

State of Alaska FY2005 Governor's Operating Budget

**Department of Administration
Office of Public Advocacy
Component Budget Summary**

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Component: Office of Public Advocacy

Contribution to Department's Mission

Provide legal advocacy and guardian services to vulnerable Alaskans.

Core Services

The Office of Public Advocacy (OPA) provides legal, guardian ad litem, and public guardian representation, upon court orders of appointment, for:

- Abused and neglected children involved in protective proceedings;
- Mentally incapacitated adults, most commonly the chronically mentally ill, developmentally disabled, and those who suffer from age-related dementia;
- Individuals accused of crimes where the Alaska Public Defender Agency has a conflict of interest.

End Results	Strategies to Achieve Results
<p>(1) Improved case results for criminal clients.</p> <p><u>Target:</u> 100% dismissal rates for clients. <u>Measure:</u> Percent of case dismissals.</p> <p><u>Target:</u> 100% success rate for clients in Therapeutic Court. <u>Measure:</u> Percent of clients successfully completing Therapeutic Court.</p> <p>(2) Improved outcomes for post-conviction criminal clients.</p> <p><u>Target:</u> 100% appeals won. <u>Measure:</u> Percent of cases successful on appeal</p> <p>(3) Clients will receive all financial benefits they are entitled to.</p> <p><u>Target:</u> All Clients receive all financial benefits they are entitled to. <u>Measure:</u> Percent of clients not receiving income they are eligible for.</p> <p><u>Target:</u> Clients will not experience a lapse in any benefit to which they are entitled. <u>Measure:</u> Each client's income will be reviewed by mid-month and lapsed benefits will be identified and confirmed as correct or responded to by public guardian by month-end.</p> <p>(4) Clients will have housing available in the least restrictive placement necessary.</p> <p><u>Target:</u> Clients will not be without shelter. <u>Measure:</u> Percentage of OPA public guardian clients without shelter.</p>	<p>(1) Educate lawyers quickly about case.</p> <p><u>Target:</u> Interview all clients within 96 hours of appointment/notice of conflict. <u>Measure:</u> % of clients interviewed within 96 hours.</p> <p><u>Target:</u> Obtain and review all discovery within 24 hours of assignment. <u>Measure:</u> % of cases where discovery obtained and reviewed within 24 hours of assignment.</p> <p><u>Target:</u> Investigate all cases within 30 days arrest. <u>Measure:</u> % of cases where investigation complete within 30 days of arrest.</p> <p><u>Target:</u> Provide intensive legal representation to clients in Therapeutic Court. <u>Measure:</u> Percent of clients with intensive legal representation in Therapeutic Court.</p> <p>(2) Improve case management and preparedness.</p> <p><u>Target:</u> Provide specialized appellate legal representation. <u>Measure:</u> Percent of cases handled by appellate specialist.</p> <p>(3) Potential sources of income are identified for each client.</p> <p><u>Target:</u> All Clients will be compared with a potential checklist of income sources. <u>Measure:</u> Checklist will be available for review in all new cases.</p> <p>(4) Least restrictive placement option is identified.</p> <p><u>Target:</u> Housing options will be considered for each client</p>

