

State of Alaska
FY2010 Governor's Operating Budget

Department of Law
Collections and Support
Component Budget Summary

Component: Collections and Support

Contribution to Department's Mission

The Collections and Support section provides advice and representation to the Child Support Services Division (CSSD) of the Department of Revenue to assist it in the performance of its functions. The section is also responsible for collecting judgments owed to the State of Alaska and restitution on behalf of victims of crimes and delinquent acts.

Core Services

- The collections unit collects unsecured debts owed to the state. The majority of these debts are criminal judgments (fines, cost of appointed counsel, cost of incarceration on Driving While Intoxicated (DWI) charges, and court and collection costs in minor offense cases).
- The collections unit also collects restitution on behalf of victims in criminal and juvenile delinquency proceedings.
- The child support unit represents the CSSD in court, including paternity establishment and disestablishment proceedings, establishment and modification of child support orders, employer non-compliance actions, licensing appeals, and miscellaneous other activities related to enforcement of child support orders.
- The child support unit provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSSD.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: \$2,683,700	Personnel:	
	Full time	23
	Part time	0
	Total	23

Key Component Challenges

The primary challenge for the child support unit will be addressing the emergence of federally funded IV-D tribal child support agencies within Alaska. In March 2007, the federal Office of Child Support approved the Tlingit and Haida Indian Tribes application to operate an IV-D child support agency. It is anticipated the federal government will approve the Aleutian Pribilof Islands Association, Inc.'s application to operate an IV-D tribal child support agency beginning October 2008. Due to the unique legal landscape in Alaska concerning native law, the child support unit is providing additional assistance to the Alaska Child Support Services Division (CSSD) to address legal issues related to tribal child support agencies.

The other challenge for the child support unit will be to accommodate a growing number of requests from CSSD for assistance in more complex enforcement actions and a growing caseload of time consuming support modification requests. Over the past couple of years, CSSD has shifted its focus from establishing paternity and support orders to enforcement of support orders. CSSD places more emphasis on enforcement action, including the use of civil contempt, attachment of assets, fraudulent transfer actions, seek work orders, native dividend and Permanent Fund Dividend (PFD) orders, and criminal non-support. At the same time, actions to modify child support orders have become more time consuming and difficult, with an increase in the number of shared, divided or hybrid custody cases as well as self-employed or voluntarily underemployed parents. The support unit will continue to assist CSSD in updating its regulations to comply with state and federal law as well as current cases decided by the Alaska Supreme Court. Currently, the support unit is assisting CSSD with changes to Alaska law to comply with newly implemented federal regulations addressing medical support.

For the collections unit, the primary challenge will be to implement a new database to efficiently increase money collected for the state and victims of crimes as well as expand the types of judgments the unit can collect. Currently, the unit has three separate collections databases that are cumbersome and lack efficiencies. In addition to collecting other types of judgments, the new database will expand the restitution collection work. Since January 2002 when the unit began collecting restitution, the unit has developed and, over time, improved a streamlined system for processing restitution judgments and collecting and disbursing restitution on behalf of victims. To date, because of limited personnel and the time spent developing the restitution database and staff training, the unit's work has been confined primarily to processing judgments, handling voluntary payments, and garnishing permanent fund dividends. After improving the unit's efficiency through an improved and consolidated database, the unit will be able to move forward with more aggressive collection action, particularly in cases where the defendant's failure to pay is egregious.

Significant Changes in Results to be Delivered in FY2010

Implement a new collections database providing increased efficiency in processing of judgments and payments. This includes decreasing the time to process new judgments to 30 days from the date of receipt.

Increase by 5% the amount of restitution collected for victims of crimes. The goal is to implement a new collections database, allowing for more efficient processing of restitution cases and time to utilize civil enforcement remedies to collect restitution owed to victims.

Timely process child support modification files. The goal for FY 2010 will be to assure that action is taken in 90% of child support modification files within 30 days of receipt of the file from the Child Support Services Division.

