

# **State of Alaska FY2005 Governor's Operating Budget**

## **Department of Law Civil Division Results Delivery Unit Budget Summary**

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## Civil Division Results Delivery Unit

### Contribution to Department's Mission

The mission of the Civil Division is to protect the human, financial, and natural resources of the state.

### Core Services

The Civil Division RDU supports the Civil Division of the Department of Law. The Civil Division serves the interests of Alaska's citizens by providing legal counsel to the executive branch in all civil actions. The division defends and prosecutes all civil litigation to which the state is a party, and handles legal matters for and provides legal advice to the governor, executive branch agencies, and -- upon request -- the legislative and judicial branches; under the direction and in coordination with the Office of the Attorney General's Legislation and Regulations Section, reviews regulations prepared by executive agencies; drafts legislation for introduction by the governor; and reviews all legislation before it is acted upon by the governor.

Activities of the Civil Division help protect the financial and natural resources of the state, defend Alaskans' access to the state's land and natural resources, and ensure that the laws and regulations that govern businesses, individuals, and government agencies are constitutional. The division takes action to protect children from abuse and neglect, enforce child support obligations, guarantee that state programs are administered fairly and that money owed to the state is collected, defend the state's interests relative to the federal government, and defend the state from unreasonable demands for payment of costs of lawsuits, personnel actions, and personal injuries. It protects the state's financial resources by advising agencies on decisions that might lead to financial claims, defending against unreasonable claims, and facilitating reasonable settlements or other appropriate resolution of issues.

The Civil Division BRU includes components supporting 12 sections: (1) the Deputy Attorney General's Office; (2) Collections and Support; (3) Commercial and Fair Business Practices; (4) Environmental Law; (5) Human Services; (6) Labor and State Affairs; (7) Natural Resources; (8) Oil, Gas and Mining; (9) Opinions, Appeals and Ethics; (10) Torts and Workers' Compensation; (11) Transportation; and (12) Timekeeping and Support. A short description of each follows.

(1) The Deputy Attorney General's Office supports the Deputy Attorney General for the Civil Division as the deputy assists the Attorney General and the department in carrying out its statutorily prescribed functions. The deputy serves as the chief operating officer for the division and is responsible for leading, managing, and coordinating the activities of the attorneys and paraprofessionals in each of the sections in the four locations of the division.

(2) The Collections and Support section consists of two units, the collections unit and the child support unit. The section protects the state's financial resources by collecting outstanding civil and criminal debts, and protects Alaska's children by establishing paternity and ensuring compliance with child support orders. The collections unit collects unsecured debts owed to the state. The majority of these debts are criminal judgments, but the unit also collects various civil judgments and penalties. In 2002, the collections unit began collecting restitution on behalf of victims in criminal and juvenile delinquency proceedings. The child support enforcement unit represents the Child Support Enforcement Division (CSED) in court, provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSED.

(3) The Commercial and Fair Business Practices section protects the public by enforcing consumer protection and antitrust laws and by providing legal services and advice to the agencies that monitor insurance companies and personnel, public utilities, and certified teachers. The section also protects the public by handling enforcement actions in occupational licensing cases. The section provides legal services on revenue and commercial matters; protects the integrity of the state's public finances through fair interpretation, implementation, enforcement, defense, or adoption of statutes and regulations governing state revenue, the student loan program and other lending programs; and protects public health and safety through fair interpretation, implementation, enforcement, defense, or adoption of statutes and regulations governing alcoholic beverage control, charitable gaming, banking, securities, and corporations. The section serves the Income and Excise Audit Division, Permanent Fund Corporation, Permanent Fund Dividend Division, Alaska Housing Finance Corporation, Division of Occupational Licensing, Division of Insurance, Regulatory Commission of Alaska, Investments Division, Banking, Securities and Corporations Division, Office of the Commissioner of Commerce, Alaska Commission on Postsecondary Education, Professional Teaching Practices Commission, and the Alaska

Student Loan Corporation.

(4) The Environmental Law section provides legal representation to state agencies for the investigation, defense, and prosecution of claims regarding contaminated sites around the state. It also provides legal advice on environmental matters, including legal representation to state agencies for the defense and prosecution of claims regarding the EXXON VALDEZ oil spill and prosecuting cruise lines that foul Alaska's air and waters. The section's work helps to protect the state's environment; to ensure that the costs of contaminated site cleanup are borne by the responsible parties; to minimize the state's exposure to claims for damages relating to environmental problems; to ensure that homeland security measures can be implemented consistent with Alaska's environmental laws; to ensure that the costs of the available restoration funds from the EXXON VALDEZ settlement are expended in accordance with the law and for the maximum benefit of the Alaska environment; and to ensure that the coastal management program is fairly applied. The section also provides legal advice to DEC on public health issues including food safety.

(5) The Human Services section provides legal advice and representation to the Department of Health and Social Services on issues arising from the state's health services, social services, juvenile justice, childcare licensing, and welfare programs. The section represents the Department of Health and Social Services in all child abuse and neglect cases, juvenile delinquency proceedings, mental commitment proceedings, foster care licensing cases, and public assistance and public health matters, including Medicaid recipient/provider hearings and appeals.

(6) The Labor and State Affairs section provides legal assistance needed for governmental management, including budget, public finance, employment, labor relations, civil rights, procurement, retirement programs, Medicaid rate disputes, and homeland security matters. It provides legal assistance on problems associated with institutional relationships within state government, the interaction between state and local governments, and the conduct of elections. The section provides legal assistance to all state agencies for employment and labor relations issues as well as to the Departments of Administration, Community and Economic Development, Education and Early Development, the Offices of the Governor and Lieutenant Governor, Health and Social Services, the Alaska Industrial Development and Export Authority, the Alaska Public Offices Commission, the Employment Security Division, the Human Rights Commission, the Division of Elections, Military and Veteran's Affairs, the Department of Labor and Workforce Development, and the Alaska Court System.

(7) The Natural Resources section provides legal advice and representation to state departments, boards, and commissions that regulate Alaska's lands, waters, and fish and game. It protects Alaskans' interests by ensuring that the state's natural resources are managed and allocated by state agencies in a manner that is consistent with the law, defending against legal challenges to actions taken by the state's natural resource agencies, and pursuing legal actions against persons who are illegally using, damaging, or destroying Alaska's lands, waters, or renewable natural resources. It advises state agencies on issues relating to mental health lands and Native allotments and represents the state in legal actions involving those lands. It also provides legal advice to the Agricultural Revolving Loan Fund. The Natural Resources section supervisor also oversees the activities of the Statehood Defense component.

