



# Bill would take LFCP fund, radically alter Bar

By John Tiemessen

Since the late 1970s, our Bar Association has been subject to “sunset” review and periodic reauthorization by the Legislature and the Governor. In recent years, legislative auditors have recommended an eight-year extension in our current form, but the Legislature has rejected this recommendation and approved only one-year and two-year extensions. These legislative issues, which raise fundamental questions about our direct supervision by the Courts, are important concerns for every member of the bar.

By the time this issue hits your desk, the legislature will have adjourned for the session, leaving the Bar Association with a two-year

extension of existence. For those of you who did not hear my State of the Bar address at our Convention, I will indulge in a brief digression and then bring you up to date with the progress at the end of the session. I will then discuss what appears to be on the horizon for the next session.

The Bar exists in its present form through the Bar Act. The Territorial Legislature established the Bar Act in 1955. A significant modification of the Bar Act occurred in the late 1970’s when the legislature set the Bar for periodic sunset. In the 1980’s, to compromise a sunset crisis, the Bar agreed to add public members to the Board of Governors who would be appointed by the Governor and confirmed by the Legislature.

With few exceptions, Bar sunset

bills have been routine four-year extensions. That routine has not been the case for the past two years. In 2006, we received a one-year extension. In 2007, we received a two-year extension. Interestingly, in both years, the legislature’s own auditors recommended eight-year extensions.

What happened? While it may surprise you, not all members of the legislature are supporters of an independent, self-regulating Bar. They are attempting to bring the Bar under direct Legislative and Executive branch control.

In 2007, these attempts took two forms. First, Rep. Bill Stoltze attempted to introduce a committee substitute to replace the clean sunset extension in the House Finance

committee. The Stoltze substitute, introduced the night before the hearing, would have seized all bar funds, including the Lawyer Fund for Client Protection (LFCP), and placed them into the General Fund. The Bar budget would be treated as part of the Court budget. Other members of the committee, notably Rep. Mike Hawker, opposed making such sweeping changes in committee, particularly when the public and the Bar had less than 24 hours notice of the wording of the Substitute. The Substitute failed in committee.

Many House Finance Committee members commented on receiving calls regarding this issue. They cited these constituent calls as part of the

*Continued on page 3*

## Two birds, 2 messages for halls of justice

By Dan Branch

Two birds, carved from cedar, guard the door to Anchorage’s superior court building. One, an eagle, holds a clam shell. The other, a raven, grips the moon and stars in its claws. Both were created by Lee Wallace in the Saxman carving shed. Remarkably neither are defaced with graffiti.

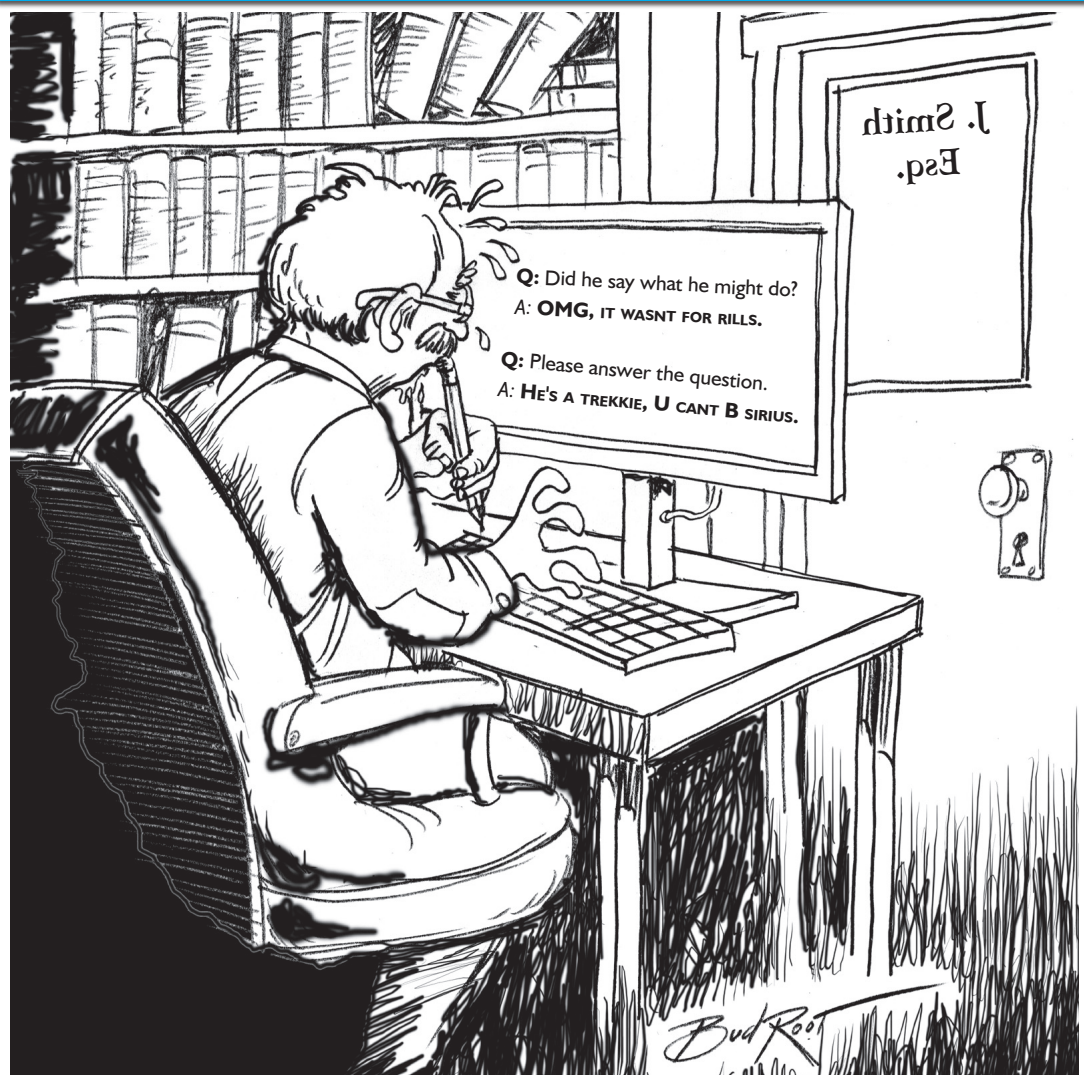
Mr. Wallace’s birds each tell a story. The raven reminds us of the greedy old man on the Nass River who kept our sun, moon and stars for himself in bent wood boxes. The eagle clam shell pole speaks of the arrogance that can lead to the despair of alcoholism.

In 1993 Lee Wallace raised an eagle clam shell totem pole in Ketchikan. After the pole raising, Lee explained that it represents one his favorite legends. It is the story of a young man taken in by the eagle people after he was banished from his own village. The young man was given an eagle’s cloak that allowed him to fly and hunt with the eagle people. He learned well.

The matriarch of the eagle house warned the young man not to hunt giant clams. He didn’t listen and tried to seize one with his claws. When his rear talons became trapped in the clam shell he called out for help. A column of eagle people, each with their talons clasping the shoulders of the eagle in peril below them, tried to free the young man before he drowned in the flooding tide. Even when the powerful matriarch joined the column, they were unable to save him.

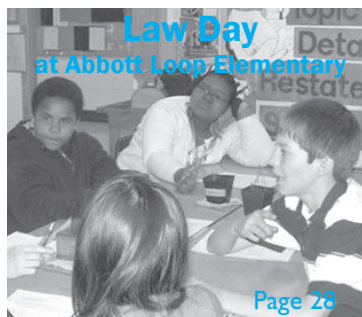
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## IMHO IM WAY LAME PG. 4



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## Committee formed for Bar Sunset question

By Matt Claman

One of my river guide colleagues once remarked that "Life is what happens when you're planning other things."

After my election as your President-Elect at the 2006 annual business meeting in Fairbanks, I scheduled Justice Ruth Bader Ginsberg as keynote speaker for the 2008 Convention in Anchorage and began thinking about topics for the President's Column during my upcoming tenure as your President. While the list of potential topics is long, I decided to write first about the need for fair and impartial courts in our system of government.

While the courts are the least understood branch of government, fair and impartial courts will serve the public interest in having courts free from political influence and accountable to the constitution. Fair and impartial courts improve public respect for the rule of law. As the only professionals under the court's direct supervision, the public's opinion of attorneys will improve with increased respect for the courts. By the 2007 annual business meeting, however, "life" in the form of the 2007 legislative session arrived just time to take care of my plans for

**Fair and impartial courts improve public respect for the rule of law.**

"other things."

These events have been developing for more than one year.

First, just after the 2006 convention, the Legislature rejected the advice of its own auditors. The Alaska Bar Association's legislative authorization was up for renewal, and the legislative auditors recommended an eight-year extension with no changes. The Legislature approved a one-year extension.

Second, just after the 2007 convention, the Legislature again rejected the advice of its own auditors. Instead of the recommended eight-year extension, the Legislature approved a two-year extension.

Third, shortly after the Legislature authorized the two-year extension, Representative Bill Stoltze (R-Chugiak/Mat-Su) introduced legislation that would fundamentally change how the Bar Association does its day-to-day business and may affect the court's supervision of attorneys. Our immediate Past-President John Tiemessen provides more detail on the recent legislative session in his informative article in this issue.



**"I subscribe to the 'if it ain't broke, don't fix it' approach to legislation."**

In prior years, with little debate, the Legislature had approved four-year extensions. During each of the past two legislative sessions, Bar members, Board officers and Bar staff have spent more time and money working for legislative reauthorization than in any prior year when we faced sunset. The fruits of our efforts over the past two sessions: only three years of extensions. I predict that the hardest work for the Bar Association in Juneau is still ahead.

I subscribe to the "if it ain't broke, don't fix it" approach to legislation. As both Bar President and local legislator, I ask whether anything is wrong with the current law before making any changes. If nothing is wrong, then choose the "do nothing" option. If something needs adjusting or tinkering, make sure the potential fix is more helpful than harmful. When real problems with a current law call for meaningful and significant changes, do not hesitate to take needed action.

Alaska's courts have effectively supervised practicing attorneys in Alaska since before statehood. The Bar Association is an example of outsourcing a governmental function to a non-profit organization that

provides efficient management while serving the public interest. I disagree with the apparent foundation for the arguments the Legislature is presenting. I nevertheless recognize that our response to these issues requires our careful, deliberate, and timely response.

In preparing our response to the Legislature, I have asked four members of the Board of Governors to work with me on the Legislative Committee. I anticipate some members and staff will be traveling to Juneau during the upcoming 90-day session to present the Bar Association's perspective on these and other issues. As the Board works with our membership and staff, we will focus on three legislative priorities:

1. Developing a strategy for the 2008 legislative session that effectively addresses questions raised by the legislature.

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### The Alaska BAR RAG

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## EDITOR'S COLUMN

### One of us

By Thomas Van Flein

Putting the lawyer jokes aside and popular (mis)perception, my general opinion of our profession is that as a group we act more professionally and ethically than most other professions. We have our notable exceptions, but fortunately these are truly exceptions. With this in mind, the recent indictment of one of our colleagues and former bar president for alleged actions while in public office presents once again the issue of legal ethics. I hope the allegation is not true. But the allegation itself is sufficient to look at this issue.

Some of you may recall that the last major evaluation of legal ethics and reform came about after another political scandal. As reported by Professor Vincent Johnson in "Attorney Ethics Reform in the United States" (American Bar Association Asia Law Initiative May 2004), "It became clear during the Congressional hearings into Watergate that many lawyers had been involved in wrongdoing during the Nixon administration. There was extensive bad publicity for the legal profession. As a result, there were widespread calls for greater attention to issues of attorney professional responsibility."

With 30 years of new rules and legal education to draw from, how did our profession fare relative to the alleged political corruption scandal in Juneau?

**It is worth applauding and publicly noting that two of our bar members who were also legislators, Eric Croft and Ethan Berkowitz, resisted the undue influence in Juneau, opposed it, and publicly pointed out its inappropriateness at the time it was going on.**

In a way, better than you might think at first blush. All but one of the seven so far involved are not Bar members. I suppose that is one too many, but considering the proportionally high percentage of lawyers in government, it could have been worse. And, even if the government can prove its allegation against our former bar president, the allegation is pretty tame both in real terms and in comparison to the others allegedly involved. Maybe there is more to the story that will come out, but so far what has been made public against our former bar president is, in the context of political corruption, minor league. Put down your pen. By saying that, do not think I am condoning anything, assuming the truth of the allegations. But there are degrees of culpability. All lawyers should know this. All judges certainly do. Nor am I an apologist for our profession. But I think we owe it to be fair, even in circumstances where piling on is easy.

It is worth applauding and publicly noting that two of our bar members who were also legislators, Eric Croft and Ethan Berkowitz, resisted the undue influence in Juneau, opposed it, and publicly pointed out its inappropriateness at the time it was going on. In fact, no other



**The failure of our prior state attorneys general... should be the subject of a legislative inquiry all by itself.**

publicly elected officials took a public position for doing what is right other than these lawyer-legislators.

And do not forget two other lawyers: Wayne Anthony Ross and Wev Shea. Though on the opposite political spectrum from Eric Croft and Ethan Berkowitz, Wayne Ross and Wev Shea shared with those two the common thread of decency and honesty in government and publicly voiced their outrage at the open (and allegedly not so open) sell-out of our government. Other than now being able to say "I told you so," none of these four lawyers has been recognized for their ethics and standards. They deserve our appreciation and respect and they brought honor to our profession by their citizenship and public advocacy. Keep in mind, at the time these four spoke up, there was no government investigation and they were staring power and authority straight in the eye.

Other lawyers let us down for not doing their jobs. Much of what is now being pursued by federal prosecutors was well known for years. The whole "consultant" routine was then and remains to this day thinly veiled bribery. Where was our state attorney general all those years? Don't we have a white collar crime unit? Couldn't a moderately experienced prosecutor cut through the contractual "consulting" pretext fairly easily? Is it not against state law to exchange money

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## Legislator seeks Bar restructuring

*Continued from page 1*

reason they opposed the process of the Substitute, even if they empathized with the spirit behind it.

Second, on the House floor, Speaker Samuels led an effort to make all members of the Board of Governors subject to legislative approval. As far as we are aware, no non-Gubernatorial appointed boards are subject to this hurdle. This move would give the legislature the power to veto the very Board members elected by bar members. Such a confirmation process could potentially politicize

### Committee formed

*Continued from page 2*

2. Articulating a long-term strategic plan that addresses the role of the Bar Association in the context of our state government, the Alaska Constitution, and the Alaska Supreme Court's role in supervising Alaska attorneys.

3. Taking the initial steps to implement our long-term strategic plan, specifically in our interactions with the Executive branch and the Legislative branch of government.

In all of these efforts, the Board and I will continue to rely on the support, advice, and guidance of our members. At some of the hearings in Juneau, we have heard suggestions that the Bar Association is not responsive to our members' concerns, and that some members are more comfortable addressing concerns to a legislator rather than communicating directly with your representatives on the Board of Governors. While these suggestions differ from my experience on the Board, I encourage each member to communicate with the Board about any issue of concern.

For example, one of our members suggested that we provide a Bar Rag subscription to each legislator to help keep the Legislature informed about our activities. We promptly followed this suggestion by sending out the most recent issue of this newspaper to our state legislators and adding them to our subscriber list. If you have thoughts or suggestions on these and other matters, please take the time to communicate with us. In the months and years ahead, the strength of our organization will depend on the quality of your participation.

the Board. Although this move narrowly passed on the second reading, it ultimately failed.

The bill, now a two year extension without amendment, passed quickly through the Senate and is currently on the Governor's desk.

What do we expect for 2008? More of the same. Rep. Stoltze has already proposed HB 265, which is his Committee Substitute in stand-alone form. We also anticipate another move to require legislative approval of the Board of Governors.

What does this mean to you? The Board will be spending more time (and more of your money) dealing with legislative issues in 2008. Once again, we will be asking members to be prepared to contact their legislators about these issues.

Bar Counsel has advised that there are significant legal concerns with any

seizure of the Bar's Funds. Both Bar Counsel and Legislative Counsel identified significant separation of powers issues related to legislation that requires legislative consent to Board elections. While we will do our best to keep this discussion in the legislative forum, we will also be prepared to address these issues in another forum if necessary.

Some legislators have cited anonymous "member comments" as the driving force behind these changes. Others have cited a need for transparency, a need to exercise greater control over the judiciary, and a simple need to increase revenue sources. The Board of Governors has long recognized and followed the careful supervision and direction of the third branch of government, the supreme court. The Board has a long history of being responsive

to the concerns of our members. We believe the Bar is an efficient, effective, and professional organization that provides valuable service to the public and to our members.

To the extent there is actual dissatisfaction among the membership, the Board has always been ready, willing, and open to listen to any member concerns. We believe that member concerns are best addressed by the Board directly, rather than funneling information or directives through the Legislature. We will keep the membership informed regarding our concerns as these we continue to address these topics with the Legislature and the Governor. You should feel free to contact any member of the Board, Bar staff, or the Board itself with any suggestions and concerns you may have.

## Full Text:

### HOUSE BILL NO. 265

00

01 "An Act making disbursements by the Alaska Bar Association subject to legislative  
02 appropriation as program receipts under the Fiscal Procedures Act and relating to the  
03 Alaska Bar Association's budget; relating to employees of the Alaska Bar Association;  
04 establishing the lawyers' fund for client protection in the general fund; and providing  
05 for an effective date."

06 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

07 \* Section 1. AS 08.08.080(c) is amended to read:

08 (c) Consistent with this chapter and the Alaska Bar Rules, the board may

09 (1) provide for employees of the Alaska Bar, the time, place and  
10 method of their selection, and their respective powers, duties, terms of office, and  
11 compensation; an employee hired under this paragraph is not a state employee for  
12 any purpose;

13 (2) establish, collect, deposit, invest, and, subject to appropriation by  
01 the legislature, disburse membership and admission fees, penalties, and other funds;

02 (3) sue in the name of the Alaska Bar in a court of competent  
03 jurisdiction to enjoin a person from doing an act constituting a violation of this  
04 chapter;

05 (4) provide for all other matters affecting in any way the organization  
06 and functioning of the Alaska Bar.

07 \* Sec. 2. AS 08.08 is amended by adding a new section to article 2 to read:

08 Sec. 08.08.105. Annual budget. The Board of Governors shall submit a  
09 budget for the Alaska Bar Association for each fiscal year to the administrative  
10 director of the Alaska Court System. The administrative director of the Alaska Court  
11 System shall annually submit that estimated budget to the governor for information  
12 purposes in the preparation of the executive budget.

13 \* Sec. 3. AS 08.08 is amended by adding a new section to article 5 read:

14 Sec. 08.08.255. Lawyers' fund for client protection. (a) The lawyers' fund  
15 for client protection is established in the general fund to compensate individuals who  
16 have lost money, property, or other things of value as the result of the dishonest  
17 conduct of a lawyer.

18 (b) The legislature may appropriate money to the fund from Alaska Bar  
19 Association member dues, income earned on investment of the money in the fund, and  
20 all money collected by the Alaska Bar Association under its subrogation rights of the  
21 fund's applicants claims. Money in the fund does not lapse. The Alaska Bar  
22 Association may use the money in the fund to pay for claims against the fund for  
23 hearing and legal expenses directly related to fund operations and claims. Nothing in  
24 this section creates a dedicated fund.

25 (c) A claim against the fund must meet the requirements and follow the  
26 procedure established in the Alaska Bar Rules. A claim may not be made for a loss  
27 that is covered by insurance or bond.

28 \* Sec. 4. AS 37.05.146(c) is amended by adding a new paragraph to read:

29 (82) receipts of the Alaska Bar Association (AS 08.08.080(c)(2)).

30 \* Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to  
31 read:

01 APPLICABILITY. A claim filed before the effective date of sec. 3 of this Act against  
02 the Alaska Bar Association's lawyers' fund for client protection shall be considered a claim  
03 against the lawyers' fund for client protection established under AS 08.08.255, enacted by sec.  
04 3 of this Act.

05 \* Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to  
06 read:

07 TRANSITIONAL PROVISIONS. The Alaska Bar Association shall transfer the  
08 balance of the lawyers' fund for client protection existing before the effective date of this  
09 section to the lawyers' fund for client protection established under AS 08.08.255, enacted by  
10 sec. 3 of this Act.

