

# ALASKA BAR ASSOCIATION

2005 Annual Report



## THE ALASKA BAR ASSOCIATION

### **2005 Board of Governors**

Jonathon Katcher, President  
John Tiemessen, President-Elect  
Chris Cooke, Vice President  
Michael Hurley, Secretary  
Sidney Billingslea, Treasurer  
Matthew Claman  
Peter Ellis  
Joe Faulhaber  
William Granger  
Allison Mendel  
Philip Pallenberg  
Jason Weiner  
Eric Jenkins (New Lawyer Liaison)

### **Staff**

Deborah O'Regan, Executive Director  
Barbara Armstrong, Assistant Director & CLE Director  
Krista Scully, Pro Bono Director  
Kristi Powell, Executive Assistant  
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Candice Goard Bryant, Accounting Assistant  
Rachel T. Batres, CLE Coordinator  
Elly Sanchez, Admissions Assistant/Receptionist  
Charissa Feltman, Lawyer Referral Assistant  
  
Stephen J. Van Goor, Bar Counsel  
Mark Woelber, Assistant Bar Counsel  
Louise R. Driscoll, Assistant Bar Counsel  
Deborah C. Ricker, Discipline Investigator/Paralegal  
JoAnne Baker & Ingrid Varenbrink, Arbitration/Discipline/CLE Library  
Gail Welt, Executive Assistant  
Annette Ravithis, Discipline Secretary

## Introduction & Overview

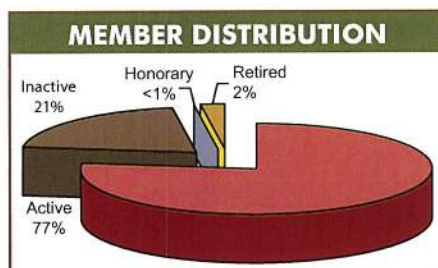
In 2005, the Alaska Bar Association had 3,749 members in the following categories: Active, 2,878 (2,349 In-state and 529 Outside); Inactive, 787; Honorary, 1; and Retired, 91. Its affairs are governed by a 12-member Board of nine attorneys and three non-attorney citizens. A (non-voting) New Lawyer Liaison also advises the Board.

Written guidelines for governance are contained in the Integrated Bar Act, the Alaska Bar Rules (promulgated by the Supreme Court of Alaska), the Alaska Rules of Professional Conduct, 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 9 standing committees, 23 sections, 5 bar rule committees, and special committees as appointed by the Board. In addition, the Bar Association participates in a number of adjunct organizations and administers special projects, such as the Statewide Lawyer Referral Service. More than half of the membership participates, voluntarily and without remuneration, in the affairs of the Association.

The staff of the Alaska Bar has grown from a part-time, volunteer executive secretary when it was founded in 1968, to 17 employees.



The Association is primarily funded by its membership's annual dues; continuing legal education programs; admissions; the annual convention; the Lawyer Referral Service; and interest income. The Association received no public monies in the 2005 fiscal year.

## Principal Activities

### • Bar Examination

The Alaska Bar Examination is conducted twice annually in Anchorage, Fairbanks, Juneau, and Ketchikan and in such other locations as the Board may direct. It consists of: 1) one day of essay questions on Alaska law prepared by a permanent committee of the Association known as the Alaska

2001 - 2005 Bar Exam Results			
Date	Applicants	Passed	Pass Rate
July 2005	70	39	56%
	49 1st timers	35	71%
Feb. 2005	62	44	71%
	50 1st timers	39	78%
July 2004	61	43	70%
	52 1st timers	40	77%
Feb. 2004	56	37	66%
	31 1st timers	27	87%
July 2003	86	51	59%
	63 1st timers	44	70%
Feb. 2003	53	27	51%
	31 1st timers	25	81%
July 2002	60	31	52%
	42 1st timers	23	55%
Feb. 2002	35	20	57%
	23 1st timers	14	61%
July 2001	57	36	63%
	49 1st timers	35	71%

“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.”



## Admissions

All applicants are required to attend a course on ethics as prescribed by the Board prior to admission.

All applicants must also submit an affidavit that they have read and are familiar with the Alaska Rules of Professional Conduct. (Bar Rule 64)

Law Examiners; 2) two half-days of objective, multiple choice questions (the Multistate Bar Examination or "MBE"), prepared by the National Conference of Bar Examiners (NCBE) and administered simultaneously in more than 40 states; and 3) a half day of the performance test (the Multistate Performance Test of "MPT") prepared by NCBE.

In addition, a Multistate Professional Responsibility Exam (MPRE) is given separately three times a year (March, August, and November).

In 2005, 132 individuals took the Bar Exam and 83 passed the exam.

