ALASKA BAR ASSOCIATION

ANNUAL REPORT

1985

THE ALASKA BAR ASSOCIATION

Annual Report for the Year 1985

Board of Governors

Harry Branson, President
Ralph R. Beistline, President-Elect
Gail Roy Fraties, Vice President
Larry R. Weeks, Secretary
Lew M. Williams, Treasurer
Jan Ackerman
Paul A. Barrett
Judith J. Bazeley
R. Stanley Ditus
Andonia Harrison
Michael A. Thompson
Robert H. Wagstaff

Staff

Deborah O'Regan, Executive Director
Linda A. Nordstrand, Assistant Director
Virginia Ulmer, Executive Secretary
Geraldine F. Downes, Controller
Jill M. Wilson, Accounting Clerk
Kelly A. Klemper, Receptionist
Colleen M. Sweeney, Lawyer Referral Receptionist

Stephen J. Van Goor, Discipline Counsel
Susan L. Daniels, Discipline Counsel
Debbi Randall, Discipline Paralegal
Norma L. Gammons, Discipline Secretary
Keena Lukacinsky, Discipline Secretary

May 1, 1986

INTRODUCTION

On November 4, 1884, some six months after the passage of the Organic Act, three attorneys were admitted to the practice of law in Alaska. In the next two years, the Bar -- practicing before the District Court of the United States in and for the District of Alaska -- increased to thirteen (13) members and, by 1896, there were fifty-nine (59) members. Of that number, approximately twenty-one (21) resided within the State, either in Juneau, Nome, "Wrangle," Sitka, Valdez, "Skaguay," or Berners Bay.

It was those individuals who, in November of 1896, in Juneau, organized the Alaska Bar Association. The governing documents were a Constitution and Bylaws. Its object was "to maintain the dignity of the legal profession, to secure proper legislation for Alaska, to promote the administration of justice, and to cultivate social intercourse among its members."

Membership was voluntary, annual fees were $1.00 (now they are $310.00), and six members constituted a quorum. The standing committees were legislation, judiciary, and grievance. The first President was John S. Bugbee.

In 1955, the structure changed somewhat with the passage of the Integrated Bar Act by the Territorial Legislature. Nevertheless, the essential functions and purposes continued, albeit on an expanded, more formal basis.

Currently, the Alaska Bar Association has 2,390 members in the following categories: Active, 2,061; Inactive, 318; Honorary, 1; Retired, 10. Its affairs are governed by a twelve (12) member (attorney and non-attorney) Board currently comprised of the following persons:

Harry Branson, President
Ralph R. Beistline, President Elect
Gail Roy Fraties, Vice President
Larry R. Weeks, Secretary
Lew M. Williams, Treasurer (public/non-attorney member)
Jan Ackerman
Paul A. Barrett
Judith J. Bazeley
R. Stanley Ditus
Andonia Harrison (public/non-attorney member)
Michael A. Thompson
Robert H. Wagstaff

Written guidelines for governance are contained in the Integrated Bar Act, the Alaska Bar Rules (promulgated by the Supreme Court of Alaska), the Code of Professional

Responsibility, the Association's Bylaws and Regulations, the Board of Governors' Policy Manual, and a Personnel Manual.

The two most important functions of the Bar are the admission and discipline of its members, both of which are carried out under the supervision of the Supreme Court of Alaska.

There are presently 7 standing committees, 14 sections, 5 bar rule committees, and 3 special committees. In addition, the Bar Association participates in a number of adjunct organizations and administers special projects, such as the Statewide Lawyer Referral Service. In excess of half of the membership participates, voluntarily and without renumeration, in the affairs of the Association.

The staff of the Alaska Bar has grown from a part-time, volunteer executive secretary in 1968, to the following 12 full-time professionals:

Deborah O'Regan, Executive Director
Linda A. Nordstrand, Assistant Director
Virginia Ulmer, Executive Secretary
Geraldine F. Downes, Controller
Jill M. Wilson, Accounting Clerk
Kelly A. Klemper, Receptionist
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Stephen J. Van Goor, Discipline Counsel
Susan L. Daniels, Discipline Counsel
Debbi Randall, Discipline Paralegal
Norma L. Gammons, Discipline Secretary
Keena Lukacinsky, Discipline Secretary

The Association is largely funded through monies garnered from its members through dues, continuing legal education programs, conventions, the Lawyer Referral Service, and interest income. The Association receives no public monies except for reimbursement for the travel and per diem expenses of the public members, which in 1985 amounted to less than one percent (1%) of its budget.

I. THE BOARD OF GOVERNORS

The Board of Governors consists of twelve (12) members, nine (9) attorney members and three (3) non-attorney members. The nine active members of the Alaska Bar are elected by their peers to govern the affairs of the Association. Serving three year staggered terms, two attorneys represent the First Judicial District, four are from the Third Judicial District, two serve the Second and Fourth Judicial Districts, and one member is elected at-large. Any vacancy is filled by the Board through appointment for the unexpired term. The three non-attorney members are appointed by the governor and are subject to legislative confirmation. The "public" members also serve staggered three year terms.

The Board generally meets five to six times a year at dates and places designated by the President of the Association; special meetings may be called by the President or three members of the Board of Governors. In 1985 the Board held four (4) meetings (March 21 and 22; May 13-15; August 22 and 23; and November 7 and 8) and one (1) telephone conference meeting (July 18). The Bar Convention and Annual Business Meeting were held in Sitka, May 15 through 18.

A. Officers

There are five officers (President, President Elect, Vice President, Secretary and Treasurer), all of whom are elected from among the members of the Board by the active Association members in attendance at the annual meeting held in May or June of each year.

The President of the Bar Association presides at all meetings of the Board and of the Bar Association, and is designated as the official spokesperson for the Association.

The President Elect of the Alaska Bar Association is required to assist the President in all the President's endeavors and take the place of the President if the President is unable to perform the duties of that office. The President Elect is also responsible for maintaining good communication with the presidents of the various local bar associations across the State.

The Vice President of the Association acts as liaison to the Bar's fourteen sections and the Secretary is in charge of all of the Association's committee operations. The Treasurer is

responsible for overseeing the fiscal affairs of the Association, including budget preparation, reports to the Board at each meeting, and the annual report to the membership.

B. Purposes, Policies, and Procedures

In order to understand the commitment that each member of the Board of Governors makes, it is appropriate to review the Bylaws and policies of the Association, as well as the Alaska Bar Rules. Article 2, Section 2, of the Bylaws of the Alaska Bar Association sets out the purposes of the Association. They are:

1. To cultivate and advance the science of jurisprudence;

2. To promote reform in the law and in judicial procedure;

3. To facilitate the administration of justice; and

4. To encourage higher and better education for the membership in the profession, and to increase the usefulness and efficiency of the Bar Association.

The workload undertaken by members of the Board of Governors includes admissions, discipline, fiscal responsibility, and service activities. Admissions and discipline are discussed in other sections of this booklet. Illustrative of the other activities of the Board are the following:

1. The Board of Governors is required to approve an annual budget, oversee investment of Association funds, and maintain control of expenditures.

2. The Board reviews, approves, and publishes all official ethics opinions which respond to requests for rulings and gives guidance to the membership in the ethical conduct of the profession.

3. The Board of Governors has overall responsibility for defining the powers, duties, and functions of all of the committees of the Alaska Bar Association. These committees are designated as standing committees, as special committees, and as bar rule

committees. The President appoints all members and designates a chairperson for each committee.

The members of all committees serve at the pleasure of the Board and their reports and recommendations must be adopted by the Board of Governors to be binding upon the Association.

4. The Board actively supports education and public relations, including programs in the schools with respect to the justice system, seminars for non-lawyers, institutional advertising, and a statewide lawyer referral service.

5. The Board oversees the administration of the Bar office and its staff, and has developed a personnel manual and job descriptions to guide its employees in the performance of their duties.

6. The Board recommends to the Supreme Court revisions and additions to the Alaska Bar Rules, and reviews and revises the Bylaws of the Association. In addition, the Board has promulgated a Policy Manual which sets forth the guidelines for the operation of the Board in all phases of Association activity.

7. In addition, the Board is directly responsible for all the other projects, programs, and activities described in this booklet.

C. Admissions

The Alaska Bar Rules set forth the responsibilities of the Board of Governors with respect to admissions. They include the following:

1. The Board of Governors shall examine or provide by contract for the examination of all applicants and determine or approve the time, place, scope, form, and content of all bar examinations.

2. The Board of Governors sets the standards for the examinations.

3. Under the Rules, the Board has the power to require the appearance of an applicant before the Board in an instance where there is concern on behalf of the applicant or the Board regarding the application procedure, or to refer the matter to a Master for the purpose of accumulating all of the facts and supplementing the record before a decision is made.

4. Both the Board members and the Master have the power to issue subpoenas, administer oaths and affirmations, and take testimony concerning any application for admission to the Alaska Bar Association.

5. The Board of Governors must develop an appropriate application form requiring the applicant to file the necessary evidence and documents in support of the applicant's eligibility for admission.

6. The Board sets the fees and dates for filing of all documents with the Association.

7. The Board is required to certify the results of each exam to the Supreme Court for the State of Alaska with its recommendations for admission.

8. In the event an applicant is denied an exam permit or is denied certification, the applicant is required to file a verified statement with the Board of Governors and, upon a review of the sufficiency of the verified statement, a hearing may be granted. The burden of proof is upon the applicant to prove material facts that constitute an abuse of discretion or improper conduct on the part of the Board of Governors, the Executive Director, the Law Examiners Committee, or the Master appointed by the President. Each decision must be supported by findings of fact and conclusions of law, with the Board

having the power to adopt the decisions of the Committee or Master in whole or in part, or reject the recommendation and draft its own findings and conclusions of law along with an appropriate order. In each instance, the applicant may appeal the decision of the Board of Governors to the Supreme Court.

D. Discipline

One of the most critical areas of responsibility for the Board of Governors is the discipline of Association members.

Whenever a disciplinary matter is before the Board of Governors, the Board sits as the "Disciplinary Board of the Alaska Bar Association."

In that capacity, it appoints Discipline Counsel, supervises the Discipline Counsel and their staff, and appoints the Area Discipline Divisions of which there are currently three: one in the First Judicial District, one in the Third Judicial District, and one in the combined Second and Fourth Judicial Districts.

In addition, the Board is charged with overall responsibility for the functioning of the attorney discipline system, and for hearing appeals from the recommendations of the Hearing Committees. The Board administers public and private reprimands and, in the case of disbarment, suspension, probation or public censure, forwards its recommendations to the Supreme Court of Alaska for final action.

The Disciplinary Board generally meets five to six times a year, not including conference telephone calls. Seven (7) members constitute a quorum. Records of disciplinary proceedings are maintained according the Alaska Bar Rules promulgated by the Supreme Court.

II. ADMISSIONS PROCEDURES

In order to practice law in the State of Alaska, membership in the Alaska Bar Association is a necessary prerequisite. In other words, it is an integrated (or unified) bar association.

A. Requirements for Admission

Applicants for admission to the practice of law must 1) be graduates of an accredited law school; 2) pass the Alaska Bar Examination; 3) be determined to be of "good moral character;" and 4) pass the Multistate Professional Responsibility Examination (MPRE). Attorneys who have been admitted in other jurisdictions but who did not graduate from accredited law schools may qualify to take the bar exam if they have been in active practice in another jurisdiction for five years or more.

The Alaska Supreme Court has adopted an admission without examination rule, with reciprocity provisions. (See Part J of this section for details on the amendments to the Alaska Bar Rules.)

The Alaska Bar Examination is intended to assist in the determination of whether applicants possess minimal competence to practice law. This includes the ability to analyze facts, apply the appropriate substantive and procedural law, and to effectively communicate the issues and the proposed solutions.

B. Application Procedure

Information and application forms may be obtained from the Bar office. These include instructions and information on the examination; fingerprint cards; and an application form which includes an affidavit of personal history and an authorization and release form consenting to an investigation of moral character, professional reputation, and fitness for the practice of law.

The Alaska Bar Association conducts a character investigation on each applicant for admission to the Bar based on information provided by the applicant, contacts initiated by the Bar office with individuals familiar with the applicant, and on other information which may be sought by or come to the attention of the Bar Association. No applicant is certified for admission, regardless of the applicant's score on the written examination, if he or she is determined not to be of good moral

character. The Bar Association may require a formal hearing with the introduction of sworn testimony and other evidence, where it determines that a hearing is necessary or appropriate to assist in its investigation. An applicant may appeal from an adverse determination on character to the Board of Governors and, if necessary, to the Alaska Supreme Court.

C. Bar Examination

The Alaska Bar Examination is conducted twice each year in Anchorage, Fairbanks, Juneau, and Ketchikan and in such other locations as the Board may direct. It consists of: 1) one and one-half days of essay questions on Alaska law prepared by a permanent committee of the Association known as the Alaska Law Examiners; and 2) two half-days of objective, multiple choice questions (the Multistate Bar Examination or "MBE"), prepared by the National Conference of Bar Examiners and administered simultaneously in over forty states.

THE ESSAY EXAMINATION: Essay questions are of the analytical or problem type consisting of a hypothetical case or situation involving one or more principles of law. Answers to essay questions are expected to demonstrate the ability to analyze the facts presented by the questions, to select the material facts, to discern the points upon which the case turns, and to present the response in a logical, well-organized, literate manner.

The essay portion of the Alaska Bar Examination is structured as follows:

> One half-day (three hour) session consists of three (3) "long" essay questions which require substantial legal analysis. An answer should reflect an applicant's knowledge and understanding of the pertinent principles and theories of law as applied in Alaska, their relationship to each other, and their qualifications and limitations. Answers should also demonstrate the applicant's ability to apply the law to the facts given and to reason logically -- in a lawyer-like manner -- to a sound conclusion.
>
> One half-day (three hour) session consists of six (6) "short" essays which emphasizes substantive knowledge of the law as applied in Alaska; an answer should reflect an applicant's knowledge and understanding of the pertinent law, but will not require extensive discussion.

The final half-day (three hour) session consists of a research/analysis task (or practicum) which assesses how well an applicant can both evaluate the effect of various facts, statutes, and case law on a client's case and integrate and present the results of that analysis in written form. In this session, the applicant is provided with an array of relevant factual and legal information about the client's case, such as previous cases, statutes, regulations, facts, documents, etc., and is best likened to an "open book" examination in that all the information needed is provided. For example, an applicant could be asked to prepare a memorandum regarding various specific aspects of a case (such as a senior partner might request in order to provide a basis for counseling a client), the memorandum to indicate the major strengths and weaknesses of the client's case, set out the additional information that might be needed, indicate whether a jury trial would be desirable, etc.

All three sessions of the essay examination will consist of essay questions which are to be answered in accordance with principles of law as applied in Alaska and may involve one or more issues on the following subjects:

Business Organizations
(corporations, partnerships, associations)

Civil Procedure

Constitutional Law
(State and Federal)

Contracts
(including Chapter 2 of the UCC)

Criminal Law and Procedure

Evidence

Family Law

Real Property

Torts
(including Products Liability)

In addition, and if applicable, Remedies may be tested as a part of each of the topics listed above.

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Criminal Law and Procedure

Evidence

Family Law

Real Property

Torts
(including Products Liability)

In addition, and if applicable, Remedies may be tested as a part of each of the topics listed above.

The following procedures govern the drafting of the essay questions:

1. At least 2 members of the Law Examiners Committee form a "team" to draft a question.

2. One member of the team is a drafter; the other edits and reviews.

3. A drafter may utilize questions summarized by the NCBE in its "Question Library."

4. A grader's guide must be prepared at the time question is drafted.

5. The team suggests the tentative weights (points) to be assigned to the components of an answer recognized by the grader's guide as pertinent to a minimally competent answer.

6. The entire Law Examiners Committee meets and reviews each question as drafted by the teams (grader's guide not presented at this stage).

7. The Committee next reviews each grader's guide to judge whether the Committee agrees that the question raises the same issues identified by the team in its analysis of the question.

8. Committee reviews and either adopts or revises the tentative weights assigned to the components of each proposed grader's guide on a 100 point scale (no points are left for asignment at the discretion of graders).

9. Questions and proposed grader's guide finalized and provided to Bar staff seven days prior to exam.

D. Grading of Examinations

All examinations are graded anonymously using a double number coding system. A law examiner who is able to identify a particular applicant's examination paper is required to disqualify himself from the grading of that exam. The following procedures govern the grading of the essay exam:

1. A calibration team of at least five people is convened for each question on the exam.

2. As a group, the calibration team will read the question and review the grader's guide.

3. Each member of the team will then read the same five randomly selected essay answers.

4. The team members will then rank the essays they have read on a five point scale, basing this ranking on the tentative weights assigned by the guide.

5. The team will then compare the ranking each member awarded to the same answer, discussing the differences -- if any -- in order to arrive at a consensus as to how the components of a particular answer should be weighted in determining a minimally competent answer.

6. The team will also review the grader's guide and amend the guide and weights assigned if any issues were identified during the first round of reading that the team decides should be taken into account in the grading.

7. The whole team will then read five more randomly selected answers and repeat the calibration process (steps 4 - 6 above).

8. The team will then read five more randomly selected answers and repeat the calibration process; this process is repeated until two goals are accomplished: first, the team is "calibrated" (i.e., the team members have similarly ranked the papers read) and, secondly, a set of five "benchmarks" answers (see below) are determined.

9. The whole team, from the randomly selected calibrated answers, selects an answer which is representative of each of the benchmarks on the five point

scale (a "benchmark" is an answer which represents one of five possible points on the grading scale -- it is not a model or a standard, it is a representative answer for that particular point on the scale.)

10. The whole team then finalizes the grader's guide and weights to be assigned to each of the components of the answer.

11. From this team, two people (not including any of the drafters) are assigned to independently read and score each applicant's answer to the question.

12. Graders submit their scores to the Executive Director.

13. The Executive Director determines whether a discrepancy of more than one point exists between the rankings given by the two graders to a particular applicant on the question.

14. If a discrepancy of more than one point is found, the graders must reconcile their differences by reference to the benchmarks.

