

ALASKA BAR BRIEF

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No. 2

ECONOMIC SURVEY PRODUCES VALUABLE DATA

by Karen L. Hunt

The tabulations of the Fall, 1977 Economic Survey conducted by the Alaska Bar Association are being charted in order to show relationships, if any, between firm size, yearly income, overhead expenses and community and pro bono contributions by Alaskan Lawyers. This information will be available at the Fairbanks Business Meeting June 9 and 10, 1978.

The survey was conducted in order to assemble reliable data so the profession can take positive action in response to the lawyer's concern over rising costs and diminishing markets for malpractice insurance; the demands for mandatory pro bono work; the criticism that the profession does not devote time to community service. The survey also helps to determine areas of sharpest overhead cost increases. Data provided also permits the profession to respond to legislative proposals to regulate attorney fees for some services and legislative inquiries about requiring attorneys to be bonded.

26.7% of the lawyers returned completed questionnaires which is considered statistically valid. The survey was conducted to provide information by which affirmative action programs can be instituted in such areas as availability and cost of malpractice coverage; and possible bulk purchasing of supplies. The information learned presents a more accurate picture of the legal profession in Alaska to consumer groups, the court and the legislature.

With more accurate information, the profession is better able to respond to consumer demands for mandatory pro bono; lawyer concerns over mandatory CLE; and legislative concerns over the cost and availability of legal services.

Presented elsewhere in this issue of the BAR BRIEF are four profiles drawn from the results of the survey. All statistics are the median figure unless otherwise indicated.

Detailed results of Economic Survey start on Page 3.

MADSON'S FAREWELL ADDRESS

By Dick Madson

I end my year as President of the Alaska Bar Association with the feeling that much has been accomplished and that the organization is heading in the right direction. Overcoming my well-known modest nature for a bit, I believe it is appropriate to crow a little about what has been done during the past year.

Some outstanding CLE programs, including the first mid-winter meeting in Hawaii, have taken place with increased attendance and participation. A second mid-winter meeting is scheduled for February 1, 2 and 3, 1979. A new statewide lawyer referral system has commenced operation and is generating much activity. The Association conducted its first statewide economic survey, with valuable and interesting results which are reported in this issue. The Board of Governors initiated a survey on the malpractice insurance problem which will result in a report to members at the annual meeting in Fairbanks about possible alternatives. The Bar office has new personnel with a spirit and interest in providing expanded services and benefits to you. With the hiring of a full-time bar counsel and office expansion, the disciplinary backlog has been dramatically reduced and disciplinary matters are being processed and kept current. Communications between the Court System and the bar office have improved with the initiation of informal meetings between the Chief Justice, the Administrative Director and Staff Counsel of the court and the President-elect and Executive Director of the Bar Association. It is my opinion that the Association is extremely well-served by some of the most dedicated, hard-working board members in its history.

It's been a busy year and a good one. I have appreciated the opportunity to serve as your President and thank you for your support and help during my tenure.

BOARD OF GOVERNORS MEETING IN JUNE

The next scheduled meeting of the Board of Governors is set for June 6, 7 and 8, 1978 in Fairbanks, Alaska. The meetings will be held in the Grand Jury Room of the Court House and are open to the public.

REPORT ON MAY BOARD OF GOVERNORS' MEETING

The Board of Governors met in Sitka on May 18, 19 and 20 at the Shefflied House. The Board considered sixteen applications from various parts of the country for the permanent position of Executive Director of the Alaska Bar Association. After review of the resumes, it was unanimously decided to hire Loyette Goodell for the position. As most of you know, Loyette has been Acting Executive Director since the resignation of Mary Lafollette in February, 1978. The Board further unanimously moved to express to Loyette its appreciation for her aid and assistance during the difficult period of transition.

One hundred applicants, seven of whom were attorney applicants, took the February, 1978 bar examination. Of those, sixty-five passed the exam, five of whom were attorney applicants. The Board certified those persons passing the exam and meeting the character requirements to the Supreme Court for admission.