### ADMISSION WITHOUT EXAMINATION

Bar Rule 2, section 2 provides an admission without examination rule, with reciprocity provisions. An applicant who has taken a written bar exam in a reciprocal jurisdiction and has engaged in the active practice of law for five of the previous seven years may be eligible for reciprocal admission.

In 2005, 39 applicants were admitted without examination.

## • Discipline of Members

The Alaska 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." Investigation and recommendations for professional conduct matters have been delegated by the Court to the Bar Association.

Expenditures for the Discipline Section totaled \$623,605 during 2005, a substantial allocation of Bar Association resources for the protection of the public's interests and the administration of justice through the attorney discipline process.

### SUMMARY OF PUBLIC DISCIPLINE ACTIONS IN 2005

The Alaska Supreme Court disbarred Harland H. McElhaney, II effective May 19, 2005 and David S. Teske effective November 14, 2005.

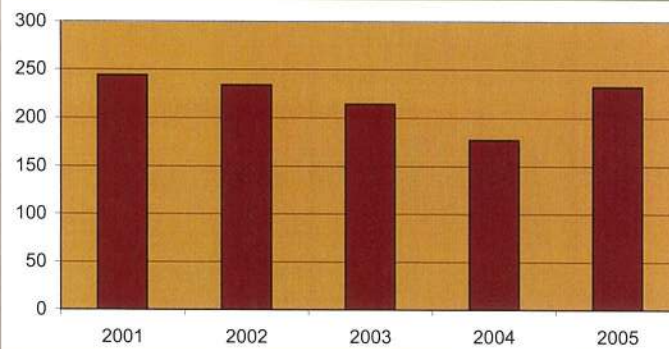
The Court suspended James J. Hanlon for three years effective May 15, 2005, and suspended John C. Martin on November 29, 2005, for three years retroactive to October 24, 2001 based on discipline imposed on him by the Supreme Court of Louisiana.

#### 2005 Grievances

The number of grievance matters received increased 31% in 2005.

New Cases Opened .....	36
Grievances Not Accepted for Investigation.....	196
2005 Grievance Volume Total .....	232

#### GRIEVANCE VOLUME 2001 - 2005





### Discipline Case Statistics<sup>1</sup>

2002-2005

	'02	'03	'04	'05
Open cases pending as of Jan. 1, 2005.....	88	106	83	63
New cases opened in 2005(+)	42	25	31	36
<b>TOTAL open and new cases</b> .....	<b>130</b>	<b>131</b>	<b>114</b>	<b>99</b>

### Cases closed in 2005

Closed after disbarment by Supreme Court.....	5	17	0	3
Closed after suspension by Supreme Court.....	6	1	10	3
Closed after probation ended .....	0	0	0	0
Closed after public censure by Supreme Court	0	1	1	4
Closed after reprimand publicly imposed by Disciplinary Board .....	0	2	0	1
Closed after reprimand privately imposed by Disciplinary Board .....	0	0	1	0
Closed after written private admonition by Bar Counsel.....	0	0	2	3
Dismissed by Bar Counsel .....	13	26	36	24
Closed after mediation.....	0	1	1	0
<b>TOTAL closed cases (-)</b> .....	<b>24</b>	<b>48</b>	<b>51</b>	<b>38</b>

### Open cases pending

**as of Dec. 31** ..... **106** .... **83**..... **63** ... **61**

<sup>1</sup> All numbers reflect individual grievances filed and not the number of attorneys involved.

### Status of Open Cases as of December 31

	'02	'03	'04	'05
Pending First Response from Respondent Attorney .....	6	3	7	7
Pending Complainant's Reply.....	4	3	1	2
Pending Second Response from Respondent Attorney .....	1	0	7	0
Pending Bar Counsel Investigation/Decision .....	67	62	32	25
Abeyance Pending Outcome of Related Court Case.....	2	2	2	9
Pending Mediation .....	1	1	0	0
Abeyance Pending Outcome of Fee Arbitration.....	0	0	0	0
Pending Approval to Issue Written Private Admonition .....	0	0	0	1
Pending Acceptance of Written Private Admonition by Respondent Attorney .....	0	0	1	0
Pending Approval to File Petition for Formal Hearing .....	0	0	5	8
Pending Stipulation for Discipline between Bar Counsel and Respondent Attorney .....	0	2	0	0
Pending Stipulation Consideration by Disciplinary Board ...	0	0	0	6
Pending Stipulation Consideration by Supreme Court.....	0	0	0	0
Pending before Area Hearing Committee .....	7	1	0	0
Pending before Disciplinary Board .....	17	2	2	0
Pending before Supreme Court .....	0	6	5	2
Respondent Attorney on Probation .....	1	1	1	1
<b>TOTAL open cases</b> .....	<b>106</b>	<b>83</b>	<b>63</b>	<b>61</b>

The Court publicly censured George M. Kapolchok effective July 25, 2005, and Melinda D. Miles effective September 14, 2005.