15. The scores are averaged for a final score on that essay.

A passing score on the Alaska Bar Examination is determined by "combining" the scaled score received by the applicant on the MBE with the weighted score he or she received on the essay portion of the bar exam. A combined score of 140 or above is required to pass the Alaska Bar Examination. Applicants who receive a combined score between 139.00 and 139.99 will have their essay exam reread by the graders before the scores are released. The mathematical procedures by which a combined score for each applicant is derived are performed for the Alaska Bar by the National Conference of Bar Examiner's (NCBE's) Division of Testing and is based on the scaled MBE and weighted essay scores provided to the NCBE by the Alaska Bar for each applicant.

The Multistate Bar Examination objective answer sheets are graded by machine by the National Conference of Bar Examiners. These scores are scaled to compensate for any difference in

difficulty of the examination from one administration to another, based on a detailed national statistical analysis, a comparison of performance on repeat questions, and other factors.

In reviewing the examination results before certification, the Board of Governors receives a report on the examination, including irregularities (if any), a compilation of scores by applicant number for each portion of the examination, a sampling of "benchmark" papers, copies of the essay questions, and the grader's analysis for each question. Once the examination results are approved, the names of the passing and failing applicants are disclosed and the names of passing applicants are published. Individual scores are not revealed to the applicants or to the Board unless a review of the examination is requested by a failing applicant or a failing applicant files an appeal.

E. Appeals

An applicant will be granted a hearing in either of two circumstances: 1) denial of an examination permit, or 2) denial of certification to the Supreme Court for admission. The applicant has the burden of alleging and proving an abuse of discretion or improper conduct on the part of the Executive Director, the Law Examiners Committee or the Board of Governors. If the applicant is not satisfied with the action taken on his appeal by the Board of Governors, he or she can appeal to the Alaska Supreme Court.

A failing applicant is provided with copies of the essay questions, his or her answers, the "benchmark" essays, and the grader's guides for each of the essay questions. Release of copies of current Multistate Bar Examination questions is not permitted by the policies of the National Conference of Bar Examiners.

When a appeal is filed which raises factual issues of whether the Association has abused its discretion or acted improperly, the appeal is assigned to a Master for a hearing. The Master hears testimony, considers other evidence, and then prepares in writing a proposed decision supported by findings of fact and conclusions of law. The Master's report is then submitted to both the applicant and the Board. Thereafter, either the applicant or Bar Counsel may file exceptions and briefs and, upon request, may appear and present oral argument to the Board of Governors. The Board may adopt the decision of the Master in whole or in part, or reject it in its entirety and adopt its own findings of fact, conclusions of law, and issue its own decision.

On the other hand, if there are no factual matters in dispute, the Board may decide the appeal without assigning it to a Master. If there are questions concerning the applicable legal principles, the Board will consider written or oral argument from the applicant and from Bar Counsel and will issue a written decision.

The applicant may appeal any adverse decision by the Board of Governors to the Supreme Court, which is the final authority on admissions questions. The Supreme Court reviews the findings of fact, conclusions of law and recommendations concerning procedure, due process, or other matters which are raised by the applicant. The decision of the Supreme Court in admission matters is final and binding on the Association and in all future similar admission cases.

F. Assistance to Unsuccessful Applicants

The Bar Association's Legal Educational Opportunities Committee provides assistance to any unsuccessful applicant requesting it in reviewing examination papers and analyzing individual performance. This Committee also reviews the examination itself in order to provide a continuing evaluation of the examination's effects on racial and ethnic minorities.

G. Statistical Summary

In 1985, 277 individuals applied for admission to the Bar and 194 were admitted.

1985 Alaska Bar Exam pass/fail statistics for the February and July exams are included in Table 1.

H. The Multistate Professional Responsibility Exam (MPRE)

Passage of the MPRE is required as a condition of certification for admission to insure that persons admitted to the Alaska Bar are prepared to cope with ethical problems in the practice of law. The MPRE is not administered as a part of the bar exam, but is given separately three times a year (March, August, November) by the National Conference of Bar Examiners in cooperation with Educational Testing Services. This examination may be taken at any time by an applicant to the Alaska Bar (e.g., while still in law school; before the bar exam; after the bar exam). Receipt of a scaled score of 80 or above on the MPRE has been determined by the Board of Governors as demonstration

of adequate awareness of the ethical responsibilities of the Code of Professional Responsibility and the Code of Judicial Conduct.

I. Ongoing Review of the Exam

The Board of Governors retains the assistance of Stephen P. Klein, Ph.D., who is a consultant to the National Conference of Bar Examiners and many state boards of bar examiners on statistical studies of bar examinations. He is a senior research scientist with the Rand Corporation in Santa Monica, California, and the only nationally recognized authority on bar examinations. Dr. Klein's assistance in the development of the "All Alaska" Bar Exam, necessitated by the withdrawal of the assistance of the California Bar Examiners effective with the July, 1982 Bar Exam, was invaluable. The essay drafting and grading procedures detailed above in "D" of this Section were developed with his advice and counsel, as was the decision to "combine" the essay and MBE scores after "scaling" the weighted essay scores to the MBE scaled scores.

J. Admission Without Examination

Effective January 1, 1985, the Alaska Supreme Court approved an admission without examination rules, with reciprocity provisions. The amendment to Bar Rule 2 removed the requirement that applicants for admission who have practiced law five or more years must take a bar exam prior to admission. Rather, such applicants would be able to apply for admission "upon motion" and without examination, so long as the applicant met certain requirements outlined below.

First, the attorney seeking admission on motion rather than by examination has to meet a number of general standards required of any applicant for admission (i.e., be a graduate of an accredited law school; be at least 18 years of age; and be of good moral character). In addition, the attorney must also have passed a written bar exam administered by another jurisdiction and have engaged in the active practice of law in one or more reciprocal states for five of the seven years preceding application to the Alaska Bar.

A "reciprocal" state or jurisdiction is one which has a rule providing that attorneys admitted in Alaska may be admitted to that jurisdiction without examination and under prerequisites similar (but not more demanding) than those set forth in Bar Rule 2. A total of thirty (30) jurisdictions provide for admission without examination.

In 1985, thirty applicants applied for admission without examination. The Board approved twenty-nine (29) applicants for admission. (The applicant not approved was not eligible under the reciprocity rule.)

The applicants have taken a bar exam in fifteen (15) different states. At the time of application, seventeen (17) of the applicants were employed in Alaska. Table 2 contains this information broken down by the quarterly deadline periods.

K. Bar Rule Amendment Regarding Transfer of MBE Score

Section 7 of Bar Rule 4 allowed a general applicant to the Alaska Bar Association to elect to substitute a previous Multistate Bar Examination (MBE) score rather than sit for the MBE portion of the exam. This previous score must have been received within a year of the date of the exam the applicant sat for in Alaska.

The Board of Governors, upon the recommendation of the Law Examiners Committee after its discussions with Dr. Stephen Klein, a nationally recognized expert in the field of testing, and the Bar's exam consultant, concluded that the Association should no longer allow transfer of MBE scores. Dr. Klein's position was that the validity of the exam itself was compromised when bifurcation (or allowing transfer of scores) was allowed. The policy of allowing applicants to transfer a prior MBE score also created, in the Association's opinion, a significant fairness problem, since some applicants only had to study for the essays and could disregard the preparation required for the MBE.

The Supreme Court repealed the provision providing for substitution of a prior MBE score which became effective with the July, 1985 Alaska Bar Exam.

III. DISCIPLINE OF MEMBERS

The activities of attorneys admitted to practice within the State of Alaska are governed by the Rules of Disciplinary Enforcement promulgated by the Alaska Supreme Court. As will be seen below, the substance and procedure of the rules of the Bar Association and the Supreme Court in regulating the practice of law within Alaska are entirely different than those of agencies of the State of Alaska charged with the regulation of legislatively controlled businesses and professions. For example, a ruling as to a permit or license issued by the Alcoholic Beverage Control Board or the Alaska Transportation Commission is final and binding, subject only to the right of a party to appeal questions of law to the Superior Court and, thereafter, if desired, to the Supreme Court. In matters involving public censure, probation, suspension, or disbarment of attorneys, however, the Supreme Court is the decision maker, acting not as an appellate body but as the sole forum with authority to make and enforce its ethical pronouncements.

A thorough revision of the Rules of Disciplinary Enforcement was accomplished by the Board in 1984 and made effective by the Supreme Court on January 1, 1985. The most significant change is the opening of attorney discipline proceedings to the public after a Petition for Formal Hearing is filed. Now, the public is able to attend formal discipline hearings conducted before hearing committees and the Disciplinary Board in the same way as they have been able to attend court or other government proceedings. The following discussion reflects the revised procedures in effect.

A. The Supreme Court's Authority

The Supreme Court has held that an attorney's license to practice law is "a continuing proclamation by the Court that the holder is fit to be entrusted with professional and judicial matters...as an officer of the courts."

Attorneys are, therefore, bound to act in conformity with standards adopted or recognized by the Supreme Court of Alaska. The Supreme Court has also declared that any attorney admitted to practice in Alaska, or who appears or participates in legal matters within the State, is subject to the jurisdiction of the Supreme Court of Alaska and the Disciplinary Board which the Court established.

Due to the vastness of the size of the State of Alaska and the great distance between population centers, the Supreme Court has established three disciplinary areas: 1) the First

Judicial District; 2) the combined Second and Fourth Judicial Districts; and 3) the Third Judicial District. Charges of misconduct on the part of a lawyer are assigned to be heard by members of the hearing committee established for the district in which the attorney lives or practices. Such charges may be based upon a violation of the Code of Professional Responsibility or misconduct within or arising from disciplinary proceedings themselves. Depending on the severity of the misconduct, it may result in disbarment, suspension, probation, or public censure by the Court or, in less serious cases, in public or private reprimand by the Disciplinary Board or written private admonition by Discipline Counsel.

In 1985, the Alaska Supreme Court suspended James H. Lear for 3 years from March 20, 1984, Homer L. Burrell for 90 days, and interimly suspended Robert J. Buckalew pending final discipline. The court publicly censured Robert L. Woodward.

B. The Disciplinary Board

As has been discussed above, the Board of Governors acts as the Disciplinary Board for the Supreme Court. The day-to-day workings of the disciplinary process have been delegated to Discipline Counsel, attorneys hired by the Board, whose functions include assisting the public in the grievance process, maintaining records, investigating, processing, and prosecuting grievances and appeals.

The procedures for disciplinary enforcement begin upon the filing of a grievance by any person alleging misconduct on the part of any attorney. During this stage, grievances against attorneys are confidential by court rule. Discipline Counsel review the grievance to determine whether it is properly completed and contains allegations which, if true, would constitute grounds for discipline. If Discipline Counsel determines that the allegations are inadequate or insufficient to warrant an investigation, an investigation will not be opened. If a grievance is accepted for investigation, the attorney involved is required to provide full and fair disclosure in writing of all the facts and circumstances pertaining to the alleged misconduct.

If Discipline Counsel determines that probable cause exists to believe that attorney misconduct as occurred, permission may be requested from a Hearing Committee member to issue a written private admonition (in less serious cases) or to file a Petition for Formal Hearing in serious matters. Once the petition is filed, the proceedings are open to the public.

The 1985 caseload statistics are on the following pages.

1985 DISCIPLINE CASE STATISTICS*

Open cases pending as of January 1, 1985	190
New cases opened in 1985	179
Cases closed in 1985:	
Closed after disbarment by Supreme Court	0
Closed after suspension by Supreme Court	2
Closed after public censure by Supreme Court	1
Closed after private reprimand by Disciplinary Board	12
Closed after private admonition by Discipline Counsel	11
Dismissed by Discipline Counsel	210
TOTAL CLOSED CASES	236
OPEN CASES AS OF December 31, 1985	133

STATUS OF OPEN CASES AS OF 12-31-85

Pending Supreme Court.	6
Pending Disciplinary Board	4
Pending Area Hearing Committee	3
Pending Private Admonition	8
Attorney on Probation.	4**
In abeyance pending outcome of related fee arbitration proceeding	17
In abeyance pending conciliation	1
In abeyance pending outcome of civil case	2
Under investigation by Discipline Counsel	88
	133

*All numbers reflect individual complaints filed and not the number of attorneys under investigation.
**Four consolidated complaints involving one attorney.

C. The Hearing Committee

Investigations which result in the filing of a Petition for Formal Hearing by Discipline Counsel are referred to a Hearing Committee in the relevant geographical area. The attorney may thereafter file a written answer admitting or denying the charges, or setting forth a claim of mitigation. Hearings are then held before the Committee. At the hearing, Discipline Counsel prosecutes the case on behalf of the Bar Association. The responding attorney may be represented by counsel. Either party may call, examine, and cross-examine witnesses and otherwise request the production of evidence. The burden of proving misconduct by clear and convincing evidence is placed upon Discipline Counsel. The Committee may direct the submission of briefs.

At the conclusion of the hearing, the Committee must file a written report to the Board, together with the recorded transcript, briefs, findings, conclusions and recommendations. If either party appeals from the Committee's recommendation, briefs may be filed with the Board. If desired, the matter may be orally argued to the Board. The Board must then conduct a review of the record and briefs and enter its order or recommendation to the Court.

D. The Recommendation

If the Board's decision recommends either public censure, probation, suspension, or disbarment, the decision is filed immediately with the Supreme Court, which makes the final decision. The Board must submit a case record, including the hearing transcript, to the Supreme Court. The parties are required to file briefs in accordance with the Supreme Court rules for regular civil and criminal appeals; oral argument is available. It is only after review of this record by the Court that the Court enters its order relating to the attorney's discipline.

The Board may order public reprimand by the Board if it decides the matter can be resolved appropriately without referral to the Court. The Board may also consider stipulations of proposed discipline entered into between Discipline Counsel and a responding attorney and enter an order for a private reprimand by the Board or submit its recommendation on the stipulation to the Supreme Court.

As with civil litigation, many of the above procedures may be lengthy or protracted before the issuance of a Hearing Committee report or a Board order. Thus, a need exists -- and a

procedure has been formulated -- whereby either party can make an interlocutory appeal to the Supreme Court for review of the procedures and evidentiary rulings of the Hearing Committee.

E. Interim Suspension

The Rules of Disciplinary Enforcement anticipate situations requiring immediate action against an attorney for protection of the public pending the completion of the full disciplinary process. One such situation exists when an attorney is convicted of a serious crime, such as a felony or when he is convicted of certain other crimes including those relating to interference with justice, false swearing, fraud, deceit, misappropriation or theft.

Conviction of such a crime is conclusive evidence that disciplinary action is necessary. The sole issue for determination is the nature of the final discipline to be imposed. Such a conviction also requires interim suspension, regardless of whether the conviction is based on a jury verdict or a plea of guilty, and regardless of whether an appeal is pending. In the event the conviction is reversed, the suspension is lifted, but formal disciplinary proceedings may nevertheless continue to final disposition.

Further, if Discipline Counsel shows that an attorney's conduct constitutes a substantial threat of irreparable harm to his or her clients or prospective clients or where there is a showing that the attorney's conduct is causing great harm to the public by a continuing course of conduct, the Court may impose interim suspension.

An attorney facing disciplinary charges cannot avoid the consequence of his misdeeds by simply leaving the practice of law, thus leaving open the possibility of a future return to the profession. The Rules of Disciplinary Enforcement do permit discipline by consent of attorneys under disciplinary investigation but only upon the free and voluntary admission by the attorney that he is guilty of the charges, and with the consent of Discipline Counsel, the Board and/or the Court.

F. The Court's Order

When either disbarment, suspension or probation is ordered by the Court, it is more than a mere order to that effect. There are various notification requirements to that attorney's clients, to opposing counsel and other jurisdictions in which the attorney is admitted. Sworn proof that these notification

requirements have been met must be filed with the Supreme Court. Proof of compliance with these requirements is a prerequisite to any subsequent reinstatement.

The Bar Rules, however, do not rely solely on notification by the disbarred, or suspended attorney. They also require the Board to publish notice of disbarment and suspension in a newspaper in Anchorage, Fairbanks and Juneau, the official Bar publication and a newspaper serving the community where the attorney practiced. The Board must also advise the presiding judges of all courts within the State and, through the Attorney General, all administrative agencies.

G. Reinstatement

Disbarred or suspended attorneys can, under certain circumstances and procedures, be reinstated to the practice of law. However, in cases of disbarment, a minimum of five years must pass before an application for reinstatement can be accepted.

Petitions for reinstatement are filed with the Supreme Court and served upon the Executive Director for the initiation of reinstatement proceedings.* As with the imposition of discipline, the findings and recommendations of the Hearing Committee -- and thereafter the Board -- are only advisory, and the final determination on reinstatement is made by the Supreme Court. In order to be reinstated, a disbarred attorney or an attorney suspended for more than one year has the primary burden of establishing that he possesses the moral qualifications and legal skills required for re-admission to practice and that his reinstatement will not be detrimental to the integrity of the Bar, the administration of justice, or the public interest.

H. Disability

The Rules of Disciplinary Enforcement also anticipate circumstances where the need for protection of the public arises from an incapacitating illness, addiction to drugs or intoxicants, senility, death, disappearance, or judicially declared incompetence of an attorney, rather than actual misconduct by the attorney. Upon a finding by the Supreme Court that such a disability exists, an order is entered transferring the attorney to disability inactive status until further order

*Attorneys who have been suspended for one year or less will be automatically reinstated by the Court unless Discipline Counsel files an opposition to automatic reinstatement. Attorneys who have been disbarred or suspended for more than one year must appear before an appropriate Area Hearing Committee.

of the Court during which time the attorney is prohibited from engaging in the practice of law. As with public discipline, notice of the Court's action must be published. Likewise, presiding judges of all courts and administrative agencies are also notified. However, until the Court issues its order, disability proceedings are confidential.

Reinstatement of the right to practice can thereafter only be granted by the Supreme Court upon a showing by the attorney that the disability no longer exists and that he or she is fit to resume the practice of law.

While the above procedures are designed to remove the disabled attorney from active status, it is essential that the interests of the clients of the disabled attorney are also protected. Thus, the Bar Rules provide for appointment by the Superior Court of Trustee Counsel to protect the interests of this disabled attorney and his clients. Trustee Counsel, on behalf of the suspended attorney, exercises powers similar to those of a personal representative of a deceased person, but does so only in those matters specifically provided in the rules and allowed by State law.