Also adopted at the meeting for consideration by the membership was a proposed definition of the practice of law which is set forth in this Bar Brief. Furthermore, the Board approved amendments to Rules 2 and 6 of the Alaska Bar Rules which would clarify the residency or, more accurately, domiciliary requirements for examination and admission purposes. Briefly stated, an applicant must demonstrate that he has established domicile in the State of Alaska at least thirty days prior to the first day upon which the bar examination is to be given. Domicile for the purposes of taking the bar examination may be shown by physical presence inside the state for thirty days prior to the first day of the examination. Furthermore, in order to be eligible for admission, the applicant must demonstrate that he/she is domiciled within the state.

Numerous appointments were made to the fee arbitration panels and disciplinary hearing committees situated throughout the state. However, the length of this article precludes a complete listing. It will appear in a later edition.

The Board approved and forwarded to the Supreme Court with recommendation for adoption amendments for the following rules:

- Rule 44, the legal intern rule,
- Rule 39, the fee arbitration hearing rule,
- Rule 61, the suspension for non-payment of fees rule.

The Board approved renewal of Bill Garrison's contract as bar counsel with the new one-year contract to commence July 15, 1978.

Also adopted were the following amendments to the by-laws:

- Art. IV, Sec. 2, a provision mandating a penalty for late payment of bar fees,
- Art. VI, Sec. 3, a provision clarifying the

succession of the president-elect to the presidency and under what circumstances,

Art. VI, Sec. 4, a provision designating the vice-president as the person responsible for the operation of all committees,

Art. VII, extensively amending the committee structure, providing for standing and special committees, providing for the presence on its committee of a member of the Board of Governors and providing for staggered terms.

Art. VIII, MEETINGS, amended to provide for a mid-winter meeting and an annual business meeting. Also changed was the provision regarding the manner in which resolutions not processed at least thirty days prior to the opening date of the business meetings could be taken to the floor. Under the amendment, a resolution signed by thirty-five members in attendance at the meeting would be considered.

Art. X, a new provision specifying the manner in which lobbying and publicity would be handled on behalf of the Alaska Bar Association.

Art. V, Sec. 8(a), amended to provide that the President, upon succession to office, is to set six regular meetings of the Board for the

year of his term with the dates to be published in each edition of the official publication of the Alaska Bar Association.

The Board heard a report from Karen Hunt on the progress of statewide referral service. Sixty-three attorneys have enrolled. The calls to the Bar office now occupy the time of one secretary. Advertisements have been run in both the Fairbanks News-Miner and in the Anchorage Times and Daily News. During the past week the first Southeast attorneys have signed up for the service. The question of accepting long-distance collect calls on referrals was again considered and rejected.

TYPICAL ALASKAN LAW FIRM

The typical Alaskan Law Firm has only one principal office from which clients are served by two lawyers, .6 associates and 2.5 secretaries/receptionists. Typical firm spends 48.5% of firm gross income on overhead expenses. 15% of the firms spend between 10%-30%; 39% spend between 31%-50%; 43% spend between 51%-70% and 3% over 70%. In other words, 82% of the law firms in Alaska have overhead expenses which run between 31%-70% of their gross annual income.

48% of firm overhead is paid for support staff with 23% being paid to secretaries/receptionists; 9% is paid to associates; 11% is paid to other employees; and 5% is paid for fringe benefits for employees. Rest of overhead is spent for: office rent consumes 14% of the overhead expenditures; supplies and postage cost 6%; equipment rental costs 7%; telephone costs 6%; library and subscriptions costs 6%; and 13% is paid for other items.