The Disciplinary Board publicly reprimanded Richard L. Musik effective October 27, 2005, based on a public reprimand imposed on Mr. Musik by the Ethics and Discipline Committee of the Utah Supreme Court.



“The Bar Association, under the Alaska Bar Rules, maintains an Attorney Fee Dispute Review Committee to hear fee disputes between attorneys and clients.”

## SUMMARY OF REINSTATEMENT ACTIONS, 2005

A suspended or disbarred attorney may be reinstated by the Alaska Supreme Court, but only after the appropriate review procedures are followed.

1 2005 R001 (dismissed by Sup. (T.)

There were no reinstatement matters in 2005.

Jon Wierdenholt

## SUMMARY OF DISABILITY ACTIONS IN 2005

The Rules of Disciplinary Enforcement also anticipate circumstances where the need for protection of the public arises from mental or physical infirmity, illness, or addiction to controlled substances.

The following lawyers were transferred to disability inactive status in 2005: Charlene Lichtmann (medical reasons) effective January 13, 2005; James Szender effective July 25, 2005; and, Tim Jannott effective October 21, 2005.

## • Attorney Fee Dispute Review Committee

The Bar Association, under the Alaska Bar Rules, maintains an Attorney Fee Dispute Review Committee to hear fee disputes between attorneys and clients where such disputes have not been determined by statute, 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 who serve for three years on a volunteer basis. From these subcommittees, a panel of two attorneys and one non-attorney is convened to hear a fee dispute. If the amount in dispute is \$5,000 or less, a single panel member hears the matter.

## 2002 - 2005 Fee Arbitration Statistics

	'02	'03	'04	'05
Arbitrations pending January 1 .....	32	37	33	21
Arbitrations opened during year (+) .....	55	58	39	60
Arbitrations closed during year (-) .....	50	62	51	54
Arbitrations pending Dec. 31/year-end .....	37	33	21	27

## • Lawyers' Fund for Client Protection Committee (LFPC)

The Bar Association maintains a fund for the purpose of reimbursing attorneys' clients who have suffered non-insured losses of money, property, or other things of value as a result of dishonest conduct by attorneys. Dishonest conduct is defined as acts of embezzlement, wrongful taking, or conversion of money, property, or other things of value. The monies of the Fund come from yearly assessments on active members, paid concurrently with membership dues, as well as interest earned on the Fund balance.

At the close of 2005, one (1) claim was pending before the LFPC committee; the committee took actions on two claims during the year.

## 2005 LFPC Actions

Case Number	Reimbursement(s)* Paid by Board (\$)	Reimbursement(s) Rejected by Board (\$)	Reimbursement(s) Rejected by LFPC Committee (\$)
2004L001			\$61,248
1998L002			\$15,000
<b>Totals</b>	<b>\$0</b>	<b>\$0</b>	<b>\$76,248</b>

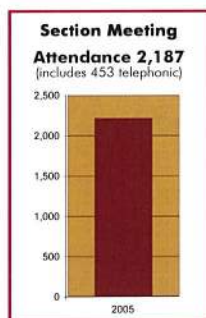
\*Figures reflect reimbursements from the Fund which may be less than the amount requested by the claimant.



## • Continuing Legal Education (CLE)

The Continuing Legal Education Committee and the Association's Director of Continuing Legal Education are responsible for presenting and administering all CLE programs and activities, including the CLE Library.

The substantive law sections of the Bar Association are responsible for sponsoring a minimum of one CLE seminar every two years. In 2005 there were 23 active substantive law sections, with a total membership of 1,026 for all sections.

