

**Thresholds:**

Increases	5%
Decreases	0%

**Attorney General Programs Trend**

	2009	2010	2011	2012	2013	2014 Est	2014 Approp	Trend	2014 Approp	Diff	Pct
Administration	\$4,204,200	\$3,860,900	\$3,874,550	\$4,236,100	\$4,195,700	\$4,203,300	\$4,346,600		\$4,346,600	(\$143,300)	-3%
Child Protection	\$7,297,700	\$7,115,250	\$7,383,900	\$7,246,800	\$7,192,200	\$7,869,500	\$7,734,600		\$7,734,600	\$134,900	2%
Children's Justice	\$1,248,500	\$1,069,700	\$1,137,600	\$1,177,800	\$1,178,000	\$1,270,100	\$1,236,800		\$1,236,800	\$33,300	3%
Criminal Prosecution	\$14,334,400	\$14,340,400	\$14,592,600	\$14,917,900	\$15,724,000	\$16,405,900	\$16,691,400		\$16,691,400	(\$285,500)	-2%
Civil	\$19,782,350	\$18,706,200	\$18,737,900	\$19,181,550	\$19,222,000	\$20,312,100	\$20,626,700		\$20,626,700	(\$314,600)	-2%
<b>Total</b>	<b>\$46,867,150</b>	<b>\$45,092,450</b>	<b>\$45,726,550</b>	<b>\$46,760,150</b>	<b>\$47,511,900</b>	<b>\$50,060,900</b>	<b>\$50,636,100</b>		<b>\$50,636,100</b>	<b>(\$575,200)</b>	<b>-1%</b>

**Attorney General Funding Trend**

	2009	2010	2011	2012	2013	2014 Est	2014 Approp	Trend	2014 Approp	Diff	Pct
General Fund	\$24,531,050	\$23,135,750	\$25,043,850	\$24,366,350	\$26,477,500	\$27,601,700	\$27,601,700		\$27,601,700	\$0	0%
General Fund, One-time	\$312,600	\$1,838,400	\$0	\$550,000	\$0	\$392,500	\$392,500		\$392,500	\$0	0%
Federal Funds	\$1,304,000	\$1,474,200	\$2,140,300	\$2,028,400	\$1,650,100	\$1,683,800	\$1,646,000		\$1,646,000	\$37,800	2%
ARRA	\$0	\$397,400	\$0	\$0	\$0	\$0	\$0		\$0	\$0	n/a
Dedicated Credits Revenue	\$18,013,300	\$18,360,200	\$17,919,400	\$17,118,200	\$16,919,300	\$17,695,000	\$18,081,200		\$18,081,200	(\$386,200)	-2%
GFR - Tobacco Settlement	\$275,200	\$274,300	\$276,100	\$66,600	\$73,500	\$73,500	\$73,500		\$73,500	\$0	0%
GFR - Constitutional Defense	\$0	\$0	\$0	\$350,000	\$359,200	\$359,200	\$359,200		\$359,200	\$0	0%
GFR - Mortgage and Financial Fraud	\$0	\$0	\$0	\$0	\$2,000,000	\$0	\$0		\$0	\$0	n/a
Attorney General Litigation Fund	\$335,400	\$332,900	\$336,500	\$336,900	\$345,000	\$356,000	\$355,400		\$355,400	\$600	0%
Transfers - Federal	\$322,300	\$314,600	\$367,100	\$573,100	\$549,600	\$589,100	\$615,700		\$615,700	(\$26,600)	-4%
Transfers - Other Agencies	\$59,900	\$59,300	\$60,000	\$60,000	\$59,100	\$52,100	\$62,100		\$62,100	(\$10,000)	-16%
Transfers - CCJJ	\$83,000	\$711,100	\$701,500	\$416,200	\$44,900	\$4,700	\$0		\$0	\$4,700	n/a
Beginning Nonlapsing	\$2,647,400	\$1,017,000	\$2,820,600	\$3,869,300	\$2,901,600	\$3,561,200	\$3,405,800		\$3,405,800	\$155,400	5%
Closing Nonlapsing	(\$1,017,000)	(\$2,820,600)	(\$3,869,300)	(\$2,901,500)	(\$3,561,200)	(\$2,307,900)	(\$1,957,000)		(\$1,957,000)	(\$350,900)	18%
Lapsing Balance	\$0	(\$2,100)	(\$69,500)	(\$73,400)	(\$306,700)	\$0	\$0		\$0	\$0	n/a
<b>Total</b>	<b>\$46,867,150</b>	<b>\$45,092,450</b>	<b>\$45,726,550</b>	<b>\$46,760,150</b>	<b>\$47,511,900</b>	<b>\$50,060,900</b>	<b>\$50,636,100</b>		<b>\$50,636,100</b>	<b>(\$575,200)</b>	<b>-1%</b>

