

State of Alaska FY2013 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.

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 budgetary parameters. The unpredictability of caseload assignments make it difficult to accurately forecast caseload increases and costs for upcoming budget years. If the current trend of increasing 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. In FY2012, the need for supplemental funding is again anticipated due to the caseload increases.

Significant Changes in Results to be Delivered in FY2013

Service Efficiencies

OPA will continue to improve its procedures for providing services as efficiently as possible by closely reviewing the appointments that are received and to the extent possible, limiting the number of cases that go to hourly private service providers. OPA continues to retain more cases in-house while ensuring adequate representation of agency clients. In FY 2012, we are working on establishing flat fee contracts for legal services which would replace the hourly service providers resulting in future cost savings and budget predictability to the agency. Recently, OPA has contracted with Alaska law firms through the RFP process to cover all of OPA's caseload in rural jurisdictions. The results should be significant cost saving and better budget predictability.

Partnerships

To address the growing child advocacy caseloads, the agency will continue entering into partnerships with community groups to expand the National Court Appointed Special Advocate (CASA) program and specifically target Alaska Native CASA volunteers for recruitment.

Case Management System

PDA's core services and performance measures have been redrafted and the agency has procured a new case management system. Data conversion and implementation was completed in FY2009 and the agency is now producing data and generating performance measure results. PDA expects to reduce the number of conflicts of interest based upon changes in conflict analysis and procedure while maintaining of increasing the Agency's timely response in client contact and appellate brief filings.

Major RDU Accomplishments in 2011

- For FY2012, OPA was successful in seeking approved authorization for an additional \$110.0 in collection authority to enable the agency to spend the public guardian fees bringing the total authorization to \$607.0.
- OPA implemented an expanded Family Guardian Program that provides training to the public regarding how to provide guardianship services to an incapacitated adult.
- A statewide training was held with plans for increased statewide training to be held in FY2012.

- A Memorandum of Agreement (MOA) was signed with the Cook Inlet Tribal Council (CITC) to establish a satellite office of Anchorage Court Appointed Special Advocate (CASA) at the CITC.
- A Memorandum of Agreement was signed with the Kenaitze Indian Tribe in Kenai to establish Kenai Peninsula CASA.
- OPA continued to take major steps to enhance child advocacy in the Y-K Delta.
- Y-K Delta CASA trained and activated seven (7) new CASA volunteers.
- The Fairbanks Office of Public Advocacy also graduated another class of CASA volunteers to assist the Guardians ad Litem in Child in Need of Aid (CINA) cases.
- Juneau CASA program recruited for and doubled the volunteers from the prior fiscal year.
- The Office of Elder Fraud and Assistance (EFA) cooperated with the Department of Law and the Division of Senior Services to craft legislation improving legal remedies for vulnerable adult victims of financial exploitation.
- Cash and real property recoveries in excess of \$500,000.00 were obtained for elder victims bringing the overall amount of recoveries to well over \$3.0 million for the program since 2006.
- Probate court-approved mediation of some protected elders' financial exploitation claims, resulting in significant savings in time and money for the parties civil litigation was achieved.
- OPA continues to provide outreach and training to professionals and lay people concerned with protecting elders from financial abuse.
- Attorneys in OPA participated in creating and jointly presenting with the Public Guardians and the Department of Law, an educational presentation on elder fraud, adult protective services, and protected person civil procedure.
- Meeting the requirement for receipt of contractor and court appointed service provider bills within five (5) days of the close of the preceding month has increased our ability to anticipate the need for any supplemental budget and better supervise our service providers.
- PDA implemented a new case management system that will allow the agency to generate and publish performance measure results and to provide more reliable and detailed information for supporting efficiency and cost-saving strategies.
- Data generated by the Agency's case management system and performance improvements in the implementation of support staff reorganization efforts have identified potential efficiencies that can be realized through changes in the conflict procedures employed by PDA.

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

All dollars shown in thousands

	FY2011 Actuals				FY2012 Management Plan				FY2013 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	22,401.9	1,069.5	91.4	23,562.8	22,297.2	1,169.8	97.1	23,564.1	22,633.7	1,179.8	249.4	24,062.9
Public Defender Agency	22,494.8	633.8	0.0	23,128.6	23,395.3	559.6	0.0	23,954.9	23,939.4	564.9	0.0	24,504.3
Totals	44,896.7	1,703.3	91.4	46,691.4	45,692.5	1,729.4	97.1	47,519.0	46,573.1	1,744.7	249.4	48,567.2

Legal and Advocacy Services
Summary of RDU Budget Changes by Component
From FY2012 Management Plan to FY2013 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>
FY2012 Management Plan	45,263.9	428.6	1,729.4	97.1	47,519.0
Adjustments which will continue current level of service:					
-Office of Public Advocacy	336.5	0.0	-5.0	2.3	333.8
-Public Defender Agency	535.4	8.7	-133.5	0.0	410.6
Proposed budget increases:					
-Office of Public Advocacy	0.0	0.0	15.0	150.0	165.0
-Public Defender Agency	0.0	0.0	138.8	0.0	138.8
FY2013 Governor	46,135.8	437.3	1,744.7	249.4	48,567.2