: Civil Legal Services Fund

Dear Senator McGuire,

Alaska Children's Trust (ACT) would to extend its support for SB 49 as the availability of civil legal help that Alaska Legal Services provides is critical to the prevention of child abuse and neglect and ALSC's current resources are far below the amount needed to serve those in need. ACT is the statewide lead focused on the prevention of child abuse and neglect.

ALSC is the largest provider of legal services to families experiencing domestic violence -- each year serving over 500 families, impacting 1,500 persons statewide. Children are present most of these households. Domestic violence can have a profound effect on the upbringing and livelihood of children -- it is the number one precursor to child abuse and neglect. Simply witnessing domestic violence harms children at every stage of their development. All too often, children are present for domestic violence that takes place in the home. We also know that providing legal services to non-offending parents and children is a critical factor in removing children from a potentially abusive situation. Alaska Legal Services provides an essential service for children at risk of abuse by representing them or their non-offending parents in legal matters that help to provide protection from the offending parent and to stabilize families, including protective order proceedings and custody and divorce proceedings. By preventing domestic violence, ALSC is preventing child abuse and neglect.

Furthermore, a recent study found that **each year ALSC achieves \$2.6 million in savings for state and local communities in costs related to domestic abuse**, not only are these services critical to preventing child abuse, they also save the state money.

ACT strongly support SB 49 and the finances it would provide to assure that free civil legal services are available to low-income Alaskans, including victims of domestic violence with children in their households. There is an enormous gap between the available funding for these critical services and those who need them. SB 49 is a positive step towards bridging this justice gap. Thank you for sponsoring this important legislation and protecting Alaska's children.

Sincerely,

Trevor J Storrs
Executive Director





*Working to increase affordable housing
and eliminate homelessness in our great state.*

PO Box 200862
Anchorage, Alaska 99520
907.209.3661

February 18, 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 Alaska Coalition on Housing and Homelessness would like to express our support for SB 49 which would provide access to civil legal aid for low-income Alaskans with critical legal needs by providing funding for the Civil Legal Services Fund.

Alaska Legal Services Corporation (ALSC) provides invaluable legal assistance and other services to hundreds of low-income individuals and families in Alaska – who would not have access otherwise. The Coalition appreciates your support for the work of the Alaska Legal Services Corporation for Alaska's most vulnerable.

The mission of the Alaska Coalition on Housing and Homelessness (AKCH2) is to develop strategies to increase the availability of affordable housing and eliminate homelessness in our great state. SB 49 assists greatly toward reaching this goal.

Thanks,

A handwritten signature in black ink, appearing to read "Scott Ciambor".

Scott Ciambor, Chair
Alaska Coalition on Housing and Homelessness
<http://www.alaskahousing-homeless.org/>



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.

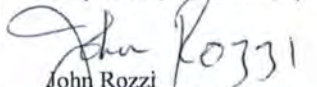
I represent one of eight Mat-Su agencies implementing the Valley's Homeless Assistance Program grant. These agencies collaborate closely with Alaska Legal Services Corporation (ALSC), the largest non-profit civil legal service provider in our state, to provide needed services to our low-income; or most 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

P.O. Box 110693
Juneau, Alaska 99811-0693
Main: 907.465.3250
Fax: 907.465.1398

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,

Mary E. Shields
Chair, Alaska Commission on Aging

Sincerely,

Denise Daniello
ACoA Executive Director

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.

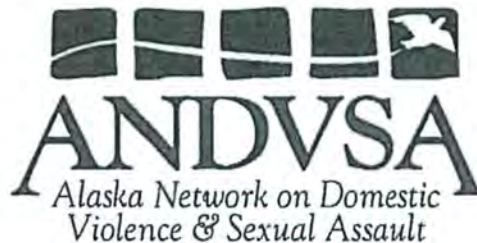
Sincerely,

A handwritten signature in black ink, appearing to read "Kate Burkhart".

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

Main Office
130 Seward St #209
Juneau, Alaska 99801
Phone: (907) 586-3650
Fax: (907) 463-4493
www.andvsa.org



Pro Bono Office
PO Box 6631
Sitka, Alaska 99835
Phone: (907) 747-7545
Fax: (907)747-7547

February 17, 2015

Honorable Lesil McGuire
Alaska State Senate
State Capitol – Room 121
Juneau, AK 99801

Re: SB 49 Letter of Support

Dear Senator McGuire:

On behalf of our 18 member victim service agencies that provide direct services to victims and survivors of domestic violence and sexual assault in Alaska, we thank you for introducing SB 49 to provide a consistent funding stream for civil legal services.

Civil legal services are a critical piece to helping end domestic violence in Alaska. Studies have found that civil legal services are the most effective means of ending violence in victim's lives. When a victim makes a decision to leave their abuser and go to the safety of a friend's house or shelter, it is just the beginning of a long journey to obtain safety and basic needs for the victim and their children. In order to succeed, a victim must meet the basic needs of economic support, protective orders for safety, gaining temporary custody of the children and safe and permanent housing. Without the assistance of an attorney, victims can lose custody of their children and fail to receive economic support. This significantly increases the risk of greater violence when the victim has no other choice but to return to the abuser for economic support and to protect the children from the abuser, who obtains custody.