**Attorney General Expenditure Trend**

	2009	2010	2011	2012	2013	2014 Est	2014 Approp	Trend	2014 Approp	Diff	Pct
Personnel Services	\$42,396,850	\$40,712,600	\$41,107,400	\$41,668,600	\$42,744,300	\$44,902,800	\$45,005,900		\$45,005,900	(\$103,100)	0%
In-state Travel	\$102,900	\$83,800	\$97,000	\$103,500	\$143,700	\$143,600	\$103,300		\$103,300	\$40,300	39%
Out-of-state Travel	\$97,300	\$69,600	\$99,400	\$147,800	\$119,100	\$117,800	\$146,900		\$146,900	(\$29,100)	-20%
Current Expense	\$3,025,000	\$2,718,300	\$2,818,450	\$2,825,500	\$2,784,600	\$2,768,700	\$3,076,800		\$3,076,800	(\$308,100)	-10%
DP Current Expense	\$450,500	\$505,200	\$744,000	\$1,185,500	\$932,400	\$1,143,400	\$1,097,400		\$1,097,400	\$46,000	4%
DP Capital Outlay	\$107,200	\$7,500	\$0	\$0	\$0	\$0	\$2,000		\$2,000	(\$2,000)	-100%
Capital Outlay	\$0	\$273,800	\$49,300	\$0	\$5,500	\$0	\$0		\$0	\$0	n/a
Other Charges/Pass Thru	\$687,400	\$683,450	\$811,000	\$829,300	\$782,300	\$984,600	\$1,205,000		\$1,205,000	(\$220,400)	-18%
Transfers	\$0	\$38,200	\$0	\$0	\$0	\$0	\$0		\$0	\$0	n/a
<b>Total</b>	<b>\$46,867,150</b>	<b>\$45,092,450</b>	<b>\$45,726,550</b>	<b>\$46,760,200</b>	<b>\$47,511,900</b>	<b>\$50,060,900</b>	<b>\$50,637,300</b>		<b>\$50,637,300</b>	<b>(\$576,400)</b>	<b>-1%</b>

