

Alaska Bar Association

2011 ANNUAL REPORT



ALASKA BAR ASSOCIATION

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Cover art by Randall Compton
"Morning Sunrise", 1998
Original Acrylic Painting 24" x 30"

Randall Compton witnesses this scene of the Tanana River year-round, in all seasons and in all kinds of weather. This viewing was on a cold, crisp September morning with the smell of dead leaves in the air, while Randall was on his way to a favorite duck hunting field with a falcon. The ducks in this scene were heading for Creamers Field where falconers are permitted to hunt.

Introduction & Overview

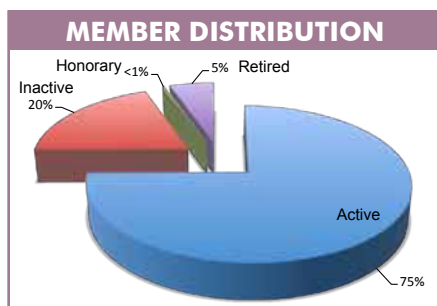
In 2011, the Alaska Bar Association had 4,081 members in the following categories: 3,059 Active (2,485 In-state and 574 Outside), 800 Inactive, 221 Retired, and 1 Honorary. Its affairs are governed by a 12-member Board of nine attorneys and three non-attorney citizens. A (non-voting) New Lawyer Liaison 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 Alaska Supreme Court.

There are presently 10 standing committees, 27 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 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 investment income. The association received no public monies in the 2011 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 Examiners; 2) two half-days of objective, multiple choice questions (the Multistate Bar Examination or "MBE"), prepared

2007 - 2011 Bar Exam Results			
Date	Applicants	Passed	Pass Rate
July 2011	60	32	53%
	50 1st timers	31	62%
Feb. 2011	58	38	66%
	39 1st timers	32	82%
July 2010	85	63	74%
	72 1st timers	58	81%
Feb. 2010	53	35	66%
	36 1st timers	29	81%
July 2009	63	40	63%
	44 1st timers	35	80%
Feb. 2009	50	26	52%
	35 1st timers	22	63%
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%

“ 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)

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 2011, 118 individuals took the Bar Exam and 70 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 2011, 36 applicants were approved for admission 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 \$823,502 during 2011 or 32% of the Bar Association's budget. This represents a substantial allocation of the Bar's resources for the protection of clients, the public, and the legal system in Alaska.

2011 GRIEVANCES

The Discipline Section processed 283 grievances in 2011, compared to 258 in 2010, representing a 9% increase. Summary statistical data related to discipline status are contained in the charts.

SUMMARY OF PUBLIC DISCIPLINE ACTIONS IN 2011

- The Alaska Supreme Court suspended Wevley William Shea for 25 months with conditions effective June 17, 2011; Andrew K. Kurzmann for four years with conditions effective June 20, 2011; Geoffrey J. McGrath for three years with conditions effective September 15, 2011; John M. Rice for four years with conditions effective September 25, 2011; Keenan R. Powell for 90 days with 90 days stayed with conditions and a public



Discipline Case Statistics¹

2007-2011

	'07	'08	'09	'10	'11
Open cases pending as of Jan. 1	58	86	112	98	62*
New cases opened in 2011(+)	59	65	39	29	30
TOTAL open and new cases	117	151	151	127	92

Cases closed in 2007-2011

Closed after disbarment by Supreme Court	2	3	7	24	0
Closed after suspension by Supreme Court	5	7	21	10	9
Closed after probation ended	0	0	0	0	0
Closed after public censure by Supreme Court	1	0	0	0	0
Closed after reprimand publicly imposed by Disciplinary Board	1	0	0	0	0
Closed after reprimand privately imposed by Disciplinary Board	0	6	0	1**	0
Closed after written private admonition by Bar Counsel	1	1	3	4	2
Dismissed by Bar Counsel	21	22	22	24	27
Closed after mediation	0	0	0	0	0
TOTAL closed cases (-)	31	39	53	63	38
Open cases pending as of Dec. 31, 2010	86	112	98	63*	54

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

* Corrected figure reflecting one pre-2010 case reported twice.