(8) The Oil, Gas, and Mining section is responsible for litigating oil, gas, and mining resource disputes involving the state. It protects Alaskans' interests by ensuring that the state receives the royalty and tax revenues to which it is entitled for current and past production. It also defends against challenges to state oil and gas lease sale programs, monitors and protests tariffs charged for transportation of oil and gas production through pipelines, and protects the state's title to resource-rich lands.

(9) The Opinions, Appeals and Ethics section was created in June 2003 and provides specialized legal services and representation to state government on all legal opinions, civil appeals in state and federal court, and executive branch ethics. The section's primary functions include improving the state's advocacy in civil appellate work, improving the quality of Attorney General opinions, providing more timely and comprehensive services on executive branch ethics for all state government and providing specialized legal expertise in certain areas including public finance and Indian law.

(10) The Torts and Workers' Compensation section provides legal defense in tort litigation cases filed against the state, state agencies, and state employees, including personal injury, property damage, and civil rights suits brought under 42 U.S.C. §1983. The section also defends the state in contested workers' compensation claims, and provides advice and training to reduce the state's liability exposure. The section provides legal services to the Division of Risk Management and, through it, to all state agencies.

(11) The Statehood Defense group of the Department of Law litigates issues raised by conflicts between state and federal jurisdiction. The group handles a variety of complex cases that will have a profound and lasting impact on

management of Alaska's natural resources. The state frequently must defend against encroachment by the federal government into areas traditionally regulated by the state.

(12) The Transportation section provides legal advice to and representation of the Department of Transportation and Public Facilities. The section enhances the department's ability to efficiently provide the public infrastructure necessary for the safety and well-being of Alaskans by providing advice and representation on all aspects of the construction and operation of the state's public facilities, including building, highways, ferries, airports, harbors, communications facilities, and other public works.

(13) The Timekeeping and Support section, which is comprised of those cost elements of the Civil Division support pool that are division-wide rather than section-specific, includes the costs of law office management (for the Juneau, Anchorage, and Fairbanks offices), case management, and division timekeeping and billing. The section provides day-to-day support to the legal staff by ensuring that resources necessary to perform their jobs are available. The section is responsible for maintaining work management and timekeeping records, providing accurate and timely billing to client agencies, and ensuring that office operations flow efficiently and unencumbered while state and department policies are followed and consistently applied.

End Results	Strategies to Achieve Results
<p><b>(1) Improve Client-Agency Decision Making</b></p> <p><u>Target:</u> 5% reduction per year in legal challenges to final agency decisions</p> <p><u>Measure:</u> % reduction in legal challenges to agency decisions per year</p> <p><b>(2) Enhance the Welfare of Children</b></p> <p><u>Target:</u> Reduce the number of children in foster care in Alaska by 5% per year</p> <p><u>Measure:</u> % reduction in the number of children in foster care in Alaska</p> <p><u>Target:</u> Increase the amount of child support received by families through CSED by 1% per year</p> <p><u>Measure:</u> The total dollar amount of child support received by families through CSED</p> <p><b>(3) Enhance The Protection of Victims of Crimes and Delinquent Acts</b></p> <p><u>Target:</u> Zero complaints from victims of crimes and delinquent acts submitted to the Office of Victims Rights, the Attorney General's Office, the Commissioner of Health and Social Services, or the Office of the Governor.</p> <p><u>Measure:</u> The number of complaints submitted by victims to the offices designated above.</p> <p><b>(4) Increase Consumer Protection in Alaska</b></p> <p><u>Target:</u> Increase by 5% per year in successful resolution of consumer complaints and enforcement actions</p> <p><u>Measure:</u> % increase in number of consumer complaints resolved and enforcement actions taken</p> <p><b>(5) Improve Regulatory Advocacy On Behalf Of The</b></p>	<p><b>(1) One: Improve Client Decision Making - Reduce time for response to agency requests for legal advice</b></p> <p><u>Target:</u> 100% on-time response</p> <p><u>Measure:</u> % response delivered within mutually agreed time</p> <p><b>(2) Two: Improve Client Decision Making - Increase agency training</b></p> <p><u>Target:</u> 1 training per agency per year</p> <p><u>Measure:</u> # of agencies receiving one training per year</p> <p><b>(3) Three: Improve Client Decision Making - Implement review of existing agency regulations to ensure clarity and statutory consistency</b></p> <p><u>Target:</u> 2 reviews per year</p> <p><u>Measure:</u> # of reviews completed per year</p> <p><b>(4) Four: Improve Client Decision Making - Reduce time for legal reviews of agency approved regulations</b></p> <p><u>Target:</u> 100% on-time response</p> <p><u>Measure:</u> % response delivered within mutually agreed time</p> <p><b>(5) Five: Improve Client Decision Making - Increase public awareness of agency regulation adoption process</b></p> <p><u>Target:</u> Hold 1 informational meeting for the public per year</p> <p><u>Measure:</u> Number of informational meetings held per year</p> <p><b>(6) Six: Improve Client Decision Making - Encourage</b></p>

End Results	Strategies to Achieve Results
<p><b>Public</b></p> <p><u>Target:</u> 5% decrease in consumer complaints filed w/ RCA  <u>Measure:</u> % decrease in consumer complaints w/ RCA</p> <p><b>(6) Improve Prosecution and Defense of Civil Claims</b></p> <p><u>Target:</u> 5% increase per year in percentage of cases in which the state obtains a fair resolution  <u>Measure:</u> % increase in cases resolved each year in which the state obtains a fair outcome</p> <p><b>(7) Enhance State Revenue From Mineral Resources</b></p> <p><u>Target:</u> Increase state revenue from mineral resource development by 20% (adjusted for changes in oil and gas prices) over current baseline projections, over the next ten years  <u>Measure:</u> % progress toward increase in state revenue from mineral resource development over current baseline projections, each year over the next ten years</p>	<p><b>and facilitate agency use of alternative dispute resolution</b></p> <p><u>Target:</u> Train agencies in ADR use  <u>Measure:</u> # of agencies trained in ADR use</p> <p><b>(7) Seven: Improve Client Decision Making - Issue more attorney general opinions</b></p> <p><u>Target:</u> Increase formal and informal Attorney General opinions by 5%  <u>Measure:</u> % increase in Attorney General opinions</p> <p><b>(8) Eight: Improve Client Decision Making - Increase communication between client agencies and Department of Law</b></p> <p><u>Target:</u> Implement annual senior staff meetings with each agency  <u>Measure:</u> # of agency senior staff meetings per year</p> <p><b>(9) Nine: Improve Client Decision Making - Increase review of agency policies and procedures</b></p> <p><u>Target:</u> 2 agency reviews per year  <u>Measure:</u> # of reviews completed per year</p> <p><b>(10) Ten: Improve Client Decision Making - Enhance compliance with state ethics laws</b></p> <p><u>Target:</u> Train 3 agencies in ethics per year  <u>Measure:</u> # of agencies trained each year</p> <p><u>Target:</u> 5% increase in informal advice to agencies on ethics  <u>Measure:</u> % increase in ethics advice provided to agencies</p> <p><u>Target:</u> Increase timeliness of response in ethics matters  <u>Measure:</u> % responses delivered within established timeframe.</p> <p><b>(11) One: Enhance the Welfare of Children - Increase the number of cases in which appropriate judicial findings are contained in the initial court order and in permanency orders in Child-in-Need-of-Aid cases.</b></p> <p><u>Target:</u> Two training sessions per year for AGO staff and OCS staff.  <u>Measure:</u> # of training sessions completed each year</p> <p><u>Target:</u> 100% Quality assurance review of all initial court orders prepared by AGO staff within 5 business days of receipt  <u>Measure:</u> Percentage of initial court orders reviewed within 5 days of receipt</p>