## Personnel and Vacancies Analysis - 2014 General Session

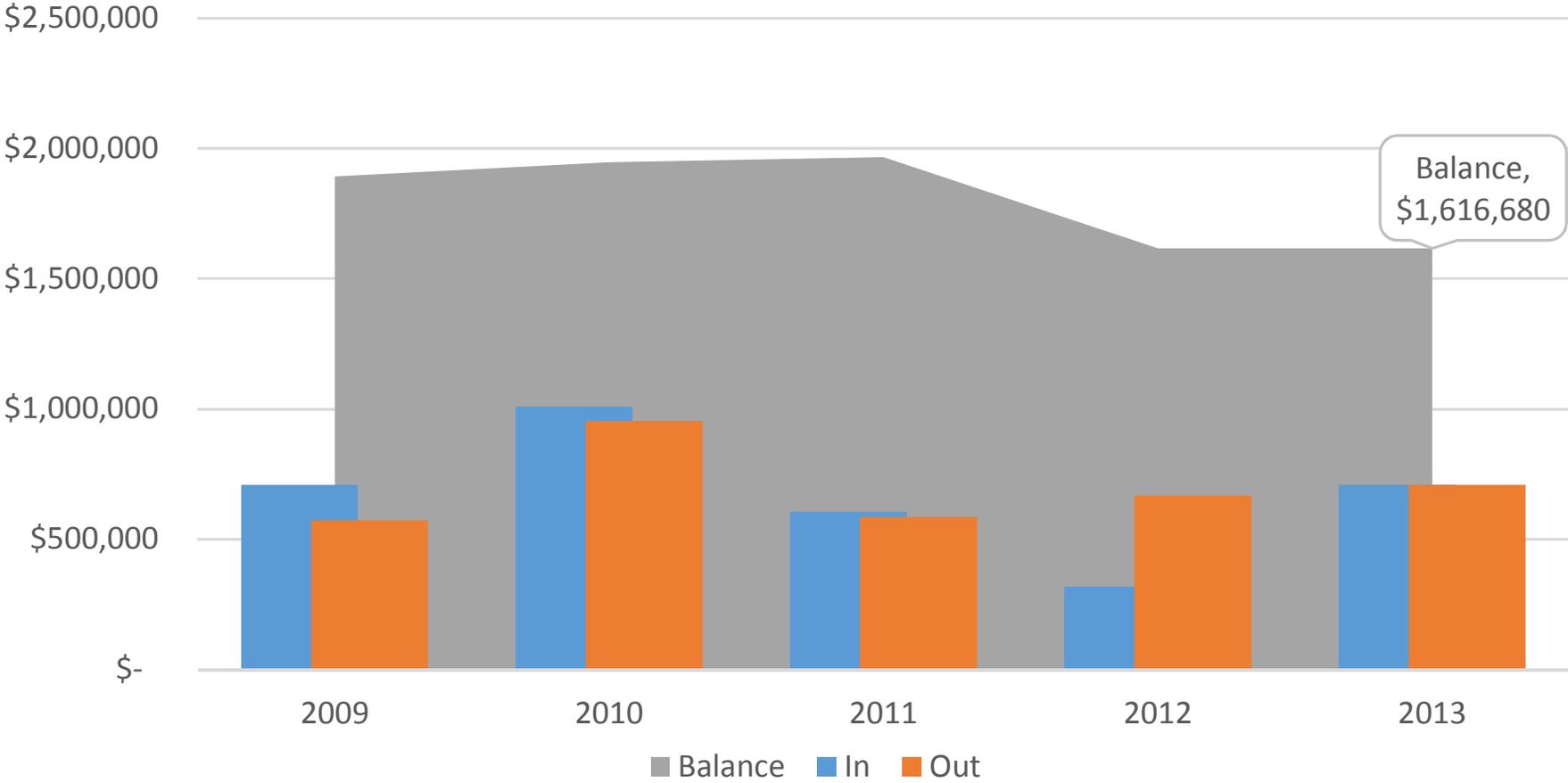
Agency = Attorney General

<b>Vacancies</b>	<b>Budgeted Vacancy</b>	<b>Total from Budget Detail</b>	<b>Pct</b>	<b>Year-to-date Total</b>	<b>Year-to-date Annualized</b>	<b>Diff from Budget Detail</b>	<b>Pct Diff</b>
Hours	19,836	908,280	2.2%	457,497	914,993	(6,713)	-0.7%
FTE	9.5	435.0	2.2%	439.9	439.9	(4.9)	-1.1%
Cost	\$ 703,000	\$ 45,700,000	1.5%	\$ 23,400,000	\$ 46,800,000	\$ (1,100,000)	-2.4%

<b>Personnel Services Costs by Year</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
Budgeted	\$ 46,941,300	\$ 45,809,600	\$ 45,809,600
Actual	\$ 43,621,300		
Difference	\$ 3,320,000		
	7.1%		

