

**State of Alaska
FY2022 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 of experienced litigators, appellate specialists, and subject matter experts from other sections to provide the state with the strongest possible representation in complex and 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 2020

The section has represented the Division of Elections in multiple election lawsuits this year, managing expedited preliminary injunction briefing that proceeded rapidly to appeals. Some of these cases will continue past the general election, because they raise constitutional challenges to state election law that will recur in the future.

The section continues to manage a variety of cases against pharmaceutical companies — both multistate cases involving anti-trust violations and the state's consumer protection complaints against opioid manufacturers and distributors.

The Consumer Protection Unit transitioned into the section and has successfully focused on increasing the number of enforcement actions it files each year.

The section is also providing litigation expertise in support of major cases in other sections, including the Natural Resources, Human Services, and Labor and State Affairs Sections.

Key Component Challenges

The purpose of the section is to provide a formal structure to the Civil Division's former ad hoc approach to team building, with the expertise of the Special Litigation team 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 for every section.

Significant Changes in Results to be Delivered in FY2022

No changes are anticipated in the coming fiscal year.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

Contact Information

Contact: Margaret Paton-Walsh, Chief Assistant Attorney General
Phone: (907) 269-5100
E-mail: margaret.paton-walsh@alaska.gov

Special Litigation Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2021</u> <u>Management</u> <u>Plan</u>	<u>FY2022</u> <u>Governor</u>		
Full-time	9	9	Annual Salaries	958,462
Part-time	0	0	COLA	551
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	495,172
			<i>Less 2.25% Vacancy Factor</i>	(32,685)
			Lump Sum Premium Pay	0
Totals	9	9	Total Personal Services	1,421,500

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Associate Attorney I	1	0	0	0	1
Attorney IV	2	0	1	0	3
Attorney V	2	0	1	0	3
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	0	0	0	1
Totals	7	0	2	0	9

Component Detail All Funds
Department of Law

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

Non-Formula Component

	FY2020 Actuals	FY2021 Conference Committee	FY2021 Authorized	FY2021 Management Plan	FY2022 Governor	FY2021 Management Plan vs FY2022 Governor	
71000 Personal Services	0.0	1,346.0	1,346.0	1,401.0	1,421.5	20.5	1.5%
72000 Travel	0.0	13.8	13.8	13.8	13.8	0.0	0.0%
73000 Services	9.5	199.9	199.9	199.9	179.9	-20.0	-10.0%
74000 Commodities	0.0	27.9	27.9	27.9	27.9	0.0	0.0%
75000 Capital Outlay	0.0	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	9.5	1,587.6	1,587.6	1,642.6	1,643.1	0.5	0.0%
Fund Sources:							
1001 CBR Fund (UGF)	0.0	304.1	304.1	304.1	0.0	-304.1	-100.0%
1004 Gen Fund (UGF)	9.5	912.1	912.1	912.1	1,216.7	304.6	33.4%
1007 I/A Rcpts (Other)	0.0	371.4	371.4	426.4	426.4	0.0	0.0%
Unrestricted General (UGF)	9.5	1,216.2	1,216.2	1,216.2	1,216.7	0.5	0.0%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	0.0	371.4	371.4	426.4	426.4	0.0	0.0%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	9	9	9	9	9	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 FY2021 Conference Committee To FY2021 Authorized *****												
Conference Committee												
	ConfCom	1,587.6	1,346.0	13.8	199.9	27.9	0.0	0.0	0.0	9	0	0
1001 CBR Fund		304.1										
1004 Gen Fund		912.1										
1007 I/A Rcpts		371.4										
Subtotal		1,587.6	1,346.0	13.8	199.9	27.9	0.0	0.0	0.0	9	0	0
***** Changes From FY2021 Authorized To FY2021 Management Plan *****												
Transfer from Opinions, Appeals and Ethics to Align with Anticipated Expenditures												
	Trin	55.0	55.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		55.0										
Transfer authority from Opinions, Appeals and Ethics to Special Litigation to align with anticipated expenditures required for an adequate level of legal expertise needed within the office. The remaining authority in Opinions, Appeals and Ethics is sufficient to cover anticipated expenditures.												
Subtotal		1,642.6	1,401.0	13.8	199.9	27.9	0.0	0.0	0.0	9	0	0
***** Changes From FY2021 Management Plan To FY2022 Governor *****												
FY2022 Salary Adjustments												
	SalAdj	0.5	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		0.5										
FY2022 1% COLA for ASE/General Government (GG/GP/GY/GZ): \$0.5												
Fund Source Adjustment of CBRF to UGF												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1001 CBR Fund		-304.1										
1004 Gen Fund		304.1										
Transfer Authority from Services for Anticipated Personal Service Expenditures												
	LIT	0.0	20.0	0.0	-20.0	0.0	0.0	0.0	0.0	0	0	0
Transfer authority from the services line to the personal services line for anticipated personal services costs. The remaining services authority is anticipated to be sufficient to cover operating expenditures.												
Totals		1,643.1	1,421.5	13.8	179.9	27.9	0.0	0.0	0.0	9	0	0

