

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2780 SCOMM 122: COMMISSION ON PRIVATIZATION. ., 1999

THE SUPERIOR COURT

SUPERIOR COURT JURISDICTION

The superior court is the trial court of general jurisdiction. The superior court has the authority to hear all cases, both civil and criminal, properly brought before the state courts (with the very limited exception of matters taken directly to the supreme court). However, the superior court does not routinely hear cases which may be brought in the district court (a court of limited jurisdiction).

The superior court:

- ▶ is a trial court for both criminal and civil cases.
- ▶ serves as an APPELLATE COURT for appeals from civil and criminal cases which have been tried in the district court
- ▶ hears cases involving CHILDREN who have committed crimes or who are abused or neglected
- ▶ hears cases involving the PROPERTY OF DECEASED OR INCOMPETENT PERSONS
- ▶ hears cases involving INVOLUNTARY COMMITMENT of persons to institutions for the mentally ill
- ▶ handles DOMESTIC RELATIONS matters

Alaska is divided into four judicial districts. The boundaries of the districts are defined by state statute. The judicial districts define the boundaries for judicial retention elections at which voters indicate their approval or rejection of judges and justices.

In January of each year, the chief justice of the supreme court designates a superior court judge from each of Alaska's four judicial districts to serve as presiding judge for a term of one calendar year. The presiding judge, in addition to regular judicial duties, is responsible for the administration of the trial courts within the district, including assignment of cases, supervision of court personnel, efficient handling of court business and appointment of magistrates.

New Appointment: Fairbanks District Court Judge Charles Pengilly was appointed to the Fairbanks superior court by Governor Tony Knowles on November 7, 1997. Judge Pengilly had served as a district court judge since 1990.

SUPERIOR COURT JUDGES

FIRST JUDICIAL DISTRICT



Presiding Judge Larry Weeks
Juneau Superior Court
Appointed 1990



Judge Walter Carpeneti
Juneau Superior Court
Appointed 1981



Judge Thomas Jahnke
Ketchikan Superior Court
Appointed 1985



Judge Larry Zervos
Sitka Superior Court
Appointed 1990



Judge Michael Thompson
Ketchikan Superior Court
Appointed 1993

SECOND JUDICIAL DISTRICT



Presiding Judge Michael Jeffery
Barrow Superior Court
Appointed 1982



Judge Richard Erlich
Kotzebue Superior Court
Appointed 1991



Judge Ben Esch
Nome Superior Court
Appointed 1996

SUPERIOR COURT JUDGES continued

THIRD JUDICIAL DISTRICT



Presiding Judge Elaine Andrews
Anchorage Superior Court
Appointed 1991



Judge Milton Souter
Anchorage Superior Court
Appointed 1978



Judge Brian Shortell
Anchorage Superior Court
Appointed 1980



Judge Rene Gonzalez
Anchorage Superior Court
Appointed 1984



Judge Karen Hunt
Anchorage Superior Court
Appointed 1984



Judge Peter Michalski
Anchorage Superior Court
Appointed 1985



Judge John Reese
Anchorage Superior Court
Appointed 1989



Judge Larry Card
Anchorage Superior Court
Appointed 1993



Judge Michael Wolverton
Anchorage Superior Court
Appointed 1996

SUPERIOR COURT JUDGES
continued

THIRD JUDICIAL DISTRICT - continued



Judge Dan Hensley
Anchorage Superior Court
Appointed 1996



Judge Eric T. Sanders
Anchorage Superior Court
Appointed 1996



Judge Sen K. Tan
Anchorage Superior Court
Appointed 1996



Judge Donald Hopwood
Kodiak Superior Court
Appointed 1990



Judge Jonathan Link
Kenai Superior Court
Appointed 1990



Judge Harold Brown
Kenai Superior Court
Appointed 1996



Judge Beverly Cutler
Palmer Superior Court
Appointed 1982



Judge Eric Smith
Palmer Superior Court
Appointed 1996

Not pictured:
Dillingham Superior Court
Judge Fred Torrisi
Appointed 1997



SUPERIOR COURT JUDGES
continued

FOURTH JUDICIAL DISTRICT



Presiding Judge Ralph Beistline
Fairbanks Superior Court
Appointed 1992



Judge Mary E. Greene
Fairbanks Superior Court
Appointed 1985



Judge Richard D. Savell
Fairbanks Superior Court
Appointed 1987



Judge Niesje Steinkruger
Fairbanks Superior Court
Appointed 1988



Judge Charles Pengilly
Fairbanks Superior Court
Appointed 1997



Judge Dale Curda
Bethel Superior Court
Appointed 1989

THE DISTRICT COURT

The Alaska Constitution provides that the legislature shall establish such lower courts as may be necessary. In 1959, the legislature created a district court for each judicial district and granted to the supreme court the power to increase or decrease the number of district court judges within each judicial district.

DISTRICT COURT JURISDICTION

The district court is a trial court of limited jurisdiction. A district court judge may:

- ▶ hear STATE MISDEMEANORS and violations of CITY AND BOROUGH ORDINANCES
- ▶ issue SUMMONSES, ARREST WARRANTS and SEARCH WARRANTS
- ▶ hear first appearances and PRELIMINARY HEARINGS in felony cases
- ▶ record VITAL STATISTICS (in some areas of the state)
- ▶ hear CIVIL CASES valued up to \$50,000
- ▶ hear SMALL CLAIMS cases (\$7,500 maximum)
- ▶ handle cases involving CHILDREN on an emergency basis
- ▶ hear DOMESTIC VIOLENCE cases

New Appointment: Former Assistant Attorney General Raymond Funk was appointed to the Fairbanks District Court in May 1998 by Governor Tony Knowles.

DISTRICT COURT continued

Magistrates preside over certain district court matters in areas of the state where services of a full-time district court judge are not required. Some magistrates serve more than one court location. Magistrates also serve in metropolitan areas to handle routine matters and to ease the workload of the district court.

A magistrate is not required to be a lawyer. The magistrate is a judicial officer of the district court whose authority is more limited than the authority of a district court judge.

MAGISTRATE JURISDICTION

A magistrate may:

- ▶ hear SMALL CLAIMS cases (\$7,500 maximum)
- ▶ hear FORMAL CIVIL cases (\$7,500 maximum)
- ▶ issue writs of HABEAS CORPUS (challenges to the legality of a person's confinement)
- ▶ solemnize MARRIAGES
- ▶ perform NOTARY PUBLIC duties and record VITAL STATISTICS (in some areas of the state)
- ▶ handle cases involving CHILDREN on an emergency basis hear DOMESTIC VIOLENCE CASES
- ▶ acts a hearing officer to review an ADMINISTRATIVE REVOCATION of a driver's license
- ▶ enter a judgment of conviction if a defendant pleads guilty or no contest to any STATE MISDEMEANOR
- ▶ hold TRIALS and enter judgments in STATE MISDEMEANORS if a defendant agrees in writing to be tried by a magistrate
- ▶ hear trials of MUNICIPAL ORDINANCE violations, STATE TRAFFIC INFRACTIONS and Alaska Statute TITLE 11 violations
- ▶ preside over PRELIMINARY HEARINGS in felony cases
- ▶ issue SEARCH AND ARREST WARRANTS, and SUMMONSES
- ▶ conduct EXTRADITION (fugitive from justice) proceedings

DISTRICT COURT JUDGES

FIRST JUDICIAL DISTRICT



Judge Peter Froehlich
Juneau District Court
Appointed 1989



Judge Patricia Collins
Ketchikan District Court
Appointed 1995

THIRD JUDICIAL DISTRICT



Judge William Fuld
Anchorage District Court
Appointed 1983



Judge Natalie Finn
Anchorage District Court
Appointed 1983



Judge Peter Ashman
Anchorage District Court
Appointed 1987



Judge M. Francis Neville
Homer District Court
Appointed 1990



Judge John Lohff
Anchorage District Court
Appointed 1991



Judge Gregory Motyka
Anchorage District Court
Appointed 1991



Judge Sigurd Murphy
Anchorage District Court
Appointed 1992

DISTRICT COURT JUDGES
continued

THIRD JUDICIAL DISTRICT - continued



Judge Stephanie Rhoades
Anchorage District Court
Appointed 1992



Judge James Wanamaker
Anchorage District Court
Appointed 1993



Judge Stephanie Joannides
Anchorage District Court
Appointed 1994



Judge Joel H. Bolger
Valdez District Court
Appointed 1997

Not pictured: Palmer District Court Judge Suzanne Lombardi
Appointed 1997

FOURTH JUDICIAL DISTRICT



Judge Jane Kauvar
Fairbanks District Court
Appointed 1981



Judge Mark Wood
Fairbanks District Court
Appointed 1993



Judge Raymond Funk
Fairbanks District Court
Appointed 1998

STATEWIDE COURT ADMINISTRATION

Statewide court administration is the responsibility of the chief justice of the supreme court. By court rule, this responsibility is delegated to the administrative director of the courts subject to general guidelines set forth by the supreme court.

JUDICIAL EDUCATION

Judicial training takes several different forms. There is a statewide judicial conference each year for judges which includes training in specific areas of court procedures or operations. Judges are eligible on a rotating basis for training at the National Judicial College in Reno, Nevada. All magistrates attend at least one magistrate conference during a calendar year. During odd-numbered years, regional magistrate conferences are held for the four judicial districts and the Bethel area magistrates. A statewide magistrate conference is held in Anchorage during even-numbered years. Training judges, deputy training judges and staff of the administrative office regularly visit with magistrates for on-site training. The administrative office prepares written educational materials that are distributed to magistrates.

THE JUDICIAL APPOINTMENT PROCESS

The governor appoints a supreme court justice or a judge of the court of appeals, superior court, or district court from a list of qualified candidates submitted by the Alaska Judicial Council. The governor has 45 days from receipt of the list to make the appointment.

In order to be eligible for appointment to the **supreme court**, a person must be a citizen of the United States and a resident of Alaska for five years prior to appointment. A justice must be licensed to practice law in Alaska at the time of appointment and must have engaged in the active practice of law for eight years.

A **court of appeals judge** must be a citizen of the United States; a resident of Alaska for five years immediately preceding appointment; have been engaged for not less than eight years immediately preceding appointment in the active practice of law; and at the time of appointment be licensed to practice law in Alaska.

The qualifications of a judge of the **superior court** are the same as for a supreme court justice, except only five years of active practice are necessary.

A **district court judge** must be 21 years of age; a citizen of the United States; a resident of the state for at least five years; and (1) be licensed to practice law in Alaska and have engaged in active practice of law for not less than three years immediately preceding appointment, or (2) have served for at least seven years as a magistrate in the state and have graduated from an accredited law school.

Magistrates are not appointed by the governor nor are their qualifications reviewed by the Alaska Judicial Council. Their appointments are made for an indefinite period by the presiding judge of the judicial district in which they will serve. Each magistrate serves at the pleasure of the presiding judge. A magistrate does not have to be a lawyer. A magistrate must be 21 years of age, a United States citizen, and a citizen of Alaska for six months prior to appointment.

JUDICIAL RETENTION ELECTIONS

Each supreme court justice and each court of appeals judge is subject to approval or rejection by a majority of voters statewide on a nonpartisan ballot at the first general election held more than three years after appointment. Thereafter, each justice must participate in a retention election every ten years; each court of appeals judge must participate every eight years.

Each superior court judge is subject to approval or rejection by the voters in the judge's judicial district at the first general election held more than three years after appointment. Thereafter, the judge is subject to approval or rejection every sixth year. Each district court judge must also run in a retention election in his or her district at the first general election held more than two years after appointment, and then every fourth year thereafter. State laws that require judges to participate in retention elections do not apply to magistrates.

In November 1998, the following judges and justices participated in retention elections:

SUPREME COURT

Justice Robert L. Eastaugh

SUPERIOR COURT

Second District

Judge Michael I. Jeffery

Third District

Judge Beverly W. Cutler

Judge John Reese

Fourth District

Judge Niesje J. Steinkruger

DISTRICT COURT

First District

Judge Patricia Collins

Judge Peter Froehlich

Third District

Judge John R. Lohff

Judge Gregory Motyka

Third District - continued

Judge Sigurd E. Murphy

Judge M. Francis Neville

Judge Stephanie Rhoades

Fourth District

Judge Jane F. Kauvar

All of these members of the judiciary were retained by the voters.

THE COMMISSION ON JUDICIAL CONDUCT

The Commission on Judicial Conduct is a constitutionally created state agency separate from the court system. The commission consists of nine members: three state court judges or justices, three lawyers with at least ten years legal practice in Alaska, and three persons who are not lawyers or judges. The chief function of the commission is to investigate complaints of ethical misconduct against state judges and justices. The commission has the power to recommend that the supreme court sanction a justice or judge. Possible sanction recommendations include suspension, removal, retirement from office, or public or private censure. Since 1990, all formal hearings before the Commission on Judicial Conduct are public. In October 1997, the commission held the first public hearing under the 1990 statute.

In calendar year 1997, the commission received forty-nine complaints and processed a total of forty-three complaints. One formal complaint was filed by the commission against a judge during the year. At the end of 1997, the commission had nineteen pending complaints and one pending recommendation for discipline before the Alaska Supreme Court. The commission privately sanctioned one judge.

For more information regarding the Commission on Judicial Conduct, call (907) 272-1033 or toll-free 800-478-1033.