RESULTS OF ECONOMIC SURVEY

by Karen L. Hunt

TYPICAL ALASKAN LAW FIRMS IN
COMMUNITIES UNDER 5000 POPULATION

The typical firm in communities under 5000 population has only one office from which clients are served by two attorneys, 42% of the firms have only one lawyer. 41%-50% of firm gross income is spent on overhead which is paid primarily for support staff. 10%-15% of the overhead is paid to secretaries/receptionists. The second major expenditure is for office rent which runs between 10%-19% of overhead costs. All other expenses are individually less than 10% of overhead costs. The data provided did not permit statistically valid breakdown of individual overhead items.

TYPICAL ALASKAN LAWYER IN
COMMUNITY UNDER 5000 POPULATION

He/She has practiced law between 5-9 years in the Third Judicial District and is either a sole practitioner or works with legal services or public defenders. His/Her income before taxes is \$25,000 to \$30,000 with the majority of lawyers earning between \$20,000 to \$40,000. 58% of the lawyers in communities under 5000 population are covered by malpractice insurance.

He/She works 41-45 hours per week. If sole practitioner, 51%-55% of those hours are chargeable to clients. 1%-30% of the hours are spent on administration or non-chargeable office activities. 6%-10% of the lawyer's hours are spent on pro bono work. He/She charges an average of 4 hours of work per day. If salaried, 100% of the lawyer's 41-45 hour work week is spent for the employer.

For the past 5 years, the typical lawyer has spent an average of 41-50 hours per year on community service. 21% of his/her colleagues have spent from 100 to more than 200 hours on community service. During that same period, the typical lawyer has spent 41-50 hours per year on uncompensated legal work for his/her clients. 37% of his/her colleagues have spent from 100 to over 200 hours of unpaid time for clients. The typical lawyer spends 0-10 hours per year on professional activities, continuing legal education and/or on professional Boards, committees and fee arbitration panels.

The typical lawyer charges \$51.00-\$61.00 per hour. 92% charge between \$40.00 and \$70.00 per hour; and 8% charge between \$70.00 and \$80.00 per hour. No respondent charges more than \$80.00 per hour. He/She most likely gets highest percentage of income from general practice as does 26% of his/her colleagues. 11% of the lawyers derive their highest income from criminal law. (Note: 32% did not indicate the source of their highest income-producing work.) The typical lawyer is paid between \$51.00-\$60.00 per hour by clients who pay fixed fee or retainer for service. 25% are paid \$40.00 or less per hour and 17% are paid between \$61.00-\$70.00 per hour when charging a fixed fee or retainers for services. If a daily flat fee is paid, the typical lawyer earns \$71.00-\$80.00 per day. (Note: 84% of respondents either did not respond or said they did not know what the hourly rate would be.)

WHO EARNS WHAT WORKING WHERE?

Results of the Fall, 1977 Economic Survey demonstrate interesting comparisons between the typical lawyer who practices in the First, Third and Second and Fourth Judicial Districts. The tables below reflect differences on how much the typical lawyer earns; how many hours he/she works and what percentage of income is paid for overhead expenses. How many hours per year are spent on community and professional activities and pro bono work is also indicated.

In First District, the typical lawyer:

1. Earns \$35-40,000 net per year.
2. Works 41-45 hours per week.
3. Charges \$71-80.00 per hour.
4. Pays 41-50% of income for overhead expenses. (rent = 10-19%) (salaries for secretaries/receptionists = 31-35%).
5. Devotes 61-70 hours per year to community service.
6. Spends 21-30 hours per year on professional activities.
7. Spends 41-50 hours per year on pro bono work.

In Third District, the typical lawyer:

1. Earns \$35-40,000 net per year.
2. Works 46-50 hours per week.
3. Charges \$61-70.00 per hour.

Continued on Page 4

4. Pays 51-70% of income for overhead expenses. (rent = 10-19%) (salaries for secretaries/receptionists = 20-25%).
5. Devotes 61-70 hours per year to community activities.
6. Spends 21-30 hours per year on professional activities.
7. Spends 81-90 hours per year on pro bono work.