** Supreme Court acted as Disciplinary Board in this case.

Status of Open Cases as of December 31, 2011

	'07	'08	'09	'10	'11
Pending First Response from Respondent Attorney	15	9	11	1	1
Pending Complainant's Reply	1	0	2	0	0
Pending Second Response from Respondent Attorney	2	0	2	0	2
Pending Bar Counsel Investigation/Decision	33	45	28	34	23
Abeyance Pending Outcome of Related Court Case	9	9	8	17	18
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	0	0	0	0
Pending Acceptance of Written Private Admonition by Respondent Attorney	0	0	0	0	0
Pending Approval to File Petition for Formal Hearing	11	7	6	2	2
Pending Stipulation for Discipline between Bar Counsel and Respondent Attorney	0	0	1	1	0
Pending Stipulation Consideration by Disciplinary Board	0	0	0	0	1
Pending Stipulation Consideration by Supreme Court	3	6	0	0	0
Pending before Area Hearing Committee	0	29*	9	1	6
Pending before Disciplinary Board	8	0	3	2	0
Pending before Supreme Court	3	6	27	4	0
Respondent Attorney on Probation	1	1	1	1	1
TOTAL open cases	86	112	98	63	54

*These 29 cases (2008) reflected 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.

censure effective December 12, 2011; and, Christopher N. Pallister for two years and one day with conditions and a public censure effective December 12, 2011.

- The Court interimly suspended Henry E. Graper, III effective August 15, 2011; Bruce F. Stanford effective November 16, 2011; and, Erin A. Pohland effective December 2, 2011 pending future disciplinary proceedings.

Disbarred or suspended lawyers may not resume practice until reinstated by order of the 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 IN 2011

The Alaska Supreme Court reinstated Mark Nunn effective October 31, 2011.

SUMMARY OF DISABILITY ACTIONS IN 2011

There were no disability transfers or reinstatements in 2011.

• 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.

2007 - 2011 Fee Arbitration Statistics

	'07	'08	'09	'10	'11
Arbitrations pending January 1	26	34	33	25	22
Arbitrations opened during year (+)	58	70	62	46	55
Arbitrations closed during year (-)	51	71	70	49	50
Arbitrations pending Dec. 31 year-end	33	33	25	22	27

• The Lawyers' Fund for Client Protection Committee

The Bar Association maintains a fund for the purpose of reimbursing attorneys' clients or others 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 investment income.

At the close of 2011, one (1) claim was pending before the LFCP Committee. The Committee and the Board took action on nine (9) claims during the year.

2011 LFCP Actions

Case Number	Reimbursement(s)* Paid by Board	Reimbursement(s) Rejected by Board	Reimbursement(s) Rejected by LFCP Committee
2010L008	\$2,500		
2010L011	\$750		
2010L013			\$100,000
2010L005			\$80,000 (claim withdrawn)
2010L012		\$4,232.55	
2011L001	\$5566.67		
2010L010		\$7,500	
2011L002	\$1,650		
2011L003	\$1,650		
TOTAL	\$12,116.67	\$11,732.55	\$100,000

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

Trustee counsel fees and expenses totaling \$7,318.89 for inventorying and closing the practice of a disabled lawyer were paid in 2011.

• **Continuing Legal Education (CLE)**

The Alaska Bar Association provides continuing legal education through its CLE department. The CLE Director is responsible for administering all programs and activities, to include the library, and has a 15-member advising committee consisting of Bar members from each judicial district, two new lawyer representatives, and one judicial representative selected by the Alaska Court System. The substantive law sections of the Bar Association are responsible for working with the CLE Director to develop and co-sponsor programs with a minimum of one CLE seminar every two years.

