

ALASKA BAR ASSOCIATION
ETHICS OPINION 89-2

Re: Withdrawal or Modification of Outdated or Superseded Ethics
Opinions

The Committee has been asked to review all Alaska Ethics Opinions, and determine which of them should be withdrawn. The Committee has done so.

The following opinions are withdrawn as being inconsistent with the activities in which an attorney may now engage to advertise his services, or place his or her name before the public:

68-2 (unadopted)
69-1
69-2
69-3
71-2
72-1
75-1
76-2
76-6 (unadopted)
78-2

Opinion No. 69-4 is modified to delete "improper advertising." as a reason to prohibit the use of the name "Anchorage Legal Center". The prohibition against the use of that name for the reason that it is potentially misleading shall continue in full force and effect.

Opinion No. 75-2 is withdrawn. The issue of attorney disqualification because of prior representation is addressed by Rule 1.9 of the proposed Alaska Rules of Professional Conduct, and discussed in Aleut Corp. v. McGarvey, 573 P.2d 473 (Alaska 1978). The issue of disqualification when the attorney becomes a witness is addressed by Rule 3.7 of the proposed Alaska Rules of Professional Conduct, and discussed in Munn v. Bristol Bay Housing Authority, Op. No. 3458 (June 30, 1989).

Opinion No. 76-4 is withdrawn. Opinion No. 76-4 is an earlier version of Opinion No. 78-3, which shall continue in full force and effect.

Opinion No. 76-7, relating to the disclosure of physical evidence of a crime, is withdrawn. This opinion was discussed, and the applicable rule set forth, in Morrell v. State, 575 P.2d 1200 (Alaska 1978).

Opinion No. 82-1 (unadopted) relating to the duty of an attorney to accept appointment for representation of indigents is withdrawn because of DeLisio v. Alaska Superior Court, 740 P.2d 437 (Alaska 1987) and Wood v. Superior Court, 690 P.2d 1225 (Alaska 1984).

Opinion No. 82-3 (unadopted) is withdrawn. Opinion No. 82-3, dealing with the ethical obligations of lawyers employed by Alaska Legal Services Corporation should federal or state funding for that corporation be eliminated or substantially reduced, is directed at a moot point.

Opinion No. 84-6 is withdrawn. The unauthorized practice of law prohibition applicable to disbarred and suspended attorneys now appears in Alaska Bar Rule 15(b).

Submitted by the Alaska Bar Association Ethics Committee this 31st day of August, 1989.

Adopted by the Board of Governors on September 8, 1989.

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