I. Alternative Proceedings

Some grievances do not rise to the level of professional misconduct warranting formal discipline. Nevertheless, two other forums are available to review the reasons for a client's dissatisfaction.

If the matter involves a dispute concerning the fee charged by an attorney, it is referred to a Fee Arbitration Panel. If the allegations involve a grievance which is not amenable to either discipline or fee arbitration, it is referred to a Conciliation Panel. Both are more fully discussed in Section VIII of this booklet.

J. Discipline Staff and Budget

The Discipline Section is currently staffed by two Discipline Counsel, one Discipline Paralegal, and two Discipline Secretaries. Discipline Counsel have the overall responsibility for the review, investigation, prosecution and appeal of attorney grievance cases.

This increase in staffing is a reflection of the continued commitment by the Board to the efficient and thorough processing of grievance matters. A substantial backlog of disciplinary

investigations was reduced in 1984 and even further in 1985. Decisions on the disposition of grievance matters are being made at an earlier time. The vast majority of cases under investigation in 1985 are those from 1985 to date.

The budget for the Discipline Section was $326,918, a substantial commitment of Bar Association resources and a reaffirmation of the Bar Association's goal of service to the public and practitioner alike.

IV. CONTINUING LEGAL EDUCATION

The Bar Association established a Continuing Legal Education (CLE) program for the purpose of presenting substantive education seminars in order to keep Alaskan lawyers abreast of new developments in the law. The CLE Director is responsible for the development and administration of the program.

The twelve member CLE committee sets policy and advises the CLE Director on program development. The committee is made up of attorneys from three geographic locations (Southeastern, Southcentral and Interior), so that the program can meet the needs and concerns of the different areas.

The twelve substantive law sections in the Bar Association are each responsible for putting on a continuing legal education seminar on a regular basis, according to a two year rotating calendar. The sections, who work with the CLE Director, are encouraged to present programs even more frequently than required by the calendar.

1985 was a year of transition with an acting CLE coordinator handling programming the first part of the year followed by the appointment of a permanent CLE Director in June. Sixteen (16) programs, including six convention CLE programs, were presented in 1985. Over 75 attorney and non-attorney lecturers and demonstrators served as faculty for these programs. There were over 800 registrants for the following programs:

1985 Programs

1. Alcohol Testing
2. Insurance Bad Faith Litigation in Alaska
3. Trial Advocacy (Hawaii)
4. Reading and Understanding Medical Records
5. Convention CLE
   a. Discovery
   b. What's Happening in Community Association Law
   c. Alaska Native Claims: 1991
   d. Litigation Negotiation
   e. The Pros and Cons of Presumptive Sentencing
   f. The Emerging Doctrine of Wrongful Discharge
6. 1985 Tax Conference
7. Alaska Workers' Compensation Law and Procedure
8. Arthur Miller on Current Problems of Federal Civil Litigation
9. Common Ethical Complaints
10. Trial Advocacy
11. Alaska Native Domestic Relations Issues

In order to keep program costs under control, most CLE seminars are presented in Anchorage. Nearly all programs are videotaped on 1/2" VHS tape. After the live presentation, a videotape replay is scheduled in Juneau and Fairbanks, with coordination assistance by a local CLE committee member. Thereafter the videotaped program then becomes part of the Bar's CLE video library for distribution throughout the State. The rental cost for viewing a program is a nominal $10.00 per person.

Also included in the CLE library are course materials from every CLE seminar offered by the Bar. These can be purchased at any time after a program.

Because CLE is considered to be one of the most important services offered to members of the Bar, programs are budgeted so that income will cover the direct costs of the seminars. This does not include the CLE Director's salary, benefits, telephone, etc. which are absorbed by the general fund of the Bar Association. This allows programs to be offered at lesser tuition fees than if administrative costs had to be covered.

LOOKING AHEAD TO 1986

The Board of Governors at its August meeting determined that efforts should be made to provide a formalized CLE program aimed at introducing new practitioners to the realities of law practice, i.e., "What Your Law Education Never Taught You." As a result, a Bridge-the-Gap Committee was formed to study other similar programs and recommend topics and resources for a seminar in the Fall of 1986. In addition, a resource manual coordinated with the seminars will be developed with materials added as future seminars are held.

An expressed desire by the Federal Court to become more actively involved in bar CLE led to the development of several programs for 1986. A "Federal Off the Record" program will be held in January and a series of six (6) evidence mini-seminars in a breakfast format will be held from January to June.

The Board of Governors also requested more information on the level of CLE activity. Begining in 1986 the bar office will begin using a computer program which creates a CLE record for each attorney. The recoord will contain the courses registered for, the courses attended and the accumulated CLE credits. In addition, a CLE questionnaire will be developed for distribution to bar members in early 1986.

V. ALASKA PRO BONO PROGRAM

The federal government has instituted substantial budget cuts for the national Legal Services Corporation. In an effort to fully utilize the funds that are currently available so that the largest number of clients will continue to be served, the Legal Services Corporation, beginning in mid-1982, has required their grants from the national office to provide for the opportunity for private bar involvement in the delivery of legal assistance.

The Alaska Bar Association has joined with the Alaska Legal Services Corporation (ALSC) in creating the Alaska Pro Bono Program (APBP). Working with $120,000 in 1985 (the 12.5% allocated from the ALSC budget), the project sought to sign up Alaskan attorneys from both the private and public bar to assist ALSC with its caseload.

Pro bono involvement is sought primarily in the areas of domestic relations, housing, and public entitlements. A case is referred to a volunteer pro bono panelist by the project administrator after the cases have been processed through the ALSC's intake and case acceptance systems. Attorneys volunteering to accept referrals from the ALSC/Bar Project are asked to donate either one case per year or twenty (20) hours per year. An ALSC staff attorney is listed as co-counsel so that if the case exceeds 20 hours and/or the pro bono panelist wishes to return the case to ALSC, such a transfer can be easily accomplished.

Twenty-three communities are now served by pro bono attorneys. In the Anchorage area over 370 attorneys are signed up with the Pro Bono program; in the Juneau area there are more than 100 attorneys signed up; and 70 attorneys are involved with the Pro Bono program in the Fairbanks area. The total number of attorneys who are volunteers, in advice-only clinics and the full case work, is about 650 statewide, or approximately 42% of the Bar membership. The total number of donated hours in 1985 was more than 3,500.

The Pro Bono Program continues to sponsor CLE training sessions for its volunteer attorneys. Topics have included trial preparation, Indian law, domestic relations, public entitlements; worker's compensation. Training sessions are usually held in Anchorage during September through November. These sessions are offered to all attorneys in the Anchorage area, but at no cost to the pro bono attorneys.

In 1983, a proposal was prepared and submitted through the Alaska Bar Association to the American Bar Association for a $10,000 grant to fund a toll-free telephone system for the operation of the program within Alaska. The grant was approved

and the zenith number was operational in Januaryu, 1984. To date, approximately $5,000 of that grant has been used.

Funds from the 1985 budget which were not spent are carried over for use in Private Bar Involvement for 1986.

In addition to the caseload handled by pro bono attorneys statewide through the regular procedures of the Pro Bono program as described above, the Pro Bono program also offers two free legal clinics.

In Anchorage, Juneau, Kenai, Ketchikan and Wasilla, the APBP offers a Pro Se Divorce Clinic which attempts to instruct people in preparing and filing their own paperwork in uncontested, default divorces. If participants in this clinic are financially eligible for ALSC representation, and if they require some advice and guidance, then the APBP arranges a free 1/2 hour consultation with a volunteer attorney. In Anchorage, 25-30 people attend the clinic.

In Fairbanks, Juneau, and Anchorage, the APBP also offers a free, advice-only legal clinic. This clinic is open to the general public, and is staffed by volunteer attorneys who agree to make themselves available for two (2) hours each Tuesday evening each month for informal question-and-answer sessions. Approximately 10-15 people attend these "Tuesday Night Bar" sessions.

Finally, the APBP has created an Elderlaw project. This project is staffed by 10 corporate attorneys from the law departments of ARCO, EXXON, Alyeska Pipeline, and Alascom, and is designed to serve low-income seniors (60 years or older) in the areas of wills, public entitlements, and housing. The volunteer attorneys participating in this project visit four senior centers in the Anchorage area.

The constant goal of the program is to increase outreach of pro bono legal services to the needy in Alaska, and to improve the administration of the pro bono program. (See Table 2 for statistics on the program.)

VI. CONFLICT RESOLUTION CENTER

In 1982 the Alaska Bar Association's Committee on Alternative Dispute Resolution developed the Conflict Resolution Center (CRC). CRC is a non-profit organization dedicated to helping people resolve disputes out of court through conciliation, mediation or arbitration. Mediators and arbitrators for CRC are community volunteers trained to guide disputants to mutually advantageous solutions.

There is no charge to parties who use CRC's information, referral, counseling or conciliation services. For mediation and arbitration, the parties pay a fee determined on a sliding scale based on income. CRC waives these fees in the case of indigent parties.

In 1985, the Alaska Bar Association contracted with CRC to provide administrative assistance in scheduling fee arbitrations, under the supervision of Discipline Counsel. (See, Part VIII of this report for information on fee arbitrations.)

VII. STATEWIDE LAWYER REFERRAL SERVICE

The Bar Association operates a Lawyer Referral Service for the purpose of providing the general public with names of active members of the Alaska Bar Association who are in good standing and are willing and able to accept referral clients at a reasonable fee.

Enrollment in the Service is voluntary and all active members of the Association are urged to participate. Each participating lawyer pays an enrollment fee of $25.00 per category selected for listing in up to five panels in any calendar year. This fee is reserved exclusively for the operation of the Lawyer Referral Service.

Each caller requesting services is given the names of three lawyers in his/her geographical area who are listed in the category requested. Each lawyer pays a surcharge on each referral made regardless of whether the caller actually contacted the lawyer as a result of the referral. The first half-hour conference may be charged at a maximum of $35.00. Thereafter the fee is agreed upon by the attorney and the client.

In 1985, 126 attorneys from across the State were enrolled in twenty-eight categories in the Lawyer Referral Service. All lawyers participating in the Service must maintain "Errors and Omissions" insurance of at least $50,000.

In 1983, the Bar Association installed a Zenith number so that callers statewide could call the Lawyer Referral Service at no charge. In 1985, the Association switched the Lawyer Referral Service to an in-state (800) number. This results in increased convenience to callers who can now dial the service directly, without operator assistance. This also results in a savings of $238.00 a month to the Bar Association since there is no Zenith line charge now, but only the cost of the phone calls.

The annual call summary shows that the referral service has developed into the public service it was first envisioned. In 1985 referrals were up 1% over 1984 (8,491 calls in 1985; 8,357 calls in 1984).

Calls received by the Alaska Bar Association for Lawyer Referrals were as follows:

	1984	1985
Administrative	333	340
Admiralty	51	40
Arts	8	-
Bankruptcy	247	404
Commercial	1,447	776
Construction	-	30

	1984	1985
Consumer	271	501
Criminal	721	777
Discrimination	72	81
Eminent Domain	32	13
Environmental	1	8
Family	2,518	2,354
Foreign Speaking	4	-
Immigration	66	72
Insurance	-	80
Labor Relations	240	424
Landlord/Tenant	328	284
Malpractice	-	92
Mining	16	14
Negligence	777	640
Patent/Copyright	138	108
Public Interest	2	-
Real Estate	-	429
Tax	93	100
Traffic	534	513
Trust/Wills/Estates	278	258
Workers' Compensation	180	153
	8,357	8,491
	+ 6% (Change from 1983)	+ 1% (Change from 1984)

VIII. THE COMMITTEES OF THE ALASKA BAR

A. The Bar Rule Committees

1. The Committee of Law Examiners

The President of the Alaska Bar appoints the thirty-one (31) members who comprise the Committee of Law Examiners. The terms are staggered, with each person serving for three years.

The Committee is charged with responsibility for preparing and grading the essay portion of the Alaska Bar Examination. Reports are made to the Board at least twice yearly with respect to the results of each examination. Included are a statistical analysis and any recommendations which the Committee might have with respect to the form and content of the examination. (See Part II of the Report for details concerning the Committee's annual work.)

The Committee consists of eleven (11) members who draft the essay questions prior to the exam, and twenty (20) members who do the grading of answers after the exam. Lucinda McBurney currently chairs this committee.

2. The Disciplinary Hearing Committees

There are three area discipline divisions, one in the Third Judicial District, one in the First Judicial District, and one serving the combined Second and Fourth Judicial Districts. The current composition of the discipline divisions includes 10 attorneys and 3 non-attorney or public members in the First District; 8 attorneys and 4 public members in the combined Second and Fourth Districts; and 28 attorneys and 12 public members in the Third District. All serve three year terms which are staggered.

Three members constitute a quorum for a hearing committee. They may only act with the concurrence of a majority of the

sitting members. One of those participating must be a public member. Members may be replaced by the President for good cause and they may not represent respondent attorneys during their term.

To insure the fairness of the disciplinary hearing process, committee members are prohibited from acting in matters where they are a party or directly interested, a material witness, related to a respondent by blood or affinity within the third degree, have been a lawyer for a respondent within two years of the filing of the petition, or for any reason, cannot give a fair and impartial decision. The circumstances and procedures considered by the committee members are almost identical to those which a judge must follow in disqualifying himself in court proceedings.

The hearing committee has the power and duty to swear and examine witnesses and to issue subpoenas; at the conclusion of an evidentiary hearing, the committee may direct the submission of proposed findings, conclusions, recommendations and briefs. Thereafter, the committee is required to submit a written report to the Disciplinary Board, together with its findings, conclusions, recommendations, any briefs submitted, and the record.

Once the Board has acted on the Committee's recommendation, each participating member is advised of the Board's decision. (See also Part III of this Report.)

3. The Conciliation Panels

There are three conciliation panels serving the First, Third and combined Second and Fourth Judicial Districts. Each panel consists of three active members of the Alaska Bar appointed by the President and subject to ratification by the Board. They serve staggered three year terms.

The conciliation procedure was created to deal with disputes which do not involve ethical misconduct or fee disputes. The conciliator's function is to resolve such disputes between attorneys and their clients in an informal manner.

Although the procedure is informal, the failure of any attorney to participate in good faith in an effort to resolve a dispute submitted to conciliation may constitute independent grounds for disciplinary action.

If a resolution is reached, the Conciliator reduces it to writing for signature by all parties. In any event, the Conciliator submits a written report to the Disciplinary Administrator, including a summary of the dispute, its outcome, and the Conciliator's opinion as to the merits and good faith or lack thereto of the attorney party.

4. The Attorney Fee Review Committee

The Bar Association, under the Alaska Bar Rules, maintains an Attorney Fee Review Committee to settle fee disputes between attorneys and clients where such disputes have not been settled by statute or court rule or decision. Five subcommittees residing in Ketchikan, Juneau, Anchorage, Kenai and Fairbanks comprise the Committee. Each subcommittee consists of a "pool" of attorney and non-attorney members. Each subcommittee member serves for three years. From these subcommittees, a panel of two attorneys and one non-attorney is convened to hear a fee dispute, although if the complainant agrees, and if the amount in dispute is less than $2000, a single panel member may hear the matter.

The client initiates a fee arbitration proceeding by filing a petition describing the dispute and the efforts made to resolve the matter directly with the attorney. If Bar Counsel finds that reasonable efforts have been made to resolve the problem directly with the attorney, and that the Association has jurisdiction over the dispute, the petition will be accepted. Notification is sent to the client and the attorney that they have ten days to resolve the matter before it goes to the appropriate panel.

At the hearing, the parties can present both written and oral evidence. The panel has the ability to subpoena witnesses. If the client feels any member of the Committee cannot be fair and impartial, he may request that the member not participate in the hearing. For similar reasons, a member may disqualify himself.

At the hearing, basic rights of due process are followed, with some relaxation of the rules of evidence. Any party may be called to testify. A decision must be rendered by the panel within thirty days after the close of a hearing. An appeal may be taken from the decision to the Superior Court.

Forms and booklets explaining the Fee Review Committee's processes and procedures are available in the Association's office and are provided to the clerks of court in every location in the State.

The Bar Association has had a growing backlog of fee arbitration matters in recent years because it could not keep up with the rate of incoming cases. In April of 1985 the Bar Association contracted with the Conflict Resolution Center to schedule the fee arbitration hearings and conduct most of the correspondence associated with the scheduling of hearings. Mary Lou Burris of the Conflict Resolution Center is responsible for the scheduling and communication efforts required to set up these hearings. The program continues to be administered by Discipline Counsel of the Bar Association. The members of the fee arbitration committee all serve as volunteers and have been most helpful in addressing the backlog by participating in as many as three hearings per month. With the continued cooperation of all concerned, the backlog of arbitration matters should be resolved in 1986.

Arbitrations pending January 1, 1985	46
Petitions filed during 1985	74
Arbitrations closed in 1985	53
Cases pending January 1, 1985	67

5. The Client Security Fund Committee

The Bar Association maintains a fund for the purpose of making reimbursement to clients of attorneys who have suffered non-insured losses of money, property, or other things of value as a result of a dishonest act by an attorney. A dishonest act means an act of embezzlement, wrongful taking, or conversion of money, property, or other things of value. The monies of the Fund come from the membership of the Bar Association, as it is mandated that a portion of the annual dues paid by each member be deposited to the Fund.

A client begins the procedure by filing a form with the office of the Alaska Bar Association. The client may not be a spouse, relative, partner, associate, employee or insurer of the lawyer, a surety or bonding agency, or a governmental entity or agency. The sworn application contains the name and addresses of the lawyer, the amount of the client's alleged loss, the dates of the loss and discovery of the loss, the name and address of the client, a statement as to the facts, an agreement

that the client will be bound by the Alaska Bar Rules concerning the Fund, and a statement that the loss was not covered by insurance or bond.

A Client Security Fund Committee of six members is appointed by the President, subject to ratification by the Board. Each member serves for three years, and the Chairperson is appointed by the President. Once an application is filed, an attorney appointed to aid the Committee will determine if, on its face, a legitimate claim for loss has been made. The claim will be denied only if both the appointed attorney and a majority of the Committee agree that the claim is not valid on its face. Otherwise, the claim goes to the Committee for a final hearing.