CLE PROGRAMS

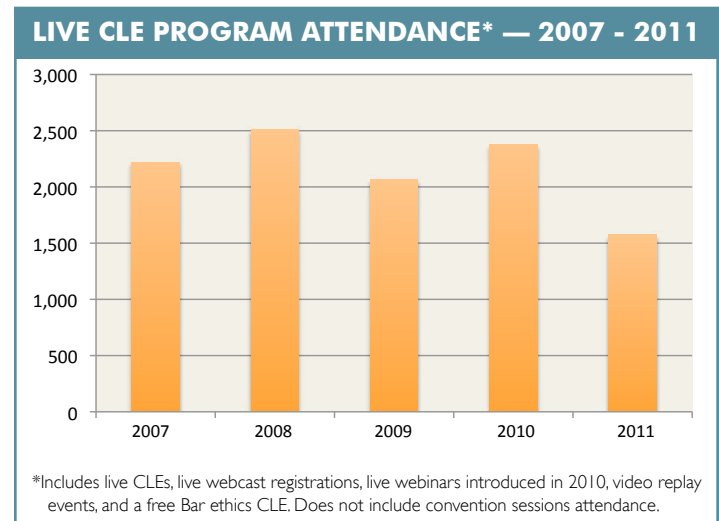
In 2011 the majority of live CLE programs were presented in Anchorage, which has the largest concentration of lawyers in the state. To provide CLE opportunities for attorneys practicing outside of Anchorage, the Bar webcasted the bulk of those programs, and provides the CLE materials along with a DVD, to be available for purchase through the Bar's online CLE Library Catalog.

Since 2005, the Bar has sustained a relationship with InReach, formerly known as LegalSpan, to provide a platform for live

webcasting and online archived programs for self-study. These archived programs are available 24/7 and are not only viewable via computer, but may be downloaded to a personal iPad or smartphone for "CLE to go."

In recognition of many attorneys living outside the Anchorage area, webinar programming began in January of 2010. Webinars are attended online and are provided by Adobe connect Pro via Copper Conferencing. This system is able to recognize whether a viewer has either high-speed Internet or has a dial-up connection, and is able to adjust its feed. This format makes it easier for attorneys in remote locations to access live, interactive programming, and also provides streaming to a personal iPad or smartphone. Webinars provide one-hour programs within a topical series and are also available for archived self-study. Video replays are also provided for groups of attorneys who are unable to attend "live" sessions.

2007 - 2011 CLE PROGRAMS SUMMARY					
	'07	'08	'09	'10	'11
Topics	30.....	26.....	25.....	23.....	26
Live Bar Programs	33.....	26.....	25.....	34.....	30
Live Webcasts	10.....	17.....	16.....	17.....	22
Live Webinars	—.....	—.....	—.....	28.....	19
Convention CLE Programs	10.....	11.....	9.....	9.....	10



**CLE Attendance:
A closer look**

- CLE programs were delivered in a variety of formats for the year, with the greatest attendance at live programs:

Format	Attendance
Live programs	1,121
Live webcasts	236
Live webinars	95
Video replay events	124

- CLE programs also were provided via the CLE Library:

Online archive downloads	776
DVD orders	248

- In addition, 396 individuals attended one or more CLE events at the annual convention.

MCLE Compliance

A total of 2,909 active members of the Bar reported compliance with the MCLE Rule for calendar year 2011.

Legal education hours reported by attorneys were as follows:*

CLE Credits	# of Attorneys
Required 3 hours of ethics CLE only	486
Voluntary additional hours	
1	42
2	45
3	121
4	64
5	47
6	77
7	33
8	28
9 or more	1966

*Reported as of March 23, 2012

• Mandatory CLE

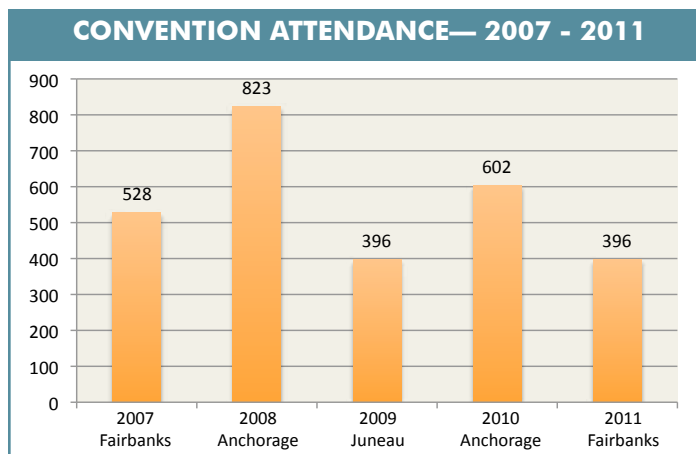
In January of 2008, the Alaska Supreme Court amended Alaska Bar Rule 65, to require Active members of the Bar to participate in continuing legal education (CLE).