In Second and Fourth Districts, the typical lawyer:

1. Earns \$40-45,000 net per year.
2. Works 46-50 hours per week.
3. Charge \$71-30.00 per hour.
4. Pays 41-50% of income for overhead expenses. (rent = less than 10%) (salaries for secretaries/receptionists = 10-19%).
5. Devotes 41-50 hours per year to community activities.
6. Spends 31-40 hours per year on professional activities.
7. Spends 91-100 hours per year on pro bono work.

TYPICAL ALASKAN LAWYER

He/She has practiced law for 6 years in Third Judicial District in a community of over 5000 population. He/She is probably a partner in a firm. If not a partner, then the typical lawyer is either a sole practitioner or an associate. His/Her income before taxes is \$37,823. 22% make \$25,000 or less; 33% make between \$25,000 and \$40,000; 36% make between \$40,000 and \$70,000; 9% make between \$70,000 and \$125,000; and 1% make over \$125,000. He/She is among the 62% of attorneys who have professional insurance.

To earn income, he/she works 47.5 hours per week of which 70% is chargeable to clients. 20% of the lawyer's time is spent on administration or non-chargeable office activities. 4% is spent on pro bono legal work. He/She charges an average of 7 hours of work per day. If a salaried lawyer, 95% of his/her work hours are spent on work for the employer.

For the past 5 years, the typical lawyer has spent an average of 45 hours per year on community service. 35.3% of his/her colleagues have spent from 100 to more than 200 hours on community service. During the same period, the typical lawyer and 60% of his/her colleagues have spent up to

70 hours per year on non-paid community service. The other 40% have devoted between 71 and 200 hours per year on non-compensable community service. The typical lawyer spends 58 hours per year for individual clients for which no compensation is received. 33% of his/her colleagues spend between 100 to 200 hours per year on uncompensated legal work for clients. The typical lawyer spends 29 hours per year on professional activities, continuing legal education and/or on professional Boards, committees, fee arbitration panels.

The typical lawyer charges \$68.00 per hour for services. 56% of his/her colleagues charge between \$40.00 and \$70.00; 28% charge between \$70.00 and \$80.00; 15% charge between \$80.00 and \$100.00; and .2% charge between \$100 and \$130.00 per hour. He/She most likely gets highest percentage of income from general practice as does 30% of his/her colleagues. (Note: 34% of the responding attorneys did not indicate any field of law as representing highest source of income.) The typical lawyer is paid \$70.00 per hour by those clients who pay a fixed fee or retainer. (Note: 55% of the responding lawyers did not indicate that they were paid fixed fees or retainers and an additional 16% indicated they did not know how much per hour they received for work on a fixed fee or retainer basis.) If the typical lawyer charges a flat daily rate, he/she is paid \$59.00 per hour. (Note: 64% did not indicate they were ever paid on a daily basis and 18% of those who said they were so paid did not know how much per hour the daily fee worked out to.)

HAVE YOU NOTIFIED THE BAR OFFICE OF....

YOUR CHANGE OF ADDRESS???

TELEPHONE NUMBER???

FIRM STATUS?????

Your mail is being returned to us because we do not have current information.

PRO BONO AND THE GOVERNMENT
ATTORNEY

By: Abigail Dunning

The need for more pro bono service seems clear. Attorneys in private practice may feel burdened with an unfair share of this work and thus advocate pro bono service as a mandatory license condition for all lawyers. Nevertheless, an equitable solution to the pro bono problem must recognize certain distinguishing characteristics of government practice such as: Specialization, Conflicts, Facilities, Insurance and Recovery of costs.

Government attorneys must not be expected to perform duties prohibited by the terms and character of their employment in order to maintain the license which is, itself, a job requirement. Yet it is reasonable and proper that they share in the profession's responsibility for pro bono legal representation. The pro bono obligation can undoubtedly be modified so that government attorneys can share the burden without ethical impropriety or disproportionate financial hardship.