THE ALASKA JUDICIAL COUNCIL

The Alaska Judicial Council is an independent judicial branch agency created by the Alaska Constitution. It has three constitutional and statutory functions. First, the council solicits, screens and nominates applicants for gubernatorial appointments to vacant judgeships, the Alaska Public Defender and administrative tax law judges. Second, it evaluates judges standing for retention and publicizes information on judges and its retention recommendations. Third, the council conducts research to improve what the constitution refers to as "the administration of justice."

The judicial council is comprised of the chief justice, who serves as chairperson and ex officio member; three attorney members appointed by the Board of Governors of the Alaska Bar Association and three non-attorney members appointed by the governor and subject to confirmation by a majority of the members of the state legislature in joint session. Council members serve six-year terms.

The Alaska Judicial Council, which must report to the Alaska State Legislature and the Alaska Supreme Court at least once every two years, is assisted by an executive director and support staff.

For more information on the Alaska Judicial Council, call (907) 279-2526 or visit the Council's Internet site at www.ajc.state.ak.us.

BUDGET AND FISCAL AFFAIRS

The Alaska Legislature annually appropriates from the state's general fund all monies for the operation of the Alaska Court System. A statewide budget for all trial courts, the appellate courts and court administration is

prepared centrally by the administrative office.

The budget process for the court system begins with the submission of budget requests by the trial and appellate courts to the administrative director. The requests are reviewed with each judicial district's area court administrator and the clerk of the appellate courts. Then, these requests are modified to conform to the overall court budget plan. The court's budget request is reviewed and approved by the supreme court. Following legislative review and appropriation, funds are then allocated to the judicial districts, the appellate courts and the administrative office.

Since fiscal year 1988, the court experienced an average annual growth rate of approximately 2.2%. The court's FY 98 operating budget increased approximately 1.1% from the FY 97 level, which is partly attributable to a cost-of-living pay adjustment. The court system's budget represents approximately 1.3% of the State's operating budget.

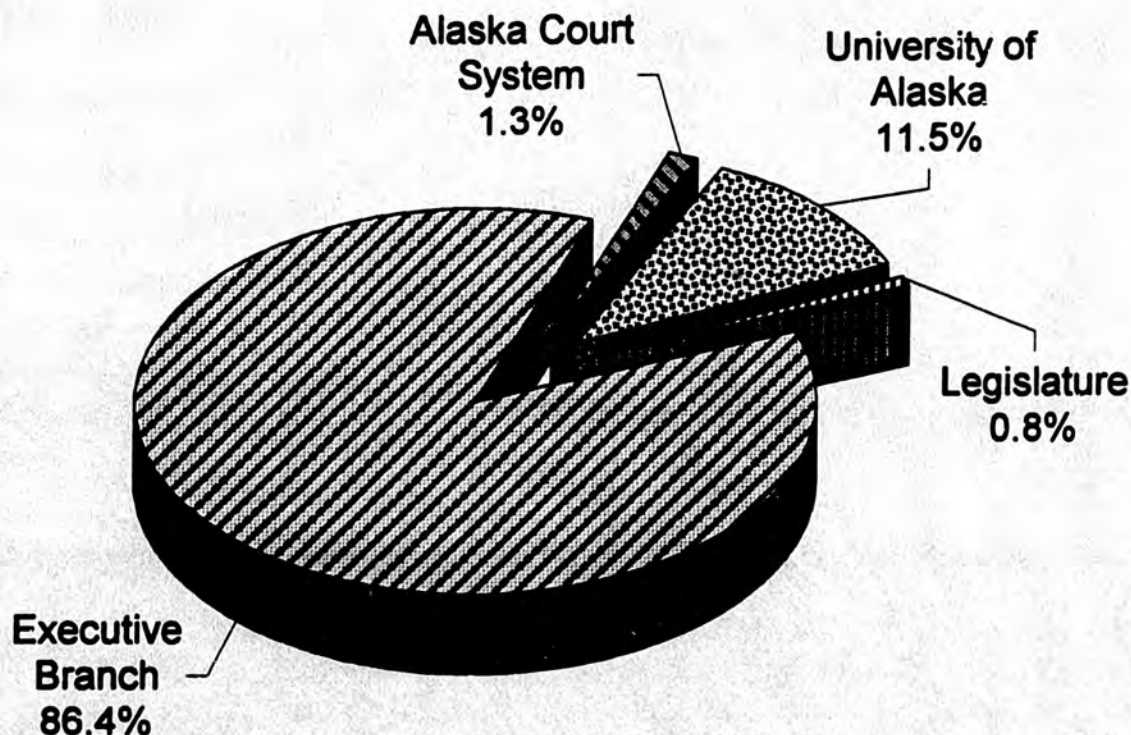
The actual expenditures incurred by the court system during fiscal year 1998 were \$48,653,000. These expenditures were incurred as follows: Appellate Courts, \$4,002,600; Trial Courts, \$38,438,700; and Administration \$6,211,700.

Personnel costs of \$37,767,700, represent approximately 78% of the total operating budget. Expenses for rent, maintenance, utilities, janitorial services and insurance on court facilities in fifty-nine locations across the state amounted to \$3,980,800. Jury fees totaled \$1,097,800. Due to the distances between courts, approximately \$1,055,000 was spent for travel including judicial, administrative, conference and juror transportation and living expenses. Other operating expenses of the court, including commodities, phones, postage, equipment rental, leasehold improvements and new equipment make up approximately \$4,751,700 of the annual expenditures.

Revenues generated by the courts are deposited in the state general fund, except those originating from municipal ordinance violations, which are disbursed to the respective municipalities. During fiscal year 1998, the court system collected \$5,859,600 in revenues. Revenues from fines and for-

feitures totaled \$3,649,100. Civil case filing fees (\$100 superior court, \$60 district court, \$25 small claims) totaled \$1,538,400. Clerical fees (notary, transcript, copies) and other miscellaneous receipts amounted to \$291,700. Cost recoveries totaled \$20,300 and interest on investments totaled \$360,100.

State of Alaska Fiscal Year 1998 Percentage of Operating Budget



Total State Operating Budget = \$3,837.6 million

BEYOND THE COURT SYSTEM

There are three separate branches of government created in the United States and Alaska Constitutions: the legislative branch, the executive branch and the judicial branch. This pamphlet outlines the functions of Alaska's judicial branch of government, which is more commonly called **the court system**.

This pamphlet discusses the roles of justices, judges and magistrates in the court system. However, many persons work within the justice system but **are not** part of the court system. For example:

- (1) A **plaintiff** is the person (or group, or corporation, etc.) who first brings a case to court and starts the court action.
- (2) The **defendant** is the person (or group, or corporation, etc.) who is on the other side of the dispute that the plaintiff has brought to court.
- (3) A **peace officer** or **enforcement officer** (for example, a policeman or state trooper) is someone who is responsible for maintaining order, enforcing the law, and preventing and detecting crime. A peace officer is **not** part of the judicial system.

A peace officer works in the executive branch of government in the Department of Public Safety or for a city government. He or she may appear in court as a **witness** or as a **prosecutor**, but a peace officer is not a part of the judicial branch of government.

- (4) A **lawyer** (also called an **attorney**, **counsel** or **counsellor**) is a person who is trained in legal matters, licensed to practice law, and who acts on behalf of other people in legal matters. The person a lawyer appears for is called the **client**. A lawyer's main duty is to his or her client, although the lawyer must also meet other obligations. (For example, a lawyer cannot knowingly make a false statement in court, even though the client may want him to.)

Some lawyers who hold special positions have special titles. A lawyer who is appointed by the court to represent a defendant in a criminal case because the defendant is too poor to hire his or her own lawyer is usually a lawyer employed by the Public Defender Agency, and is called an **Assistant Public Defender**. The lawyer who usually represents the State of Alaska in a criminal case is an **Assistant District Attorney**. Any lawyer who represents the plaintiff in a criminal case may be called the **prosecutor** or the **prosecuting attorney**. A lawyer who represents the State of Alaska in civil cases is usually called an **Assistant Attorney General**.

WHAT IS A COURT CASE?

A court case is simply a dispute that goes to court. The court is asked to decide (1) what the facts are, and (2) how the laws of Alaska apply to those facts. There are two main kinds of cases: **civil cases** and **criminal cases**.

Civil law is the law that deals with relationships between individuals. (A corporation is an "individual" under the law.) Civil suits are between private persons, such as a suit by one person to collect a debt from another person. (The word "suit" simply means "civil court case" and the word "sue" means to start a civil lawsuit.) The State of Alaska, just like an individual, can bring a civil action. An example of a civil case many people know about is a civil suit resulting from an automobile accident. One person sues another person for damages to his car or to himself from the accident. Some other kinds of civil cases are suits to collect money, suits for divorce and suits to recover property.

Criminal law is the law under which the federal, state, city or borough government brings a case against a person who has done something against the interest of **all** people. The government charges an individual with violating a criminal law or ordinance (city law) and brings a court action to punish and rehabilitate a person for what he did, so that he and other people will not do those kinds of acts in the future. The charging of a person with a crime and bringing him to trial is called a **prosecution**. The prosecution for all cases under the criminal law must be brought in the name of the federal, state, city or borough government, even though the case may be started by the complaint of a private person who is called the **complainant**. Some examples of crimes are murder, assault, disorderly conduct and drunk driving.

A person can do something which can result in both criminal and civil actions. For example, a person who steals a snow machine and wrecks it could be prosecuted by the state for the crime of theft and sued in a civil action for damages by the owner of the snow machine. The state, through the use of the courts, could bring a criminal action to punish the person by fining him, putting him in jail or both. The owner could demand in a civil court case that the thief pay him for the snow machine he destroyed.

1. Dist. data bases not reachable outside of district
- Need review by "Records Mgmt. Specialist."

Cindy
Marshall

2. Judges 6 no. rule - revise for Supremos

3. 12K criminal files, 11K civil + microfiche + family

!! process SERVING BY P.O. instead of process server.

5. RFP's for records mgmt.

Judges need authority to order mediation
Mediation agreements need to be in writing.

B. Trevi - "collectors" of judgments / restitution

"CAW" Dept. - should look at this

"Spend 1 day in jail - lose decision. Should be assigned to VICTIM.
Priority of attachments..."

*

Collections

Assigned of PFD is -

ARB/MED

Sept 8

Susan
Di Pietro

ANCHORAGE TRIAL COURT DIVISIONS

CIVIL DIVISION

The Anchorage Civil Division is responsible for processing all civil, small claims, and trial court appeal cases.

- Civil cases are actions brought to enforce, redress, or protect private rights. Examples of civil cases are:

Dissolutions/Divorces
Forcible Entry & Detainer
General Debts
Contracts
Change of Name

Medical/Legal Malpractice
Domestic Violence
Property/Auto Damage
Wrongful Death
Post Conviction Relief

- Small Claims cases are action brought before a special court which provides expeditious, informal, and inexpensive adjudication. The jurisdiction is limited to collection of small debts and accounts. The proceedings are very informal with parties normally representing themselves. A person can attempt to recover money or personal property worth \$7,500 dollars or less.
- Appeals are cases in which a party seeks review by a higher court of a decision by a lower court or administrative agency. An appeal is not a new hearing or trial and the appeals court will not accept any new evidence.

The case managers and legal technicians in the Civil Division are responsible for processing all paperwork that is filed for any civil, small claims or appeals case. They manage the cases from the day they are filed until the cases are closed. There are approximately 10,000 civil cases, 5,000 small claims cases, and 600 administrative appeals cases filed each year.

The Civil Division is located on the first floor of the Nesbett Courthouse.

CRIMINAL DIVISION

The Anchorage Criminal Division is responsible for processing all superior and district court cases for Anchorage and Whittier. This includes misdemeanor and felony cases.

- Misdemeanors are less violent crimes or involve less property loss and are punishable by imprisonment for no more than one year. Misdemeanors are heard in the district court.

- Felonies are a more serious crime and are punishable by imprisonment for more than a year. Initial proceedings in felony cases may be heard by the district court, however, trials in felony cases are held at the superior court level.

The Pre-Trial Services section of the Criminal Division reviews the financial status of litigants to determine if they qualify for a court-appointed attorney and makes a recommendation to the court. Most litigants interviewed by the Pre-Trial Services section are defendants in criminal cases, however, there are some litigants in children's proceedings, civil, and paternity cases who are interviewed for court appointed counsel.

There are approximately 11,000 criminal cases filed each year. There are between 6,000 and 7,000 closed cases that are reactivated each year due to post-judgment activity such as petitions to revoke probation.

The Criminal Division is also responsible for processing the exoneration and forfeiture of bail/bonds, suspended imposition of sentence, and overdue fines.

The Criminal Division is located on the first floor of the Nesbett Courthouse.

CUSTOMER SERVICE DIVISION

The Customer Service Division is responsible for providing assistance and information to attorneys, litigants and the general public in all aspects of the Anchorage Trial Courts.

The division is organized into the following areas:

- **The Front Counter.** Staff at the front counter assist the public by answering questions regarding all aspects of the Anchorage Trial Courts. They receive and review new civil and small claims complaints and issue summonses. They create a computer record for each of the 5,000 small claims cases and 8,000 civil cases new cases filed each year. They pull files for the public to review and make copies of files when requested.
- **The Switchboard.** The switchboard operator receives an average of 4,000 calls per month. The operator provides assistance to the callers or redirects the call to the appropriate division. The operator is also responsible for inventory and control of the lost and found for all Anchorage court facilities.
- **The Research Room.** The research room has five computer terminals, four microfilm machines, two microfiche readers, limited reference materials, and two copiers available for public usage. A customer service clerk is available in the area to assist the customers with the machines, materials, and to answer questions.
- **The Tape Duplication Office.** This section is responsible for storing all tapes from court proceedings and making copies of these tapes as requested from the public and court staff. There are two listening machines available for customers to listen to the tapes of court proceedings. The office is located in the basement in Room B-6 of the Nesbett Courthouse.

