

State of Alaska
FY2003 Governor's Operating Budget

Department of Law
Criminal Appeals/Special Litigation Component
Component Budget Summary

Component: Criminal Appeals/Special Litigation Component

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

(A) The Office of Special Prosecutions and Appeals (OSPA) represents the state in all felony appellate proceedings challenging convictions obtained in the trial courts, and handles most state and federal post-conviction and habeas corpus proceedings. These post-trial procedures are constitutionally required; when such actions are filed by convicted criminals the state must respond. Without these functions, the efforts of criminal justice agencies to detect and punish crime through investigation, trial, and conviction would be nullified.

(B) OSPA prosecutes economic and other complex crimes. In addition to filing criminal charges and conducting criminal trials, this office also gives day-to-day advice to special "white collar" investigation units. These prosecution services protect private investors, small businesses, and government agencies that are the victims of fraud or other wrongdoing. OSPA also handles civil litigation challenging statutes related to criminal justice, such as sex offender registration, victims' rights, and physician-assisted suicide.

(C) OSPA prosecutes environmental crimes through a reimbursable services agreement with the Department of Environmental Conservation. These prosecution services protect the state's air and water quality by providing advice and assistance to state environmental investigators and by prosecuting appropriate criminal cases.

(D) OSPA prosecutes welfare cheaters through a reimbursable services agreement with the Department of Health and Social Services. These prosecution services protect the state's welfare system.

(E) OSPA prosecutes medical providers who cheat the Medicaid system, through a federal grant and matching state general funds. The unit can institute criminal prosecution for fraud or civil actions for overpayments. In addition, the unit is responsible for investigating and prosecuting abuse of patients in Medicaid-funded facilities.

(F) OSPA prosecutes selected fish and game cases, depending on the importance of the case or the legal issues involved. Funding is provided by the Fish and Game Fund.

(G) OSPA prosecutes criminal child support enforcement matters through a reimbursable services agreement from the Department of Revenue.

(H) OSPA provides services to the entire state with eight appellate attorney positions, two "white collar crime" prosecutors and one environmental crimes prosecutor, one welfare fraud prosecutor, one Medicaid provider fraud prosecutor, one fish and game prosecutor, and a half-time child support enforcement prosecutor.

Component Goals and Strategies

The primary goal of the Office of Special Prosecutions and Appeals (OSPA) is to uphold criminal convictions on appeal and on collateral attack. Additional goals of OSPA are to assure safe and healthy communities by prosecuting and convicting offenders in the many special units now under the supervision of OSPA: (1) complex criminal cases, with special emphasis on "white collar" crime, (2) environmental crimes, (3) child support enforcement, (4) welfare fraud, (5) Medicaid provider fraud, and (6) selected fish and game prosecutions.

Key Component Issues for FY2002 – 2003

Key Issues are included at the BRU level.

Major Component Accomplishments in 2001

Major accomplishments are reflected in the performance measures.

Statutory and Regulatory Authority

AS 44.23.020

Criminal Appeals/Special Litigation Component**Component Financial Summary***All dollars in thousands*

	FY2001 Actuals	FY2002 Authorized	FY2003 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,919.3	2,129.6	2,375.1
72000 Travel	67.6	49.3	83.4
73000 Contractual	196.6	259.4	309.4
74000 Supplies	35.9	42.7	55.0
75000 Equipment	8.6	5.0	18.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,228.0	2,486.0	2,840.9
Funding Sources:			
1002 Federal Receipts	361.3	480.4	488.4
1003 General Fund Match	120.3	158.6	161.3
1004 General Fund Receipts	1,253.9	1,307.9	1,439.4
1007 Inter-Agency Receipts	357.8	412.1	622.6
1053 Investment Loss Trust Fund	9.0	0.0	0.0
1108 Statutory Designated Program Receipts	2.6	0.0	0.0
1134 Fish & Game Duplicated Expenditures	123.1	127.0	129.2
Funding Totals	2,228.0	2,486.0	2,840.9

Estimated Revenue Collections

Description	Master Revenue Account	FY2001 Actuals	FY2002 Authorized	FY2002 Cash Estimate	FY2003 Governor	FY2004 Forecast
Unrestricted Revenues						
Unrestricted Fund	68515	0.6	0.0	0.0	0.0	0.0
Unrestricted Total		0.6	0.0	0.0	0.0	0.0
Restricted Revenues						
Federal Receipts	51010	361.3	480.4	480.4	488.4	488.4
Interagency Receipts	51015	357.8	412.1	612.1	622.6	622.6
Fish and Game Fund	51045	123.1	127.0	127.0	129.2	129.2
Statutory Designated Program Receipts	51063	2.6	0.0	0.0	0.0	0.0
Investment Loss Trust Fund	51393	9.0	0.0	0.0	0.0	0.0
Restricted Total		853.8	1,019.5	1,219.5	1,240.2	1,240.2
Total Estimated Revenues		854.4	1,019.5	1,219.5	1,240.2	1,240.2

Criminal Appeals/Special Litigation Component
Proposed Changes in Levels of Service for FY2003

No changes were made in FY2002, and none are requested for FY2003.

Summary of Component Budget Changes
From FY2002 Authorized to FY2003 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2002 Authorized	1,466.5	480.4	539.1	2,486.0
Adjustments which will continue current level of service:				
-PCN 03-1250 w/ funding from Third Judicial Dist: Anch ADN# 0320113	0.0	0.0	200.0	200.0
-Adjust vacancy by fund source between line items and components ADN# 0320123	19.7	0.0	0.0	19.7
-Year 3 Labor Costs - Net Change from FY2002	33.3	6.3	11.8	51.4
-Adjust vacancy by fund source between line items and components	71.5	0.0	0.0	71.5
Proposed budget increases:				
-Legal Secretary Reclassification	9.7	1.7	0.9	12.3
FY2003 Governor	1,600.7	488.4	751.8	2,840.9

Criminal Appeals/Special Litigation Component**Personal Services Information**

	Authorized Positions		Personal Services Costs	
	<u>FY2002</u> <u>Authorized</u>	<u>FY2003</u> <u>Governor</u>		
Full-time	28	29	Annual Salaries	1,857,279
Part-time	3	3	COLA	56,664
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	532,826
			<i>Less 2.93% Vacancy Factor</i>	<i>(71,701)</i>
			Lump Sum Premium Pay	0
Totals	31	32	Total Personal Services	2,375,068

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	2	0	0	0	2
Assoc Attorney II	1	0	0	0	1
Attorney III	4	0	0	0	4
Attorney IV	6	0	0	0	6
Attorney V	7	0	0	0	7
Attorney VI	1	0	0	0	1
Internal Auditor IV	1	0	0	0	1
Investigator II	1	0	0	0	1
Investigator III	3	0	0	0	3
Law Office Assistant I	4	0	0	0	4
Law Office Assistant II	1	0	0	0	1
Paralegal II	1	0	0	0	1
Totals	32	0	0	0	32