In 2011, over 99% of Active members reported MCLE compliance.

Rule 65 provides that each year, Active members:

- are required to earn a minimum of 3 CLE ethics credits
- are encouraged to earn at least 9 additional CLE credits
- report that they completed the 3 mandatory credits in ethics
- report whether they earned the 9 additional voluntary credits
- report an estimate of how many credits were earned if less than 9

Bar members can earn CLE credits in various ways, including: attendance at live CLE programs sponsored by the Alaska Bar



Association and other legal organizations, watching webcasts of CLE programs, viewing downloaded programs from the Bar CLE library, attendance at section meetings which offer substantive educational presentations, attendance at Bar convention programs, teaching CLE programs, attendance at accredited CLE programs in other jurisdictions, and participation in certain Alaska Bar Association and Alaska Supreme Court committees.

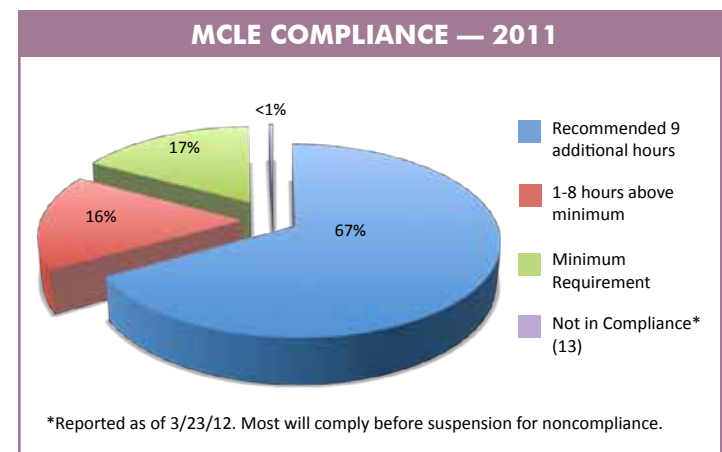
Of the 30 live CLE programs offered in 2011, 18 included ethics credits. One 3-hour ethics program was offered free of charge. That program was produced live in Anchorage and was also available by webcast and DVD at no cost to Bar members.

• Section Activities

In 2011 there were 27 active substantive law sections, with a total individual membership of 2,590 for all sections. The total, including members with multiple sections, was 3,449.

Section meeting attendance totaled 2,574 for the year. Of this total, attendance via telephone/teleconference was 787.

The third biennial Section Chair Workshop was held in the spring



of 2011 with the primary topics on “how to plan for meetings” and “how to engage section participants.”

Working with the CLE Director, the Bar’s sections are responsible for sponsoring a minimum of one CLE Seminar every two years.

For 9 years, the Alaska Bar has collaborated with the Seattle University School of Law’s summer law school programs. Students at the University of Alaska Anchorage who participate in the Seattle program meet with two of the Bar’s substantive law sections: Alaska Native Law and Environmental/Natural Resources Law. Section members discuss case law with the students and answer their questions on the practice of law.

See Appendix B for the list of 2011 sections and chairs.

• 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 for 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.

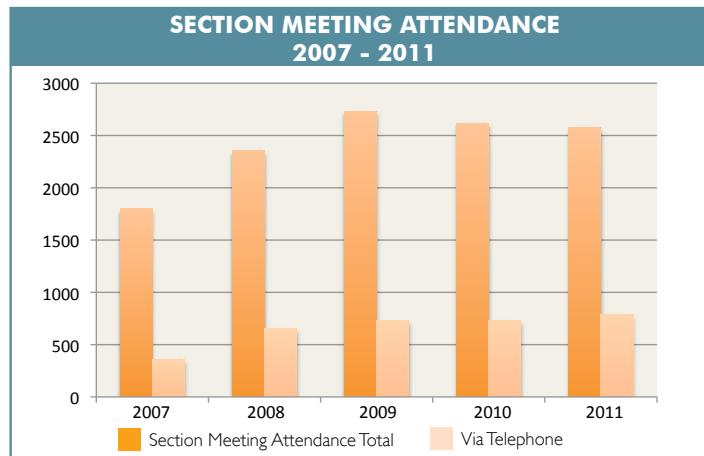
At the end of 2011, 94 attorneys were enrolled in 34 practice categories in the Lawyer Referral Service.

