

State of Alaska
FY2021 Governor's Operating Budget

Department of Law
Criminal Justice Litigation
Component Budget Summary

Component: Criminal Justice Litigation

Contribution to Department's Mission

This component contributes to the department's mission by providing legal services that support the efforts of criminal justice agencies, and by providing policy direction for and direct supervision of the Criminal Division.

Core Services

- Provides general legal services to the Department of Corrections relating to its criminal justice activities. These legal services consist of verbal and written advice, representation in civil litigation and administrative proceedings, and assistance with drafting legislation, regulations, policies and procedures.
- Provides general legal advice and services to the Department of Public Safety including representation in civil litigation, and assistance with drafting legislation, regulations, policies, and procedures. Funding is through a reimbursable services agreement with the Department of Public Safety.
- Advises the governor and the legislature on criminal justice legislation.
- Provides overall administration of the Criminal Division and sets policy for all offices in the Criminal Division by monitoring and approving budgetary expenditures, setting uniform prosecution policies, maintaining a case management system, recruiting and direct personnel management.

Major Component Accomplishments in 2019

See Accomplishments at RDU level.

Key Component Challenges

See Key Challenges at RDU level.

Significant Changes in Results to be Delivered in FY2021

See Changes in Results at RDU level.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

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Criminal Justice Litigation Personal Services Information				
Authorized Positions			Personal Services Costs	
	FY2020 Management Plan	FY2021 Governor		
Full-time	26	26	Annual Salaries	2,193,343
Part-time	0	0	COLA	6,977
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	1,232,844
			<i>Less 4.99% Vacancy Factor</i>	<i>(171,364)</i>
			Lump Sum Premium Pay	0
Totals	26	26	Total Personal Services	3,261,800

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Officer I	1	0	0	0	1
Admn OPS Mgr I	0	0	1	0	1
Associate Attorney II	2	0	0	0	2
Attorney II	1	0	0	0	1
Attorney III	1	2	0	0	3
Attorney IV	2	0	2	0	4
Attorney V	2	0	0	0	2
Deputy Attorney General	1	0	0	0	1
Division Director - Px	1	0	0	0	1
Law Office Assistant I	2	0	0	1	3
Office Assistant II	0	1	1	0	2
Program Coordinator II	1	0	0	0	1
Research Analyst III	1	0	0	0	1
Victim/Witness Paralegal I	1	1	0	1	3
Totals	16	4	4	2	26

Component Detail All Funds
Department of Law

Component: Criminal Justice Litigation (2202)
RDU: Criminal Division (33)

