

A painting of a log cabin in winter. The cabin is made of red logs and has a grey roof. It is surrounded by snow and evergreen trees. To the left is a brick house, and to the right is a green house. The sky is blue.

ALASKA BAR ASSOCIATION 2008 ANNUAL REPORT

THE ALASKA BAR ASSOCIATION

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**Cover art: "Bootlegger's Cove Alley," 2007
16" x 20" oil on panel.
By Carol Crump Bryner**

Introduction & Overview

In 2008, the Alaska Bar Association had 3,836 members in the following categories: 2,876 Active (2,353 In-state and 523 Outside), 841 Inactive, 118 Retired, and 1 Honorary. 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.

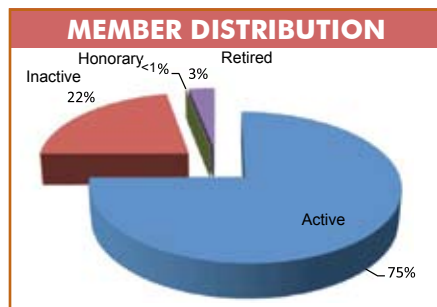
Written guidelines for governance are contained in the Integrated Bar Act, the Alaska Bar Rules (promulgated by the Supreme Court of Alaska), the Alaska Rules of Professional Conduct, the Association's Bylaws and Regulations, the Board of Governors' Policy Manual, and a Personnel Manual.

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 13 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 20 employees.



The association is primarily funded by its membership's annual dues, continuing legal education program registration fees, admissions, the annual convention, the Lawyer Referral Service, and interest income. The association received no public monies in the 2008 fiscal year.

Principal Activities

• Bar Examination

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

2004 - 2008 Bar Exam Results			
Date	Applicants	Passed	Pass Rate
July 2008	59	40	68%
	51 1st timers	39	76%
Feb. 2008	37	27	73%
	20 1st timers	18	90%
July 2007	75	52	69%
	54 1st timers	47	87%
Feb. 2007	54	26	48%
	24 1st timers	17	71%
July 2006	82	52	63%
	64 1st timers	46	72%
Feb. 2006	66	40	61%
	46 1st timers	36	78%
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%

“ 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)

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 48 states and D.C.; and 3) a half day of the performance test (the Multistate Performance Test or "MPT") prepared by NCBE.

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

In 2008, 96 individuals took the Bar Exam and 67 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 2008, 25 applicants were approved for admission without examination.

SUMMARY OF ADMISSIONS ACTIONS BY SUPREME COURT IN 2008

The Court rescinded the admission of Jack C. Massengale effective August 15, 2008, because his application for admission to practice law in Alaska was defective and he was not eligible for reciprocity admission.

• 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 \$693,311 during 2008, a substantial allocation of Bar Association resources for the protection of clients, the public, and the legal system in Alaska.

2008 GRIEVANCES

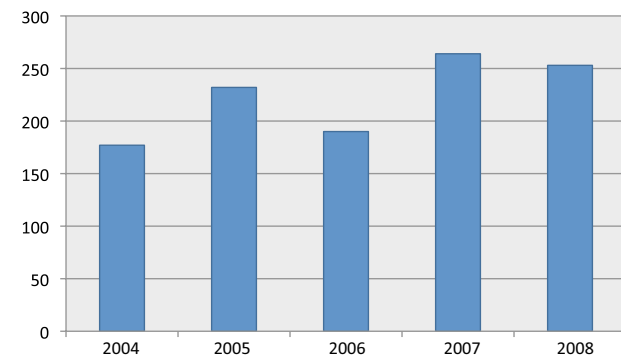
The Discipline Section processed 253 grievances in 2008, compared with 264 in 2007, representing a 4% decrease. Summary statistical data related to discipline status are contained in the charts.

2008 Grievances

The number of grievance matters processed decreased 4%

New Cases Opened	65
Grievances Not Accepted for Investigation	188
2008 Grievance Volume Total	253

GRIEVANCE VOLUME 2004 - 2008



Discipline Case Statistics¹

2004-2008

	'04	'05	'06	'07	'08
Open cases pending as of Jan. 1	83	63	61	58	86
New cases opened in 2008(+)	31	36	43	59	65
TOTAL open and new cases	114	99	104	117	151

Cases closed in 2004-2008

Closed after disbarment by Supreme Court.....	0	3	0	2	3
Closed after suspension by Supreme Court.....	10	3	7	5	7
Closed after probation ended	0	0	0	0	0
Closed after public censure by Supreme Court.....	1	4	0	1	0
Closed after reprimand publicly imposed by Disciplinary Board.....	0	1	2	1	0
Closed after reprimand privately imposed by Disciplinary Board.....	1	0	2	0	6
Closed after written private admonition by Bar Counsel.....	2	3	4	1	1
Dismissed by Bar Counsel.....	36	24	31	21	22
Closed after mediation.....	1	0	0	0	0
TOTAL closed cases (-)	51	38	46	31	39
Open cases pending as of Dec. 31, 2008	63	61	58	86	112

¹ All numbers reflect individual grievances filed and not the number of attorneys involved.

