

HB

298

<TARGET><BILL>HB 298</BILL><SUBJECT>HB
298</SUBJECT><COMM>HJUD30</COMM></TARGET>

HOUSE BILL NO. 298

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST

Introduced: 1/22/18

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

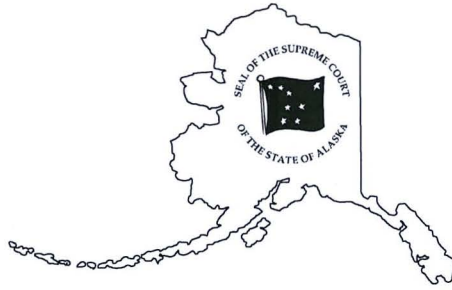
1 **"An Act relating to the number of superior court judges in the first judicial district; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 22.10.120 is amended to read:

5 **Sec. 22.10.120. Number of judges.** The superior court consists of 43 [42]
6 judges, six [FIVE] of whom shall be judges in the first judicial district, three of whom
7 shall be judges in the second judicial district, 26 of whom shall be judges in the third
8 judicial district, and eight of whom shall be judges in the fourth judicial district. At the
9 time of submitting the names of nominees to the governor to fill a vacancy on the
10 superior court bench, the judicial council shall also designate the district in which the
11 appointee is to reside and serve.

12 * **Sec. 2.** This Act takes effect July 1, 2018.



ALASKA COURT SYSTEM State of Alaska

Nancy B. Meade
GENERAL COUNSEL

SNOWDEN ADMINISTRATIVE OFFICE BUILDING
820 W. 4TH AVENUE
ANCHORAGE AK 99501-2005

(907) 264-8264; 463-4736
Fax (907) 264-8291
nmeade@akcourts.us

HOUSE BILL 298 NUMBER OF SUPERIOR COURT JUDGES Version A

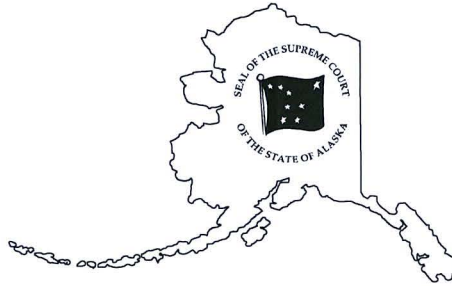
Sponsor Statement

The Alaska Court System is requesting a change to AS 22.10.120 to increase the number of superior court judges in the state from 42 to 43. Specifically, the court is seeking authorization for the additional superior court seat so that one of the two existing district court slots in Juneau can be converted to a superior court judgeship. Superior court judges have broader jurisdiction than district court judges; the change would allow the new judge to handle a greater variety of cases, thus ensuring that the caseload in Juneau is handled more efficiently and effectively.

The two existing Juneau superior court judges handle about 590 cases per judge per year, the second-highest caseload per superior court judge of any court except Anchorage (where other resources are available to assist with cases). The high caseload has resulted in a reduced capacity to schedule and decide matters as expeditiously as the court system would like.

Further, one of long-serving district court judges in Juneau has announced his plan to retire effective June 30, 2018. This bill is therefore timely; if passed, the solicitation for applicants to that soon-to-be-vacant position will be for a superior court rather than a district court judge.

The new superior court judge will share a judicial assistant and law clerk with the existing Juneau judges, and would have the already-existing courtroom and materials from the district court position, so that no additional resources are necessary. The court system will absorb the additional salary and benefits for the superior court judge with savings it has achieved elsewhere through attrition. Therefore, House Bill 298 has a zero fiscal note.



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GENERAL COUNSEL

SNOWDEN ADMINISTRATIVE OFFICE BUILDING
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ANCHORAGE AK 99501-2005

(907) 264-8264; 463-4736
Fax (907) 264-8291
nmeade@akcourts.us

HOUSE BILL 298
NUMBER OF SUPERIOR COURT JUDGES
Version A
Supporting Document

Number of Superior Court Case Filings per Superior Court Judge

<u>Court</u>	<u>FY 17 Superior Ct. filings</u>	<u>Superior Ct. Judges</u>	<u>Filings/S.Ct. Judge</u>
Anchorage	11,077	17	652
Juneau	1,180	2	590
Palmer	2,243	4	561
Kenai	1,587	3	529
Bethel	1,022	2	511

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version:	HB 298
Fiscal Note Number:	1
(H) Publish Date:	2/9/2018

Identifier: HB298-JUD-ACS-01-22-18
 Title: NUMBER OF SUPERIOR COURT JUDGES
 Sponsor: RLS BY REQUEST
 Requester: House Comm and Regional Affairs

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)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) 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/comments:

Initial version.

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: 01/22/2018 01:00 PM
 Date: 01/22/18

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION**Analysis**

House Bill 298 increases the total number of superior court judges that are authorized in the state by one, from a total of 42 to 43. It specifies that the additional judge will serve in the First Judicial District (generally, Southeast Alaska). Specifically, the added superior court judge will be assigned to Juneau.

The court system has requested this statutory change to authorize it to reclassify one of the existing district court judge seats to instead be a superior court judgeship. Superior court judges have broader jurisdiction, and having that position upgraded will allow the Juneau caseloads to be handled more efficiently and more effectively. This change will alter the current judicial staffing of Juneau from two superior plus two district judges, to instead be three superior and one district court judge. The superior court judge will use the existing office that the district court judge has used, and will share the two law clerks and the two judicial assistants that currently serve the other two superior court judges in Juneau.

The extra cost of changing this position will be absorbed by the court system. Because the office, existing support staff, and existing supplies will be used without added resources, the increase in cost is limited to the increased salary, plus associated mandatory benefits costs, of a superior court judge over that of the district court judge. That extra amount equals approximately \$35,000. The court is able to cover this amount with savings it has realized from staff attrition in a number of areas. The court system has decreased its number of employees by approximately 9% in the past three years; a portion of the savings in personnel costs from those many positions will cover the additional marginal cost of eliminating a district court judge spot and simultaneously adding the superior court slot.

The court system therefore submits this zero fiscal note.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version:	HB 298
Fiscal Note Number:	2
(H) Publish Date:	2/9/2018

Identifier: HB298-DPS-DET-01-27-18
 Title: NUMBER OF SUPERIOR COURT JUDGES
 Sponsor: RLS BY REQUEST
 Requester: House Community & Regional Affairs

Department: Department of Public Safety
 Appropriation: Alaska State Troopers
 Allocation: Alaska State Trooper Detachments
 OMB Component Number: 2325

Expenditures/Revenues

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

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) 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/comments:

Not applicable, initial version.

Prepared By: Kelly Howell, Administrative Services Director
 Division: Administrative Services
 Approved By: Walt Monegan, Commissioner
 Agency: Department of Public Safety

Phone: (907)465-4336
 Date: 01/27/2018
 Date: 01/27/18

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Analysis

This bill amends AS 22.10.120 by increasing the number of superior court judges in the first judicial district in Juneau from five to six.

The Department of Public Safety (DPS) is statutorily responsible to transport prisoners throughout Alaska, provide security for Alaska's courts and court facilities, protect the judiciary, provide timely service of legal process, and ensure sufficient personnel to effectively execute these authorities and duties. Within DPS, these authorities and duties are performed by Court Services Officers in the Division of Alaska State Troopers (AST).

AST does not anticipate a fiscal impact if this bill passes. Therefore, a zero fiscal note is being submitted.