Non-Formula Component

	FY2019 Actuals	FY2020 Conference Committee	FY2020 Authorized	FY2020 Management Plan	FY2021 Governor	FY2020 Management Plan vs FY2021 Governor	
71000 Personal Services	1,211.2	1,617.2	2,973.7	3,177.1	3,261.8	84.7	2.7%
72000 Travel	121.3	67.0	80.6	80.6	80.6	0.0	0.0%
73000 Services	650.3	625.6	837.5	837.5	762.5	-75.0	-9.0%
74000 Commodities	75.1	44.6	60.3	60.3	60.3	0.0	0.0%
75000 Capital Outlay	0.0	0.0	5.0	5.0	5.0	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	2,057.9	2,354.4	3,957.1	4,160.5	4,170.2	9.7	0.2%
Fund Sources:							
1004 Gen Fund (UGF)	1,564.1	1,672.6	1,672.6	1,876.0	3,487.2	1,611.2	85.9%
1005 GF/Prgm (DGF)	0.0	1.0	1.0	1.0	1.0	0.0	0.0%
1007 I/A Rcpts (Other)	493.8	680.8	680.8	680.8	682.0	1.2	0.2%
1169 PCE Endow (DGF)	0.0	0.0	1,602.7	1,602.7	0.0	-1,602.7	-100.0%
Unrestricted General (UGF)	1,564.1	1,672.6	1,672.6	1,876.0	3,487.2	1,611.2	85.9%
Designated General (DGF)	0.0	1.0	1,603.7	1,603.7	1.0	-1,602.7	-99.9%
Other Funds	493.8	680.8	680.8	680.8	682.0	1.2	0.2%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	10	11	25	26	26	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: Criminal Justice Litigation (2202)
RDU: Criminal Division (33)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
***** Changes From FY2020 Conference Committee To FY2020 Authorized *****												
FY2020 Conference Committee												
	ConfCom	2,354.4	1,617.2	67.0	625.6	44.6	0.0	0.0	0.0	11	0	0
1004 Gen Fund		1,672.6										
1005 GF/Prgm		1.0										
1007 I/A Rcpts		680.8										
Crimes; Sentencing; Drugs; Theft; Reports Ch4 FSSLA2019 (HB49) (Sec7 Ch3 FSSLA2019 P19 L18 (SB19))												
	FisNot	1,602.7	1,356.5	13.6	211.9	15.7	5.0	0.0	0.0	14	0	0
1169 PCE Endow		1,602.7										
<p>Add the appropriation made in Sec7 Ch3 FSSLA2019 P19 L18 (SB19) related to House Bill 49 (HB49) Crimes; Sentencing; Drugs; Theft; Reports Ch4 FSSLA2019. HB49 makes a number of changes to the state's criminal code, as well as statutes affecting pretrial, probation and reporting. Further, this bill enacts several new criminal offenses. The creation of new criminal offenses will require the Criminal Division to engage in additional litigation.</p> <p>Also, the prioritization of felony drug prosecutions, will likely cause felony drug prosecutions to return to their 2015 level, which was 70 percent higher than 2017. Additional prosecutors and support staff are necessary to address the workload associated with this legislation.</p>												
Subtotal		3,957.1	2,973.7	80.6	837.5	60.3	5.0	0.0	0.0	25	0	0
***** Changes From FY2020 Authorized To FY2020 Management Plan *****												
Transfer Attorney III (03-1231) to Torts and Workers' Compensation for Casework Realignment												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
<p>Transfer a full-time Attorney III (03-1231), range 22, located in Anchorage, from the Criminal Justice Litigation office to the Torts and Workers' Compensation section to keep pace with the required level of legal expertise needed within the section. The remaining staff within the Criminal Justice Litigation office are sufficient to accommodate anticipated workload.</p> <p>Department of Law attorney positions are transferred as needed to align expertise with workload.</p>												
Transfer Attorney II (03-1006) from Fourth Judicial District for Required Legal Expertise												
	Trin	203.4	143.4	10.0	50.0	0.0	0.0	0.0	0.0	1	0	0
1004 Gen Fund		203.4										
<p>Transfer a full-time Attorney II (03-1006), range 20, located in Bethel, from the Fourth Judicial District to the Criminal Justice Litigation office in Anchorage to keep pace with the required level of legal expertise needed within the office. The remaining staff within the Fourth Judicial District are sufficient to accommodate anticipated workload.</p> <p>Department of Law attorney positions are transferred as needed to align expertise with workload.</p>												
Add Program Coordinator II (03-#015) to Support the Comprehensive Opioid Abuse Site-based Program												
	PosAdj	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Criminal Justice Litigation (2202)
RDU: Criminal Division (33)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
Add a full-time Program Coordinator II (03-#015), range 20, located in Anchorage to support the Comprehensive Opioid Abuse Site-based Program federal grant and the Alaska Tribal Diversion Project.												
Align Authority with Anticipated Expenditures												
	LIT	0.0	60.0	-10.0	-50.0	0.0	0.0	0.0	0.0	0	0	0
Transfer authority from travel and services to cover anticipated personal services costs. The remaining travel and services authority is sufficient to cover anticipated expenditures.												
Subtotal		4,160.5	3,177.1	80.6	837.5	60.3	5.0	0.0	0.0	26	0	0
***** Changes From FY2020 Management Plan To FY2021 Governor *****												
FY2021 Salary and Health Insurance Increases												
	SalAdj	9.7	9.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		8.5										
1007 I/A Rcpts		1.2										
FY2021 GGU Salary Increases: \$6.6												
FY2021 increase to GGU Health Insurance from \$1530 to \$1555 per member per month: \$3.1												
Maintain Ongoing Activities for Crimes; Sentencing; Drugs; Theft; Reports (Ch4 FSSLA2019)												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		1,602.7										
1169 PCE Endow		-1,602.7										
Replace power cost equalization endowment funding received for House Bill 49 (HB49) Crimes; Sentencing; Drugs; Theft; Reports (Ch4 FSSLA2019). Unrestricted general fund is a more appropriate fund source for continuing the ongoing activities resulting from the passage of HB49.												
HB49 makes a number of changes to the state's criminal code, as well as statutes affecting pretrial, probation and reporting. Further, this bill enacts several new criminal offenses. The creation of new criminal offenses will require the Criminal Division to engage in additional litigation. Also, the prioritization of felony drug prosecutions, will likely cause felony drug prosecutions to return to their 2015 level, which was 70 percent higher than 2017.												
Align Authority with Anticipated Expenditures												
	LIT	0.0	75.0	0.0	-75.0	0.0	0.0	0.0	0.0	0	0	0
Transfer authority from services to cover anticipated personal services costs. The remaining services authority is sufficient to cover anticipated expenditures.												
Totals		4,170.2	3,261.8	80.6	762.5	60.3	5.0	0.0	0.0	26	0	0