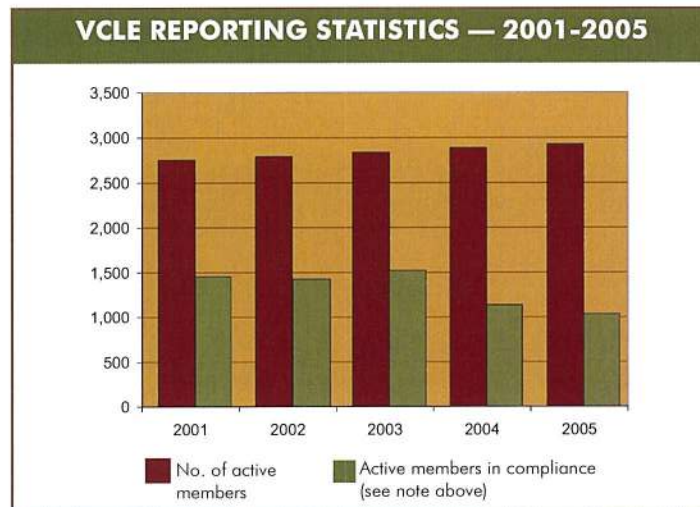
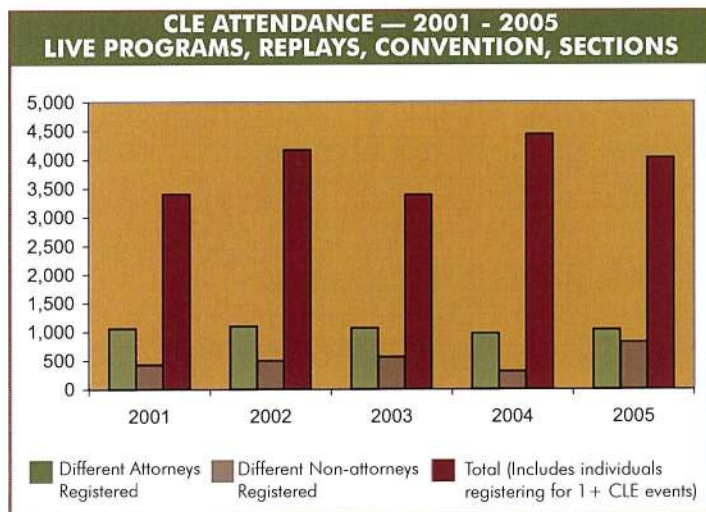


## • Voluntary Continuing Legal Education (VCLE)

The Voluntary CLE Rule, a 3-year pilot project, became effective on September 2, 1999 and recommended a minimum of 12 hours of approved CLE credit (including one in Ethics) each calendar year.

This incentive-based VCLE rule was proposed by the Alaska Supreme Court in response to the rule proposed by the Alaska Bar. Those members complying with the VCLE rule receive a discount on Bar dues, may participate in the Lawyer Referral Service, and have their names published in an annual list of those who have met the Supreme Court's recommended guidelines.

Note: These compliance numbers include members who did not turn in a form, but were nonetheless in compliance because they had adequate credits carried forward from the prior reporting year.



## VCLE Outreach

To reach attorneys practicing outside of Anchorage, law firms in Juneau, Fairbanks, and Kenai host regularly scheduled group video replays of CLE seminars. These locations receive full video presentations and course materials. Other communities in Alaska may also request a group video replay.

The Alaska Bar CLE program continues to work with Seattle University School of Law and the University of Alaska Anchorage (UAA) to present videoconference CLEs in Alaska. The Bar's substantive law sections also meet with faculty of Seattle University's Summer Law Program at UAA. The Bar has also partnered with the American Law Institute-American Bar Association (ALI-ABA) to offer their live satellite-delivered CLEs at KAKM's studios in Anchorage.



“ At the end of 2005, 82 attorneys were enrolled in 33 practice categories in the Lawyer Referral Service, with total referrals of 5,511 — an 11% increase from the 4,982 referrals in 2004. ”

The compliance or non-compliance with the VCLE rule may be taken into account in a disciplinary matter related to competency of an attorney.

The Board of Governors voted in 2003 to revise the reporting procedure for bar members, and members now indicate on their Bar dues statement whether or not they have completed the recommended minimum CLE hours and are in compliance with the VCLE Rule.

The Alaska Bar compiles member participation statistics and presents the information to the Supreme Court. The 3-year VCLE Rule pilot project ended in 2002. However, to date, the Supreme Court has not made any changes to the VCLE Rule, and the Rule continues to be in effect.

In May 2005 the Board of Governors appointed a Mandatory CLE Task Force, comprised of representatives of the Board, the Alaska Court System and the Alaska Judicial Council, to study the issue of MCLE in Alaska. The Task Force Sub-committee reports are due in early 2006.

#### 2002 - 2005 CLE PROGRAMS SUMMARY

	'02	'03	'04	'05
Topics.....	24	23	18	29
Live Bar Programs.....	33	25	20	36
Mandatory Ethics*.....	2	2	4	5
Convention CLE Programs.....	16	10	13	9
Video Replays.....	59	62	36	42
Satellite Seminars.....	0	1	3	4
Video Conferences.....	—	—	—	2

\*Mandatory Ethics: A Short Course on Discipline and Fee Arbitration Procedures in Alaska, a one-hour videotape, is required viewing for admission to the Alaska Bar. Group video sessions are presented in the spring and in the fall. The format was changed to a one-hour video in the fall of 2004.