End Results	Strategies to Achieve Results
<p>(5) Clients will receive services that OPA is statutorily obligated to secure.</p> <p><u>Target:</u> Clients will not be without necessary and available services. <u>Measure:</u> Percent of clients not receiving necessary services.</p> <p>(6) Clients' income/assets/resources will be properly managed to meet their basic needs and to prevent waste and dissipation.</p> <p><u>Target:</u> Clients' financial needs will be prioritized and assets/income will be properly managed to meet those obligations. <u>Measure:</u> Percent of Clients' monthly expenses paid or with accommodations made to address/resolve debt.</p> <p>(7) Achieve safe permanent placement for children.</p> <p><u>Target:</u> Child in permanent placement within 18-24 months. <u>Measure:</u> Percentage of cases closed by court within 18-24 months.</p> <p>(8) Every child's needs met while in state custody.</p> <p><u>Target:</u> Mental health needs of each child met. <u>Measure:</u> 100% of children have mental health needs met while in custody.</p> <p><u>Target:</u> Educational needs of each child met. <u>Measure:</u> 100% of children have educational needs met while in custody.</p> <p><u>Target:</u> Physical needs of each child met. <u>Measure:</u> 100% of children have physical needs met.</p> <p><u>Target:</u> Social/Cultural needs of each child met. <u>Measure:</u> 100% of children have social/cultural needs met.</p> <p>(9) State and Federal permanency timelines for children in out of home care are adhered to.</p> <p><u>Target:</u> All permanency hearings occur within statutory guidelines. <u>Measure:</u> Percentage of permanency hearings that occur within statutory deadline.</p> <p><u>Target:</u> Termination petitions filed within statutory guidelines. <u>Measure:</u> Percentage of termination petitions filed for kids out of home 15 of last 22 months.</p>	<p>in need of shelter. <u>Measure:</u> Percentage of OPA public guardian clients without housing and without housing options created.</p> <p>(5) Appropriate services and providers are identified for each client.</p> <p><u>Target:</u> Referrals for services are made within 2 weeks of assessment results received. <u>Measure:</u> Percentage of referrals made within two weeks.</p> <p>(6) Create and manage a budget for each client and review annually.</p> <p><u>Target:</u> Budgets are created for all clients. <u>Measure:</u> Percentage of clients for which budgets are created.</p> <p>(7) Improve assessment of family needs and delivery of essential reunification services.</p> <p><u>Target:</u> Relevant case plan developed within 30 days with input from GAL and parents. <u>Measure:</u> 90% of case plans developed within 30 days.</p> <p><u>Target:</u> Appropriate assessments are completed within 60 days. <u>Measure:</u> 90% of assessments completed within 60 days.</p> <p><u>Target:</u> Written plan for parental and sibling visitation within 30 days. <u>Measure:</u> 90% of cases have written visitation plans within 30 days.</p> <p>(8) Improve identification of potential permanent placements.</p> <p><u>Target:</u> Paternity established within 90 days. <u>Measure:</u> In 90% of cases paternity is determined within 90 days.</p> <p><u>Target:</u> Relative searches completed within 90 days. <u>Measure:</u> 90% of relative searches completed within 90 days.</p> <p>(9) Improve assessment of needs and delivery of services to children in state custody.</p> <p><u>Target:</u> Each child has a mental health screening within 60 days of entering state custody. <u>Measure:</u> 100% of children have mental health screening within 60 days of entering into custody.</p> <p><u>Target:</u> GAL has gathered educational information and assessed educational needs within 90 days of child entering into custody.</p>

End Results	Strategies to Achieve Results
	<p><u>Measure:</u> Percentage of cases in which GAL has gathered information and assessed educational needs within 90 days of receiving new case.</p> <p><u>Target:</u> Each child has a full physical, dental, hearing and vision exam (EPSDT) within 30 days of entering into custody.</p> <p><u>Measure:</u> Percentage of children that have a comprehensive medical exam within 30 days of entering custody.</p> <p><u>Target:</u> Each child's need for social and cultural continuity is met through appropriate placement and access to familiar activities and routines.</p> <p><u>Measure:</u> Percentage of children that are in culturally appropriate placement and participating in familiar activities.</p> <p>(10) Improve achievement of permanent plan by using alternative dispute resolution to remove barriers to permanency for children.</p> <p><u>Target:</u> Cases will use alternative dispute resolution at least three months before permanency hearing.</p> <p><u>Measure:</u> Percentage of cases that use alternative dispute resolution at least three months before permanency hearing.</p> <p>(11) Improve timely filing of termination petitions by requesting court deadlines.</p> <p><u>Target:</u> Termination petitions are filed by court deadlines.</p> <p><u>Measure:</u> Percentage of termination petitions filed by deadline.</p>