The Customer Service Division is located on the first floor of the Nesbett Courthouse.

DOMESTIC VIOLENCE DIVISION

The Domestic Violence Division provides information and assistance to the general public, attorneys, and internal employees regarding matters related to domestic violence issues.

The staff is responsible for preparing files, journal, and data entry in compliance with established laws, rules, policies, and procedures. There are approximately 3,000 cases filed each year and over 500 modifications.

Domestic violence cases can be filed 24 hours a day, seven days a week.

The Domestic Violence Division is located on the first floor of the Boney Courthouse.

IN-COURT CLERK DIVISION

The In-Court Clerk Division is responsible for operating and monitoring the electronic recording equipment in the courtroom. During the proceeding the In-Court Clerk takes log notes of what is said and done during the proceeding. The main responsibility as an In-Court Clerk is to make sure an accurate recording is made. The tapes are the official record of court proceedings [Administrative Rule 35 (a)] and will be used by judges and lawyers to review what happened at the proceedings. In addition, the In-Court Clerk is responsible for processing court orders and distributing paperwork during and after the proceedings.

In summary, the In-Court Clerk is responsible for the following:

- Preparing the courtrooms
- Announcing the opening of court
- Administering oaths
- Assisting in jury selection
- Keeping track of jury attendance
- Maintaining witness lists
- Marking and safekeeping exhibits
- Announcing the closing of court
- Labeling and security of tapes
- Filing log notes
- Other duties as required by individual courts (e.g., preparing and distributing other forms, keeping track of matters taken under advisement, etc.)

It is important that the In-Court Clerk conduct themselves in a professional manner in the courtroom. The In-Court Clerk should always try to maintain a neutral attitude and treat everyone (including criminal defendants) with courtesy. So as not to disturb or influence other persons (including jurors and witnesses) in the courtroom, it is also important that the In-Court Clerk control their facial expressions, especially during jury

trials. In addition, the In-Court Clerk must maintain confidentiality about confidential proceedings.

The In-Court Clerk Division is located on the fourth floor of the Nesbett Courthouse.

JURY CLERK DIVISION

The Jury Clerk Division is responsible for operating and monitoring the jury selection for Petit and Grand Jury qualifications. The Anchorage Trial Courts summons over 750 jurors per week, 52 weeks a year for Petit Jury and 300 jurors quarterly for Grand Jury service. Three panels of jurors are selected randomly to serve every third week for three months.

The Jury Clerk Division is responsible for the following:

- Qualification of jurors
- Preparing juror selection card for trial month
- Preparing questionnaires and selection cards of the trial week
- Processing incoming questionnaires
- Summons reminders and excusal postcards
- Research for income correspondence
- Limitation of jury service
- Deferral of jury service
- Protection for employee on jury duty
- Jury list
- Juror check-in
- No-show letters
- Jury panel
- Impaneling the trial jury
- Verdicts
- Pay entry and verify pay warrants
- Internal and external customer service

The Jury Clerk Division is located on the second floor of the Nesbett Courthouse.

RECORDS DIVISION

The Records Division is responsible for maintaining file control throughout the Nesbett and Boney Courthouses, collecting new filings with the court, executing copy requests, providing the judges with files for daily hearings, mailroom functions, and exhibit control.

The Records Division is located on the first floor of the Nesbett Courthouse.

TRAFFIC & MINOR OFFENSES DIVISION

The Traffic & Minor Offenses Division processes all state citations and any municipal citation that a citizen may wish to bring before the court.

The jurisdiction is determined by the maximum penalty that can be imposed, non-jailable offenses with fines normally less than \$300, and those offenses with a demerit point value of less than 12.

The division, in conjunction with the district court magistrates, operates independently from the rest of the court system with the exception of accounting functions. The division is open to the public through a front counter which accepts payments, requests for court appearances, and provides general information. Other internal processes include, opening and closing cases, calendaring, default judgments, bench warrants, and all other supporting procedures as required by statute, code, ordinances, regulations, and rules.

The Traffic & Minor Offenses Division is located on the third floor of the Boney Courthouse.

TRIAL COURT ACCOUNTING DIVISION

The Trial Court Accounting Division is responsible for monitoring, maintaining, and disbursing funds according to the Alaska statutes and court rules. These funds are deposited with the court by way of executions, garnishments, restitutions, bail, and civil deposits (court orders).

The Trial Court Accounting Division prepares daily bank deposits including monies receipted by Probate, Traffic, Appeals, and the Customer Service Counter. These funds are deposited to state and municipal revenue accounts as well as a state trust account. Files are reviewed for proper documentation prior to release of funds.

The Trial Court Accounting Division issues over 15,000 writs of execution each year on civil, small claims, and criminal cases. This includes writs for the Permanent Fund Dividend. Each October over 4,500 receipts for the PFD are generated. We research each file for disbursement of funds, manually generate checks, and posting to ledgers in a timely manner.

Always following the customer service standards, the Trial Court Accounting Division responds to a large variety of questions (in writing, in person or telephonically) from the public concerning Alaska statutes and court rules without giving legal advice along with maintaining communications with all other court offices.

The Trial Court Accounting Division is located on the fifth floor of the Nesbett Courthouse.

ANCHORAGE TRIAL COURTS: 1998 YEAR-END STATISTICS

Trial Court Accounting

- Number of files worked by TCA 39,000
- Checks Disbursed 17,240 (1400 per month)
- Writs of Executions Issued 8,007
- Total Amount disbursed by TCA \$10,851,855.87
 - PFD Monies Received \$ 4,193,695.83 (4,129 cases)
- **Goals Reached:**
 - 90% PFD disbursed by 12/31/98
 - All court orders and bail disbursed within 48 hours after TCA received file

Civil Division

	<u>1997</u>	<u>1998</u>
• New Civil Cases (<i>Includes DV and Appeals</i>)	11,036	11,670
• New Domestic Violence cases	2,796	3,009
• New Appeals (<i>Appeals to District, Superior, COA and Supreme Cts</i>)		459
• Small Claims Cases	4,880	4,472
• Motions filed		9,920 (40 per day)
• Cases prepared and sent to Microfilm		11,767
• Small Claims prepared and sent to Microfilm		5,215

Goals Reached:

- New papers matched to files by 10 a.m. on day following filing
- Files worked by case managers within 3 days of receipt
- Motions worked by legal techs within 3 days of receipt. Starting January '99, this goal has been amended: Motions and default judgments to be worked within 4 days of receipt.

Criminal Division

	<u>1997</u>	<u>1998</u>
• New cases	10,576	11,118
• Post-Judgment and Out-of-Town Cases	6,473	10,989
• Cases in Judgment for Costs Entered	4,482	6,050
• Cases worked and sent to microfilm		9,406
• Search Warrants Filed	1,178	1,429
• Delinquent Fine Transferred for Collection	State: \$ 697,273	City: \$1,865,020

Customer Service Division

- Total Customers Assisted 60,500*
 - Customers Assisted in Research Room 17,055*
 - Calls through Switchboard 37,200 (150 per day)*
 - Tapes Duplicated 10,912
 - Files Pulled for Customer Reviewed 60,000*
- (*Estimated numbers extrapolated from a 1-month sampling.)

In-Court Division

- Arraignment files worked 22,828 (Approximate)
- D.C. Daily and Add-On Calendar 37,200 (Approximate)

Traffic Division**1997****1998**

• Citations filed	32,909	33,906
• Citations closed	24,311	39,305
• Arraignments	11,637	9,087
• Trials Scheduled	5,636	9,473
• Trails Called	4,469	8,503
• Bench Warrants Issued	16,617	21,181
• Out-of-Town citations Worked	1,137	741
• Default Judgments Entered	N/A	3,621 (Oct.-Dec.)
• Number of Delinquent Fines Transferred	3,581	7,457

Records

• Substitute Files Recreated from Microfilm	1,700
• Cases Rerefled	337,695* (Estimated)
• Files Pulled for Calendar (Does not include in-custody arraignments)	66,006
• Expedited Motions (Does not include those filed in-chambers)	1,909
• Research/Copy Requests (Does not include requests completed at front counter)	33,986
• Files sent to Microfilm	7,225
• Mail metered (Does not include March statistics)	256,318

Jury Office

• Jury Questionnaires Sent		29,250 (700 per week)
• # Excused/Returns/Not Answered	13,711 (352/week) 47%	
	(Not Answered 5,928 (152/week) 20%)	
• Deferred:		6745 (173/week) 23%
• Qualified Jurors		8,794 (225/week) 30%
• # Available – Previously Deferred)		1,562 (40/week) Manually
		Total: 10,356 (265/week)
• Jury Trials Reported:		
Coroner's	1	Superior Court Civil 21 (1 fold)
District Court Criminal	58 (3 folds)	Superior Court Criminal 55 (5 folds)
District Court Civil	5	Superior 6-Juror Civil 1
		Superior Court Children's 3
• Jury Costs:		
Grand Jury	\$ 56,647.40	
Petit Jury	\$234,865.00	
Meals/Travel/Lodging	\$ 43,704.88	

Prepared by Charlene Dolphin, Clerk of Court
and Cindy Marshall, Chief Deputy Clerk
January 14, 1999

Memorandum

Alaska Court System

204 Mission Road, Kodiak, AK 99615-9987

Tel: (907) 486-1623

Fax: (907) 486-1660

TO: Kathi Yeotis, Director
Court Custody Investigator's Office

FROM: Donald D. Hopwood, Superior Court Judge, Kodiak *D*

DATE: November 16, 1998

RE: Child Custody Investigation Services in Kodiak

This memorandum responds to your request of October 29, 1998 for additional information about child custody cases in Kodiak that might be referred to the court custody investigator. Please also refer to my earlier memorandum to Wendy Lyford, Third District ACA, regarding your budget request for travel to Kodiak.

Attached are two letters from Kodiak attorneys who represent low income parents in child custody cases. I asked local attorneys to send me their views about the investigator's travel for inclusion in this memorandum.

I estimate the number of cases referred each year to be 8-12. That number could increase once people know that the custody investigator is available in Kodiak.

The income range of the parents generally would be \$0 to about \$25,000 each (possibly more, depending upon the amount of debt and expenses). This is slightly higher than the income eligibility set out in Standing Order 3AN-AO-96-03 because the cost of living in Kodiak is substantially higher than in Anchorage. Also, the combined income cap in the standing order often is not realistic because the parents are maintaining two households, not one, in these cases.

I would consider ordering the parents to pay something toward the cost of the custody investigation. This likely would be on a sliding scale basis, which should be for the assigned judge to determine. Judges routinely use their discretion and judgment to determine how much in costs and attorney's fees parties pay in civil cases, administrative appeals, appeals to the superior court from the district court, and some criminal cases. I see no reason that we cannot do so for custody investigator expenses. What we do not need is a mandated fee schedule.

Memo, K. Yeotis
page 2

You asked about the effects of delay by having only 2-3 custody investigator trips to Kodiak each year, and how services can be better provided. The delay is unacceptable and the services are inadequate.

The delay is not acceptable because 1) children are at stake. Delay in these cases leaves them and the parents with uncertainty, which leads to stress, and continued disputes and turmoil; and 2) administrative goals for concluding cases within certain time frames will be frustrated.

Funding should permit a custody investigator to visit Kodiak 5 or 6 times per year if there are cases to investigate. John Hanscom's detailed expense accountings of his trips over the years should provide a reliable per day or per trip cost. In the overall scheme of things, the cost of these trips in a year is not that much. I might note that some additional economy in rental car expense might be available by using a DOT vehicle or possibly arranging for use of the adult or juvenile probation officers' vehicles here for home visits.

The several thousand dollars for 5-6 trips is an essential expenditure. We are talking about the custody of children when the parents can not sort it out and often do not have the money to even hire an attorney. The judges must have the investigator's timely observations and recommendations to decide legal and practical issues about raising children. We see cases where unrepresented parents, after filing a dissolution or divorce on their own, just quietly go away and do their own private custody arrangements because the system does not work for them.

Custody investigator travel funding raises some fundamental issues about access to justice that the court system has difficulty resolving on a day-to-day basis. I have to wonder why we must scrape and scratch for a few thousand dollars for this purpose but tens of thousands of dollars appeared for accoustic tiles on the ceilings of the new Anchorage courthouse, when the funding is available for extensive remodeling of administrative offices in the Snowden building and the Boney courthouse, when the personnel office nearly doubles in staffing, and when the parking lot around the admin building is paved in a year that there was "no money" for child custody investigators to come to some rural court sites.

The current discussion of access to the courts still is given only lip service when decisions are made about running the trial courts. In this case, we must ask why people in the rural areas must pay for services that people in Anchorage get for no cost. Access is difficult enough for divorcing parents who are indigent or nearly so without erecting the barriers of delay and money. Unfortunately,

Memo, K. Yeotis
page 3

many funding decisions in the past have not recognized this. It is time that funding priorities change to favor delivery of trial court services. Paying for the custody investigators to travel to Kodiak and other courts is one item that should be funded each year.

Finally, two groups in the child custody system are exceptions to the problems, and they should be commended highly. The first are the investigators who have worked Kodiak cases over the years, all of whom are dedicated, who work smart, who make it work under the most difficult of circumstances, and who even have advanced their personal funds for travel expenses to Kodiak. The second group are the private attorneys who do their level best to provide representation for people who have nowhere to turn, who take case after case for no or low pay, and who slog through pro bono service in its truest form. Not funding travel expenses inappropriately shifts the cost and difficulties of custody investigations to these people.