End Results	Strategies to Achieve Results
	<p><u>Target:</u> 100% completion of project to modify all form court orders in Child-in-Need-of-Aid cases <u>Measure:</u> % completion of revision of forms</p> <p><u>Target:</u> 100% of deficient court orders remedied within 30 days of notification by DHSS <u>Measure:</u> % of cases in which deficiencies have been remedied within 30 days of notification</p> <p><b>(12) Two: Enhance the Welfare of Children - Increase the number of child support orders that comply with state child support guidelines</b></p> <p><u>Target:</u> Take action in 90% of child support modification files within 30 days of receipt of file from CSED <u>Measure:</u> % of modification files in which action is taken within 30 days of receipt by this office.</p> <p><b>(13) Three: Enhance the Welfare of Children - Improve administrative decision-making at the administrative review and formal hearing level</b></p> <p><u>Target:</u> Complete two training sessions per year for establishment and modification personnel at CSED <u>Measure:</u> # of training sessions completed each year</p> <p><u>Target:</u> Quarterly meetings with CSED's formal hearing team and Revenue's formal hearing examiners <u>Measure:</u> # of quarterly meetings completed each year</p> <p><u>Target:</u> Review 100% of establishment and modification regulations and procedures on an annual basis to assure compliance with state and federal requirements <u>Measure:</u> % of annual review completed each year</p> <p><u>Target:</u> Provide written feedback to CSED modification personnel in 100% of cases in which there is an error in the calculation of support amount <u>Measure:</u> % of files in which there is a calculation error for which written feedback was prepared for CSED</p> <p><u>Target:</u> Provide monthly report to CSED summarizing supreme court decisions relating to child support and recommending many changes to CSED regulations, policies, or procedures as a result of those decisions <u>Measure:</u> # of monthly reports completed each year</p> <p><b>(14) Four: Enhance the Welfare of Children - Increase the use of civil and criminal enforcement remedies in cases where routine administrative collection actions have failed</b></p> <p><u>Target:</u> Increase the number of criminal non-support cases accepted for prosecution by 10% each year <u>Measure:</u> % increase in number of criminal non-support</p>

End Results	Strategies to Achieve Results
	<p>cases accepted for prosecution each year</p> <p><u>Target:</u> Conduct two meetings with CSED enforcement personnel each year to discuss and provide training with respect to screening and investigating cases for complex civil enforcement remedies</p> <p><u>Measure:</u> # of meetings held with CSED enforcement personnel each year</p> <p><u>Target:</u> Increase the number of cases accepted for complex civil enforcement action – including civil contempt, fraudulent transfer, piercing the corporate veil, seek work orders, or license enforcement – by 5% per year</p> <p><u>Measure:</u> % increase in the number of cases referred by CSED that are accepted for complex civil enforcement</p> <p><b>(15) One: Enhance the Protection of Victims of Crimes - Increase collection of restitution on behalf of victims</b></p> <p><u>Target:</u> In 90% of cases referred to the collections unit, send the initial notice of collection services to the victim within 5 business days after the unit receives an enforceable restitution judgment and all necessary information from court or DJJ</p> <p><u>Measure:</u> % of notices of collections services to victims within 5 business days of receipt of enforceable restitution judgment and all necessary information</p> <p><u>Target:</u> Respond to 90% of phone calls from victims to collections unit within 24 hours of receipt of phone call by the unit</p> <p><u>Measure:</u> % of phone calls from victims to collections unit that are returned within 24 hours of receipt</p> <p><u>Target:</u> Respond to 90% of written communications from victims to collections unit (including by e-mail) within 3 business days of receipt of the communication by the unit</p> <p><u>Measure:</u> % of written communications from victims to the collections unit to which a response is sent within 3 business days of receipt</p> <p><u>Target:</u> Disburse 90% of all restitution payments to victims within 10 business days after receipt of the payment, excluding the 30-day hold for personal checks</p> <p><u>Measure:</u> % of disbursements that are completed within 10 business days of receipt of payment, not including the 30-day hold for personal checks</p> <p><u>Target:</u> Increase the overall restitution collections by 5% each year</p> <p><u>Measure:</u> % increase in total restitution collections each year</p> <p><u>Target:</u> Increase the collection rate for restitution by 3%</p>

End Results	Strategies to Achieve Results
	<p>each year  <u>Measure:</u> % increase in the collection rate for restitution, as measured by the total value of the restitution judgments received for the prior year as compared to the total collections for that year</p> <p><u>Target:</u> Increase by 10%the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed</p> <p><u>Measure:</u> % increase in number of cases in which one or more of the following actions have been taken: (1) bank sweeps; (2) wage garnishments; and (3) liens recorded</p> <p><b>(16) One: Increase Consumer Education in Alaska - Increase consumer education</b></p> <p><u>Target:</u> At least 4 consumer education initiatives completed per year  <u>Measure:</u> Number of initiatives completed in a year</p> <p><b>(17) Two: Increase Consumer Education in Alaska - Develop stronger consumer protection laws and regulations</b></p> <p><u>Target:</u> Propose two consumer protection or antitrust legislative initiatives or regulations per year.  <u>Measure:</u> Number of legislative initiatives submitted and regulations drafted per year</p> <p><b>(18) Three: Increase Consumer Education in Alaska - More effective enforcement</b></p> <p><u>Target:</u> 5% increase in investigations and prosecutions  <u>Measure:</u> % increase in number of investigations and prosecutions initiated</p> <p><b>(19) Four: Increase Consumer Education in Alaska - Reduce unfair methods of competition</b></p> <p><u>Target:</u> 10% increase in antitrust investigations  <u>Measure:</u> % increase in number of antitrust investigations initiated</p> <p><b>(20) Five: Increase Consumer Education in Alaska - More Effective Implementation of Registration Laws</b></p> <p><u>Target:</u> 100% of annual registration applications processed within 30 days  <u>Measure:</u> % of actual applications processed within 30 days</p> <p><b>(21) One: Improve Regulatory Advocacy - Increase effectiveness of A.G.'s advocacy of public interest in RCA dockets</b></p> <p><u>Target:</u> 70% success rate in representing public interest</p>