Line Item Detail (1676)
Department of Law
Travel

Component: Special Litigation (2213)

Line Number	Line Name		FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
2000	Travel		0.0	13.8	13.8
Object Class	Servicing Agency	Explanation	FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
2000 Travel Detail Totals			0.0	13.8	13.8
2006	Other Travel Costs	Travel cost transfers.	0.0	13.8	13.8

Line Item Detail (1676)
Department of Law
Services

Component: Special Litigation (2213)

Line Number	Line Name		FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
3000	Services		9.5	199.9	179.9
Object Class	Servicing Agency	Explanation	FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
3000 Services Detail Totals			9.5	199.9	179.9
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	9.5	9.5	9.5
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	0.0	190.4	170.4

Line Item Detail (1676)
Department of Law
Commodities

Component: Special Litigation (2213)

Line Number	Line Name		FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
4000	Commodities		0.0	27.9	27.9
Object Class	Servicing Agency	Explanation	FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
4000 Commodities Detail Totals			0.0	27.9	27.9
4022	Commodity Transfer	Commodity cost transfers.	0.0	27.9	27.9

Revenue Detail (1681)
Department of Law

Component: Special Litigation (2213)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2020 Actuals	FY2021 Management Plan	FY2022 Governor
5007 I/A Rcpts (1007 I/A Rcpts)			0.0	426.4	426.4
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	426.4	426.4

Personal Services Expenditure Detail
Department of Law

Scenario: FY2022 Governor (17280)
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 IV	FT	A	XE	Anchorage	N00	24F	12.0		106,451	0	0	55,050	161,501	129,201
03-0042	Attorney VI	FT	A	XE	Anchorage	N00	26P / Q	12.0		151,269	0	0	69,841	221,110	176,888
03-0141	Attorney V	FT	A	XE	Anchorage	N00	25F / J	12.0		115,044	0	0	57,985	173,029	173,029
03-0231	Associate Attorney I	FT	A	XE	Anchorage	99	17M	12.0		76,424	0	0	44,793	121,217	60,609
03-0267	Attorney IV	FT	A	XE	Juneau	N05	24F / J	12.0		115,250	0	0	58,056	173,306	86,653
03-0270	Law Office Assistant I	FT	A	GP	Anchorage	200	11D / E	12.0		41,100	551	0	32,830	74,481	74,481
03-0345	Attorney V	FT	A	XE	Juneau	N05	25N / O	12.0		141,733	0	0	67,102	208,835	167,068
03-0410	Attorney IV	FT	A	XE	Anchorage	N00	24A / B	12.0		92,420	0	0	50,257	142,677	114,142
03-0422	Attorney V	FT	A	XE	Anchorage	N00	25J / K	12.0		118,771	0	0	59,258	178,029	142,423

Total Positions:	9	0	0	Total Salary Costs:	958,462
Full Time Positions:	9	0	0	Total COLA:	551
Part Time Positions:	0	0	0	Total Premium Pay:	0
Non Permanent Positions:	0	0	0	Total Benefits:	495,172
Positions in Component:	9	0	0	Total Pre-Vacancy:	1,454,185
				Minus Vacancy Adjustment of 2.25%:	(32,685)
				Total Post-Vacancy:	1,421,500
				Plus Lump Sum Premium Pay:	0
				Personal Services Line 100:	1,421,500

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	1,124,493	1,099,218	77.33%
1007 Interagency Receipts	329,692	322,282	22.67%
Total PCN Funding:	1,454,185	1,421,500	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.

CIVIL DIVISION

Special Litigation