R

Memorandum

Alaska Court System

204 Mission Road, Kodiak, AK 99615-7312

Tel: (907) 486-1623

Fax: (907) 486-1660

TO: Wendy Lyford, Area Court Administrator
FROM: Donald D. Hopwood, Superior Court Judge, Kodiak
DATE: August 11, 1998
RE: Kodiak Travel Budget Request By Court Custody Investigator

Katherine Yeotis has informed me that the court custody investigator's office recently requested travel funds for fiscal year 2000 to travel to Kodiak. I fully support that request, and ask that it be given some priority.

The custody investigator's office conducts custody investigations upon appointment by the Superior Court when parties in custody disputes do not have the funds to pay for a private investigator. We have an estimated four to ten of these cases each year, and the need for an investigation is high. Because of Kodiak's location, the custody investigator does not have the funds or travel authorization to come to Kodiak, and the parties and their children must travel to Anchorage for personal interviews. Unfortunately, these people are often unable to do that because they are indigent and simply do not have the funds for airline tickets and possible lodging in Anchorage.

Over the past three years Kodiak has experienced fewer people willing and able to do custody investigations even on a full fee basis. No one is available to do them on a reduced or nominal fee basis. This results in some custody investigations being substantially delayed, or accomplished by inadequate means.

I will attempt to encourage the Kodiak bar to use the court custody investigator when their clients can pay and share the expense of travel. We did this until about two years ago when staffing limitations in the investigator's office prevented them from travelling to Kodiak, even when the expenses were paid by the parties. If we resume this practice, then we can make even better use of the custody investigator at less expense to the court system because, hopefully, some of the expenses will be paid by litigants who can afford to pay pro rata share. I think this will result in the best of all worlds; nonetheless, often it will require that some of the travel expenses be paid by the court system. Accordingly, I recommend highly that the travel budget request be approved.

Page 2
Ltr - Wendy Lyford
August 11, 1998

Thank you for your consideration of our needs in Kodiak in domestic relations cases.

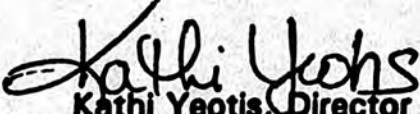
A handwritten signature, possibly "K. Yeotis", written in dark ink.

Copy to:
Katherine Yeotis, Director, Custody Investigator's Office
Magistrate Anna Moran
Clerk of Court Lori Wade

MEMORANDUM

July 14, 1998

TO: All Third Judicial District Family Court Judges and Masters

FROM: 
Kathi Yeotis, Director
Custody Investigator's Office

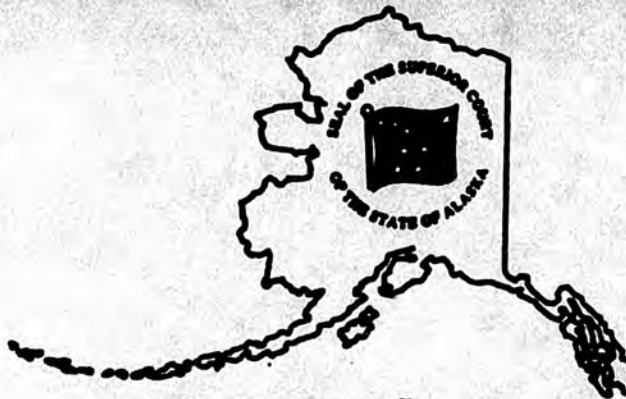
**REGARDING: New Report Format
Expedited Custody Investigations**

The Custody Investigator's Office recently completed a one day workshop on report writing. We are attempting to develop a standard format for custody investigation reports that will, hopefully, provide information in a clearer and more concise format. Most reports written beginning in mid-July will be in the new format. We plan to use this format over the next six months, at which time we will make necessary adjustments. Since our purpose is to provide information that assists the Court in making a custody/visitation determination, I would appreciate feedback on the new format, both positive and negative. Alternative suggestions are welcome.

We are also experiencing an increase in emergency domestic violence referrals and expedited custody investigations. While we will make every effort to complete these within the directed time frame, we have limited time set aside to perform these emergency investigations. It would be helpful to us, if you would have your office contact us before setting a Court date, sometimes as little as one additional week will enable us to do a thorough job. Also, if the matter is expedited, it needs to be noted on the Order For Custody/Visitation Investigation and the parties should be directed to contact us within two working days, rather than the ten days permitted in the standard language of the Order. This change just needs to be penciled in.

As always, please feel free to contact me if there are any concerns regarding this Office.

**cc: Hon. Elaine Andrews, Presiding Judge
Wendy Lyford, ACA**



Superior Court
State of Alaska
THIRD JUDICIAL DISTRICT

FILED/RECEIVED
IN THE CHAMBERS OF
JUDGE DONALD D. HOPWOOD
Superior Court, State of Alaska
Third Judicial District at Kodiak

Time 4 PM
Date 3/24/99
Initials JS

CUSTODY INVESTIGATOR'S OFFICE
(907) 264-0428
FAX (907) 264-0522

303 K Street, Room 275
Anchorage, Alaska 99501-2083

CUSTODY INVESTIGATORS
Katherine Yeotis, Director
John Hanescom
Bobbi Gibson
Susan Arth
Lea Hamilton

March 22, 1999

Mr. [REDACTED]

Mr. [REDACTED]

Mr. [REDACTED]

Ms. [REDACTED]

Mr. [REDACTED]

Ms. [REDACTED]

3KO 97-502 CI

3KO 97-404 CI

3KO 98-260 CI

Dear Counsel, Mr. [REDACTED] Ms. [REDACTED] and Ms. [REDACTED]

The purpose of this letter is to advise you that I will be unable to come to Kodiak in April as planned. Ms. [REDACTED] never provided her portion of the funds for the trip. The addition of Mr. [REDACTED] to the list made it possible for the trip to occur without Ms. [REDACTED]'s participation; however, the Chya/Holcomb (another case scheduled to be addressed) matter settled at the last minute which again left us short of funds to complete the travel. The delay in notification of settlement in this matter led to the loss of an airfare that would have allowed the travel to occur. (On 3/19 the fare was \$109, on 3/22 it was \$224.)

Without including Ms. [REDACTED], the total cost of the trip is about \$740, for the three remaining Kodiak parties. It is anticipated that three days would be needed in Kodiak as there are nine interviews that need to occur. This cost per person would be \$246. Mr. [REDACTED] Mr. [REDACTED] and Mr. [REDACTED] have sent checks for \$194, based on earlier estimates. The additional funds (\$47 per party) must be received in this office before any travel will be scheduled. Please advise me as to how you wish to proceed with this matter. If Ms. [REDACTED] wishes to participate, she must provide the entire \$247 amount. If I have not heard otherwise by April 2, 1999, I will return the checks to the parties who issued them.

I apologize for any inconvenience this may cause; however if the total funds are not advanced, we can not travel. If you have any questions, feel free to contact me.

Sincerely,



Katherine Yeotis
Custody Investigator

cc: Court files 3KO-97-502 Civil
3KO-97-404 Civil
3KO-98-360 Civil

Hon. Fred. Torisi
Hon. Donald Hopwood

8/18/99

TO DEPT. LAW

1. Dept. of Law does
collection for the
Court System -

2. ARBITRATION referral increases

require court to brief and allow med/
arbit. of civil cases

3. Family Court System
- Child Custody Cases -

4. Jerry L - publicize mtgs.

Court System Subcommittee
Commission on Privatization and Delivery of Government Services
Agenda
August 25, 1999
12:00 PM
Chairman: Ken Peavyhouse

1) ROLL CALL OF TELECONFERENCE SITES

- a) Juneau _____
- b) Fairbanks _____
- c) Kenai _____
- d) Other _____

2) ROLL CALL OF MEMBERS

3) REVIEW MINUTES OF PREVIOUS MEETING

4) OLD BUSINESS

- a) Update Focus On Panel Issues
- b) Arbitration – Don Rogers

5) NEW BUSINESS

- a) Family Law
- b) Other – Q& A with Court Sytem Contact – Doug Wooliver
- c) Court System Tours
- d) Around the Horn

6) NEXT MEETING DATE AND TIME – September 1, 12:00 PM (every Wednesday @ Noon until further notice)

7) ADJOURNMENT

**Commission of Privatization and Delivery of Government Services
Court System Subcommittee**

Date / Time: August 18, 1999 / 12:00 noon

Place: LIO Office, Room 220 – Anchorage, AK

Attendees:

Cowdry, John	(Anchorage)
Harris, Joyce	(Fairbanks)
Jarvi, "B"	(Fairbanks)
Peavyhouse, Ken	(Anchorage)
Palmer, Kathy	(Anchorage)
Rogers, Don	(Anchorage)
Rollins, Charles	(Fairbanks)
VanHatten, Colleen	(Fairbanks)
Wooliver, Doug	(Anchorage)

Rep. Cowdry's Staff:

Pignalberi, Marco
Higgins, Debbi

Absentees:

Adams, Al	(Juneau)
Gibson, Susan	(Kenai)
Tamagni, Al	(Anchorage)

TOPICS OF DISCUSSION

Housekeeping

- ☐ Ken Peavyhouse will give a reminder call or email to all members prior to each meeting.
- ☐ Kathy Palmer will chronicle the meetings and email notes to members.
- ☐ There is a file drawer in Room 210 (Anchorage LIO) containing files for each subcommittee. All of our documents will be kept there.
- ☐ The report of this subcommittee is due to the Commission by the last week of October, 1999.
- ☐ We will meet at noon every Wednesday until our report is complete.

Goal

- ☐ Overall, we need to find areas where the cost and efficiency of delivering Court System services can be improved by privatization.

Possible issues to assess for privatization

- ☐ Arbitration: Could the Court inform people that privatized arbitration is available up front, thereby reducing trial costs? If not, why not?
 - Doug Willover will write a white paper outlining how the Court currently uses arbitration.
 - Don Rogers will contact the American Arbitration Association in Seattle to ask how other states handle arbitration.
- ☐ Family law: How are family law issues (particularly children's cases) handled? Might there be a streamlined way to deliver those services?

Other

- ☐ Doug Willover will arrange a tour of the Court for Anchorage committee members. He will contact a Court representative in Fairbanks to arrange a tour for members there.

Court System Subcommittee Membership							
Peavyhouse	Ken	333-4881	N/A	N/A	pvhouse@alaska.net	333-4881	
Adams	Al	465-3707	465-4821	Alaska State Legislature - Senate	Senator_Al_Adams@legis.state.ak.us		Juneau
Gibson	Susan	262-1840	262-6163	Paralegal		262-4853	Kenai
Harris	Joyce	456-8702	456-8702 call	Court Visitor Services	harris@mosquito.net	456-8702	Fairbanks
Jarvi	"B"	458-8850	458-8860	Professional Guardian Services Corp	jarvi@ptialaska.net	457-1500	Fairbanks
Palmer	Kathy	787-8546	787-8018	CTG	Palmerks@alyeska_pipeline.com	274-8293	
Rogers, M.D.	Don	349-9104	522-5405		N/A	349-9104	
Tamagni	Al	522-3108	562-1366		atamagni@alaska.net		
VanHatten	Colleen	488-4524	488-2822	Alaska Contracting & Consulting	acc@mosquitonet.com	488-4023	Fairbanks
Wooliver	Doug	264-8265	264-8291	Alaska Court System - Contact	dwooliver@courts.state.ak.us	346-1129	

TRANSACTION REPORT

P. 01

AUG-24-1999 TUE 10:29 AM

BROADCAST

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
AUG-24	10:06 AM	919074654821 (907)	1' 05"	3	SEND	OK	118	
	10:26 AM	92626163 -versus	**' **"	0	SEND	BUSY	118	
	10:09 AM	919074588860	1' 30"	3	SEND	OK	118	
	10:10 AM	97878018	1' 03"	3	SEND	OK	118	
	10:12 AM	95225405	51"	3	SEND	OK	118	
	10:13 AM	95621366	5' 18"	3	SEND	OK	118	
	10:28 AM	919074882822	1' 18"	3	SEND	OK	118	
	10:19 AM	92648291	1' 13"	3	SEND	OK	118	

TOTAL : 12M 18S PAGES: 21



and Delivery of Government Services

www.privatizealaska.org

NOTICE OF SUBCOMMITTEE MEETING

Subcommittee Name:

Court System

Chairperson: Mr. Ken Peavyhouse

Phone: 333-4881

Committee Members:

Ken Peavyhouse	Kathy Palmer
Al Adams	Don Rogers M.D.
Susan Gibson	Al Tamagni
Joyce Harris	Colleen Van Hatten
B Jarvi	Doug Wooliver

Date:

Wednesday, August 25, 1999, 12:00 P.M.

Wednesday, September 1, 12:00 PM

Wednesday, September 8, 12:00 PM

Wednesday, September 15, 12:00 PM

Wednesday, September 22, 12:00 PM

Wednesday, September 29, 12:00 PM



and Delivery of Government Services

www.privatizealaska.org

NOTICE OF SUBCOMMITTEE MEETING

Subcommittee Name:

Court System

Chairperson: Mr. Ken Peavyhouse

Phone: 333-4881

Committee Members:

Ken Peavyhouse	Kathy Palmer
Al Adams	Don Rogers M.D.
Susan Gibson	Al Tamagni
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Date:

Wednesday, August 25, 1999, 12:00 P.M.