FY2005 Resources Allocated to Achieve Results							
<p>FY2005 Component Budget: \$13,000,600</p>	<p>Personnel:</p> <table> <tr> <td>Full time</td> <td>66</td> </tr> <tr> <td>Part time</td> <td>1</td> </tr> <tr> <td>Total</td> <td>67</td> </tr> </table>	Full time	66	Part time	1	Total	67
Full time	66						
Part time	1						
Total	67						

Performance Measure Detail

(1) Result: Improved case results for criminal clients.

Target: 100% dismissal rates for clients.
Measure: Percent of case dismissals.

Target: 100% success rate for clients in Therapeutic Court.

Measure: Percent of clients successfully completing Therapeutic Court.

(2) Result: Improved outcomes for post-conviction criminal clients.

Target: 100% appeals won.

Measure: Percent of cases successful on appeal

(3) Result: Clients will receive all financial benefits they are entitled to.

Target: All Clients receive all financial benefits they are entitled to.

Measure: Percent of clients not receiving income they are eligible for.

Target: Clients will not experience a lapse in any benefit to which they are entitled.

Measure: Each client's income will be reviewed by mid-month and lapsed benefits will be identified and confirmed as correct or responded to by public guardian by month-end.

(4) Result: Clients will have housing available in the least restrictive placement necessary.

Target: Clients will not be without shelter.

Measure: Percentage of OPA public guardian clients without shelter.

(5) Result: Clients will receive services that OPA is statutorily obligated to secure.

Target: Clients will not be without necessary and available services.

Measure: Percent of clients not receiving necessary services.

(6) Result: Clients' income/assets/resources will be properly managed to meet their basic needs and to prevent waste and dissipation.

Target: Clients' financial needs will be prioritized and assets/income will be properly managed to meet those obligations.

Measure: Percent of Clients' monthly expenses paid or with accommodations made to address/resolve debt.

(7) Result: Achieve safe permanent placement for children.

Target: Child in permanent placement within 18-24 months.

Measure: Percentage of cases closed by court within 18-24 months.

(8) Result: Every child's needs met while in state custody.

Target: Mental health needs of each child met.

Measure: 100% of children have mental health needs met while in custody.

Target: Educational needs of each child met.

Measure: 100% of children have educational needs met while in custody.

Target: Physical needs of each child met.

Measure: 100% of children have physical needs met.

Target: Social/Cultural needs of each child met.

Measure: 100% of children have social/cultural needs met.

(9) Result: State and Federal permanency timelines for children in out of home care are adhered to.

Target: All permanency hearings occur within statutory guidelines.

Measure: Percentage of permanency hearings that occur within statutory deadline.

Target: Termination petitions filed within statutory guidelines.

Measure: Percentage of termination petitions filed for kids out of home 15 of last 22 months.

(1) Strategy: Educate lawyers quickly about case.

Target: Interview all clients within 96 hours of appointment/notice of conflict.

Measure: % of clients interviewed within 96 hours.

Target: Obtain and review all discovery within 24 hours of assignment.

Measure: % of cases where discovery obtained and reviewed within 24 hours of assignment.

Target: Investigate all cases within 30 days arrest.

Measure: % of cases where investigation complete within 30 days of arrest.

Target: Provide intensive legal representation to clients in Therapeutic Court.

Measure: Percent of clients with intensive legal representation in Therapeutic Court.

(2) Strategy: Improve case management and preparedness.

Target: Provide specialized appellate legal representation.

Measure: Percent of cases handled by appellate specialist.

(3) Strategy: Potential sources of income are identified for each client.

Target: All Clients will be compared with a potential checklist of income sources.

Measure: Checklist will be available for review in all new cases.

(4) Strategy: Least restrictive placement option is identified.