Line Item Detail (1676)
Department of Law
Travel

Component: Criminal Justice Litigation (2202)

Line Number	Line Name		FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
2000	Travel		121.3	80.6	80.6
Object Class	Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
2000 Travel Detail Totals			121.3	80.6	80.6
2000	In-State Employee Travel	Travel for attorneys to interview witnesses and attend court proceedings, as well as for necessary training for both attorneys and paraprofessionals. Includes travel for management purposes.	113.2	70.0	70.0
2001	In-State Non-Employee Travel	Travel costs for witnesses to testify in court.	0.7	7.0	7.0
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	7.4	3.6	3.6

Line Item Detail (1676)
Department of Law
Services

Component: Criminal Justice Litigation (2202)

Line Number	Line Name		FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
3000	Services		650.3	837.5	762.5
Object Class	Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
3000 Services Detail Totals			650.3	837.5	762.5
3000	Education Services	Conferences, training and memberships.	3.8	5.8	5.8
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	82.5	92.5	92.5
3003	Information Technology	Training, consulting and software licensing and maintenance. Annual maintenance fee for mission-critical information management systems.	1.2	3.6	3.6
3004	Telecommunications	Local telephone service, long distance charges and cellular phone services paid to third-party telephone utilities.	17.8	32.3	32.3
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	4.3	8.6	8.6
3007	Advertising and Promotions	Publication of legal notices.	1.4	1.4	1.4
3009	Structure/Infrastructure/Land	Rentals/leases - records and evidence storage.	81.1	91.1	91.1
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	289.0	0.0	0.0
3017	Inter-Agency Information Technology	Admin - Department-wide Non-Telecommunications	45.4	165.5	145.4
3018	Inter-Agency Information Technology	Admin - Department-wide Telecommunications	5.6	65.6	55.6

Line Item Detail (1676)
Department of Law
Services

Component: Criminal Justice Litigation (2202)

Object Class		Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
3000 Services Detail Totals				650.3	837.5	762.5
3021	Inter-Agency Mail	Admin - Department-wide	RSA Administration, Central Mail.	0.7	1.4	1.4
3022	Inter-Agency Human Resources	Law - Administrative Services (2164)	RSA Law, Human Resources position.	10.7	65.6	60.7
3023	Inter-Agency Building Leases	Admin - Department-wide	Leased office space managed by General Services.	82.9	112.9	112.9
3026	Inter-Agency Insurance	Admin - Department-wide	RSA Administration, Risk Management.	0.5	1.0	1.0
3027	Inter-Agency Financial	Admin - Department-wide	RSA Administration, Finance Chargeback (IRIS).	4.0	8.0	8.0
3028	Inter-Agency Americans with Disabilities Act Compliance	Admin - Department-wide	RSA Administration - Division of Personnel and Labor Relations, Americans with Disabilities Act.	0.1	0.4	0.4
3038	Inter-Agency Management/Consulting	Law - Administrative Services (2164)	RSA Law, Information services, project and management support.	19.3	181.8	141.8

Line Item Detail (1676)
Department of Law
Commodities

Component: Criminal Justice Litigation (2202)

Line Number	Line Name		FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
4000	Commodities		75.1	60.3	60.3
Object Class	Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
4000 Commodities Detail Totals			75.1	60.3	60.3
4000	Business	Reference materials and subscriptions, including statutes, software applications, non-capital desktop refresh, and miscellaneous office supplies.	71.1	56.3	56.3
4004	Safety	Safety and security purchases.	4.0	4.0	4.0