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Wednesday, September 15, 12:00 PM

Wednesday, September 22, 12:00 PM

Wednesday, September 29, 12:00 PM

Wednesday, October 6, 12:00 PM

Wednesday, October 13, 12:00 PM

Wednesday, October 20, 12:00 PM

Place:

Legislative Information Office

716 W. 4th Avenue

Second Floor Conference Room

Juneau, Fairbanks & Kenai LIO Teleconference Available

If you have any questions please call Representative John Cowdery's office at 269-0222
or Senator Wards office at 269-0106.

The web site has a current list of members and schedule of meetings posted
daily!

www.privatizealaska.org

716 W. 4th Ave. Anchorage, AK 99501

Senator Jerry Ward: 907-269-0107 Fax 907-269-0109

Representative John Cowdery: 907-269-0222 Fax 907-269-0223



and Delivery of Government Services

www.privatizealaska.org

NOTICE OF SUBCOMMITTEE MEETING

Subcommittee Name: **Court System**
Chairperson: Mr. Ken Peavyhouse
Phone: 333-4881

Committee Members:

Ken Peavyhouse	Edward Leon
Al Adams	Don Rogers M.D.
Susan Gibson	Al Tamagni
Joyce Harris	Colleen Van Hatten
B Jarvi	Doug Wooliver

Court House Tours Available in Anchorage, Fairbanks, & Kenai. Wednesday, September 1, 11:00 AM, Court House Lobby (regularly scheduled meeting will follow tours at the LIO's)

Date:

Wednesday, September 1, 12:00 PM

Wednesday, September 8, 12:00 PM
Wednesday, September 15, 12:00 PM
Wednesday, September 22, 12:00 PM
Wednesday, September 29, 12:00 PM
Wednesday, October 6, 12:00 PM
Wednesday, October 13, 12:00 PM
Wednesday, October 20, 12:00 PM

Place:

Legislative Information Office
716 W. 4th Avenue
Second Floor Conference Room
Juneau, Fairbanks & Kenai LIO Teleconference Available

We encourage you to bring a brown bag lunch to the meeting if you would like.

If you have any questions please call Representative John Cowdery's office at 269-0222 or Senator Wards office at 269-0106.

The web site has a current list of members and schedule of meetings posted daily!

www.privatizealaska.org

716 W. 4th Ave. Anchorage, AK 99501
Senator Jerry Ward: 907-269-0107 Fax 907-269-0109
Representative John Cowdery: 907-269-0222 Fax 907-269-0223

**Commission of Privatization and Delivery of Government Services
Court System Subcommittee**

Date / Time: August 25, 1999 / 12:00 noon
Place: LIO Office, Room 220 – Anchorage, AK

Attendees:

Harris, Joyce	(Fairbanks)
Jarvi, "B"	(Fairbanks)
Peavyhouse, Ken	(Anchorage)
Palmer, Kathy	(Anchorage)
Pignalberi, Marco	(Anchorage)
Rogers, Don	(Anchorage)
Rollins, Charles	(Fairbanks)
VanHatten, Colleen	(Fairbanks)
Wooliver, Doug	(Anchorage)

Absentees:

Adams, Al	(Juneau)
Gibson, Susan	(Kenai)
Tamagni, Al	(Anchorage)

TOPICS OF DISCUSSION

Arbitration and Mediation

- ☐ The topic of Alternate Dispute Resolution (ADR) will be separated into two topics:
 - Arbitration – Don Rogers will lead research and discussion.
 - Arbitration – "B" Jarvi will lead research and discussion.
- ☐ Doug Wooliver will provide details on two pilot projects under ADR grants.

Other

- ☐ The tours of Anchorage and Fairbanks courts are scheduled for next Wednesday, September 1, from 11:00-12:00. The regular meeting will be held following the tours.
- ☐ Doug Wooliver will invite Susanne DiPietro from Alaska Judicial Council to attend and speak at our meeting on September 8.
- ☐ Marco Pignalberi will verify that the Judicial branch has a different payroll scale than that of the Executive branch.

Department of Health & Social Services Subcommittee Membership							
Taurianan	Mike	262-4624	262-5777	Northern Test Lab	commak@worldnet.att.com	262-5777	Soldotna
Andress	Kathy	283-9003	283-8118	Bio Cycle Alaska	comfzone@ptialaska.net		Kenai
Andrews	Mark	452-8251 x3177	459-3953	Tanana Chiefs	mandrews@tananachiefs.org	474-8063	Fairbanks
Brown	Kelly	452-2300	452-2307	Representative from the union of DHSS workers	kelly@asea.fbx.mxmail.com		Fairbanks
Caswell	Lynn	276-5590	258-1091	Catholic Social Services	lcaswell@css.ak.org	688-4284	
Derr	Laraine	586-1790	463-3573	AK Hospital & Nursing Home Assoc.			Juneau
Foutz	Paul	272-1196	272-4850	O'Connor & CO., P.C.		561-0048	
Franz	Charles	235-8101	235-0253	Homer Hospital			Homer
Gilleen	Jerri	276-2131	276-0946	Muscular Distrophy Assn., Director	j_gilleen@hotmail.com		
Grasse	Don	786-0218	786-0270	General Mgr., K&L Distributors	dgrasse@ptialaska.net		
Hagevig	Rosemary	463-6151	586-9018	Catholic Community Services, Exec Director	rosemaryhagevig@ccsjuno.com		Juneau
Keller	Wes	694-6683	694-1015	Representative Dysons Office - SOA		376-6115	Eagle River
Kibby, Esq.	Richard	583-0373	583-5083				
Lindstrom	Elmer	465-1613	465-3068	Dept Health & Social - Dept Contact			Juneau
Lorenz	Clyde	457-7106	456-8245	Families First	Rynniva_Moss@legis.state.ak.us	457-7106	Fairbanks
Majewske	Marie	333-0717	N/A	North East Community Center	nonolnak@aol.com		
Maltman	David	269-8991	269-8995	HESS	david_maltman@health.state.ak.us		
O'Neil	Gloria	265-5917	265-5996	CEO, Cook Inlet Tribal Council	goneill@citci.com	230-0346	
Sandvik	Helvi	265-4149	265-4123	NANA Development	helvi.sandvik@nana-dev.com		
Moss	Rynniva	456-5081	456-8245	Rep Coghill	Rynniva_Moss@legis.state.ak.us	488-6583	
Villamides	Sylvia	258-6538	258-6526	Anchorage Neighborhood Health	silviav@anhc.org		
Clarke	Janet	465-1630	465-2499	Dept Health & Social - Dept Contact	Janet_Clarke@health.state.ak.us	789-3741	Juneau
Trafford Calder	Scott	474-0174	456-8245	Safe Families Inc.	Rynniva_Moss@legis.state.ak.us	474-0174	Fairbanks
Vitale	Vincent		258-7030	Attorney At Law	fiatlux@sinbad.net		
Eldridge	Barry	283-7152	283-7152	Barry Management	lridgebb@ptialaska.net	398-7811	Kenai
Short	Sarah	561-5976	562-8630	Families First	skyler@alaska.net		

www.privatizealaska.org

ABOUT US

NEWS

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The Commission on Privatization and Delivery of Government Services.

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This page was last updated 8/16/99; Direct corrections and technical inquiries to

Web Site Updated Daily

**Great resource for links, meeting
schedules, subcommittee
membership information, and
contact information.**

www.privatizealaska.org

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VanHatten	Colleen	488-4524	488-2822	Former Corrections Officer	acc@mosquitonet.com		Fairbanks
Wooliver	Doug	264-8265	264-8291	Alaska Court System - Contact			

COURT SYSTEM Subcommittee
Contact Information Sheet

Name:

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CONFERENCE CS FOR SENATE BILL NO. 33
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE CONFERENCE COMMITTEE

Offered: 5/14/99

Sponsor(s): SENATOR WARD

REPRESENTATIVE Kohring

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to contracts for the performance of certain state functions
2 previously performed by state employees and to the Commission on Privatization
3 and Delivery of Government Services; and providing for an effective date."

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

5 * Section 1. FINDINGS AND INTENT. (a) The legislature finds that

6 (1) the annual cost of state government is exceeding the annual revenue of the
7 state;

8 (2) the State of Alaska, other states, and the federal government have
9 successfully and substantially reduced government spending and increased government
10 efficiency by contracting with third parties to perform particular state or government functions;

11 (3) there may be functions of our current state government that can be
12 performed more efficiently by any or all of the following entities:

13 (A) nongovernmental or private organizations;

14 (B) local government or regional service organizations;

1 (4) there may be functions that state government should not continue to
2 perform, but should leave to the federal government;

3 (5) there may be state government functions that should be consolidated or
4 otherwise performed more efficiently;

5 (6) there exist state government functions that would be inappropriate to
6 contract out to nongovernmental agencies.

7 (b) The legislature finds it is in the best interest of the state to make a formal
8 determination of which state government functions can and should be transferred entirely to
9 private entities or to local government agencies and whether the state should stop performing
10 some functions for the federal government. The legislature also finds that it is in the best
11 interest of the state to determine which state government functions can be consolidated or
12 otherwise made more efficient.

13 (c) The legislature intends to make the determination set out in (b) of this section in
14 order to reduce dependency on state governmental revenues for the delivery of government
15 services.

16 * Sec. 2. COMMISSION ON PRIVATIZATION AND DELIVERY OF GOVERNMENT
17 SERVICES. (a) There is created in the legislative branch of the state government the
18 Commission on Privatization and Delivery of Government Services. The commission shall
19 consist of 11 members, as follows:

20 (1) one member of the senate appointed by the president of the senate who
21 shall serve as co-chair;

22 (2) one member of the house appointed by the speaker of the house who shall
23 serve as co-chair;

24 (3) one member appointed by the Alaska Municipal League;

25 (4) two public members appointed by the president of the senate, one of whom
26 shall be a representative of a Native corporation established under 43 U.S.C. 1601-1628
27 (Alaska Native Claims Settlement Act);

28 (5) two public members appointed by the speaker of the house, one of whom
29 shall be a representative of a Native corporation established under 43 U.S.C. 1601-1628
30 (Alaska Native Claims Settlement Act);

31 (6) one member appointed by the Alaska State Chamber of Commerce;

1 (7) one member appointed by the American Federation of Labor-Congress of
2 Industrial Organizations;

3 (8) one member from the minority caucus of the house appointed by the
4 speaker of the house;

5 (9) one member from the minority caucus of the senate appointed by the
6 president of the senate.

7 (b) The commission may appoint an advisory council to assist it in carrying out its
8 duties.

9 * Sec. 3. COMPENSATION. (a) The public members of the Commission on Privatization
10 and Delivery of Government Services appointed under sec. 2(a) of this Act are not eligible
11 for compensation but are entitled to per diem and travel expenses authorized for boards and
12 commissions under AS 39.20.180.

13 (b) Members of the advisory council appointed under sec. 2(b) of this Act are not
14 eligible for compensation, per diem, or payment of travel or other expenses by the state.

15 * Sec. 4. MEETINGS. The Commission on Privatization and Delivery of Government
16 Services shall meet as frequently as the commission determines necessary to perform its work.
17 The commission may meet and vote by teleconference.

18 * Sec. 5. DUTIES. (a) The Commission on Privatization and Delivery of Government
19 Services shall

20 (1) review and evaluate the policies and recommendations of other states that
21 are studying or have implemented recommendations to transfer the provision of government
22 services to other entities;

23 (2) review state contracting policy and procedures, including competitive
24 bidding procedures;

25 (3) identify state government functions capable of more efficient performance
26 in the delivery of government services, and determine whether those identified functions could
27 most effectively be provided by

28 (A) transferring to the private sector or contracting out;

29 (B) transferring to local governments or regional service organizations;

30 (C) the federal government;

31 (D) consolidation or other efficiency changes; or

- 1 (E) a combination of the approaches under (A) - (D) of this paragraph;
2 (4) identify state government functions that should be eliminated;
3 (5) identify present state government services that are most effectively and
4 efficiently delivered by the state and that should remain a responsibility of the state;
5 (6) solicit public comment about the delivery of state government services.
6 (b) By January 1, 2000, the Commission on Privatization and Delivery of Government
7 Services shall submit a written report of its findings and recommendations to the governor and
8 the legislature. The report must include suggested legislation that may be needed to
9 accomplish the recommendations. The report must specify which state
10 (1) functions should be transferred to the private sector or contracted out;
11 (2) functions should be transferred to local governments or regional service
12 organizations;
13 (3) agencies or functions should be consolidated or otherwise made more
14 efficient;
15 (4) functions should be performed by the federal government;
16 (5) functions should be eliminated as functions of state government.
17 * Sec. 6. This Act is repealed on January 1, 2000.
18 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

