

## Community Justice Workers Expand Legal Access in Alaska

By Joy Anderson

For many people, “the legal system has been a ‘black box’ – complex, expensive, and physically removed from the people who need it most.” That’s how Lauren Custer describes her previous experiences with the legal system, which included several years working as the lead paralegal for a legal program embedded in a shelter for victims of domestic violence in Fairbanks. Lauren now works for Alaska Legal Services Corporation (ALSC) as one of the five newly approved Community Justice Workers (CJW) in Alaska.

On January 23, 2026, the Alaska Bar Association Board of Governors approved five ALSC Community Justice Workers to practice under Alaska Bar Rule 43.5. The rule allows them to provide limited legal representation in certain civil matters under ALSC supervision. The newly authorized CJWs, Lauren Custer, Yonna Pereyra, Abbigale Skonberg, Cheryl Thompson, and Ashley Vincent, can now assist clients in domestic violence protective order (DVPO) proceedings who might otherwise face court alone.

The Alaska Supreme Court approved Rule 43.5 in 2022. It permits non-lawyers trained and supervised by ALSC to engage in limited practice if they: 1) are trained by ALSC; 2) are supervised by ALSC; 3) engage in limited practice exclusively for ALSC; and 4) obtain informed consent from clients. The rule is the first of its kind in Alaska

and part of a movement gaining traction nationwide.

The CJW program was developed in response to a persistent access-to-justice crisis in Alaska and across the United States.

The Legal Services Corporation, the largest national funder of civil legal aid for low-income Americans, published its most recent Justice Gap study in 2022. The study found that of the 50 million Americans with household incomes below 125% of the federal poverty level, legal help was sought for only one out of every four civil legal problems that had a substantial impact on their lives. The study also found that 46% of those who did not seek legal help cited concerns about cost, and 53% of low-income Americans did not know if they could find and afford a lawyer if they needed one.

As reported in the 2020 American Bar Association’s Profile of the Legal Profession, 40% of all U.S. counties and county-equivalents have fewer than one lawyer per 1,000 residents, often referred to as legal deserts. These and other factors contribute to the large-scale access to justice crisis in the United States.

In Alaska, more than 17% of the population lives in households below 125% of the federal poverty guidelines and is eligible for ALSC’s services. However, ALSC has only 21 full-time staff attorneys available to meet the need for legal assistance. Pro bono attorneys have always been an important part of ALSC’s program, helping to handle



Left to right: Community Justice Workers Abbigale Skonberg, Yonna Pereyra, Lauren Custer, Cheryl Thompson, Ashley Vincent, and instructor Teryn Bird at the conclusion of a mock hearing exercise on December 10, 2025. Photo courtesy of Joy Anderson.

cases where staff attorneys are unavailable, but the unmet need for legal assistance remains.

According to the 2022 Justice Gap study, legal aid organizations across the nation receive 1.9 million requests for help each year but turn away one out of every two requests due to limited resources.

“Communities have needed access to basic legal aid for so long, that many people do not know the problems they face are legal problems. Often, these issues are relatively simple to resolve; someone just needs to take the time to help,” says Ashley Vincent, a CJW in

ALSC’s Kenai office who has seen what the numbers show play out in everyday life.

Ashley was an assistant manager of a large retail store in Kenai before coming to work for ALSC. She managed several employees and often found herself helping people navigate problems that were not work related. When she saw the posting for the CJW position, it seemed like the perfect opportunity for someone who always “wanted to be one of the helpers in the world.”

The search for solutions to the

*Continued on page 3*

## The Unsung Heroes of Pro Bono in Alaska: Alaska Free Legal Answers Volunteers

By Lea McKenna

In 2025, Alaska Bar Association members continued to show a strong commitment to pro bono service through both Bar-hosted clinics and Alaska Free Legal Answers (AKFLA). Together, these efforts reached 685 Alaskans facing a wide range of civil legal issues, from disaster assistance and housing to family law and estate planning matters. While in-person clinics remain a vital part of this work, AKFLA stands out as an example of how a relatively small group of volunteers can have an outsized impact.

### Big Reach With a Small Team

AKFLA is a free, web-based legal advice platform available statewide at Alaska.FreeLegalAnswers.org. Eligible users can ask up to three civil legal questions per year and receive answers directly from volunteer attor-

Clinic	Volunteers	Volunteer Hours	Clients Served
Alaska Free Legal Answers	29	855	312
Five In-Person Clinics	204	897	373
<b>TOTALS:</b>	<b>233</b>	<b>1752</b>	<b>685</b>

neys. For many Alaskans, especially those in rural communities, without reliable transportation, or juggling work and caregiving responsibilities, this platform is the most accessible way to get legal help.

In 2025, just 29 Alaska Free Legal Answers volunteers served 312 clients, which is nearly half the total number served by all five Bar-sponsored in-person clinics combined. This underscores the efficiency and reach of the online model and the outsized impact a small group of vol-

unteers can have when participation barriers are low.