The Committee hears evidence, administers oaths, issues subpoenas and, with prior approval, hires experts to aid in its investigation. Because the technical rules of evidence are relaxed, the Committee may consider any previous disciplinary proceedings against the attorney, any criminal proceedings and any civil proceedings involving the lawyer. Testimony is recorded but is only transcribed in cases where the client's claim is approved by the Committee. The determination of the Committee is advisory to the Board. The Board makes the final decision as to whether and how payment will be made.

The loss to be paid any one claimant is the lesser of (a) $10,000 or (b) 10% of the Fund at the time the award is made. The total amount of all claims paid in one year shall not exceed 50% of the total amount in the Fund as of January 1 of that calendar year.

Before funds are paid to the claimant, he must assign a small amount of the claim to the Bar Association so that the Bar may legally sue the attorney for recovery of all amounts paid to the client from the Fund. If the Bar Association chooses to sue the lawyer on this assigned claim, it must give written notice of the suit to the claimant in case the claimant wishes to join such an action to recover any loss in excess of the amount awarded to the client from the Fund.

In 1985, one claim was made against the fund and was still pending at the close of the year.

6. Admission Waiver Programs

The Bar Association has three admission waiver programs allowing students and attorneys in special job classifications to perform certain legal services within the State of Alaska. These include:

a. Legal Intern Permit

An applicant for a legal intern permit files for a permit according to provisions set forth in the Bar Rules, stating that he is either 1) a student enrolled in an accredited law school who has completed one-half of his course work, 2) a graduate from an accredited law school who has never failed a bar examination or, 3) a law school graduate who has been admitted to another bar (so long as the person shows good standing has been maintained).

Once a permit is issued, the legal intern may do the following:

1. Appear in any district or superior court proceeding, to the extent permitted by the judge, if the lawyer of the client is present and able to supervise and has filed the necessary form with the court and the Bar Association;

2. Appear in district court in a number of matters, both civil and criminal, without the supervising attorney present, provided the supervising attorney has filed a form and certifies the intern is competent, the client gives written consent, or a governmental body has granted approval, and the judge or magistrate agrees.

The permit is good until one of the following events occur:

1. Six months have passed (the permit is renewable once for six more months);

2. The intern fails to take the first Alaska Bar Examination for which he or she is eligible;

3. The intern fails to pass any bar examination.

b. Alaska Legal Service Corporation Waiver

A person employed by or associated with Alaska Legal Services Corporation may receive permission to practice law in Alaska, for not more than two years, if the attorney is admitted to practice law -- or is eligible to be admitted to practice law -- in another state, territory, or the District of Columbia, and

has not failed the Alaska Bar Examination. The permission to practice shall be withdrawn if the person at any time fails the Alaska Bar Examination or leaves the services of the Alaska Legal Services Corporation. The permission is only good for representation of Legal Services clients, and the person is subject to the disciplinary rules of the Alaska Bar Association.

c. United States Armed Forces Expanded Legal Assistance Program

A person who is an active duty member of the United States Armed Forces assigned to the Judge Advocate General Program, or the United States Coast Guard, may receive permission to practice law in Alaska for not more than two years if the attorney is admitted to practice -- or is eligible to be admitted to practice law -- in another state, territory or the District of Columbia, has graduated from an accredited law school, and has not failed the Alaska Bar Examination or does not leave military service.

B. The Substantive Law Sections

The twelve (12) sections of the Alaska Bar Association focus on substantive law. The sections and the chairs for 1985 - 1986 are:

Section	Chair
Administrative Law	John F. Clough, III
Alaska Native Law	Lloyd B. Miller
Business Law	Ray D. Gardner
Criminal Law	James D. Gilmore
Environmental Law	Kirk Wickersham, Jr.
Employment Law	Eliabeth I. Johnson
Family Law	Karla F. Huntington
Natural Resources Law	Joseph J. Perkins, Jr.
Probate Law	Trigg T. Davis
Real Estate Law	Michael W. Price
Taxation Law	David G. Shaftel
Torts Law	Millard F. Ingraham

Each section is responsible for monitoring the law, suggesting revisions, and reporting annually to the membership on legal developments in the area of law studied by the section.

In addition, the sections are encouraged to submit articles in their fields of expertise to the Bar Rag, and to aid the Continuing Legal Education Committee in the presentation of seminars. Many sections have regularly scheduled meetings and prepare newsletters that keep their members up-to-date on important events within their area of expertise.

The sections, when necessary, are requested to advise the Board on substantive issues.

While the sections cannot speak on behalf of the Alaska Bar Association without prior Board approval, several sections regularly monitor and testify concerning legislation both in Alaska and in Congress. The Board of Governors has, on occasion, and at the request of some sections, taken positions on certain issues and forwarded those views to the appropriate authorities.

Section membership is open to all active members of the Association, although there is currently a $5.00 membership fee assessed for each section joined by a Bar member beyond his or her first selection. The sections are administered by an executive committee composed of five members who serve three year staggered terms. The chair of each section is elected by the section's membership during the section's annual meeting.

As of December 31, 1985, 489 Bar members were involved in one or more sections. The breakdown is as follows:

Administrative Law	75
Alaska Native Law	114
Business Law	91
Criminal Law	65
Employment Law	41
Environmental Law	54
Family Law	65
Natural Resources Law	79
Probate Law	31
Real Estate Law	80
Taxation Law	35
Torts Law	72

C. The Standing Committees

1. Bar Polls and Elections Committee

The function of this nine member committee, currently chaired by attorney Margaret J. Rawitz, is to prepare, at the direction of the Board, polls of the membership on any given number of subjects. Past work has included the evaluation of persons seeking judicial appointments, economic surveys, and subjects of priority interest to members of the Bar.

In addition to formulation of requested polls, the Committee compiles the results of the poll and presents them to the Board.

The other major responsibility of the Committee is to tabulate the results of the yearly elections to membership on the Board of Governors and the Alaska Legal Services Corporation Board of Directors. In addition, it conducts advisory opinion polls for use by the Board in its appointment of lawyer representatives to the Judicial Council, Judicial Conduct Commission, and Ninth Circuit Judicial Conference.

2. The Continuing Legal Education Committee

One of the most vital committees of the Alaska Bar is the Continuing Legal Education (CLE) Committee, which is responsible for presenting substantive education programs in order to keep Alaskan lawyers abreast of new developments in the law. The Committee is currently chaired by Maryann E. Foley. (See Part IV of this Report.)

3. Ethics Committee

Chaired by Kenneth P. Jacobus, the nine member Ethics Committee issues opinions, based on actual circumstances but phrased in hypothetical terms, in order to give guidance to Association members in complying with the Code of Professional Responsibility.

An opinion may be requested by a member in good standing who is concerned with proposed conduct. Any other person desiring an ethics opinion can request one through the Board of Governors.

No official ethics opinion is published without approval of the Board which thereafter directs its distribution by publication to the membership, circulation to all law libraries, and mailing to the Supreme Court.

4. Historians of the Alaska Bar

As one of the most unique bar associations, populated through the years by many colorful individuals, it was determined that before the incidents and events become lost, a group would be created to preserve the history of the Alaska Bar.

Wendell P. Kay chairs this group, which has representatives from all parts of Alaska. Besides gathering the information for future publication, the Committee presents programs at the annual meeting and contributes articles to the Alaska Bar Rag.

5. Law Related Education Committee

The purpose of this fifteen member committee is to present programs and publications to the community at-large which will aid in an understanding of the law and the legal system. Its activities have included mock trials in the classrooms, as well as a series devoted to the education of the owners of small businesses as to their rights under the law. The Committee is currently chaired by Jeffrey M. Feldman.

6. Legal Educational Opportunities Committee

Another standing committee of the Alaska Bar is the Legal Educational Opportunities (LEO) Committee. Chaired by Robert K. Hickerson, its responsibilities include oversight of WICHE funds for legal education, administration of the recently established Bar association scholarship program, and tutoring assistance to failing bar examinees. The committee also makes recommendations to the Association as to how to encourage minority students to pursue a legal career in Alaska.

7. Statutes, Bylaws and Rules Committee

This standing committee of twelve persons is charged with responsibility for drafting proposed revisions of the statutues, bylaws, and rules which govern the Alaska Bar. The Board of Governors requests such proposals when it discovers an area that needs clarification or when new guidelines need to be adopted. John R. Lohff chairs this committee.

D. Special Committees

1. Model Rules Committee

In its August 1983 meeting, the House of Delegates of the American Bar Association adopted a comprehensive re-codification of the code governing a lawyer's conduct. Known as the Model Rules of Professional Conduct, this new statement of ethical requirements provides a clearer statement of a lawyer's responsibility to clients, the courts and the American legal system. The Model Rules have been adopted by a number of states and are currently under study by an eight person committee established by the Board of Governors. The committee began regular work sessions in 1985 and plans to present comprehensive proposals and commentary in 1986 on the Model Rules for the review by the Board of Governors. The Board in turn, after

soliciting and reviewing comments by interested parties, will forward its recommendations to the Alaska Supreme Court for its review and implementation as rules of court.

2. Lawyers Professional Liability Insurance Committee

Due to the rising cost of obtaining Errors and Omissions Insurance, the Board established this committee, chaired by Keith E. Brown. At the same time, the Board contracted with Duke Nordlinger Stern, a nationally recognized expert on liability insurance, to work with the committee to put together an endorsed insurance program for the Bar. The committee's function is to gather information and to review the Bar's options, evaluate the proposals submitted by Duke Stern and to advise the Board regarding proposed action.

3. Substance Abuse Committee

John Reese chairs this committee which is putting together a program to assist lawyers who have problems with alcohol or drug abuse. Volunteer attorneys will review cases forwarded to the committee by any referring authority, will provide counselling or information to any person inquiring about the identification and availability of substance abuse programs, and perform interventions upon request by persons having a relationship with a substance abusing attorney.

4. Minority Applicant Committee

This committee was co-chaired by Board members Andonia Harrison and Robert Wagstaff. The Board of Governors was concerned about the low minority pass rate on the Bar Exam and directed the committee to review this issue and make recommendations to the Board as to how to address this. The committee made the following recommendations: (1) The Bar Association should underwirte loans for students to take the Bar Review course; (2) the Bar Association should contract with someone to provide individualized counseling, not oriented to substantive law, to any failed applicant, at no or minimal cost. These recommendtions were to be placed before the Board in January, 1986.

XI. ADJUNCT INVOLVEMENT

A. The Alaska Bar Association Insurance Trust

On March 11, 1976, the Board of Governors established an insurance trust fund for the benefit of Association members and employees. Its purpose is to offer group life, group accidental death and dismemberment, and group hospitalization, medical and surgical, disability, and related insurance benefits to any member who desires them.

The Fund is administered by three Trustees, who are elected annually. The trustees are also members of the Board.

At the present time, the Trust offers a $50,000 group term life insurance plan to attorneys.

B. The Alaska Bar Foundation

In October, 1972, the Board of Governors established the Alaska Bar Foundation for the purpose of fostering and maintaining the honor and integrity of the profession, improving and facilitating the administration of justice, promoting the study of law and continuing legal education, administering loans and scholarships, and maintaining a law library and research center.

The Foundation was established, pursuant to Section 501(c)(3) of the Internal Revenue Code, as a Not for Profit Corporation, and was incorporated in accordance with the laws of the State of Alaska.

The current Board of Trustees consists of Mary K. Hughes, Winston S. Burbank, John M. Conway, William B. Rozell and Sandra K. Saville.

The Foundation was originally supported by individual contributions. In 1985, the Board of Governors voted to amend the dues notices to provide for a voluntary dues add-on contribution of $7.00 to the Foundation. The voluntary add-on was requested in hopes of strengthening the Foundation's assets so that a sizeable fund could be developed over a period of time to be used for law-related education projects, community service programs and scholarships.

The Foundation currently has an active scholarship program. The first scholarships were offered in 1980; in 1984 eight scholarships were awarded: the John E. Manders Scholarship for $2500, the George Boney Scholarship in the amount of $1500, and an additional six at $1000 each. A copy of the scholarship application and advertisement can be found in Table 3.

C. The Alaska Law Review

The Alaska Bar publishes, semi-annually, for the benefit of its members and at no additional cost, the Alaska Law Review. Strong emphasis is placed on topics related to the laws of Alaska and contributions to the Review by members of the Bar are actively solicited.

The Law Review is edited by law students at Duke University in Durham, North Carolina, and includes articles by practicing attorneys, law professors, and notes and comments by Duke law students.

Three members of the Board serve as liaison between the staff of the Alaska Law Review and the Board of Governors, which is charged with responsibility for the publication.

In March, ten law students on the Law Review visited Alaska for a week to make contact with attorneys here and to gain a better insight into our state. They were hosted by local attorneys and firms, both in homes and at receptions.

D. Alaska Legal Services Corporation

Nine attorneys serve on the Board of Directors of Alaska Legal Services Corporation (ALSC), two from the First Judicial District, one from the Second Judicial District, three from the Third Judicial District, and one from the Fourth Judicial District. Each serves for a term of three years. The ninth attorney on the Board of Directors is the President of the Alaska Bar (or his/her designee). In addition, there are nine alternate members who serve when a regular attorney member is unable to do so. The attorney members are appointed by the Board of Governors after an advisory poll of the Bar membership is conducted.

The ALSC Board of Directors carries out the purpose of the Corporation, which is to provide legal assistance to persons lacking the financial capability to obtain private counsel. It meets at least four times a year, supervises a staff of thirty-seven (37) professionals and forty-two (42) support personnel.

E. Alaska Code Revision Commission

The Alaska Code Revision Commission was established in 1976 to review and recommend revisions to the laws of Alaska. The Board of Governors appoints one attorney to the Commission.

F. Alaska Commission on Judicial Conduct

Three attorney members who have practiced law in the State for at least ten years are appointed to the Alaska Commission on Judicial Conduct by the Governor from a list of recommendations submitted by the Board of Governors. These appointments are subject to legislative confirmation. The attorney members in 1985 were Bruce Bookman, Marcus R. Clapp and Michael Holmes.

The Commission has the power to investigate malfeasence or misfeasence on the part of a member of the judiciary, and to recommend to the Supreme Court impeachment, suspension, removal from office, retirement or censure.

G. American Bar Association

Each state bar association has one representative in the House of Delegates of the American Bar Association. The delegate is elected by the active members of the Alaska Bar to serve a two year term. Alaska's current representative is Douglas B. Baily, whose term expires at the end of the American Bar's annual meeting in 1986.

His function is to represent the views of the Alaska Bar on all matters which come before the House of Delegates for consideration.

H. Judicial Council

Three attorneys serve staggered six year terms on the Judicial Council. The Council's purpose is to recommend candidates for judicial office and to conduct studies for the improvement of the administration of justice in Alaska.

The attorney members are appointed by the Board of Governors after nominating petitions have been circulated and advisory polls conducted. In 1985, Barbara L. Schulman, James B. Bradley and James D. Gilmore served as the attorney members.

I. National Conference of Bar Presidents

At the time of their election to office, the President and President Elect of the Alaska Bar become members of the National Conference of Bar Presidents, which meets twice a year in conjuction with the meetings of the American Bar Association. In addition, all past Presidents of the Alaska Bar are members.

Its purpose is to educate and train bar leaders, to keep them abreast of current events, to improve the quality of delivery of legal services, and to improve the administration of justice.

J. Ninth Circuit Judicial Conference

The Ninth Circuit Judicial Conference was established by the Judicial Council of the Ninth Circuit Court of Appeals to consider the business of the courts in the circuit, advise means of improving the administration of justice, and implement decisions regarding the administration of the federal courts.

All the judges in the Ninth Circuit, the president of each state bar association, the United States Attorney, Magistrates, law school representatives, and private practitioners comprise its membership.

In addition to the President of the Bar, Alaska has three other lawyer representatives who are appointed by the presiding judge of the Federal Court in Alaska to serve staggered three year terms. The Bar Association participates in the selection of these three attorney members by soliciting nominations, conducting an advisory poll, and thereafter recommending to the Chief Judge three persons for each vacancy. The current representatives are Jeffrey M. Feldman, R. Everett Harris, and Leroy J. Barker.

The lawyer representatives serve without compensation and without reimbursement for expenses.

K. Rocky Mountain Mineral Law Foundation

The Rocky Mountain Mineral Law Foundation, one of the preeminent natural resource organizations in the United States, sponsors continuing legal education programs, publishes books and treatises, provides scholarships and, in general, encourages development of natural resources law.

Its Board of Trustees is comprised of law school representatives, private practitioners, and one appointee from each bar association in the Western states. Harris Saxon, the Alaska Bar's current representative, serves at the pleasure of the Board of Governors.

L. Western States Bar Conference

Fifteen (15) states are members of the Western States Bar Conference. The conference meets once a year to share the ideas and experiences of the member state bar associations.

The president and president elect of each state bar, as well as all past presidents, are members of the Conference.

X. BUDGET

Table 4 contains the Bar's 1985 audit report. The 1985 report reflects a total revenue of $1,052,088 with total expenses of $998,176 for a surplus of $53,912.

Originally, the Bar Association was budgeted for a loss in 1985 of $125,490, with projected income of $973,422 and expenses of $1,098,912. More income than originally foreseen was generated in areas such as admission fees, membership dues, CLE and the sale of mailing labels. Likewise, areas such as the Board of Governors, Administration and Discipline came in lower than their projected expense.

Currently we total 2,390 members. Costs naturally climb with the need to serve increased members. We will soon be to the point where we will be drawing upon the capital surplus we have accumulated. Thus, while we have accumulated a surplus, interest rates are relatively low and the eventual result is that the surplus will be needed to meet the operating costs of the Association.