Status of Open Cases as of December 31

	'04	'05	'06	'07	'08
Pending First Response from Respondent Attorney	7	7	3	15	9
Pending Complainant's Reply	1	2	1	1	0
Pending Second Response from Respondent Attorney	7	0	0	2	0
Pending Bar Counsel Investigation/Decision	32	25	23	33	45
Abeyance Pending Outcome of Related Court Case	2	9	9	9	9
Pending Mediation	0	0	0	0	0
Abeyance Pending Outcome of Fee Arbitration	0	0	0	0	0
Pending Approval to Issue Written Private Admonition	0	1	0	0	0
Pending Acceptance of Written Private Admonition by Respondent Attorney	1	0	0	0	0
Pending Approval to File Petition for Formal Hearing	5	8	10	11	7
Pending Stipulation for Discipline between Bar Counsel and Respondent Attorney	0	0	0	0	0
Pending Stipulation Consideration by Disciplinary Board	0	6	0	0	0
Pending Stipulation Consideration by Supreme Court	0	0	0	3	6
Pending before Area Hearing Committee	0	0	5	0	29*
Pending before Disciplinary Board	2	0	5	8	0
Pending before Supreme Court	5	2	1	3	6
Respondent Attorney on Probation	1	1	1	1	1
TOTAL open cases	63	61	58	86	112

*These 29 cases reflect complaints against six lawyers. Among the six, one lawyer is responsible for 14 cases, one lawyer for 7 cases, and two lawyers for 3 cases each.

SUMMARY OF PUBLIC DISCIPLINE ACTIONS IN 2008

- The Alaska Supreme Court disbarred Mark J. Avery effective February 8, 2008; Cathleen N. McLaughlin effective June 5, 2008; and Roger D. Ost effective November 30, 2007 (based on his disbarment in Washington State).
- The Court suspended Frederick H. Hahn, IV, for 2 years and 1 day with conditions effective January 12, 2008; Amy T. Simpson

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

for 1 year with all but 120 days stayed with conditions effective March 5, 2008; and Jay D. Durych for 2 years with all but 90 days stayed with conditions effective August 1, 2008.

- The Court interimly suspended Kevin M. Morford on January 7, 2008 and James F. Clark on May 15, 2008.

Disbarred or suspended lawyers may not resume practice until reinstated by order of the Alaska Supreme Court.

SUMMARY OF REINSTATEMENT ACTIONS IN 2008

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

- The Court denied Jon E. Wiederholt's petition for reinstatement (from disbarment) effective March 28, 2008.
- The Court approved Irwin Ravin's transfer to active status on June 6, 2008; however, Mr. Ravin had not paid his bar dues by year end and will remain on suspension until his dues are paid.
- The Court approved Michael A. Stepovich's transfer to active status (from suspension) which took effect December 22, 2008.

SUMMARY OF DISABILITY ACTIONS IN 2008

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.

Kenneth D. Lougee was transferred to active status January 17, 2008.

• The 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:

2004 - 2008 Fee Arbitration Statistics

	'04	'05	'06	'07	'08
Arbitrations pending January 1	33	.....21	.....27	.....26	.....34*
Arbitrations opened during year (+)	39	.....60	.....53	.....58	.....70
Arbitrations closed during year (-)	51	.....54	.....54	.....51	.....71
Arbitrations pending Dec. 31 year-end	21	.....27	.....26	.....33	.....33

*corrected number

• The Lawyers' Fund for Client Protection Committee

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 fund also pays the cost of trustee counsel appointed by the superior court to close the practice of a deceased sole practitioner or a lawyer who has abandoned his or her practice. 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 2008, three (3) claims were pending before the LFCP Committee and two (2) claims were pending before the Board of Governors. The Committee and the Board took action on 18 claims during the year.

