

**State of Alaska
FY2020 Governor's Operating Budget**

**Department of Law
Special Litigation
Component Budget Summary**

Component: Special Litigation**Contribution to Department's Mission**

The Special Litigation section provides specialized legal services and representation to state government, taking major civil cases to trial in state and federal court and administrative proceedings. It also enforces the state's consumer protection statutes.

Core Services

- The section enforces state consumer protection and antitrust laws and provides legal services and expertise to departments and agencies faced with major litigation involving large-scale discovery, constitutional challenges, or expedited proceedings.
- Section attorneys lead litigation teams bringing together experienced litigators, appellate specialists and subject matter experts from other sections to provide the state with the strongest possible representation in important litigation.
- Section attorneys serve as a resource for attorneys in other sections, offering advice and assistance in all stages of litigation.

Major Component Accomplishments in 2018

The section is representing the state in litigation challenging the Tax Credit Bond Act, which is new legislation enacted in 2018 to authorize the issuance of bonds to finance the repurchase of oil and gas tax credits.

The section assumed responsibility for multistate anti-trust litigation; the two current cases involve complaints against pharmaceutical companies for anti-trust violations.

The section is representing the Division of Retirement and Benefits in several lawsuits filed to challenge the constitutionality of changes to retiree medical and dental insurance plans.

Key Component Challenges

The purpose of the section is to take the Civil Division's former ad hoc approach to team building and give it a formal structure, with the Special Litigation section at the center. Just as the Opinions, Appeals and Ethics Section functions as a service section for other sections in the division—providing appellate specialists to handle appeals or expert appellate advice to subject matter attorneys—the Special Litigation section provides trial expertise and guidance in cases from every section.

In FY2019, the Consumer Protection Unit is transitioning into the Special Litigation section to leverage the additional litigation resources of the section to enhance the department's consumer protection program. A key challenge for the coming year is to effectuate a smooth transition and strengthen the department's consumer protection enforcement efforts.

Significant Changes in Results to be Delivered in FY2020

The section is working on increasing the number of consumer protection enforcement actions initiated in the coming fiscal year.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

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Special Litigation Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2019</u> <u>Management</u> <u>Plan</u>	<u>FY2020</u> <u>Governor</u>		
Full-time	6	6	Annual Salaries	576,173
Part-time	0	0	COLA	1,505
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	307,909
			<i>Less 1.20% Vacancy Factor</i>	(10,587)
			Lump Sum Premium Pay	0
Totals	6	6	Total Personal Services	875,000

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney I	1	0	0	0	1
Attorney III	1	0	0	0	1
Attorney IV	2	0	0	0	2
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Totals	6	0	0	0	6

Component Detail All Funds
Department of Law

Component: Special Litigation (2213)
RDU: Civil Division (35)

Non-Formula Component

	FY2018 Actuals	FY2019 Conference Committee	FY2019 Authorized	FY2019 Management Plan	FY2020 Governor	FY2019 Management Plan vs FY2020 Governor	
71000 Personal Services	466.2	912.3	912.3	852.3	875.0	22.7	2.7%
72000 Travel	1.1	8.4	8.4	8.4	8.4	0.0	0.0%
73000 Services	139.3	240.9	240.9	300.9	300.9	0.0	0.0%
74000 Commodities	6.8	27.9	27.9	27.9	27.9	0.0	0.0%
75000 Capital Outlay	0.5	0.0	0.0	0.0	0.0	0.0	0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Totals	613.9	1,189.5	1,189.5	1,189.5	1,212.2	22.7	1.9%
Fund Sources:							
1004 Gen Fund (UGF)	553.2	953.1	953.1	953.1	965.8	12.7	1.3%
1007 I/A Rcpts (Other)	60.7	236.4	236.4	236.4	246.4	10.0	4.2%
Unrestricted General (UGF)	553.2	953.1	953.1	953.1	965.8	12.7	1.3%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	60.7	236.4	236.4	236.4	246.4	10.0	4.2%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	6	6	6	6	6	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0.0%

