

**State of Alaska
FY2009 Governor's Operating Budget**

**Department of Law
Collections and Support
Component Budget Summary**

Component: Collections and Support

Contribution to Department's Mission

The Collections and Support section provides advice and representation to the Child Support Services Division of the Department of Revenue to assist it in the performance of its functions. The section is also responsible for collecting judgments owed to the State of Alaska and on behalf of victims of crimes and delinquent acts.

Core Services

The Collections and Support section consists of two units: the collections unit and the child support unit. The collections unit collects unsecured debts owed to the state. The majority of these debts are criminal judgments (fines, judgments for the cost of appointed counsel, judgments for the cost of incarceration on DWI charges, and court and collection costs in minor offense cases). The collections unit also collects civil judgments, including attorney fee awards, on behalf of the state and civil penalties issued by agencies such as the Alaska Public Offices Commission (APOC). Effective January 1, 2002, the collections unit expanded its work to include the collection of restitution on behalf of victims in criminal and juvenile delinquency proceedings.

The child support unit represents the Child Support Services Division (CSSD) in court, including paternity establishment and disestablishment proceedings, establishment and modification of child support orders, employer non-compliance actions, criminal non-support prosecutions, licensing appeals, and miscellaneous other activities related to enforcement of child support orders. In addition, the unit provides legal support in matters relating to administrative child support enforcement actions, drafts legislation and regulations, and provides general legal advice to CSSD.

FY2009 Resources Allocated to Achieve Results

FY2009 Component Budget: \$2,602,600	Personnel:	
	Full time	23
	Part time	0
	Total	23

Key Component Challenges

The primary challenge for the child support unit will be addressing the emergence of federally funded IV-D tribal child support agencies within Alaska. In March 2007, the federal Office of Child Support approved the Tlingit and Haida Indian Tribes application to operate a IV-D child support agency. Another Alaska Indian tribe has also applied to the federal government to operate a IV-D child support agency. Due to the unique legal landscape in Alaska concerning native law, the child support unit will be providing additional assistance to the Alaska Child Support Services Division (CSSD) to address legal issues related to tribal child support agencies.

The other challenge for the child support unit will be to accommodate a growing number of requests from CSSD for assistance in more complex enforcement actions and a growing caseload of time consuming support modification requests. Over the past couple of years, CSSD has shifted its focus from establishing paternity and support orders to enforcement of support orders. CSSD places more emphasis on enforcement action, including the use of civil contempt, attachment of assets, fraudulent transfer actions, seek work orders, native dividend and PFD orders, and criminal non-support. At the same time, actions to modify child support orders have become more time consuming and difficult, with an increase in the number of shared, divided or hybrid custody cases as well as self-employed or voluntarily underemployed parents. These actions are requiring more resources. To meet this increased demand, in FY 2007 CSSD restored funding for the section's eighth attorney position that has been vacant for several years. The support unit will continue to assist CSSD in updating its regulations to comply with state and federal law as well as current cases decided by the Alaska Supreme Court. The support unit will also continue to assist CSSD in modifying its procedures due to changes to the federal bankruptcy laws.

For the collections unit, the primary challenge will be to implement a new database to efficiently increase money collected for the state and victims of crimes as well as expand the types of judgments the unit can collect. Currently, the unit is unable to collect certain criminal surcharges due to limited staff and the limited database. In addition to collecting other types of judgments, the new database will expand the restitution collection work. Since January 2002 when the unit began collecting restitution, the unit has developed and, over time, improved a streamlined system for processing restitution judgments and collecting and disbursing restitution on behalf of victims. To date, because of limited personnel and the time spent developing the program and training staff, the unit's work has been limited primarily to processing judgments, handling voluntary payments, and attaching permanent fund dividends. After improving the unit's efficiency, the unit will be able to move forward with more aggressive collection action, particularly in cases where the defendant's failure to pay is particularly egregious.

Significant Changes in Results to be Delivered in FY2009

Increase the types of judgments, fines and costs collected on behalf of the State of Alaska. The goal is to implement the new collections database and begin collecting other judgments, fines and costs, specifically the Correctional Facility Surcharge and Police Training Surcharge, owed to the State of Alaska that are not currently collected by the unit due to the limited database and limited staff.

Increase by 5% the amount of restitution collected for victims of crimes. The goal is to implement a new collections database, allowing for more efficient processing of restitution cases and time to utilize civil enforcement remedies to collect restitution owed to victims.