End Results	Strategies to Achieve Results
	<p><u>Measure:</u> % of cases AG's public interest position is adopted by decision or settlement</p> <p><b>(22) Two: Improve Regulatory Advocacy - Enhance operational expertise and public awareness of public advocacy role</b></p> <p><u>Target:</u> One training opportunity a year for AAGs and RCA staff; at least 1 in-house expert in area of finance, economics, and engineering; at least 1 contract w/ outside experts in key areas of utility discipline</p> <p><u>Measure:</u> # of training and public outreach opportunities completed; # of in-house experts; # of outside expert contracts</p> <p><b>(23) One: Improve Prosecution and Defense of Civil Claims - Prevention of monetary and non-monetary claims against the state</b></p> <p><u>Target:</u> 5% reduction of the number of claims against the state</p> <p><u>Measure:</u> % of decrease in claims against the state</p> <p><b>(24) Two: Improve Prosecution and Defense of Civil Claims - More efficient prosecution of monetary and non-monetary claims by the state</b></p> <p><u>Target:</u> 10% increase in claims pursued on behalf of the state</p> <p><u>Measure:</u> % increase in number of claims pursued on behalf of the state</p> <p><b>(25) Three: Improve Prosecution and Defense of Civil Claims - Fair resolution of more claims prior to litigation</b></p> <p><u>Target:</u> 80% of claims resolved fairly prior to litigation</p> <p><u>Measure:</u> % of claims resolved prior to litigation in which the outcome is consistent with the Department's reasonable expectation</p> <p><b>(26) Four: Improve Prosecution and Defense of Civil Claims - Successful litigation of claims</b></p> <p><u>Target:</u> 100% of litigated claims resolved by a fair outcome for the state</p> <p><u>Measure:</u> % of litigated claims in which the outcome is consistent with the Department's reasonable expectation</p> <p><b>(27) One: Enhance State Revenue From Mineral Resources - Assist Policymakers in Creation of a More Competitive Investment Environment for Mineral Exploration Companies</b></p> <p><u>Target:</u> Increase by 25% the number of exploration wells drilled in Alaska over the next five years in comparison with</p>

End Results	Strategies to Achieve Results
	<p>the prior five years  <u>Measure:</u> % increase in the number of exploration wells drilled in Alaska over the next five years in comparison with the prior five years</p> <p><b>(28) Two: Enhance State Revenue From Mineral Resources - Assist state agencies in achieving a project to market Alaska's North Slope Gas</b></p> <p><u>Target:</u> Within eight years have a transportation system completed to carry North Slope gas to market  <u>Measure:</u> Number of years required for completion of a transportation system to carry North Slope gas to market</p> <p><b>(29) Three: Enhance State Revenue From Mineral Resources - Negotiate new TAPS tariff settlement methodology (TSM)</b></p> <p><u>Target:</u> Fairly renegotiate TSM within one year  <u>Measure:</u> Time required to fairly negotiate TSM</p> <p><b>(30) Four: Enhance the Protection of Victims of Delinquent Acts - Increase the prosecution of delinquent acts</b></p> <p><u>Target:</u> Decrease by 1% each year the percentage of cases in which charges are reduced or dismissed by juvenile intake officers as a result of the lack of availability of an attorney  <u>Measure:</u> : % of cases of delinquent acts in which charges are reduced or dismissed as a result of the lack of availability of an attorney</p>

### FY2005 Resources Allocated to Achieve Results

FY2005 Results Delivery Unit Budget: \$29,239,100	<b>Personnel:</b>	
	Full time	260
	Part time	8
	<b>Total</b>	<b>268</b>

### Performance Measure Detail

#### (1) Result: Improve Client-Agency Decision Making

**Target:** 5% reduction per year in legal challenges to final agency decisions

**Measure:** % reduction in legal challenges to agency decisions per year

#### (2) Result: Enhance the Welfare of Children

**Target:** Reduce the number of children in foster care in Alaska by 5% per year

**Measure:** % reduction in the number of children in foster care in Alaska

**Target:** Increase the amount of child support received by families through CSED by 1% per year

**Measure:** The total dollar amount of child support received by families through CSED

### (3) Result: Enhance The Protection of Victims of Crimes and Delinquent Acts

**Target:** Zero complaints from victims of crimes and delinquent acts submitted to the Office of Victims Rights, the Attorney General's Office, the Commissioner of Health and Social Services, or the Office of the Governor.

**Measure:** The number of complaints submitted by victims to the offices designated above.

### (4) Result: Increase Consumer Protection in Alaska

**Target:** Increase by 5% per year in successful resolution of consumer complaints and enforcement actions

**Measure:** % increase in number of consumer complaints resolved and enforcement actions taken

### (5) Result: Improve Regulatory Advocacy On Behalf Of The Public

**Target:** 5% decrease in consumer complaints filed w/ RCA

**Measure:** % decrease in consumer complaints w/ RCA

### (6) Result: Improve Prosecution and Defense of Civil Claims

**Target:** 5% increase per year in percentage of cases in which the state obtains a fair resolution

**Measure:** % increase in cases resolved each year in which the state obtains a fair outcome

### (7) Result: Enhance State Revenue From Mineral Resources

**Target:** Increase state revenue from mineral resource development by 20% (adjusted for changes in oil and gas prices) over current baseline projections, over the next ten years

**Measure:** % progress toward increase in state revenue from mineral resource development over current baseline projections, each year over the next ten years

### (1) Strategy: One: Improve Client Decision Making - Reduce time for response to agency requests for legal advice

**Target:** 100% on-time response

**Measure:** % response delivered within mutually agreed time

### (2) Strategy: Two: Improve Client Decision Making - Increase agency training

**Target:** 1 training per agency per year

**Measure:** # of agencies receiving one training per year

**(3) Strategy: Three: Improve Client Decision Making - Implement review of existing agency regulations to ensure clarity and statutory consistency**

**Target:** 2 reviews per year

**Measure:** # of reviews completed per year

**(4) Strategy: Four: Improve Client Decision Making - Reduce time for legal reviews of agency approved regulations**

**Target:** 100% on-time response

**Measure:** % response delivered within mutually agreed time

**(5) Strategy: Five: Improve Client Decision Making - Increase public awareness of agency regulation adoption process**

**Target:** Hold 1 informational meeting for the public per year

**Measure:** Number of informational meetings held per year

**(6) Strategy: Six: Improve Client Decision Making - Encourage and facilitate agency use of alternative dispute resolution**