That success does not diminish the value of in-person clinics. The MLK Day clinics in Anchorage, Bethel, Fairbanks, and Juneau, along with the Elizabeth Peratrovich, May Legal Clinic, Elder Appreciation and Wills Clinic, and Disaster Legal Clinics, served 373 Alaskans with the help of more than 200 volunteers, providing face-to-face support many clients need.

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# Bar Association Develops Three-Year Strategic Plan

By Becca Patterson

In October, the Board of Governors went through its second formal strategic planning process, resulting in the Bar Association's next three-year plan. We chose to focus on three practical goals: 1. Increasing access to qualified attorneys; 2. Strengthening member engagement; and 3. Supporting the mental health and well-being of our members.

These three goals were chosen based on requests from our community. They also reflect the reality that the number of rural practitioners is decreasing, leading to more legal deserts across our state. In addition, we considered the challenges faced by our members, as evidenced by disciplinary matters, feedback from our rural outreach efforts, and broader national trends. I provide more details below.

## Goal 1: Increase Access to Qualified Attorneys

Increasing access to attorneys across our State has been a priority for several years. The Board had an ad hoc committee to explore increasing the attorney pipeline; in recent years we've relaxed Bar admission requirements by updating the Bar rules to decrease the Bar exam cut score, reduced the number of years required for admission upon motion, and allow attorneys to be admitted on motion from any state or territory in the U.S. We've also supported the new Community Justice Worker program to increase access to legal services, accepting

the waivers to allow the first cohort to practice in court at our recent January meeting. For the next three years, we will build off what we've started to further explore alternate pathways to licensure, such as an internship or apprenticeship model, and assess current admission licenses. To increase the attorney pipeline, we plan to expand outreach to Alaska schools and law schools that regularly send students to Alaska, to connect more with legal interns and law clerks such as when we launched

a summer career fair two years ago, and to seek more in-State applicants interested in the law that are more likely to return here after law school. We also plan to work on updating the Bar exam, transitioning to the new NextGen Unified Bar Exam, and to look at revamping the character and fitness process and Bar application.

## Goal 2: Strengthen Member Engagement

Ever since the pandemic, our means of practice and engaging with one another has fundamentally changed. We want to target our events in ways that are meaningful to our members, to increase connections through section listserves that allow for informal communications, to support Bar activities in rural areas and among rural practitioners, to work with part-



"We will review our progress towards these goals at every Board meeting and hope to see you at an upcoming Bar event."

ners at local and affinity bars, and to consider new sections or member groups that might appeal to broader swaths of our membership. We also want to harness technology to help those in need of services with Alaska lawyers, to update the website so it can serve as a resource hub, and to begin collecting data so we know where to direct efforts in the future. If you're interested in helping with any of these ideas, please contact Executive Director Danielle Bailey to get more involved.

## Goal 3: Support the Mental Health and Wellbeing of Alaska Lawyers

Lawyers have long suffered from higher rates of depression and substance abuse. Changing modes of practice caused by the pandemic and attacks on lawyers have increased stress, exhaustion and anxiety among our community. These pressures can be exacerbated in our State, where we have a large number of small firms and solo practitioners that may not have the same support and resources available to practitioners in larger firms. To address these issues, we plan to continue educating our community about these challenges, assess the need for a mentorship program, and explore the need for potentially adding new member benefits, such as confidential counseling sessions. We also want to develop resources for business continuity and succession planning to support practitioners who may not have internal coverage

but need a break from practice.

We are excited about this new three-year plan and hope to hear more about how the Bar can better serve you and your practice. We will review our progress towards these goals at every Board meeting and hope to see you at an upcoming Bar event. On that note, don't forget about our upcoming Bar convention in Juneau on April 29-May 1!

Rebecca (Becca) Patterson is the President of the Alaska Bar Association. She moved to Alaska in 2011 for a one-year clerkship, and, like many Alaska lawyers, never left. Becca did her undergraduate education at Washington University in St. Louis, graduating in 2007; worked briefly for the Legal Assistance Foundation of Metropolitan Chicago; and then attended Harvard Law School, graduating in 2011. She moved to Alaska to clerk for then-Chief Justice Bud Carpeneti, followed by a clerkship with U.S. District Court Judge Sharon Gleason. She has been a partner at the Sonosky Law Firm since 2017. When not at work, she enjoys running, skiing, hiking and exploring the outdoors with her husband, three children and friends.

We are excited about this new three-year plan and hope to hear more about how the Bar can better serve you and your practice.

## The Alaska BAR RAG

The Alaska Bar Rag is published quarterly by the Alaska Bar Association, 840 K St., Suite 100, Anchorage, Alaska 99501 (272-7469).

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### Board of Governors meeting dates:

• April 28 & 29, 2026

### Annual Convention and Annual Meeting (Juneau)

April 29-May 1, 2026

Publication Dates	Editorial Deadlines
March	Feb. 10
June	May 10
September	Aug. 10
December	Nov. 10

[Editor's Disclaimer: As with all Bar Rag articles, advertisements and letters, we do not vouch for, stand by, or support most of what we publish. Nor have we cleared any of this with either the FDA or the Department of Homeland Security (aka Interior Ministry). We sure as hell won't be responsible for your hurt feelings or misguided reliance on anything we publish or not.] TVF2000

## New Bar Rag Editor Needed

Interested in writing a quarterly column in the Bar Rag?

