

State of Alaska FY2017 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 2015

- Implemented the recruitment of Guardians ad Litem (GAL) in Bethel which are improving service and lowering agency costs.
- Ongoing statewide training held for Guardian ad Litem (GAL), contract GAL's 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.
- The Elder Fraud and Assistance 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 presented by teaming up with the American Association of Retired Persons (AARP).
- Established a new Kenai office designed to better serve clients at a lower cost than using contract attorneys.
- Began a restructuring of the agency in order to meet lower budgetary expectations.
- 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.

Both agencies, the Office of Public Advocacy and the Public Defender Agency, are considered "down flow" agencies 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). Neither agency has control over the number of cases coming from the other agencies. While caseloads for agency staff 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 years. If the current trend of increased caseloads and increased workloads continues, many 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 adults and children.

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. OPA in particular relies on

numerous contract professionals to handle the increasing caseload. These costs are not predictable and OPA has historically needed supplemental funding to cover budget shortfalls due to contractor billing.

Significant Changes in Results to be Delivered in FY2017

OPA 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 our hourly private service providers. OPA will continue its' FY16 restructuring to retain more cases in-house while attempting to ensure basic representation of agency clients, vulnerable adults and children.

OPA Child Advocacy Caseloads - OPA will continue entering into appropriate partnerships with community groups to expand the National Court Appointed Special Advocate (CASA) program and specifically target Alaska Native CASA volunteers for recruitment in order to continue to assist the Guardians ad Litem (GAL) with their increased caseloads. In February of 2015 the agency entered into a partnership with the Association of Village Council Presidents (AVCP) to provide two GAL's serving the Bethel area. This has provided a substantial upgrade in service to the children in the Western region of Alaska. Though the GAL's are housed within AVCP, they provide completely independent voices for the children of Bethel and surrounding communities. In SouthCentral Alaska, due to the phenomenal increase in GAL appointments (+58%), GAL caseloads now exceed 100 children per GAL. This staff overload has slowed response times and has degraded advocacy for children. Without additional resources, GAL services are likely to degrade further in FY17.

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.

PDA Cost Efficiencies – The PDA will be expanding the recent implementation of case opening centralization. Case opening centralization enables more consistent production at reduced costs for tasks related to case opening by support staff and increases the availability of local support to undertake additional duties.

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

All dollars shown in thousands

	FY2015 Actuals				FY2016 Management Plan				FY2017 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	24,083.4	1,313.2	85.4	25,482.0	23,768.2	1,294.3	251.3	25,313.8	23,378.0	1,794.3	251.3	25,423.6
Public Defender Agency	26,399.9	633.8	0.0	27,033.7	25,795.5	635.8	0.0	26,431.3	25,034.2	690.8	0.0	25,725.0
Totals	50,483.3	1,947.0	85.4	52,515.7	49,563.7	1,930.1	251.3	51,745.1	48,412.2	2,485.1	251.3	51,148.6

Legal and Advocacy Services
Summary of RDU Budget Changes by Component
From FY2016 Management Plan to FY2017 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>
FY2016 Management Plan	49,119.3	444.4	1,930.1	251.3	51,745.1
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	0.0	0.0	15.0	0.0	15.0
Proposed budget increases:					
-Office of Public Advocacy	0.0	250.0	500.0	0.0	750.0
-Public Defender Agency	0.0	510.0	193.8	0.0	703.8
Proposed budget decreases:					
-Office of Public Advocacy	-640.2	0.0	0.0	0.0	-640.2
-Public Defender Agency	-1,271.3	0.0	0.0	0.0	-1,271.3
FY2017 Governor	47,207.8	1,204.4	2,485.1	251.3	51,148.6