11 \* Sec. 7. This Act takes effect July 1, 2010.

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# Testimony by telephonic or other electronic means — LOL

By Kenneth Kirk

BEGIN REQUESTED PORTION OF TRANSCRIPT

**Judge:** Alright, are we ready for the next witness? Is this going to be the one we discussed this morning?

*Plaintiff's counsel:* Yes, your honor.

**Judge:** I will tell you right off the bat, I'm uncomfortable with allowing this. I know I sent out a pretrial order which said I would allow testimony by "telephonic or other electronic means", but what I had in mind was something like video conferencing. This is kind of beyond the intent....

*Plntf cnsl:* But your honor, defense counsel isn't objecting, and the witness is ready to go....

**Judge:** I'm going to let you do it, I'm just saying the whole thing makes me uncomfortable. This will be the first time, I believe, that anyone has testified in this state by instant messaging system. But go ahead, get the witness online.

*Clerk:* Do you swear or affirm that the testimony you will give will be the truth, the whole truth, and nothing but the truth?

WITNESS: Y.

**Judge:** You have to say... make that type... the whole word.

WITNESS: Yes.

*Clerk:* Type in your name and address please.

WITNESS: hotdude432@yippee.com

*Plntf cnsl:* Mr. Hotdude, how do U no the defendant, Mr. Lars Smedley?

**Judge:** Counsel will please try to spell properly.

*Plntf cnsl:* Sorry, your honor.

**Q:** How do you know the defendant?

A: NEVER HERD OF HIM.

**Q:** Would it help if I told U... sorry, your honor... you that he is also known as Trekfan893 @coolmail.com?

A: OH, OK. WE CHAT ALL THE TIME.

**Q:** By IM, by email, or what?

A: IM NOW. WE USE 2 DO CHAT ROOMS BUT THATS SO 2003.

**Q:** In February 2005, did he tell you something about his co-worker, Mr. Bob Smiley?

A: SURE BUT IMHO HE WAS JK.

**Q:** And did he say what he was going to do to him?

**Judge:** Wait a minute, what do IMHO and JK mean?

*Plntf cnsl:* 'In my humble opinion' and 'just kidding'.

**Q:** Did he say what he might do?

A: OMG, IT WASNT FOR RILLS.



"This will be the first time, I believe, that anyone has testified in this state by instant messaging system. But go ahead, get the witness online."

**Q:** Please answer the question.

A: HE'S A TREKKIE, U CANT B SIRIUS.

**Q:** What did he say?

A: HE SAID HE'D STEAL HIS CELLIE AND REPROGRAM IT.

**Judge:** The court will take judicial notice that "cellie" means cellular telephone.

**Q:** Did he say this more than once?

A: OVER AND OVER. HE ALSO SED HE WAS GOING 2 LEARN KLINGON, THINK HE DID?

*Def cnsl:* Your honor, I object. His answer about what he was going to do was based on opinion, non-responsive, and should be stricken.

**Judge:** Counselor, he answered that question some time ago. You should have objected then.

*Def cnsl:* I was trying to get my answer typed in. It takes a while.

**Judge:** Try typing in "object" next time, enter it, then work on the explanation. In the meantime, objection is overruled, it's taken FWIW.

*Def cnsl:* Huh?

**Judge:** It'll go to weight. Next question.

*Plntf cnsl:* And did the defendant say how he was going to do that?

A: HE SED HE'D ASK TO BORROW IT, GO 2 THE CAN, REPROGRAM IN THE STALL, THEN GIVE IT BACK.

**Q:** And what was he going to reprogram it to do?

A: IDK.

**Q:** Meaning?

A: I DON'T KNOW. I DIDN'T TAKE HIM 4 REAL.

**Q:** To make his return calls forward to voice mail, which the defendant didn't know how to access?

A: HE DINT SAY.

**Q:** What did he say about it?

A: JUST IT'LL MESS HIM UP ON CALLBACKS.

**Q:** Can you be more specific?

A: OK, HE SAID "I'M GONNA F\*\*\* THIS JOKER UP" AND I'M LIKE "CELLIES ARE

LESS THAN \$100, SO WUT" AND HE'S ALL "BUT HE WON'T GET HIS CALLS" AND SO I'M "THAT'S JUST A PAIN BUT NO BIGGIE" AND HE GOES "THOSE ARE SALES CALLS AND IT'LL COST HIM A BUNDLE" AND I'M ALL "WHOA DUDE, HEAVY S\*\*\*".

*Plntf cnsl:* Sorry I asked.

*Def cnsl:* I object, leading the witness.

*Def cnsl:* Dang. Too late again?

**Judge:** Y.

*Plntf cnsl:* But he did say he was planning to mess up his cell phone?

A: YEAH, OTOH HE SAID LOTS OF STUFF.

**Q:** Just answer the Q.

A: THE WHAT?

**Q:** Uh... the question.

A: OMG, ALREADY DID. HOW MANY TIMES?

**Q:** And he asked you to tell him how to reprogram it, didn't he?

A: WTF!

**Judge:** Hey, I know what that means! The witness is admonished.

*Plntf cnsl:* Please answer the question.

A: I DUNNO.

**Q:** You even directed him to a dirty tricks website, didn't you?

A: 5AM, 5AM!

**Judge:** Does that mean you're taking the Fifth?

A: YYY.

**Judge:** You realize that in a civil case I can draw negative inferences from your refusal to testify?

A: GTG, TTYL.

**Judge:** Wait, you can't just....

*Plntf cnsl:* No further questions for that witness, your honor.

**Judge:** All right, if there are no further questions, call your next witness.

*Plntf cnsl:* I'll call my client's mother, she's waiting outside.

*Def cnsl:* Object, irrelevant.

*Def cnsl:* Dang.

END OF REQUESTED PORTION OF TRANSCRIPT.  
LSR.

## 26 pass the February 2007 Bar Exam

Emily Anderson	Devoron Hill	Zachary Renfro
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Robert Campbell	Julia R. Meier	Thomas Smith
Joseph Dallaire	David A. Monroe	Deborah Stojak
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## Keeping on top of the caseload

By Steven Pradell

It is so easy to get overwhelmed. Things happen. Emergencies occur. Family Law lawyers are called at odd times when things go wrong with visitation, finances and domestic violence issues and expected to drop everything, meet with clients, file pleadings and attend emergency hearings.

How does a busy practitioner stay on top of things? How can one meet all of the deadlines, court dates and responsibilities required and have a life outside of the office?

There is no simple answer, but there are a few basic steps that can be taken to avoid problems and plan for the unexpected.

We have all seen the lawyers who routinely show up habitually late, without their calendars, with disorganized files. Others always run to court at 4:29 p.m. to file pleadings at the last minute. Poor planning may be to blame.

A mentor told me years ago that he begins each civil case by thinking about the jury instructions. Yes, the jury instructions. These are often the last things normally submitted to the court at the conclusion of the case. As organization guru Stephen Covey wrote in his landmark book, *The Seven Habits of Highly Effective People*, habit 2 is to begin with the end in mind. What issues are really going to be important? What is that trial brief going to say? What will you need to convince the court to rule in a way that benefits your client?

By starting to think in terms of the end rather than the present, one suddenly goes from a "put out the fire" approach to a larger perspective, and the forest can be seen through the trees. How will what is happening today effect the outcome of the case? How can we focus our clients to keep the end in mind? This framework may make it easier to separate us from our client's emergencies and help them to resolve issues more rationally.

This also can affect how we organize our practice. When times are slow and we have a moment, instead of going home early we can work on long term, less urgent issues such as witness lists, trial briefs, exhibits, and other matters often left to the last minute. Thinking along these lines may help us to see what is missing from the file and whether additional discovery needs to be taken early on, not after discovery is closed.

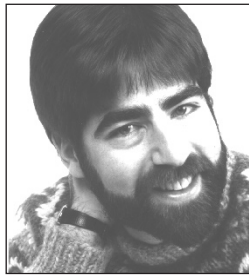
Deadlines are of concern. Teaching support staff to create tickle slips, automatically update office and personal calendars often, making time to stop and see the big picture and starting projects ahead of time can help to eliminate urgencies and last minute requests for extensions, which are some times inevitable.

A judge or other court official who rarely sees a practitioner asking for extra time, coming to court late or otherwise failing to follow court procedures may give a little more latitude when that time comes when things are overwhelming and you need that little bit of extra help to meet all of your obligations.

Yes, it takes more time to create a pleading index and a tabbing system, or to put numerous exhibits into a binder for ease of reference by the court and counsel. But the benefits of

being organized and able to quickly find something during a complex matter can't be understated.

It may be helpful after a hearing is over to go back to the office while things are still fresh, review your notes, and write a detailed letter to the client stating what occurred. Your secretary, who was not at the hearing, now knows about all of the new deadlines and developments. Your client now has something they can review in hand, rather than a vague idea of things that they may have failed to catch while emotionally charged in court. You and your associates now have a permanent record of what occurred in the file for future reference, especially if you are otherwise unable to continue with some portion of the case at a later date.



**"How can one meet all of the deadlines, court dates and responsibilities required and have a life outside of the office?"**

ance. These things do happen. Plan for them.

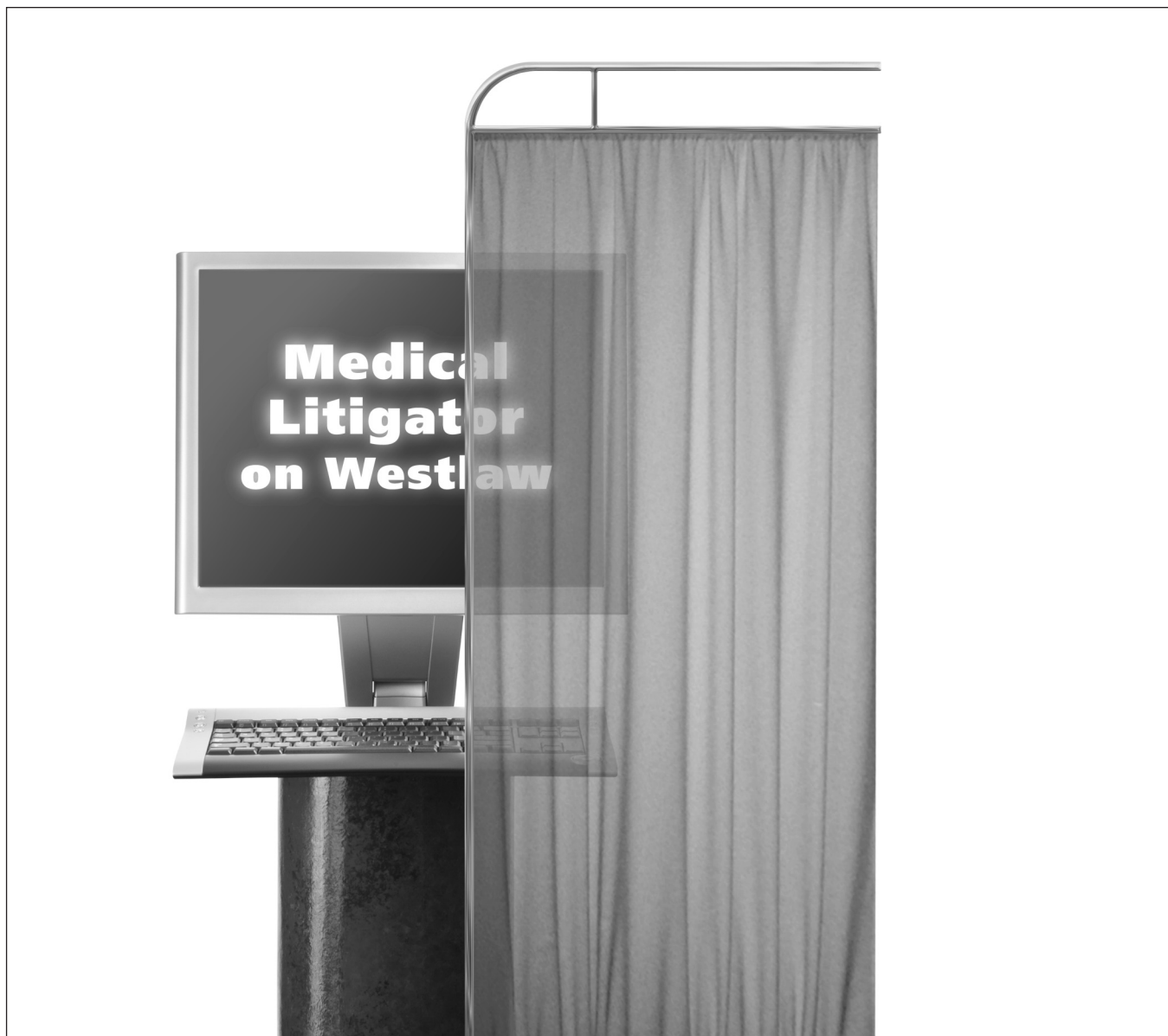
Certain calendars don't work for everyone. You may prefer a hand held computer, or you may find that a paper calendar is better for you to see the big picture. Experiment. See what works best. There is no right answer. But be sure that you have a

Scheduling time for clients to get to your office in advance of hearings or depositions and planning to arrive early is also beneficial. That extra built in time can be crucial if a client bombards you with last minute evidence or new witnesses, you realize an important document is missing, the traffic is terrible, or you show up to learn that the court reporter's office or the judge's courtroom moved since your last appear-

ance. These things do happen. Plan for them.

Finally, sending out your bills in a timely manner is also an effective organization tool. I complete the billing cycle so that statements are received on or before the first of the month, when people have their checkbooks in hand ready to pay their mortgages, car payments, and other monthly expenses. If they arrive too late, the money may already be spent elsewhere or your bill will go to the bottom of the pile and join the stack of the next month's expenses. Some attorneys are months behind on their billings. Clients don't want to pay an old bill that they have forgotten about.

© 2007 by Steven Pradell. Steve's book, *The Alaska Family Law Handbook*, (1998) is available for family law attorneys to assist their clients in understanding domestic law issues. Steve's website, containing additional free legal information, is located at [www.alaskanlawyers.com](http://www.alaskanlawyers.com).



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# The ringer plays Alaska enroute to the Hall of Fame

By Bill Oberly

On August 28, 1965 a baseball game took place in the old Anchorage baseball stadium between the Anchorage Bar Association team and a team of allstars from the Alaska Baseball league. The Bar Association team had a ringer, pitcher Leroy Paige. The catcher for that team was The Honorable James Fitzgerald.

*"I ain't ever had a job, I just always played baseball."*

— Satchel Paige

The catcher's mitt is a tool particularly well suited for its purpose, catching baseballs. Catching baseballs thrown straight, curving, dropping or fluttering at anywhere from 50 to 100 miles per hour. Evolution has constantly worked on most pieces of sports equipment, but not the catcher's mitt. Early on it was designed as a round, padded pillow with a small web in the corner, meant to softly receive a hard sphere hurled from 60 feet 6 inches, while also able to be used to catch a ball hit 200 feet in the air while leaning over a guard rail. It's shape has changed very little since then. It is a catcher's best friend in his relationship with his pitcher.

The relationship between a catcher and a pitcher is one of the most complicated and intimate relationships in sports. It is relationship between two men based on a deep knowledge of each others strengths and weaknesses, both physically and mentally. When a catcher and pitcher are in sync, it resembles an assembly line working at full efficiency. When they are not, it is a painful demonstration of the difficulty of human communication. And sometimes this relationship must develop over an extremely short period of time.

Such was the case when James Fitzgerald, former U.S. Attorney and then Presiding Judge of the Superior Court in Anchorage, and Leroy Paige, former Negro league pitcher and at that time between jobs were involved in a baseball game. Both went by nicknames. Satchel and Fitz. One got his name when, as a young man he carried suitcases for passengers on the Louisville and Nashville Railroad, the other, well that should be obvious. They had met on a Friday and

played a game together on Saturday. But pitching and catching involves a special language, understood by its practitioners with little translation.

Fitz had seen Satchel pitch before. He was a catcher for his high school baseball team. While in high school in Portland, Oregon, he had gone to a game between the traveling Kansas City Monarchs, a Negro League team barnstorming to earn money during the off season, and the House of David, a team from a religious community in Benton Harbor, Michigan whose purpose was to gather the 12 lost tribes of Israel to await the Millennium. Satchel was in his mid thirties and in his prime. While watching Satchel Paige weave his magic against the House of David team, Fitz never dreamed that one day he would catch this pitching star.

*"Age is a question of mind over matter. If you don't mind, it doesn't matter"*

— Satchel Paige

But here he was waiting to introduce an icon, the famous Satchel Paige, to the members of the Anchorage Bar Association at their monthly luncheon. The year was 1965. Satchel had been brought to town by the individuals who were trying to bring semi pro baseball to Anchorage to be called the Anchorage Earthquakers. They were hoping to interest the then 59 year old Paige to manage and play a season or two in Alaska. He had last pitched in the major leagues 12 years prior and last played organized baseball at any level 8 years before. But he was never far from the game, playing for various barnstorming teams, picking up what work he could playing baseball. And now he was in Anchorage, Alaska.

At the time the Anchorage Bar Association had a baseball team that played ball in the Alaska League. The other teams were filled with former high school and college players. It was a competitive league and the players who took the time to play took winning seriously. The Bar Association team contacted Paige and convinced him to pitch for them for one game. They then contacted the other teams in the league to put together an all-star team to face the former Negro

League star. It all came together in August of 1965.

Judge Fitzgerald, being the stickler for rules that he was, knew that anyone who played on the Bar Association team had to be connected to the legal community. So, at the monthly meeting of the Anchorage Bar Association the 43 year old Presiding Judge of the Superior Court in Anchorage introduced the 59 year old future member of the Hall of Fame as the newest Superior Court law clerk. This law clerk had only one duty with the court. From that day on, Judge Fitzgerald always referred to Paige as "Satch".

*"I never rush myself. See they can't start the game without me."*

— Satchel Paige

August 28, 1965 was a typical Anchorage August day, cold and gray. Paige complained before the start of the game about the weather, so different from that of his home in Kansas City. But the grass is always greener and the day always warmer when one is on a baseball field. Judge Fitzgerald remembers the game being played at the old Mulcahy Stadium. Built in 1949 on the corner of 7th and C Streets, the stadium sat 750, a pittance compared to some of the crowds Paige had pitched in front of but much more than the Legal Eagles were used to having on hand. On this evening the stands were full.

Jim Fitzgerald met Leroy Paige at home plate. "Let me warm you up before we start." said the young catcher. "Don't need to warm up. I'll just throw a few before the game. That's enough." said the law clerk. And, according to Judge Fitzgerald, Paige never did warm up that day.

As Satchel Paige took the mound, Jim Fitzgerald settled in behind the plate. Fitz used the commonly accepted signals between pitcher and catcher to indicate what pitch he thought Satch should throw; one finger down for fastball, two for a curve ball, three for a change-up. As the game progressed Fitz came to realize that no matter what signal he gave Paige, the pitch was always the same. Gone were Paige's famous "Hesitation Pitch", "Bat Dodger",

"Midnight Rider" and "Four-Day Creeper" which had fooled the likes of Ted Williams, Joe DiMaggio and Buck Leonard. Instead he used a sidearm, almost submarine or below the hip, delivery to get the ball to home plate, and not near as fast as he used to. Nothing Fitz did changed the pitch one bit. "He was his own man on the mound." But all of the pitches were close to home plate and none was above a batter's belt. Easy to catch, hard to hit.

Paige was 59 years old at the time and not used to cool Anchorage weather. As a concession to these factors, and to the fact that all involved were playing baseball with one of the best pitchers ever to rub up a baseball, Paige was allowed to pitch every other inning, alternating with Roger Cremo, one of the aces of the Legal Eagles. As the game progressed, Paige's already modest fastball began to slow and his control waned slightly. Where his early pitches grazed the inside of the strike zone, his later pitches were missing. But not by much. As the home plate umpire began calling more and more balls, Paige's catcher, Presiding Superior Court Judge James Fitzgerald, began pleading his pitcher's case. After one particularly close pitch, the catcher turned around and pleaded "For goodness sake, can't you give the old guy a break." The umpire fired back, "What do you think I've been doing." That ended the lobbying for calls from the umpire.

After pitching four innings, Satchel Paige was pulled for a relief pitcher. Satch sat in the dug out for the next inning or two and this announced "I'm going to leave now." And he did.