2008 LFCP Actions			
Case Number	Reimbursement(s)* Paid by Board	Reimbursement(s) Rejected by Board	Reimbursement(s) Rejected by LFCP Committee
2006L123	1,300.00	0.00	0.00
2007L003	6,300.00	0.00	0.00
2007L009	9,500.00	0.00	0.00
2007L011	4,000.00	0.00	0.00
2007L012	1,000.00	0.00	0.00
2007L013	1,000.00	0.00	0.00
2007L014	5,000.00	0.00	0.00
2008L001	0.00	4,000.00	0.00
2008L002	1,669.39	0.00	0.00
2008L003	2,500.00	0.00	0.00
2008L004	3,240.00	0.00	0.00
2008L005	1,500.00	0.00	0.00
2008L006	1,000.00	0.00	0.00
2008L007	2,000.00	0.00	0.00
2008L008	0.00	*1,500.00	0.00
2008L009	1,000.00	0.00	0.00
2008L010	2,500.00	0.00	0.00
2008L010	4,000.00	0.00	0.00
Totals	\$47,509.39	\$5,500.00	\$0.00

*These figures reflect reimbursements from the Fund which may be less than the amount requested by the claimant.
 **Referred to the fee arbitration program.

• Continuing Legal Education (CLE)

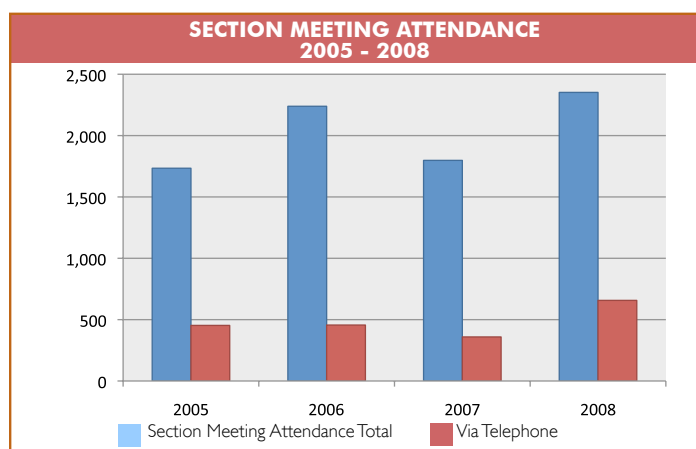
The Continuing Legal Education Committee and the Association's Director of Continuing Legal Education are responsible for presenting and administering all CLE programs and activities, including the CLE Library.

SECTION ACTIVITIES

The substantive law sections of the Bar Association are responsible for sponsoring a minimum of one CLE seminar every two years. In 2008 there were 23 active substantive law sections, with a total membership of 2,161 for all sections, an increase of 128 from 2007.

Section meeting attendance totalled 2,352 for the year.

A section chairs workshop was held in Anchorage on March 26, 2008. Twenty-four chairs and co-chairs of the 23 active sections attended. The next section chairs workshop will be scheduled in 2010. The workshop is normally held every other year.



Section Meeting Attendance

In 2008, 1,695 attorneys attended in person and 657 participated by telephone in the Bar's substantive law section meetings.

Alaska Bar CLE Attendance

Attendance at live CLE programs totaled 2,098 (including 115 speakers and 267 non-attorneys).

In addition, 863 individuals attended one or more CLEs at the annual convention, for a total of 3,601 convention-event registrations.

Attendance for CLE webcasts totalled 250.

CLE PROGRAMS

The majority of live CLE programs are presented in Anchorage, which has the largest concentration of lawyers in the state. Most of these programs are videotaped and webcast.

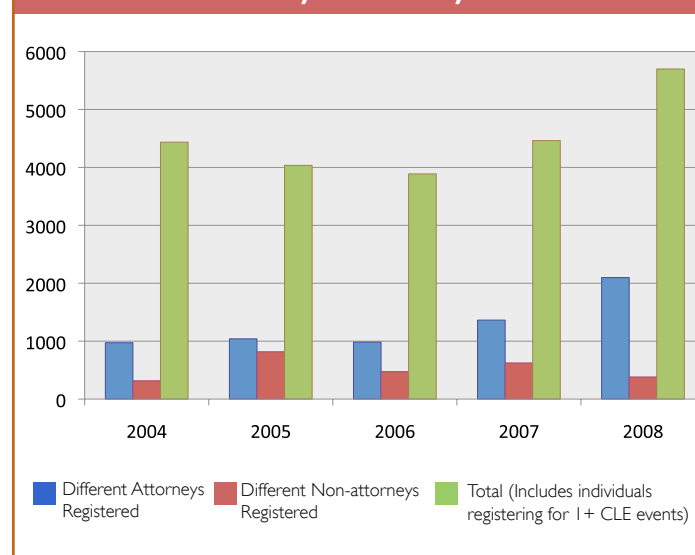
To provide CLE opportunities for attorneys practicing outside of Anchorage, the Bar webcast a majority of live programs in 2008, as well as having DVDs and CLE materials available for purchase through the Bar's online CLE Library Catalog.