Referrals over the year totaled 3,414, a 10% increase from the 3,086 referrals in 2010.

• 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 with civil legal needs. 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.

“ At the end of 2011, 94 attorneys were enrolled in 34 practice categories in the Lawyer Referral Service. One new practice category was added during the year: Alternative Dispute Resolution (ADR). ”



“ In 2011, the Board of Governors distributed grants to five organizations delivering Law Related Education (LRE). ”

Total Lawyer Referrals 2007 - 2011

	'07	'08	'09	'10	'11
ADR				0	0
Administrative	219	246	197	148	199
Admiralty	12	11	14	22	13
Adoption	35	22	17	13	29
Alaska Native Law	—	0	15	20	15
Arts	3	7	1	0	1
Bankruptcy	79	93	127	97	93
Commercial	149	123	107	77	116
Construction	63	28	25	20	34
Consumer	275	275	266	203	232
Criminal: Felony	166	95	81	114	106
Criminal: Misdemeanor	170	133	107	94	106
Discrimination	—	—	—	0	2
Divorce/Dissolution/Custody	809	703	574	572	522
Eminent Domain	—	7	1	2	0
Environmental	—	0	0	0	0
Foreign Language	2	3	0	2	0
Guardian/Conservator	11	39	30	30	56
Immigration	52	33	35	40	22
Insurance	61	38	41	34	36
Labor Relations	392	340	367	386	418
Landlord/Tenant	30	150	159	161	207
Malpractice	244	172	185	198	191
Military	—	0	8	15	16
Mining	—	0	1	0	0
Negligence	556	343	373	308	448
Patent/Copyright/IP	41	26	26	26	0
Public Interest	1	1	0	0	0
Real Estate	257	171	187	151	174
Social Security Disability	48	10	11	72	83
Tax	—	0	11	19	29
Traffic	8	5	14	30	22
Trusts/Wills/Estates	222	175	138	118	120
Workers' Compensation	229	166	143	114	124
	4,134	3,415	3,261	3,086	3,414
Change from previous year	+16%	-17%	-5%	-5%	10%

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 justice organizations in Alaska.

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.

In partnership with the Alaska Court System, the Bar launched a public service project in honor of Martin Luther King, Jr. in January, 2010. The 2011 MLK Day event was held in Anchorage, Fairbanks and Juneau. It served 390 clients with 175 volunteers, totaling \$65,130 in donated legal services.

In 2011, the Bar launched a second public service project—the 1st Annual Elizabeth Peratrovich Legal Clinic—in partnership with Alaska Legal Services Corporation, the Alaska Federation of Natives (AFN), and the Alaska Native Justice Center. The clinic was held during the annual AFN convention; it served 81 clients from 28 Alaska communities through the use of 56 volunteers who donated the equivalent of \$22,420 in legal services.

• 2011 LRE Grants

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.

In 2011, the Board of Governors authorized up to \$5,000 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.

2011 LRE Grants

North Star Youth Court.....	\$1,000
West High School We the People.....	\$1,000
Color of Justice.....	\$ 500
Mat-Su Youth Court.....	\$1,000
SERRC.....	\$ 750

• 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.

- 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, 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, and Practice of Law.
- The Substantive Law Sections, comprised of 27 peer groups practicing in specific areas of the law.

Members and chairs of these committees and sections are listed 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 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. Alaska joined 25 other states offering this web-based research library and search engine to their Bar members
- **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.

“ 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.”

The plan is underwritten by Premera 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. Gregory Fisher served as editor.
- **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.
- **Section News.** This newsletter, containing notices of section meetings and topics, is e-mailed monthly to 90% of substantive law section members. Members without e-mail are mailed a hard copy. Section meeting dates are posted on the website calendar, in E-News, 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.
- **Mentor Program.** The Board of Governors started a mentor program which offers an opportunity for new lawyers to work with an experienced lawyer who will provide professional guidance and share practical knowledge and skills during the beginning of practice. The Bar worked with local bar associations to match mentors and mentees. 14 new lawyers requested mentors: 9 in the Anchorage/Palmer area; 3 in the Juneau/Douglas area; and 2 in Fairbanks/North Pole area.