I suggest a few possible solutions for such a group to consider. In general, better delivery of pro bono service by the profession as a whole will best be achieved by cooperation and mutual accommodation between the private and government bar. As a beginning, the concept of pro bono work might be expanded to include services of benefit to the general public, rather than to individual clients, which a government attorney could perform within existing job constraints--such as speaking on legal topics to school groups and other audiences, judging forensic contests, and informational presentations in newspapers and other media.

Continuing legal education seminars with emphasis on the practical aspects of routine criminal and civil matters, could help government attorneys--as well as private specialists--prepare for pro bono representation in unfamiliar areas.

The government bar can, and should, work toward the relaxation of conflict regulations, within the bounds of ethical standards, to permit pro bono work. A related goal would be to permit the use of government office facilities for the limited purpose of pro bono representation.

In connection with its pursuit of better malpractice insurance, the Bar should seek a separate option, available at reduced rates, to cover pro bono representation performed by government attorneys who do not otherwise need insurance. As for recovery of costs, these suggestions would reduce the disproportionate character of the pro bono burden for government attorneys. Then the government bar could, and should, accept a fair share of the profession's obligation to provide legal service at costs all sectors of the public can afford.

Ms. Dunning has been a member of the Alaska Bar since 1971 and was previously admitted in Virginia. She is presently a member of the Alaska Native Claims Appeal Board. She served for five years as Assistant District Counsel for the Alaska District, Corps of Engineers. Her views are individual and she does not speak on behalf of government practitioners as a group.

BETHEL NEEDS ATTORNEYS

From time to time attorneys willing to take court appointments are needed to represent defendants in criminal cases and persons entitled to representation in children's proceedings when a conflict of interest precludes representation by the Public Defender Agency or local attorneys.

Superior Court Judge Christopher Cooke of Bethel would be interested in hearing from any attorneys willing to undertake such appointments. The judge further advises that before a non-Bethel attorney would be appointed in any particular case the Court would contact the attorney to discuss the trial schedule and whether the attorney would be available to handle the case. Those interested should contact Judge Christopher R. Cooke, Bethel Service Area, Fourth Judicial District, P.O. Box 130, Bethel, Alaska, 99559.

1978 ELECTION RESULTS

On April 28, 1978, the ballots were counted in the Board of Governors and Alaska Legal Services Board of Trustees elections. A run-off election for the Board of Governors seat for the Third District was held May 12, 1978. The results are as follows:

BOARD OF GOVERNORS' ELECTION

First District: Edward King
Second & Fourth Districts: Jonathan H. Link
Third District: Stanley Fischer

ALSO BOARD OF TRUSTEES' ELECTION

First District: Richard Svobodny, regular
W.G. Ruddy, alternate
Second & Fourth Districts:
James H. Cannon, regular
Michael Bell, alternate
Third District: Robert Bundy, regular
Stephen Conn, alternate

ALASKA BAR ASSOCIATION

AUDIT FOR 1977

At the request of the Board of Governors, Terry L. Petruska, C.P.A., conducted an examination of the books and financial records of the Alaska Bar Association for the calendar year 1977. The examination was made in accordance with generally accepted auditing standards and included such tests of the accounting records and other auditing procedures as the firm considered necessary to present fairly the financial position of the Association at December 31, 1977.

For purposes of the financial statements, assets, fund balances, revenues and expenses are recognized on the accrual basis of accounting.

NOTES TO FINANCIAL STATEMENTS

A. Significant Accounting Policies

Accounting basis for reporting income

The Association's accounting records are maintained on the accrual

method. Receipts for membership dues are recognized as revenue in the period to which they apply. Administrative fees collected for the Alaska Bar Insurance Trust Fund are recognized as income by the General Fund when received. Fees collected from applicants for admission to the Association are recognized as follows:

1) Forms and charter investigation fee are recognized when received.