Monica Elkinton has resigned as editor of the Bar Rag, and a new editor needs to be appointed.

The editor:

- writes a quarterly column
- helps decide which articles should be printed, and discusses what should be on the front page
- meets quarterly with the managing editor, production managers (non-lawyers who are paid to edit and layout the paper) and the Executive Director and
- reviews articles prior to publication

Some editors are more active and solicit lawyers to write articles about specific subjects or write additional articles.

If you are interested, send an email of interest to Danielle Bailey at [bailey@alaskabar.org](mailto:bailey@alaskabar.org).



### Alaska Bar Convention Well Attended in Anchorage

By Kara Bridge, CLE Director

Over 300 attorneys gathered for the 2025 Alaska Bar Convention, which offered two and a half days of CLE, networking and social events. The convention provided ample opportunities to meet, connect, and engage with fellow legal professionals. One of the main highlights was the keynote address by Neil Kaysal, Chief Justice of the Alaska Supreme Court, and the "Rule of Law," which explored the importance of the judicial system in upholding justice. We were excited to welcome back two popular speakers, Dean Chemerinsky and Professor Larry Chemerinsky on the U.S. Supreme Court. Opinion Update and

See more convention photos on page 28. Watch for Neil Kaysal and Erwin Chemerinsky quotes scattered throughout the publication.

### Alaska Lawyers Reflect on Iconic Mount Marathon Race

By Clarice Rubin-Hicks

As the days grow longer and summer draws closer, many Alaska natives are preparing for the 2025 Mount Marathon Race, an iconic event that takes competitors a thrilling 2.1 miles and 3,000 feet up the beautiful peak overlooking Seward and then a brutal 3.1 miles and

the Alaska Appellate Law Update are always well-attended and exciting. At the Anchorage Reception, we celebrated the achievements of individuals who have made significant contributions to the legal community. The awards presented included the Bryan P. Tashers Pro Bono Award, the Judge Steve Gatten Award, the Public Service Award, and the Board of Governors Award. Additionally, we recognized members who reached significant milestones, honoring those with 25, 50 and 60 years of service. Looking ahead, we're excited to announce that next year's convention will take place from April 29-May 1, 2026, in Juneau. We hope to see you there!



Stephanie Heston smiles with pro as award recipient after a speaking reception during the reception of the Bryan P. Tashers Pro Bono Award for Lifetime Achievement. Photo by Michael Dunbar Photography

### Jim Shapiro speaks to the finish line.



Jim Shapiro speaks to the finish line. Photo by Michael Dunbar Photography

was to race in 2022 as well, but a fall which-biking led to a severely broken left hip, and he was forced to

quit. He raced every year from

his 20s until "burning off" near the fin-

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# Community Justice Workers Expand Legal Access in Alaska



Community Justice Workers, ALSC/CJWRC staff, DVPO instructor, and mock trial participants shown during December 9, 2025, courthouse tour with Justice Jennifer Henderson. Photo courtesy of Rebecca Koford.

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access to justice gap in Alaska led ALSC to develop the CJW program. Community Justice Workers are not attorneys and can be community members, healthcare workers, Tribe and Tribal organization employees, social services employees, or law students.

In partnership with the Alaska Native Tribal Health Consortium's Distance Learning Network and Alaska Pacific University, ALSC developed trainings that enable CJWs to identify, educate on, and address routine legal issues, such as helping an individual write a will or file a fair hearing request for a Supplemental Nutrition Assistance Program (SNAP) application delay.

Sarah Carver, one of the co-directors of ALSC's Community Justice Worker Resource Center (CJWRC), has been with the CJW program from the very beginning.

"The Alaska CJW program was directly inspired by the Community Health Aide/Practitioner Program, a decades-old Alaska Native Tribal healthcare model," Carver said. "The CJW program is the legal analogy to a health aide in every village. CJWs are the legal solution to legal deserts in the same way Community Health Aide/Practitioners are a solution to healthcare deserts."

Since beginning to provide CJW trainings in 2019, over 200 individuals in more than 40 communities have taken the trainings. Many have volunteered through ALSC's pro bono program, while others infuse the knowledge they have learned back into their communities.

The model has proven so successful that in 2024, ALSC obtained funding to hire seven full-time CJWs who work out of its Bethel, Fairbanks, Kenai, Kodiak, Nome, and Palmer offices.

Cheryl Thompson, a CJW in the Bethel office who comes from an accounting background, calls her current position "one of the best jobs I've ever done. It's been challenging and super rewarding."

While CJWs providing routine

brief legal services is making a significant difference in the number of clients ALSC is able to help, there are still situations where in-court representation is needed to help an individual be more confident or achieve a better outcome.

In fall 2025, ALSC piloted its first Rule 43.5 waiver training with five staff CJWs: Lauren Custer, Yonna Pereyra, Abbigale Skonberg, Cheryl Thompson, and Ashley Vincent. The waiver training consisted of a 10-week course on representing clients in DVPO proceedings.