**Target:** Train agencies in ADR use

**Measure:** # of agencies trained in ADR use

**(7) Strategy: Seven: Improve Client Decision Making - Issue more attorney general opinions**

**Target:** Increase formal and informal Attorney General opinions by 5%

**Measure:** % increase in Attorney General opinions

**(8) Strategy: Eight: Improve Client Decision Making - Increase communication between client agencies and Department of Law**

**Target:** Implement annual senior staff meetings with each agency

**Measure:** # of agency senior staff meetings per year

**(9) Strategy: Nine: Improve Client Decision Making - Increase review of agency policies and procedures**

**Target:** 2 agency reviews per year

**Measure:** # of reviews completed per year

**(10) Strategy: Ten: Improve Client Decision Making - Enhance compliance with state ethics laws**

**Target:** Train 3 agencies in ethics per year

**Measure:** # of agencies trained each year

**Target:** 5% increase in informal advice to agencies on ethics  
**Measure:** % increase in ethics advice provided to agencies

**Target:** Increase timeliness of response in ethics matters  
**Measure:** % responses delivered within established timeframe.

**(11) Strategy: One: Enhance the Welfare of Children - Increase the number of cases in which appropriate judicial findings are contained in the initial court order and in permanency orders in Child-in-Need-of-Aid cases.**

**Target:** Two training sessions per year for AGO staff and OCS staff.  
**Measure:** # of training sessions completed each year

**Target:** 100% Quality assurance review of all initial court orders prepared by AGO staff within 5 business days of receipt  
**Measure:** Percentage of initial court orders reviewed within 5 days of receipt

**Target:** 100% completion of project to modify all form court orders in Child-in-Need-of-Aid cases  
**Measure:** % completion of revision of forms

**Target:** 100% of deficient court orders remedied within 30 days of notification by DHSS  
**Measure:** % of cases in which deficiencies have been remedied within 30 days of notification

**(12) Strategy: Two: Enhance the Welfare of Children - Increase the number of child support orders that comply with state child support guidelines**

**Target:** Take action in 90% of child support modification files within 30 days of receipt of file from CSED  
**Measure:** % of modification files in which action is taken within 30 days of receipt by this office.

**(13) Strategy: Three: Enhance the Welfare of Children - Improve administrative decision-making at the administrative review and formal hearing level**

**Target:** Complete two training sessions per year for establishment and modification personnel at CSED  
**Measure:** # of training sessions completed each year

**Target:** Quarterly meetings with CSED's formal hearing team and Revenue's formal hearing examiners  
**Measure:** # of quarterly meetings completed each year

**Target:** Review 100% of establishment and modification regulations and procedures on an annual basis to assure compliance with state and federal requirements  
**Measure:** % of annual review completed each year

**Target:** Provide written feedback to CSED modification personnel in 100% of cases in which there is an error in the

calculation of support amount

**Measure:** % of files in which there is a calculation error for which written feedback was prepared for CSED

**Target:** Provide monthly report to CSED summarizing supreme court decisions relating to child support and recommending many changes to CSED regulations, policies, or procedures as a result of those decisions

**Measure:** # of monthly reports completed each year

#### (14) Strategy: Four: Enhance the Welfare of Children - Increase the use of civil and criminal enforcement remedies in cases where routine administrative collection actions have failed

**Target:** Increase the number of criminal non-support cases accepted for prosecution by 10% each year

**Measure:** % increase in number of criminal non-support cases accepted for prosecution each year

**Target:** Conduct two meetings with CSED enforcement personnel each year to discuss and provide training with respect to screening and investigating cases for complex civil enforcement remedies

**Measure:** # of meetings held with CSED enforcement personnel each year

**Target:** Increase the number of cases accepted for complex civil enforcement action – including civil contempt, fraudulent transfer, piercing the corporate veil, seek work orders, or license enforcement – by 5% per year

**Measure:** % increase in the number of cases referred by CSED that are accepted for complex civil enforcement

#### (15) Strategy: One: Enhance the Protection of Victims of Crimes - Increase collection of restitution on behalf of victims

**Target:** In 90% of cases referred to the collections unit, send the initial notice of collection services to the victim within 5 business days after the unit receives an enforceable restitution judgment and all necessary information from court or DJJ

**Measure:** % of notices of collections services to victims within 5 business days of receipt of enforceable restitution judgment and all necessary information

**Target:** Respond to 90% of phone calls from victims to collections unit within 24 hours of receipt of phone call by the unit

**Measure:** % of phone calls from victims to collections unit that are returned within 24 hours of receipt

**Target:** Respond to 90% of written communications from victims to collections unit (including by e-mail) within 3 business days of receipt of the communication by the unit

**Measure:** % of written communications from victims to the collections unit to which a response is sent within 3 business days of receipt

**Target:** Disburse 90% of all restitution payments to victims within 10 business days after receipt of the payment, excluding the 30-day hold for personal checks

**Measure:** % of disbursements that are completed within 10 business days of receipt of payment, not including the 30-day hold for personal checks

**Target:** Increase the overall restitution collections by 5% each year

**Measure:** % increase in total restitution collections each year

**Target:** Increase the collection rate for restitution by 3% each year

**Measure:** % increase in the collection rate for restitution, as measured by the total value of the restitution judgments received for the prior year as compared to the total collections for that year

**Target:** Increase by 10% the use of civil enforcement remedies in cases where permanent fund dividend attachments have failed

**Measure:** % increase in number of cases in which one or more of the following actions have been taken: (1) bank sweeps; (2) wage garnishments; and (3) liens recorded

#### **(16) Strategy: One: Increase Consumer Education in Alaska - Increase consumer education**

**Target:** At least 4 consumer education initiatives completed per year

**Measure:** Number of initiatives completed in a year

#### **(17) Strategy: Two: Increase Consumer Education in Alaska - Develop stronger consumer protection laws and regulations**

**Target:** Propose two consumer protection or antitrust legislative initiatives or regulations per year.

**Measure:** Number of legislative initiatives submitted and regulations drafted per year

#### **(18) Strategy: Three: Increase Consumer Education in Alaska - More effective enforcement**

**Target:** 5% increase in investigations and prosecutions

**Measure:** % increase in number of investigations and prosecutions initiated

#### **(19) Strategy: Four: Increase Consumer Education in Alaska - Reduce unfair methods of competition**

**Target:** 10% increase in antitrust investigations

**Measure:** % increase in number of antitrust investigations initiated

#### **(20) Strategy: Five: Increase Consumer Education in Alaska - More Effective Implementation of Registration Laws**

**Target:** 100% of annual registration applications processed within 30 days

**Measure:** % of actual applications processed within 30 days

#### **(21) Strategy: One: Improve Regulatory Advocacy - Increase effectiveness of A.G.'s advocacy of public interest in RCA dockets**