TABLE 1

Mark E. Ashburn, Esq.
1130 West 6th Ave., Suite 100
Anchorage, AK 99501
May 9, 1985

Mr. Harold M. Brown
President, Board of Governors
Alaska Bar Association
Post Office Box 100279
Anchorage, AK 99510

Dear Mr. Brown:

This letter is written pursuant to Section 3 of Rule 4 of the Alaska Bar Rules and constitutes certification of the results of the Alaska Bar Examination given February 25, 26 and 27, 1985. Attached is a copy of the Bar Examination essay questions, the guides utilized by the graders of those questions, and the essays selected as "benchmarks" (i.e., those essays representative of each of the five possible points on the grading scale for each of the ten essays). In accordance with the policies of the National Conference of Bar Examiners, which preclude availability, a copy of the Multistate Bar Examination (MBE) is not included for your review. This letter shall constitute the written report of the Committee of Law Examiners pursuant to Rule 4.

A total of 135 applicants participated in the February, 1985 Bar Examination. The performance of each examinee is also attached.

The examination consisted of three parts. The first day of the examination consisted of three "long" essay questions given in the morning and six "short" essay questions which were given in the afternoon. The research/analysis portion of the examination consisted of one essay question given on the morning of the second day. The MBE, a multiple-choice examination, was given on the third day of the examination.

Pursuant to Alaska Bar Rule 4, Section 7, forty (40) applicants were permitted to transfer their scores on the Multistate Bar Examination.

In accordance with Alaska Bar Rule 4, Section 6, the Committee submitted the weighted, standardized essay scores of the general applicants to the National Conference of Bar Examiners for combining with the MBE scores.

The components of the exam were weighted as follows: Essay portion, 50%; MBE, 50%; with the essay portion sub-weighted as follows: the three long essays, 30%; the six short essays, 45%; the research/analysis question, 25%. A combined score of 140 or above was passing.

The Committee read the essay and research answers during the months of March and April, 1985. In accordance with the Board's policy, during the last six days of April the Committee reviewed the essays of those three (3) applicants whose original combined scores fell between 139.00 and 139.99. The results of the February, 1985 examination were certified by the Committee today, May 9, 1985, after the evaluation was completed and the statistics were compiled.

Of the 135 applicants, 96 (71%) received a combined score of 140 or greater. Subject to other eligibility requirements contained in the Alaska Bar Rules, the Committee recommends to the Board of Governors that the 96 applicants achieving passing scores on the February, 1985 Alaska Bar Examination be certified to the Alaska Supreme Court for membership in the Bar and admission to the practice of law in Alaska.

Respectfully submitted,

COMMITTEE OF LAW EXAMINERS

Mark E. Ashburn
Chairperson

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FEBRUARY, 1985 ALASKA BAR EXAMINATION

GENERAL STATISTICS

A. February, 1985 Alaska Bar Exam:

Number of Applicants: 135

PASSING	%	FAILING	%	TOTAL
96	71	39	29	135

B. PASS/FAIL VS. GENDER (see graph attached)

	PASSING	%	FAILING	%	TOTAL
Male	69	79	18	21	87
Female	27	56	21	44	48

C. REAPPLICANTS (see graph attached)

Total number of reapplicants was 43.

PASSING: 21 or 49% FAILING: 22 or 51%

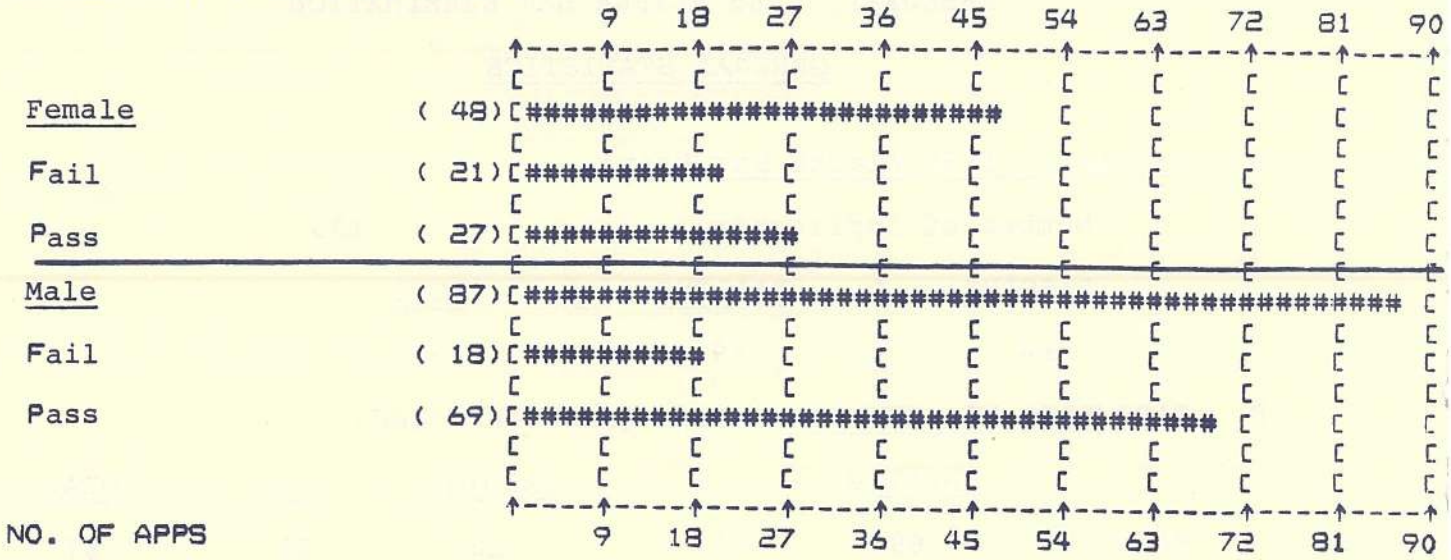
D. LAW SCHOOLS (see graph attached)

The applicants attended 60 different law schools.