The CJWs attended live virtual training sessions where they learned the basics of crimes of domestic violence, interviewing clients, writing petitions, crafting case timelines and witness questions, introducing evidence, cross-examination, and more. They completed written assignments, an ethics course, observed DVPO hearings, and completed two mock trial exercises, one virtually and one in person at the Boney Courthouse in Anchorage.

Abbigale Skonberg, a CJW in ALSC's Kodiak office who worked in healthcare for 10 years before earning a paralegal studies degree and making a career change, said, "I am very nervous and excited to be able to represent clients in DVPO hearings. The training definitely prepared me. The structure, duration, and thoroughness of the training has set us up for success in my opinion."

The CJWRC team and other ALSC staff members agree. The CJWs are fully integrated into ALSC's offices and pro bono program, and there is a definite undercurrent of excitement for what CJWs have already accomplished and what is possible as the program continues to grow.

The excitement is not limited to ALSC. Currently, 14 states and the District of Columbia have passed or proposed rules authorizing justice worker programs, and 20 more states are actively developing them.

Yonna Pereyra, a CJW in the Bethel office who previously spent 18 years as a child protective services social worker and eight years

managing a patient advocacy program at a Tribal hospital in Alaska, believes there is good reason for the momentum.

"We help close that gap so those who may otherwise go unrepresented in legal matters now have repre-

sentation and an advocate," Pereyra said.

*Joy Anderson is the Co-Director of the Community Justice Worker Resource Center at Alaska Legal Services Corporation.*



If you are aware of anyone within the Alaska legal community (lawyers, law office personnel, judges or courthouse employees) who suffers a sudden catastrophic loss due to an unexpected event, illness or injury, the Alaska Bar Association's SOLACE Program can likely assist that person in some meaningful way.

Contact the Alaska Bar Association or one of the following coordinators when you learn of a tragedy occurring to someone in your local legal community:

Mat-Su: Greg Parvin, [gparvin@gparvinlaw.com](mailto:gparvin@gparvinlaw.com)

Anchorage: Stephanie Joannides, [joannidesdisputeresolution@gmail.com](mailto:joannidesdisputeresolution@gmail.com)

Through working with you and close friends of the family, the coordinator will help determine what would be the most appropriate expression of support. We do not solicit cash, but can assist with contributions of clothing, transportation, medical community contacts and referrals, and other possible solutions through the contacts of the Alaska Bar Association and its membership.



## Board of Governors Action Items — January 23, 2026

- Approved the October 2025 minutes.
- Approved 15 admission on motion applicants and 12 UBE score transfer applicants for admission.
- Approved for admission four successful bar exam applicants who previously had their applications deferred pending completion of their character investigation.
- Voted to appoint Jeffrey Robinson to the Alaska Judicial Council.
- Voted to adopt the 2026-2028 Strategic Plan.
- Voted to relax Bar Rule 43.4 in accordance with Bar Rule 43.4(3) to not cause unnecessary hardship beyond those outlined in 50 USC §4025(a).
- Voted to approve the non-standard testing accommodations for six bar exam applicants.
- Denied an applicant admission on character and fitness grounds.
- Voted to advance to the Supreme Court a rule proposal to increase late payment penalties for dues and to raise reinstatement fees following suspension for non-payment of dues or noncompliance with MCLE requirements.
- Voted to adopt a stipulation for suspension in *Disciplinary Matter Involving Attorney K – 2025D019*.
- Voted to approve Bar Rule 43.5 waivers to engage in the limited practice of law for non-lawyers trained and supervised by ALSC for the following individuals: Lauren Custer, Yonna Pereyra, Abbigale Skonberg, Cheryl Thompson and Ashley Vincent.
- Voted to adopt updates to the standing policies to bring them in line with current practices for MCLE regulations, status transfers, posting notices, Alaska Law Review, Bar Foundation trustee appointments and adjunct organizations.
- Appointed an awards subcommittee: Grace Lee, Rebecca Patterson and Chanel Simon.
- Appointed a keynote speaker subcommittee: Nick Ostrovsky, Bill Granger and Zach Manzella.

### BAR COUNSEL ISSUES PRIVATE ADMONITION

Bar Counsel issued a Written Private Admonition to Attorney X for violations of ARPC 4.1 and ARPC 8.4(c). Attorney X was not truthful in statements to another lawyer when Attorney X denied statements made to a third person about Attorney X's representation of a party in a civil matter. Attorney X left a voicemail for the lawyer denying statements that Attorney X had made on another voicemail to the third person. This conduct with the lawyer and third person violated ARPC 4.1.

Attorney X's employer was notified and when the supervisors asked some questions, Attorney X denied mischaracterizing anything when communicating with the lawyer and third person. Attorney X also denied using restricted employer resources when evidence showed Attorney X did. Attorney X's misrepresentations and dishonesty reflected adversely on fitness to practice law, in violation of ARPC 8.4(c).

Attorney X's lack of honesty led to loss of the job. Attorney X's inexperience in the practice of law and the severe consequence of the job loss were considered in mitigation when determining an appropriate sanction for Attorney X's misconduct. Also, during the pendency of the discipline matter, Attorney X voluntarily completed several CLE courses and demonstrated severe remorse.

