

**State of Alaska
FY2016 Governor Amended 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 2014

- Planned the recruitment of Guardians ad Litem (GAL) in Bethel which will improve service and lower agency costs.
- 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.
- Continued 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 Elder Fraud and Assistance (EFA) section 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).
- Planned a new Office of Public Advocacy Kenai office designated to better serve clients at a lower cost than using contract attorneys.
- 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 digitally archiving files in all of its 13 offices statewide.
- PDA appellate production has increased in both opening brief filings and other appellate actions that include other briefing, oral arguments and filings in the Supreme Court.
- The PDA has improved the rate at which attorneys contact clients immediately after case opening. Increasing and attaining this performance measure encourages attorney-client communication early in the legal process to promote timely resolution of cases.
- The PDA has sourced and provided access to low cost web based legal training options for PDA attorneys and staff.

Key RDU Challenges

Increased workloads - Due to the inherently unpredictable nature of workloads 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.

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. 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 and increased workloads 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 continuing

to evaluate the impact of caseload and workload 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 FY2016

Guardian ad Litem (GAL) Caseload Assistance - Given the increased GAL caseload, especially in domestic violence cases, OPA has continued 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. Additionally, OPA has recently opened discussions with the Association of Village Council Presidents (AVCP) in an attempt to increase GAL services to western Alaska.

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, and continue to retain more cases in-house while ensuring adequate representation of agency clients. OPA has 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. Post Conviction Relief (PCR) and appeals, continues to rise resulting in a budgetary stress. The PDA will continue to seek methods to increase responsiveness to the Court of Appeals filing deadlines and increased trial rates.

Digitization - The PDA will be looking to expand the file scanning and archiving project to include files previously archived and 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

	FY2014 Actuals				FY2015 Management Plan				FY2016 Governor Amended			
	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	23,950.1	1,240.3	90.2	25,280.6	23,934.2	1,186.8	250.2	25,371.2	24,167.5	1,194.3	251.3	25,613.1
Public Defender Agency	26,248.9	633.8	0.0	26,882.7	26,273.8	633.0	0.0	26,906.8	26,183.6	635.8	0.0	26,819.4
Totals	50,199.0	1,874.1	90.2	52,163.3	50,208.0	1,819.8	250.2	52,278.0	50,351.1	1,830.1	251.3	52,432.5

Legal and Advocacy Services
Summary of RDU Budget Changes by Component
From FY2015 Management Plan to FY2016 Governor Amended

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>
FY2015 Management Plan	49,766.8	441.2	1,819.8	250.2	52,278.0
One-time items:					
-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
Adjustments which continue current level of service:					
-Office of Public Advocacy	269.2	0.0	22.5	1.1	292.8
-Public Defender Agency	345.1	3.2	141.6	0.0	489.9
Proposed budget decreases:					
-Office of Public Advocacy	-35.9	0.0	0.0	0.0	-35.9
-Public Defender Agency	-438.5	0.0	0.0	0.0	-438.5
FY2016 Governor Amended	49,906.7	444.4	1,830.1	251.3	52,432.5