In 2006, the Bar began its partnership with the online CLE provider LegalSpan to develop online CLE seminars and live webcasts of selected programs. The Bar presented 17 live webcasts in 2008, and videotaped live seminars are available 24/7 as online CLEs through the online provider. The goal is to increase the number of programs that are webcast live and to continue adding online CLE selections.

The Alaska Bar CLE program continues to work with Seattle University School of Law CLE and Summer Law School

Programs. Faculty of the Seattle University's Summer Law Program at UAA meet with the Bar's substantive law sections, and section members make presentations to the law students enrolled in the program.

CLE ATTENDANCE — 2004 - 2008
LIVE PROGRAMS, CONVENTION, AND OTHER



2004 - 2008 CLE PROGRAMS SUMMARY

	'04	'05	'06	'07	'08
Topics	18.....	29	26.....	30	26
Live Bar Programs	20.....	36	27.....	33	26
Mandatory Ethics*	4.....	5	5.....	4.....	7
Convention CLE Programs	13.....	9	14.....	10	11
Live Webcasts	—.....	—	—.....	10	17

*"Don't Cross That Line: Practicing Ethically and Successfully In Your First Years – A Mandatory Course for New Lawyers in Alaska," a 1.5 hour DVD, is required viewing for admission to the Alaska Bar. Group video replays are scheduled in the spring and fall in Anchorage, and admittees may also view the DVD individually.

• Mandatory CLE Rule (MCLE) – The first year

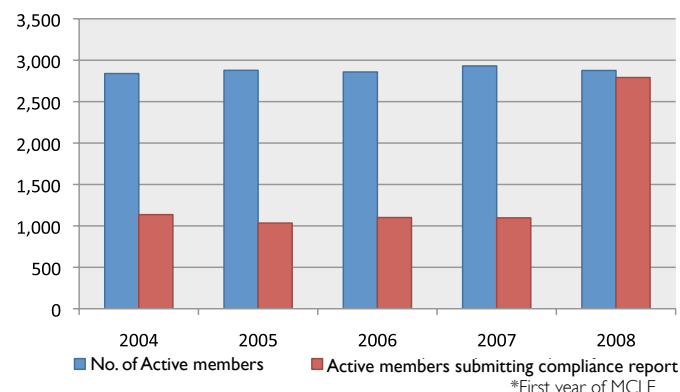
In January of 2008, the Alaska Supreme Court amended Alaska Bar Rule 65, to require all Active members of the Bar to participate in continuing legal education.

For the year, nearly 97% of active members reported MCLE compliance.

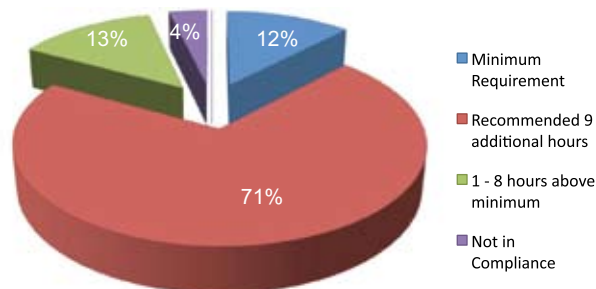
The new Rule 65 provides that each year, all Active members:

- are required to earn 3 CLE credit hours in ethics (mandatory CLE, or "MCLE")
- are encouraged to earn 9 additional CLE credit hours (voluntary CLE or "VCLE")
- report that they completed the 3 MCLE credits in ethics,
- report whether they earned the 9 additional VCLE credits (general or ethics)
- report an estimate of how many VCLE credits were completed if less than 9 were earned.