Jim Fitzgerald continued to catch the game. During one of his at bats the third base coach gave him the bunt sign. Judge Fitzgerald had to look twice at the sign since, not being known as fleet of foot, he had never been asked to bunt before. He laid down a perfect bunt, and, despite his catcher's speed, or lack thereof, he beat out the bunt for a hit. After the game was done Jim Fitzgerald thought back on what had happened. He had caught Satchel Paige, a legend in baseball, and had beaten out a bunt for a base hit. He thought to himself, "This has gotta be my best day in baseball, I'm gonna make it my last." And he did, never playing organized baseball again.

*"Don't look back.*

*Something might be gaining on you."*

— Satchel Paige

Satchel Paige left Alaska after a week and a half, and later that year hooked up with the Kansas City Athletics for one more game in the major leagues. On September 25, 1965 he got up from a rocking chair in the Kansas City bullpen to pitch three innings of relief and become the oldest player in major league history at the age of 59. In 1971 Leroy Satchel Paige was enshrined in the Baseball Hall of Fame. James Fitzgerald remained in Alaska and went on to serve on the State Supreme Court and on the federal District Court. But for one moment in time Satch and Fitz communicated as only a pitcher and catcher can. For one moment in time they were a team.



## 2008 ALASKA BAR ANNUAL CONVENTION & JUDICIAL CONFERENCE

Anchorage  
April 30, May 1, and May 2

Don't miss  
Justice Ruth Bader Ginsburg  
Supreme Court  
of the United States

## A Walk in the Park

*Question: What do you do after hosting the Chief Justice for three beautiful sunny spring days in Fairbanks?*

*Answer: You haul him down to Denali Park to slog through alders, mud, scree, snow, and sleet.*

In May we were blessed with three days of beautiful weather in Fairbanks for the annual bar convention. From the feedback I received, most were very pleased with the convention. The Chief was very gracious about putting up with some interesting Fairbanksisms – like having no hot water one morning. I'm not certain if the hotel manager has yet recovered from the "discussion" over this issue with a certain CLE Director.

After having a successful and relaxing convention, we decided to risk it all and take the Chief to Denali for a hike. Of all the Alaska experiences we offered the Chief, a hike was what he really wanted to do.

Barbara Armstrong, Bob Groseclose and Cam Leonard did most of the planning. The tentative plan was to drive down to the park in the morning, do a quick day hike to try to glass for some sheep and then stroll back to the cars. We did not factor in wind, rain, snow, sleet, and various other mail carrier code tests of endurance.

The car ride down was pleasant but foreboding. We went through some pretty nasty flurries on the Parks Highway. Along the way we pointed out various sights (yes, including Skinny Dicks) and told every bear story we had ever experienced or read about.

For those of you who have not hiked with Mr. Groseclose and Mr. Leonard, it is an experience. They are in somewhat better shape than me, the Chief, his security detail, and most mountain goats. Their idea of a "quick day hike" is somewhat more adventuresome than what the rest of us had in mind. After some discussion of various death march scenarios, we decided to head up Primrose Ridge Trail off the park road.

"Primrose Ridge Trail" is really just a caribou trail that leads from the road up to an anonymous ridge on Mt. Margaret. We slogged through some alders pointing out various animal sign to the outside visitors. At some point we realized that this was turning into a scatological tour of interior Alaska so we simmered the poo discussion down.

We broke out of the alders and climbed to about 4000 feet. The sun poked out for some quick pictures but it was pretty breezy. We side hilled just below the ridgeline for a few miles, picking our way across



**Hike with the Chief. L-R: John Tiemessen, Bob Groseclose, Chief Justice John Roberts, Andy Ruggles (Federal Officer, Supreme Court of the U.S.), and Cameron Leonard.**

snow fields and only postholing a few times. We spotted a herd of sheep about a half mile away. Although we were below them, we had a cross wind and they seemed aware but relatively uninterested in us.

We worked our way closer to the sheep until we were a few hundred yards away. We glassed the sheep for a few minutes and then two of the rams started pushing each other around. This culminated in some impressive head butting with the bowling pin sound echoing across the hill side.

Figuring we could not top this, we decided to turn back toward the road. On the way down, we were feeling pretty tough until we passed a family with a couple of school age kids in tennis shoes scrambling up the ridge.

Just as we approached the road, it began to spit sleet on us. We had a great trail lunch at Savage River and then drove back to Fairbanks - a perfect end to a spring Alaska walk in the park.

### EDITOR'S COLUMN

## One of us

*Continued from page 2*

for votes?

Actually, it is against state law—and a Class B felony at that. It is illegal under state law to offer to bribe or bribe, AS 11.56.100, and it is against state law to receive such a bribe. AS 11.56.110(a): "A public servant commits the crime of receiving a bribe if the public servant

**The whole "consultant" routine was then and remains to this day thinly veiled bribery. Where was our state attorney general all those years? Don't we have a white collar crime unit? Couldn't a moderately experienced prosecutor cut through the contractual "consulting" pretext fairly easily?**

(1) solicits a benefit with the intent that the public servant's vote, opinion,

judgment, action, decision, or exercise of discretion as a public servant will be influenced; or (2) accepts or agrees to accept a benefit upon an agreement or understanding that the public servant's vote, opinion, judgment, action, decision, or exercise of discretion as a

public servant will be influenced."

Yet, for years this has gone on without state scrutiny, with little effort to hide it, even after being questioned by members of the public, particularly Ray Metcalfe. The failure of our prior state attorneys general (not our current attorney general, however, under whose watch this did not occur) to take any steps to pursue this

should be the subject of a legislative inquiry all by itself. It is not for a lack of laws, lawyers or money that this was not pursued. At best, it is simply

**Does the current scandal warrant reform in our professional rules of ethics? Probably not. That which was allegedly done here was already illegal, and all lawyers are obligated to comply with the law, irrespective of whether they hold public office.**

a lack of competence at the top. We can save for another day the ineffectiveness of APOC and the Fourth Estate, whose inability to conduct any meaningful review demonstrates a serious flaw in the structure of these entities.

Does the current scandal warrant re-

form in our professional rules of ethics? Probably not. That which was allegedly done here was already illegal, and all lawyers are obligated to comply with the law, irrespective of whether they hold public office. The comment to Model Rule 8.4 provides, in relevant part: "Lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer's abuse of public office can suggest an inability to fulfill the professional role of lawyers."

Accordingly, the rule states that "it is professional misconduct for a lawyer to . . . (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation; [ . . . and] (e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law." Again, it is not for lack of guidance or a lack of rules that this may have occurred; rather, if the allegations are true, it would be a failure to comply with the rules.

### Alaska Bar Association CLEs – June – October – scheduled to date

June 22	11:30 a.m. – 1:15 p.m.	Managing Cases Involving Persons with Mental Disorders: Effectively Communicating with Persons with Mental Disorders – CLE #2007-006 1.5 general CLE credits	Anchorage Downtown Marriott Hotel
June 22 (NV)	3:30 – 5:00 p.m.	Off the Record: 1 <sup>st</sup> Judicial District CLE#2007-026 1.5 general CLE credits	Juneau Centennial Hall
August 7	4:00 – 5:00 p.m.	12 <sup>th</sup> Annual Informal Discussion with the 9 <sup>th</sup> Circuit CLE#2007-1 1 general CLE credit	Anchorage Downtown Marriott Hotel
September 14	8:00 a.m. – 4:45 p.m.	"Look Good" Cross Examination With Terry MacCarthy and Ray Brown CLE#2007-008 CLE Credits TBA	Anchorage Hotel Captain Cook
October 17	8:30 a.m. – 12:30 p.m.	Dealing with High Conflict Personalities: Clients & Opposing Counsel! With Bill Eddy, Lawyer & Therapist, National Conflict Resolution Center, San Diego CLE#2007-020 3.75 general CLE credits	Anchorage Hotel Captain Cook

## New rules proposed for interns, foreign consultants

The Board of Governors invites member comments concerning the following proposals regarding the Alaska Bar Rules and Bylaws. Additions have underscores while deletions have strikethroughs.

### Alaska Bar Rule 44. Legal Interns.

At the September 2006 meeting, the Board considered requests from Assistant Public Advocate Leslie Hiebert, Anchorage Municipal Prosecutor John McConaughy, and Deborah O'Regan regarding revisions to Alaska Bar Rule 44 relating to legal interns.

The Board discussed concerns in four areas: 1) the necessity for client consent to the participation of the legal intern; 2) whether a legal intern's practice should be permitted in superior court; 3) whether a permit should be revoked if the legal intern fails a bar exam; and 4) the length of a permit and under what circumstances a legal intern should be permitted to renew a permit.

At the January 2007 meeting, the Board concluded: 1) that client consent should not be required; 2) that legal interns should not be permitted to appear in superior court without supervision; 3) that there should be no revocation of a permit if the legal intern fails a bar exam; and, 4) that a legal intern may receive two (2) one year permits.

This proposal incorporates those concerns:

#### Rule 44. Legal Interns.

**Section 1. Practice Authorized When.** The Integrated Bar Act prohibits the practice of law by anyone not admitted to practice in Alaska. This rule does not authorize an intern to perform any function prohibited by that Act other than those specifically set forth herein.

**Section 2. Definition of Legal Intern.** A "legal intern" is any person who has on file with the Alaska Bar Association an effective permit issued by the Bar Association through its Executive Director.

**Section 3. Eligibility for Intern Permit.** Every applicant for an intern permit shall:

(a) File a written request for an intern permit, a letter from an at-

torney authorized to practice law in Alaska agreeing to supervise the intern, n application in the form prescribed by the Board and produce and file the evidence and documents herein required by this rule as proof of eligibility for the permit;

(b) Be a student who:

(1) Is duly enrolled in a law school which was accredited or approved by the Council of Legal Education of the American Bar Association or the Association of American Law Schools when the applicant entered, or is enrolled in a law school in which the principles of English common law are taught but which is located outside the United States and beyond the jurisdiction of the American Bar Association and the Association of American Law Schools, provided that the foreign law school in which he or she is enrolled meets the American Bar Association Council of Legal Education Standards for approval;

(2) Has successfully completed at least one-half of the course work required for a law degree;

(3) Has filed with the application a certificate from the dean or other chief administrative officer of his or her law school, stating that he or she meets the requirements as set forth in subsections (b) (1) and (b) (2); or

(c) Be a law school graduate who:

(1) Has graduated from a law school which was accredited or approved by the Council of Legal Education of the American Bar Association or the Association of American Law Schools when the applicant entered or graduated, or has graduated from a law school in which the principles of English common law are taught but which is located outside the United States and beyond the jurisdiction of the American Bar Association and the Association of American Law Schools, provided that the foreign law school from which he or she has graduated meets the American Bar Association Council of Legal Education Standards for approval;

(2) ~~Has never failed a bar examination administered by any state of the United States, or the District of Columbia, or, despite failure, has subsequently passed such a bar examination; and,~~

(2~~3~~) Has filed with the executive director a certificate from the dean or other chief administrative officer of his or her law school which states that the legal intern applicant meets the requirements set forth in subsection (c) (1), and either

(i) ~~A personal affidavit stating that he or she never failed a bar examination, as set forth in subsection (c) (2), or~~

(ii) ~~A certificate from the supreme court of the state in which, subsequent to failure, a bar examination was passed.~~

**Section 4. Prior Admission.** Any applicant who has been admitted to practice in another jurisdiction must file a certificate of good standing from each jurisdiction in which the applicant is admitted. If not in good standing, the applicant shall submit

satisfactory proof that the applicant has never been disbarred, suspended or otherwise disciplined.

**Section 5. Act Authorized by Permit.**

(a) A legal intern may appear and participate in all proceedings before any district or superior court of this state to the extent permitted by the judge or the presiding officer if the attorney representing the client is personally present and able to supervise the intern and has filed an entry of appearance with the court and the office of the Alaska Bar Association substantially in compliance with the form set forth in Section 9 of this rule;

(b) A legal intern may also appear and participate before any district court in small claims matters, arraignments, pleas, bail hearings, sentencing and recorded in-chambers conferences without an attorney being personally present to supervise the intern under the following conditions:

(1) ~~If the attorney representing the client has filed an appearance in the case and with the Bar office substantially in compliance with the form set forth in Section 9 of this rule;~~

(2) ~~If the supervising attorney files a certificate with the presiding judge of the judicial district stating that the intern has previously been present and supervised in a similar proceedings and that the attorney believes the intern is competent to conduct such proceedings without the personal presence of the attorney;~~

(3) ~~If the client gives written consent to the appearance. A governmental body may grant approval through its attorney; and~~

(24) If the judge or magistrate agrees to permit the legal intern to participate in the proceedings.

**Section 6. Number and Length Termination of Permits.** A legal intern may receive two permits. Each permit shall be effective for one year from the date of issuance, upon the occurrence of one of the following events whichever occurs first:

(a) ~~The expiration of a period of six months from date of issuance;~~

(b) ~~The failure of an intern to take the first Alaska Bar examination for which the intern is eligible;~~

(c) ~~The failure of an intern to pass any bar examination.~~

**Section 7. Revocation Renewal of Expired Permit.** A permit may be revoked by the Executive Director on a showing that the intern has failed to comply with the requirements of this rule or violated the Alaska Bar Rules or the Alaska Rules of Professional Conduct which has expired under Section 6(a) may be renewed upon compliance with the conditions for issuing an original permit, providing there has been no prior revocation of any certificate, authorization or approval required by Section 5 of this rule. No other permit shall be renewed.

**Section 8. Prior Certification.** All interns certified prior to the effective date of this rule must comply with the provisions of this rule within

30 days of its effective date.

**Section 9. Form.** The form for entry of appearance under Section 5 of this rule shall be substantially as follows:

COMES NOW, ~~(Name of Attorney), attorney at law, and enters his/her appearance on behalf of (Name of Party). Please service all pleadings and notices at counsel's address of record:~~

Pursuant to Alaska Bar Rule IV-44, ~~(Name of Intern) hereby enters his/her appearance as a legal intern. Supervising counsel (Name of Attorney), certifies that he/she is supervising (Name of Intern) in all matters relating to this case.~~

~~(Name of Attorney), also certifies that (Name of Intern) has been supervised in previous proceedings and that the legal intern is competent to appear alone in the following proceedings: (Name of Intern) is a legal intern within the meaning of Alaska Bar Rule IV-44.~~

### Alaska Bar Rule 44. Foreign Law Consultants.

The Code of Professional Responsibility was replaced by the Alaska Rules of Professional Conduct in July 1993.

Unfortunately, the reference to the "Code of Professional Responsibility" in this rule was not changed at that time. This amendment corrects that oversight.

#### Rule 44.1 Foreign Law Consultants.

##### (f) Disciplinary Provisions.

(2) A person licensed to practice as a foreign law consultant shall execute and file with the clerk, in the form and manner as the court may prescribe:

(A) a statement that the foreign law consultant has read and will observe the Rules of Disciplinary Enforcement, Ethics Opinions adopted by the Board of Governors of the Alaska Bar Association, and the Code of Professional Responsibility Alaska Rules of Professional Conduct;

#### Alaska Bar Association Bylaws, Article VII, Section 1(a)(11)

This amendment would change the name of the standing "Judicial Independence Committee" to the "Committee for Fair and Impartial Courts".

The Committee has requested this change to more accurately reflect its goals.

#### Article VII. Committees and Sections

##### Section 1. Committees.

##### (a) Standing Committees.

(11) the Judicial Independence Committee for Fair and Impartial Courts, a Committee responsible for activities that the Bar can undertake to explain and promote the concept of judicial independence, and to undertake to educate the public about and promote the concept of judicial independence.

Please send comments to: Executive Director, Alaska Bar Association, PO Box 100279, Anchorage, AK 99510 or e-mail to [info@alaskabar.org](mailto:info@alaskabar.org) by August 27, 2007.



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## NEWS FROM THE BAR



Matt Claman



Mitch Seaver

## Matthew Claman and Mitchell Seaver are new officers of the Alaska Bar Association

Matthew Claman was elected President of the Alaska Bar Association at its annual convention held in Fairbanks May 2 – 4, 2007. Claman is an attorney with the Anchorage law office of Mendel & Associates.

Mitchell Seaver was elected as the President-elect of the Alaska Bar Association. Seaver is an attorney with the Ziegler Law Firm in Ketchikan.

The other officers elected at the convention are Vice President Bill Granger, a Senior Vice President of Wells Fargo in Anchorage; Treasurer Sidney Billingslea, Law Office of Sidney K. Billingslea in Anchorage; Secretary Krista Stearns, an Assistant Attorney General in Anchorage.

## ALASKA BAR CONVENTION 2008

### Anchorage!

Hotel Captain Cook &  
Anchorage Downtown Marriott

Circle the dates --

April 30, May 1 and May 2, 2008

### KEYNOTE SPEAKER

Justice Ruth Bader Ginsburg  
Supreme Court of the United States

### CLEs

U.S. Supreme Court Opinions  
with Professors Chemerinsky and Levenson

Alaska Appellate Update  
with Professor Chemerinsky

Advanced Legal Writing & Editing  
with Bryan Garner

Ethics Rocks!  
with Jack Marshall, ProEthics

Alaska Native Law Update  
by the  
Alaska Native Law Section

ADR: In Business and In Human Rights  
with  
Ken Cloke, Center for Dispute Resolution,  
Santa Monica, CA

Special Tax Seminar  
with  
Professor Martin Ginsburg,  
Georgetown University Law Center

Trial Practice Program

A Conversation with  
Justice Ruth Bader Ginsburg

### SOCIAL EVENTS

Opening Reception  
Annual Business Meeting Lunch  
25, 50, and 60 Year Pin Lunch  
Awards Reception and Banquet

## Board of Governors Action Items APRIL 30 & MAY 1, 2007

- Denied Applicant's request for admission and will send him written notice of the Board's decision.
- Voted to recommend admission of 14 reciprocity applicants.
- Voted to approve a Rule 43 (ALSC) waiver for Wesley Klimczak.
- Voted to renew the ExamSoft contract (laptop computer use for the bar exam) for two years.
- Authorized the Executive Director to convey to the Oregon State Bar that Alaska is willing to enter into a reciprocity agreement with them under the terms discussed.
- Voted to sign a contract with Casemaker for on-line legal research services for Bar members, and to accept the option for \$1,887/month.
- Did not adopt the ethics opinion entitled, "Lawyer's Duties with Regard to Metadata in Electronic Documents."
- Voted to accept the stipulation for a public censure and two year probation in the disciplinary matter involving Tony Strong.
- Discussed two alternative MCLE proposals from the Alaska Supreme Court and voted to communicate to the court that the proposal which includes a mandatory ethics requirement with a mandatory reporting requirement would be preferable to the current VCLE program.
- Voted to authorize the President to appoint a Board subcommittee to review the issue of tiered bar dues.
- Voted to approve the Lawyers' Fund for Client Protection recommendations for payments following the supplemental reports by the committee.
- Voted to present the current Lawyers' Fund for Client Protection claims against the attorney estate, but the Bar won't make any further claims against the estate.
- Voted to make the following appointments to the ALSC Board of Directors: 1st District: Johanna Sebold (regular) and Janine Reep (alternate), 2nd District: Margaret Thomas (regular) and Connor Thomas (alternate), 3rd District: Greg Razo (regular) and Krista Schwarting (alternate), 4th District: Corrine Vorenkamp (regular) and Harold "Buddy" Brown (alternate), At-Large: Chuck Robinson (regular) and John Treptow (alternate.)
- Approved the minutes of the January meeting.
- Voted to support the two resolutions submitted: the Anchorage Bar resolution seeking repeal of the civil case reporting requirements, and the TVBA resolution regarding courthouse security.
- Voted to nominate the following slate of officers: president-elect Mitch Seaver, Vice President Bill Granger, Secretary Krista Stearns, Treasurer Sid Billingslea.
- Voted to send to the Supreme Court an amendment to Bar Rule 63 which would require document preparers to give certain notices including notice that they are not lawyers, that the document may not be legally enforceable, etc.
- Voted to publish an amendment to Bar Rule 44 (the legal intern permit rule) which would not require client consent to the representation; it eliminates the references to failure of the bar exam; and interns would be allowed two one-year permits.
- Discussed the proposed bar rule amendments regarding immunity and asked Bar Counsel to give the board background on course and scope of immunity and what other Bars have.
- Voted to publish a proposed housekeeping change to Bar Rule 44.1(f)(2)(A) regarding the name of the Alaska Rules of Professional Conduct.
- Voted to publish a proposed amendment to Bylaw Article VIII, section 1(a)(11) to change the name of the Judicial Independence Committee to the Committee for Fair and Impartial Courts.