Target: Housing options will be considered for each client in need of shelter.

Measure: Percentage of OPA public guardian clients without housing and without housing options created.

(5) Strategy: Appropriate services and providers are identified for each client.

Target: Referrals for services are made within 2 weeks of assessment results received.

Measure: Percentage of referrals made within two weeks.

(6) Strategy: Create and manage a budget for each client and review annually.

Target: Budgets are created for all clients.

Measure: Percentage of clients for which budgets are created.

(7) Strategy: Improve assessment of family needs and delivery of essential reunification services.

Target: Relevant case plan developed within 30 days with input from GAL and parents.

Measure: 90% of case plans developed within 30 days.

Target: Appropriate assessments are completed within 60 days.

Measure: 90% of assessments completed within 60 days.

Target: Written plan for parental and sibling visitation within 30 days.

Measure: 90% of cases have written visitation plans within 30 days.

(8) Strategy: Improve identification of potential permanent placements.

Target: Paternity established within 90 days.

Measure: In 90% of cases paternity is determined within 90 days.

Target: Relative searches completed within 90 days.

Measure: 90% of relative searches completed within 90 days.

(9) Strategy: Improve assessment of needs and delivery of services to children in state custody.

Target: Each child has a mental health screening within 60 days of entering state custody.

Measure: 100% of children have mental health screening within 60 days of entering into custody.

Target: GAL has gathered educational information and assessed educational needs within 90 days of child entering into custody.

Measure: Percentage of cases in which GAL has gathered information and assessed educational needs within 90 days of receiving new case.

Target: Each child has a full physical, dental, hearing and vision exam (EPSDT) within 30 days of entering into custody.

Measure: Percentage of children that have a comprehensive medical exam within 30 days of entering custody.

Target: Each child's need for social and cultural continuity is met through appropriate placement and access to familiar activities and routines.

Measure: Percentage of children that are in culturally appropriate placement and participating in familiar activities.

(10) Strategy: Improve achievement of permanent plan by using alternative dispute resolution to remove barriers to permanency for children.

Target: Cases will use alternative dispute resolution at least three months before permanency hearing.

Measure: Percentage of cases that use alternative dispute resolution at least three months before permanency hearing.

(11) Strategy: Improve timely filing of termination petitions by requesting court deadlines.

Target: Termination petitions are filed by court deadlines.

Measure: Percentage of termination petitions filed by deadline.

Key Component Challenges

Funding continues to be a challenge for the Office of Public Advocacy (OPA). At the same time, OPA case load continues to grow which puts increased pressure on this program. We will continue to monitor case load growth and budget projections to determine if additional funding will be needed in FY2005.

Significant Changes in Results to be Delivered in FY2005

A push is currently underway to establish procedures to reduce the number of conflicts of interest such that OPA may retain more cases in-house, thus reducing OPA's reliance on contract attorneys. Contract attorneys are more costly than providing representation and advocacy in-house. This may involve the opening of additional branch offices where the cost of an OPA office is more cost efficient than paying contractors to service the area. In addition, collaborative efforts with the Public Defender Agency may result in some cases being returned to the Public Defender from OPA contractors, further reducing OPA's reliance on contract counsel.

Major Component Accomplishments in 2003

- OPA continued to play a leadership role in advocating early and effective intervention in child abuse cases.
- OPA instituted monthly interagency meetings in Anchorage with OCS and the Attorney General's office for the purpose of resolving systemic issues in child protection cases.
- OPA recruited and trained 67 new CASAs (volunteer guardian ad litem) in Anchorage, Juneau, Fairbanks, and Palmer.
- OPA adopted statewide standards for qualifications and performance of staff and contract guardians ad litem.
- OPA spearheaded the establishment of a protocol for early paternity testing in child protection cases.
- OPA organized and facilitated the development of a task-oriented case management process designed to improve the handling of Child in Need of Aid cases in the courts.
- OPA audited its fee collection practices in the Public Guardian section and instituted fee collection procedures, dramatically increasing the collection of fees and ensuring fee collection is more consistently enforced across the State.