VCLE & MCLE Statistics — 2004 - 2008



MCLE COMPLIANCE

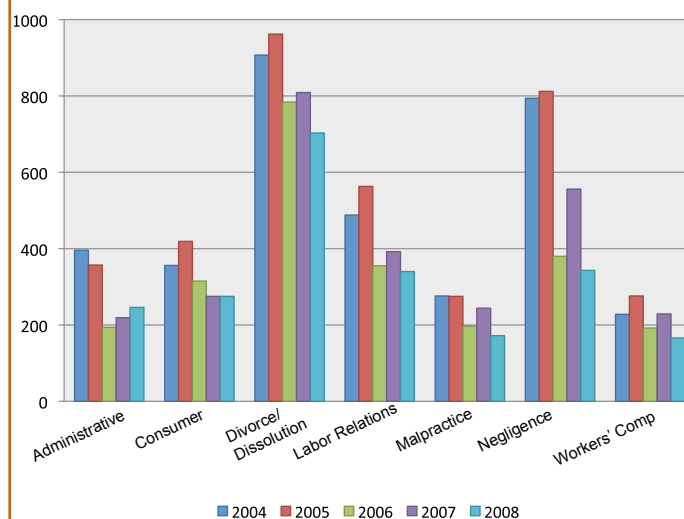


• Lawyer Referral Service

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 contacts the lawyer as a result of the referral. The first half-hour conference may be charged at a maximum of \$125. Thereafter the fee is agreed upon by the attorney and the client.

**Lawyer Referral Service
Selected Most-Referred Categories — 2004 - 2008**



MCLE Compliance

A total of 2,805 active members of the Bar reported compliance with the MCLE Rule for the 2008 period of Jan. 1 - Dec. 31.

Legal education hours reported by attorneys were as follows:

CLE Hours	# of Attorneys
Required 3 Hours	
MCLE/ethics only	353
Additional Hours	
1	25
2	42
3:	101
4	42
5	43
6	68
7	37
8	29
9 or more	2065

“ At the end of 2008, 86 attorneys were enrolled in 33 practice categories in the Lawyer Referral Service with total referrals of 3,415—a 17% decrease from 2007. ”

Total Lawyer Referrals 2004 - 2008

	'04	'05	'06	'07	'08
Administrative	396	357	194	219	246
Admiralty	17	17	18	12	11
Adoption	34	37	16	35	22
Alaska Native Law	—	2	—	—	0
Arts	—	—	2	3	7
Bankruptcy	110	142	52	79	93
Commercial	123	212	112	149	123
Construction	37	40	29	63	28
Consumer	356	419	315	275	275
Criminal: Felony	127	228	92	166	95
Criminal: Misdemeanor	143	175	114	170	133
Discrimination	3	—	—	—	0
Divorce/Dissolution/Custody	907	962	784	809	703
Eminent Domain	—	5	4	—	7
Environmental	—	6	6	—	0
Foreign Language	2	—	—	2	3
Guardian/Conservator	33	52	64	11	39
Immigration	70	—	28	52	33
Insurance	88	89	51	61	38
Labor Relations	488	563	355	392	340
Landlord/Tenant	182	250	63	30	150
Malpractice	276	275	197	244	172
Military	—	—	—	—	0
Mining	—	—	—	—	0
Negligence	794	812	380	556	343
Patent/Copyright	—	—	5	41	26
Public Interest	4	3	3	1	1
Real Estate	281	290	175	257	171
SSI Cases	82	51	22	48	10
Tax	—	—	—	—	0
Traffic	4	21	49	8	5
Trusts/Wills/Estates	187	227	144	222	175
Workers' Compensation	228	276	192	229	166
	4,982	5,511	3,468	4,134	3,415
Change from previous year	+9%	+11%	-37%	+16%	-17%

At the end of 2008, 86 attorneys were enrolled in 33 practice categories in the Lawyer Referral Service, with total referrals of 3,415, a 17 % decrease from the 4,134 referrals in 2007.

• Pro Bono Services

The Bar's Pro Bono Program was initiated in 2004 to educate, recognize and recruit attorneys and other professional services to assist nearly 80,000 low-income Alaskans. The program serves as an information clearinghouse for the membership for volunteer opportunities, resources, training, and other volunteer support services, as well as a point of contact for legal service providers.

The Pro Bono Director coordinates the program in partnership with Alaska's legal service agencies, the Bar's legal community, the Pro Bono Services Committee, and other organizations in Alaska.

Through a partnership with the Anchorage Bar Association's Young Lawyer Section, the Pro Bono Director participated in the development and publication of a legal resources guide for senior citizens. The project was one of eight selected for funding nationally by the American Bar Association and debuted at the annual Bar Convention in May, 2008.

