

BEFORE THE ALASKA PUBLIC OFFICES COMMISSION

In the Matter of
Joseph Paskvan:

Request for Exemption from
Reporting the Source of Income under the
Public Official Financial Disclosure Law,
AS 39.50

Exemption Denial Appeal

ORDER

The Alaska Public Offices Commission considered the proposed agreement in this case on December 11, 2008 with Commissioner Elizabeth Hickerson, Chair, and Commissioners Kate Ballenger and Kathleen Frederick all participating by teleconference. The commission has considered the request for an exemption by State Senate Candidate Joseph Paskvan, now Senator-elect Paskvan; the APOC staff denial of an exemption; Mr. Paskvan's appeal of the denial; briefs from both parties; the joint settlement proposal of Mr. Paskvan and staff; and the statement of no objection by Alaska Bar Association Counsel Stephen Van Goor.

The commission approves and adopts the Joint Reply of Senator Elect Joseph L. Paskvan and Staff, submitted on December 9, 2008, which asked the commission to consider a partial exemption from reporting the source of income under the Public Official Financial Disclosure Law, AS 39.50.

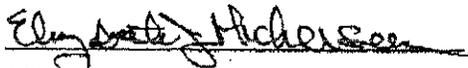
The basis for the partial exemption is AS 39.50.035, which provides that legally privileged professional relationships preclude complete compliance. Mr. Paskvan will comply with the reporting requirements of AS 39.50.030(b)(1) except where compliance would violate Mr. Paskvan's professional duties as an attorney to respect the attorney-client privilege and constitutional rights of his clients.

In adopting the Joint Reply, the commission incorporates by reference the conditions and requirements outlined in the agreement for Mr. Paskvan to disclose source of income under AS 39.50.030(b)(1). Mr. Paskvan's compliance with the conditions and requirements itemized in the Joint Reply will be accepted by staff as satisfying the reporting obligation of AS 39.50.030(b)(1). The Joint Reply is attached as part of this order. Mr. Paskvan must submit the information required within 30 days of the date of this order.

This Order obviates the need for the December 18, 2008 hearing scheduled in this case, and that hearing is canceled.

Signed by Order of the Alaska Public Offices Commission.

Date: 12-12-08


Elizabeth J. Hickerson, Chair
Alaska Public Offices Commission

AFFIDAVIT OF SERVICE

DISTRIBUTION

I certify that I served the following parties by e-mail and mail on December 15, 2008:

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I certify that I served the following parties by e-mail and mail on December 16, 2008:

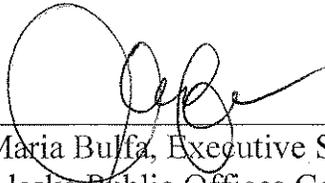
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D-E. the income was earned under a fee agreement contingent on the outcome of the matter for which service was rendered as provided in Alaska Court Rules, Rule of Prof. Conduct 1.5;

F. a description of services that conveys the nature of the service performed without violating privileged communications or client confidences (such as, "representation in a tort claim" or "representation to recover damages").

For other clients, Mr. Paskvan will provide:

A. Name of client as source of income;

B. the recipient of the income (Paskvan & Ringstad);

C. the amount paid;

D. the income was earned under an hourly fee agreement (or alternative)

E. an approximation of the hours worked to earn the income;

F. a description of services that conveys the nature of the service performed without violating privileged communications or client confidences (such as, "representation in a tort claim" or "representation to recover damages," legal consultation);

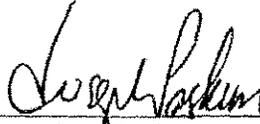
G. Unless a settlement in the case is reached and that settlement is subject to a confidentiality agreement. In that situation, a total amount from all such cases will be provided.

H. In the event that a client refuses to consent to disclosure of this information that specific case will be brought before the Commission and a case-by-case individual determination will be made.

If the commission concurs with this proposal, Staff will accept this information in satisfaction of Mr. Paskvan's reporting obligation in AS 30.50.030(b)(1) for his employment as Paskvan & Ringstad, P.C. This agreement will be presented to Alaska Bar Council Steve Van Goor for his counsel and input.

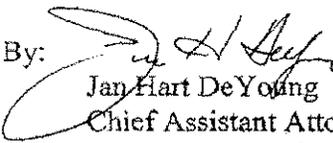
If the commission concurs with this proposal, Mr. Paskvan will submit the information within 30 days from the date of the commission's order. See 2 AAC 50.102(g)(2).

Date: 9 Dec 08


Joseph L. Paskvan
Senator-elect

Date: Dec. 9 2008

TALIS J. COLBERG
ATTORNEY GENERAL

By: 
Jan Hart DeYoung
Chief Assistant Attorney General
Labor & State Affairs Section
ABA No. 7907069

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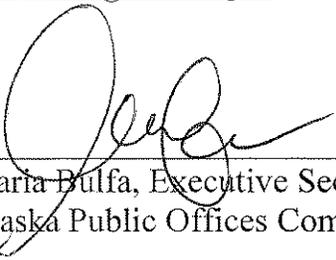
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