Report Date: MAY 4, 1985

FEB EXAM APPLICANT PROFILE

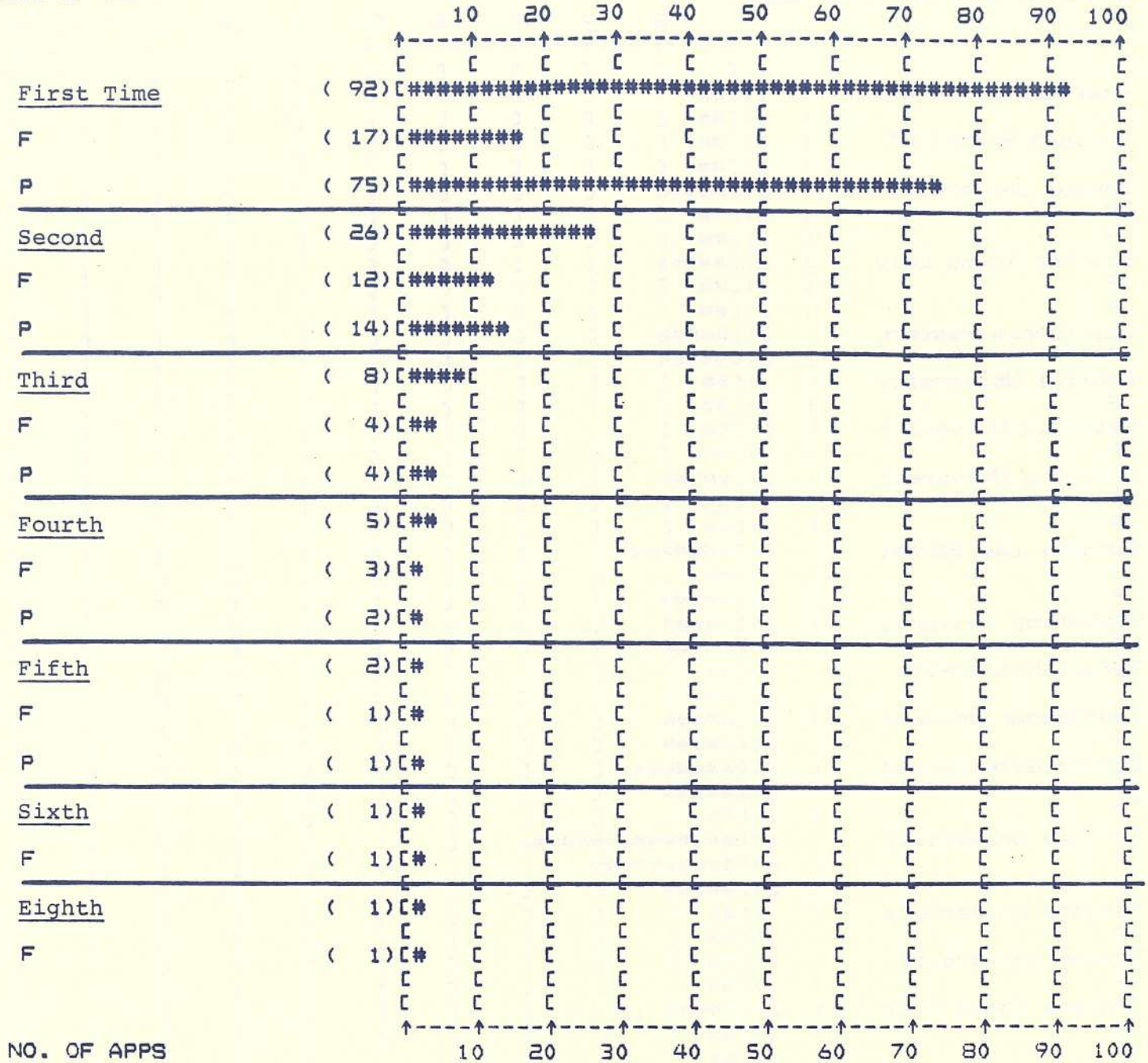
GENDER VS./ PASS/FAIL RESULT



Report Date: MAY 4, 1985

2/85 EXAM APPLICANT PROFILE

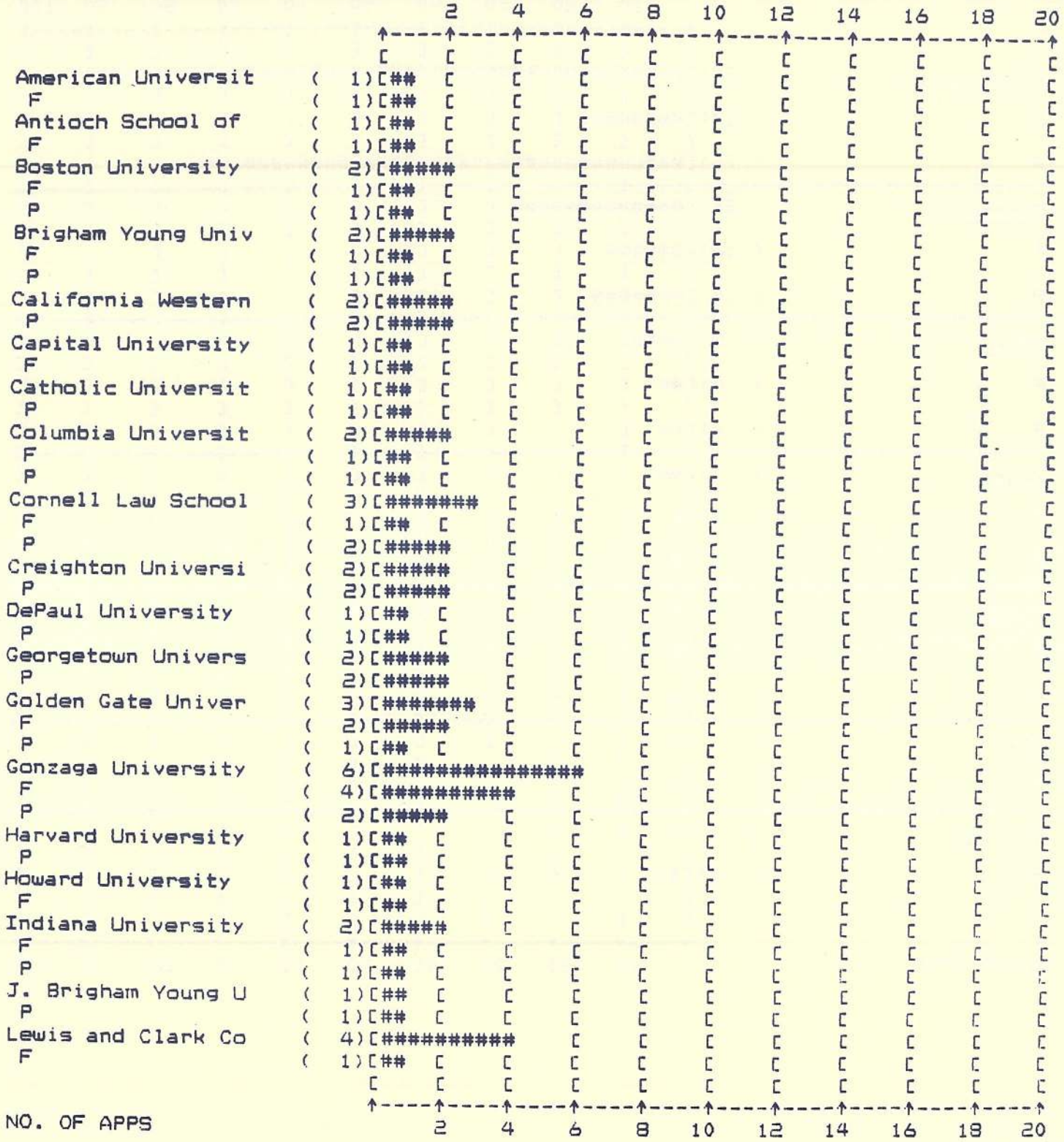
NO. OF TIMES TAKEN/ PASS/FAIL RESULT



Report Date: MAY 4, 1985

2/85 EXAM APPLICANT PROFILE

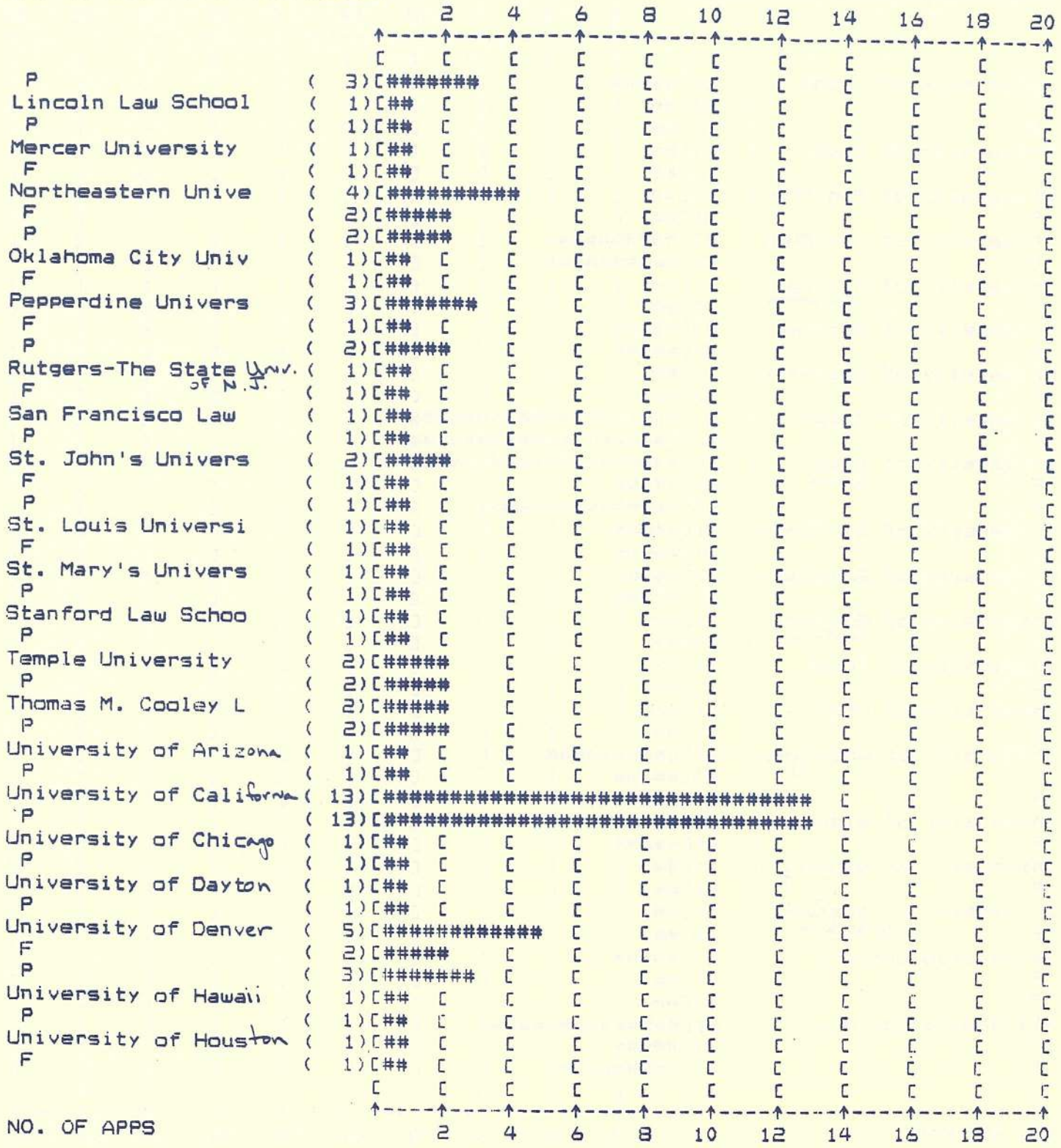
LAW SCHOOL/ PASS/FAIL RESULT



Report Date: MAY 4, 1985

2/85 EXAM APPLICANT PROFILE

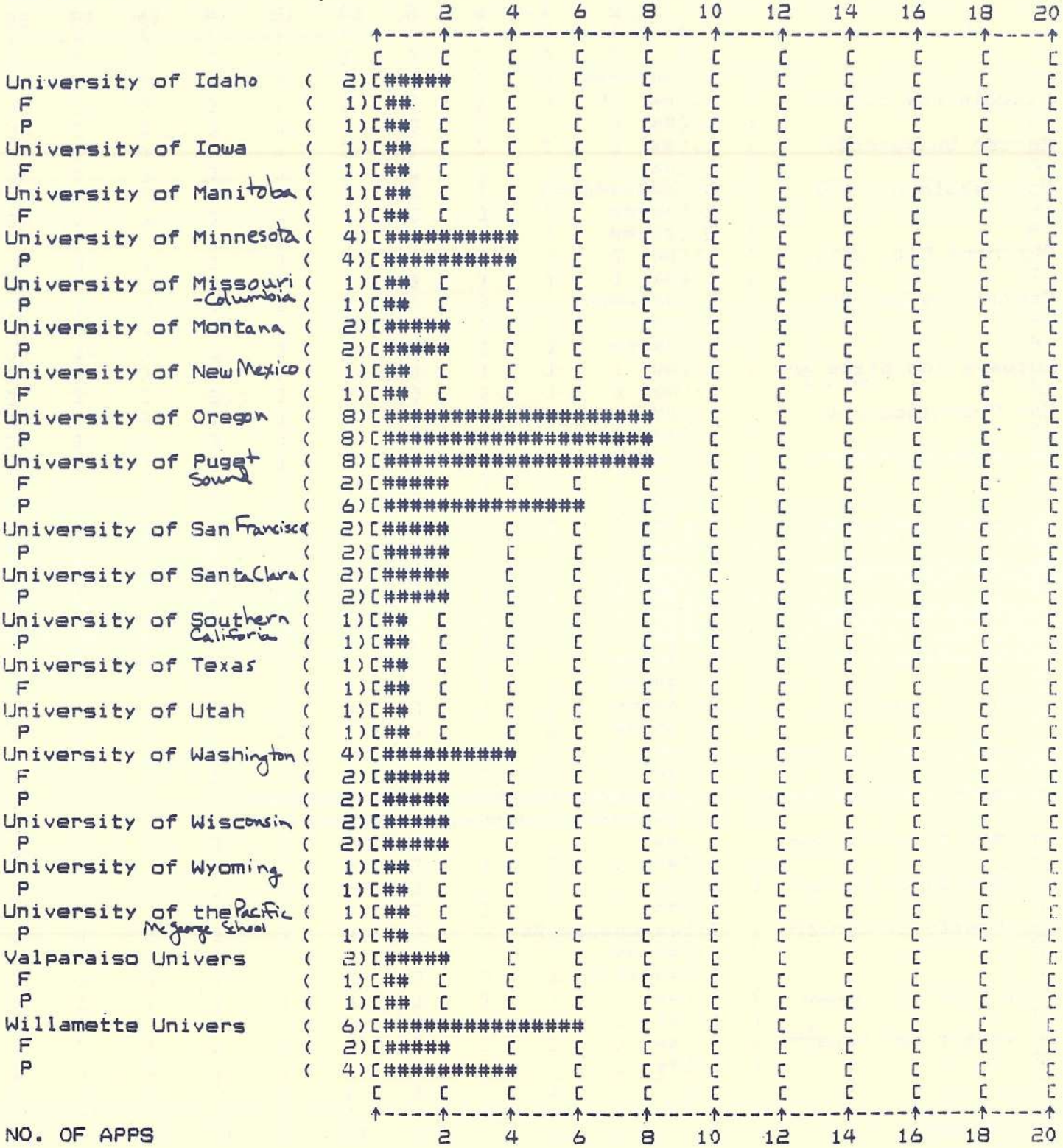
LAW SCHOOL/ PASS/FAIL RESULT



Report Date: MAY 4, 1985

2/85 EXAM APPLICANT PROFILE

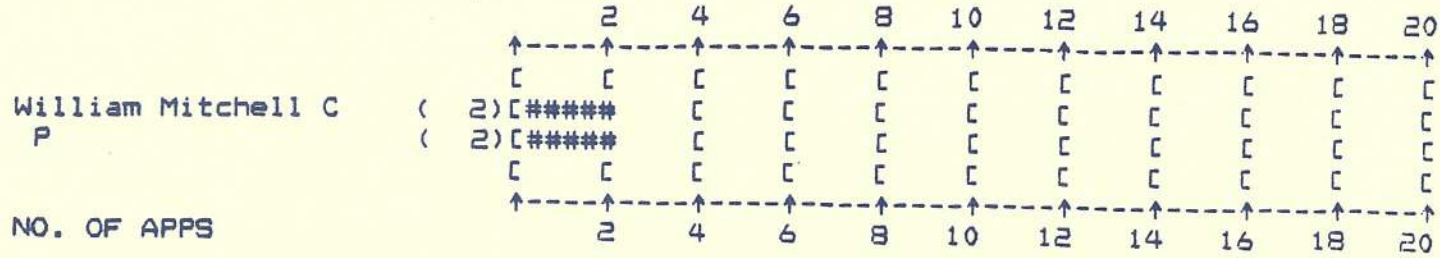
LAW SCHOOL/ PASS/FAIL RESULT



Report Date: MAY 4, 1985

2/85 EXAM APPLICANT PROFILE

LAW SCHOOL/ PASS/FAIL RESULT



Lucinda McBurney
303 "K" Street
Anchorage, AK 99501
October 31, 1985

Harry Branson
President, Board of Governors
Alaska Bar Association
Post Office Box 100279
Anchorage, AK 99510

Dear Mr. Branson:

This letter is written pursuant to Section 3 of Rule 4 of the Alaska Bar Rules and constitutes certification of the results of the Alaska Bar Examination given July 30, 31 and August 1, 1985. Attached is a copy of the Bar Examination essay questions, the guides utilized by the graders of those questions, and the essays selected as "benchmarks" (i.e., those essays representative of each of the five possible points on the grading scale for each of the ten essays). In accordance with the policies of the National Conference of Bar Examiners, which preclude availability, a copy of the Multistate Bar Examination (MBE) is not included for your review. This letter shall constitute the written report of the Committee of Law Examiners pursuant to Rule 4.

A total of 142 applicants participated in the July, 1985 Bar Examination. The performance of each examinee is also attached.

The examination consisted of three parts. The first day of the examination consisted of three "long" essay questions given in the morning and six "short" essay questions which were given in the afternoon. The research/analysis portion of the examination consisted of one essay question given on the morning of the third day. The MBE, a multiple-choice examination, was given on the second day of the examination.

In accordance with Alaska Bar Rule 4, Section 6, the Committee submitted the weighted, standardized essay scores of the general applicants to the National Conference of Bar Examiners for combining with the MBE scores.

The components of the exam were weighted as follows: Essay portion, 50%; MBE, 50%; with the essay portion sub-weighted as follows: the three long essays, 30%; the six short essays, 45%; the research/analysis question, 25%. A combined score of 140 or above was passing.

The Committee read the essay and research answers during the months of August through October, 1985. In accordance with the Board's policy, the Committee reviewed the essays of those four (4) applicants whose original combined scores fell between 139.00 and 139.99. The results of the July, 1985 examination were certified by the Committee today, October 31, 1985, after the evaluation was completed and the statistics were compiled.

Of the 142 applicants, 98 (69%) received a combined score of 140 or greater. Subject to other eligibility requirements contained in the Alaska Bar Rules, the Committee recommends to the Board of Governors that the 98 applicants achieving passing scores on the February, 1985 Alaska Bar Examination be certified to the Alaska Supreme Court for membership in the Bar and admission to the practice of law in Alaska.

Respectfully submitted,

COMMITTEE OF LAW EXAMINERS

Lucinda McBurney

Lucinda McBurney
Chair

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JULY, 1985 ALASKA BAR EXAMINATION

GENERAL STATISTICS

A. July, 1985 Alaska Bar Exam:

Number of Applicants: 142

PASSING	%	FAILING	%	TOTAL
98	66.7	36	33.3	142

B. PASS/FAIL VS. GENDER (see graph attached)

	PASSING	%	FAILING	%	TOTAL
Male	59	70	25	30	84
Female	39	67	19	33	58

C. REAPPLICANTS (see graph attached)

Total number of reapplicants was 23.

PASSING: 6 or 26% FAILING: 17 or 74%

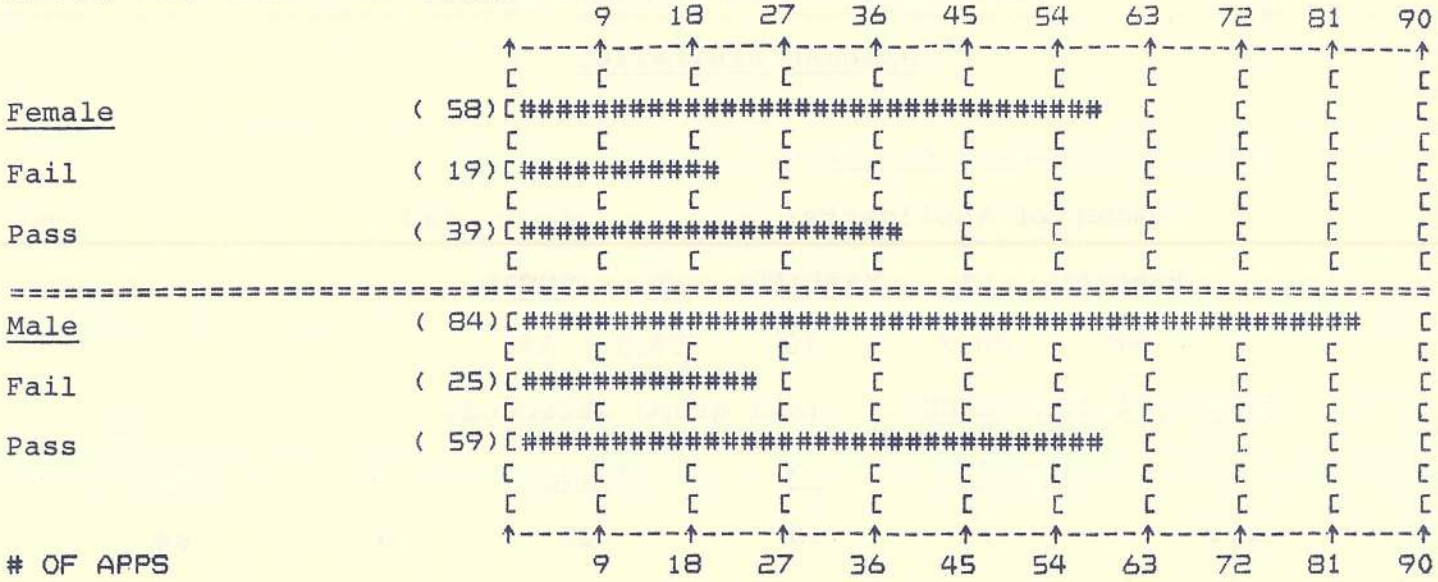
D. LAW SCHOOLS (see graph attached)

The applicants attended 55 different law schools.