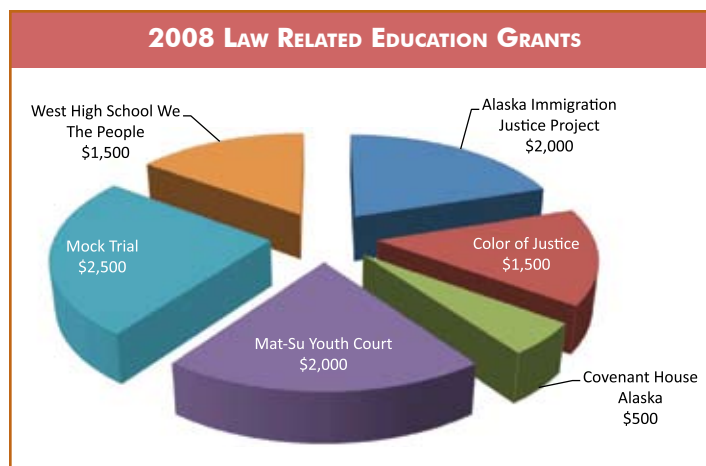
Another 2008 special project was the Bar's participation in the national Big Read project, for which the Pro Bono Director organized the legal community's live theater reading of *To Kill a Mockingbird*.

To increase the level of volunteerism by Bar members, the Pro Bono Director's outreach in 2008 included:

- Travel to four communities with the Bar President or a member of the Board of Governors (Kenai, Soldotna, Homer, and Fairbanks).

- Presentations to 13 of the 23 substantive law sections and seven community groups.
- Two community service projects in the areas of domestic violence and estate planning for Hospice patients, and
- Presentations at two swearing-in ceremonies of new attorneys to further educate them about the need for civil justice representation for low-income citizens.

Selected as an internship site by Seattle University School of Law since 2006, the program is assigned a first-year law student each summer to support pro bono service in Alaska.



To promote public understanding of the law and its role in society, the Bar also supports selected community projects through its Law Related Education Committee. Through direct service volunteerism and classroom visits, Bar members and staff participated in events that included We The People, Mock Trial, Project Citizen, Youth Court, and Law Day.

In 2008, the Board of Governors distributed \$10,000 for grants to organizations delivering Law Related Education (LRE) programs and materials. These annual grants are targeted to programs that offer practical or direct LRE programs in urban and Bush areas:

The Alaska Bar Association also was selected as a community service project site for a Leadership Anchorage web-based system for matching volunteer attorneys with teachers.

• Committees of the Alaska Bar

Alaska Bar Association governance is structured around the Board of Governors and its 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, and the Lawyers' Fund for Client Protection Committee.
- The Standing Committees, including Bar Polls and Elections, Continuing Legal Education, Ethics, Bar Historians, Alaska Bar Rag, Law Related Education, Pro Bono Services, Lawyers' Assistance, Fair & Impartial Courts, Alaska Rules of Professional Conduct, Practice of Law, and Diversity.
- 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.

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

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

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 at www.alaskabar.org.

Programs 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.
- **Casemaker.** This online legal research tool is available to all Alaska Bar members at no cost to members. It is included in bar dues. The Alaska Unreported Court Opinions Database will now be hosted by Casemaker. Alaska joined about 28 other states offering this web-based research library and search engine to their Bar members
- **Free Downloading of Alaska Bar CLE Materials.** All Alaska Bar CLE materials one calendar year old or older 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 LifeWise Assurance 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 Premier Blue Cross Blue Shield of Alaska. The Bar Association also sponsors a disability insurance program offered by Unimerica Insurance Co.

- **The Alaska Bar Rag.** This quarterly periodical is the official publication of the Bar Association, with content provided by the Bar, attorneys, and organizations in the legal and justice communities. The editor is Thomas V. Van Flein.
- **E-News.** This weekly e-mail newsletter is sent to all members for whom the Bar has e-mail addresses, and contains announcements about Bar Association activities, court news, upcoming CLE programs, and other timely items of interest.
- **Unreported Court Opinions Database.** This database, formerly hosted on the Alaska Bar website, are now available through Casemaker.
- **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 mailed a hard copy. Section meeting dates are posted on the website calendar, and the full newsletter is posted on the Bar website at www.alaskabar.org.
- **Ethics Opinions.** All Alaska Bar Ethics Opinions are published in the *Alaska Bar Rag* and are available online at the Bar's website and on Casemaker.
- **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 system:

- **The Alaska Bar Foundation** was 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 2008, the IOLTA program earned \$113,509 from interest, and awarded grants totaling \$160,000.