2) Application fee is recognized during the period in which the applicant sits for the examination.

Library and Equipment

Contributions of books are recorded at their estimated fair market values at time of receipt, and other items are recorded at cost. Depreciation expense is computed by the straight-line method over the estimated useful life of the asset.

Income Taxes

The Association is exempt from income taxes as a public agency of the State of Alaska.

B. Accounts Receivable

Accounts receivable were due from the following:

	12/31/77
Alaska State Court	\$ 6,713
Idaho Bar Assoc.	1,109
Alaska Bar Assoc.	
Insurance Trust	
Fund	1,030
Anchorage Bar Assoc.	455
	<u>\$ 9,307</u>

C. Note Payable

The Association is obligated on an installment note, dated April 3, 1975, payable in 36 equal installments of \$141 per month including interest. Collateralized by duplicating equipment.

D. Client Security Fund

During 1975, the Board of Governors established a fund, pursuant

to a rule promulgated by the Supreme Court of the State of Alaska, to provide amounts for settling claims related to members' client trust funds. The Client Security Fund is funded from membership dues.

E. Reserve for Working Capital

The reserve was created by the Board of Governors as a segregation of the General Fund Balance. The fund is not restricted to any specific purpose.

F. Detail of Selected Expenses

Bar admission:	<u>12/31/77</u>	
Rentals	\$	1,739
Mailing and supplies		2,549
Salaries		8,573
Grading fees and per diem		14,462
Litigation costs		3,642
Telephone and miscellaneous		1,199
	\$	<u>32,164</u>

Board of Governors:		
Travel and per diem	\$	11,838
Telephone		1,469
Rent		370
Postage and supplies		488
Miscellaneous		470
	\$	<u>14,635</u>

Discipline and unauthorized practice:		
Salaries	\$	62,293
Supplies		3,028
Travel		3,188
Telephone	\$	896
	\$	<u>69,405</u>

Administrative:		
Telephone and telegraph	\$	1,395
Salary of Executive Director		40,917
Expense allowance and travel, Executive Director		3,743
Secretarial and bookkeeping salaries		27,077
Office supplies		2,688
Postage		3,997

Office equipment rental		6,180
Audit and accounting		3,424
Library		804
Payroll taxes		7,547
Depreciation		2,465
Insurance, including employee medical		2,168
Reproduction and printing		1,525
Dues		255
Interest expense		147
Judicial poll		956
Miscellaneous		1,217
		<u>\$106,505</u>

G. Group Insurance Fund Transfer

On March 31, 1976, the Association transferred the assets and liabilities of the Group Insurance Fund to the Alaska Bar Association Trust Fund. Below is a summary of the assets and liabilities transferred to the trust:

Cash	\$	3,616
Premiums and administrative fees receivable		469
Assets transferred	\$	<u>4,085</u>
Insurance premiums received in advance	\$	3,716
Administrative fees collected for the Alaska Bar Assoc.		369
Total liabilities transferred	\$	<u>4,085</u>

ALASKA BAR ASSOCIATION
BALANCE SHEETS

ASSETS

General Fund:		<u>12/31/77</u>
Current assets:		
Cash	\$	139,460
Accounts receivable (Note B)		9,307
Prepaid expenses		-
Total current assets	\$	<u>148,767</u>

Library and equipment (Note A):	
Video Tape	\$ 4,830
Library	1,868
Office furniture and equipment	<u>17,092</u>
	23,790
Less accumulated depreciation	<u>(13,313)</u>
Total Library and Equity	<u>\$ 10,477</u>
	<u>\$ 159,244</u>
Client Security Fund:	
Cash	\$ 17,729
Receivable from General Fund	<u>3,285</u>
	<u>\$ 21,014</u>
(See Note D)	
(See notes to financial statements)	