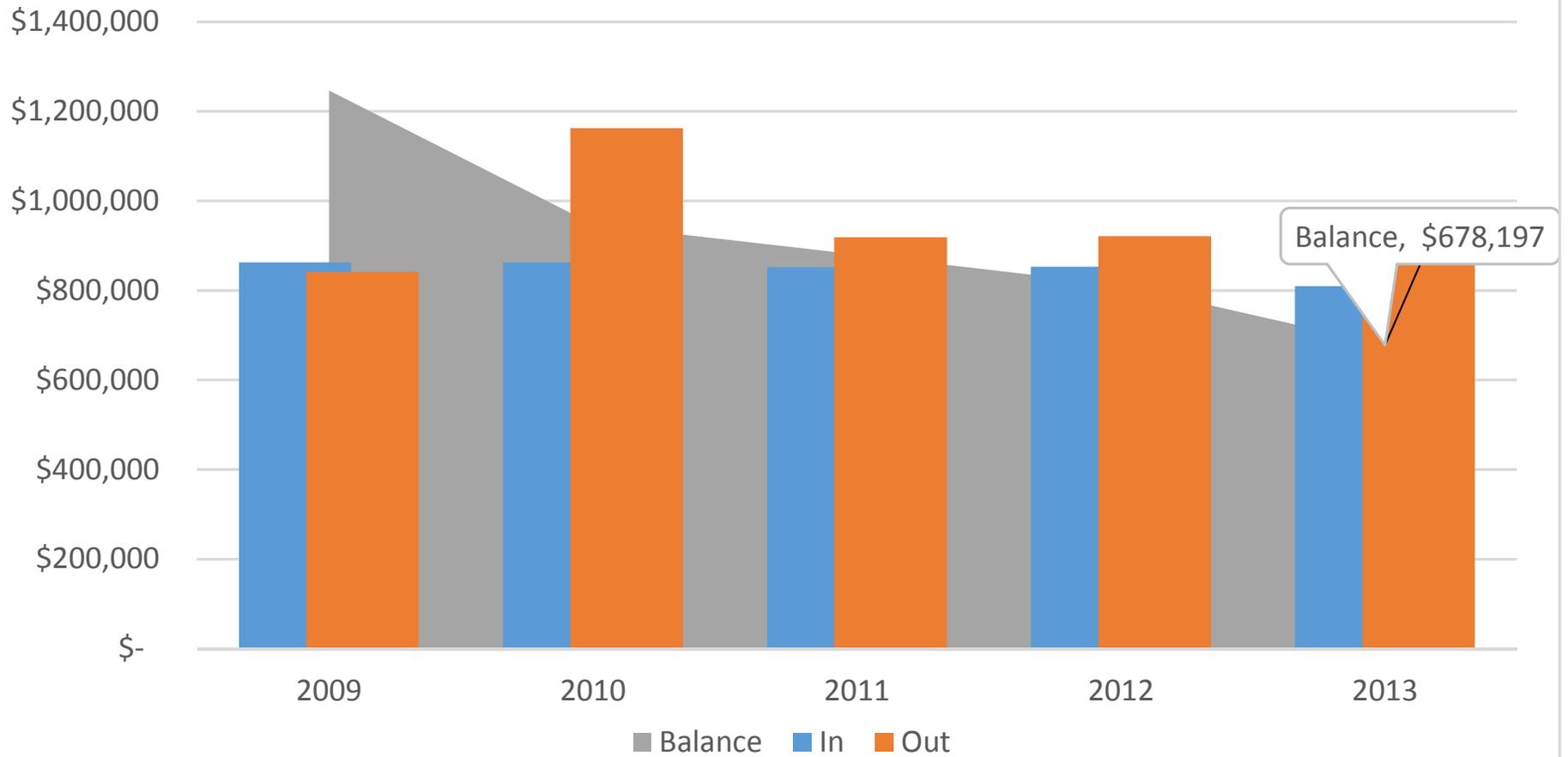
<b>Certain Costs Included in Actual Experience</b>	<b>FY 2013 Dollar</b>	<b>FY 2013 Pct of Budget</b>	<b>FY 2014 YTD Dollars</b>	<b>FY 2014 YTD Pct of Budget</b>
Overtime	\$ 337,455.99	0.7%	\$ 98,422.78	0.2%
Incentive Awards	\$ 52,785.00	0.1%	\$ 57,326.00	0.1%
Service Awards	\$ 1,424.72	0.0%	\$ 10,500.00	0.0%

# Attorney General Litigation Fund



Note: FY 2014 appropriation from fund = \$356,000

## Victims of Domestic Violence Service Account



Note: FY 2014 appropriation from fund = \$1,047,100

## Fund 2010 Attorney General Crime & Violence Prevention Fund

Agency(s): Attorney General

Analyst: Zackery N. King

### Purpose and Uses

This fund was created to account for the receipt and use of gifts and donations to the Attorney General.