## MAY 11, 2007

- Voted to certify the results of the February 2007 bar exam.
- Voted to approve an applicant's request for special testing accommodations for the July 2007 exam.
- Informally approved the Executive Director to have an expert review the Bar's forms requesting special testing accommodations.

## National Bar Association chapter formed in Alaska

Members of the Alaska Bar were invited to the inauguration ceremony for the M. Ashley Dickerson Bar Association of Alaska on April 20. The new Alaska chapter has affiliated with the National Bar Association (NBA).

The NBA, formed in 1925, is an association of African-American lawyers. The Alaska affiliate was formed as a legacy of M. Ashley Dickerson, who passed away in February. The inaugural address and installation took place at the law offices of Dickerson & Gibbons in Anchorage.



Chief Justice John Roberts and Bar President John Tiemessen.



North Star Youth Court and Delta Junction Youth Court students with Chief Justice John Roberts. Students assisted with serving dinner at the awards banquet.



Left: Judge Tom Stewart, Dorothea Agüero, right: Judge Vic Carlson at awards reception.



Cathy and Dan Winfree at awards banquet.



Lynn Allingham receives Anchorage Bar Association Ben O. Walters Distinguished Service Award. L: Lynn Allingham, Diane Vallentine, Anchorage Bar President-Elect Caroline Wanamaker.



L - R: Neil Nesheim, ACA First Judicial District; Retired Judge Dale Curda, and Barbara Hood at the awards reception.

## 25 Years of Bar Membership



Front row L - R: Lynn Allingham, Patricia Collins, Deborah O'Regan, Barbara Brink, Fleur Roberts, Gail Ballou, and Tonja Woelber. Second row L-R: Ray Brown, Philip Blumstein, Robert Lintott, Paul Lyle, Keith Levy, Jeffrey Sauer, and Daniel Winfree. Back row L-R: Eric B. Smith, William Carey, Alan Schmitt, David S. Johnson, Daniel Cooper, Kirk Wickersham, and Peter Gamache.

### 50 Years of Bar Membership



Donald Burr

### 60 Years of Bar Membership



John Hughes



Joseph McLean

# Alaska Court System at the Convention



30-year Anniversary on the bench—Judge Beverly Cutler is congratulated by Chief Justice Dana Fabe.



Justice Warren Matthews was honored on the 30th Anniversary of his appointment to the Alaska Supreme Court. Chief Justice Fabe was recognized for 30 years of service to the State of Alaska. L-R: Donna Matthews, Justice Warren Matthews, Chief Justice Dana Fabe.



Judge Ray Funk receives the Alaska Court System Community Outreach Award from Chief Justice Dana Fabe.

## The Men's Choir of the Appellate Courts



L-R: Justice Alex Bryner, Justice Walter Carpeneti, Justice Robert Eastaugh, Justice Warren Matthews, Chief Judge Robert Coats, Judge David Mannheimer, and Judge David Stewart serenaded Chief Justice Dana Fabe with original lyrics to the tune of "O Christmas Tree."

## A choral tribute to Chief Justice Dana A. Fabe

Presented by the Men's Choir of the Alaska Appellate Courts on the occasion of her celebration of 30 years of service as an employee of the State of Alaska

(To the tune of "O Christmas Tree")

We're here today to sing the praise  
Of one who brightens all our days;  
In thirty years of state employ,  
Who's never been one of the boys.  
Whose empathy, we now allege,  
Has humanized the Law's hard edge;  
With smiles and cheerful sticky notes,  
Who's kept us from each other's throats.

Though lacking in testosterone,  
Who's blazed a trail all alone;  
With outlooks that are new to us,  
Who's now the driver of the bus.

This token of esteem we give  
To one who's changed the place we live;  
We lift our voices strong and brave,  
For our chief justice, Dana Fabe.



Chief Justice Dana Fabe accepts her 30 year award from Justice Warren Matthews.

*Photos by Karen Schmidlkofer*



## Lawyer's Assistance Committee offers substance abuse help

### CALL US! WE WILL:

- Provide advice and support;
- Discuss treatment options, if appropriate; and
- Protect the confidentiality of your communications.

In fact, you need not even identify yourself when you call.

Contact any member of the Lawyer's Assistance Committee for confidential, one-on-one help with any substance use or abuse problem.

We will not identify the caller, or the person about whom the caller has concerns, to any other committee member, the Bar Association, or anyone else.

**Heather L. Gardner**  
(Anchorage) 375-8776

**Michelle Hall**  
(Barrow) 852-2521

**Sonja D. Kerr**  
(Anchorage) 222-4512

**John McConaughy III** (Anchorage)  
343-6445 (private line)

**Michael S. McLaughlin**  
(Anchorage) 793-2200

**Michael Sean McLaughlin**  
(Anchorage) 269-6250

**Antone Nelson**  
(Anchorage) 336-3888

**Gregg M. Olson** (Sitka) 250-1975  
gregg\_olson@law.state.ak.us

**John Reese** (Anchorage)  
345-0275 (work)  
345-0625 (home)

**Lawrence F. Reger**  
(Fairbanks) 451-5526

**Nancy Shaw**  
(Anchorage) 565-8258

**Vanessa H. White** (Anchorage)  
278-2386 (work)  
278-2335 (private line)  
258-1744 (home)  
250-4301 (cell)  
vwhite@alaska.net

**Executive Director Deborah O'Regan is surrounded by 13 of 25 Bar Presidents who have worked with her in her 25-year association tenure. Front row, L-R: Jeff Feldman, Mary Hughes, Deborah O'Regan, Mauri Long, Philip Volland, and Judge Larry Weeks. Back row, L-R: Dan Winfree, Judge Andy Kleinfeld, Matt Claman, Jon Katcher, Will Schendel, John Tiemessen, Judge Keith Levy and Judge Ralph Beistline.**



**John Hughes, 60-year Bar member and at 92 years old our oldest living Bar member, accepted congratulations from Chief Justice Roberts at the awards reception with Mary Hughes, his daughter.**



**Jon Katcher and Retired Judge John Reese at the opening reception at UA Museum of the North.**



**Judge Carlos Bea, 9th Circuit Court of Appeals, Chief Justice John Roberts, and Lulu Bea at the awards reception.**

## ...SO, NOW, OUR SPEAKERS ARE...

### Introduction of Professors Erwin Chemerinsky and Laurie Levenson\*

U.S. Supreme Court Opinions Update  
2007 Alaska Bar Convention  
Fairbanks, AK

**JUSTICE ROBERT EASTAUGH:** It's my great pleasure this morning to have the honor of introducing the two stars, to introduce the two academic stars, of the conference and the convention, as always. And you know that they're the stars because these are the only two presenters on whom Barbara Armstrong has obtained key man insurance.

They didn't know this, but I hope they're very careful in the intersections. I will go through the fundamentals very quickly of their CVs.

Erwin Chemerinsky joined the Duke Law faculty in 2004, where he is the Alston & Byrd Professor of Law. For 21 years prior to that, he was at the University of Southern California Law School where he was the Sydney M. Irmans Professor of Public Interest Law, Legal Ethics, and Political Science. He graduated from Northwestern University and from Harvard Law School. He was a trial attorney at the United States Department of Justice in Washington, D.C., and then in private practice.

He frequently argues before the United States Supreme Court and the Appellate Courts. He's the author of four books and over 100 law review articles. What you don't know, and nowadays, of course, the new reality is Wikipedia, which isn't strictly accurate necessarily, but once it reaches Wikipedia it forms a notion of historical truth. There are things that aren't yet on Wikipedia that may be there as a result of my comments today.

Erwin first came to Alaska in 1990 at the invitation of Justice Rabinowitz and he appeared at the 1991 Bar Convention for the very first time. Many of you, of course, are familiar with his performances, because that's really what they are. James Gleik, author of a book called *Genius* about Richard Feynman, has a theory that there are two types of genius: One is the type who simply does what you do, but a lot better, and the other type is the magician. And I'm sure those of you who have seen Erwin have seen the magic show where he basically plucks entire paragraphs and entire discussions out of the air like a rabbit out of a hat. The true magic becomes apparent when he begins to answer questions extemporaneously and divergent from what is clearly a well-prepared presentation, and begins talking about the cases in which *cert.* was denied, the lower court cases never reviewed by the Supreme Court. It's fascinating.

We, of course, knew him back in the day when he was still in Southern California and there were slow-speed chases and he was on TV sensationally. Now, things are much quieter. He's moved to the quiet, bucolic

campus of Duke where nothing happens.

He is, nonetheless, still a celebrity.

His 2006 *McGeorge University Law Review* article is on Oprah's recommended list. He teaches the most popular class at Duke. It's a late-afternoon seminar, "The First Amendment and Good Taste: The Law of Microbreweries." He's getting his NASCAR competition license now and hopes to qualify the first hybrid stock car at Daytona.

Laurie Levenson is a professor of law and the William M. Rains Fellow at Loyola Law School where she teaches criminal law, criminal procedure, ethics, and evidence. Before joining the Loyola Law School faculty in 1989, she served eight years as an Assistant United States Attorney in Los Angeles. She recently had the distinction of being the first former U.S. Attorney staff member to be fired by the Attorney General -- who noted that she hadn't been prosecuting many Democrats recently, and appeared to be out of the office an awful lot on TV.

She attended law school at UCLA School of Law and received her undergraduate degree from Stanford. She was Chief Article Editor of the *Law Review* in law school. She's the author of numerous books and articles, and provides legal commentary in high-profile cases.

There are some things that you would learn about her if you checked carefully online. She was, for example, the technical adviser for the movie "Legally Blonde." It was her idea that a 1L at Harvard could get an acquittal in a first-degree murder case. You may or may not know that she's close friends with other celebrities: Jude Law, Lucy Lawless, Judge Reinhold, and football player Dave Justice. Under the name "Li'l Laurie" she has a hot new album, "Rapping on the Law School Steps." And it features the hit singles "Guilty Me, Guilty Plea" and "Search Me, Seize Me."

She is legal adviser to Orange County shoppers. She prefers her own soft tail Harley, license plate CRM-PRF which is either "Crime Proof" or "Crime Prof," I'm not sure which.

She enjoys bungee jumping. She teaches the most popular class at Loyola, a criminal law seminar called "Celebrity Crime: Case Studies of Subjects Including Roman Polanski, Paris Hilton, and Robert Blake." Next semester she may or may not cover Phil Spector.

So, now, our stars, our Michael Jordan and Scotty Pippin, our Siegfried and Roy, our Mia Hamm and Brandy Chastain, our Humphrey Bogart and Lauren Bacall, our Tristan and Isolde, our Click and Clack -- Erwin Chemerinsky and Laurie L. Levenson.

\*Taken from transcript provided by Northern Lights Realtime & Reporting, Inc and Thomson West.

ECLECTIC BLUES

# Two birds, two messages for halls of justice



Raven (L) and Eagle (R)

*Continued from page 1*

With the story finished, Lee Wallace told the crowd that he had buried a bottle of beer beneath the Eagle Clam Shell Pole. “They used to put slaves in the hole before raising a totem pole.” Wallace buried the beer bottle because he had seen alcohol enslave too many people. Many of those who walk by the Eagle Clam Shell pole on their way to court dates share that enslavement.

Lee Wallace’s Raven pole offers another lesson to those entering the courthouse. In ancient times it was always dark because a shaman on the Nass River kept the sun, moon and stars locked in bent wood boxes inside the home he shared with his beautiful daughter.



**Perhaps that is why Lee chose the pole to sit in front of a courthouse—a building made necessary because we are all capable of doing good and evil.**

Raven, then a bird with white feathers, turned himself into a spruce needle and floated down the river to the spot where the old man’s daughter drew water. She drank him in and became pregnant. Nine months latter the old man had a grandson he grew to love. Raven exploited his grandfather’s love to gain access to the box holding the stars, which he opened so they could float through the house’s smoke hole and into the sky.

The old man was angry at first, but he soon forgave Raven and even allowed him to play with the box containing the moon. Again Raven betrayed that love and released the moon into the sky.

It took a long time for Raven to get near the box containing the sun,

for it was the old man’s most prized possession. His grandson begged and begged until the old man gave in. It didn’t take Raven long to release the sun which rose through the smoke hole to file the sky with light. His job done, Raven resumed his natural bird form and tried to fly through the smoke hole while the old man used magic to grab him. Raven eventually escaped, but not before his white feathers turned black.

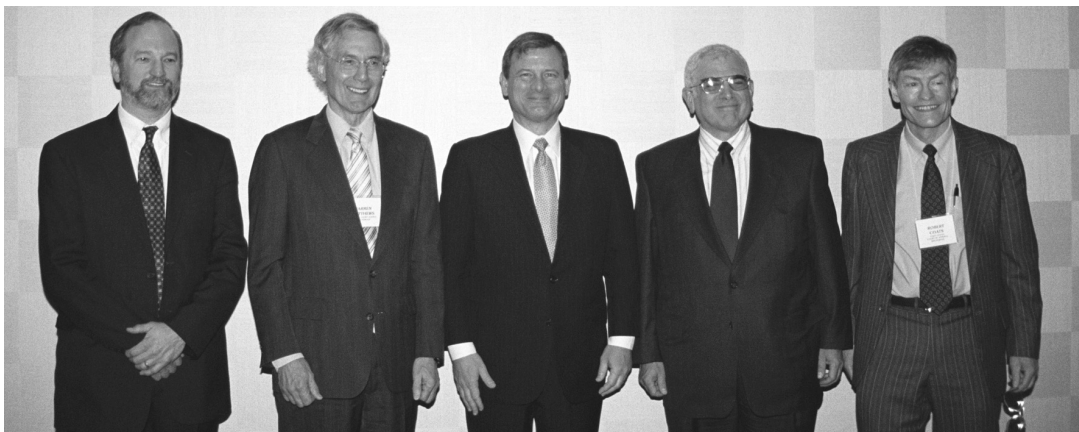
The box of daylight story is as complex as the lawyers and clients who walk by Lee Wallace’s poles each day. The old man refused to share the sun with the world but he was capable of great, even foolish love for his grandson. Raven went to great trouble to bring light to the world but he was willing to exploit the old man’s love to do it. Perhaps that is why Lee chose the pole to sit in front of a courthouse—a building made necessary because we are all capable of doing good and evil.



**Chief Justice Roberts visits 2nd VIP table. Front row, L-R: Luann Coghill, Rep. John Coghill, Lt. Col. Max Maxwell, and Chief Judge John Sedwick. Back row, L-R: Diane Hutchison, Chief Justice John Roberts, Jerry Hood, Lulu Bea, Judge Carlos Bea, and Matt Claman.**



**VIP table at awards banquet. Front Row, L-R: Michelle McComb, John Tiemessen, Dr. Judith Kleinfeld, Lt. Gov. Sean Parnell; back row: Justice Warren Matthews, Jo Kuchle, Attorney General Talis Colberg, AG, Gov. Sarah Palin, Judge Andrew Kleinfeld, Chief Justice John Roberts, and Chief Justice Dana Fabe.**



Members of the federal and state judiciary spoke at the Federal-State Appellate CLE. L-R: Judge Ralph Beistline, CLE Moderator; Justice Warren Matthews; Chief Justice John Roberts; Judge Andrew Kleinfeld; and Chief Judge Robert Coats.



Michael Shaffer and Cheryl Mandala at opening reception.



Bar President John Tiemessen presents Executive Director Deborah O'Regan a gift from the Board in recognition of her 25 years with the Bar.



Mary Hughes presents Chief Justice John Roberts with a gift from Senator Lisa Murkowski — an Alaska Native soapstone carving. The Bar Association also gave the Chief Justice a gift of an Alaska Native grass basket..



Outgoing President John Tiemessen passes an "Alaska Gavel" (hammer) to Incoming President Matt Claman.

# 2007 BAR CONVENTION HIGHLIGHTS

*Bar community gathers in Fairbanks*



## The Alaska Bar Association Thanks the Sponsors

- Alaska Association of Legal Administrators
- Alaska Association of Paralegals
- Alaska Court System
- ALPS – Attorneys Liability Protection Society
- Anchorage Bar Association
- AVIS Rent-a-Car
- Fairbanks Association of Legal Assistants
- Federal Bar Association
- Hagen Insurance
- LexisNexis
- Moburg & Associates, Court Reporters, Seattle
- Professional Legal Copy, LLC
- Tanana Valley Bar Association
- Thomson West
- United States District Court
- Wells Fargo Private Client Services

## Special Thanks to the Following Law Firms for their Generous Contributions

- Clapp, Peterson, Van Flein, Tiemessen & Thorsness, LLC
- Cook Schuhmann & Groseclose, Inc.
- Dillon & Findley, PC
- Hughes Bauman Pffinger Gorski & Seedorf, LLC
- Jermain, Dunnagan & Owens, PC
- Law Office of Rita T. Allee, PC
- Law Office of Barry W. Jackson
- Law Offices of Davison & Davison, Inc.
- MacDonald & Levensgood, PC
- Mendel & Associates
- Palmier ~ Erwin LLC
- Robertson, Monagle & Eastaugh, PC
- Routh Crabtree, APC
- Schendel Law Office

## Thanks to the Exhibitors

- AccessData
- Alaska Court System
- Alaska Immigration Justice Project
- Alaska Innocence Project
- Alaska Legal Services Corporation
- Alaska Network on Domestic Violence and Sexual Assault
- Alaska Pro Bono Program
- Alaska Telecom Inc.
- ALPS – Attorneys Liability Protection Society
- Bureau of National Affairs
- Fairbanks Association of Legal Assistants
- Hagen Insurance
- LexisNexis
- Professional Legal Copy, LLC
- Sirillion Group
- Thomson West
- Wells Fargo Private Client Services

## ATTORNEYS RECEIVE BAR AWARDS



Dan Winfree receives the Alaska Bar Distinguished Service Award from President John Tiemessen.

The **Distinguished Service Award** honors an attorney for outstanding service to the membership of the Alaska Bar Association.



Michael Geraghty receives The Alaska Bar Professionalism Award.

The **Professionalism Award** recognizes an attorney who exemplifies the attributes of the true professional, whose conduct is always consistent with the highest standards of practice, and who displays appropriate courtesy and respect for clients and fellow attorneys. The Professionalism award has traditionally been presented to an attorney in the judicial district where the convention is being held.



The Robert K. Hickerson Public Service Award accepted on behalf of Robin Bronen by Christine Pate.

The **Robert K. Hickerson Public Service Award** recognizes lifetime achievement for outstanding dedication and service to the citizens of the State of Alaska in the provision of Pro Bono legal services.



Robin Bronen, recipient of the Hickerson Public Service Award.

*Photos by Karen Schmidlkofer*



Michael Hurley receives the Alaska Bar Layperson Service Award.

The **Layperson Service Award** honors a public committee or Board member for distinguished service to the membership of the Alaska Bar Association.



The presentation of the Bar Historian's first annual Judge Nora Guinn Award was made posthumously to Bethel Magistrate Craig McMahon. L-R: Chief Justice Dana Fabe; Judge Dale Curda (ret.), who accepted the award on behalf of Magistrate Craig McMahon's family; and Judge Margaret Murphy and Leonard Devaney, all colleagues of Magistrate McMahon. Photo by Barbara Hood.

The **Judge Nora Guinn Award** will be presented to a person who has made an extraordinary or sustained effort to assist Alaska's Bush residents, especially its Native population, overcome language and cultural barriers to obtaining justice through the legal system.



Bruce Botelho receives Alaska Bar Foundation Jay Rabinowitz Public Service Award from Foundation Trustee Dan Winfree.