**Target:** 70% success rate in representing public interest

**Measure:** % of cases AG's public interest position is adopted by decision or settlement

**(22) Strategy: Two: Improve Regulatory Advocacy - Enhance operational expertise and public awareness of public advocacy role**

**Target:** One training opportunity a year for AAGs and RCA staff; at least 1 in-house expert in area of finance, economics, and engineering; at least 1 contract w/ outside experts in key areas of utility discipline  
**Measure:** # of training and public outreach opportunities completed; # of in-house experts; # of outside expert contracts

**(23) Strategy: One: Improve Prosecution and Defense of Civil Claims - Prevention of monetary and non-monetary claims against the state**

**Target:** 5% reduction of the number of claims against the state  
**Measure:** % of decrease in claims against the state

**(24) Strategy: Two: Improve Prosecution and Defense of Civil Claims - More efficient prosecution of monetary and non-monetary claims by the state**

**Target:** 10% increase in claims pursued on behalf of the state  
**Measure:** % increase in number of claims pursued on behalf of the state

**(25) Strategy: Three: Improve Prosecution and Defense of Civil Claims - Fair resolution of more claims prior to litigation**

**Target:** 80% of claims resolved fairly prior to litigation  
**Measure:** % of claims resolved prior to litigation in which the outcome is consistent with the Department's reasonable expectation

**(26) Strategy: Four: Improve Prosecution and Defense of Civil Claims - Successful litigation of claims**

**Target:** 100% of litigated claims resolved by a fair outcome for the state  
**Measure:** % of litigated claims in which the outcome is consistent with the Department's reasonable expectation

**(27) Strategy: One: Enhance State Revenue From Mineral Resources - Assist Policymakers in Creation of a More Competitive Investment Environment for Mineral Exploration Companies**

**Target:** Increase by 25% the number of exploration wells drilled in Alaska over the next five years in comparison with the prior five years  
**Measure:** % increase in the number of exploration wells drilled in Alaska over the next five years in comparison with the prior five years

**(28) Strategy: Two: Enhance State Revenue From Mineral Resources - Assist state agencies in achieving a project to market Alaska's North Slope Gas**

**Target:** Within eight years have a transportation system completed to carry North Slope gas to market  
**Measure:** Number of years required for completion of a transportation system to carry North Slope gas to market

### (29) Strategy: Three: Enhance State Revenue From Mineral Resources - Negotiate new TAPS tariff settlement methodology (TSM)

**Target:** Fairly renegotiate TSM within one year

**Measure:** Time required to fairly negotiate TSM

### (30) Strategy: Four: Enhance the Protection of Victims of Delinquent Acts - Increase the prosecution of delinquent acts

**Target:** Decrease by 1% each year the percentage of cases in which charges are reduced or dismissed by juvenile intake officers as a result of the lack of availability of an attorney

**Measure:** : % of cases of delinquent acts in which charges are reduced or dismissed as a result of the lack of availability of an attorney

## Key RDU Challenges

### CHILD PROTECTION AND JUVENILE DELINQUENCY

The Division continues to be extremely concerned about child protection workloads. Statutory changes at the state and federal level have reduced the amount of time that children may remain in the child protection legal system. These changes have accelerated the pace of these cases so that if reunification with the family is not in the child's best interest, the child can more quickly be legally eligible for placement in a permanent home. The changes also mandate additional court proceedings to ensure a more timely permanent plan for the child. The accelerated schedules, additional hearings, and accompanying document preparation have greatly expanded attorney workloads. Also, trial attorneys currently must handle about half of the appeals in child abuse and neglect cases because we have only one appellate attorney devoted to CINA appeals. If we are to effectively manage these important responsibilities, we must significantly add to our current attorney positions for child protection work. We need additional attorneys also to help the Office of Children's Services meet certain goals for purposes of federal funding. Further, our work for the Division of Juvenile Justice is seriously limited due to understaffing; additional attorneys are needed to achieve the division's goal of protecting the public and rehabilitating juveniles. We also need added paraprofessional support to assist our Fairbanks Human Services section.

### COMMERCIAL AND FAIR BUSINESS PRACTICES

Executive Order 111 transferred the public advocacy function of the Regulatory Commission of Alaska (RCA) to the attorney general. The attorney general is tasked with advocating on behalf of the public interest in regulatory matters before the RCA. In the current and upcoming fiscal year, this new authority will require the attorney general to develop standards and procedures to enhance the effectiveness of our advocacy efforts. Challenges include maintaining adequate funding for the public advocacy function and developing expertise in the areas of finance, economics and engineering.

### CONSUMER PROTECTION AND ANTITRUST ENFORCEMENT

Alaska is a target state for many types of consumer fraud. Under the Consumer Protection Act, the attorney general is authorized to investigate and bring enforcement action against businesses that engage in unfair or deceptive trade practices. Because of our limited funding and staffing, and because the office has enforcement authority over the entire state, we are forced to turn away many legitimate cases of consumer fraud. We direct our enforcement activities to fraud affecting a large number of consumers or involving large dollar amounts, and often we do not have sufficient resources even for those cases. Nevertheless, we continue to increase enforcement activity because of additional statutory designated program receipt resources appropriated to this component beginning in FY 2000 and increased again for FY 2004. To help ensure the receipt of these revenues, the division must maintain the section's participation in multi-state investigation and enforcement activities involving national companies that have committed unfair or deceptive practices impacting Alaskan consumers.

## OIL, GAS, & MINING

During FY 2005, the Oil, Gas, & Mining section will be engaged in highly complex litigation and negotiations over the Trans-Alaskan Pipeline (TAPS) tariffs. The existing TAPS intrastate tariff methodology was successfully challenged by certain shippers before the Regulatory Commission of Alaska, and is on appeal to the superior court. Uncertainty over the tariff has prompted the TAPS owners and the state to try to negotiate a mutually acceptable replacement tariff methodology.

During FY 2005, the Oil, Gas, & Mining section will play an integral role, with the Departments of Revenue and Natural Resources, in negotiating and drafting the fiscal terms of a gas pipeline project under the Alaska Stranded Gas Development Act. Negotiations under the Act raise numerous complex legal issues with respect to providing fiscal certainty for project sponsors, and changes to the state's taxes on North Slope gas production. The section also will work with the other departments to evaluate and draft the legislation and regulations that will be needed to facilitate the project.

## STATEHOOD DEFENSE

During FY 2005, the Statehood Defense unit will continue to represent the state in *Alaska v. United States*, Original No. 128, before the United States Supreme Court to quiet title to the submerged lands underlying the marine waters of the Tongass National Forest and Glacier Bay National Park. We expect to brief exceptions to the Special Master's recommended decision on summary judgment in the next year, and depending on the outcome, the case may go to trial in 2004 or 2005.