Report Date: 85/10/28

7/85 EXAM APPLICANT PROFILE

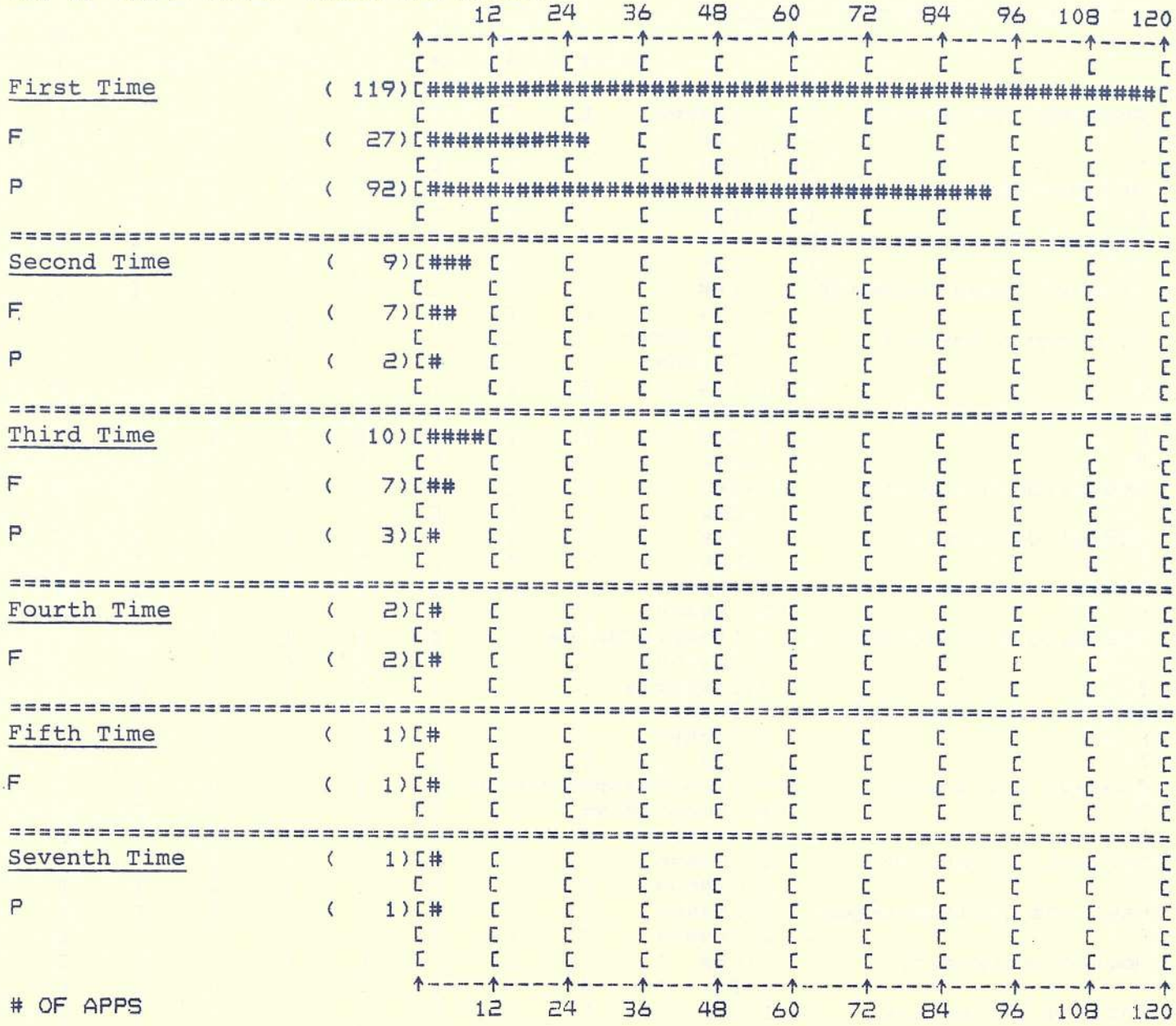
GENDER VS./ PASS/FAIL RESULT



Report Da : 85/10/28

7/85 EXAM APPLICANT PROFILE

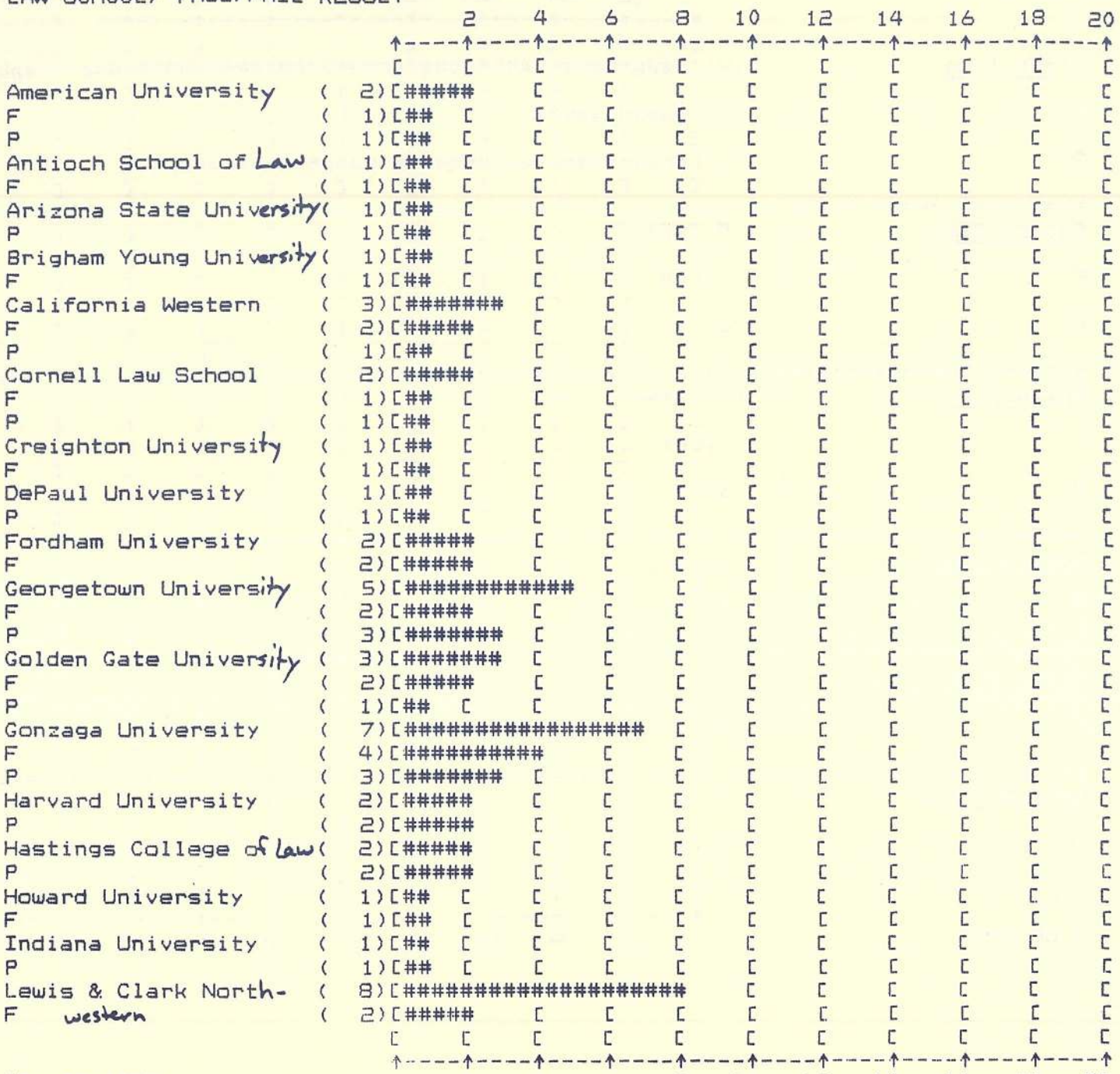
NO. OF TIMES TAKEN/ PASS/FAIL RESULT



Report Date: 85/10/28

2/85 EXAM APPLICANT PROFILE

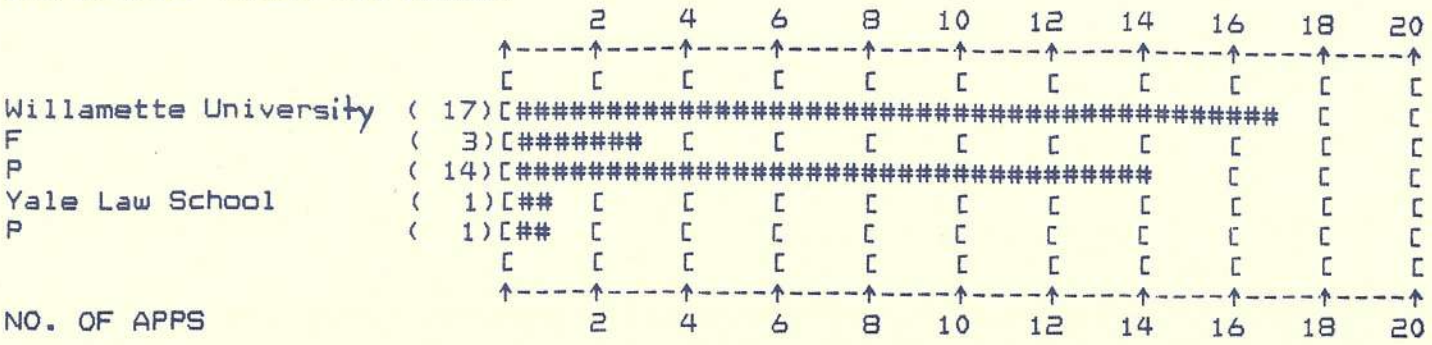
LAW SCHOOL/ PASS/FAIL RESULT



Report Date: 85/10/28

2/85 EXAM APPLICANT PROFILE

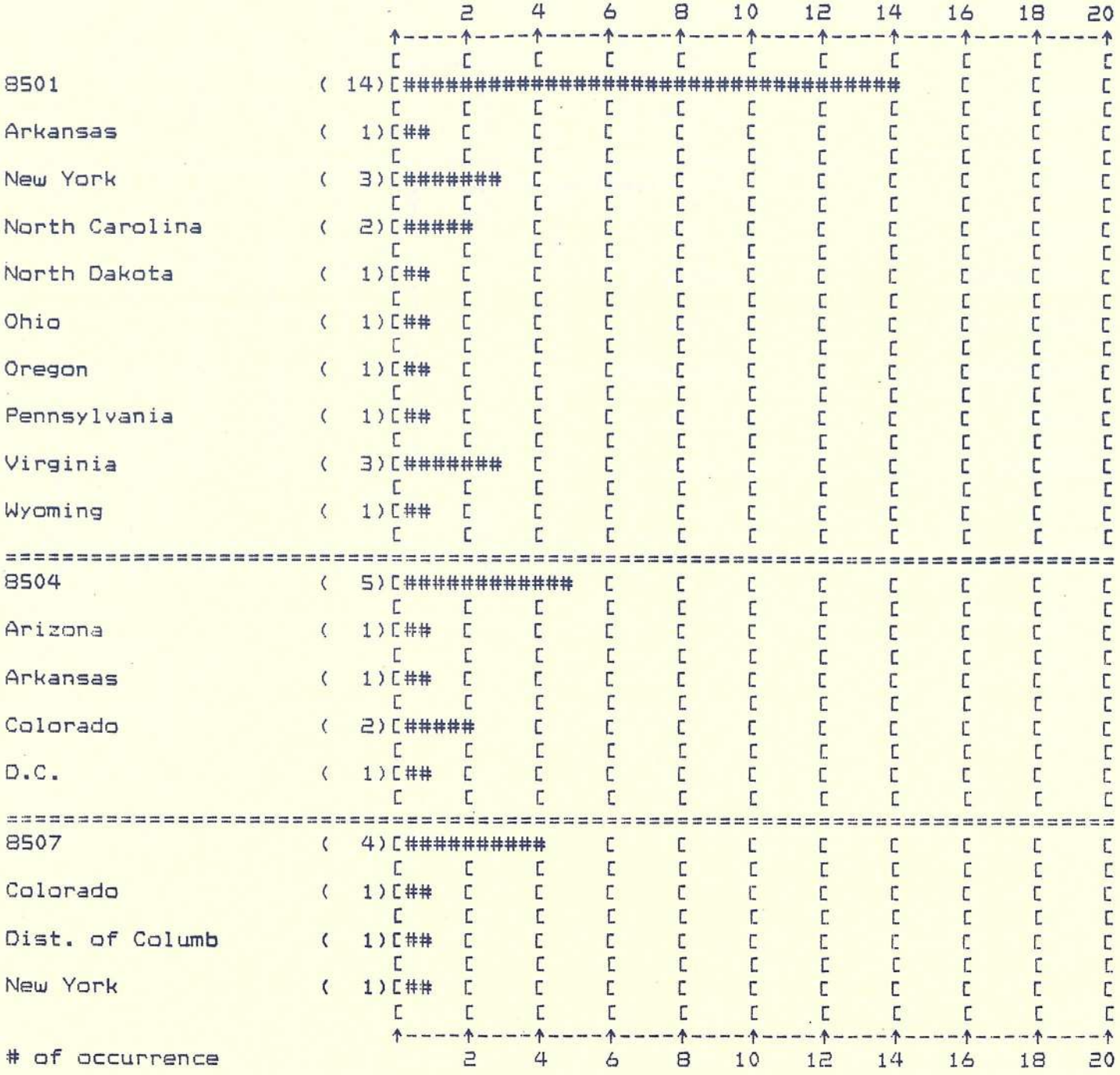
LAW SCHOOL/ PASS/FAIL RESULT



Report Da : 85/12/27

RECIPROCITY APPLICANT PROFILE

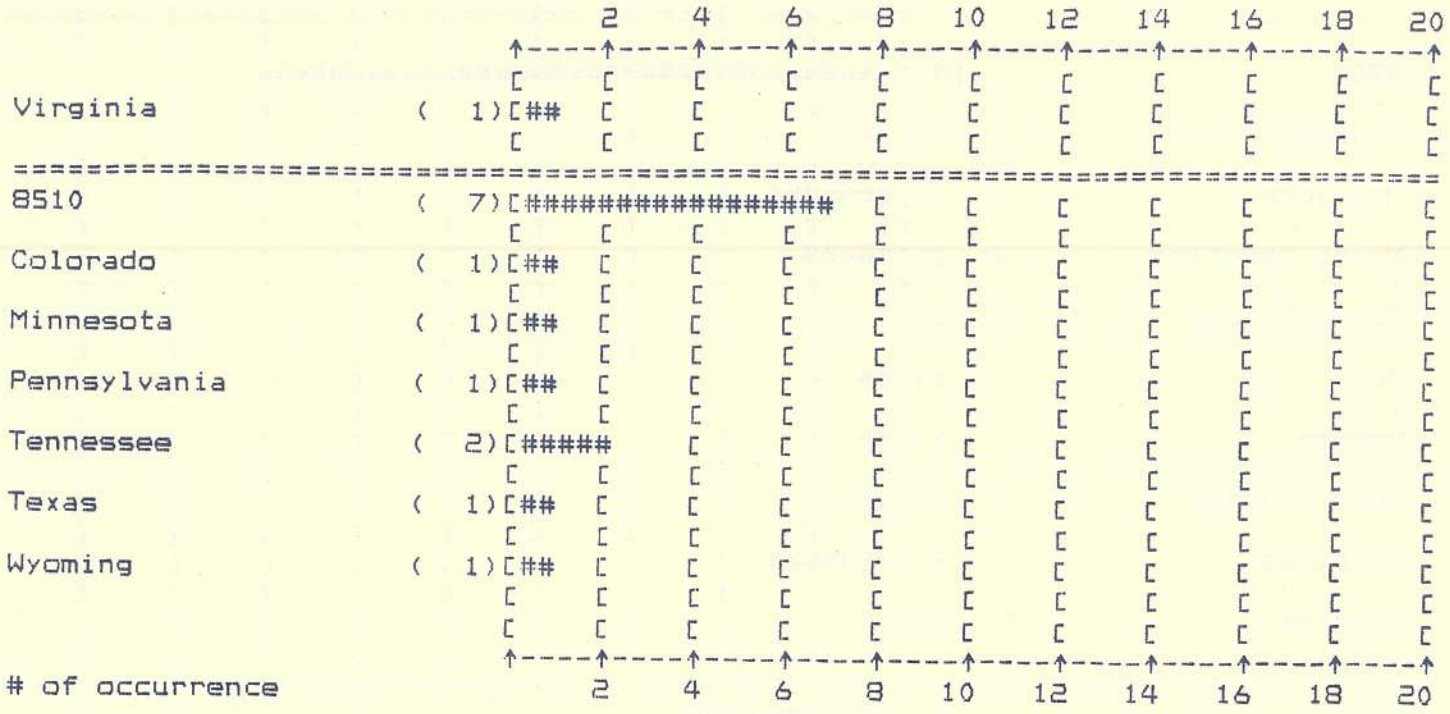
DEADLINE/ WRITTEN BAR EXAM



Report Date: 85/12/27

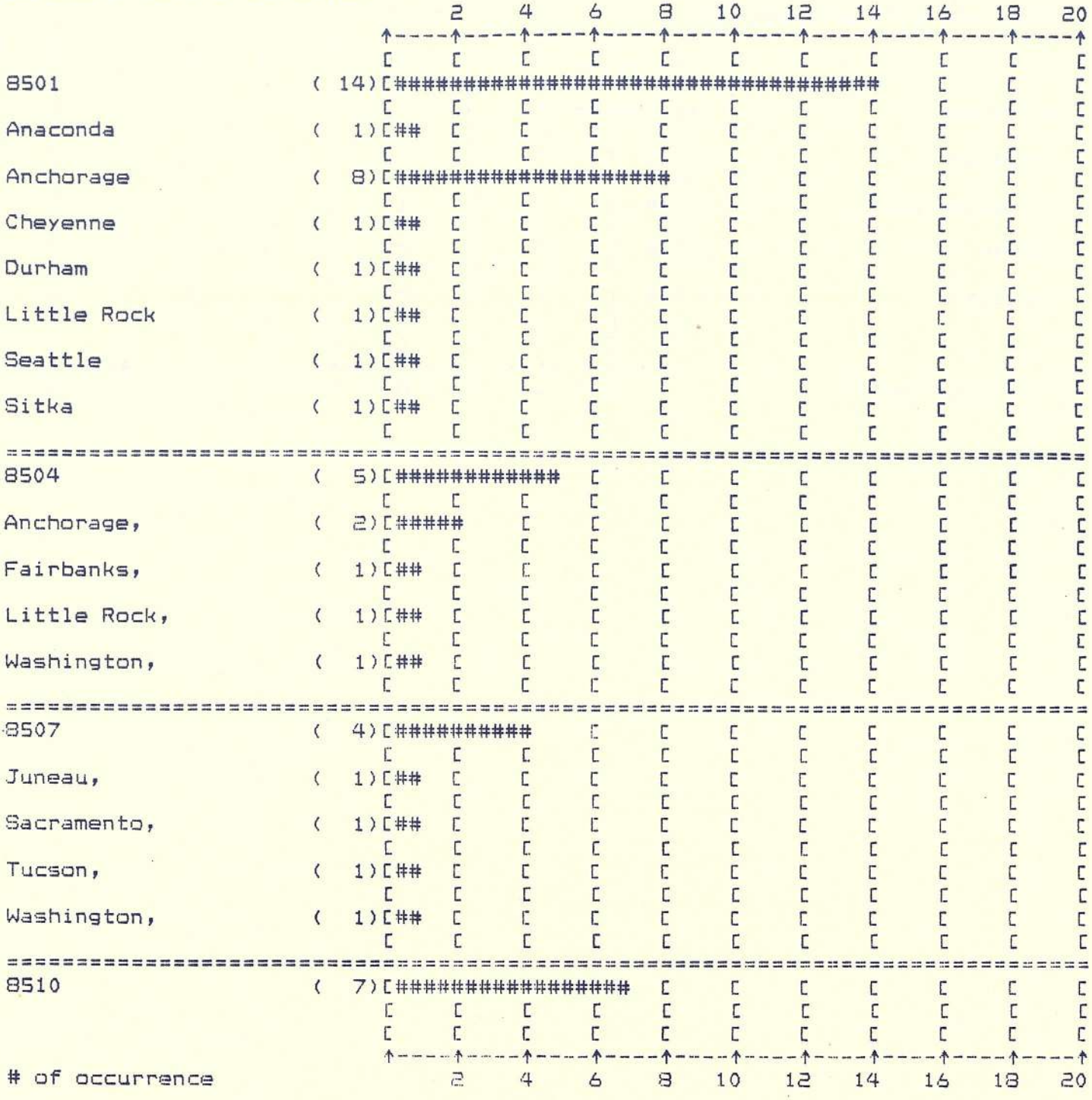
RECIPROCITY APPLICANT PROFILE

DEADLINE/ WRITTEN BAR EXAM .



RECIPROCITY APPLICANT PROFILE

DEADLINE/ CITY OF EMPLOYER



Report Date: 85/12/27

RECIPROCITY APPLICANT PROFILE

DEADLINE/ CITY OF EMPLOYER

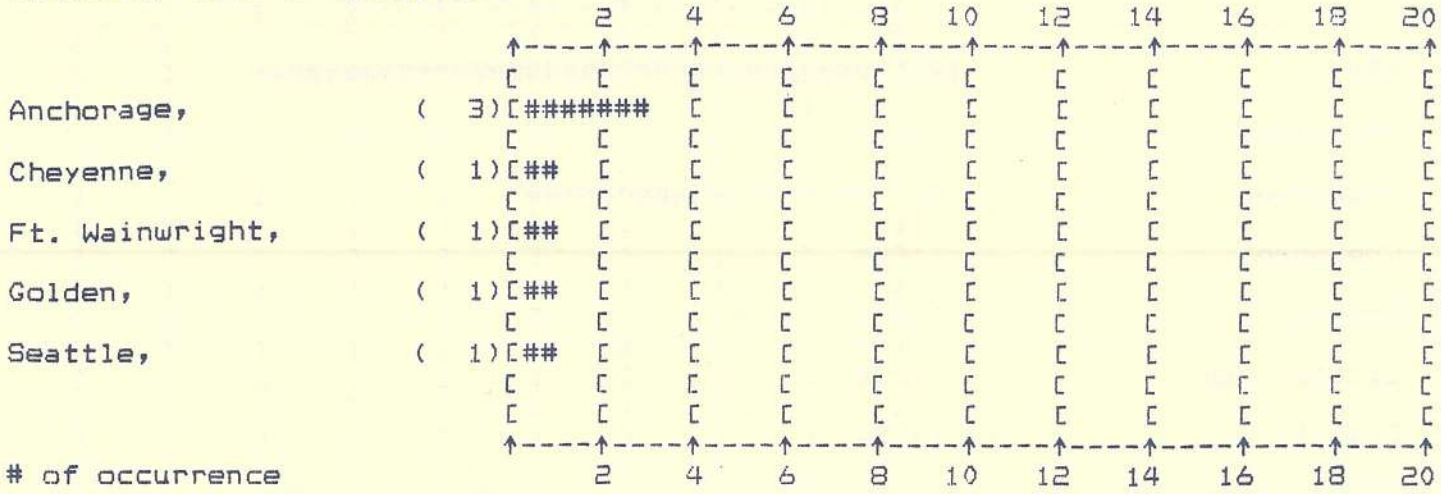


TABLE 2

Location and # of ABA Attys.	# of Attys. Registered in 84/%*		# of Attys. Registered in 85/%		# +/-	# Case Closed '83	'84	'85	# Cases Pending
/				%					
Anchorage 1250	245	35	341	25	+ 96	26	125	452	172
Fairbanks 140	41	35	47	33	+ 6		25	143	12
Juneau 170	78	41	99	60	+ 21	7	22	102	30
Wrangel 2	1	33	1	50	-				
Sitka 12	4	35	6	50	+ 2		3	3	1
Haines 3	1	33	2	66	+ 1				3
Kodiak 15	5	50	7	45	+ 2		2	3	2
Soldotna 10	4	66	8	60	+ 4		1	4	2
Cordova 3	2	50	2	66	-		1		2
Valdez 3	2	50	2	66	-				1
Dillingham 3	2	66	2	66	-				1
Kotzebue 3	1	33	2	66	+ 1			1	
Nome 3	3	100	3	100	-			1	3
Bethel 10	4	80	4	40	-				1
Barrow 3	1	100	2	66	+ 1			1	2
Palmer 12	3	40	4	33	+ 1			1	2
Wasilla 12	1	16	6	50	+ 5		1	3	2
Willow 3	1	50	1	33	-			1	0
Homer 8	5	100	6	75	+ 1			2	3
Eagle River 6	1	25	2	33	+ 1			4	
Ketchikan 27	12	33	13	45	+ 1		2	2	5
OUT OF STATE	2		3		+ 1			1	
TOTALS approx 1700	419	35%	563	30%	+146	33	182	723	244

1985 Budget Used to date: 97%

Average Time per Case: 9.3 hrs.

Average Reimbursement by APBP: $172.17

Percentage of Attorneys participating in APBP statewide: 30%

past year's percentage is based on <u>past</u> year's total attorney population of 1200 available members of the bar.