LIABILITIES AND FUND BALANCE

General Fund:	
Current Liabilities:	
Accounts payable	\$ 9,208
Accrued and withheld payroll taxes	375
Unearned membership dues (Note A)	47,029
Unearned fees (Note A)	16,430
Note payable (Note C)	552
Payable to client security fund (Note D)	<u>3,284</u>
Total current liabilities	<u>\$ 76,878</u>
General Fund Balances:	
Reserve for working capital (Note E)	\$ 13,577
Unappropriated	<u>68,789</u>
Total Fund Balance	<u>\$ 82,366</u>
	<u>\$159,244</u>
Client Security Fund:	
Beginning of year	\$ 10,428
Additional contributions	<u>10,586</u>
End of year	<u>\$ 21,014</u>
(See Note D)	

GENERAL FUND STATEMENT OF UNRESTRICTED REVENUES AND EXPENSES

	<u>12/31/77</u>
Revenues:	
Membership dues	\$ 166,294
Admission fees	48,000
Continuing legal education	14,484
Insurance fees	2,565
Convention revenues	3,747
Newsletter revenues	-
Interest income	5,102
Lawyer referral and administrative services - Anchorage Bar Association	5,188
Alaska Court System contract for disciplinary services	\$ 37,301
Miscellaneous	694
	<u>283,375</u>
Expenses:	
Bar admission (Note F)	\$ 32,164
Board of Governors (Note F)	14,635
Discipline and unauthorized practice (Note F)	69,405
Continuing legal education	11,673
Committees	2,265
Legislative	9,376
Newsletter	896
U.C.L.A.-Alaska Law Review	8,122
Convention	9,342
Lawyer referral	5,605
Administrative (Note F)	<u>106,505</u>
	\$ 269,988
Excess of unrestricted revenues over expenses	13,387
Fund Balance:	
Beginning of year	\$ 68,979
End of year	<u>\$ 82,366</u>

(See notes to financial statements)

DEFINITION OF THE PRACTICE OF
LAW

by: Donna C. Willard

In response to the numerous comments which were received from members of the bar as a result of circulation of a proposed Definition of the Practice of Law, the Board of Governors, at its meeting in Sitka May 18, 19 and 20, 1978 drafted a new definition. The text thereof is included in this issue of the Bar Brief and the Board invites any comments which you may have. The Board proposes at this time to adopt a definition at its first meeting after the Fairbanks business meeting. This serves as notice pursuant to Rule 62 of the Alaska Bar Rules of the Board's proposed action.

PROPOSED ALASKA BAR RULE 63

Rule 63: Definition of Practice of Law

Section 1. For the purposes of the Alaska Rules of Civil Procedure, the Alaska Bar Rules and the Integrated Bar Act, A.S. 08.08.010 et seq., the term "practice of law" includes any act, or acts, for or without compensation contingent or otherwise, by a person who, on behalf of another person

(a) Appears or conducts litigation or performs any act in connection with proceedings, pending or prospective, before a court, administrative agency, or other body constituted by law to determine legal rights or to settle controversies; or

(b) Gives legal counsel or other advice as to his rights under law; or

(c) Prepares or procures instruments or other papers, creating, limiting, claiming, granting, terminating or otherwise securing legal rights; or

(d) Prepares deeds, deeds of trust, mortgages, or other security instruments or conveyances of real property; or

(e) Prepares or supervises the execution of wills; or

(f) Examines or abstracts the title of real or personal property and renders a legal opinion on the effect of the examination or abstract except in connection with the issuance of a policy of title insurance; or

(g) Contacts any potential agreement with the power of attorney by which he undertakes to

secure for the distributee a distributive portion of the estate, to employ legal counsel for this purpose and to pay out of an agreed percentage of the distributive share of his principal all expenses, including attorney fees and court costs; or

(h) Performs the work of a law clerk, legal intern or paralegal unless the work is performed for and under the direct supervision and control of a duly licensed and practicing attorney and member of the Alaska Bar Association; or

(i) Engages in any act or other practice determined by the courts of law to constitute the practice of law.