The attorneys also will work to protect and ensure access to state and private lands and on public waters across Alaska through assertions of RS 2477 rights-of-way, ANILCA access rights, and ownership of navigable waters. They will continue to work with the Department of Natural Resources and the Department of Fish and Game to file with the Bureau of Land Management (BLM) additional applications for recordable disclaimers of interest for submerged lands.

The Statehood Defense unit also will participate in the ongoing federal rulemaking relating to application of the national Roadless Rule to Alaska's Tongass and Chugach National Forests. The attorneys will continue to closely monitor the federal subsistence program, prepare state comments, and challenge actions by the Federal Subsistence Board when necessary. They also will continue to work on tribal sovereignty issues that impact state interests.

## LABOR & STATE AFFAIRS

Steady increases in the frequency and complexity of lawsuits and other disputes involving labor relations and employment issues have increased demands on the attorneys in the Labor & State Affairs section. Additional resources are required to provide the timely advice other state agencies need to make sound labor and employment decisions and to represent state agencies effectively in court. In the upcoming year, the section will continue to assist with a number of proposals to modify the state's relationship with its employees' union and change various statutory provisions.

## NATURAL RESOURCES

The Natural Resources section will continue to be involved in litigation concerning Alaska's right to charge nonresidents higher annual fees for permits to participate in the state's commercial fisheries. Class action plaintiffs in the case are seeking millions of dollars in refunds and interest. Using criteria approved by the Alaska Supreme Court, the state will argue to the superior court that the differential charged nonresidents is lawful and that no refund is due.

## TRANSPORTATION

In the coming year, the transportation section will assist with implementation of the Department of Transportation's plans relating to development of bridges to Gravina Island, access to Juneau, an extension of Abbot Loop Road in Anchorage, a Knik Arm Bridge, and resource development roads.

## Significant Changes in Results to be Delivered in FY2005

**HUMAN SERVICES:** The division seeks to improve public protection by enhancing the welfare of children in Alaska. Overall, our goal is to reduce the number of children in foster care in Alaska by five percent per year. Current child protection workloads are alarmingly heavy. Recent federally imposed obligations have created much more attorney work for each case. Individual attorney caseloads in Anchorage and Bethel for child in need of aid (CINA) exceed acceptable levels. Understaffing has severely impacted our division's ability to ensure that children receive permanent placements in the shortest possible timeframe.

Added funding for three additional attorneys to handle Anchorage and Bethel cases and for a paralegal in Fairbanks is critical to achieving our goals of ensuring permanency plans for Alaska's children in a timely fashion and reducing the number of children in state foster care by five percent per year.

We also need funding for one additional attorney to handle appeals in child neglect and delinquency cases, primarily cases from Fairbanks, Bethel, Barrow and Southeast. The division currently has only one attorney handling CINA appeals. While our trial attorneys have managed to cover about half of the appeals in these child abuse and neglect cases, assigning this work to an appellate attorney would provide better results and allow our overloaded CINA trial attorneys to focus on trial work.

We were forced to reduce our representation of the Division of Juvenile Justice (DJJ) in FY 2004 by one attorney because we lost federal funds under the Juvenile Accountability Incentive Block Grant. Even before that, the DJJ only received attorney representation in approximately 17 percent of cases in Anchorage and Kenai, because of chronic understaffing. In order to achieve the division's goal of protecting the public and rehabilitating juveniles, we need to decrease the percentage of cases in which juvenile intake officers reduce or dismiss charges because no attorney is available. With an additional position, the division will again be able to handle approximately 17 percent of the Anchorage and Kenai delinquency cases, representing generally the most serious offenses.

**OPINIONS, APPEALS AND ETHICS:** In FY 2005, funding of an additional attorney position will result in significant improvement in providing legal services in the areas of Indian law and advice and training in ethics for state government. Currently, we have one attorney assigned to both Indian law and executive branch ethics, so both of these important functions are short-changed. A new attorney position for Indian law will enable us to address the many important Indian law issues facing state agencies in the year ahead.

**LABOR & STATE AFFAIRS:** Funding for two additional attorneys is requested to respond to the steady increases in the frequency and complexity of lawsuits and other disputes involving labor and employment issues. The state's budget challenges are likely to lead to even sharper increases in labor and employment disputes that will require legal assistance. We will also need additional resources to assist with a number of proposals to modify the state's relationships with its employees' unions and to change various statutory provisions. This request also supports our goal of avoiding costly employment litigation by increasing our responsiveness to agencies' requests for legal advice and guidance to resolve labor and employment disputes when they arise.

## Major RDU Accomplishments in 2003

- **Child Protection:** In 2003, the division continued to participate in the interagency effort (Balloon Project) to reduce the backlog of children who remain in foster care longer than state and federal laws permit. As of June 30, 2003, 96 percent of the children in long-term foster care were in a permanent placement, and in five percent of the cases, we have completed the legal work to free the children for adoption. As these oldest cases have been successfully resolved, the next oldest group of cases has been added. The project now has eight phases including nearly 2,600 children, of whom 71 percent now have permanent homes.
- **Collections and Support:** The division collected over \$3.8 million in FY 2003 in criminal fines, cost of appointed counsel, cost of imprisonment, civil judgments owed to the State of Alaska, and victim restitution. Of this amount, the division collected and disbursed to victims over \$750,000 in restitution.