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Special Litigation (2213)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
***** Changes From FY2019 Conference Committee To FY2019 Authorized *****												
FY2019 Conference Committee												
	ConfCom	1,189.5	912.3	8.4	240.9	27.9	0.0	0.0	0.0	6	0	0
1004 Gen Fund		953.1										
1007 I/A Rcpts		236.4										
Subtotal		1,189.5	912.3	8.4	240.9	27.9	0.0	0.0	0.0	6	0	0
***** Changes From FY2019 Authorized To FY2019 Management Plan *****												
Transfer Attorney IV (03-0320) to Legislation/Regulations for Required Legal Expertise												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer Attorney IV (03-0320) to the Legislation/Regulations component to keep pace with the required level of legal expertise needed within the section. The position is located in Juneau.												
Department of Law attorney positions are partially exempt and flexibly-ranged positions. Attorneys I-VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions to keep up with demand, funding is not always transferred with the position. Budget authority is evaluated and aligned between components as needed.												
Transfer Associate Attorney I (03-0231) from Opinions, Appeals and Ethics to Address Workload Demands												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer Associate Attorney I (03-0231) from Opinions, Appeals and Ethics to accommodate the workload and office demands.												
Align Authority to Comply with Vacancy Factor Guidelines												
	LIT	0.0	-60.0	0.0	60.0	0.0	0.0	0.0	0.0	0	0	0
The purpose of this line item transfer is to align authority within the Special Litigation component in order to comply with vacancy factor guidelines.												
Subtotal		1,189.5	852.3	8.4	300.9	27.9	0.0	0.0	0.0	6	0	0
***** Changes From FY2019 Management Plan To FY2020 Governor *****												
Transfer from Commercial and Fair Business to Comply with Vacancy Factor Guidelines												
	Trin	20.0	20.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		10.0										
1007 I/A Rcpts		10.0										
Transfer budget authority from the Commercial and Fair Business component to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												

FY2020 Salary Adjustments - GGU, CEA, TEAME

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Special Litigation (2213)
RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		
										PFT	PPT	NP
1004 Gen Fund	SalAdj	2.7	2.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FY2020 Salary Adjustments - GGU, CEA, TEAME: \$2.7												
FY2020 GGU HI from \$1432 to \$1530: \$1.2												
FY2020 GGU 3% COLA: \$1.5												
Totals		1,212.2	875.0	8.4	300.9	27.9	0.0	0.0	0.0	6	0	0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2020 Governor (15610)
Component: Special Litigation (2213)
RDU: Civil Division (35)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	UGF Amount
03-0026	Attorney III	FT	A	XE	Anchorage	N00	22F / J	12.0		95,106	0	0	51,174	146,280	117,024
03-0042	Attorney VI	FT	A	XE	Anchorage	99	26O / P	12.0		146,509	0	0	67,900	214,409	171,527
03-0141	Attorney IV	FT	A	XE	Anchorage	N00	24E / F	12.0		105,727	0	0	54,803	160,530	160,530
03-0231	Assoc Attorney I	FT	A	XE	Anchorage	99	17M	12.0		76,424	0	0	44,793	121,217	60,609
03-0270	Law Office Assistant I	FT	A	GP	Anchorage	200	11B / C	12.0		37,388	1,505	0	31,262	70,155	70,155
03-0422	Attorney IV	FT	A	XE	Anchorage	N00	24K / L	12.0		115,019	0	0	57,977	172,996	138,397
													Total Salary Costs:	576,173	
													Total COLA:	1,505	
													Total Premium Pay:	0	
													Total Benefits:	307,909	
													Total Pre-Vacancy:	885,587	
													Minus Vacancy Adjustment of 1.20%:	(10,587)	
													Total Post-Vacancy:	875,000	
													Plus Lump Sum Premium Pay:	0	
													Personal Services Line 100:	875,000	

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	718,242	709,655	81.10%
1007 Interagency Receipts	167,346	165,345	18.90%
Total PCN Funding:	885,587	875,000	100.00%

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column. [No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

Line Item Detail (1676)
Department of Law
Travel

Component: Special Litigation (2213)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
2000	Travel		1.1	8.4
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
2000 Travel Detail Totals			1.1	8.4
2006	Other Travel Costs	Travel cost transfers.	1.1	8.4

Line Item Detail (1676)
Department of Law
Services

Component: Special Litigation (2213)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
3000	Services		139.3	300.9
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
3000 Services Detail Totals			139.3	300.9
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	60.7	100.0
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	78.6	200.9

Line Item Detail (1676)
Department of Law
Commodities

Component: Special Litigation (2213)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
4000	Commodities		6.8	27.9
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
4000 Commodities Detail Totals			6.8	27.9
4022	Commodity Transfer	Commodity cost transfers.	6.8	27.9

Line Item Detail (1676)
Department of Law
Capital Outlay

Component: Special Litigation (2213)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
5000	Capital Outlay		0.5	0.0
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
5000 Capital Outlay Detail Totals			0.5	0.0
5009	Capital Outlay Transfer	Capital cost transfers.	0.5	0.0

Revenue Detail (1681)
Department of Law

Component: Special Litigation (2213)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2018 Actuals	FY2019 Management Plan
5007 I/A Rcpts (1007 I/A Rcpts)			60.7	236.4
5301 Inter-Agency Receipts	Admin - Department-wide		60.7	0.0
5301 Inter-Agency Receipts	Law - Dep. Attny General's Office (2205)	Special Litigation provides experienced, specialized legal services and representation to state government for litigation of a complex, specific, and/or large-scale nature. The casework is not necessarily predictable or consistent, so individual agency service costs vary from year to year depending on the volume and length of cases.	0.0	236.4