Section 2. Not excluding any of the foregoing a person also engages in the practice of law who uses or publicly displays or knowingly permits others to use or publicly display the word "lawyer", "attorney", "attorney-at-law", or other title which represents the person as engaging in the profession or practice of law.

Section 3. The term "person" as used in this definition of the practice of law includes a corporation, company, partnership, firm, association, organization, business trust, bank, or society, as well as a natural person.

Section 4. For the purpose of determining whether an attorney-applicant for the Alaska Bar Examination has engaged in the practice of law as required by Alaska Bar Rule I-2, Section 2, the following requirements must be demonstrated:

(a) Admission in another jurisdiction;

(b) Five years of active practice of law of a substantial and regular nature in a position requiring a license to practice law; and

(c) Performance of the work in the jurisdiction where the applicant is admitted.

George McClelland Yeager was transferred to inactive status in the Alaska Bar Association on April 20th, 1978 by Order of the Alaska Supreme Court. The transfer was made after Mr. Yeager requested that he be voluntarily transferred to inactive status due to disability. Mr. Yeager is not eligible to practice law in Alaska until he is reinstated to active status by the Supreme Court.

OFFICE SPACE

688 sq. ft. office on seventh floor of 425 "G" Street. Adequate for 2 attorneys and reception area. \$1.25/sq.ft. Call HELLEN & PARINOW 276-2713

COMINGS & GOINGS

Barry W. Jackson has opened a satellite office in Anchorage, 118 E. 6th Ave., Phone 272-0642. Correspondence should be directed to his Fairbanks office, Box 348, Phone 456-7791

Stanley Fischer has entered private practice in Kodiak, joining Gerald Markham. The firm name: MARKHAM & FISCHER, Box 806, Kodiak, Alaska 99615

HUMAN RIGHTS COMMISSION ANNUAL REPORT

The Alaska State Commission for Human Rights has recently published a comprehensive annual report for 1977. The subject is "The Public's Perception-A Fundamental Civil Rights Problem". The Commission has supplied the Bar Association with sufficient copies for every member. It will be distributed to each of the local Bar Associations and made available to members at their luncheon meetings. It will also be made a part of the convention packet in Fairbanks. Because of the size of the report, it is impossible for us to mail it to each member. However, we are anxious that it be distributed because Mr. Thomas, the Executive Director of the Commission, indicated that it was drafted especially with lawyers in mind, particularly in the summary of cases handled. If you fail to receive a copy from the above-noted distribution, stop by the Bar office.

CHILD ADVOCATE ORGANIZATION ANNOUNCES MEMBERSHIP DRIVE, EXPLAINS PURPOSE

(Courtesy of Max Gruenberg, Jr.)

The National Association of Counsel for Children has announced a membership drive for persons interested in the rights and protection of children. According to the articles of incorporation, the purpose of the NACC is "to provide self-training and education for attorneys, guardians ad litem, and others who act as advocates on behalf of children; to support the regulation of legal professionals and others who represent children in court or similar formal proceedings to assure that such representation is of adequate quality; and to support the position of children through amicus curiae briefs and consultation advice in any matter or activity."

The NACC has also compiled a Trial Notebook for distribution to attorneys who represent children, containing sample motions, briefs, legal forms, statutory materials, as well as various articles of particular interest to members. The cost is \$25.

For membership or other information, contact the National Association of Counsel for Children, 1205 Oneida Street, Denver, Colo. 80220.

AND TO END WITH A BIT OF CLASS

Will any member of The Honorable Society of Gray's Inn currently residing in North America, please send his/her name and address to: Earl A. Snyder, Esq., 14909 Kalmia Dr., Laurel, Maryland, 20810. With the affirmation of the Masters of the Bench and at the request of certain officials of the Inn, The Honorable Society of Gray's Inn (North America) is being formed by Mr. Snyder.

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