

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: SB 72
Fiscal Note Number:
() Publish Date:

Identifier: SB072-DOA-OPA-3-15-13.xls
Title: OMBUDSMAN
Sponsor: COGHILL BY REQUEST
Requester: Senate Judiciary

Department: Department of Administration
Appropriation: Legal and Advocacy Services
Allocation: Office of Public Advocacy
OMB Component Number: 43

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

| | FY2014 Appropriation Requested | Included in Governor's FY2014 Request | Out-Year Cost Estimates | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|---------|---------|---------|---------|
| | | | FY 2014 | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
| OPERATING EXPENDITURES | | | | | | | |
| Personal Services | *** | *** | *** | *** | *** | *** | *** |
| Travel | | | | | | | |
| Services | | | | | | | |
| Commodities | | | | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | *** | *** | *** | *** | *** | *** | *** |

Fund Source (Operating Only)

| | | | | | | | |
|--------------|-----|-----|-----|-----|-----|-----|-----|
| None | | | | | | | |
| Total | *** | *** | *** | *** | *** | *** | *** |

Positions

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

| | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No

If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

| |
|---------------------------------|
| Not applicable, Initial version |
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Prepared By:

Richard Allen, Director

Phone: (907)269-3504

Division

Office of Public Advocacy

Date: 03/15/2013 03:15 PM

Approved By:

Curtis Thayer, Deputy Commissioner

Date: 03/15/13

Department of Administration

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. SB072

Analysis

This bill places the Alaska Bar Association under the jurisdiction of the Ombudsman's Office. The bill also purports to prevent the waiver of the attorney-client privilege if such information is provided to the Ombudsman's office and to prevent further disclosure by the Ombudsman's office.

This bill would likely make attorney responses to bar grievances subject to disclosure to the Ombudsman's office should that office conduct an investigation into the Bar Association's action on a grievance filed against an attorney. This would prevent attorneys from fully responding to bar grievances due to the risk that client confidences would be revealed to a third-party in violation of Alaska Code of Professional Conduct.

The failure to respond fully to bar grievances is likely to result in additional expenses surrounding litigation of proper response to bar grievances and increased acceptance of grievances for investigation. The Office of Public Advocacy would need, on a case by case basis, to retain counsel to meet the ethical and legal demands of complying with and responding to Ombudsman's inquiries, investigations and hearings and, therefore, submits an indeterminate fiscal note.