Agency Totals - FY00 Operating Budget

Agency: Alaska Court System

	FY98 Act	FY99 CC	FY99Auth	Gov Amd	House	Senate	ConfComm	FY99Auth to ConfComm	
Totals for Agency	49,699.5	49,373.5	49,717.7	52,712.1	50,240.3	49,375.6	49,720.0	2.3	0.0%
<u>Objects of Expenditure:</u>									
Personal Services	38,433.4	38,221.5	38,164.0	38,621.9	38,171.5	37,602.5	38,171.5	7.5	0.0%
Travel	1,081.3	955.7	960.7	1,049.5	960.7	865.0	639.8	-320.9	-33.4%
Contractual	8,891.2	10,844.4	9,281.2	11,083.2	9,496.3	9,296.3	9,296.9	15.7	0.2%
Commodities	732.6	796.0	806.0	806.0	806.0	806.0	806.0	0.0	0.0%
Equipment	428.7	609.3	279.2	624.9	279.2	279.2	279.2	0.0	0.0%
Lands/Buildings	122.3	206.6	206.6	206.6	206.6	206.6	206.6	0.0	0.0%
Grants, Claims	10.0	0.0	0.0	320.0	320.0	320.0	320.0	320.0	%
Miscellaneous	0.0	-2,260.0	20.0	0.0	0.0	0.0	0.0	-20.0	-100.0%
<u>Funding Sources:</u>									
1002 Fed Rcpts	11.1			315.0	315.0	315.0	315.0	315.0	%
1004 Gen Fund	49,527.3	49,294.2	49,525.8	52,317.8	49,846.0	48,981.3	49,325.7	-200.1	-0.4%
1007 I/A Rcpts	81.8							0.0	%
1037 GF/MH	79.3	79.3	79.3	79.3	79.3	79.3	79.3	0.0	0.0%
1053 Invt Loss			112.6	0.0	-0.0	-0.0	0.0	-112.6	-100.0%
<u>Positions:</u>									
Perm Full Time	658.0	665.0	665.0	671.0	665.0	665.0	665.0	0.0	0.0%
Perm Part Time	49.0	54.0	50.0	53.0	52.0	52.0	52.0	2.0	4.0%
Non-Perm	22.0	26.0	26.0	26.0	26.0	26.0	26.0	0.0	0.0%

Component Summary - FY00 Operating Budget

Agency: Alaska Court System

Page	Budget Component	FY98 Act	FY99 CC	FY99Auth	Gov Amd	House	Senate	ConfComm	FY99Auth to ConfComm	
	Unallocated Reduction									
1	Unallocated Reduction		-2,280.0	0.0	0.0	0.0	-659.4	-298.7	-298.7	0.0%
	* BRU Total	0.0	-2,280.0	0.0	0.0	0.0	-659.4	-298.7	-298.7	0.0%
	Alaska Court System									
2	Appellate Courts	4,002.6	4,026.3	3,980.4	4,054.4	3,980.4	3,980.4	3,980.4	-0.0	-0.0%
3	Trial Courts	38,438.7	40,213.7	38,531.9	40,851.6	38,974.5	38,839.5	38,840.1	308.2	0.8%
4	Administration and Support	6,211.7	6,497.8	6,285.2	6,651.8	6,350.2	6,285.2	6,285.2	-0.0	-0.0%
	* BRU Total	48,653.0	50,737.8	48,797.5	51,557.8	49,305.1	49,105.1	49,105.7	308.2	0.6%
	Commission on Judicial Conduct									
5	Commission on Judicial Conduct	281.0	225.4	226.3	251.3	226.3	224.1	216.3	-10.0	-4.4%
	* BRU Total	281.0	225.4	226.3	251.3	226.3	224.1	216.3	-10.0	-4.4%
	Judicial Council									
6	Judicial Council	765.5	670.3	673.9	883.0	688.9	685.8	676.7	2.8	0.4%
7	Courtwatch		20.0	20.0	20.0	20.0	20.0	20.0	0.0	0.0%
	* BRU Total	765.5	690.3	693.9	903.0	708.9	705.8	696.7	2.8	0.4%
	*** Total Agency Expenditure	49,699.5	49,373.5	49,717.7	52,712.1	50,240.3	49,375.6	49,720.0	2.3	0.0%
	Federal Funds	11.1			315.0	315.0	315.0	315.0	315.0	%
	General Funds	49,606.6	49,373.5	49,605.1	52,397.1	49,925.3	49,060.6	49,405.0	-200.1	-0.4%
	Other Funds	81.8		112.6	0.0	-0.0	0.0	0.0	-112.6	-100.0%

legislature. The duration of such appointments shall be prescribed by law.

ARTICLE IV. THE JUDICIARY.

SECTION 1. JUDICIAL POWER AND JURISDICTION. The judicial power of the State is vested in a supreme court, a superior court, and the courts established by the legislature. The jurisdiction of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

SECTION 2. SUPREME COURT.

(a) The supreme court shall be the highest court of the State, with final appellate jurisdiction. It shall consist of three justices, one of whom is chief justice. The number of justices may be increased by law upon the request of the supreme court.

(b) The chief justice shall be selected from among the justices of the supreme court by a majority vote of the justices. His term of office as chief justice is three years. A justice may serve more than one term as chief justice but he may not serve consecutive terms in that office.

SECTION 3. SUPERIOR COURT. The superior court shall be the trial court of general jurisdiction and shall consist of five judges. The number of judges may be changed by law.

SECTION 4. QUALIFICATIONS OF JUSTICES AND JUDGES. Supreme court justices and superior court judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law. Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

SECTION 5. NOMINATION AND APPOINTMENT. The governor shall fill any va-

cancy in an office of supreme court justice or superior court judge by appointing one of two or more persons nominated by the judicial council.

SECTION 6. APPROVAL OR REJECTION.

Each supreme court justice and superior court judge shall, in the manner provided by law, be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each supreme court justice shall be subject to approval or rejection in a like manner every tenth year, and each superior court judge, every sixth year.

SECTION 7. VACANCY. The office of any supreme court justice or superior court judge becomes vacant ninety days after the election at which he is rejected by a majority of those voting on the question, or for which he fails to file his declaration of candidacy to succeed himself.

SECTION 8. JUDICIAL COUNCIL. The judicial council shall consist of seven members. Three attorney members shall be appointed for six-year terms by the governing body of the organized state bar. Three non-attorney members shall be appointed for six-year terms by the governor subject to confirmation by a majority of the members of the legislature in joint session. Vacancies shall be filled for the unexpired term in like manner. Appointments shall be made with due consideration to area representation and without regard to political affiliation. The chief justice of the supreme court shall be ex-officio the seventh member and chairman of the judicial council. No member of the judicial council, except the chief justice, may hold any other office or position of profit under the United States or the State. The judicial council shall act by concurrence of four or more members and according to rules which it adopts.

SECTION 9. ADDITIONAL DUTIES. The judicial council shall conduct studies for improvement of the administration of justice, and

make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years. The judicial council shall perform other duties assigned by law.

SECTION 10. COMMISSION ON JUDICIAL CONDUCT. The Commission on Judicial Conduct shall consist of nine members, as follows: three persons who are justices or judges of state courts, elected by the justices and judges of state courts; three members who have practiced law in this state for ten years, appointed by the governor from nominations made by the governing body of the organized bar and subject to confirmation by a majority of the members of the legislature in joint session; and three persons who are not judges, retired judges, or members of the state bar, appointed by the governor and subject to confirmation by a majority of the members of the legislature in joint session. In addition to being subject to impeachment under Section 12 of this article, a justice or judge may be disqualified from acting as such and may be suspended, removed from office, retired, or censured by the supreme court upon the recommendation of the commission. The powers and duties of the commission and the bases for judicial disqualification shall be established by law.

SECTION 11. RETIREMENT. Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.

SECTION 12. IMPEACHMENT. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

SECTION 13. COMPENSATION. Justices, judges, and members of the judicial council and the Commission on Judicial Qualifications shall receive compensation as prescribed by law. Com-

pensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State.

SECTION 14. RESTRICTIONS. Supreme court justices and superior court judges while holding office may not practice law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions. Any supreme court justice or superior court judge filing for another elective public office forfeits his judicial position.

SECTION 15. RULE-MAKING POWER. The supreme court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil and criminal cases in all courts. These rules may be changed by the legislature by two-thirds vote of the members elected to each house.

SECTION 16. COURT ADMINISTRATION. The chief justice of the supreme court shall be the administrative head of all courts. He may assign judges from one court or division thereof to another for temporary service. The chief justice shall, with the approval of the supreme court, appoint an administrative director to serve at the pleasure of the supreme court and to supervise the administrative operations of the judicial system.

ARTICLE V. SUFFRAGE AND ELECTIONS.

SECTION 1. QUALIFIED VOTERS. Every citizen of the United States who is at least eighteen years of age, who meets registration residency requirements which may be prescribed by law, and who is qualified to vote under this article, may vote in any state or local election. A voter shall have been, immediately preceding the election, a thirty day resident of the election district in which he seeks to vote, except that for

SUGGESTED OUTLINE FOR SUBCOMMITTEE REPORTS

I. Agency & Department Name

II. BRU and Component Names as listed in state budget

III Total Budget, all funds

- identify fund sources

IV. Total Revenue derived

- net cost/income to state

V. Identify Constitutional and Statutory Provisions Governing Agency Operation.

VI. Agency Mission, Goals and Objectives

- do reality check

VII. Number of Employees

- Identify Specialized Expertise Needed for Mission

VIII. Describe Technology Used to Perform Mission

- Identify Specialized Equipment Needed for Mission

IX. List Existing Agency Contracts including amount, contractor, purpose, term, and procurement method.

X. Identify Existing Privatization Practices, if any. Evaluate them for effectiveness and public accountability.

XI. Make Recommendations per Section 5 in SB 33, including suggestions for new legislation.

XII. Explain rationale for each recommendation, the number of votes for and against it.

XIII. List problems or barriers to implementing proposed privatization.

8/25/99

Court System Subcommittee Membership							
✓ Peavyhouse	Ken	333-4881	N/A	N/A	pvhouse@alaska.net	333-4881	
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Gibson	Susan	262-1840	262-6163	Paralegal		262-4853	Kenai
✓ Harris	Joyce	456-8702	456-8702 call	Court Visitor Services	harris@mosquito.net	456-8702	Fairbanks
✓ Jarvi	"B"	458-8850	458-8860	Professional Guardian Services Corp	jarvi@ptialaska.net	457-1500	Fairbanks
✓ Palmer	Kathy	787-8546	787-8018	CTG	Palmerks@alyeska_pipeline.com	274-8293	
✓ Rogers, M.D.	Don	349-9104	522-5405		N/A	349-9104	
Tamagni	Al	522-3108	562-1366		atamagni@alaska.net		
✓ VanHatten	Colleen	488-4524	488-2822	Alaska Contracting & Consulting	acc@mosquitonet.com	488-4023	Fairbanks
✓ Wooliver	Doug	264-8265	264-8291	Alaska Court System - Contact	dwooliver@courts.state.ak.us	346-1129	

+ CHUCK ROLLINS

Court System Subcommittee
Commission on Privatization and Delivery of Government Services
Minutes
September 29, 1999 Meeting

Roll Call:

Harris
Jarvi
Rogers
Rollins
Tamagni
Vanlatten
Willford
Wooliver

The sub-committee members began with looking at issues that were presented at the prior meeting due to the absence of all Anchorage members the prior week.

Chuck reviewed the Pro Se litigants issues: Doug reported that there is currently a \$100,000 grant for the Anchorage area for a ProSe litigant center. Apparently this is a grant that has been recently received. The issue of the variety of forms used by the different judicial districts was again discussed. Doug expressed the opinion that the courts forms are currently pro se friendly, however there was not wide acceptance of the opinion. There is a forms committee which is addressing the issues of making the court forms uniform throughout the State. The issue of an integrated computer network was mentioned as a means of assisting in this area. Chuck gave as example his research on the Federal pro se clerk and how that process works.

Shirly gave a report on her prior research into the collections process with 4 Assistant AG's doing collections. It appears that if someone show up at the court house attempting to pay a delinquent fine, they are referred to the Dept. of Law in Anchorage and are not allowed to pay the fine. This is an area where a mechanism can be set up for the collection of these fees. It was determined that a referral will be made to the Law Sub-committee to follow through on this area. Doug provided information as to why the division of collections required so many employees re: it is the centralized collection agency for all State agencies.

"B" reported on her investigations into the collection of fees for court appointed attorneys. This reverted back to the collections unit of the Dept. of Law. Doug provided a hand out on the regulations governing this collection process. The research revealed that the court system does have mechanisms in place, however the Office of Public Advocacy does not. The OPA falls under the Dept. of Admin. and a referral will be made to this subcommittee to follow through on research on this income stream.

Doug reported that the computer system upgrades are all ready moving along.

The computer system was discussed at length. The need to upgrade and for the court system to appropriate funds on an annual basis to continue these upgrades. Roger suggested that we have the computer expert from the court system speak with the sub-committee. Doug agreed to make the arrangements.

"B" reported on the collection of court appointed attorney fees. Once again the discussion lead to Dept. of Law and collections for court appointed attorneys, however the Office of Public Advocacy court appointed attorneys do not appear to have a collection mechanism in the probate sector. This will be referred to the Dept. of Admin. for follow up.

Don introduced the subject matter of committees within the court system. Doug agreed to provide a hand out on all the current standing committees. Don agreed to follow up on research in this area.

Al requested a copy of the court system budget and will provide a break-down for the full sub-committee. Al introduced the area of purchasing/ discounts and how bills are paid by the court system. He requested information of how fees are collected and what fees are collectable. Al will follow up on this area. Doug will attempt to get the procurement officer for a sub-committee meeting.

The meeting was adjourned at 1:15pm.

RESOURCES

- 1 of 2

September 22, 1999

Privatization Commission
Court Subcommittee Minutes
Drafted by Marco Pignalberi

1. Shirley Willford reported on **COLLECTION OF FINES**. In Fairbanks, the court collects fines directly paid to them, but, all other others go to a collections office in the Dept. of Law. This office has nine people including 4 ass't attorney generals. About 25% of the court imposed fines go to the Dept. of Law.

We'd like to get more information on the back log of fines not paid. Need info for each judicial district. By what measure can we tell if Dept of Law is doing a good job collecting fines. Do they keep an 'aged accounts' listing like a business does for unpaid bills. Why can't we privatize these collection tasks.