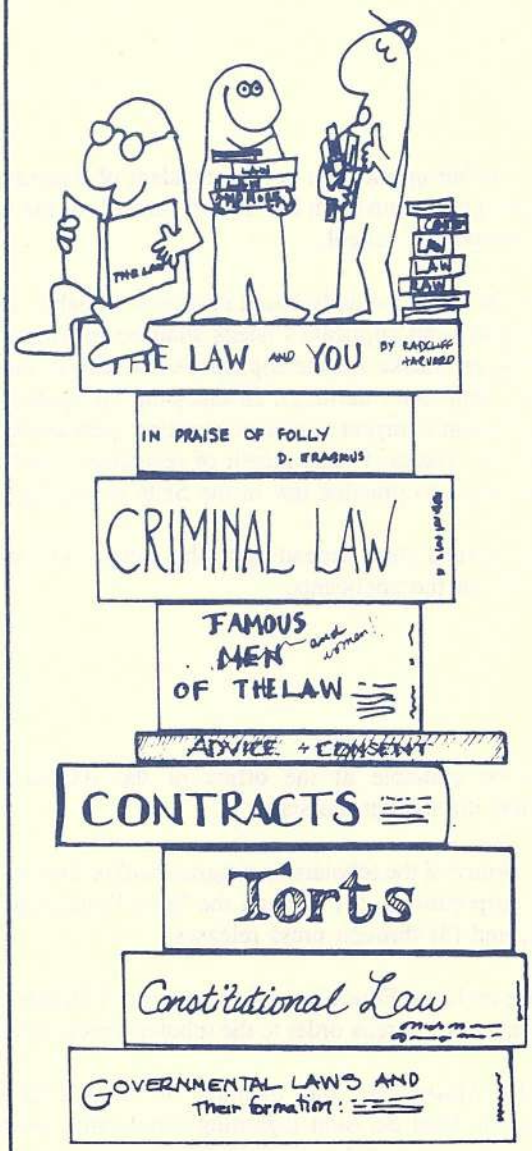
APBP SUMMARY AS OF DEC. 31, 1985

CHART NO. 7

TABLE 3

Alaska Bar Association

LAW SCHOOL SCHOLARSHIP PROGRAM



Eligibility:

Any individual who at the time of his/her application is (1) a resident of Alaska, (2) has a present intent to practice law in Alaska upon graduation from law school, and (3) at the time of the scholarship award is admitted to an accredited law school.

Criteria For Awards:

Scholarship awards shall be made annually based on funds available, need and merit. In the discretion of the awards committee, an applicant's needs shall be measured by tuition costs, living costs, transportation costs between Alaska and the applicant's law school, family needs, availability of parental or spousal support, applicant's earnings. In assessing the applicant's merit, the awards committee shall consider the applicant's current scholastic standing, past academic record, the nature/strength of the applicant's ties to Alaska, (**e.g.,** length of residency), and any evidence that the applicant will in all likelihood return to practice law in the State of Alaska.

Amount of Awards:

The size of scholarships awarded shall depend upon the amount of money in the scholarship fund, and the number and need of the applicants.

Application Deadline:

March 1st.

Time of Award:

May 1st.

For further information contact the Alaska Bar Association
P.O. Box 100279 Anchorage, Alaska 99510 272-7469

ALASKA BAR ASSOCIATION
LAW SCHOOL SCHOLARSHIP PROGRAM

Eligibility: Any individual who at the time of his/her application is (1) a resident of Alaska, (2) has a present intent to practice law in Alaska upon graduation from law school, and (3) at the time of the scholarship award is admitted to an accredited law school.

Criteria For Awards: Scholarship awards shall be made annually based on funds available, need and merit. In the discretion of the awards committee, an applicant's needs shall be measured by tuition costs, living costs, transportation costs between Alaska and the applicant's law school, family needs, availability of parental or spousal support, applicant's earnings. In assessing the applicant's merit, the awards committee shall consider the applicant's current scholastic standing, past academic record, the nature/strength of the applicant's ties to Alaska, (**e.g.**, length of residency), and any evidence that the applicant will in all liklihood return to practice law in the State of Alaska.

Amount of Awards: The size of scholarships awarded shall depend upon the amount of money in the scholarship fund, and the number and need of the applicants.

Application Deadline: March lst.

Time of Award: May lst.

Application Distribution: Applications will be available at the office of the Alaska Bar Association, and the offices of the clerks of court throughout the state.

Publication Regarding Scholarship Program: Notice of the scholarship program will be distributed (1) to the nonprofit arms of the Alaska Native corporations, (2) through the State Postsecondary Education Commission (the WICHE program), and (3) through press releases.

Selection Process: The Association's Committee on Legal Educational Opportunities (CLEO) will review the applications and present their recommendations in rank order to the scholarship committee.

Scholarship Committee: The President of the Alaska Bar, one member of the Alaska Bar Foundation, and the Chair of CLEO will make the final decision regarding scholarship awards.

Funding: The Boney Memorial Fund, Alaska Bar Association member individual contributions via an optional checkoff on the annual dues billing, local bar association contributions, John E. Manders Foundation grants, and corporate contributions.

★★ THE FINANCIAL STATEMENT AND SCHOLARSHIP APPLICATION FOLLOW ★★

FINANCIAL STATEMENT

Please Type All Information Provided on This Page

Name _____

Dependents, number and relationship _____

_____

Law School _____

Assets or Income	Applicant	Spouse
Scholarships	_____	_____
Loans	_____	_____
Grants	_____	_____
Savings/Checking	_____	_____
Estimated Earnings:		
During Academic Year	_____	_____
Summer Employment	_____	_____
Value/Type of Assets Not Otherwise Listed	_____	_____
Government Benefits Other Than Scholarships, Loans or Grants, (**e.g.** food stamps, military benefits)	_____	_____
Spousal Contribution	_____	_____
Parental Contribution	_____	_____
Other Sources of Income, Indicate Source	_____	_____
Totals:	$ _____	$ _____

Necessary School Expenses/Debts	Applicant	Spouse/ Dependents
Tuition	_____	_____
Room	_____	_____
Board	_____	_____
Books	_____	_____
Medical	_____	_____
Transportation	_____	_____
Personal, Specify:		
	_____	_____
Miscellaneous, Specify:		
	_____	_____
Other, Specify:		
	_____	_____
Totals:	$ _____	$ _____

Estimated Unmet Need: $ _____

ALASKA BAR ASSOCIATION
Scholarship Application

1. Name _____

2. Mailing Address _____

_____

3. Mailing Address after May 1st _____

_____

4. Are You Presently an Alaskan Resident? _____

5. Date Alaska Residence Established _____

6. Undergraduate College Attended or Presently Attending _____

_____

7. Date Degree Received or to be Received _____

_____

8. If Presently Enrolled in Law School or Accepted by a Law School, State School's Name and Address _____

_____

9. If Applying to Law School, List Names and Addresses of Schools to which Applying

_____

_____

_____

_____

10. What are the percentile(s) and score(s) you had placed on the Law School Aptitude Test (LSAT)? If you do not know your LSAT score now, please send that information as soon as you receive it.

_____

11. Please list the names and addresses of three Alaskan references, not related to you. One reference should preferably be a lawyer admitted to practice in Alaska. _____

_____

_____

_____

12. Please attach a copy of your most recent college or law school transcript.

13. Please attach one or two page narrative discussing the following: 1) your reasons for returning to practice law in Alaska; 2) describe the nature of your ties to the state, including but not limited to, length of residency, relatives, employment, etc.; 3) if there has been a gap between college and law school, what you have been doing in the interim, e.g. employment; 4) the nature of your financial need, including your income and projected expenses.

I swear or affirm that the above information is true and correct to the best of my knowledge, that the financial statement is a full and complete statement of my financial ability to attend law school and, at the time of making this application, I have a present intent to practice law in Alaska upon graduation from law school.

DATED: _____ SIGNATURE: _____

APPLICATION DEADLINE: MARCH 1st.

Attach this statement to your application and return to:

Alaska Bar Association
c/o Committee on Legal Educational Opportunities
310 "K" Street, Suite 602
Anchorage, Alaska 99501

TABLE 4

ALASKA BAR ASSOCIATION

FINANCIAL REPORT

DECEMBER 31, 1985

Daniel, Hewko & Schamber
Certified Public Accountants
A Professional Corporation

Board of Governors
Alaska Bar Association

We have examined the balance sheets of the General Fund, Client Security Fund, and Insurance Trust Fund of the Alaska Bar Association as of December 31, 1985, and the related statements of revenue and expenses, changes in fund balances, and changes in financial position for the year then ended. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the financial statements referred to above present fairly the financial position of the General Fund, Client Security Fund, and Insurance Trust Fund of the Alaska Bar Association as of December 31, 1985, and their revenue and expenses, changes in fund balances, and changes in financial position for the year then ended, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

Daniel, Hewko & Schamber

Anchorage, Alaska
January 27, 1986

ALASKA BAR ASSOCIATION

BALANCE SHEET
December 31, 1985

ASSETS	General Fund	Client Security Fund	Insurance Trust Fund	Total All Funds
CURRENT ASSETS				
Cash	$ 341,426	$ 46,758	$ 8,830	$ 397,014
Short-term investments (Note 2)	280,262	137,286	-	417,548
Accounts receivable	523,741	-	3,918	527,659
Accrued interest receivable	14,117	4,285	-	18,402
Due from general fund	-	20,811	444	21,255
Prepaid expenses	20,525	-	-	20,525
Total current assets	1,180,071	209,140	13,192	1,402,403
PROPERTY AND EQUIPMENT, at cost				
Video tape library and equipment	8,636	-	-	8,636
Office furniture, equipment and leasehold improvements	184,147	-	-	184,147
	192,783	-	-	192,783
Less accumulated depreciation and amortization	(82,785)	-	-	(82,785)
	109,998	-	-	109,998
OTHER ASSET, deposit	6,312	-	-	6,312
	$1,296,381	$ 209,140	$ 13,192	$1,518,713

The Notes to Financial Statements are an integral part of this statement.

LIABILITIES AND FUND BALANCES	General Fund	Client Security Fund	Insurance Trust Fund	Total All Funds
CURRENT LIABILITIES				
Accounts payable and accrued expenses	$ 10,370	$ -	$ 12,192	$ 22,562
Due to Bar Foundation	1,395	-	-	1,395
Due to other funds	21,255	-	-	21,255
Deferred revenue	704,107	20,810	-	724,917
Total current liabilities	737,127	20,810	12,192	770,129
COMMITMENTS (Note 4)				
FUND BALANCES				
Unrestricted				
Designated by the Board for				
Working capital	25,000	-	-	25,000
Asset acquisition	29,331	-	-	29,331
Undesignated	504,923	188,330	1,000	694,253
	559,254	188,330	1,000	748,584
	$1,296,381	$ 209,140	$ 13,192	$1,518,713

ALASKA BAR ASSOCIATION

STATEMENT OF CHANGES IN FUND BALANCES
For the Year Ended December 31, 1985

	General Fund			
	Designated for Working Capital	Designated For Asset Acquisition	Undesignated	Total
Fund balances, beginning	$ 25,000	$ 36,371	$443,971	$505,342
Add excess of revenue over expenses	-	-	53,912	53,912
Transfer of designated funds	-	(7,040)	7,040	-
Fund balances, ending	$ 25,000	$ 29,331	$504,923	$559,254

The Notes to Financial Statements are an integral part of this statement.

Client Security Fund	Insurance Trust Fund	Total All Funds
$153,041	$ 1,000	$659,383
35,288	-	89,200
-	-	-
$188,329	$ 1,000	$748,583

ALASKA BAR ASSOCIATION

STATEMENT OF REVENUES AND EXPENSES
For the Year Ended December 31, 1985

	General Fund	Client Security Fund	Insurance Trust Fund	Total All Funds
Revenue				
Dues	$ 609,662	$ 19,680	$ -	$ 629,342
Admission fees	180,850	-	-	180,850
Continuing legal education	76,032	-	-	76,032
Lawyer referral fees	51,708	-	-	51,708
Annual meeting	33,830	-	-	33,830
Interest on investments	54,898	15,446	-	70,344
Other	45,108	162	52,683	97,953
Total revenue	1,052,088	35,288	52,683	1,140,059
Expenses				
Admissions	141,993	-	-	141,993
Board of Governors	37,043	-	-	37,043
Discipline	291,467	-	-	291,467
Administration	242,818	-	-	242,818
Referrals	30,595	-	-	30,595
Continuing legal education	123,634	-	-	123,634
Fee arbitration	23,927	-	-	23,927
Newsletter	23,073	-	-	23,073
Annual meeting	45,316	-	-	45,316
Duke/Alaska Law Review	22,000	-	-	22,000
Other	16,310	-	52,683	68,993
Total expenses	998,176	-	52,683	1,050,859
Excess of revenue over expenses	$ 53,912	$ 35,288	$ -	$ 89,200

The Notes to Financial Statements are an integral part of this statement.

ALASKA BAR ASSOCIATION

STATEMENT OF CHANGES IN FINANCIAL POSITION
For the Year Ended December 31, 1985

	General Fund	Client Security Fund	Insurance Trust Fund	Total All Funds
FINANCIAL RESOURCES PROVIDED BY				
Operations:				
Excess of revenues over expenses	$ 53,912	$ 35,288	$ -	$ 89,200
Items not requiring outlay of working capital during the year:				
Depreciation and amortization	30,184	-	-	30,184
	84,096	35,288	-	119,384
FINANCIAL RESOURCES APPLIED TO				
Purchase of property and equipment	15,857	-	-	15,857
Increase in working capital, as below	$ 68,239	$ 35,288	$ -	$103,527
SUMMARY OF CHANGES IN WORKING CAPITAL COMPONENTS				
Increase (decrease) in:				
Cash	$136,774	$(104,173)	$ 831	$ 33,432
Short-term investments	(120,839)	137,286	-	16,447
Accounts receivable	77,612	-	(1,955)	75,657
Accrued interest receivable	(1,010)	2,209	-	1,199
Due from general fund	-	1,926	152	2,078
Prepaid expenses and deposits	8,241	-	-	8,241
Decrease (increase) in:				
Accounts payable and accrued expenses	22,415	-	972	23,387
Due to Bar Foundation	(865)	-	-	(865)
Due to other funds	(2,078)	-	-	(2,078)
Deferred revenue	(52,011)	(1,960)	-	(53,971)
Increase in working capital	$ 68,239	$ 35,288	$ -	$103,527

The Notes to Financial Statements are an integral part of this statement.

NOTES TO FINANCIAL STATEMENTS

Note 1. Significant Accounting policies

The accounting policy relative to the carrying value of property and equipment is indicated in the caption on the balance sheet. Other significant accounting policies are as follows:

Depreciation:

Depreciation is computed using the straight-line method which amortizes the costs of assets evenly over their estimated useful lives.

Income Taxes:

The Association is an instrumentality of the State of Alaska whose activities are exempt from taxation under the Internal Revenue Code.

Note 2. Short-Term Investments

Short-term investments consist of time certificates of deposit and TIGR bonds.

Note 3. Employee Pension Plan

The Association established an Employee Pension Plan in April 1983, effective January 1, 1983. The plan covers all employees who have completed one year of service or who are twenty-one years of age. The Association's contributions are 5 percent of the compensation of each participant; contributions for 1985 totaled 9,005.

Note 4. Lease Commitments

In November 1984, the Association entered into two noncancelable operating leases for the lease of its new office facilities and telephone system. Both leases are for 3 year terms and expire at the end of 1987. The minimum rental commitments under these operating leases are as follows:

1986	80,400
1987	80,400
Total future minimum lease payments	$160,800

SUPPLEMENTARY DATA

Daniel, Hewko & Schamber
Certified Public Accountants
A Professional Corporation

Board of Governors
Alaska Bar Association

Our examination was made for the purpose of forming an opinion on the basic financial statements taken as a whole of the Alaska Bar Association for the year ended December 31, 1985, which are presented in the preceding section of this report. The supplemental information presented hereinafter is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the audit procedures applied in the examination of the basic financial statements, and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Daniel, Hewko & Schamber

Anchorage, Alaska
January 27, 1986

REVENUE AND EXPENSE STATEMENT DETAIL

GENERAL FUND EXPENSES

	Admissions	Board of Governors	Discipline	Adminis-tration	Referrals
Salaries and related expenses	$ 50,976	$ -	$ 206,059	$ 123,775	$ 10,115
Rent	15,839	400	25,983	24,999	3,464
Grading	35,111	-	-	-	-
Litigation	4,649	-	-	-	-
Office supplies and expense	14,115	5,530	13,267	12,054	1,672
Telephone	666	4,378	2,688	1,731	6,450
Travel	-	26,735	7,265	4,219	-
Contract services	7,379	-	3,665	8,333	-
Equipment lease	1,799	-	10,278	3,536	1,799
Postage	-	-	-	24,790	-
Accounting fees	-	-	-	7,305	-
Insurance	-	-	-	11,345	-
Repairs and maintenance	864	-	5,683	4,015	864
Depreciation and amortization	1,910	-	11,047	10,043	1,910
Advertising	-	-	-	1,345	4,321
Miscellaneous	8,685	-	5,532	5,328	-
Seminar costs	-	-	-	-	-
Legislative review	-	-	-	-	-
Committee expenses	-	-	-	-	-
Annual meeting expense	-	-	-	-	-
Substantive law sections	-	-	-	-	-
President's meeting	-	-	-	-	-
	$ 141,993	$ 37,043	$ 291,467	$ 242,818	$ 30,595

Continuing Legal Education	Fee Arbit-tration	Newsletter	Annual Meeting	Duke/Alaska Law Review	Other	Total
$ 21,070	$ 9,650	$ -	$ -	$ -	$ -	$ 421,645
8,313	3,178	-	-	-	-	82,176
-	-	-	-	-	-	35,111
-	-	-	-	-	-	4,649
1,023	2,389	4,923	-	-	-	54,973
771	453	-	-	-	-	17,137
-	-	-	-	-	-	38,219
14,922	5,000	18,150	-	22,000	-	79,449
1,799	1,285	-	-	-	-	20,496
-	-	-	-	-	-	24,790
-	-	-	-	-	-	7,305
-	-	-	-	-	-	11,345
864	617	-	-	-	-	12,907
3,919	1,355	-	-	-	-	30,184
-	-	-	-	-	-	5,666
-	-	-	-	-	1,764	21,309
70,953	-	-	-	-	-	70,953
-	-	-	-	-	7,702	7,702
-	-	-	-	-	4,413	4,413
-	-	-	45,316	-	-	45,316
-	-	-	-	-	2,015	2,015
-	-	-	-	-	416	416
$ 123,634	$ 23,927	$ 23,073	$ 45,316	$ 22,000	$ 16,310	$ 998,176