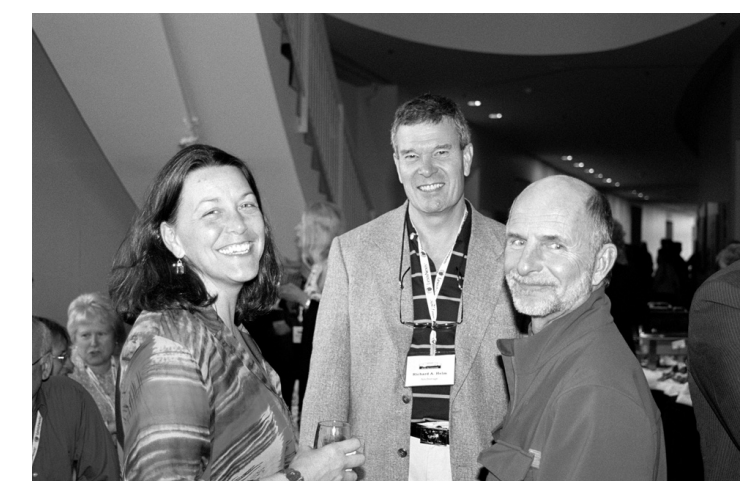
The **Alaska Bar Foundation Jay Rabinowitz Public Service Award** is given to an individual whose life work has demonstrated a commitment to public service to the State of Alaska.



L - R: Michelle McComb, Clare Hall, and Terry Hall, TVBA president, enjoy the reception appetizers.



Justin Ripley and Maryann Foley reminisce at the reception.



Mauri Long, Richard Helm, and Judge Philip Volland at the opening reception.



Faculty Dustin Cole and Bar member Bruce Bookman at the UA Museum of the North.

# Pro Bono Corner

## Pro bono service agencies rename Pro Bono awards

By Erick Cordero & Krista Scully

Each year, Alaska Legal Services Corporation, Alaska Immigration Justice Project, Alaska Pro Bono Program Inc. and Alaska Network on Domestic Violence and Sexual Assault, nominate and select the recipients of the annual pro bono awards. This year the providers have also decided to rename the award after an exceptional Alaska attorney who passed away in April, Bryan P. Timbers of Nome.

Bryan came to Alaska in 1969 and, after a year as a law clerk for the Superior Court in Juneau, went to Nome in 1970 as its first Public Defender, covering Kotzebue and Barrow as well. He and two former ALSC attorneys formed the law firm of Larson, Timbers and Van Winkle in 1974, the largest firm in Nome.

His pro bono work was exemplary. He served on the ALSC Board from 1995 until his death. He was one of the first attorneys to accept a pro bono case from the then newly formed pro bono program of the Alaska Network on Domestic Violence and Sexual Assault; he helped form and was the first president of the Alaska Pro Bono Program Inc. starting in 2000; and he was an active member of the Pro Bono Services Committee of the Alaska Bar Association for many years.

For 30 years Bryan contributed



Michael MacDonald, Chief Justice Fabe, and Julie Simmons.



Stacy Walker and Laura Eakes (Walker & Eakes, LLC).

untold hundreds of hours to pro bono work in Alaska. To honor Bryan's legacy, the pro bono service providers (soon to be the Alaska Coalition of Pro Bono Service Agencies) have renamed the annual award in his name.

The first recipients of the Bryan P. Timbers Outstanding Individual Pro Bono Award at the 2007 Alaska Bar Convention in Fairbanks were Michael MacDonald and his paralegal Julie Simmons from Fairbanks.

This is the first year that the individual attorney award has been given, not only to the attorney, but to the paralegal who works with that attorney. Fairbanks attorney Michael MacDonald and paralegal Julie Simmons believe in giving people a fresh start. Their volunteer work over the last five years in the bankruptcy and debtor relief arenas has helped more than 50 low-income clients and their families get back on their feet again.

Sweeping changes to bankruptcy law in 2005 made many legal services volunteers understandably uneasy about providing pro bono service; however, Michael and Julie's commitment was unwavering. They never ceased

taking cases and at any given time, the team has eight or more ongoing pro bono cases. The impact of Michael and Julie's volunteer work can be seen in communities as far as Nome and Barrow.

The law firm of Walker & Eakes, an insurance defense firm, was selected to win the 2007 Bryan P. Timbers Pro Bono Law Firm Award. Walker & Eakes is owned and operated by two women and it was formed

in 2005 to specialize in insurance defense litigation. From the beginning, they committed to a firm culture to do pro bono where it makes the biggest impact: family law cases involving violence.

There were several factors working against them: a new business, a new professional partnership, and an area of law totally outside of their comfort and knowledge zone. Laura Eakes and Stacy Walker set out to overcome all of those obstacles and have done so with aplomb.

Two years and seven pro bono cases later, the two have challenged themselves to take very complex cases, many involving immigrant victims of violence and clients in rural locations. They have donated countless hours of time to profoundly impact the lives of their pro bono clients.

**To honor Bryan's legacy, the pro bono service providers (soon to be the Alaska Coalition of Pro Bono Service Agencies) have renamed the annual award in his name.**

## Alaskan appointed to FAA space committee

U.S. Secretary of Transportation Mary Peters has appointed Tracey Knutson to a special federal advisory committee on commercial space launch activity.

At the request of the Federal Aviation Administration's Office of Commercial Space Transportation (AST), Secretary Peters appointed Knutson to the Commercial Space Transportation Advisory Committee (COMSTAC) in April.

Established in 1984, the committee is charged with providing legal and regulatory advice to the Secretary of Transportation and Congress on the commercial space launch industry, including the commercial human space flight industry.

The Office of Commercial Space Transportation (AST) is the only space-related line of business within the FAA. Established in 1984 as the Office of Commercial Space Transportation (OCST) in the Department of Transportation (DOT), AST was transferred to the FAA in November 1995.

The office:

Regulates the commercial space transportation industry, only to the extent necessary, to ensure compliance with international obligations of the United States and to protect the public health and safety, safety of property, and national security and foreign policy interest of the U.S.;

Encourages, facilitates, and promotes commercial space launches and re-entries by the private sector;

Recommends appropriate changes in Federal statutes, treaties, regulations, policies, plans, and procedures; and

Facilitates the strengthening and expansion of the U.S. space transportation infrastructure.

"The FAA/AST sought me out as I have developed a national reputation in the defense and risk management arena of adventure and recreational sports," said Knutson. "Since Congress has declared that commercial human space flight--at this point in time--is to be considered an 'adventure activity,' the FAA/AST sought me out as an adventure law lawyer." The advisory committee's more than 20 members represent leadership from the aviation and space industries; aeronautical manufacturing; insurance underwriting; scientific organizations; state governments; and other related entities. As a member of COMSTAC, Knutson will be part of the Risk Management Working Group.

At the May 2007 COMSTAC meeting in Washington D.C. Knutson was appointed to co-chair a subcommittee on the issue of potential liabilities associated with space flight participants.

More information on FAA's commercial space activity is at [www.faa.gov/about/office\\_org/headquarters\\_offices/ast/industry/advisory\\_committee/](http://www.faa.gov/about/office_org/headquarters_offices/ast/industry/advisory_committee/)

## Alaska Pro Bono Program wins Outstanding Volunteer Program Award

Congratulations to the Alaska Pro Bono Program which was recently honored by the Alaska Association of Volunteer Administrators. Executive Director Kara Nyquist, Erick Cordero and APBP's board of directors have worked hard to identify unmet legal needs in our communities, enhance their existing services to the public through volunteers, and strengthen its organizational capacity over the last three years. In addition to their award, APBP received a check for \$1,000 from BP toward programmatic needs to help serve Alaskans utilizing their services. Our sincere thanks to APBP's team of volunteers and leadership in assisting Alaska's low-income citizens



Recipients of the 2007 AVA Golden Hearts Award. ABPB staff member Erick Cordero and Executive Director Kara Nyquist are located on the far left, front row. Photo by Ronnie Brown.

## ALSC PRESIDENT'S COLUMN

## Graceful acceptance of change

By Vance Sanders

Alaska Legal Services Corporation (ALSC) is experiencing significant change at the board and staff levels. And while graceful acceptance of change makes us all stronger in the long run, it sure is difficult in the short run.

**Bryan Timbers's Passing — Renaming Pro Bono Award**

On 6 April 2006, ALSC lost a wonderful friend and invaluable board member, when Bryan P. Timbers passed away at Providence Medical Center in Anchorage. Bryan came to Alaska in 1969. He clerked for Judge Stewart in Juneau until 1970, at which time he became an assistant public defender in Nome. Nome was a great fit for Bryan: he loved the outdoors, including moose hunting, fishing, boating, camping, bicycling, and snowmobiling. Too, he loved the people there, as his life work so plainly shows.

1974 was an important year in Bryan's life. That year he helped form Larson, Timbers & Van Winkle, Inc., and married RoseAnn S. Tarpenning. They had two children, Gregory, who was born in 1976, and Kirsten, who was born in 1982. During his time in Nome, Bryan served on the Nome Planning Commission, Board member of Nome Community Center, Alaska Legal Services Corporation, and Alaska Pro Bono Program, Inc. (which Bryan co-incorporated).

In his twelve years as an ALSC Board member, Bryan consistently and eloquently advocated for the people in the Nome region. When ALSC's Nome office closed in 1996, Bryan tirelessly worked on ALSC's Audit and Finance Committee to seek to ensure restoration of that office, as well as other rural offices which had closed due to budget cuts. Due to his tireless efforts on behalf of rural office, the Nome office of ALSC re-opened in 1998, when Bryan

helped arrange donated space and financial support from Kawerak. Bryan is also principally responsible for ALSC's endowment, which, due to his steady vision and stewardship, has grown significantly over the past few years.

During his legal career, Bryan's pro bono service to Alaskans unable to afford civil legal services was exemplary. He was one of the first attorneys in Alaska to accept a pro bono case from the then-newly-formed pro bono program of the Alaska Network on Domestic Violence and Sexual Assault. He was also an active member for the Pro Bono Services Committee of the Alaska Bar Association. During his life, Bryan contributed literally hundreds of hours of pro bono work to deserving Alaskans.

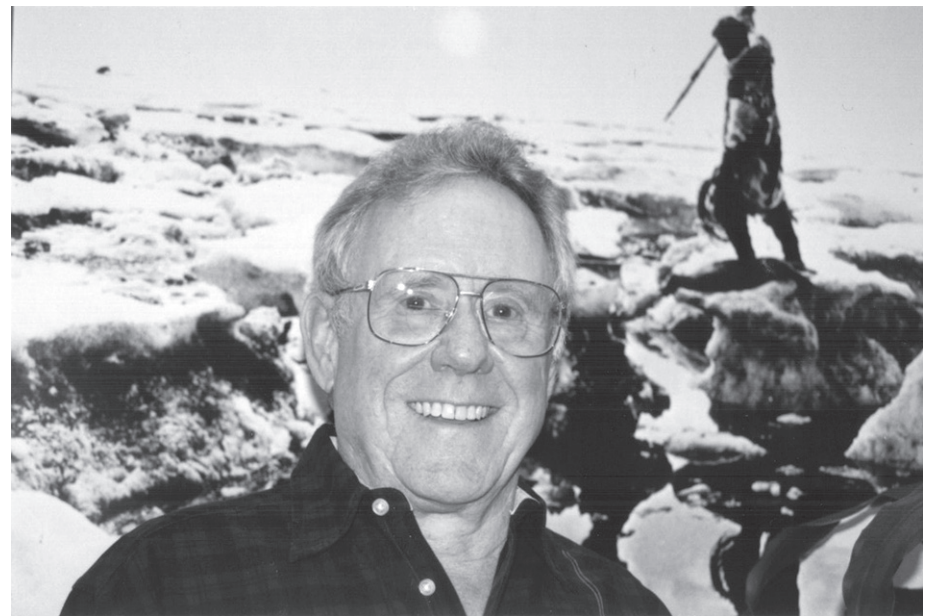
Due to Bryan's life work as a stalwart advocate for justice and his exemplary pro bono work, the pro bono agencies (ALSC, Alaska Immigration Justice Project, Alaska Pro Bono Program, Inc., and Alaska Network on Domestic Violence and Sexual Assault) have renamed the annual pro bono award. It is now known as the Bryan P. Timbers Pro Bono Award.

Bryan's warm smile, easy manner, and quiet, yet persistent advocacy for Alaskans will be missed. His

life was a gift. Each of us should aspire to his loving example of public service.

**Beth Heuer's Retirement**

Another fundamental change that is difficult to accept is Beth Heuer's retirement on 8 June 2007. I am certain most of you reading this column do not personally know Beth. Although an integral part of ALSC's operations since 1982, she quietly goes about doing her work without seeking headlines or attention and wholly without self-promotion. But her consistently high quality work in so many ways is well known to a generation of ALSC staff and board members.



**Bryan Timbers, Nome attorney and ALSC Board member, passed away April 6, 2006.**

Beth began her work with ALSC in Anchorage in September 1982. Due to her outstanding communication skills, she very soon began working as assistant to the director. Beth, Robert Hickerson, Carol Daniel, and Michael Sturm made an outstanding management team. Beth inter-

acted often with ALSC's offices, and literally brought us into the computer and technology age. (I have often said she has forgotten more about computers and technology than most of us will ever know.) Too, she has attended and memorialized virtually every board meeting since the fall of 1988. In that time the board has come to rely on her program memory, sound judgment, and common sense approach to various thorny issues.

When Beth and her husband, Ted, moved to Fairbanks, then-E.D. Robert Hickerson found her help so invaluable he insisted she remain with the program as its administrative and technology coordinator. Due to her vision and stellar work, ALSC helped launch AlaskaLawHelp.org. Those of you who have accessed this web site know about its easy-to-navigate format, and impressive content. And those who have not yet accessed it, please hit this site, bookmark it, and

use it to better serve your clients.

Although Beth will be very much missed, she and Ted deserve time for fishing, to travel to Kansas (Go Jayhawks!) to better care for her aging parents, and to enjoy life in Homer, where she and Ted are building a home and will move late summer or early fall. Beth, we will very much miss you. Thanks so very much for all you have done for our program and its clientele over the years.

**Bryan: Thanks so very much for all you have done for our program and its clientele over the years.**

**Conclusion**

As busy legal professionals, we often overlook people who make life better for so many among us. Bryan Timbers and Beth Heuer are two of those very special people. Although Bryan is no longer with us, his legacy will live on. And even though Beth won't be in the office to assist ALSC in so many ways, we will continue to stay in touch with her. People like Beth and Bryan don't come along very often. We need to honor them at every opportunity. So, Beth, thank you so very much for being there for ALSC the past twenty-five years. And Gregory and Kirsten, thank you so very much for sharing your father with us: we, too, love and will very much miss him.

## Pro Bono Corner

### Jones Day law firm honored

By Erick Cordero

The Alaska Legal Services Corporation (ALSC) has been providing free legal services to low-income Alaskans for 41 years. Its Volunteer Attorney Support pro bono program was established in 1983 to recruit assistance from the private bar and has been one of the most successful pro bono programs in the nation.

In 2003, ALSC's single attorney Dillingham office filed suit on behalf of four tribes in Western Alaska to challenge the State's policies of native foster care recruitment, training and pay, and

### Award of Merit recognizes pro bono service

placement of native children. The case went all the way to the Alaska Supreme Court.

Early on the case, the DC based law firm Jones Day, generously agreed to assist in representation of the Villages, assigning not one, but four, of its lawyers to the case on a pro bono basis. Since then, the law firm has expended hundreds of hours -- and close to a million dollar's worth of fees -- in defense against two motions to dismiss in the trial court, as well as briefing and argument before the Alaska Supreme Court. The firm sent out its senior partner, twice to Alaska, to argue the case on behalf of the tribes.

On May 3, 2007, ALSC honored Jones Day, an international law firm with 30 locations throughout the world, with an Award of Merit in recognition of outstanding pro bono service and for the assistance and dedication given to Alaska Legal Services Corporation and its clients. The ceremony took place during the business luncheon of the Alaska Bar Convention.

Andy Harrington, ALSC's Executive Director, presented the award and Krista Scully, Pro Bono Director of the Alaska Bar Association, accepted on behalf of Jones Day.



**Krista Scully, Pro Bono Director, accepts award on behalf of Washington, D.C. law firm Jones Day from Andy Harrington, ALSC's Executive Director. Photo by Karen Schmidkofer.**



## Ab initio: Practical technology advice for the newly solo or small firm lawyer

By Joe Kashi

Suppose that you started all over and had to set up a solo or small firm practice? What technology makes the most practical sense, how much does it cost, and how would you do it?

For a surprisingly large number of lawyers, that's not an abstract concept. Recent ABA studies show that, even as mega-firms become mega-mega-firms, the majority of all practicing lawyers are solo and small firm practitioners and that an increasing number of large firm lawyers are joining their ranks. Your tech support and system administrator is, more often than not, yourself and your technology budget and your vacation plans are probably pulling in different directions.

With that in mind, what makes sense for the newly solo or for the small firm revamping its technology? As I began my move to a new office space, I too had both the opportunity and the need to start from scratch.

In this issue, I'll discuss designing and specifying a new network infrastructure for the entire office. In our next issue, I'll go into desktop and notebook computers in some detail along with application programs, exhibit printers, and secondary audio, video and photographic hardware and software for the litigator.

### Operating Systems

The first question, of course, is Windows, Linux, or Mac, and which flavor. Although the Apple Macintosh is a most interesting platform and the Linux is both robust and generally free, I stayed with Windows, but not because of any particular fondness for slower performance, higher cost and lower stability/reliability. The sad truth is that lawyers, unlike graphics designers or industrial applications, are locked into Windows XP or Windows Vista. The old adage that useful application software dictates the choice of operating system, rather than the other way around, is especially true for lawyers. Most of the really useful programs specific to the legal industry run only within pretty recent versions of the Windows operating system. Sigh.

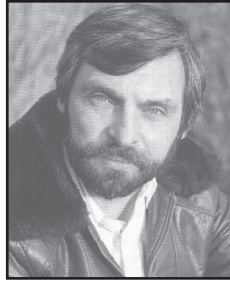
So, Windows it was. Three versions remain available: Windows XP Service Pack 2 for 32 bit processors, the 64 bit version of Windows XP, and the new Windows Vista. Given Vista's voracious demand for com-

puting power devoted to secondary features of little value to the business user and Vista's reputation for the instability inevitable in any new Microsoft operating system, I chose Windows XP, which is finally pretty reliable. Because the faster and technically superior 64 bit version of XP (dubbed x64) lacks support for most fast document scanners, I reluctantly used the 32 bit version of Windows XP, Service Pack 2, at about \$140 per computer, even though every computer in my office is capable of 64 bit operation. Every application program and hardware of practical interest to the law office works with the 32 bit version of Windows XP and it is stable and fast enough, and better than current versions of Windows Vista at this point.

### The New Network Infrastructure

Your network infrastructure is now the key component of your law office. It stores your files, provides your on-line legal research library, organizes your litigation files, maintains your calendar, contacts, and to-do lists, and provides data backup and disaster recovery. Proper network specification requires more precision and care than deciding which desktop computers to buy. Desktop computers are, within reason, pretty fungible commodities these days so long as they are stable and fast when running Windows XP and have a dual core processor, fast hard disk and enough RAM.

I used the 64 bit version of Windows XP as the basis for my file server. Even though this may surprise most attorneys of modern persuasion, many solo and small firm lawyers are not yet networked, an omission that costs a lot more staff resources, money and hassle than you might imagine. Although every version of Windows XP allows you to network every computer and printer in the office to your heart's content, such free-wheeling ways have a tendency to spin out of control and have always concerned me. It's much better to keep all of your data on a single high-end server computer, even if that computer is only acting as a



Most of the really useful programs specific to the legal industry run only within pretty recent versions of the Windows operating system.

host for Microsoft's peer to peer networking inherent to Windows XP.

There are several good reasons to keep all of your data on a central file server. It's definitely a faster and more stable arrangement. Application programs do cause desktop computers to lock up from time to time and if someone's workstation is also acting as a file server for others, then any freeze or crash brings down the entire network. In addition, it's harder to keep track of the latest version of any file

or operating system when different versions are scattered through dark corners of all the computers in your office. Finally, your data backups will be more complete and reliable if all data is maintained, used, and backed up from a single location.

The 64 bit version of Windows XP (Windows Professional x64) is about 30% faster than plain vanilla 32 bit Windows XP and requires 64-bit capable hardware, which is about 98% of the new market over the past two years. x64 is quite stable when operating as a file server because it actually is a Windows XP look-alike interface on top of much of the sophisticated 64 bit code used in Microsoft's Windows Server 2003 network operating system. Aside from two quirks that I experienced, it was easy to set up as a file server and has been very robust and fast. An OEM 64 bit version of Windows XP x64 will set you back about \$140, about the same as regular 32 bit Windows XP.