### Accountability

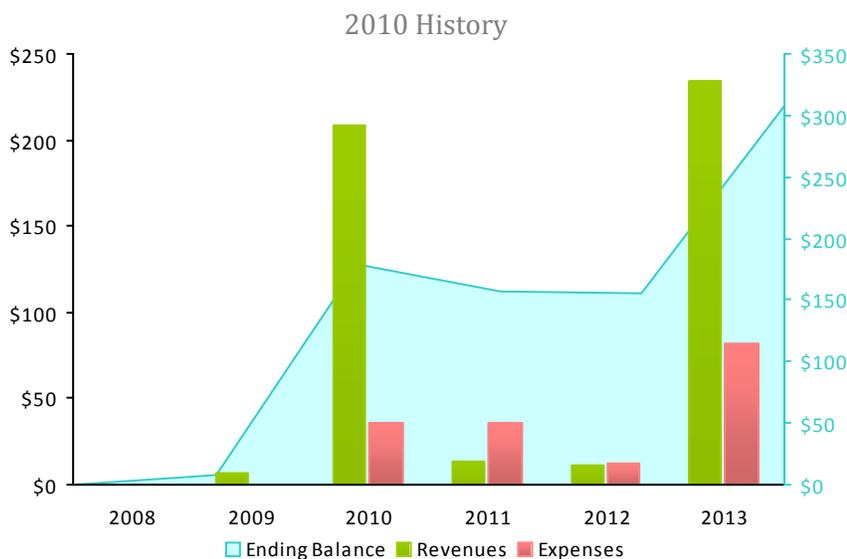
Fund balances cannot be used for administrative purposes. Use of funds is specified in UCA 67-5-24 for various programs addressing crime and violence prevention. An annual report to the Legislature is also directed by statute. The report has not been submitted or taken place over the last three years.

Statute does not currently provide any detail for when or to whom the required annual report is to be given and this condition was cited by the Attorney General as the reason for noncompliance.

### Recommendation

It is recommended that the Legislature specify a committee or body within the Legislature to whom the Attorney General "...shall make an annual report..." to. For example, the Executive Offices and Criminal Justice Appropriations Subcommittee. It is also recommended that the Legislature specify a time for when the annual report is required. For example, not later than October 1 of each fiscal year.

This is an expendable special revenue fund. The Analyst further recommends the Legislature review this fund annually and include it in an appropriations act.



\*Revenues and Expenses include Net Transfers; Dollar figures in thousands

### Graph Notes

The fund received \$13,600 in FY 2011, \$11,025 in FY 2012, and \$234,800 in FY 2013. Direct expenditures from this fund were about \$36,100, \$12,800, and \$82,400 in FY 2011, FY 2012 and FY 2013, respectively. For purposes as specified with the gift or donation. The fund balance is cash.

## Fund 2000 Attorney General Consumer Programs Fund

Agency(s): Attorney General

Analyst: Zackery N. King

### Purpose and Uses

This fund was initially set up in 1995 to account for money received from the bankruptcy of an extended warranty provider. Subsequent to that, the fund has been used for other court cases where the Attorney General receives settlements with a stipulation that the funds be used for investigation and litigation costs, consumer education, or consumer aid.

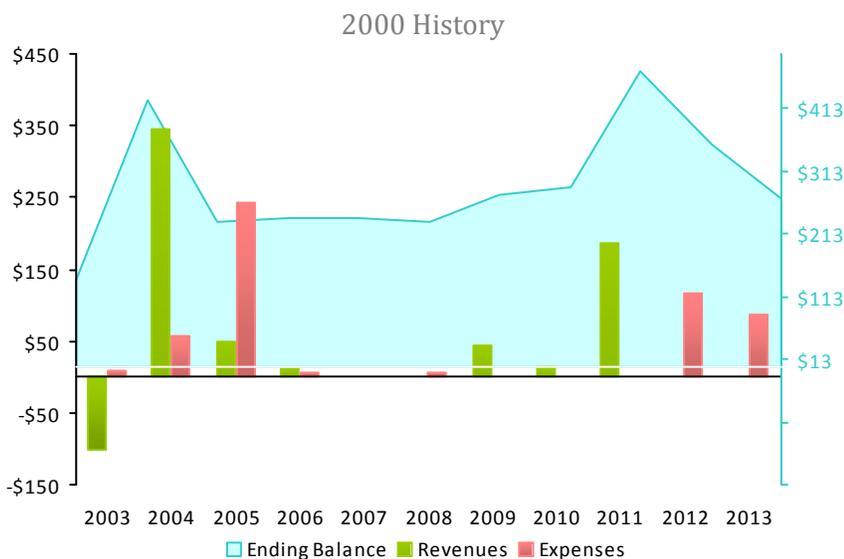
### Accountability

The fund is not created in statute, does not have any reporting requirements, and has no oversight of its balances.

### Recommendation

The Analyst recommends the Legislature review this fund annually as part of the budget process; create statutory language authorizing the fund, outlining its revenue sources and uses; and re-categorize the fund as a General Fund Restricted Account.

The fund is currently positioned to collect funds from consumer protection type cases and can continue with this function but with more transparency.



### Graph Notes

In FY 2011, a \$185,000 settlement was received. In FY 2012 and 2013, \$117,000 and approximately \$120,000 was spent on legal work to aid consumers. The current balance of the fund is approximately \$236,000 in cash.