Statutory and Regulatory Authority

AS 44.21.400 et seq. Office of Public Advocacy

Contact Information
<p>Contact: Joshua P. Fink, Director, Office of Public Advocacy Phone: (907) 269-3500 Fax: (907) 269-3535 E-mail: Joshua_Fink@admin.state.ak.us</p>

**Office of Public Advocacy
Component Financial Summary**

All dollars shown in thousands

	FY2003 Actuals	FY2004 Authorized	FY2005 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	4,646.4	3,825.9	4,871.2
72000 Travel	227.6	102.2	102.2
73000 Contractual	8,720.7	9,318.8	7,985.0
74000 Supplies	95.6	25.8	25.8
75000 Equipment	72.2	16.4	16.4
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	13,762.5	13,289.1	13,000.6
Funding Sources:			
1002 Federal Receipts	50.0	52.1	52.1
1004 General Fund Receipts	11,389.4	11,064.2	11,064.2
1005 General Fund/Program Receipts	95.1	95.1	95.1
1007 Inter-Agency Receipts	682.5	566.1	277.6
1037 General Fund / Mental Health	1,400.5	1,411.6	1,411.6
1092 Mental Health Trust Authority Authorized Receipts	45.0	0.0	0.0
1108 Statutory Designated Program Receipts	100.0	100.0	100.0
Funding Totals	13,762.5	13,289.1	13,000.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2003 Actuals	FY2004 Authorized	FY2005 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	50.0	52.1	52.1
Interagency Receipts	51015	682.5	566.1	277.6
General Fund Program Receipts	51060	95.1	95.1	95.1
Statutory Designated Program Receipts	51063	100.0	100.0	100.0
Mental Health Trust Authority Auth.Rec.	51410	45.0	0.0	0.0
Restricted Total		972.6	813.3	524.8
Total Estimated Revenues		972.6	813.3	524.8

**Summary of Component Budget Changes
From FY2004 Authorized to FY2005 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2004 Authorized	12,570.9	52.1	666.1	13,289.1
Adjustments which will continue current level of service:				
-Changes to Retirement and Other Personal Services Rates	0.0	0.0	12.3	12.3
Proposed budget decreases:				
-DH&SS I/A Funding Reduction	0.0	0.0	-300.8	-300.8
FY2005 Governor	12,570.9	52.1	377.6	13,000.6

**Office of Public Advocacy
Personal Services Information**

Authorized Positions		Personal Services Costs		
	FY2004 Authorized	FY2005 Governor		
Full-time	62	66	Annual Salaries	3,723,827
Part-time	1	1	Premium Pay	4,347
Nonpermanent	0	0	Annual Benefits	1,493,356
			<i>Less 6.86% Vacancy Factor</i>	(358,324)
			Lump Sum Premium Pay	7,994
Totals	63	67	Total Personal Services	4,871,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accountant III	1	0	0	0	1
Accounting Clerk II	1	0	0	0	1
Accounting Tech II	2	0	0	0	2
Administrative Assistant	1	0	0	0	1
Administrative Clerk II	2	1	0	0	3
Administrative Manager III	1	0	0	0	1
Assoc Attorney II	12	3	0	0	15
Attorney III	1	0	0	0	1
Attorney IV	9	2	1	2	14
Attorney V	3	1	0	0	4
Attorney VI	1	0	0	0	1
Chf Public Guardian	1	0	0	0	1
Investigator III	1	0	0	0	1
Law Office Assistant I	2	1	0	0	3
Law Office Assistant II	1	0	0	0	1
Paralegal I	2	0	0	1	3
Public Guardian	8	2	2	0	12
Social Services Specialist III	1	0	0	0	1
Social Worker II	1	0	0	0	1
Totals	51	10	3	3	67