

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: HB 127  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB127-DOA-OPA-3-15-13.xls  
Title: OMBUDSMAN  
Sponsor: RLS BY REQUEST  
Requester: House State Affairs

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				
OPERATING EXPENDITURES	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Personal Services	***	***	***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	***	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	***	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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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If yes, by what date are the regulations to be adopted, amended or repealed?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

Prepared By: Richard Allen, Director  
Division: Office of Public Advocacy  
Approved By: Curtis Thayer, Deputy Commissioner  
Department of Administration

Phone: (907)269-3504  
Date: 03/15/2013 03:15 PM  
Date: 03/15/13

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. HB127

### 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 additional Ombudsman's inquiries, investigations and hearings, and therefore submits an indeterminate fiscal note.