Line Item Detail (1676)
Department of Law
Capital Outlay

Component: Criminal Justice Litigation (2202)

Line Number	Line Name		FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
5000	Capital Outlay		0.0	5.0	5.0
Object Class	Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
5000 Capital Outlay Detail Totals			0.0	5.0	5.0
5004	Equipment	Equipment purchases.	0.0	5.0	5.0

Revenue Detail (1681)
Department of Law

Component: Criminal Justice Litigation (2202)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
5005 GF/Prgm (1005 GF/Prgm)			0.0	1.0	1.0
5119 Program Receipts Law - Charges for Services		Discovery services - receipts from private attorneys.	0.0	1.0	1.0
5007 I/A Rcpts (1007 I/A Rcpts)			493.8	680.8	682.0
5301 Inter-Agency Receipts	Admin - Department-wide	RSA Administration, Public Defender's Office - discovery reimbursement. Program code: CM03651671.	111.4	225.0	225.0
5301 Inter-Agency Receipts	PubSaf - Department-wide	RSA Public Safety, STOP VAWA Project - implementation of the prosecution components of the Federal Violence Against Women Act. Program code: CM03651661.	205.3	225.0	225.0
5301 Inter-Agency Receipts	Admin - Department-wide	RSA Administration, Office of Public Advocacy - discovery reimbursement. Program code: CM03651672.	177.1	230.8	232.0
6004 Gen Fund (1004 Gen Fund)			2.5	0.0	0.0
6046 General Fund - Prior Year Reimbursement Recovery			2.5	0.0	0.0

Inter-Agency Services (1682)
Department of Law

Component: Criminal Justice Litigation (2202)

				FY2019 Actuals	FY2020 Management Plan	FY2021 Governor
Component Totals				169.2	602.2	527.2
With Department of Administration				139.2	354.8	324.7
With Department of Law				30.0	247.4	202.5
Object Class	Servicing Agency	Explanation	FY2019 Actuals	FY2020 Management Plan	FY2021 Governor	
3017	Inter-Agency Information Technology Non-Telecommunications	Admin - Department-wide RSA Administration, Office of Information Technology computer services.	45.4	165.5	145.4	
3018	Inter-Agency Information Technology Telecommunications	Admin - Department-wide RSA Administration, Office of Information Technology telecommunications services.	5.6	65.6	55.6	
3021	Inter-Agency Mail	Admin - Department-wide RSA Administration, Central Mail.	0.7	1.4	1.4	
3022	Inter-Agency Human Resources	Law - Administrative Services (2164) RSA Law, Human Resources position.	10.7	65.6	60.7	
3023	Inter-Agency Building Leases	Admin - Department-wide Leased office space managed by General Services.	82.9	112.9	112.9	
3026	Inter-Agency Insurance	Admin - Department-wide RSA Administration, Risk Management.	0.5	1.0	1.0	
3027	Inter-Agency Financial	Admin - Department-wide RSA Administration, Finance Chargeback (IRIS).	4.0	8.0	8.0	
3028	Inter-Agency Americans with Disabilities Act Compliance	Admin - Department-wide RSA Administration - Division of Personnel and Labor Relations, Americans with Disabilities Act.	0.1	0.4	0.4	
3038	Inter-Agency Management/Consulting	Law - Administrative Services (2164) RSA Law, Information services, project and management support.	19.3	181.8	141.8	

Personal Services Expenditure Detail
Department of Law

Scenario: FY2021 Governor (16414)
Component: Criminal Justice Litigation (2202)
RDU: Criminal Division (33)