An Area Division Member reviewed the file and approved the administration of a Written Private Admonition.

## Law Library – New Staff in the Juneau Law Library

By Susan Falk

Juneau Law Library visitors may have noticed some familiar faces this winter, as former library staff members Shelagh Sands and Marinke Van Gelder stepped in to help keep the library open during our latest vacancy. We send heartfelt thanks to Shelagh and Marinke for dusting off their library skills and Westlaw passwords, and we are thrilled to welcome the newest member of our team, Carol Reinert, who started working in our Juneau library in February.

Carol is a proud Minnesotan, born and raised just outside of Minneapolis. She attended college at the University of Minnesota Duluth, earning a B.A. in History.

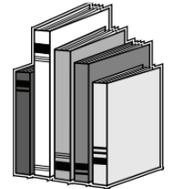
This major allowed Carol to explore a broad range of interests, from Ancient Greek and Persian History to Women, Gender, and Sexuality Studies. She also minored in Deaf Culture, and continues to use ASL to keep her skills up to date. Carol and her partner, Dylan, moved to Juneau two years ago and fell in love with all the city has to offer.

Growing up in Minnesota, Carol was no stranger to cold, but she

has found the rain in Juneau “unmatched.” An avid hiker, Carol tries to get out every day, and is appreciating the lengthening days. “I plan to summit both Mount Juneau and Thunder Mountain this summer so we will be training this spring! I regularly do yoga and love to read and write short stories. Being creative and making music with my friends is one of my favorite pastimes. We frequent the public use cabins and appreciate our time in nature without cellphone service.”

Carol comes to us from the Juneau Public Library. “I deeply appreciated my time at the public

library and continue to appreciate all the services that public libraries have to offer. I enjoy research and look forward to assisting people with their own.”



Want to help Carol adjust to her new library position? Go visit her at the Juneau Law Library, and let her flex her legal information muscles by helping you find what you need. The Juneau Law Library is open to the public Monday through Thursday, 10:00 a.m. to 4:00 p.m. Remote services are available via phone and email statewide Monday through Thursday, 8:00 a.m. to 6:00 p.m., 8:00 a.m. to 4:00 p.m. on Fridays, and 12:00 to 5:00 p.m. on Sundays.

Susan Falk is the Alaska law librarian.

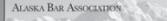
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**HAPPY St. Patrick's Day**

# The Unsung Heroes of Pro Bono in Alaska: Alaska Free Legal Answers Volunteers

*Continued from page 1*

## Quiet Work, Real Results

AKFLA volunteers work behind the scenes. There are no networking opportunities with colleagues and no shared coffee with fellow volunteers between answering client questions. Instead, volunteers log in on their own schedules, review questions, and provide thoughtful, practical guidance to Alaskans in need, some with looming court deadlines. What they do get is the knowledge that their answers may resolve a legal problem that would otherwise go unaddressed.

In partnership with the Alaska Bar Association, the Alaska Court System distributed thousands of AKFLA flyers to courthouses across the state in 2025 and will continue to do so annually. As awareness of the platform has grown, so has the need for volunteer attorneys.

The Bar put on a free ethics CLE in September 2025 titled “Ethics of Limited Scope Representation and Alaska Free Legal Answers.” That program, combined with other outreach efforts, helped increase the number of volunteer attorneys by 34 percent and the number of clients served by 35 percent in 2025. Bar members may view this free ethics CLE in their video-on-demand library through their member portal.

Momentum has continued into 2026. In January alone, six additional attorneys joined the AKFLA volunteer team, bringing the total number of registered volunteer attorneys to 101.

## Pro Bono That Fits Real Life

One of the strengths of AKFLA is how accessible it is for busy attorneys. Volunteers can preview questions before deciding whether to answer them, subscribe to subject areas that match their practice, and log in whenever they have time. Answering a question typically takes about 20 minutes and often involves sharing court forms, self-help resources, or brief explanations of next steps.

Carolyn Nicole Daussin joined AKFLA in November 2025 and answered 27 questions in less than three months. Reflecting on her experience, she shared:

“I wish I had found out about Alaska Free Legal Answers sooner. I really enjoy the ability to give back and help Alaskans in need in the

virtual clinic setting. This type of pro bono is so accessible for me as a busy mom and business owner, because I can log in and log off at any time to answer questions and help clients. I also enjoy engaging with diverse areas of law, like breach of contract actions and property law matters. It feels good when people thank you, and it is an all-around fun and mentally stimulating way to give back.”

Clients and volunteers can access the platform 24 hours a day, every day of the year. Attorneys interested in volunteering can register at Alaska.FreeLegalAnswers.org by clicking on “Volunteer Registration.”

## Working Together to Expand Access

The Alaska Bar Association promotes AKFLA at every in-person clinic as an option for those who cannot attend. This approach helps ensure that no matter where an Alaskan lives or what their schedule looks like, pro bono legal help is available. In January 2026, AKFLA volunteers answered 41 client questions, including six on Martin Luther King Jr. Day itself.