\*Revenues and Expenses include Net Transfers; Dollar figures in thousands

## Fund 1520 Abortion Litigation Account

Agency(s): Attorney General

Analyst: Zackery N. King

### Purpose and Uses

This account is used to pay litigation and appellate expenses of the Office of the Attorney General, including any court-ordered payment of plaintiff's attorney fees, to defend any law passed by the Legislature on or after January 1, 2009.

### Accountability

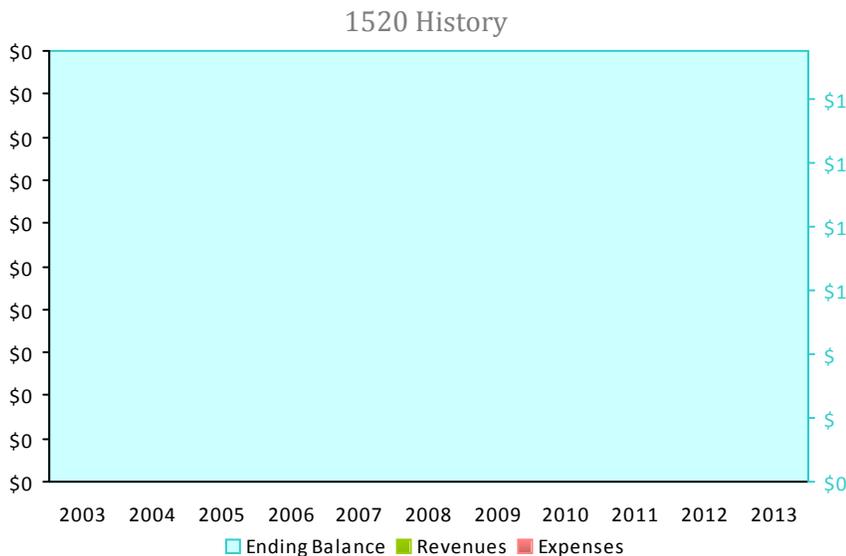
UCA 76-7-317.1 limits funds use to paying litigation and appellate expenses of the Attorney General to defend any law passed by the Legislature on or after January 1, 2009, that challenges the legal concept that a woman has a constitutional right to an abortion or places a restriction on the right to an abortion. As a General Fund Restricted Account, funds must be appropriated by the Legislature prior to expenditure. There are no fund-specific reports.



### Recommendation

July 1, 2014 is a critical date for the fund as the remaining balance of \$1,400 will most likely be swept and used by the Division of Child and Family Services. At this time, the fund could be closed due to inactivity for over 20 years.

The Legislature may wish to change the conditional date (currently July 1, 2014) in statute for the fund to be swept. This would extend the time for a law to pass that "challenges the legal concept that a woman has a constitutional right to an abortion, or places a restriction on the right to an abortion." The Attorney General is authorized to receive reimbursements from the account for court costs and attorney fees in its defense of any such law.



### Graph Notes

Revenue and expenditures are both \$0 over the last three years. The current fund balance is about \$1,400 in cash.

\*Revenues and Expenses include Net Transfers; Dollar figures in thousands

## Fund 8060 Attorney General Financial Crimes Trust Fund

Agency(s): Attorney General

Analyst: Zackery N. King

### Purpose and Uses

When the Office of the Attorney General has successfully prosecuted a case and receives an award on behalf of victims of consumer fraud, this fund accounts for money received and its disbursement to the victims.