### Setting Up a Peer to Peer Network

Setting up a peer to peer network in theory should be easy. After you've installed Windows XP on each computer, run the Network Setup Wizard found under "Accessories" "Communications" and set up peer to peer sharing. I prefer to share only a single comprehensive network data folder on the designated file server. Then, using the My Network Places, Tools, Map network drive option, designate the shared data folder as a drive letter to be reconnected each time that you start your computer. Be totally consistent with shared folder and drive letter designations to avoid any confusion or conflicts. Be sure that

each computer has a unique name and identifier.

Initially, even though I have had many years of networking experience, I could not get Windows XP peer to peer networking up and running without some quirks. It turns out that my network cabling and hardware, simple though it was, was too sophisticated for Microsoft's peer to peer networking right out of the box. Ultimately, I found that, for hassle-free initial installation, one should use Microsoft's default workgroup name and use only a single network switch to connect all of the computers, printers and Internet access. I avoided sharing everyone's printers and documents with everyone else. It's just too easy, under those circumstances, to misfile and misplace documents. After you've gotten everything communicating properly, then go back and be sure that you have set up the system security, including nuanced sharing rights and firewalls. Ultimately, with quick DSL connections and the right kind of routers at the office and at home, you can set up a "Virtual Private Network" (VPN) that allows you to securely access your entire network from a remote location. That's definitely worth the extra effort and experimentation.

### Networking Hardware

I bought an inexpensive (\$60 Netgear model 108) eight port gigabit speed network switch that directly connects a file server, five desktop and one notebook computer, and my high speed Internet connection. The 64 bit Windows network file server discussed below can handle a fair sized office, so the practical limitation upon the ultimate size of a peer to peer network will be the number of direct connections available on the network switch. Low cost brand name switches are available with up to 24 individual connections. If you're not sure about how many connections you'll need, then buy a larger model to accommodate future demands. I maxed out an 8 port switch with just myself, four employees, a notebook computer, file server and Internet access.

Be sure that you get a gigabyte speed Ethernet "switch" rather than a slightly less expensive "network hub". Unlike a switch, which can connect any Ethernet device to any

*Continued on page 19*

## Pro Bono Corner

### NLADA honors firms for Guantanamo Bay detainee work

In response to the courageous work they have done in providing pro bono legal assistance to detainees at Guantanamo Bay, the National Legal Aid & Defender Association (NLADA) will honor more than 50 law firms nationwide with 2007 NLADA Beacon of Justice Awards June 12. Several of the firms are represented in Alaska.

"The uncompromising stance taken by these law firms to provide representation to individuals, despite public criticism, demonstrates an unwavering belief and commitment to fairness and equality under the law for all persons accused of a crime," said the association in a press release.

In response to public criticism of law firms that provided legal representation to individuals who were detained in Guantanamo Bay, NLADA joined with the American Bar Association (ABA) and others to sponsor a resolution to express our "deep appreciation to the courageous lawyers who meet their professional responsibility to provide pro bono legal services by providing free legal services to disfavored individuals and groups, in selfless dedication to America's

commitment to the highest ideals of due process and equal access to justice."

NLADA will honor the law firms at the 2007 NLADA Exemplar Awards Dinner on Tuesday, June 12 at the Ritz-Carlton Hotel in Washington, DC.

"Access to counsel is fundamental to a fair justice system. If you limit that right to some, you jeopardize it for all," said Jo-Ann Wallace, NLADA president and CEO. "If access to justice ebbs and flows with public sentiment, if it is allowed to bend in unpopular circumstances, the foundation and integrity of our justice system will crumble. The firms that have provided pro bono representation to detainees at Guantanamo Bay represent the finest tradition of public service of our legal profession."

Award recipients with representation in Alaska included Davis Wright Tremaine LLP, Dorsey & Whitney LLP, Heller Ehrman, and Perkins Coie LLP, which represented Salid Hamden (*Hamden v Rumsfeld*) before the Supreme Court.

## Ab initio: Practical technology advice

*Continued from page 18*

other Ethernet device at the optimum speed for each, a network hub cannot detect and adapt to Ethernet devices running at different speeds. That means that a hub either runs your file server's connection to the rest of your network at excruciatingly slow speed or that it cannot communicate with DSL modems and printers, both of which typically include only slow Ethernet connections. Using a gigabit speed switch avoids all such problems without any hassle.

Why bother with a fast network connection? Network connection speed really didn't matter very much when we only used a network to store and retrieve small word processing files. Now, although perhaps five or seven years behind the rest of the world, the

legal profession is becoming very visual, with high resolution photographs, video depositions, paperless filing systems using Acrobat, and high speed Internet access all vying for the same network bandwidth. Only gigabit speed networking can provide adequate performance for these modern network demands, even in the smallest law office. Luckily, gigabit networking is really quite inexpensive. Most new computers include at least one built in gigabit speed Ethernet port without extra charge. If needed, you can always buy an add-in card; I paid \$15 for my last add-in gigabit Ethernet card. Even if your notebook computer only has a 100 megabit Ethernet connection, it will connect, albeit more slowly, to a gigabit speed switch. Connecting network cabling should be at least 350MHz Category 5E or, better yet, more modern 500 MHz Category 6. A modern gigabit switch and proper cabling are the only hardware that you need, aside from the computers and printers that you will connect, for a completely modern network.

### What Goes Inside the File Server Box?

You can buy a generic file server or you can have one built to your custom specifications using the best quality, most reliable and fastest components. I chose to build my own but unless you are fairly expert, don't try assembling this at home. I used the following components, which I believed to provide the best value, reliability and performance for the \$2,100 or so that I allocated for a new file server. I bought most of the products mentioned here from [www.newegg.com](http://www.newegg.com), which I consider to be one of the most reliable, low cost and best-stocked Internet vendors. Orders almost always arrived complete within two business days of being placed.

**1. AMD Opteron 1216.** This is a fast dual core CPU intended for file servers although it also works very well in a desktop computer. I prefer it to Intel's more expensive Xeon file server CPU. Use 4 gigabytes of matched high speed DDR2 RAM memory.

**2. Abit Fatal1ty1 system board.** This is a very stable, robust board that's aimed at gamers and hence optimized for performance and heavy

usage. It set up with less hassle than any that I previously seen. It's worth the \$60 premium. I bought this system board because its excellent built-in RAID disk array controller for modern high speed SATA disks allowed me to set up a high-end failure-resistant disk array in about five minutes. The Abit Fatal1ty1 can connect up to six SATA hard disks. Not too long ago, setting up a RAID disk array was akin to rocket science: an expensive black box, whose internals were known mostly to wizards and that blew up with a certain regularity. Some of the higher end ASUS, DFI

and MSI boards have similar levels of reliability and features.

**3. The RAID disk array:** take three 150 gigabyte Western Digital 10,000 rpm Raptor SATA hard disks, which are undoubtedly the fastest, and probably the most reliable, hard disks available at a rational price (about \$210 each). Then, attach a powered hard disk cooler to each one, and then connect them to the power supply and to the system board SATA data connections. In only a few minutes, you can electronically combine these three discrete hard disks, whose individual capacities total 450 gigabytes, into what appears, to your operating system, to be a single 300 GB hard disk. Why, you might reasonably ask, would any reasonably sane person spend about \$700 to turn 450 gigabytes into 300 gigabytes, especially when you can buy a perfectly good 300 gigabyte hard disk for \$90? Data security and fast performance. A RAID

hard electronically spreads all of its data over the three disk drives, reading and writing simultaneously, and achieving even better performance than any of its individual fast hard disks. That's important when many people are trying to access the same hard disk for large Acrobat or multimedia files.

Even more important, though, is a RAID disk array's redundancy and consequent high level of resistance to data loss when disk drive hardware fails. Any one of a RAID array's individual hard disks can fail and your system will continue working without data loss. When you replace the failed hard disk, the RAID array uses special data stored on the two remaining disks in the array to reconstitute the third hard disk as a fully functioning disk array component without any data loss. Even though you are undoubtedly backing up your network data every day, you still need this sort of operational reliability. Down time is just too costly for a law firm.

**4. A big reliable power supply and lots of fans.** You'll need a top end voltage stabilized 500 watt power supply for any file server. Although vendors typically use the least expensive power supply that they can find, don't fall into that gambit. Failing power supplies are probably the most common reason that network file server hardware fails. Be sure that you have a large battery-powered

uninterruptible power supply (UPS) to ensure continued operation if there wall outlet power fails. I prefer APC brand UPS devices - they're reliable and are recognized as a USB device capable of shutting down the file server when the battery runs low. Best of all, they're readily available at Costco and not too expensive.

Use as many fans and as large a tower case as feasible. All of this hardware generates a lot of heat, so you'll need as many fans and as much unobstructed interior case volume as possible. Large 120 mm fans exhausting hot air from the file server case tend to do a better job cooling a computer's interior than smaller fans or fans that blow outside air into the case. Where possible, use fans that are powered and controlled by the system board through small three pin connectors that plug directly into the system board. These are monitored and controlled by your system board hardware as your hardware heats up. The Raptor hard disks run very fast and hence very hot. Attach a hard disk cooler to each: I like the Coolmax products that are screwed into the bottom of each hard disk and that blow cool air on to the exposed hard disk electronics, which seems to be the most common point of hard disk failure. I also install all three RAID hard disks in a position where one large fan blows cool outside air across all three disk drives.

Finally, here's a trick that I used to cool the file server's tightly packed RAM. Most modern tower cases include a side-mounted fan on the removable panel. Usually, this fan is almost perfectly placed to blow cool outside air on to the RAM memory. Modern RAM runs hot, and is highly susceptible to heat failure. The colorful little heat spreaders that most

RAM vendors now put on their chips are helpful but more a marketing ploy. You'll need to supplement those bright red or serious-looking black heat spreaders with cool outside air. Determine

which way the side-mounted fan is blowing. If it's blowing from the outside inward, then that's great; your RAM cooling problem is probably already solved. If it's exhausting hot air, then simply reverse the action.

These fans are simply attached by four self-threading screws. Remove the screws, reverse the fan, and then re-attach the other side with the self-threading screws.

**5. Simple data backup.** Back up your data every day, even if your new file server has a RAID disk array. The RAID array only protects against hardware failure and that's very critical. However, most studies suggest that about 80% of business data loss occurs because of employee error. A RAID array responds to the delete command just as promptly as a single hard disk and the data will be just as "gone". A RAID array has no value in protecting against fire, theft, disaster, or other casualty loss. Only a proper daily "full" backup, stored off-premises, protects against operator error, theft and casualty loss. Tape drives used to be the backup device of choice but are now totally obsolete, at least for the small law firm. Far better, far less expensive, and far more reliable are portable hard disks. These plug into a high speed USB 2.0 port and are recognized as just another hard disk when plugged into the file server or other computer with full rights to all data. Up to 160 gigabytes or so, you can use a small 9.5 mm hard disk generally intended for notebook computers. Although a little more expensive, these have the advantage of being powered by the USB port itself and do not require any other external source of electrical power. As such they are highly portable. If you need more storage space than that, then you can either buy an already configured 300GB to 500GB external hard disk for \$150 to \$250 or make one yourself for about \$125. This takes about three minutes using a screwdriver, a standard 3.5" hard disk and a matched externally powered USB drive enclosure. I used some Masscool enclosures with Seagate 7200.10 320 GB SATA hard disks and they work well when used either with the ubiquitous Windows backup accessory program or when simply dragging and copying the entire set of data folders in Windows. Regardless of what hardware you choose, use it every day and store the backups off premises.

*In our next issue: Desktop and notebook computers, application programs, exhibit printers, and secondary audio, video and photographic hardware and software for the litigator.*

...the legal profession is becoming very visual, with high resolution photographs, video depositions, paperless filing systems using Acrobat, and high speed Internet access all vying for the same network bandwidth.

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# 25 Years of Bar Membership



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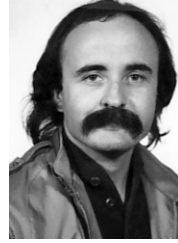
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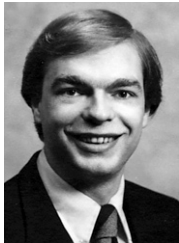
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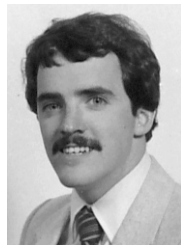
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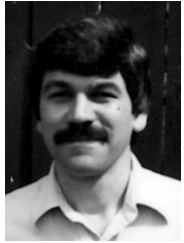
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Barbara Malchick



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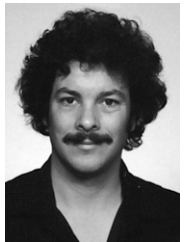
Daniel Quinn



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Susan Stewart



Kathleen Strasbaugh



Cynthia Strout



Donald Surgeon



Jody Sutherland



James Szender



Valerie Tehan



John Thorsness



Mary Treiber



Randall Westbrook



LuAnn Weyhrauch



Kirk Wickersham



Daniel Winfree



Linda Wingenbach



Tonja Woelber



Kristen Young



Sally Suddock  
*Alaska Bar Rag*

Not pictured: Janet Bolvin, Tina Kobayashi, and Claire Steffens

## It's no fun being FAT

By William Satterberg

As I waddle through life, I find myself increasingly wanting to clear my conscience. Admittedly, there is nothing wrong with the baring of one's chest, provided it takes place in the appropriate locations. To the contrary, it actually is said that the catharsis of the soul is therapeutic. Hence, the Judea/Christian concept of forgiveness, with all of its consequences. Still, it pays to be discrete. After all, some people talk.

Because of the gossip factor, nobody should ever be entirely open about their past. In fact, most reputable 12-Step recovery programs members make it quite clear that one should not make amends where those amends will cause greater damage to occur. As such, I have abandoned my conquest to find all of my old girlfriends and tell them what I really thought about them, even if they weren't as gentle with me.

But, certain things are still worth discussing.

So, I will disclose one of my intensely personal parts of my life, so that people will appreciate that I am a compassionate human being, as well. A truly sensitive and caring individual, it is difficult for me to render this confession. But, I must. It is part of my personal recovery program.

I have been fighting a weight problem virtually all of my life. In short, I am fat. In fact, I am short and fat. If I were six and one-half feet tall, I would not have the problem. Unfortunately, altitude is not one of my strong suits. Rather, it is actually the lack of altitude which causes my attitude.

Sometimes, I am fatter than at other times. Ironically, fat is not just a physical state of being. It is also a mental state of being. For example, I have met many people who are exceptionally chubby, but still view the world through the eyes of Twiggy. As for myself, I am not so fortunate with my ability to accept my rotundity, although I clearly have overcome any symptoms of latent anorexia. More than one bent shower curtain rod attests to my desire to lose weight. Lately, however, I have seized upon a solution which has helped me conquer, to a large degree, my largosity. It is this solution which I quite magnanimously wish to share with all of those who suffer from the same affliction as myself. So, as you sit and munch on your doughnuts, eat your Screaming Yellow Zonkers, and consume the contents of this expose, recognize that there is, indeed, relief. And, not just in Roloids.

I did not start out fat. Purportedly, I was a cute little baby once. In fact, pictures taken of me early on by the paparazzi revealed a devastatingly handsome, thin young child, with rubber band arms. Conversely, my little sister, Julie, was the fat one. Where "little Julie" was a little butterball, "little Billy" looked like a prison camp survivor. In fact, by the time I was five years old, my condition was so emaciated that Mom became quite concerned for my health and took me to see our local family physician, Dr. McKibben. Although Mom certainly

meant well, that decision later proved to be a big mistake.

Dr. McKibben was a kindly old man at the time, who liked to stick popsicle sticks down my throat and have me cough. Fortunately, during those years, he kept his hands above my waist when I had to cough. Otherwise, I likely would have decked him.

Following my regular school check-up for kindergarten, Dr. McKibben told Mom that something had to be done about my condition. It was not that I overheard the conversation. I would not have cared if I did. All I do know is that, after leaving Dr. McKibben's office, rather than going to the playground where I could run, skip and climb on the jungle gyms, Mom took me, instead, to the local drugstore. Mom then bought me not just one, but two, large double chocolate milkshakes and a hamburger with fries. And thus began my journey to joviality as I gleefully sat spinning rapidly around and around on my red vinyl stool at the soda counter slurping down a delightful concoction of milk, sugar, ice cream and chocolate flavoring. Sugar has a strange way of doing such things to a young man who has yet to experience the joys of puberty.

Over the next year, Mom followed Dr. McKibben's instructions completely. It was easy for Mom to do. After all, Mom was Romanian. Romanians have a natural proclivity for phenomenal cooking. Being half-Romanian, myself, I had a natural proclivity for eating Mom's phenomenal cooking. As such, it was not long before Mom's success with me was measured not in ounces, but in pounds.

My girth grew greatly. By the end of second grade, I could hold my own on the log beam which spanned the sawdust pit in the school playground. It was from that pit of terror that more than one battered and bruised elementary school student would stagger, crying uncontrollably while searching blindly for the nurse's office. Those who challenged me would invariably plummet face first into the blood-spattered wood chips. Conversely, I would stand at one end of the log, a monument to inertia. All day long, the lesser kids would run into me full speed. Yet, each time, the ignorant little fools would ricochet off my belly into the sawdust, holding their bruised and injured body parts and wailing like sissies for their mommies. In time, the legend spread. Kids would come from other elementary schools just to watch me defend my log. I was invincible.

As my reputation grew, so did my size. It was not long before I had the distinct honor of wearing "Husky 16" blue jeans, reserved only for the greatest. I was chubby beyond all in comparison, exceeded in size only by Mike Buza in the 6th grade. "It was Mike who finally bounced me off my log," I tearfully explained to Mom one day. "Don't be a sissy, Billy,"



"I have been fighting a weight problem virtually all of my life. In short, I am fat."

was Mom's loving reply. Mom didn't like sissies. Sensing rejection, I comforted myself with a Three Musketeers bar.

It was in 6th grade after my devastating loss to Mike Buza that Mom once again decided to take me to the doctor. This time, the new doctor, Dr. Zartman, surprisingly advised Mom that I was "too fat". Something needed to be done about my condition in short order. After a hushed conversation

between Mom and the doctor, we left the clinic. To my surprise, we went to the playground. I was perplexed. What had happened to our regular trips to the drugstore? What about those delightful double chocolate milkshakes? In response, Mom told me that I needed to exercise. Exercise? What was exercise? Sensing a threat, I promptly stole an ice cream bar from one of the local kids. Recovery was not going to be easy. Even at that tender age, I had already become a carbaholic of the worst sort.

Initially, Mom simply cut back on my rations. Mom reasoned that she could withhold sustenance from me and I should burn up the deficit in calories. What Mom did not appreciate, however, was my uncanny ability to adapt. Hunger breeds resourcefulness. It did not take long to deal with the problem. Julie, my younger sister, had long since stopped eating heavily, most likely around age 2. As such, Julie was more than willing to sneak me portions off her plate when the folks weren't looking. It was not long before my parents concluded that portion control would not solve my growing problem.

Remarkably, I was eating less, but still gaining weight. Their fears were confirmed one day when Dad tried to unclog a toilet and found a Snickers bar wrapper that I had surreptitiously flushed down the commode. When called upon to explain myself, I became most indignant. Couldn't a maturing young man enjoy even a little privacy in the bathroom?

It was at that time that a new concept emerged which was to find its roots in American society and pop culture even to this day. I now had a new doctor (name withheld) who declared that the marvels of chemistry had provided a novel solution for weight loss. The cure was the new "diet pill." Mom immediately obtained a prescription of these little pink powderhouses. I was told that I would lose weight easily as long as I took three pills a day. If I had known then just how valuable those pills would be in future years, I might not have ever entered the practice of law, except as a client. I certainly would not have fed the pills to my dog, either, but would have saved them for college.

Arriving home from the pharmacy, Mom gave me my first "hit." I remember distinctly looking at the gem as it rested serenely in my sweaty little palm. It had a strange crosshatch on its top. I wondered the

hatch should be cut or the pill eaten whole. Before I could decide, Mom ordered me to eat the pill. Like little Alice in Wonderland, I complied. After all, it was food, wasn't it? Besides, America had entered the space age. Astronaut food now came in pills and toothpaste tubes.

I hoped that the pill had magical qualities. I expected to lose weight immediately. Sadly, I was wrong. Perhaps the pill wasn't that magical, after all. Nothing seemed to happen for almost 30 minutes. Writing off the experiment, I went into my bedroom and began to watch my favorite cartoon show, Porky Pig. Suddenly, without any warning whatsoever, something struck me like an anvil in the back of my head. The room began to spin. Perhaps, the pill actually was magic!