- Consumer Protection and Antitrust Enforcement: The division collected \$370,000 from three consumer protection cases. The bulk of this money (\$300,000) was from a settlement with Ford Motor Company relating to safety issues with its SUV's. The remaining \$70,000 came from a car dealership (\$50,000) for advertising practices that occurred in the late 1990's, and from a car rental company (\$20,000) for fraudulent damage repair practices. We also obtained final court approval of settlements in three multistate antitrust cases that eventually will bring approximately \$500,000 in restitution, attorneys fees, and penalties. The cases all relate to illegal conduct by major pharmaceutical drug companies to prevent the market entry of generic versions of popular drugs (Taxol, Dardizem CD, and Buspar).
- Environmental cleanup: The division recovered over \$2.8 million for state costs and penalties related to violations of state environmental cases and obtained cleanup agreements with polluters with an estimated value of over \$1.3 million, for a total benefit to the state of over \$4.1 million.
- Environmental: In a case before the United States Supreme Court, the division defended, against the federal EPA, the right of the state to make decisions on the technology that a company must use to control emissions at the Red Dog Mine. The state's case was argued before the Supreme Court on October 8, 2003, and a decision is anticipated by June 2004.
- Oil and Gas: With the departments of Revenue and Natural Resources, the division collected approximately \$23 million (including interest) in back taxes and royalties owed by oil and gas companies.
- Oil and Gas: The division engaged the TAPS carriers in negotiations on a methodology to replace the TSM for determining TAPS tariff rates.
- Statehood Defense: Attorneys in the Statehood Defense unit achieved a favorable settlement in the state's suit against the United States over applicability of the Forest Service's Roadless Rule to Alaska's National Forests.
- Statehood Defense: After reviewing the state's brief in support of summary judgment on the issue of ownership of submerged lands underlying marine waters in the Tongass National Forest, the United States conceded that the state has title to most of the lands in question.
- Statehood Defense: The state received the first recordable disclaimer of interest for submerged land in the nation, for the lands underlying the Black River in Interior Alaska. We filed five applications with the Bureau of Land Management for recordable disclaimers of interest for lands underlying navigable waters and plan to file more in the near future.
- Torts: The division prevailed at trial in a class action lawsuit arising out of the Miller's Reach fire in June 1999. Although the case was difficult, a unanimous jury concluded that the state was not negligent in fighting the fire.
- Torts: The division prevailed on appeal in *Kiokun v State*, a case that challenged the state's duty to initiate a search and rescue. The Alaska Supreme Court reversed a multi-million dollar judgment against the Alaska State Troopers and entered judgment in favor of the state.

### Contact Information

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**Civil Division  
RDU Financial Summary by Component**

*All dollars shown in thousands*

	FY2003 Actuals				FY2004 Authorized				FY2005 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
<b>Formula Expenditures</b>												
None.												
<b>Non-Formula Expenditures</b>												
Dep. Attny General's Office	10,041.7	0.0	114.2	10,155.9	221.0	0.0	0.0	221.0	231.0	0.0	0.0	231.0
Collections and Support	390.5	0.0	1,346.2	1,736.7	522.0	0.0	1,390.8	1,912.8	519.7	0.0	1,455.6	1,975.3
Commercial Section	314.0	0.0	1,604.6	1,918.6	346.9	0.0	1,755.5	2,102.4	0.0	0.0	0.0	0.0
Commercial and Fair Business	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	581.1	0.0	3,480.7	4,061.8
Environmental Law	330.4	0.0	984.6	1,315.0	622.0	0.0	646.7	1,268.7	649.5	0.0	795.2	1,444.7
Fair Business Practices	288.1	0.0	1,170.4	1,458.5	176.9	0.0	1,453.3	1,630.2	0.0	0.0	0.0	0.0
Governmental Affairs	1,062.6	0.0	2,128.9	3,191.5	1,060.5	0.0	2,530.4	3,590.9	0.0	0.0	0.0	0.0
Human Services	2,891.4	0.0	1,575.8	4,467.2	3,026.2	0.0	1,083.3	4,109.5	3,655.4	0.0	1,142.3	4,797.7
Legislation/Regulations	483.4	0.0	152.4	635.8	355.7	0.0	130.8	486.5	0.0	0.0	0.0	0.0
Labor and State Affairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1,344.7	0.0	2,328.7	3,673.4
Natural Resources	985.9	0.0	181.5	1,167.4	957.3	0.0	332.1	1,289.4	864.0	0.0	274.8	1,138.8
Oil, Gas and Mining	0.0	0.0	2,316.7	2,316.7	3,402.8	0.0	1,477.0	4,879.8	2,944.8	0.0	1,477.0	4,421.8
Opinions, Appeals and Ethics	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	762.1	0.0	370.1	1,132.2
Special Litigation	0.0	0.0	2,365.9	2,365.9	0.0	0.0	2,450.0	2,450.0	0.0	0.0	0.0	0.0

**Civil Division  
RDU Financial Summary by Component**

*All dollars shown in thousands*

	FY2003 Actuals				FY2004 Authorized				FY2005 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
Statehood Defense	0.0	0.0	0.0	0.0	1,237.9	0.0	0.0	1,237.9	959.9	0.0	0.0	959.9
Timekeeping and Support	0.0	0.0	493.5	493.5	0.0	0.0	860.2	860.2	0.0	0.0	818.2	818.2
Torts and Workers' Compensation	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2,577.9	2,577.9
Transportation Section	0.0	0.0	1,672.1	1,672.1	0.0	0.0	2,057.4	2,057.4	0.0	0.0	2,006.4	2,006.4
<b>Totals</b>	<b>16,788.0</b>	<b>0.0</b>	<b>16,106.8</b>	<b>32,894.8</b>	<b>11,929.2</b>	<b>0.0</b>	<b>16,167.5</b>	<b>28,096.7</b>	<b>12,512.2</b>	<b>0.0</b>	<b>16,726.9</b>	<b>29,239.1</b>

**Civil Division**  
**Summary of RDU Budget Changes by Component**  
**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>
<b>FY2004 Authorized</b>	<b>11,929.2</b>	<b>0.0</b>	<b>16,167.5</b>	<b>28,096.7</b>
<b>Adjustments which will continue current level of service:</b>				
-Dep. Attny General's Office	10.0	0.0	0.0	10.0
-Collections and Support	-2.3	0.0	64.8	62.5
-Commercial Section	-346.9	0.0	-1,755.5	-2,102.4
-Commercial and Fair Business	581.1	0.0	3,480.7	4,061.8
-Environmental Law	27.5	0.0	28.5	56.0
-Fair Business Practices	-176.9	0.0	-1,453.3	-1,630.2
-Governmental Affairs	-1,060.5	0.0	-2,530.4	-3,590.9
-Human Services	8.4	0.0	59.0	67.4
-Labor and State Affairs	1,179.9	0.0	2,328.7	3,508.6
-Natural Resources	-93.3	0.0	-57.3	-150.6
-Oil, Gas and Mining	-458.0	0.0	0.0	-458.0
-Opinions, Appeals and Ethics	514.3	0.0	370.1	884.4
-Special Litigation	0.0	0.0	-2,450.0	-2,450.0
-Statehood Defense	-278.0	0.0	0.0	-278.0
-Timekeeping and Support	0.0	0.0	-42.0	-42.0
-Torts and Workers' Compensation	0.0	0.0	2,577.9	2,577.9
-Transportation Section	0.0	0.0	-51.0	-51.0
<b>Proposed budget increases:</b>				
-Environmental Law	0.0	0.0	120.0	120.0
-Human Services	620.8	0.0	0.0	620.8
-Labor and State Affairs	164.8	0.0	0.0	164.8
-Opinions, Appeals and Ethics	247.8	0.0	0.0	247.8
<b>FY2005 Governor</b>	<b>12,512.2</b>	<b>0.0</b>	<b>16,726.9</b>	<b>29,239.1</b>