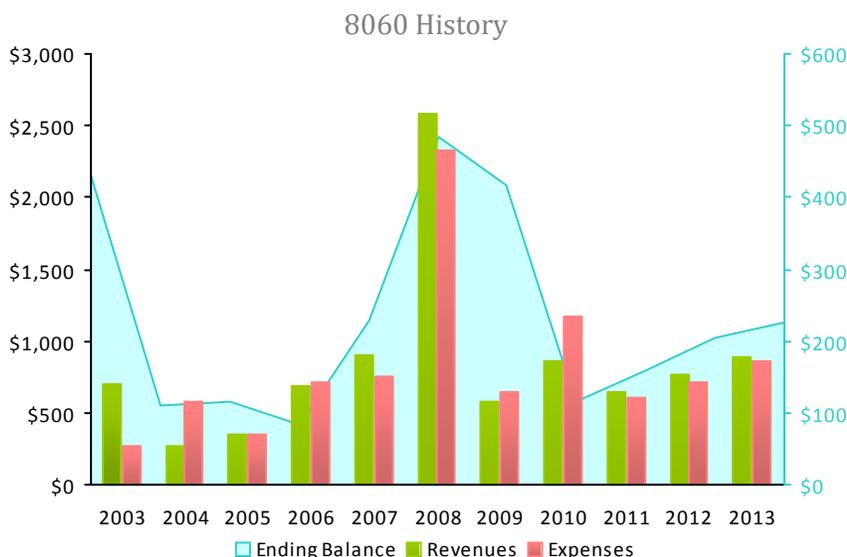
### Accountability

A federal grant is the source of funds for paying two employees to administer the fund. Reporting requirements are in place for the use of the funds through the grant program. Internal controls restrict use of fund to distribution of funds to victims of financial crime. No statutory controls or reporting requirements are currently in place.

### Recommendation

The Analyst recommends creating an annual report from the Attorney General to the Executive Offices and Criminal Justice Appropriations Subcommittee on revenues, expenditures, and fund balances that includes performance data of fund activities. For example, what is the number of cases prosecuted where an award was received on behalf of victims of consumer fraud? Etc.

Large balances of money flow in and out of this fund. One possible scenario that the State could be faced with is backfilling funds for the two employees that administer the fund, as their salaries are paid by a federal grant. If this federal money were to go away, the Attorney General would be faced with internal decisions about the administration of the fund, one of which could be to approach the Legislature for additional state funds. It is beneficial to the Legislature to know about the fund's existence and at least be apprised of its activities.



### Graph Notes

Revenues received were \$650,300 in FY 2011, \$760,200 in FY 2012, and \$883,900 in FY 2013. Revenue to the fund is from court-ordered settlement payments after successful prosecution on behalf of victims of financial crimes. Restitution payments made from this fund were \$608,300, \$713,500, and \$863,100 in FY 2011, FY 2012 & FY 2013, respectively. The fund balance is cash.

\*Revenues and Expenses include Net Transfers; Dollar figures in thousands

## Federal Funds Request Summary for State FY 2015

July 1, 2014 through June 30, 2015

Grant Title	CFDA Number	ARRA mark "X"	Federal Annual Award	Annual Match Requirement								% Pass-Through	New Permanent Staff	Notes/In Kind Source/Fed Requirements		
				Matching State Funds							Local/Other					
				General Fund	Dedicated Credits	Restricted Funds	Other Funds	In Kind	Maint. Of Effort	Total State Match						
<b>ATTORNEY GENERAL</b>																
1 Children's Justice Act	93.643		\$214,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	On-going program	
2 J.R. Justice grant	16.816		\$56,800	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00		
3 FBI Joint Task Forces	N/A		\$14,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	On-going program	
4 Internet Crimes Against Children Task Force	16.543		\$274,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	On-going program	
5 Medicaid Fraud Control Unit grant	92.775		\$1,395,000	\$465,000	\$0	\$0	\$0	\$0	\$0	\$0	\$465,000	\$0	0%	0.00	On-going program, GF match is part of existing base.	
Division/Program Totals			\$1,954,600	\$465,000	\$0	\$0	\$0	\$0	\$0	\$0	\$465,000	\$0	0%	0.00		
<b>ATTORNEY GENERAL TOTALS</b>																
<b>State FY 2015</b>				\$1,954,600	\$465,000	\$0	\$0	\$0	\$0	\$0	\$0	\$465,000	\$0	0%	0.00	

## Supplemental Federal Funds Request Summary for State FY 2014

July 1, 2013 through June 30, 2014

	Grant Title	CFDA Number	ARRA mark "X"	Federal Annual Award	Annual Match Requirement							% Pass-Through	New Perman-ent Staff	Notes/In Kind Source/Fed Requirements	
					Matching State Funds										Local/Other
					General Fund	Dedicated Credits	Restricted Funds	Other Funds	In Kind	Maint. Of Effort	Total State Match				
<b>ATTORNEY GENERAL</b>															
1	Children's Justice Act	93.643		\$58,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	
2	FBI Joint Task Forces	N/A		\$14,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	
3	Internet Crimes Against Children Task Force	16.543		\$93,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	
Division/Program Totals				\$165,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	
<b>ATTORNEY GENERAL TOTALS</b>															
<b>State FY 2014</b>					\$165,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	