#### Total Lawyer Referrals 2001 - 2005

	'01	'02	'03	'04	'05
Administrative	303	331	382	396	357
Admiralty	15	16	19	17	17
Adoption	54	27	34	34	37
Alaska Native Law	19	11	—	—	2
Arts	4	9	—	—	—
Bankruptcy	138	122	108	110	142
Commercial	299	185	148	123	212
Construction	42	36	14	37	40
Consumer	542	464	326	356	419
Criminal: Felony	214	144	130	127	228
Criminal: Misdemeanor	284	260	162	143	175
Discrimination	44	56	66	13	—
Divorce/Dissolution/Custody	1466	1153	869	907	962
Eminent Domain	1	2	—	—	5
Environmental	4	2	—	—	6
Foreign Language	2	3	—	2	—
Guardian/Conservator	37	29	—	33	52
Immigration	2	41	25	70	—
Insurance	102	89	87	88	89
Labor Relations	642	464	395	488	563
Landlord/Tenant	296	215	161	182	250
Malpractice	261	271	212	276	275
Military	27	0	—	—	—
Mining	—	—	—	—	—
Negligence	1037	856	791	794	812
Patent/Copyright	43	—	—	—	—
Public Interest	1	5	8	4	3
Real Estate	231	230	206	281	290
SSI Cases	—	18	28	82	51
Tax	—	34	8	—	—
Traffic	57	24	8	4	21
Trusts/Wills/Estates	211	171	167	187	227
Workers' Compensation	382	305	217	228	276
	<b>6,760</b>	<b>5,573</b>	<b>4,585</b>	<b>4,982</b>	<b>5,511</b>
Change from previous year	-5%	-8%	-8%	+9%	+11%



## • Lawyer Referral Service

The Bar Association operates a statewide Lawyer Referral Service for the purpose of providing the general public with names of enrolled 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.

Each caller requesting services is given the names of three lawyers in his/her geographic area who are listed in the category requested. Each lawyer pays a \$4 surcharge to the Bar Association 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 \$50. Thereafter the fee is agreed upon by the attorney and the client.

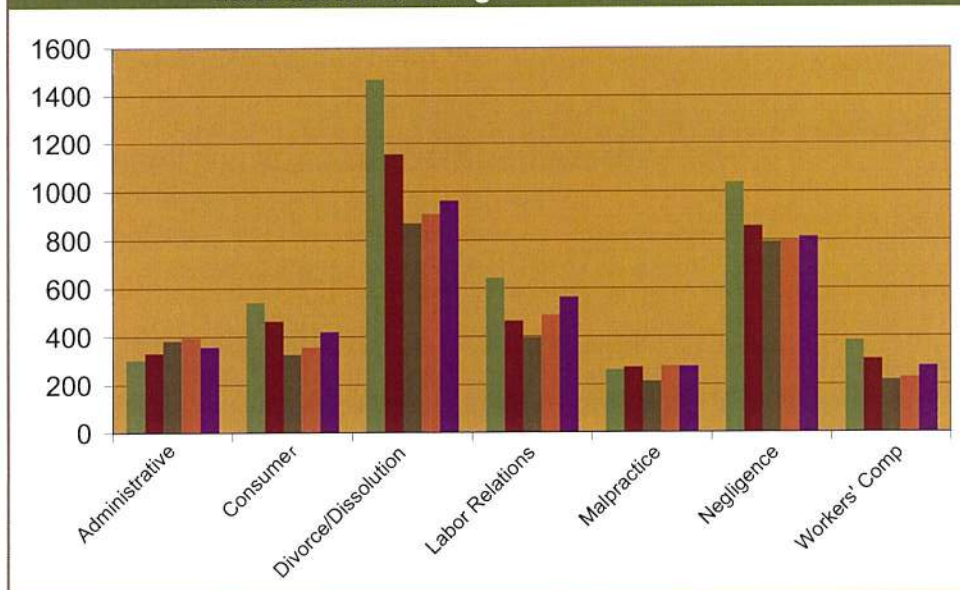
At the end of 2005, 82 attorneys were enrolled in 33 practice categories in the Lawyer Referral Service, with total referrals of 5,511 an 11% increase/decline from the 4,982 referrals in 2004.

## • Pro Bono

The Alaska Bar Association's Pro Bono Director works in partnership with Alaska's legal service providers, legal community, Pro Bono Services Committee of the Bar Association, and other organizations in Alaska to promote, educate, recognize and recruit attorneys and other professional services to low-income citizens. The program serves as an information clearinghouse for the membership on volunteer opportunities, resources, and as contact for legal service providers, training, and other volunteer support services.

In 2005, the Pro Bono Director, accompanied by the Bar President or member of the Board of Governors traveled to eight communities as an outreach function and to increase volunteerism in smaller communities. The Director made presentations to 19 of the 23 substantive law sections, six community groups, and two swearing-in ceremonies to further establish the need for civil justice representation to Alaska's nearly 80,000 low-income citizens.

**Lawyer Referral Service  
Most-Referred Categories — 2001 - 2005**



“ In addition to services associated with CLE and other activity areas, the Bar Association also provides other programs to assist members of the Bar in their practices. ”

“The Alaska Bar Association cooperates, partners, and supports with its membership a number of programs related to the Alaska legal and justice systems.”

