

State of Alaska FY2015 Governor's Operating Budget

Department of Administration Legal and Advocacy Services Results Delivery Unit Budget Summary

Legal and Advocacy Services Results Delivery Unit

Contribution to Department's Mission

- Provide legal advocacy and guardian services to vulnerable Alaskans.
- To provide constitutionally mandated legal representation to indigent clients appointed by the court.

Major RDU Accomplishments in 2013

- Ongoing statewide training held for Guardian ad Litem (GAL), contract GALs, and Court Appointed Special Advocates (CASA) continues to be successful in increasing outreach and the number of volunteers for the CASA program.
- Partnerships through the establishment of Memoranda of Agreement with the Kenaitze Indian tribe in Kenai and the Association of Village Council Presidents (Bethel) are flourishing with greater outreach in Kenai and surrounding villages in the YK Delta area. CASA volunteer participation is on the increase as exemplified with the Kenai region having two large graduating CASA classes.
- The Office of Elder Fraud and Assistance (EFA) in cooperation with the Department of Law and the Department of Justice, successfully prosecuted crimes of financial exploitation and abuse of Alaska elders.
- Outreach and training to professionals and lay people concerned with protecting elders from financial abuse continued with consumer protection seminars planned by teaming up with the American Association of Retired Persons (AARP).
- Attorneys and administrative staff participated in creating and presenting ongoing training to the Alaska Court System on proper case appointments to the Office of Public Advocacy (OPA) pursuant to the enabling statute.
- Created an entirely new conflict unit in Southeast Alaska without the addition of any PCNs resulting in a significant savings in contract services. The Juneau Parental and Criminal Defense Unit is anticipated to reduce contract attorney costs by keeping more cases in-house and providing more responsive representation to clients and improved relationships with judges in Juneau and surrounding communities.
- Replaced the obsolete DOS based database and trust accounting program with an upgraded system specifically for the Public Guardians and wards associated with OPA's trust and ward case management duties. This system now meets the case management and financial management requirements for now and into the future.
- The Public Defender Agency (PDA) began scanning files in the Anchorage Office in 2011 as part of a strategy to increase efficiency and reduce costs through electronic document processing and archiving. The agency is currently scanning and archiving files in 9 of 13 offices.

Key RDU Challenges

Increased caseloads - Due to the inherently unpredictable nature and increase in caseloads, it is a significant challenge for the Office of Public Advocacy (OPA) and the Public Defender Agency (PDA) to maintain and provide the core services to clients as efficiently as possible while operating within current budgetary parameters. Additionally, the Department of Law has implemented a new plea agreement policy that is expected to increase case processing costs in the short term.

Both agencies, the Office of Public Advocacy and the Public Defender Agency, are considered a “down flow” agency in that they react to the actions of the other state agencies and systems (i.e., the Office of Children's Services, Adult Protective Services, the Attorney General Human Services Section, the District Attorney's Office, the Court System, and other public and private entities). Both agencies have no control over the number of cases coming from the other agencies. While caseloads for certain staff members continue to grow, there is no ability to reduce the workload or eliminate the budgetary impact. The unpredictability of caseload assignments make it difficult to accurately forecast caseload increases and costs for upcoming budget years. If the current trend of increased caseloads continues, some agency sections will struggle to meet the increased demands without additional resources, resulting in inefficiencies for participants trying to provide services for some of Alaska's most vulnerable citizens.

Supplemental funding - Due to the difficulty in accurately predicting workload and caseload increases and costs, OPA and PDA operations have often been funded through supplemental appropriations. The agencies are currently evaluating the impact of caseload increases and the department of law's plea agreement policy to determine the need for supplemental funding.

Significant Changes in Results to be Delivered in FY2015

Public Guardian Section - For FY2014 OPA will be seeking regulation changes to increase the Public Guardian fees that can be assessed and subsequently will be seeking authorization to increase collection authority of Public Guardian fees. Additionally, we will be seeking to formally create and manage a volunteer Family Guardianship Program with a program director to provide training to friends and family available to act as guardians to incapacitated adults.

Guardian ad Litem (GAL) Caseload Assistance - Given the increased GAL caseload, especially in domestic violence cases, OPA will be seeking to expand its Court Appointed Special Advocate (CASA) program especially into northern rural areas of Alaska. The agency will continue entering into partnerships with community groups to expand the National CASA program and specifically target Alaska Native CASA volunteers for recruitment in order to continue to assist the Guardians ad Litem with their increased caseloads.

Elder Fraud Costs - OPA will be seeking a regulation change for its Elder Fraud Assistance (EFA) Unit with authorization to keep monies obtained from sanctions and recovered costs expended by the division during the course of litigation. Often costs expended by the office to pursue elder fraud litigation are recovered in the cases, but cannot be kept by the agency to recoup the costs expended.

Cost Efficiency Matters - OPA will continue to improve its procedures for providing services as efficiently as possible, by closely reviewing the appointments that we receive and to the extent possible, limiting the number of cases that go to hourly private service providers. We will continue to retain more cases in-house while ensuring adequate representation of agency clients. We have cut substantially in all areas as much as possible but if the cuts continue, this course of action will affect client representation and place already vulnerable children and adults in increased at risk situations.

Digitization - The PDA will be looking to complete the file scanning and archiving project and expand the project to include electronic receipt and processing of discovery.

Contact Information
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**Legal and Advocacy Services
RDU Financial Summary by Component**

All dollars shown in thousands

	FY2013 Actuals				FY2014 Management Plan				FY2015 Governor			
	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds	UGF+DGF Funds	Other Funds	Federal Funds	Total Funds
Formula Expenditures None.												
Non-Formula Expenditures Office of Public Advocacy	23,456.4	1,119.3	77.6	24,653.3	23,758.4	1,186.6	250.4	25,195.4	23,760.7	1,186.8	250.2	25,197.7
Public Defender Agency	24,714.6	633.8	0.0	25,348.4	25,646.0	567.7	0.0	26,213.7	25,654.0	633.0	0.0	26,287.0
Totals	48,171.0	1,753.1	77.6	50,001.7	49,404.4	1,754.3	250.4	51,409.1	49,414.7	1,819.8	250.2	51,484.7

Legal and Advocacy Services
Summary of RDU Budget Changes by Component
From FY2014 Management Plan to FY2015 Governor

All dollars shown in thousands

	<u>Unrestricted Gen (UGF)</u>	<u>Designated Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
FY2014 Management Plan	48,960.6	443.8	1,754.3	250.4	51,409.1
Adjustments which will continue current level of service:					
-Office of Public Advocacy	2.3	0.0	-14.8	-0.2	-12.7
-Public Defender Agency	17.7	-2.6	-73.5	0.0	-58.4
Proposed budget decreases:					
-Public Defender Agency	-7.1	0.0	0.0	0.0	-7.1
Proposed budget increases:					
-Office of Public Advocacy	0.0	0.0	15.0	0.0	15.0
-Public Defender Agency	0.0	0.0	138.8	0.0	138.8
FY2015 Governor	48,973.5	441.2	1,819.8	250.2	51,484.7