2008 IOLTA Grants

Alaska Legal Services	\$77,000
Alaska Pro Bono	\$37,800
Alaska Immigration Justice Project	\$25,200
Innocence Project	\$10,000
Alaska Native Justice Center	\$6,000
United Youth Courts	\$4,000

Foundation grants included: \$77,000 to Alaska Legal Services Corp.; \$37,800 to the Alaska Pro Bono Program; \$25,200 to the Alaska Immigration Justice Project; \$10,000 to the Alaska Innocence Project; \$6,000 to the Alaska Native Justice Center; and \$4,000 to the United Youth Courts of Alaska.

- **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 law 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 resources to obtain private counsel.
- **Alaska Code Revision Commission**, established in 1976, reviews and recommends revisions to Alaska laws.
- **Alaska Commission on Judicial Conduct** includes three attorney members who have practiced law in Alaska 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

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

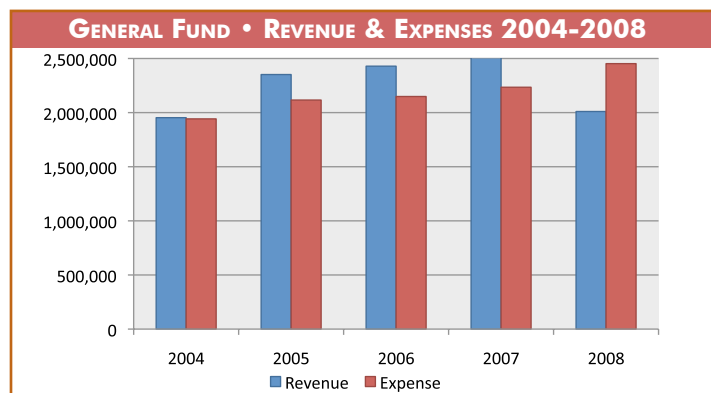
American Bar Association, National Conference of Bar Presidents, Ninth Circuit Judicial Conference, National Association of Bar Executives, Association for Continuing Legal Education, CLEreg (MCLE Regulators), National Organization of Bar Counsel, National Conference of Bar Examiners, and Western States Bar Conference.

Financial Statements & Budget

In 2008, the Board of Governors voted to change the Bar's 25-year-old budget practice that carried a large capital reserve to accommodate economic fluctuations and unanticipated expenses.

Currently, instead of building up a capital reserve and drawing down the reserve to meet operating expenses over the course of the fiscal year, the Board has adopted a "balanced budget, pay as you go" practice, pegged on the historical contribution of member dues to overall revenue. The approved draw-down set 2008 active bar dues at \$410 and inactive dues at \$135 (formerly at \$550 and \$180).

The 2008 statement of activities reflects total general fund revenue of \$2,013,707 with total expenses of \$2,452,776. The "net loss" was \$439,069. In 2007 the financial reports reflected a net gain of \$277,866.



ALASKA BAR ASSOCIATION STATEMENTS OF ACTIVITIES For the Year ended December 31, 2008

	General Fund	Lawyers' Fund for Client Protection	Court System Library Fund	Total All Funds
UNRESTRICTED NET ASSETS				
Revenue and other income				
Dues	\$ 1,273,346	\$ 29,419	\$ -	\$ 1,302,765
Admission fees	119,175	-	-	119,175
Continuing legal education	125,273	-	-	125,273
Lawyer referral fees	36,357	-	-	36,357
Annual meeting	187,098	-	-	187,098
Share from copiers	-	-	1,954	1,954
Rule 81 fees	99,950	2,210	-	102,160
Other	72,250	7,015	-	79,265
Earnings on investments	108,405	43,513	84	152,002
Unrealized loss on investments	(8,147)	(1,029)	-	(9,176)
Total unrestricted revenue	2,013,707	81,128	2,038	2,096,873
Expenses				
Admissions	190,571	-	-	190,571
Board of Governors	42,553	-	-	42,553
Discipline	693,311	-	-	693,311
Fee arbitration	74,024	-	-	74,024
Lawyer referral	54,280	-	-	54,280
Continuing legal education	400,227	-	-	400,227
Administration	505,396	-	-	505,396
Pro Bono	85,670	-	-	85,670
Voluntary CLE	23,480	-	-	23,480
Annual meeting	187,343	-	-	187,343
Claims awarded	-	47,509	-	47,509
Other	195,921	300	12	196,233
Total expenses	2,452,776	47,809	12	2,500,597
Increase (decrease) in unrestricted net assets	(439,069)	33,319	2,026	(403,724)
Net assets, beginning of year	2,390,742	1,082,330	23,472	3,496,544
Net assets, end of year	\$ 1,951,673	\$ 1,115,649	\$ 25,498	\$ 3,092,820

The accompanying notes are an integral part of these financial statements.