## • Committees of the Alaska Bar

Substantial work is accomplished through the extensive committee structure of the Alaska Bar Association.

Governance is structured around the Board of Governors and its major committees and sections, with administrative and day-to-day activity as the responsibility of the Executive Director and staff.

Committees of the Bar include:

- The Bar Rules Committees, which include the Committee of Law Examiners; Area Disciplinary Hearing Committees; the Mediation Panel; the Attorney Fee Dispute Review Committees; the Lawyers' Fund for Client Protection Committee; and Admission Waiver Programs.
- The Standing Committees, including Bar Polls and Elections; Continuing Legal Education; Ethics; Bar Historians; Law Related Education; Pro Bono Services; Lawyers' Assistance; Judicial Independence and Alaska Rules of Professional Conduct.
- The Substantive Law Sections, comprised of 23 peer groups practicing in specific areas of the law.

Members and chairs of these committees and sections are found in the appendices.

## Membership Services

In addition to services associated with CLE and other activity areas, the Bar Association provides other programs that assist members of the Bar in their practices. Complete information about these as well as other Bar programs and services can be found on the Bar's website, [www.alaskabar.org](http://www.alaskabar.org).

Some of these include:

- **ALPS (Attorney Liability Protection Society).** The Alaska Bar Association is a member of a multi-state, lawyer-owned insurance company. Membership in ALPS increases the availability of coverage to Alaska lawyers at rates that are predictable and which avoid dramatic fluctuations caused by policies and practices over which the lawyers have no control.
- **Computerized Legal Research.** The Bar Association sponsors a group program to provide members with access to LEXIS, a computer-assisted legal research service. Participating firms pay a \$25 monthly subscription fee. Additionally, all members' use of LEXIS aggregates to take advantage of volume discounts.
- **Loislaw.** Loislaw launched a subscription service for searchable, linked Alaska Bar CLE materials on the Loislaw website. These enhanced CLE materials are available from Loislaw for a fee of \$120 per year (\$10 per month) for Bar members.
- **Free Downloading of Alaska Bar CLE Materials:** All Alaska Bar CLE materials 1 year old or more are available on the Bar website for free downloading. These materials are not searchable or linked.
- **Group Insurance.** The Bar Association sponsors a life insurance program for Bar members with States West Life Insurance Company. All members of the Association and employees of their firms are eligible. The Bar Association also sponsors a group medical program. Medical, dental, vision, life and disability coverage are available to firms ranging in size from sole practitioners to those



with more than 100 employees. The plan is underwritten by Blue Cross of Washington and Alaska. The Bar Association also sponsors a disability insurance program offered by Unum/Providence Insurance Co.

- **The Alaska Bar Rag.** The official publication of the Bar Association is the Alaska Bar Rag, which is published quarterly. The editor is Thomas V. Van Flein.
- **E-News.** This weekly e-mail newsletter goes to all members for whom the Bar has e-mail addresses, and contains announcements about Bar Association activities, court news, and other timely items of interest.
- **Unreported Court Opinions Database:** The Bar maintains a searchable database of unreported court opinions on the Bar website.
- **Section News.** This newsletter, containing notices of section meetings, CLE seminars, and information on new case law, is e-mailed monthly to 85% of substantive law section members. Members without e-mail are sent a hard copy. Section meeting dates are noted on the website calendar, and the full newsletter is posted on the Bar website.
- **Ethics Opinions.** All Alaska Bar Ethics Opinions are published in the Alaska Bar Rag and online at the Bar's website, [www.alaskabar.org](http://www.alaskabar.org).
- **Public Copying Machines.** The Alaska Bar Association and the Alaska Court System are continuing a cooperative agreement to provide copying services in the Anchorage Law Library. The Alaska Bar Association has a service agreement with the Anchorage Bar Association for the purpose of providing copiers in the

Anchorage Law Library for the use of all library patrons. The revenue is divided as follows: Alaska Court System 40%; Anchorage Bar Association 50%; Alaska Bar Association 10%.

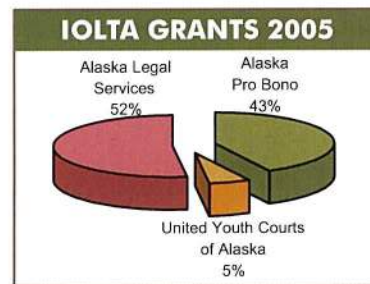
## ADJUNCT INVOLVEMENT

The Alaska Bar Association cooperates, partners and supports with its membership a number of programs related to the Alaska legal and justice systems:

- **The Alaska Bar Foundation**, established in 1972 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.
- **IOLTA** is an opt-out Interest on Lawyers Trust Accounts program for the placement of client trust money into interest-bearing accounts. The interest earned on each account is paid periodically to the Alaska Bar Foundation for its charitable and public service work.