From a cost perspective, the online platform also allows the Bar to serve a high volume of clients with fewer resources. In-person clinics require advertising, venue and equipment rental, supplies, and significant volunteer coordination. Alaska Free Legal Answers complements these efforts by extending the Bar’s reach year-round at a fraction of the cost.

## Continuing the Work

Together, Alaska Bar Association in-person clinics and Alaska Free Legal Answers demonstrate what coordinated pro bono service can achieve. Whether answering questions online late at night or sitting across the table from a client at a clinic, volunteer attorneys are helping close the justice gap in meaningful ways.

The Alaska Bar Association extends its sincere thanks to all volunteers who gave their time and expertise in 2025 as well as our partners and donors. Their efforts, both visible and behind the scenes, continue to make a real difference for Alaskans across the state.

*Lea McKenna is the Pro Bono Director of the Alaska Bar Association.*

### Top 5 of 2025 Alaska Free Legal Answers Volunteers – those that are bolded joined AFLA in 2025



**Stephanie Rhoades**  
(143 questions)



**Marshall Harbin**  
(29 questions)



**Jessica Falke**  
(22 questions)



**Alison Carter**  
(14 questions)



**Carolyn Nicole Daussin**  
(13 questions)



**Gail Ballou**  
(13 questions)

## The Perfect Location no matter what size office space you need!

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**FOR LEASING INFORMATION CONTACT:**

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(907) 564-2496 • [Cycelia@DenaliCommercial.com](mailto:Cycelia@DenaliCommercial.com)

## 2026 National Crime Victims’ Rights Week



### CEREMONY OF REMEMBRANCE

**When:** April 20, 2026, 12:00pm | Hostetler Park, Anchorage

We come together to honor Alaskans whose lives have been impacted by violent crime. Attendees are invited to tie colored ribbons, signifying eleven types of violent crime on branches to represent themselves or others who have been impacted by violent crime.



### VICTIM SERVICE AWARDS

**When:** April 23, 2026, 12:00pm | Petroleum Club of Anchorage

This ceremony is held to recognize those individuals, programs, teams, and organizations that demonstrate outstanding service in supporting victims and victim services. Six recipients are selected each year for their vision, action, and leadership in improving the lives of victims in the aftermath of crime.



In Association with National Crime Victims’ Rights Week April 19-25, 2026

# Volunteers Mobilize to Serve Western Alaska Evacuees

By *Lea McKenna*

In October 2025, Typhoon Halong and related storms ravaged communities in Western Alaska, forcing hundreds of residents to evacuate to Anchorage. As families worked to secure housing and begin the long process of recovery, legal issues quickly followed. The Alaska Bar Association responded by coordinating a rapid legal response focused on practical, immediate assistance for those displaced by the storms.

In partnership with Emergency Legal Responders, the Alaska Institute for Justice (AIJ), and Alaska Legal Services Corporation (ALSC), the Bar hosted a 2.5-hour ethics CLE on November 19, 2025, titled “Disaster Rights, Resources, and Legal Ethics: How You Can Help Those Impacted.” The program was designed to give attorneys the tools they needed to step in quickly and effectively. Eighty people registered, reflecting strong interest in supporting Western Alaskan communities during a critical time.

## Organizing a Clinic on a Tight Timeline

Soon after the CLE, it became clear that many evacuees were receiving denials or insufficient awards from FEMA and other assistance programs. With an initial FEMA deadline of December 22 approaching, the Bar and its partners moved quickly to organize a Disaster Legal Clinic in Anchorage.

In less than three weeks, the Bar, AIJ, and ALSC coordinated a full-day clinic to assist evacuees who were primarily staying in five Anchorage hotels. The clinic was held on December 16, 2025, at The Bridge Company, located next to one of the hotels housing evacuees. Planning took place during the busy holiday season, but the urgency of the need drove the work forward.

**The program was designed to give attorneys the tools they needed to step in quickly and effectively. Eighty people registered, reflecting strong interest in supporting Western Alaskan communities during a critical time.**

## Volunteers Step Up

The response from volunteers was immediate and generous. On average, each Bar member who volunteered spent about twelve hours preparing for and staffing the clinic. Several retired and private attorneys, along with staff from ALSC and AIJ who had attended the disaster

CLE, served as advice attorneys.

In addition to the initial 2.5-hour CLE, advice attorney volunteers completed a one-hour refresher training and a one-hour orientation before working the seven-hour clinic. Their preparation paid off. Despite only one volunteer having prior experience assisting with disaster aid applications, volunteers reported feeling confident and well-equipped to help clients navigate a complex system under stressful circumstances.

## Support Beyond the Legal Community

The clinic also brought together a wide range of partners. Representatives from FEMA, the Small Business Administration, ALSC’s Fair Housing Project, and Cook Inlet Lending were on site to answer questions and connect evacuees with additional resources.

The clinic underscored how quickly the Anchorage community can rally to support fellow Alaskans in times of crisis. On short notice, The Bridge Company donated the venue, food and drinks. Sobermiut: Reviving our Spirit provided traditional food that many evacuees, who had previously been living a subsistence lifestyle, had been missing while living in hotel rooms. Anchorage Trolley Company and Salmon Berry Travel & Tours donated shuttle service between the five evacuee hotels and the clinic location. Crafts for children were also provided.

