

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: CSSB 108(JUD)  
Fiscal Note Number: 5  
(S) Publish Date: 3/18/14

Identifier: CSSB108(JUD)- ACS-TRC-03-17-14  
Title: LIMIT PUBLIC ACCESS TO CRIMINAL RECORDS  
Sponsor: DYSON  
Requester: Senate Judiciary

Department: Alaska Court System  
Appropriation: Alaska Court System  
Allocation: Trial Courts  
OMB Component Number: 768

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Personal Services							
Travel							
Services	25.5		3.5	3.5	3.5	3.5	3.5
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>25.5</b>	<b>0.0</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>

**Fund Source (Operating Only)**

1004 Gen Fund	25.5		3.5	3.5	3.5	3.5	3.5
<b>Total</b>	<b>25.5</b>	<b>0.0</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

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If yes, by what date are the regulations to be adopted, amended or repealed?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

Updated for Judiciary CC that requires the Court to make certain confidential files available to specified state agencies.

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Division:	Alaska Court System	Date:	03/17/2014 09:00 AM
Approved By:	Nancy Meade for Christine Johnson, Administrative Director	Date:	03/17/14
Agency:	Alaska Court System		

FISCAL NOTE ANALYSIS #5

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. CSSB 108(JUD)

**Analysis**

The Committee Substitute for Senate Bill 108 (JUD) makes certain criminal case records confidential, and therefore not accessible to the general public. Specifically, criminal cases that are fully disposed via dismissal, acquittal, or a combination of dismissal and acquittal would be deemed confidential 90 days after the case is closed.

When a court case is confidential, the court system provides access to the case file only to the parties, the attorneys of record in the case, individuals with a written order from the court authorizing access, and court personnel for case processing purposes only, in accordance with Administrative Rule 37.5(c)(4). Cases that become confidential remain listed on the court's website in its case management system (CourtView), but the names of any party are removed, so that it is anonymous. Under SB 108, for any criminal case that is fully disposed via dismissal, acquittal, or a combination, the Court System would have 90 days to remove the names of the parties in the case from CourtView to make it anonymous, and would make the paper case file confidential.

The Court System can make these cases generally confidential without a fiscal impact, but the exceptions create specific access for agencies, which does carry a cost. The court system would need to create a unique portal, working with the CourtView vendor, and maintain that portal with security features. Creating the portal will cost an intital one-time fee of \$22,000; each year the portal is in existence, we would have a cost of \$3,000 for maintenance plus \$500 for a SSL (security) fee.