In 2005, the IOLTA program earned \$90,704 from interest in 2005, and awarded grants totaling \$72,000.

Foundation grants included: \$30,600 to the Alaska Pro Bono Program; \$4,000 to United Youth Courts of Alaska; and \$37,400 to Alaska Legal Services Corp.



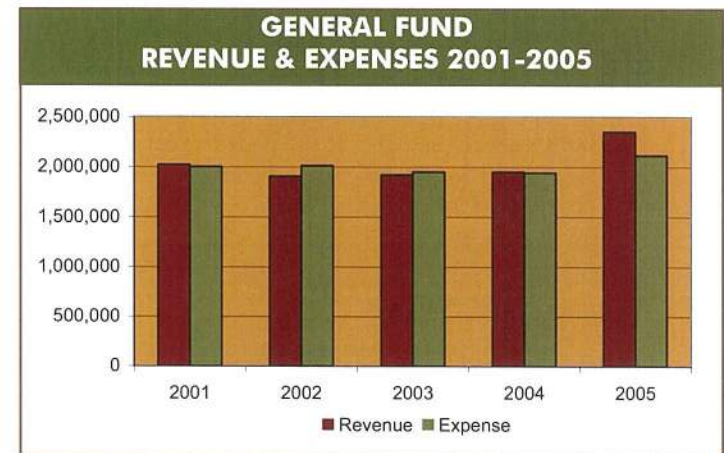
“ The Alaska Bar Association cooperates, partners and supports with its membership a number of programs related to the Alaska legal and justice systems. ”

“The 2005 financial reports reflect total revenue of \$2,351,769 with total expenses of \$2,116,096. The net gain of \$235,673 showed substantial improvement from the 2004 gain of \$11,186.”

- **Alaska Law Review**, edited by law students at Duke University School of Law in Durham, NC, includes articles by practicing attorneys, law professors, and notes and comments by Duke law students. The Bar publishes the Review semi-annually, for the education of the legal community. Bar members receive the publication as part of their Bar dues benefits.
- **Alaska Legal Services Corporation** provides legal assistance to persons lacking the financial capability to obtain private counsel.
- **Alaska Code Revision Commission**, established in 1976, reviews and recommends revisions to the laws of Alaska.
- **Alaska Commission on Judicial Conduct** includes three attorney members who have practiced law in the State for at least 10 years. They are appointed to the Commission by the Governor from recommendations submitted by the Board of Governors.
- **Alaska Judicial Council** includes three attorneys who serve staggered, six-year terms. The Council's purpose is to recommend candidates who are seeking judicial office and to conduct studies for the improvement of the administration of justice in Alaska.
- **Other Relationships.** The Bar Association maintains relationships with other, non-Alaskan organizations, usually with representation by a member of the Board of Governors or Bar executive staff. These include the American Bar Association, National Conference of Bar Presidents, Ninth Circuit Judicial Conference, National Association of Bar Executives, Association for Continuing Legal Education, ORACLE (MCLE Regulators), National Association of Bar Counsel, and Western States Bar Conference.

## Financial Statements & Budget

The 2005 financial reports reflect total general fund revenue of \$2,351,769 with total expenses of \$2,116,096. The net gain of \$235,673 showed substantial improvement from the 2004 gain of \$11,186.





## ALASKA BAR ASSOCIATION

STATEMENT OF ACTIVITIES  
For the Year Ended December 31, 2005

UNRESTRICTED NET ASSETS	General Fund	Lawyers' Fund for Client Protection	Court System Library Fund	Total All Funds
Revenue and Other Income				
Dues	\$ 1,674,351	\$ 28,296	\$ -	\$ 1,702,647
Admission fees	161,875	-	-	161,875
Continuing legal education	153,271	-	-	153,271
Lawyer referral fees	54,461	-	-	54,461
Annual meeting	122,414	-	-	122,414
Share from copiers	-	-	6,730	6,730
Rule 81	101,690	1,860	-	103,550
Other	50,398	12,166	-	62,564
Gain from asset dispositions	25	-	-	25
Earnings on investments	82,552	45,574	91	128,217
Unrealized loss on investments	(49,268)	(27,902)	-	(77,170)
Total unrestricted revenue	2,351,769	59,994	6,821	2,418,584
Expenses				
Admissions	176,178	-	-	176,178
Board of Governors	42,959	-	-	42,959
Discipline	623,605	-	-	623,605
Fee arbitration	59,326	-	-	59,326
Lawyer referral	47,641	-	-	47,641
Continuing legal education	336,695	-	-	336,695
Administration	448,167	-	-	448,167
Pro Bono	84,695	-	-	84,695
Voluntary CLE	19,680	-	-	19,680
Annual meeting	122,145	-	-	122,145
Claims awarded	-	27,257	-	27,257
Rule 31 Trustee Counsel	-	300	-	300
Other	155,005	-	12	155,017
Total expenses	2,116,096	27,557	12	2,143,665
Increase (decrease) in unrestricted net assets	235,673	32,437	6,809	274,919
Net assets, beginning of year	1,596,952	1,113,741	12,296	2,722,989
Net assets, end of year	\$ 1,832,625	\$ 1,146,178	\$ 19,105	\$ 2,997,908