While there are many attorneys in Alaska that volunteer time and resources to assisting victims, the demand for civil legal services far exceeds the available resources. ANDVSA's Legal Services Program works closely with Alaska Legal Services Corporation to assist victims in finding attorneys, but they are limited by the availability of funding and will likely lose funding this year. SB 49 will insure that a consistent funding stream is available for the legislature, in their discretion, to appropriate to those organizations that serve low-income Alaskans.

Thank you for sponsoring this important piece of legislation.

Sincerely,

Peggy Brown, Executive Director

Member Programs

Anchorage AWAIC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE
Fairbanks IAC Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC
Kotzebue MFCC Nome BSWG Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV

Facing Foster Care in Alaska
PO Box 92644
Anchorage, AK 99509



Senator Lesil McGuire
State Capitol Room 121
Juneau AK, 99801

March 19th, 2015

The Honorable Senator Lesil McGuire,

We are writing to express the support of Facing Foster Care in Alaska (FFCA) of Senate Bill 49. FFCA is an organization of current and former foster youth from across Alaska working to improve outcomes for some of the most vulnerable Alaskans. Youth who age out of Alaska's foster care system are at high risk of homelessness, incarceration, early pregnancy, and lifelong reliance on social services. For former foster youth, lack of access to legal assistance can lead to an increased risk of homelessness, lack of healthcare, and access to much needed services to meet their most basic needs.

Senate Bill 49 seeks to amend AS 37.05.590 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

More than 1% of Alaska's children are in foster care, and this number is only expected to rise. This means more youth aging out of the system each year, at risk of hardship. We are dedicated to ensuring that all of Alaska's foster youth have equal access to our civil justice system, not just those who can afford an attorney. The long term impacts of Senate Bill 49 promote healthy, stable Alaskan's.

Regards,

Amanda Metivier, MSW
Executive Director
Facing Foster Care in Alaska



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
Main: 907.269.8990
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

Senator Bill Stoltze

Senator.Bill.Stoltze@akleg.gov

Re: HB 154

Dear Senator Stoltze:

On behalf of myself and the Alaska Creditors Bar Association of which I am president, I am writing to you in opposition to HB 154.

As you are no doubt well aware, the bill proposes to allow a portion of the court system's filing fees to be provided by the legislature to fund organizations that provide civil legal services to low-income individuals. While providing legal services to low-income individuals may sound laudable and a fit use of public funds, use of the court filing fees for that purpose would, I submit, be a mistake.

Several years ago when a similar bill was introduced, I asked Alaska Supreme Justice Fabe what she thought about such legislation. She responded to the effect that such use of the court's filing fees seemed to be inappropriate because the court system needs the fees to fund its operations and loss of a portion of the fees would necessarily entail increasing the court's filing fees (even more than they have recently been raised). Then, once a portion of the fees are seen to be transferred to one apparently deserving cause, more deserving groups will seek a portion of the court's filing fees and before long, the cost of filing a suit will become so high that a significant portion of the public will be deprived of access to the courts for redress of their grievances. (This, of course, would not be a problem for the indigent who already can petition for fee waivers, nor for the well-heeled with significant claims and substantial assets, but it would necessarily adversely impact members of the middle class, including "mom and pop" businesses who already find legal services all but unaffordable.)

I should add that Justice Fabe is a big supporter of Alaska Legal Services Corporation, the obvious beneficiary of the bill if it were enacted into law. See the attached invitation to her retirement celebration. ALSC obviously has other sources of revenue and even some its supporters see the problem that diverting court filing fees to fund ALSC's operations would entail.

In a time in which the State is sorely pressed for funds, taking money from the unavoidably essential services provided by the court system to favor even worthy causes is not an appropriate application of public funds. I therefore respectfully request that you do not permit the bill to pass out of committee.

Sincerely yours,

 3-31-16
Richard L. Crabtree

Cc: Alaska Creditors Bar membership



You are invited to celebrate with

Justice Dana Fabe

on the occasion of her retirement from the
Alaska Court System
after over 27 years of service on the bench.

Friday, May 13, 2016
6:00 PM at the Hotel Captain Cook

Good Food & No-host Bar
Retirement Program
Dancing till Midnight to Music by Chill Factor
\$45.00/person

The evening will include a **SILENT AUCTION** to benefit
Alaska Legal Services Corporation,
Alaska Network on Domestic Violence and Sexual Assault,
and the Alaska Immigration Justice Project.

Please RSVP by listing attendees and enclosing a check
for \$45/person by no later than **April 29, 2016**, to:
Alaska Court System, Attn: Lesa Robertson
305 K Street, 5th Floor, Anchorage, AK 99501
Check-in will be at the door from the paid RSVP list; no tickets will be issued.

Supported by generous contributions from:
The Alaska Bar Association
The Anchorage Bar Association