These contributions facilitated easy access for clients and helped create a welcoming environment for the 70 evacuees who attended so they could connect with one another during an otherwise stressful time.

## Meaningful Impact in One Day

Approximately 25 heads of household were served at the clinic, including several clients assisted through in-person Yup’ik interpreters. Volunteers helped evacuees submit and appeal applications for individual assistance from FEMA, the State of Alaska, and other organizations. Volunteer attorneys were able to address client issues involving inherited damaged property, assistance for separated spouses, damages to subsistence camps, and appealing where awards were inadequate to cover their damages.

**These contributions facilitated easy access for clients and helped create a welcoming environment for the 70 evacuees who attended so they could connect with one another during an otherwise stressful time.**

By the end of the day, clients had concrete next steps toward rebuilding their lives, and volunteers left knowing their time had made a real difference.

## Continuing the Work

The impact of the clinic extended beyond a single day. Five volunteer attorneys provided disaster-related assistance at the Martin Luther King Jr. Day Free Legal Clinic in Anchorage. Two additional disaster-trained attorneys traveled to Bethel to offer similar support at the MLK Day Clinic there.

Between earthquakes and storms, disasters in Alaska are not rare. The need for attorneys who can mobilize quickly and provide informed, compassionate assistance is ongoing. Attorneys interested in helping are encouraged to view the free 2.5 hour ethics CLE, “Disaster Rights, Resources, and Legal Ethics: How You Can Help Those Impacted,” available through the Alaska Bar Association’s Videos-on-Demand CLE library, and to sign up for the Pro Bono Mailing List.

The Alaska Bar Association is grateful to the volunteers and partners who stepped up on short notice to support Western Alaskan evacuees during a critical moment. Their willingness to act quickly and work collaboratively shows the real power of pro bono service when it is needed most.

*Lea McKenna is the Pro Bono Director of the Alaska Bar Association.*

## THANK YOU, DISASTER CLINIC VOLUNTEERS & DONORS

On December 16, 2025, 30 volunteers spent 180 hours serving 25 families who evacuated from Western Alaska following Typhoon Halong.



### Volunteers:

Arina Filipenko  
 Delaney Voorheis  
 Diana Kniazewycz  
 Elizabeth Johnson  
 Helen Poitra-Chalmers  
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 Kevin McCoy  
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 Pearl Pickett  
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 Sharon Barr  
 Sheryl Musgrove  
 Susan Gadamus  
 Zach Manzella

### Our Generous Donors:

The Bridge Company (venue, food, drinks)  
 Sobermiut : Reviving Our Spirit (traditional food)  
 Anchorage Trolley Tours (shuttle)  
 Salmon Berry Travel & Tours (shuttle)  
 The Listening Post (compassionate listeners)

### Resource Tables:

Alaska Division of Emergency Assistance  
 ALSC Fair Housing Project  
 Cook Inlet Lending  
 FEMA  
 Small Business Administration

### Yup’ik Interpreters:

Dorie Savage  
 Pauline Haas

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# Time Is of the Essence

By William R. Satterberg

An important part of law not to be overlooked is calendaring. In fact, I had planned to write this article for a long time but kept forgetting.

One of the biggest areas of liability for a practitioner is in missing a calendared date or, worse yet, not calendaring the date at all. Whether it is a statute of limitations, deadline for a pleading, or, even more important, an anniversary or spouse's birthday, calendaring is critical.

Over the years, I have painfully learned the importance of calendaring. Fortunately, I have quite rarely ever missed a court hearing and am becoming even more responsive with the advent of mobile phones and alarm clocks, along with a nagging staff.

Part of the problem with alarm clocks and cell phone alarms, unfortunately, is that my sense of hearing has diminished with age. At 75 years old, I have found that my higher ranges of hearing no longer work that well. When I once had my hearing checked at a clinic, the audiologist asked how I thought I scored on the test. I responded that I felt that I did well. I proudly stated that I raised my hand each time I heard a tone. "And that is your problem," he said. "You raised your hand far less than the number of tones on the test."

Recently, someone set an alarm for noon on my expensive, genuine plastic Casio wristwatch. After that, the alarm continually went off with people telling me to turn it off. Recently, it happened in court with an entire jury looking at me in annoyance. But since I did not hear it, I simply smiled back at the jury, and allowed the alarm to run its course. Later, I asked a person with better hearing to see if they could remove the setting. Maybe they did. Maybe

they did not. Either way, I still cannot hear it.

Occasionally, but not often, I have missed calendaring dates. In one civil court case, I set up a negotiation session with opposing Anchorage counsel. The three of us had worked hard to establish an agreed upon date and time. We all were looking forward to our rendezvous. However, when the date arrived, I totally missed it. Instead, I had scheduled the meeting for the following day, which was then interrupted by yet another meeting, which I needed to have with someone who I considered more important. Fortunately, my meeting mates understood and forgave me, even if they had not voted for the subject of my conflicting meeting.