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 2011, the IOLTA program earned \$17,850 from interest, and awarded grants totaling \$30,000.

Foundation grants included: \$16,500 to Alaska Legal Services Corp.; \$8,100 to the Alaska Pro Bono Program; \$5,400 to the Alaska Immigration Justice Project.

2011 IOLTA Grants

Alaska Legal Services	\$16,500
Alaska Pro Bono Program	\$8,100
Alaska Immigration Justice Project	\$5,400

- **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 the laws of Alaska.
- **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 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,

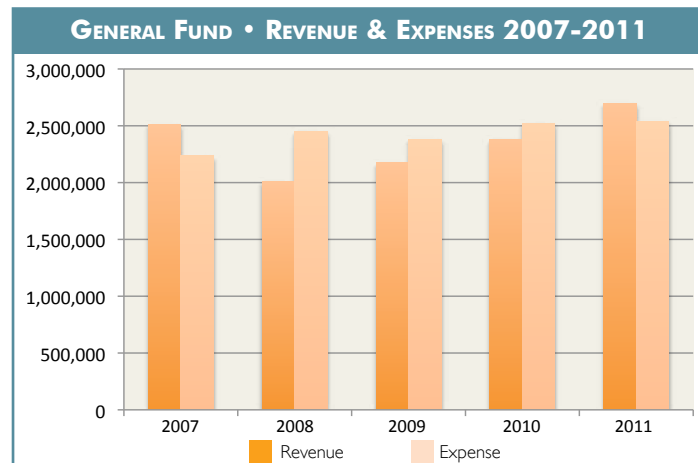
National Conference of Bar Examiners, and Western States Bar Conference.

Financial Statements & Budget

In 2008, the Board of Governors voted to draw down the Bar's capital reserve for a few years until it got to the point where dues would be set at a level to have a balanced budget.

After three years of reduced dues, and operating at a deficit to draw down the capital reserve, the Board in 2010 was faced with the need to raise active bar dues and cut expenses to adopt a balanced budget. In 2011, active bar dues were raised to \$620 and inactive dues were set at \$205.

The 2011 statement of activities reflects total general fund revenue of \$2,700,170 with total expenses of \$2,541,972. The "net gain" was \$158,198.



“ 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. ”

**ALASKA BAR ASSOCIATION
STATEMENTS OF ACTIVITIES
For the Year ended December 31, 2011**

	General Fund	Lawyers' Fund for Client Protection	Court System Library Fund	Total All Funds
UNRESTRICTED NET ASSETS				
Revenue and other income				
Dues	\$ 1,974,232	\$ 30,351	\$ -	\$ 2,004,583
Admission fees	159,900	-	-	159,900
Continuing legal education	147,034	-	-	147,034
Lawyer referral fees	35,734	-	-	35,734
Annual meeting	112,674	-	-	112,674
Rule 81 fees	148,500	2,420	-	150,920
Other	86,590	11,000	-	97,590
Earnings on investments	61,861	34,815	5	96,681
Unrealized loss on investments	(26,355)	(5,268)	-	(31,623)
Total unrestricted revenue	<u>2,700,170</u>	<u>73,318</u>	<u>5</u>	<u>2,773,493</u>
Expenses				
Admissions	210,670	-	-	210,670
Board of Governors	39,964	-	-	39,964
Discipline	823,502	-	-	823,502
Fee arbitration	119,087	-	-	119,087
Lawyer referral	56,501	-	-	56,501
Continuing legal education	364,366	-	-	364,366
Administration	468,666	-	-	468,666
Pro Bono	96,472	-	-	96,472
Mandatory CLE	42,387	-	-	42,387
Annual meeting	97,788	-	-	97,788
Claims awarded	-	12,116	-	12,116
Other	222,569	7,622	12	230,203
Total expenses	<u>2,541,972</u>	<u>19,738</u>	<u>12</u>	<u>2,561,722</u>
Increase (decrease) in unrestricted net assets	158,198	53,580	(7)	211,771
Net assets, beginning of year	1,607,158	1,214,171	26,345	2,847,674
Net assets, end of year	<u>\$ 1,765,356</u>	<u>\$ 1,267,751</u>	<u>\$ 26,338</u>	<u>\$ 3,059,445</u>

The 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 2011

No Bylaws or regulations were added, modified or repealed in 2011.