Increase the use of civil and criminal enforcement actions in child support cases. The goal for FY 2010 is to increase the number of criminal non-support prosecutions by 5% and the number of cases accepted for civil enforcement action by 5%. The unit will continue assisting CSSD's Special Collections Unit with enforcement actions against obligors with significant child support arrears.

Assist CSSD with changes to federal law on medical support.

Major Component Accomplishments in 2008

The collections unit collected over \$6.8 million in FY 2008, an increase of over \$1 million from FY 2007. These collections included criminal fines, cost of appointed counsel, cost of imprisonment, civil judgments owed to the State of Alaska, and victim restitution. Of this amount, the unit collected and disbursed to victims over \$2 million in restitution. The unit also began collecting a new judgment type, the Correctional Facility Surcharge.

The section resolved and closed over 1,500 child support files in FY 2008, consistent with FY 2007. These files included paternity establishment and disestablishment cases, appeals, bankruptcies, motions for the establishment and modification of child support orders, license suspensions, employer noncompliance claims, and miscellaneous enforcement actions and claims against the State of Alaska. The section completed more than 700 modifications of Alaska child support orders through court proceedings, thus assuring that these support orders comply with the child support guidelines set forth in Alaska Civil Rule 90.3. CSSD referrals for enforcement action, including requests for native dividend and PFD orders, increased. This is consistent with the CSSD trend focusing on enforcement of child support orders.

Statutory and Regulatory Authority

AS 25.27.050, AS 44.23.020

Contact Information

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**Collections and Support
Component Financial Summary**

All dollars shown in thousands

	FY2008 Actuals	FY2009 Management Plan	FY2010 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,777.5	2,062.0	2,142.5
72000 Travel	11.6	21.0	21.0
73000 Services	540.1	474.2	474.2
74000 Commodities	34.8	37.0	37.0
75000 Capital Outlay	19.9	9.0	9.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,383.9	2,603.2	2,683.7
Funding Sources:			
1004 General Fund Receipts	433.3	410.2	417.9
1005 General Fund/Program Receipts	326.8	508.8	520.1
1007 Inter-Agency Receipts	1,623.8	1,684.2	1,745.7
Funding Totals	2,383.9	2,603.2	2,683.7

Estimated Revenue Collections

Description	Master Revenue Account	FY2008 Actuals	FY2009 Management Plan	FY2010 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	1,623.8	1,684.2	1,745.7
General Fund Program Receipts	51060	326.8	508.8	520.1
Restricted Total		1,950.6	2,193.0	2,265.8
Total Estimated Revenues		1,950.6	2,193.0	2,265.8

**Summary of Component Budget Changes
From FY2009 Management Plan to FY2010 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2009 Management Plan	919.0	0.0	1,684.2	2,603.2
Adjustments which will continue current level of service:				
-FY2010 Wage and Health Insurance Increases for Bargaining Units with Existing Agreements	19.0	0.0	61.5	80.5
FY2010 Governor	938.0	0.0	1,745.7	2,683.7

**Collections and Support
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2009</u> <u>Management</u> <u>Plan</u>	<u>FY2010</u> <u>Governor</u>		
Full-time	23	23	Annual Salaries	1,451,668
Part-time	0	0	COLA	57,773
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	737,938
			<i>Less 4.67% Vacancy Factor</i>	<i>(104,879)</i>
			Lump Sum Premium Pay	0
Totals	23	23	Total Personal Services	2,142,500

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	1	0	0	0	1
Administrative Clerk III	4	0	0	0	4
Assoc Attorney I	3	0	0	0	3
Assoc Attorney II	1	0	0	0	1
Attorney III	1	0	0	0	1
Attorney IV	4	1	0	0	5
Attorney V	1	0	0	0	1
Attorney VI	1	0	0	0	1
Law Office Assistant I	2	0	0	0	2
Law Office Assistant II	1	0	0	0	1
Paralegal I	0	1	0	0	1
Paralegal II	2	0	0	0	2
Totals	21	2	0	0	23