Next, to the combined shock and amazement of both myself and

Mom, I rocketed out of my room. I excitedly announced that I actually wanted to go running. Surprised by my uncharacteristic burst of energy, Mom granted my request. Not waiting for Mom to change her mind, I next dashed down the steps, and ripped wildly out into the yard, the family mutt, Scrappy, in close pursuit. I ran five uninterrupted laps around the house. I then collapsed breathlessly in a heap on the front steps, but still wanted to run more. Even my fat little dog was panting from the exertion.

To this day, the event is remembered by the neighborhood. In fact, it was to be the birth of another "Little Billy" legend. The neighbors say that I was screaming at the top of my lungs all the time that I was running frantically around the house. At least that part of the legend is true. However, my screams were not those of terror. Nor of my dog nipping incessantly at my heels. Rather, my screams were ecstatic peals of delight.

Needless to say, the family soon concluded that something was up. Perhaps

I had inadvertently entered puberty. Mom began to look under my bedroom mattress for the magazines she suspected I had stashed there, but Dad had already found them.

My actions were not completely misunderstood. To the contrary, one family member was clearly appreciative of my new perspective on life. This was Scrappy, the fat little mutt who had tried to maul me during my spontaneous stampede. Scrappy was the family's dysfunctional cocker spaniel. Scrappy was neutered, but never acted like he knew it. Scrappy had been named Scrappy because we would feed him table scraps whenever I left anything on my plate, which was not very often. Scrappy wasn't much of a fighter, despite the intimidating name.

As for my explosion of energy, Scrappy clearly knew better. Despite starvation, Scrappy and I were still kindred spirits. Scrappy clearly understood that I had become possessed by some sort of demon. I decided to share my discovery with Scrappy. Later, Scrappy also went

### Exercise? What was exercise?

### It was at that time that a new concept emerged which was to find its roots in American society and pop culture even to this day.

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## TALES FROM THE INTERIOR

## FAT

*Continued from page 22*

spontaneously psychotic, and had to be heavily sedated. Fortunately, Mom used the right pills the second time. Scrapy was an antisocial dog in any event. To get attention, Scrapy used to have epileptic seizures any time something would upset him, so Mom simply chalked Scrapy's attitude up to another seizure. In retrospect, Scrapy was always upset, which likely accounted for his regular seizures. But, Mom's new pink pills certainly didn't help the issue, either. Scrapy fit well into the family until his untimely demise.

I tried the pretty pink pills on two more occasions. The instant bursts of unbounded energy were quickly habit forming. I began to like them a lot. As such, I was surprised when Mom decided that the pills were not the solution for my weight loss. Not that Mom threw them away. I later found out that Mom allegedly kept them for herself. Moreover, Mom allegedly kept my prescription active for several months. Even at the tender age of 12, I was already becoming exposed to the drug trade. And, to think that "dear old Mom" unwittingly had a part in it.

During junior high school, I had to take physical education. My physical education coach, "Coach," was a sadist. Coach tried his best to get me to lose weight. Coach's self-professed goal was to see if I could do a single pull-up. Although the goal was admirable, the success ratio was poor. Despite Coach's bullying exhortations, during pull-up exercises, I would simply hang like a burlap sack full of flour, my spindly arms trying to defy gravity. Needless to say, Coach's expectations dropped as the year progressed. As such, Coach was elated at the end of my 8th grade year when I actually managed to squeeze out one pull up, even if I did have to bend the rules, as well as the bar, by jumping off of a chair.

Still, excess weight did its advantages. During high school, I joined the football team and did surprisingly well for approximately two weeks until a senior lineman broke my left foot during practice drills. From then on, I had to wear a plaster cast. I was the proverbial water boy. My professional athletic career was over. Depressed, I never returned to football. My only contribution during the two weeks of tryouts was to hold my end of the line on defensive scrimmages. Nobody could move me. To deal with my depression, I used my normal strategy: I ate.

Wrestling was a wintertime option. Unfortunately, I was also a flop at wrestling. Still, my performances were memorable. A nerdy little guy named Leonard Niemi, who was later to become my best high school friend, remarked for years afterward that the reason he respected me was because, during one wrestling practice, when Coach said for us to wrestle, I simply fell on Leonard. Using this devastating tactic, I pinned Leonard handily, squashing him, facedown upon the mat in seconds. It was a remarkably brutal, but quick, match. To win, I simply waited for Leonard to run out of breath. I next rolled Leonard's blue,

nearly suffocated body over and easily won the pin. I do not know if it was my weight or the body odor that went with it which let me win the match. Ripe high school gym shorts had a way of creating a tactical advantage. Still, a win was a win. In that regard, only Mike Buza ever bested me.

Although I excelled in certain obscure areas of athletics, my dating life in high school was abysmal. Not that it mattered. Nice girls did not do the types of things that I thought about regularly, anyway. Or did they? I always felt shortchanged, however. There was enough of me to go around for at least two or three cute cheerleaders.

It was during college, when I joined the University of Alaska Fire Department, that, I consciously began my personal quest for weight loss. To my surprise, I was successful. I trimmed up well, mainly due to the fact that the student firefighters had to do their own cooking and suffered the consequences of their own cooking accordingly.

Firefighting, as well, kept the participants in shape. Anchorage attorney Tim Dooley was a fellow firefighter at the time. As Tim describes himself, "back then, I was puking muscle." Those who know Tim Dooley, the attorney of today, as opposed to Tim

Dooley, the firefighter of yesteryear, might question Tim's braggadocio, but I can attest to it. Back then, Tim and I were of the same mind. We sometimes still are - even if Tim steadfastly denies it. Fortunately, Tim never reads my articles.

In all candor, the first experience at weight loss did not actually occur at the University of Alaska Fire Department. It was at the Fire Department where I actively sought to lose weight.

But, the first inadvertent experience at weight loss that whetted my appetite, so to speak, actually occurred during the prior summer of my freshman year as a commercial fisherman in Bristol Bay. This was the "phase one" era of my quest. At the time, I lived in a wall tent at a remote set net site outside of the tiny village of Egegik, Alaska. Edible food was scarce, and salmon gets old quickly. My partner at the time was Jim Wager. Jim was a free-spirited, hippy-type who since became a successful commercial pilot. Back then, the only airplane that Jim liked was the Jefferson Airplane.

For sustenance that summer, Jim brought along a 50-pound sack of roasted soy beans. I would have preferred Snickers bars. But Jim would have no part in such a nutritional nightmare. Snickers bars were out, as was my old standby, Three Musketeers. Jim was a self-proclaimed health nut. Even red meat was suspect. Jim claimed that the protein in the roasted soy beans, alone, would sustain both of us for the entire summer. I still think that Jim's enthusiasm for soy was simply an excuse for forgetting to pack the food as instructed, just like when he burned up my hip boots. Or maybe it was a throwback to the then popular Crosby, Stills and Nash song, *Wooden Ships*... "Here, have some of my purple

berries..."

Jim was insistent on the nutritional qualities of soy beans. As such, Jim and I virtually lived on roasted soy beans for the entire two month fishing season. In the end, the soy beans jump-started my first successful weight loss program, which later transitioned into the University Fire Department phase.

Following my tenure at the University Fire Department, I entered law school. Once again, I ate heavily. My first year of law school was on the east coast. It was at law school that I first discovered the delights of real, New York pizza. The boomerang effect soon set in. In less than two months, I was no longer my svelte, dashing firefighter self. Rather, as one of my friends nicknamed me by the time I entered my second

year of overseas law studies, I was "squatty body." Fortunately, it was during my second year of studies in London that I went through my third era of weight loss. My overseas phase III weight loss era was a combination of both the need to do substantial amounts of walking, coupled with a hole-in-the-wall Chinese restaurant. The restaurant was just around the corner from the flat in which Roger Brunner, myself, and a whole bunch of other poverty-stricken law students lived. We affectionately named the restaurant "Wo Fats."

The diner served cheap Chinese food of questionable caloric value, but with lots of monosodium glutamate. That diet, coupled with our financial distress, necessitated an austerity program. For myself, the one high point of each week was when I would play guitar in a local vegetarian restaurant/wine bar. The venue regularly provided me with buffet vegetarian food. Vegetarian food was not my preferred style of consumption. Although many years had passed since I was a college freshman, I still suffered from soy bean overload. Still, I tolerated the menus. Fortunately, the vegetarian food was usually plentiful, since the customers often left early, but only on the night that I played music.

Given the sparse and unpredictable London diet, when I returned from overseas to complete my third year of law school, I had once again lost significant weight. My third year of law school reversed that loss quickly. Pizza was still alive and well in New York, and in short order, deep dish pizza won out over bulgur, bok choy and alfalfa sprouts. Over the years, I regained my girth, and then some. I continued to blossom both intellectually and physically until my wife, Brenda, and I moved to Saipan, in Micronesia, in 1981. By then, I was a practicing attorney.

Thus began the fourth phase of my Battle of the Bulge. In Saipan, I became once again addicted to Oriental food. After all, I have always liked authentic Chinese food, even if I can't seem to tell it apart. In addition to an exotic diet, an impromptu exercise program also developed, which was to be my first exercise at

exercising.

In Saipan, I became a feared jungle fighter with a machete. Saipan was a paradise, but as a tropical island, it was covered by jungle. Tropical jungle grows incessantly. Our honeymoon bungalow was no exception. Purportedly, our house had a beautiful view of the lagoon, but only if the jungle in front of the house was cleared. A Young Republican, I had no objection to clear-cutting. To accomplish the formidable task, I chose a machete. After all, it was a traditional method. Better yet, it was cheap.

For several months, I would venture into the scrub each night after work. Wielding my trusty, rusty machete, I would vigorously hack down jungle growth while occasionally sinking the blade into my legs. In time, I had enhanced our lagoon view, but I seldom was able to enjoy the vista. Jungle clearing was a recurring process. One thing I learned about the jungle is that the jungle quickly reclaims that which has

been taken from it.

For the entire year in Saipan, I found myself regularly chopping and rechopping areas in order to capture the view. (To my dismay, several years later, when Brenda and I returned to Saipan and inspected our old home, the lagoon had once again disappeared from sight. So had a major portion of our honeymoon house, succumbing to non-occupancy, fungus and overgrowth.) Fortunately, the jungle chopping did much to help me to lose weight as well as almost two toes during the period of time that I was in Saipan. By the time I returned to Alaska, I was, once again my trim, studly self. Little did I realize that the tide would turn yet again.

The battle continued. Like the killer bees migrating northward, my old nemesis, New York pizza, had finally found its way to Alaska. Although my climb to girth was relatively slow, by the mid-1990's I was once again my portly self. It was then that "better living through chemistry" once again entered the scene, as Phase V of my quest. "Diet Pills", once the bane of my younger years, surprisingly surfaced again. This time, the tablets enjoyed widespread political acceptability. The nefarious little pills were not the same, however. The change accounted for their widespread acceptance by those who were widespread.

I was no exception. I was entering the "fen-fen" period of my life. Moreover, I was not alone. In months, Fen-fen became the rage throughout America. Soon, everybody was shedding pounds like water off a duck's back. Not only myself, but other local attorneys like D.W., V.T., R.A. and other initials purportedly used the product profusely. Although I, too, took the medication, I did so sparingly. Like my aversion to soy beans, I still had bad memories of pills from

**In less than two months, I was no longer my svelte, dashing firefighter self. Rather, as one of my friends nicknamed me by the time I entered my second year of overseas law studies, I was "squatty body."**

**It was during college, when I joined the University of Alaska Fire Department, that, I consciously began my personal quest for weight loss. To my surprise, I was successful.**

**By the time I returned to Alaska, I was, once again my trim, studly self. Little did I realize that the tide would turn yet again.**

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## FAT

Continued from page 23

my childhood.

Moreover, I especially did not care for the little orange, pre-meal pills. From what I could tell, these pills were a variant of the same pills that had been fed to me in my youth. For once, my instincts proved correct. Several years later, the United States Food and Drug Administration announced that people who had taken significant amounts of those pills risked potential heart damage. The declaration became the lawyers' full employment ruling, rivaled only by the Prozac litigation.

By the time of the regulatory ruling, I had completely ceased taking the little pills. Still, I did have a precautionary physical. Unfortunately, I passed the test and thus could not share in the lucrative class action. Having stopped taking the pills, I also soon found myself rejoining my other fellow recovering fen-fen-ers. No longer able to rely on a chemical solution, we all began to find our lost weight. Predictably, a high-end pharmaceutical black market soon developed, fueled by the fen-fen pushers. Respectable people even went to jail for purloining the pills or for purchasing them off market. So, too, did a black market develop in the area of fake fen-fen, or what I prefer to call the "three f's."

Fake fen-fens were exotic herbal extracts such as ephedra, which provided what was alleged to be a "natural" solution to the problem. Eventually, even the fake fen-fen's

began to have serious complications. In short order, it became apparent that the ephedrites were developing their own symptoms from the products, including profound mental psychosis. Fortunately, I never took ephedra. Rather, I simply got fat once again. I wisely traded neurosis for psychosis.

The final phase of my Fight Against Fat began in my early 50's when my kindly, personal physician informed me that my body chemistry was again changing. My raging hormones had run away. I was warned that, if I did not knock off the weight, I might develop rather serious complications which approach during the "older age" years. Standard blood tests revealed that my blood sugar was getting high. My cholesterol was not too good, and my blood pressure needed work. Although I again tried various methods to lose weight, it was not until one of my friends told me that I needed to go on a "white out" that I began to take the suggestion seriously to heart.

To evaluate my options, I conducted an informal survey. I learned that the Atkins diet had advocated a philosophy that carbohydrates had little food value, but do have the ability to quickly put weight on people. It was suggested that I knock out carbohydrates, sugar, and that I confine my alcohol consumption to red wines only. In fact, a fellow attorney who works at the local Fairbanks District Attorney's Office, Scott Mattern, did a most remarkable job of losing weight and actually keeping it off by following such a plan.

Having observed Scott's success for several years, I decided to try the regime, myself. I used a modified version. I christened it the "Satkins Diet." I voluntarily went on a "white out" for one week. I was amazed by the results. I had lost 3 real pounds. I continued the experiment.

For the next several months, I eliminated almost all carbohydrates from my diet. I reasoned that I would get enough carbohydrates through everyday absorption by just standing near doughnuts. To subconsciously accomplish such absorption, I began to hang out around cops. Still, the results were impressive. In less than a year, my weight loss was 35 pounds. To date, the bulk of my bulk has been kept off. How long it will last, of course, is an open question. Undoubtedly, some day, I may wither away to nothing, unless my personal representative chooses cremation, instead.

Not that I have necessarily licked the weight loss battle. In fact, I am overly cautious, recognizing that, as old age grows upon us, so does the belt length. On the other hand, having sworn off carbohydrates, and having finally accepted the fact that I am, indeed, a "carbolic," the real key is to stick with the program.

Admittedly, there are still times when I crave a doughnut, piece of pizza, or a big bowl of spaghetti. When this happens, I consider the source and recognize that, in eating these carbs, I am bombarding my body with sugar. Moreover, the few times that I have splurged, I have later found myself lying awake at night, reminiscent of the addicted, sugar-crazed, psychotic three-year-old that I once was.

In fact, I think I need to go to a meeting...

"Hi. My name is Bill. I am a carbolic."

"Hi, Bill."

## Bar People

### Linda Johnson joins Clapp, Peterson

Clapp, Peterson, Van Flein, Tiemessen & Thorsness, LLC, has announced that Linda J. Johnson is now a member of the firm.

Ms. Johnson is a life-long Alaskan and was admitted to the Alaska Bar in 1989, after completing law school at the University of Denver College of Law. She is a former municipal attorney and her practice focuses on labor and employment law and commercial litigation.

### Waller joins Holmes Weddle

Jeffrey J. Waller has joined the law firm of Holmes Weddle & Barcott, PC. Waller recently returned to Alaska following seven years of practicing law in Texas and American Samoa. He is a graduate of Texas Tech University School of Law and is admitted to practice law in Alaska. Prior to attending law school, he was a journeyman electrician. His practice area of emphasis at Holmes Weddle & Barcott will be in employment and construction law, as well as insurance defense.

### Featherly named managing partner

Patton Boggs LLP named Walter T. Featherly as managing partner of the Anchorage office June 6. The firm also promoted attorneys Rebecca S. Copeland and Teresa S. Ridle to of counsel status.

Featherly counsels boards of directors and executive managers on matters of corporate law and governance, entity formation, securities law, protection of intellectual property, government contracting, employment practices, finance, and real estate. For more than 25 years, the focus of his practice has been Alaska Native Corporations. He is a graduate of Harvard Law School (1980) and earned a B.A. from St. John's College (1977).

Copeland assists clients with issues relating to commercial and business transactions. She earned her law degree at Tulane University Law School in 1978 and graduated from Eckerd College with a B.A. in 1970.

Ridle advises clients on a range of matters, including business formations and commercial transactions. Previously, she served as a law clerk to Judges Larry D. Card and Richard D. Savell. She earned a J.D. from Gonzaga University School of Law (1994) and holds a B.A. from the University of Alaska-Anchorage.

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### NOTICE TO THE PUBLIC

By order of the Alaska Supreme Court,  
entered March 23, 2007

### EUGENE B. CYRUS

Member No. 7410069  
Chugiak, Alaska

is reinstated  
effective March 28, 2007

Published by the Alaska Bar Association,  
P. O. Box 100279, Anchorage, Alaska 99510-0279  
Pursuant to the Alaska Bar Rules.

ESTATE PLANNING CORNER

## Estate planning letters — Part 2

By Steven T. O'Hara

At Will and Trust signings, we often give the client a folder with letters on certain subjects that we had previously discussed. Then the client will have written reminders of certain matters to which to refer from time to time, and additional time will not be used at the signing to review previously discussed items.

Following are sample letters. Feel free to incorporate them into your practice. A previous issue of this column had other sample letters. For a copy of that article, please call Karen Burgess at Bankston Gronning O'Hara, P.C. (907-276-1711). Subsequent issues of this column will have more sample letters.

### Cover Letter

**Dear Client:**

Enclosed in this folder are numerous reminder letters relating to your estate planning.

As time permits, please study each of these letters and let us know if you have any questions or directions.

Thank you for giving us the privilege of assisting you in your estate planning.

### Asset-Protection Trusts

**Dear Client:**

We have previously informed you that Alaska law was changed in 1997 to allow a person to create a trust beyond the reach of creditors and still retain a beneficial interest in the trust.

Just as people use corporations, LLCs and LLPs in order to minimize their liability exposure, so more and more people are creating irrevocable trusts to protect some assets from liability exposure.

As you can appreciate, you may create an asset-protection trust for yourself only when you have no liability problems. If a liability problem exists, it is generally too late to create an asset-protection trust.

So the sooner you plan in this area the better.

Unless we hear from you to the contrary, we will understand you are *not* interested in creating an asset-protection trust for yourself. In this connection, please note that your Revocable Living Trust is *not* an asset protection trust.

Thank you again for allowing us to be part of your team.

### LLPs and Partnership Liabilities

**Dear Client:**

This is a reminder to consider terminating liability exposure if you are a general partner in any partnership.

Keep in mind that if you are a general partner, you have general liability -- and that liability is unlimited. The partnership may and should have liability insurance with respect to its property. But insurance is limited while a potential claim could be many millions more, such as where a young parent with minor children falls and becomes disabled by reason of a head injury.

In other words, insurance goes only so far. Accordingly, as you know in this day and age everyone uses limited liability entities.

You may have considered and rejected the idea of changing the partnership to an LLC (limited liability company).

We recommend you continue to consider an LLC.

Pending your decision on becoming an LLC, please consider an LLP -- that is "P" and not "C." An LLP comes into existence simply by filing a "Statement of Qualification," which can be short, with the state. I believe the state has a form on its website at [www.corporations.alaska.gov](http://www.corporations.alaska.gov). Purely for illustration purposes, an example of a Statement of Qualification follows this letter.

Importantly, Alaska law provides as follows:

A limited liability partnership continues to be the same entity that existed before [it filed the statement with the State of Alaska].

AS 32.06.201(b).