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 Regulations Added, Modified, or Repealed in 2008

Article VII, Section 1(a)(12)

January 2008: The Board amended this Bylaw to add a standing committee on the practice of law.

Article VII, Section 1(a)(13)

September 2008: The Board amended this Bylaw to add a standing committee on diversity.

Article III, Section 1(a)

September 2008: The Board amended this Bylaw to waive the membership fee for a member admitted a total of 60 years or more.

Bar Rules Proposed to the Supreme Court in 2008

Alaska Bar Rules

April 2008: The Board proposed an amendment to Bar Rule 44 adding service by e-mail with electronic confirmation to the permissible methods of service.

December 2008: The Board proposed an amendment to Bar Rule 2, Section 3(b) to correct a drafting error regarding eligibility to take the bar examination.

Bar Rules Adopted by the Supreme Court in 2008

Alaska Bar Rules

Effective April 15, 2008: The Court amended Bar Rule 39(a) to clarify contact information for the Bar Association.

Effective April 15, 2008: The Court amended Bar Rule 40(u) to correct citations to the Uniform Arbitration Act.

Effective April 15, 2008: The Court amended Bar Rule 44.1(f)(2)(A) to correct the reference from the Code of Professional Responsibility to the Alaska Rules of Professional Conduct.

Effective April 15, 2008: The Court amended Bar Rule 6, Section 7(b) to delete an appeal provision relating to residency requirements since the residency requirement has been abolished.

Effective April 15, 2009: The Court rescinded the current Alaska Rules of Professional Conduct and readopted new Alaska Rules of Professional Conduct based on the Ethics 2000 recommendations by the American Bar Association House of Delegates.

APPENDIX B

Bar Sections & Committees

Substantive Sections and Chairs, 2008

At the end of 2008 there were 23 active sections.
The Sections, Chairs, and Co-Chairs at the end of 2008 follow:

Administrative Law

Kimberly Allen & Steve Weaver

Admiralty Law

Steve Shamburek & Mark Manning

Alaska Native Law

Mike Robbins

Alternate Dispute Resolution

Glenn Cravez

Bankruptcy Law

Gary Spraker

Business Law

Leonard Anderson

Corporate Counsel

Marcia Davis & Carol Johnson

Elder Law

Ilona Besseney & Una Gandbhir

Employment Law

Tom Daniel, Will Schendel & Rob Schmidt

Environmental/Natural Resources Law

Larry Albert, Larry Hartig & Russ Winner

Estate Planning/Probate Law

BethAnn Chapman, Maribeth Conway, & Stephen Greer

Family Law

Lori Ann Colbert & SJ Lee

Health Law

Dawn Carman

Immigration Law

Kathy Atkinson

Intellectual Property Law

Jon Dawson & Elizabeth Hodes

International Law

Andy Haas, Nevhiz Calik & Julie Webb

Law & Community Health Forum

Hanley Smith

Municipal Law

John Hartle & Rhonda Fehlen-Westover

New Lawyers

Teresa Buelow & Beth Trimmer

Real Estate Law

Joan Travostino

Tax Law

Charles Schuetze

Torts/Personal Injury Law

Jim Leik

Workers' Comp

Joe Kalamarides

CLE Committee Members June 30, 2007 - June 30, 2008

Fairbanks

James DeWitt, Chair 6/2011

Gail Ballou 6/2011

Mark Regan 6/2010

Anchorage

Nora Barlow 6/2009

Jason Bergevin 6/2010

David Carter 6/2010

Lea Filippi 6/2009

Bonnie Harris 6/2009

Barbara Jones 6/2011

Zach Manzella 6/2011

Christine Thoreson 6/2008

Judge Joel Bolger 6/2009

Judicial Representative

Nehviz Calik 6/2009

Young Lawyer Rep

Elizabeth Apostola 6/2010

Young Lawyer Rep

Juneau

Ben Brown 6/2011

David Ingram 6/2009

Bar Committee Chairs

Alaska Bar Rag

Tom Van Flein

Alaska Rules of Professional Conduct

Jerome Juday

Bar Polls & Elections

Tim Middleton

Continuing Legal Education

James DeWitt

Diversity (New in 2008)

Vacant

Ethics

Bob Mahoney

Fair & Impartial Courts

Susie Dosik

Historians

Leroy Barker

Law Examiners

Mary Gilson

Law Related Education

Barbara Jones

Lawyers Assistance

Vacant

Lawyers Fund for Client Protection

Paul Nangle

Practice of Law (New in 2008)

Vacant

Pro Bono Services

Robert Stewart



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