According to a court employee in Fbx, they do not make their own **DEPOSITS**. They must send everything to Anchorage and Anchorage makes the deposits. This seems like a waste of interest income. Contact in Anchorage is Susan Wenton 269-6600.

All employees, everywhere in the court system, complain about their **OUTMODED COMPUTER SYSTEM**. It wastes time and causes them to incur extra costs for phone and repairs. Their not connected to other districts. We want to hear from the Court's computer operations chief.

The committee would like the Dept. of Law and/or Court system to report on these issues.

2. Joyce Harris reported on issues relating to **COURT APPOINTED LAWYERS**. It seems that the court appoint attorneys for people without verifying their financial need. Then, the attorneys bill the state directly without ever trying to recover costs from their clients. The state pays without checking on the ability of the client to pay their own fees. This situation seems to be worse in Fairbanks than in Anchorage. There is no standardization of policy on court appointed attorneys among all the judicial districts. Why not?
3. Chuck Rollins selected the issue of **PRO SE** litigants, (self -representation). We want to make it easier for people to represent themselves. We need an explanation of how the system works now, i.e., what hoops does a person have to jump through to represent him/herself in court. Then, what does the court system suggest to make it easier. We want to make small businesses eligible for **PRO SE**, too.
4. Colleen Van Hatten is investigating policies and practices of **RESTITUTION PAYMENTS** to victims. Restitution is often a court imposed condition of probation. But, Probation Officers, who handle 100 or more probationers, can't keep up and

usually ignore restitution issues. What are the policies in place for the Probation Officers relating to restitution payments. Why can't we privatize the restitution collections? Corrections Committee is not dealing with this, so Marco is asking the Department to send someone to our next meeting to discuss it.)

This investigation gave rise to a new issue: Troopers have a backlog of unserved warrants, especially those relating to collection of state debts and restitution. (Marco will refer this to Public Safety Committee, Debra Luper)

5. Joyce Harris and B Jarvi agreed to co-chair the subcommittee for the remainder of the work to be done. We extend our thanks to Ken Peavyhouse for getting us this far in fine fashion.

END OF NOTES

Court System Subcommittee
Commission on Privatization and Delivery of Government Services
Minutes
September 22, 1999 Meeting

Roll Call:

Harris
Jarvi
Rollins
VanFlatten
Willford
Marco

Shirley reported on her research into the payment of fines. She reported that her investigations revealed the approx. 75% of fines are voluntarily paid in a timely manner. The outstanding 25% is referred to a special unit in the Department of Law. It was determined that this information should be referred to the subcommittee on the Law Dept. for further assessment due to have such a large number of attorneys devoted to collections.

Colleen reported on her research into the area of probations and how probation officers interact with the court system, can the systems be stream lined? Her report lead back into a discussion of the computer systems and how upgrades in that area will help to streamline the flow of information between the courts and probation. Colleen also researched the area of victim restitution which falls to the probation. We once again came back to the computer system and how an integrated system would assist with the flow of information back to the sentencing judges.

"B" reported on her investigations into the collection of fees for court appointed attorneys. This reverted back to the collections unit of the Dept. of Law. Doug provided a hand out on the regulations governing this collection process. The research revealed that the court system does have mechanisms in place, however the Office of Public Advocacy does not. The OPA falls under the Dept. of Admin. and a referral will be made to this subcommittee to follow through on research on this income stream.

Joyce reported on her findings of a lack of standard of forms and general procedures between the judicial districts.

Chuck reported on Pro Se services within the court. Two issues were discussed: 1) the potential for a designated ProSe law clerk who would assist individuals. 2) Currently due to Probate Rules Corporations are prohibited from ProSe representation. A sub-committee member was going to address the issue of recommending changes to the probate rules committee.

Court System Subcommittee
Commission on Privatization and Delivery of Government Services
Minutes
September 15, 1999 Meeting

Roll Call

Special Guest Speakers: Kris Conquergood and Dan Chey.

Kris and Dan discussed what is currently being used in the State of Alaska in alternative dispute resolution.

Both Kris and Dan have volunteered to draft a letter to the subcommittee regarding what they believe can be improved upon with help from the subcommittee. Their letter will include points regarding cost effectiveness of alternative dispute resolution as well as alternative ways of funding.

Subcommittee Members choose a specific area of interest to focus their attention. Each topic will be researched by the individual / group and information brought back to the main subcommittee for discussion and clarification of issues which are discovered.

The following is a list of subcommittee members and their area of interest.

Chuck:	Pro Se and system interaction court system interaction with law makers
"B":	Restitution to the court system for attorney fees (court appointed) Fines. How much is being collected and how to stream-line collection.
Colleen	Probation ; How the court interacts with probation and how can this area be streamlined. Is probation being overused?
Joyce:	Family law and child protective services. How can this area be stream l ined. Privatization of the Child Custody investigator, would it be cost effective?
Shirley:	Fines and collections. What are the current mechanisms? How are outstanding warrants being handled and how can this area be stream lined? Family restitution, how the court interacts with other agencies to meet these judgments.
Susan :	Pro Se system and how it's working. Interviewing court employees to get their opinions and perspective on what could be improved in their areas.
Mike:	Computerized system: How to update that and the general computer venue currently in existence.
Ken:	Alternative Dispute Resolution.
Don Rogers:	Alternative Dispute Resolution.

Meeting was adjourned 1:15 PM

Pension Services Int'l., Inc.520 E. 34TH AVENUE, SUITE 303, ANCHORAGE, ALASKA 98503-4118
PHONE: 907-562-3938 • FAX: 907-562-1366**FAX TRANSMITTAL COVER SHEET**DATE: 10/20/1999SENT FROM: (907) 562-1366SENDER'S NAME: AL TAMAGNI, SR.**RECEIVER INFO:**NAME: MARCO

COMPANY: _____

FAX #: 209-0223NUMBER OF PAGES, INCLUDING THIS COVER: 6COMMENTS: MARCO - PRELIMINARY LEIBW
at Budget and contracts with
Comments for TODAY call**IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT THIS OFFICE AS SOON AS POSSIBLE.**

BUDGET REVIEW OF ALASKA COURT SYSTEM

YEAR REQUESTED 2000 OPERATING BUDGET
PERIOD JULY 1, 1999 THRU JUNE 30, 2000

	<u>Amount</u>	<u>% of Total</u>
1. Total Budget all Sources:		
Appellate Courts:	\$4,054,400.00	07.8183
Trial Courts:	\$40,851,600.00	78.7762
Administration:	\$6,651,800.00	12.8270
Grants	\$300,000.00	00.5785
TOTAL:	\$51,857,800.00	100.0000 %
2. Source of Funds:	Legislative Appropriation: 100%	
3. Revenue Unrestricted to General Fund:		
Miscellaneous:	\$303,500.00	
Filing Fees:	\$1,600,600.00	
Fines & Forfeitures:	\$3,749,300.00	
Cost Recovery:	\$47,200.00	
Service Fees:	\$21,100.00	
Interest earned on Bank Accounts:	\$374,600.00	
TOTAL:	\$6,218,200.00	
4. Ratio of Expense to Income:	8.33 to 1	
5. Difference between Expense and Income:	\$45,639,600.00	
6. Number of Employees:	726 + or -	
7. List of Contracts of \$5,000.00 or more:	See Attached Exhibit "A" (1-3)	

BUDGET AND OPERATIONAL SUGGESTIONS

1. Explore Lease vs. Purchase on all equipment, in particular electronic and technological modes. This would allow most technological equipment to be updated on a 3, 4 or 5 year period.
2. Hold line on additional personnel, except technological until conversion is made to new state wide computer system modalities.
3. Increase Recording fees: Last change was made in March of 1991.
4. Increase All uniform commercial code filing fees: Last change was made in March of 1991
5. Legislature should periodically review all fines and assessments for inflation considerations.
6. Court System upon installation of new computer system modalities, should implement use of credit card transactions in all courts, and related entities for all types of services. This should be reviewed as to installation and maintenance by the private sector. This should reduce man hours, transaction time and costs, and increase cash investment return sufficient to offset cost of the program.
7. Legislature should review Judicial Retirement System as to implement a new tier, currently those benefits exceed 25% of Salary in relationship to other employees of about 8%.
8. The Appellate and Superior Courts need to reduce the backlog of cases in a more timely manner to meet national standards and provide better service to the public. This can be accomplished while still maintaining prudence and quality.

**Alaska Court System
FY 99 Contracts > \$5,000**

A-1

Contract Type	Vendor	Location	99 Total Amount	How Acquired
Courier	John Hastie & Co.	Bethel	\$7,700	3 or More Quotes
Courier	Express Delivery	Anch Admin/Trial Court	\$8,715	3 or More Quotes
Copier/Rental	Xerox	Anch Admin	\$9,576	State Contract #27703
Snow Removal	Starr Trucking	Palmer	\$9,880	RFP/2 Yr Option/Final 8/99
Snow Removal/Lawn Care	ASSETS	Anch Admin	\$10,242	Negotiated/2 Yr Option
Landscaping	Mike's Landscaping	Palmer	\$10,406	RFP/2 Yr Option /Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Nesbett Bldg	\$12,366	RFP/2 Yr Option/Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Boney Bldg	\$21,021	RFP/2 Yr Option/Renewal 3/00
Snow Removal	Currier's Asphalt	Anch Admin/Trial Court	\$21,496	RFP/2 Yr Option/Renewal 6/00
Janitorial	Universal Floor Care	Palmer	\$31,700	RFP/2 Yr Option/Renewal 12/31/99
Janitorial	Frontier Training	Kenai	\$35,182	RFP/1 Yr Option/Renewal 10/99
Janitorial	ASSETS	Anch Admin	\$59,700	RFP/Renegotiated 5/99
Security	Guardian Security	Fairbanks	\$90,275	RFP-001-95/5 Yr Option
Janitorial	ASSETS	Anch Boney Bldg	\$138,866	RFP/Renegotiated 10/99
Transcription Svcs	All Vendors	All Courts	\$205,342	RFP's
Security	Guardsmark	Anch Admin/Trial Court	\$283,033	RFP-002-94/5 Yr Option
Janitorial	ASSETS	Anch Nesbett Bldg	\$350,754	RFP/Renegotiated 1/99

Capital Leases as of June 30, 1999

Alaska Court System

Completed By Linda Creed

Date 8-Aug-99

A.2

Vendor	Description of Item	Prior Year Balance	Increases	Decreases / Payments	Balance of Payments Remaining
Xerox	Copier 5028 681-493903	663.00	1,325.00	1,325.00	663.00
Xerox	Copier 5028 681-497484	1,280.00	1,860.00	1,731.00	1,419.00
Xerox	Copier 5085, 6VW-011682	6,150.00	6,300.00	6,300.00	6,150.00
Xerox	Copier 5085, 6VW-200504	6,150.00	6,300.00	6,300.00	6,150.00
Xerox	Copier 5052, 6VW-108584	3,181.00	2,360.00	2,361.00	3,180.00
Xerox (replaced 6VW-108584)	Copier 5085, 6VW-013088	3,967.00	3,932.00	3,933.00	3,966.00
Xerox	Copier 5085, 6VW-108540	3,967.00	3,932.00	3,933.00	3,966.00
Xerox	Copier 5085, 6VW-010735	4,204.00	3,932.00	3,932.00	4,204.00
Xerox	Copier 5085, 6VW-200436	3,966.00	3,932.00	3,932.00	3,966.00
Xerox	Copier 5085, 6VW-108567	2,848.00	1,450.00	1,450.00	2,848.00
Copy Star	Copier 2340, 37016646	2,339.00		2,339.00	
Xerox	Copier 5322, 1M2-471867	1,497.00	2,241.00	2,241.00	1,497.00
Sharp	Copier 2050, 66200486	5,628.00		5,628.00	
Sharp	Copier 2040, 66604636	7,772.00		5,468.00	2,286.00
Sharp	Copier 2040, 66602856	7,315.00		5,465.00	1,830.00
Ilkon Office	Copier 4527, 3716831034	7,768.00		4,660.00	3,108.00
Ilkon Office	Copier 4527, 3716830985	7,768.00		4,660.00	3,108.00
Ilkon Office	Copier R400, 3816120061	9,065.00		5,737.00	3,328.00
Alta Financial	Copier 2340, 37021855	3,638.00		3,117.00	521.00
Pitney Bowes	Copier C320, 6092494	4,369.00		3,276.00	1,093.00
Xerox	Copier 5021, 0MWD52864	2,994.00		1,723.00	1,261.00
Xerox	Copier 5021, 0MWD68939	2,303.00		1,631.00	672.00
Ilkon Office	Copier 4522, 3727830261	9,257.00		4,443.00	4,814.00
Ilkon Office	Copier R401, 7207160140	14,226.00		5,606.00	8,340.00
Ilkon Office	Copier R400, 7208020265	16,256.00		5,737.00	10,519.00
Ilkon Office	Copier 3213, 7416810346	3,509.00		1,238.00	2,271.00
EKCC	Reader Printer, 32131298	13,707.00		3,655.00	10,052.00

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of Budget and CONTRACTS WITH
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PERIOD JULY 1, 1999 THRU JUNE 30, 2000

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Miscellaneous:	\$303,500.00
Filing Fees:	\$1,600,600.00
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P. 02/04