The full Independent Auditor's Report and accompanying financial statements and notes are available for inspection at the Bar Association office.

## APPENDIX A

### Bar Bylaws and Rules Proposed, Added, Modified, or Repealed in 2005

#### Bylaws

##### **Article III, Section 1(a) and (4)**

The Board amended Bylaws, Article III, Section 1(a) and (4) effective September 8, 2005, to give the Board the authority to set the amount of active bar dues as needed without having to publish a bylaw amendment and then wait for another meeting to adopt a change.

#### Bar Rules

##### **Alaska Rule of Professional Conduct 1.15**

The Alaska Supreme Court made a housekeeping amendment to the title of Alaska Rule of Professional Conduct 1.15 effective October 15, 2005, by changing it from "Safeguarding Property" to "Safekeeping Property." The title was originally "Safekeeping Property", but it had been erroneously re-titled "Safeguarding Property" in a past rule change.



## APPENDIX B

### Bar Sections & Committees

#### Substantive Sections and Chairs, 2005

At the end of 2005 there were 23 sections.

The Sections, Chairs, and Co-Chairs at the end of 2005 follow:

##### **Administrative Law**

Kristen Bomengen

##### **Admiralty Law**

Steve Shamburek & Mark Manning

##### **Alaska Native Law**

Natalie Landreth

##### **Alternate Dispute Resolution**

Glenn Cravez

##### **Bankruptcy Law**

Michelle Boutin & Gary Spraker

##### **Business Law**

Leonard Anderson & Krista Stearns

##### **Corporate Counsel**

Marc Bond & Marcia Davis

##### **Elder Law**

Kenneth Kirk & Una Gandhbir

##### **Employment Law**

Tom Daniel, Will Schendel & Rob Schmidt

##### **Environmental/Natural Resources Law**

J.P. Tangen

##### **Estate Planning/Probate Law**

Susan B. Foley & Bill Pearson

##### **Family Law**

Lori Ann Colbert & SJ Lee

##### **Gender Equality**

Bob Bundy & Judge Patricia Collins

##### **Health Law**

Joan Wilson

##### **Immigration Law**

Kathy Atkinson & Jason Baumetz

##### **Intellectual Property Law**

Jon Dawson

##### **International Law**

Brant McGee

##### **Law & Community Health**

Sara Acharya & Stephanie Pawlowski

##### **Municipal Law**

Rene Broker & Rhonda Fehlen-Westover

##### **Real Estate Law**

Joan Travostino

##### **Tax Law**

Charles Schuetze

##### **Torts/Personal Injury Law**

Jim Leik

##### **Workers' Comp**

Joe Kalamarides

#### CLE Committee Members

June 30, 2004 - June 30, 2005

##### **Fairbanks**

James DeWitt, Chair 6/2008

Gail Ballou 6/2008

Aimee Anderson Oravec 6/2007

##### **Anchorage**

Peter Ashman 6/2008

Nora Barlow 6/2006

Jason Bergevin 6/2007

David Carter 6/2007

Lea Filippi 6/2006

Bonnie Harris 6/2006

Barbara Jones 6/2008

Christine Thoreson 6/2008

##### **Juneau**

Justice Walter Carpeneti, 6/2006

Judicial Representative

Stanley Fields, 6/2007

Young Lawyer Rep

David Ingram 6/2006

##### **Girdwood**

Hollis Handler, 6/2006

Young Lawyer Rep

#### Bar Committees and Chairs

##### **Alaska Bar Rag**

Tom Van Flein

##### **Alaska Rules of Professional Conduct**

Jerome Juday

##### **Bar Polls & Elections**

Tim Middleton

##### **Continuing Legal Education**

James DeWitt

##### **Ethics**

Bob Mahoney

##### **Historians**

Leroy Barker

##### **Judicial Independence**

Susie Dosik

##### **Law Examiners**

Scott Taylor & Mary Gilson

##### **Law Related Education**

Barbara Jones

##### **Lawyers Assistance**

Vanessa White

##### **Lawyers Fund for Client Protection**

Paul Nangle

##### **Pro Bono Service**

Robert Stewart



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