Decreasing the time for processing child support modification files. The goal for FY2009 will be to assure that action is taken in 90% of child support modification files within 30 days of receipt of the file from the Child Support Services Division.

Increasing the use of civil and criminal enforcement actions in child support cases. The goal for FY2009 is to increase the number of criminal non-support prosecutions by 10% and the number of cases accepted for civil enforcement action by 5%. The unit will continue assisting CSSD's Special Collections Unit with enforcement actions against obligors with significant child support arrears.

Assisting CSSD with proposed changes to federal law on medical support

Major Component Accomplishments in 2007

The collections unit of the Collections and Support Section collected over \$5.8 million in FY2007, an increase of over \$1 million from FY2006. These collections included criminal fines, cost of appointed counsel, cost of imprisonment, civil

judgments owed to the State of Alaska, and victim restitution. Of this amount, the unit collected and disbursed to victims over \$2.2 million in restitution. This is roughly an increase of over \$250,000 from FY2006.

The section resolved and closed over 1,500 child support files in FY2007. These files included paternity establishment and disestablishment cases, appeals, bankruptcies, motions for the establishment and modification of child support orders, license suspensions, employer noncompliance claims, and miscellaneous enforcement actions and claims against the State of Alaska. The section completed more than 700 modifications of Alaska child support orders through court proceedings, thus assuring that these support orders comply with the child support guidelines set forth in Alaska Civil Rule 90.3. The section continued to experience a slight decrease in paternity establishment and bankruptcy cases. CSSD referrals for enforcement action remained relatively constant from FY2006.

Statutory and Regulatory Authority

AS 25.27.050, AS 44.23.020

Contact Information

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**Collections and Support
Component Financial Summary**

All dollars shown in thousands

	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,625.2	1,866.8	2,002.2
72000 Travel	6.0	20.7	21.2
73000 Services	452.3	607.8	529.6
74000 Commodities	48.7	36.0	38.1
75000 Capital Outlay	15.4	6.5	11.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	2,147.6	2,537.8	2,602.6
Funding Sources:			
1004 General Fund Receipts	352.8	286.9	498.8
1005 General Fund/Program Receipts	348.4	490.4	503.0
1007 Inter-Agency Receipts	1,446.4	1,760.5	1,600.8
Funding Totals	2,147.6	2,537.8	2,602.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	1,446.4	1,760.5	1,600.8
General Fund Program Receipts	51060	348.4	490.4	503.0
Restricted Total		1,794.8	2,250.9	2,103.8
Total Estimated Revenues		1,794.8	2,250.9	2,103.8

**Summary of Component Budget Changes
From FY2008 Management Plan to FY2009 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2008 Management Plan	777.3	0.0	1,760.5	2,537.8
Adjustments which will continue current level of service:				
-Juvenile Accountability Block Grant Funding Change	100.0	0.0	-100.0	0.0
-I/A Receipts to Human Services and Child Protection	0.0	0.0	-89.0	-89.0
-FY 09 Health Insurance Increases for Exempt Employees	0.6	0.0	1.6	2.2
-FY 09 Bargaining Unit Contract Terms: General Government Unit	12.4	0.0	27.7	40.1
Proposed budget increases:				
-New Associate Attorney for Adult Restitution	111.5	0.0	0.0	111.5
FY2009 Governor	1,001.8	0.0	1,600.8	2,602.6

**Collections and Support
Personal Services Information**

Authorized Positions		Personal Services Costs		
	FY2008 Management Plan	FY2009 Governor		
Full-time	22	23	Annual Salaries	1,346,081
Part-time	0	0	COLA	36,701
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	677,374
			<i>Less 2.81% Vacancy Factor</i>	<i>(57,956)</i>
			Lump Sum Premium Pay	0
Totals	22	23	Total Personal Services	2,002,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Clerk II	1	0	0	0	1
Administrative Clerk III	4	0	0	0	4
Assoc Attorney I	2	0	0	0	2
Assoc Attorney II	2	0	0	0	2
Attorney III	1	0	0	0	1
Attorney IV	4	1	0	0	5
Attorney V	1	0	0	0	1
Attorney VI	1	0	0	0	1
Law Office Assistant I	2	0	0	0	2
Law Office Assistant II	1	0	0	0	1
Paralegal II	2	1	0	0	3
Totals	21	2	0	0	23