Alaska Court System
FY 99 Contracts > \$5,000

A-1

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Courier	Express Delivery	Anch Admin/Trial Court	\$8,715	3 or More Quotes
Copier/Rental	Xerox	Anch Admin	\$9,576	State Contract W27703
Snow Removal	Starr Trucking	Palmer	\$9,880	RFP/2 Yr Option/Final 8/99
Snow Removal/Lawn Care	ASSETS	Anch Admin	\$10,242	Negotiated/2 Yr Option
Landscaping	Mike's Landscaping	Palmer	\$10,406	RFP/2 Yr Option/Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Neebitt Bldg	\$12,366	RFP/2 Yr Option/Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Boney Bldg	\$21,021	RFP/2 Yr Option/Renewal 3/00
Snow Removal	Curtier Asphalt	Anch Admin/Trial Court	\$21,496	RFP/2 Yr Option/Renewal 6/00
Janitorial	Universal Floor Care	Palmer	\$31,700	RFP/2 Yr Option/Renewal 12/31/99
Janitorial	Frontier Training	Kenai	\$35,182	RFP/1 Yr Option/Renewal 10/99
Janitorial	ASSETS	Anch Admin	\$59,700	RFP/Renegotiated 5/99
Security	Guardian Security	Fairbanks	\$90,275	RFP-001-95/5 Yr Option
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Transcription Svcs	All Vendors	All Courts	\$205,342	RFP's
Security	Guardsmark	Anch Admin/Trial Court	\$283,033	RFP-002-94/5 Yr Option
Janitorial	ASSETS	Anch Neebitt Bldg	\$350,754	RFP/Renegotiated 1/99

Capital Leases as of June 30, 1999
Alaska Court System

Date 8-Aug-99
Completed By Linda Creed

Vendor	Description of Item	Prior Year Balance	Increases	Decreases / Payments	Balance of Payments Remaining
Xerox	Copier 5028 684-493803	663.00	1,325.00	1,325.00	663.00
Xerox	Copier 5028 684-497484	1,280.00	1,880.00	1,731.00	1,419.00
Xerox	Copier 5085, BWB-011682	6,150.00	6,300.00	6,300.00	6,150.00
Xerox	Copier 5085, BWB-200504	8,150.00	8,300.00	8,300.00	8,150.00
Xerox	Copier 5052, BWB-108584	3,181.00	2,380.00	2,381.00	3,180.00
Xerox (replaced BWB-10855)	Copier 5085, BWB-013086	2,987.00	3,932.00	3,933.00	3,986.00
Xerox	Copier 5085, BWB-108540	3,987.00	3,932.00	3,933.00	3,986.00
Xerox	Copier 5085, BWB-010735	4,284.00	3,932.00	3,932.00	4,284.00
Xerox	Copier 5085, BWB-200438	3,986.00	3,932.00	3,932.00	3,986.00
Xerox	Copier 5085, BWB-108567	2,848.00	1,450.00	1,450.00	2,848.00
Copy Star	Copier 2340, 37016848	2,339.00		2,339.00	-
Xerox	Copier 5322, 1M2-471867	1,487.00	2,241.00	2,241.00	1,487.00
Sharp	Copier 2050, 58200486	5,626.00		5,626.00	-
Sharp	Copier 2040, 66604838	7,772.00		5,408.00	2,268.00
Sharp	Copier 2040, 66602958	7,315.00		5,485.00	1,830.00
Ilkon Office	Copier 4527, 3716831034	7,768.00		4,660.00	3,108.00
Ilkon Office	Copier 4527, 3716830885	7,768.00		4,660.00	3,108.00
Ilkon Office	Copier R400, 3816120061	9,085.00		5,737.00	3,348.00
Alta Financial	Copier 2340, 37021655	3,638.00		3,117.00	521.00
Pitney Bowes	Copier C820, 6082494	4,368.00		3,276.00	1,092.00
Xerox	Copier 5021, OMW052964	2,984.00		1,723.00	1,261.00
Xerox	Copier 5021, OMW048939	2,303.00		1,631.00	672.00
Ilkon Office	Copier 4522, 3727830241	9,257.00		4,443.00	4,814.00
Ilkon Office	Copier R401, 7207160140	14,228.00		5,666.00	8,562.00
Ilkon Office	Copier R400, 7208020256	16,258.00		5,737.00	10,521.00
Ilkon Office	Copier 3213, 7416810346	3,509.00		1,239.00	2,270.00
EKCC	Reader Printer, 32131296	13,707.00		3,856.00	9,851.00

Capital Leases as of June 30, 1999

Alaska Court System

#3 Date 6-Aug-99
 Completed By Linda Creed

Vendor	Description of Item	Prior Year Balance	Increases	Decreases / Payments	Balance of Payments Remaining
Xerox	Copier 5100, STC-100691	57,845.00		26,805.00	31,040.00
Xerox	Stapler 100, TMO-011162	11,872.00		5,278.00	6,594.00
Xerox	Copier 5565, 6W6-204160	21,546.00		9,575.00	11,971.00
Xerox	Copier 5365, 6W6-310646	24,737.00	1.00	9,575.00	15,163.00
Xerox	Copier DC230, COH-016899	14,557.00		6,236.00	8,321.00
Xerox (replaced COH-0171)	Copier DC230, COH-041658	16,136.00		6,677.00	9,459.00
Xerox	Copier DC220, GEM-042391	12,660.00		5,246.00	7,414.00
Xerox	Copier DC220, GEM-040663	10,868.00		4,571.00	6,297.00
Xerox	Copier DC230, COH-021982	15,213.00		5,532.00	9,681.00
Xerox	Copier 5614, TKU-056442	4,513.00		1,547.00	2,966.00
Xerox	Docutech NP135, W11-037697	164,068.00		44,991.00	119,077.00
GE Capital	Copier 2120, 7650585X		8,655.00	2,644.00	6,011.00
IOS Capital	Copier 401, 7208070327		17,212.00	1,434.00	15,778.00
IOS Capital	Copier 401, 7208120316		17,212.00	1,434.00	15,778.00
IOS Capital	Copier 401, 7208120324		17,212.00	1,434.00	15,778.00
IOS Capital	Copier 401, 7208120325		17,212.00	1,434.00	15,778.00
IOS Capital	Copier 401, 7208120317		17,212.00	1,434.00	15,778.00
Pitney Bowes	Copier C550, 7120244		16,672.00	5,094.00	11,578.00
Pitney Bowes	Copier C550, 6070107		16,672.00	2,778.00	13,894.00
Pitney Bowes	Copier C550, 8060142		16,672.00	3,705.00	12,967.00
Xerox	Copier 5614, ZKU-0077192		5,088.00	1,696.00	3,392.00
Xerox	Duplex 230, COH-031307		22,248.00	1,236.00	21,012.00
	Total	510,388.00	213,663.00	250,293.00	467,768.00

SCOMM

122:46

ALASKA COURT SYSTEM BACKGROUND INFORMATION

I. *Branch of Government*

Alaska Court System

II. *BRU and Component Names as Listed in State Budget*

See attached

III. *Total Budget, all Funds*

See attached

Fund Sources

See attached

IV. *Total Revenue Derived*

See attached

V. *Constitutional Provisions Governing Court System Operations*

Article IV of the Constitution of the State of Alaska

VI. *Court System Mission Statement*

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.

VII *Number of Employees*

648	permanent full-time
48	permanent part-time
21	non-permanent
717	Total

VIII. *Court System Technology*

- Case management system

The case management system technology is based on a distributed network of Pentium class computers running SCO Unix operating system and

**Alaska Court System
Background Information
October 20, 1999**

supporting FALCO terminals (a brand of terminal no longer manufactured). The computers are located in the 28 largest court locations and 24 are connected via the state's wide area network (WAN). Four locations are not connected to the WAN because the state has not tied those locations into the WAN. The courts in those locations are connected via dial-up modems. Another 15 court locations are running standalone Pentium PC's using Windows95 as the operating system and dial-up communications to tie to the rest of the court locations.

The court locations running under Unix have a case management application (RUG) that is an in-house designed and written program from the late 1980's. It is not a true relational database and suffers from the resultant shortcomings. It was made Y2K compliant as of July 1, 1999. The court locations running on PC's have a very limited in-house developed case management application that is designed for low volume magistrate courts, and it also is Y2K compliant.

- **Courtroom Recording Systems**

The court is currently in the process of upgrading the courtroom recording systems. The legacy system is an analog tape recorder and sound reinforcement system built by GYYR, a company no longer in existence. Parts are no longer available and must be manufactured or retrofitted by the court's technical staff. The court is currently deploying a new digital recording and sound amplification system in the 15 largest courts - 88 courtrooms/hearing rooms. The digital recording systems are supported by local area networks (LAN) that tie the computer-based recording in the courtrooms/hearing rooms and the individual workstations in each location together. In addition to the digital recording systems, the court is replacing the sound reinforcement systems with newer mixer/amplifier technology to improve telephonic communications.

- **Hearing Assistance Devices**

Each of the courtrooms is equipped with infrared hearing assistance devices (similar to those utilized in theaters) to provide better service to the court's hearing-impaired users. The hearing devices consist of a transmitter that connects to the sound reinforcement system and individual headsets worn by court customers during court hearings.

- **Video Conferencing**

The courts utilize video conferencing capabilities to conduct arraignments and other allowed hearings between jail facilities and the arraignment courtrooms in three locations.

- **Micrographics**

The court utilized microfilm cameras and reader/printers to archive and access closed court case files. The reader/printer devices are over 12 years

old and badly in need of replacement. The machines use thermal paper to reproduce microfilmed images and the manufacturer of the paper will cease production January 1, 2000 making them only capable of reading. The court is evaluating the most cost-effective alternatives to these machines.

- **Telephones**

The court system relies heavily on telephonic communication to conduct court business with litigants and other court customers throughout the state. The court has upgraded telephones with known Y2K compliance issues and is attempting to find the funding to continue the upgrade of telephone systems in all court locations to digital switches.

IX. *Court System Contracts*

See attached

X. *Privatized Services*

- **Security**

Private contractors provide perimeter security services in Anchorage and Fairbanks. No other courts have perimeter security.

- **Janitorial**

Janitorial services are provided by the lessor in most leased facilities and by separately procured private contractors in all state owned court facilities. In some of the smaller communities the magistrate provides janitorial services.

- **Snow removal**

In most facilities snow removal services are provided by either the lessor or a separately procured private contractor. Starting this winter, snow removal for the court's administrative offices in Anchorage will be provided by the Anchorage Parking Authority (APA). In exchange, the APA uses the lot for fee parking during non-work hours.

- **Transcripts**

Private contractors do transcription of court proceedings.

- **Interpreters for the deaf**

Federal law requires the state to pay for interpreter services for the deaf in all court proceedings. The court system hires local interpreters on an as-needed basis.

**Alaska Court System
Background Information
October 20, 1999**

- **Language interpreters**

Although generally provided by the parties, language interpreters are hired from the local community.

- **Building design and construction**

Building design and construction is provided by private firms/contractors.

- **Building maintenance**

Building maintenance is provided by the state in all state owned facilities and by the lessor in all leased facilities.

- **Mediators for pilot mediation programs**

Private mediators provide mediation for the pilot programs in Child in Need of Aid and custody dispute mediation.

- **Other**

Within the last few years the court system has looked at both the micrographics and printing shops to see if privatization would be economical. Although in the past it has been cheaper to keep both services in-house, they will each be reassessed within the next year.

Alaska Court System FY2000 Budget Information

BRU - Alaska Court System:

FY2000 Budget

Component - Appellate Courts (767)	3,980.4
Component - Trial Courts (768)	38,840.1
Component - Administration & Support (769)	<u>6,285.2</u>
TOTAL Operating Budget	<u>49,105.7</u>

Funding Sources:

General Fund (1004)	48,726.4
General Fund/Mental Health (1037)	79.3
Federal Receipts - Grants (1002)	<u>300.0</u>
TOTAL Funding Sources	<u>49105.7</u>

Revenues:

Filing Fees (64050)	1,600.6
Fines & Forfeitures (65004)	3,749.3
Cost Recovery (65020)*	47.2
Service Fees (64030)**	21.1
Interest Earned on Bank Accounts (65770)	374.6
Miscellaneous (64060)***	303.5
Restricted Revenues (Grant Funds)	<u>300.0</u>
TOTAL Projected Revenues	<u>6,396.3</u>

*Cost Recovery includes revenues from recovery of Public Defender & Public Advocacy costs.

**Service Fees are revenues derived from processing traffic and minor offense citations for local governments.

***Miscellaneous revenues are from notary services, transcription service, and other miscellaneous activities.

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FY 99 Contracts > \$5,000**

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Landscaping	Mike's Landscaping	Palmer	\$10,406	RFP/2 Yr Option /Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Nesbett Bldg	\$12,366	RFP/2 Yr Option/Renewal 3/00
Snow Removal/Lawn Care	ASSETS	Anch Boney Bldg	\$21,021	RFP/2 Yr Option/Renewal 3/00
Snow Removal	Currier's Asphalt	Anch Admin/Trial Court	\$21,496	RFP/2 Yr Option/Renewal 6/00
Janitorial	Universal Floor Care	Palmer	\$31,700	RFP/2 Yr Option/Renewal 12/31/99
Janitorial	Frontier Training	Kenai	\$35,182	RFP/1 Yr Option/Renewal 10/99
Janitorial	ASSETS	Anch Admin	\$59,700	RFP/Renegotiated 5/99
Security	Guardian Security	Fairbanks	\$90,275	RFP-001-95/5 Yr Option
Janitorial	ASSETS	Anch Boney Bldg	\$138,866	RFP/Renegotiated 10/99
Transcription Svcs	All Vendors	All Courts	\$205,342	RFP's
Security	Guardsmark	Anch Admin/Trial Court	\$283,033	RFP-002-94/5 Yr Option
Janitorial	ASSETS	Anch Nesbett Bldg	\$350,754	RFP/Renegotiated 1/99