Note also that Alaska law provides as follows:

An obligation of a partnership incurred while the partnership is a limited liability partnership, whether arising in contract, in tort, or otherwise, is solely the obligation of the partnership. A partner is not personally liable, directly or indirectly, by way of contribution or otherwise, for the obligation solely by reason of being or acting as a partner. This subsection applies even if inconsistent with a partnership agreement provision that exists immediately before the vote required to become a limited liability partnership under AS 32.06.911(b).



"Following are sample letters. Feel free to incorporate them into your practice."

AS 32.06.306(c).

A disadvantage with an LLP is that if there is ever just one remaining owner, then the LLP terminates and the sole remaining owner has unlimited liability as a sole proprietor. This is because it takes two or more to make a partnership. By contrast, an Alaska LLC may have one owner.

Of course, please consult the partnership's CPA in the course of considering whether the LLP election makes sense under your particular circumstances.

If one or more of your partner-

ships elect to become an LLP, please remember to obtain a "name endorsement" on all insurance policies relating to partnership property. These insurance policies would include fire insurance and other casualty loss insurance, title insurance, and liability insurance. A "name endorsement" would add the LLP as an insured under the applicable policy.

Finally, please keep in mind that if you are a general partner, you are effectively guaranteeing 100% of all liabilities that could arise from the partnership or its property. Our recommendation is for you to consider terminating that liability exposure.

As always, my very best.

### STATEMENT OF QUALIFICATION OF ILLUSTRATION LIMITED LIABILITY PARTNERSHIP

The undersigned, constituting 100% of the partners of Illustration Partnership, agree on the following terms and conditions and state as follows:

1. The Partnership elects to be a limited liability partnership under Alaska Statute 32.06.911, as amended, supplemented or substituted. The Partnership was formed under Alaska Statute 32.06.202, predecessor law, or a comparable law of another jurisdiction.

2. It is acknowledged that Alaska Statute 32.06.201(b) provides: "A limited liability partnership continues to be the same entity that existed before [it filed this statement with the State of Alaska]."

3. Whereas previously the Partnership's name was Illustration Partnership, now the Partnership's name is Illustration Limited Liability Partnership. The Partnership Agreement is further amended to include the following sentence: Notwithstanding any other provision of this Agreement, no partner shall be required to contribute any additional capital to the Partnership, and no partner shall have any personal liability for any obligation of the Partnership.

4. The address of the registered office of the Partnership is \_\_\_\_\_, \_\_\_\_\_, Alaska 99\_\_\_\_, and the registered agent at said address is \_\_\_\_\_. The street address of the Partnership's chief executive office is in Alaska, and it is also \_\_\_\_\_, \_\_\_\_\_, Alaska 99\_\_\_\_.

5. This instrument shall be filed with the Division of Corporations of the State of Alaska. The effective date of the Partnership's being a limited liability partnership shall be the date of such filing.

Illustration Limited Liability Partnership

_____	_____
Date	[Name of Partner] [Address of Partner]
_____	_____
Date	[Name of Partner] [Address of Partner]

### NOTICE TO THE PUBLIC

By order of the Alaska Supreme Court,  
entered April 17, 2007

**MARK J. AVERY**

Member No. 9611055  
Anchorage, Alaska

is placed on  
interim suspension from the practice of law  
effective April 17, 2007  
until further order of the Alaska Supreme Court

Published by the Alaska Bar Association,  
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Pursuant to the Alaska Bar Rules.

### NOTICE TO THE PUBLIC

By order of the Alaska Supreme Court,  
entered March 30, 2007

**CLIFFORD W. HOLST**

Member No. 7610102  
formerly of Anchorage, Alaska

is transferred to disability inactive status  
due to a physical disability  
effective retroactive to January 1, 2002

Published by the Alaska Bar Association,  
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Pursuant to the Alaska Bar Rules.



# Local coach wins 2007 Race Judicata

By Bill Pearson

Over 120 runners showed up on a beautiful April morning at Westchester Lagoon for the third running of Race Judicata. Sponsored by the Young Lawyers Section of the Anchorage Bar Association, the 2007 Race Judicata raised \$2,000+ for Anchorage Youth Court.

This year's field saw a competitive mix of community runners and barristers. Heritage Christian running coach Matthew Grinth took the men's field by storm finishing the 5-kilometer course in less than 16 minutes, while Andrea Neeser took the top spot for women in 20 minutes.

The coveted "Wheels of Justice" awarded to the fastest lawyer was a duel to the finish between Alan Clendaniel of Dorsey & Whitney LLP and Judge Burgess's newly hired law clerk, Daniel Rearick, with Rearick pulling out the victory at the

finish line. The law firm participation award went to Clapp, Peterson, Van Flein, Tiemessen & Thorsness, LLC, followed closely by Davison & Davison, Inc. The award given to the "Most Deliberate Speed" was given to Amanda Van Flein, daughter of *Bar Rag* editor, Tom Van Flein, with a finish time of just over 70 minutes. (See story below).

The race could not have been possible without sponsors: Davison & Davison, Inc., Feldman Orlansky & Sanders, DeLisio Moran Geraghty & Zoble, P.C., Durrell Law Group, P.C., Jonathan Katcher, Foley & Foley P.C., Skinny Raven, Subway and the Great Harvest Bread Company. Thanks to our sponsors, and all participants!

#### Race Judicata Results

1) Mathew Grinth, 15:53; 2) Todd List, 16:13; 3) Casey Miller, 16:46; 4) Evan Hone, 17:25; 5) David Johnston, 18:16; 6) Gordon Pospisil, 18:22; 7) Bob Davis, 18:46; 8) Thomas Burton, 19:16; 9) Andrea Neeser, 20:10; 10) Douglas Johnstone, 20:42; 11) Galen Pospisil, 21:11; 12) Daniel Rearick, 21:13; 13) Allen Clendaniel, 21:21; 14) Bill Falsey, 22:14; 15) Hans Arnett, 22:27; 16) Sophie Wiepkins-Brown, 22:49; 17) Kevin Williams, 23:05; 18) Rachel Witty, 23:13; 19) Doug Ghramm, 23:21; 20) Brian Durrell, 23:22; 21) Sarah Knight, 23:23; 22) Charles Hebner, 23:26; 23) Najim Udchachon, 23:29; 24) Maleia Grabins, 23:35; 25) Ethan Berkowitz, 23:42; 26) Andrew Stolte, 23:47; 27) Stacy Anderson, 23:52; 28) Richard Clendaniel, 23:55; 29) Victoria Clark, 24:03; 30) Eiden Pospisil, 24:32; 31) Bruce Davison, 24:35; 32) Unknown, 24:42; 33) Courtney Davison, 24:52; 34) Rick Fox, 25:00; 35) Jennifer Williams, 25:03; 36) Kristine Brink, 25:17; 37) Dennis Holway, 25:36; 38) Michael Powell, 25:37; 39) Schawna Thoma, 25:37; 40) Margaret Stroble, 25:47; 41) Scott Hahn, 25:50; 42) Dave Falsey, 26:02; 43) Nancy Mende, 26:14; 44) Chloe Miller, 26:16; 45) Noan Lyford, 26:19; 46) Kate Karas, 26:33; 47) Cyndie Fox, 26:46; 48) Marika Athens, 26:52; 49) Jean Stage, 26:58; 50) Jill Griffin, 27:04; 51) BC Kindred, 27:07; 52) Mary Marsol, 27:11; 53) Matt Peterson, 27:19; 54) Katy Ruff, 27:39; 55) Andy Josephson, 27:42; 56) Clare Kind, 27:51; 57) Ahnawake Carroll, 28:51; 58) Lois Watson,



The race starts at Westchester Lagoon



Monica Elkinton holding up the Young Lawyers Section Sign

28:58; 59) Kelly Fehrman, 29:19; 60) Joyce Clendaniel, 29:25; 61) Barbara Brown, 29:37; 62) Erin McCarthy, 29:39; 63) Sarah Ballard, 29:41; 64) Zareena Clendaniel, 30:14; 65) Sara Ellen Hutchison, 30:36; 66) Ty Norrish, 30:40; 67) Unknown, 30:57; 68) Anna Lan, 31:09; 69) Blake Johnson, 31:28; 70) Wendy Lyford, 32:03; 71) Tracey Wollenberg, 32:24; 72) Mitchell Adams, 32:33; 73) Frances Hebner, 33:02; 74) Suzanne Little, 33:24; 75) Robert Owens, 33:26; 76) Anne Reid, 33:41; 77) Christina Holmgren, 34:01; 78) Bev Shuttleworth, 34:03; 79) Michelle Meshke, 34:16; 80) Erin Egan, 34:19; 81) Anne Denny, 35:11; 82) Carole Holley, 37:24; 83) Ashley Brown, 37:25; 84) Ellen Collins, 38:19; 85) Shelby Davison, 38:31; 86) Jeff Spraker, 40:01; 87) Gary Spraker, 40:02; 88) Samantha Spraker, 40:18; 89) Charlene Figarelle, 43:33; 90) Kathy Seville, 43:34; 91) Sonja Amundsen, 43:35; 92) Troy Tobias, 43:49; 93) Unknown, 45:18; 94) Susan Foley, 47:06; 95) Samantha Adams, 48:54; 96) Cheryl Duda, 48:55; 97) Jonathan Woodman, 48:56; 98) Susan Orlansky, 48:58; 99) Barbara Hood, 48:59; 100) Maia Nolan, 49:00; 101) Kathleen Pampusch, 49:02;

102) Unknown, 54:02; 103) Sue Ann Lange, 54:19; 104) Julie Eibeck, 54:19; 105) Unknown, 54:44; 106) Deirdre Ford, 56:31; 107) D. Elizabeth Hannen, 56:32; 108) Unknown, 56:33; 109) Unknown, 57:22; 110) Monique Renner, 58:21; 111) Marissa Amor-Hegna, 58:22; 112) Unknown, 58:29; 113) Susan Falk, 59:16; 114) Sarah Kalish, 59:16; 115) Ryan Fortson, 62:04; 116) Unknown, 68:26; 117) Keith Johnson, 68:27; 118) Tom Van Flein, 70:48; 119) Amanda Van Flein, 70:49.

Photos by Hanley Smith



Matthew Grinth, race winner and Heritage Christian Running coach coming down the home stretch.

## The first time, we finished last

By Thomas Van Flein

Well, it went like this. We started out last on purpose, knowing we had a 20 month old (Heidi) and a 4 year old (Amanda). It was about 10 degrees colder at Westchester Lagoon than it was on the Hillside that fateful day, which resulted in me under-dressing the girls (according to my wife, I should not have put Amanda in Capri pants and I should have brought the gloves). So, about two minutes into this I was informed repeatedly how cold the girls were. We ultimately put both girls in a double stroller, and that worked for about 2.5 K. In fact, we passed Ryan Fortson, Monique Renner and her daughter, Linda Johnson and her dad, and some others. We were on a roll.

Then it happened. Heidi decided she had had enough. She insisted on squirming out of the stroller, but refused to walk. She refused to be held. She cried. She snorted. I cried. I snorted. There was a stand-off. People were passing us. But Heidi did not care. She stood firm, repeating one word, like a pagan incantation: "Mama." For about 20 minutes I carried Heidi, crying and wriggling (her, not me), until I invoked that timeless trick all daddies know: I passed her off to her mama.

Amanda and I then got a second wind and we authorized a surge. We could sense we were closing in on the people who passed us, those heartless people who put their own interests in victory ahead of a crying baby.

But it wasn't enough. The surge failed. We finished last.

But we learned a valuable lesson that day. Actually several lessons.

First, don't let me pick your clothes. Second,

there may be a reason you don't see a lot of toddlers in 5K races. Third, nice guys, and their little girls with cold hands and cold feet, sometimes finish last, but the first "race" together will hopefully not be our last.



Someone was actually happy while running: Attorney Allen Clendaniel of Dorsey Whitney just moments before being passed by Casey Miller.



This is Tom Van Flein's daughter Amanda receiving her "last finisher" acknowledgment from Bill Falsey (wearing the judicial robe) and Young Lawyer race organizer Bill Pearson.

# Ten must-have web sites for solo practitioners

By Rick Georges

Picking the best of anything is difficult. However, I decided to take a stab this month at the Web sites I use most frequently during a typical day of practicing law. I'm not including the obvious ones: legal research and general search sites. I'm aiming to point to sites that create a new source of information on the Web, and that leverage the interactive Web 2.0 space.

Here goes:

**1. GoToMyPC.com** is a remote-access Web application that permits me to access my office host machine anytime I like. It allows me to run updates, check my calendar and contact changes created by my secretary, and, in general, prevents running to the office to maintain the server, or to practice law. It's the solo lawyer's best friend, runs flawlessly and costs only about \$20 a month per machine.

**2.** There are conflicting views about the new property valuation site, **Zillow.Com**, which is a mashup of Google Maps and property valuations and other information culled from public records. My take on this is that the range of values is a good starting point for looking at a residential property, and is better than no information at all. This is a great reason why Web 2.0 is going to change the landscape of real property law. I use it all the time in my residential transactions practice.

**3.** What if sending transcribed memos or notes was as easy as picking up the cell phone or telephone? Enter a new free beta called Jott. Remember that name, because I predict that lawyers will be using this service all the time. Just call Jott's toll-free number, speak your message and Jott will transcribe it and e-mail it to you. Sweet, simple and utterly addictive. Jottcasting, jottmumbling -- whatever you call it -- is cool, cool, cool. **www.jott.com**

**4.** What? Too lazy to pick up the phone? **Joopz.com** allows text messages to be sent directly from the Joopz Web site. Joopz is a Web-based text messaging service that enables "Web texting" -- two-way communications from the Web to any mobile phone in the U.S. and Canada ... and back!

**5.** By way of full disclosure, I am a **Law.com** affiliated blogger. Simply put, I don't get paid to blog, but I get the exposure provided by the best law-related Web site in the world. I'm not pandering to my publisher when I say that the Legal Technology page is one of the resources I check every day for tips, software, advice and education about my law practice. There are tons of free and trial software packages available for download, and the edi-

tors highlight the best law technology blogs on a regular basis.

**6.** I'm amazed I'm getting such use out of the ScanR application. In the past, there never seemed to be a scanner around when I needed one. I have flatbed scanners at home and at the office. But they don't fit in a briefcase, do they? Enter a great new Palm application, ScanR, that uses the Palm camera as a portable scanner. Just shoot a picture of a page and e-mail it to the ScanR people. They convert it into an image and make it available at the Web site. Very nice. **www.scanr.com**

**7.** Google Maps (**maps.google.com**) is the ultimate mapping site. Enter any address, and up pops a street level map. Enter two addresses, and street level directions pop up. But the really cool thing is that, with the click of the mouse, a satellite view of the address and surrounding area comes up, giving a real-life view of the location. There is even a mobile version that works with my 3G enabled Treo. Who needs a GPS?

**8.** Wikipedia is fast-becoming the

single most authoritative resource for knowledge about anything. It rivals Britannica for accuracy, and is the starting point for any research project. In fact, I have installed the FireFox plug-in, which puts the relevant Wikipedia article right alongside any Google search, on the same page. (**http://en.wikipedia.org/wiki/Main\_Page**)

**9.** **Skype.com** is still the cheapest, best way, to call any phone in the world. For \$29.95 a year, you can call any phone in the U.S. and Canada anytime you like. You are already paying for the broadband Internet access. Now, use it. I re-route my office computers sound to my Bluetooth headset, and I can talk to clients or prospective clients or colleagues anywhere for almost nothing. VoIP is here to stay.

**10.** Google News is a fast, easy way to customize the news you receive, and to get every conceivable point of view from all over the world. Over 4,500 news sources are culled for the top stories of any given moment, and are presented in an organized

way according to your preferences. The power of the best search engine on the Net is clearly shown at this site. (**www.news.google.com**)

**11.** OK, OK, this is number 11. But I just couldn't leave out the most useful of them all. **Efax.com** has become my most-used fax machine. When I am away from the office, my secretary efaxes every piece of paper that comes in to the office while I'm gone. I can then view them in all their glory wherever I am. I can fax documents back to her, or to anyone, from anywhere. I can use ScanR to take a picture of a document, e-mail it to myself and then efax it to my secretary. The possibilities are endless.

There are so many other sites and resources that I could've mentioned, and I'm certain there are a few that you might suggest. If so, shoot me an e-mail, and I'll update this list periodically. Now, go out and use the Web to improve your life and your law practice.

*Rick Georges is a Florida solo attorney and author of Law.com's Future Lawyer blog. You may contact him at rgeorges@futurelawyer.com.*



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## WEST HIGH WINS REGIONAL "WE THE PEOPLE" COMPETITION



West High students (L-R) Henrik Strand and Leyna Rynearson get ready for a panel discussion.

West High took top honors this year at Alaska's state We The People competition and went on to win the number one spot for the Western States Regional Award at the national competition in Washington, DC. The Regional award is earned by states with the highest cumulative score in the first two days of the national competition. Congratulations to West High teacher Pam Orme and the We The People team!

We The People: The Citizen and the Constitution is an instructional program to enhance and promote civic competence and responsibility in middle and high school students. Students study the Constitution and Bill of Rights with a culminating mock congressional hearing held at state level to determine the representative to the national competition each spring. Alaskan attorneys, constitutional scholars, and other civic leaders participate as coaches each year to schools with We The People teams. To learn more about the We The People program, go to [www.civiced.org](http://www.civiced.org).

Photos by  
Barbara Hood  
and  
Krista Scully



West High assembly participants, L-R: *Justin Birchell*, Chief Justice Dana Fabe; *Chandra Suriano*, Matt Claman, President, Alaska Bar Association; *Henrik Strand*, Joy Green-Armstrong, President, M. Ashley Dickerson Alaska Chapter, National Bar Association; *Leyna Rynearson*, Big C, D.J., KFAT Radio; *Pamela Orme*, West High teacher and We the People coach; Rick Stone, West High School Principal; and Krista Scully, Alaska Bar Association, assembly coordinator. (Members of the West High team in *italics*).



Attorneys and other community leaders from across the state helped judge the annual We the People competition March 1-2, on the campus of Alaska Pacific University in Anchorage. L-R (Front): Deb Periman, Karla Taylor-Welch, Maida Buckley, David Baranow, Joe Hayes; L-R (Back): Barbara Hood, Larry Wiggins, D. Elizabeth Hanner, Stephanie Galbraith, Monica Elkinton, Gayle Garrigues, Judge Jane Kauvar, Ryan Fortson, Molli Sipe, Bill Bjork, Royce Chapman, Patrice Icardi, Doug Beckstead, Becky Copeland, Conor Rainey, Barbara Jones, Daniel Callahan, Cam Rader, Terrence Cole. Photo by Tim Buckley

## LAW DAY



Petersburg Clerk of Court Desiree Burrell hosts a school tour at the Petersburg Courthouse in honor of Law Day.



Dillingham Clerk of Court Cindy Roque traveled to Manoktak to make a Law Day presentation in the village school.

Law Day was celebrated during May in communities across the state through the joint efforts of the Alaska Bar Association and the Alaska Court System. This year's theme—*Liberty Under Law: Empowering Youth, Assuring Democracy*—presented a valuable opportunity for the legal community to address the ongoing need for civic engagement and education for our youth about the intersection of law and democracy.

- In Anchorage, in partnership with West High School's We The People program, the Alaska Bar Association hosted an assembly for 300 students. Students had produced public service announcements that aired on KFAT Radio to remind young people to get involved in their communities.

- In Hughes, Judge Winston Burbank and Magistrate Patrick Hammers of Fairbanks presided over a mock trial of Goldilocks in the school gym, had a home-made lunch with students, and were escorted to the airstrip by all 40 village residents for their next Law Week stop in Allakaket.

- In Petersburg, Clerk of Court Desiree Burrell hosted a school tour of the courthouse.
- Dillingham Clerk of Court Cindy Roque brought Law Week to the Manoktak village school.

Law Day continues to be an important celebration of our legal system, and a welcome tradition in our schools. Special thanks for the success of Law Day programs go to the attorneys and judicial officers who offer their time and support each year. Contact coordinators Krista Scully of the Alaska Bar Association, [scullyk@alaskabar.org](mailto:scullyk@alaskabar.org) (272-7469) or Barbara Hood of the Alaska Court System, [bhood@appellate.courts.state.ak.us](mailto:bhood@appellate.courts.state.ak.us) (264-8230) to get involved in Law Day during May, 2008!



KFAT radio personality Big C with two South High School students in the production room at New Northwest Broadcasters producing Law Week public service announcements. Photo by Krista Scully