Bar Rules Proposed to the Supreme Court in 2011

September 2011: The Board proposed amendments to Bar Rules 65 and 66 regarding mandatory continuing legal education (MCLE).

Bar Rules Adopted by the Supreme Court in 2011

April 2011: The Court amended Bar Rule 44 regarding legal intern permit eligibility, renewal, and permitted acts.

October 2011: The Court amended Bar Rule 10(f) to provide for the appointment of one or more Board Discipline Liaisons to the Discipline Section of the Bar.

October 2011: The Court amended Bar Rule 26(d) to require a member of the Bar to self report any criminal conviction to the Bar.

October 2011: The Court amended Bar Rule 36(a) to correct the reference to the appointing authority for bar counsel supervising the fee arbitration program.

October 2011: The Court amended Bar Rule 39(d)(2) to clarify a petitioner's right to request or maintain a fee arbitration.

October 2011: The Court amended Bar Rule 40(f)(11) to change the reference from hearings recorded "on tape" to hearings recorded "electronically."

October 2011: The Court amended Bar Rule 65(g)(11) to add service on discipline and fee arbitration committees to the list of activities qualifying for continuing legal education credit.

Bar Rules Rejected by the Supreme Court in 2011

March 2011: The Court rejected a proposed amendment to Bar Rule 41 which would have permitted service by e-mail with electronic confirmation to the permissible methods of service in a fee arbitration proceeding.

APPENDIX B

Bar Sections & Committees

Substantive Sections and Chairs, 2011

At the end of 2011 there were 27 active sections.
The Sections, Chairs and Co-Chairs at the end of 2011 follow:

Administrative Law

Stuart Goering & Becky Kruse

Admiralty Law

Steve Shamburek & Mark Manning

Alaska Native Law

Bruce Anders, Brennan Cain, Walter Featherly & Melanie Osborne

Alternate Dispute Resolution

Glenn Cravez & Linda O'Bannon

Appellate Law

Alex Bryner, Gregory Fisher, Lloyd Miller & Beth Goldstein

Bankruptcy Law

Gary Spraker

Business Law

Matthew Block & John Kauffman

Corporate Counsel

Marcia Davis

Elder Law

Ilona Besseney & Una Gandbhir

Employment Law

Gregory Fisher & Danielle Ryman

Environmental/Natural Resources Law

Larry Hartig, Tina Sellers & Russ Winner

Estate Planning/Probate Law

Maribeth Conway, Stephen Greer & Tonja Woelber

Family Law

Whitney Bostick, Kara Nyquist & Alicia Porter

Health Law

Carolyn Heyman-Layne & Barbra Nault

Immigration Law

Kathy Atkinson

Intellectual Property Law

Jon Dawson & Elizabeth Hodes

International Law

Nevhiz Calik Russell, Andy Haas & Julie Webb

Law & Community Health Forum

Liz Leduc, Mara Rabinowitz & Colleen Ray

Municipal Law

John Hartle, Todd Sherwood & Dennis Wheeler

New Lawyers

Elizabeth Apostola & Loren Hildebrandt

Public Contracts

S. Lane Tucker

Real Estate Law

Joan Travostino

Social Security Disability Advocacy

Paul Eaglin & Paula Jacobson

Tax Law

Christy Lee & Charles Schuetze

Unbundled Law

Katherine Alteneider & Kara Nyquist

Torts/Personal Injury Law

Rebecca Hozubin

Workers' Comp

Joe Kalamarides

Bar Committee Chairs

Alaska Bar Rag

Gregory S. Fisher

Alaska Rules of Professional Conduct

Jerome Juday

Continuing Legal Education

Zach Manzella

Ethics

Nelson Page

Fair & Impartial Courts

Elaine Andrews

Historians

Marilyn May

Law Examiners

Tim Middleton

Law Related Education

Barbara Jones

Lawyers Assistance

No Chair

Lawyers Fund for Client Protection

Robert Stone

Pro Bono Services

Stacy Walker



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