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-?001	Office Assistant II	FT	A	GP	Juneau	105	10A / B	12.0		37,636	505	0	31,647	69,788	69,788
03-?005	Law Office Assistant I	FT	A	GP	Anchorage	100	11B / C	12.0		38,640	518	0	31,990	71,148	71,148
03-?008	Law Office Assistant I	FT	A	GP	Palmer	100	11B / C	12.0		38,640	518	0	31,990	71,148	71,148
03-?011	Attorney III	FT	A	XE	Fairbanks	N03	22C / D	12.0		88,488	0	0	48,914	137,402	137,402
03-?013	Office Assistant II	FT	A	GP	Fairbanks	103	10B / C	12.0		37,516	503	0	31,606	69,625	69,625
03-?015	Program Coordinator II	FT	A	GP	Anchorage	100	20A / B	12.0		70,017	939	0	42,708	113,664	0
03-0131	Law Office Assistant I	FT	A	GP	Anchorage	200	11D / E	12.0		41,490	557	0	32,963	75,010	75,010
03-0137	Associate Attorney II	FT	A	XE	Anchorage	N00	19F / J	12.0		77,218	0	0	45,064	122,282	122,282
03-1004	Attorney IV	FT	A	XE	Juneau	N05	24N	12.0		131,148	0	0	63,486	194,634	194,634
03-1006	Attorney II	FT	A	XE	Anchorage	N00	20D / E	12.0		77,628	0	0	45,204	122,832	122,832
03-1058	Attorney IV	FT	A	XE	Anchorage	N00	24F	12.0		106,452	0	0	55,050	161,502	161,502
03-1076	Division Director - Px	FT	A	XE	Anchorage	N00	27Q / R	12.0		159,513	0	0	71,784	231,297	231,297
03-1160	Admn OPS Mgr I	FT	A	SS	Juneau	99	22L / M	12.0		116,957	0	0	58,783	175,740	175,740
03-1167	Deputy Attorney General	FT	A	XE	Anchorage	N00	28P / Q	12.0		159,839	0	0	71,875	231,714	231,714
03-1185	Associate Attorney II	FT	A	XE	Anchorage	N00	19L	12.0		83,856	0	0	47,331	131,187	0
03-1216	Administrative Officer I	FT	A	GP	Anchorage	200	17A / B	12.0		56,178	754	0	37,981	94,913	94,913
03-1305	Attorney V	FT	A	XE	Anchorage	99	25P / Q	12.0		148,692	0	0	68,750	217,442	0
03-1331	Victim/Witness Paralegal I	FT	A	GP	Anchorage	100	14A / B	12.0		46,044	618	0	34,519	81,181	81,181
03-1332	Attorney IV	FT	A	XE	Anchorage	N00	24J / K	12.0		110,504	0	0	56,434	166,938	166,938
03-1333	Attorney III	FT	A	XE	Anchorage	N00	22E / F	12.0		92,428	0	0	50,260	142,688	142,688
03-1334	Victim/Witness Paralegal I	FT	A	GP	Fairbanks	103	14A / B	12.0		47,424	636	0	34,990	83,050	83,050
03-1335	Attorney III	FT	A	XE	Fairbanks	N03	22E / F	12.0		94,644	0	0	51,017	145,661	145,661
03-1336	Attorney IV	FT	A	XE	Juneau	N05	24E / F	12.0		111,475	0	0	56,766	168,241	168,241
03-1337	Attorney V	FT	A	XE	Anchorage	N00	25F	12.0		114,420	0	0	57,772	172,192	172,192
03-1338	Victim/Witness Paralegal I	FT	A	GP	Kenai	100	14A / B	12.0		46,044	618	0	34,519	81,181	81,181
03-1343	Research Analyst III	FT	A	GP	Anchorage	200	18A / B	12.0		60,452	811	0	39,441	100,704	100,704
													Total Salary Costs:	2,193,343	
													Total COLA:	6,977	
													Total Premium Pay:	0	
													Total Benefits:	1,232,844	
													Total Pre-Vacancy:	3,433,164	
													Minus Vacancy Adjustment of 4.99%:	(171,364)	
													Total Post-Vacancy:	3,261,800	
													Plus Lump Sum Premium Pay:	0	
													Personal Services Line 100:	3,261,800	
		Total Positions:		New	Deleted										
Full Time Positions:		26	0	0											
Part Time Positions:		0	0	0											
Non Permanent Positions:		0	0	0											
Positions in Component:		26	0	0											
Total Component Months:		312.0													

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.

Personal Services Expenditure Detail
Department of Law

Scenario: FY2021 Governor (16414)
Component: Criminal Justice Litigation (2202)
RDU: Criminal Division (33)

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	2,970,871	2,822,582	86.53%
1007 Interagency Receipts	462,293	439,218	13.47%
Total PCN Funding:	3,433,164	3,261,800	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.

CRIMINAL DIVISION

Criminal Justice Litigation