I also missed a calendaring date once in church. Not that I missed church. But, I often do that, too. I had been tasked to read the opening lecture to the congregation. I slipped in 10 minutes late after shoveling the driveway. I quietly took my seat in the back pew and picked up the bulletin. I suddenly realized that my name was listed as the reader. At least it was a good place to ask for forgiveness. I was lucky because somebody did fill in for me, possibly anticipating my transgressions (or was it trespasses?).

I enjoy practicing law in Fairbanks. Although I do work elsewhere in the state, I find that the smaller communities are more accepting of practitioners and the problems they encounter. When I have, on occasion, missed a court deadline, I have found that not only the practitioners, but even the court system is usually tolerant.

There is one judge in Fairbanks, however, who is not so forgiving. I



will refrain from mentioning this jurist's name so that I do not threaten to invade the temple. It is well known that, when a practitioner arrives late for a hearing without a valid excuse, a fine is likely to be imposed. Yet, the judge is actually quite fair-minded. In fact, the court has even been known to fine itself when it shows up late for a hearing without an excuse. Good for the goose. Good for the gander.

So, what happens if a deadline is missed? Usually, if an attorney misses a date, the first thing to do is to contact the opposing side and see whether they will grant an extension. Very rarely has anyone ever refused to grant an extension in Fairbanks, since the courtesies flow both directions. In addition, I have a standing rule that one should never interfere with a person's planned vacation. As I get older, I intend to take more vacations.

If contacting opposing counsel to receive an extension does not work for some reason, the next best method is to contact Fairbanks at-

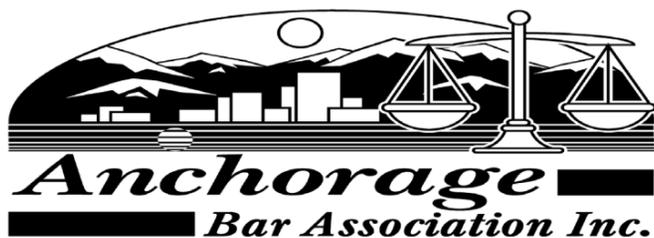
torney Robert John, aka RJ. RJ is a master when it comes to figuring out a way to resurrect an expired deadline. Even statutes of limitations do have extensions potentially available, but one should never push the limit. After a time, your luck may run out.

This brings me to my final confession. I totally missed the deadline for the December 2025 Bar Rag article. I apparently did not have it on the calendar, and nobody from the Bar Rag called me to remind me. Surprisingly, I later had more than one call from my dedicated fan club saying that they missed my missive and that was the only reason they read the auspicious publication. The calls certainly helped to restore my diminishing self-esteem. So, I will blame the Bar Rag for that

**So, what happens if a deadline is missed? Usually, if an attorney misses a date, the first thing to do is to contact the opposing side and see whether they will grant an extension.**

one. But, I will not miss the next Bar Rag deadline. In fact, there are now a whole raft of articles which are in the proverbial "can." Stay tuned for the next timely exciting episode, fans!

*Admitted to the Alaska Bar in 1976, William R. Satterberg Jr. has a private, mixed civil/criminal litigation practice in Fairbanks. He has been contributing to the Bar Rag for so long he can't remember.*



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# The Battle of the Clerks

By Andy Willis

They always said my skills from Moot Court would help in practice and here I am, seven months post-JD, standing in the Fairbanks Curling Club, deploying my skills from Moot Court.

That skill, in this case, being my very best, most earnest Samuel L. Jackson-as-Coach-Carter impression. Which is admittedly difficult to pull off when everyone is wearing suits and I am trying to fit an ice-gripper on my shoe.

I address the “28 Enders.” My partners-in-curling.

“Kayleigh,” I say. I am looking at Kayleigh O’Connor, a Court of Appeals clerk on loan from Judge Harbison. “You are our ace. You have more bullseyes than anyone. You have ice in your veins. Trust yourself.”

She nods.

“Hayden,” I say to her partner, a giant medical student doing his rotations at various hospitals and clinics across Fairbanks. “You bring the power and you got the sweeps.”

Then I turn to Matt Gulick, my fellow Oravec clerk. Matt, who is Scottish.

“Matt,” I say, “You are Scottish and this game is Scottish; those stones out there are from Scotland. Make your people proud.”

We are law clerks. We are suited up. We are determined. We are ready to slide rocks at other rocks. We are ready to own the house (the name for curling’s bullseye).

It is strange, what they don’t tell you during 1L. They tell you about Torts. They tell you about the Rule Against Perpetuities. They do not tell you that upon arriving in Fairbanks, you will be inducted into a cult of ice-based friction management.

Under the reign of Senior Justice Winfree, curling was mandatory for his law clerks in Fairbanks. Under Justices Oravec and Carney, it is “Highly Encouraged.” And so, the

rosters were formed. Two teams. The Beginners League.

We march out onto the hallowed ice of the Fairbanks Curling Club, the oldest sports organization in Alaska.

Opposing us is Team “Susan For a Bruisin” composed of Carney clerk Ali Saueressig and her husband Ibad Jafri, Carney clerk Zoë Wise, and Andy O’Keefe, who clerks for Judge Harbison. They are also wearing suits. It looks like the rumble from *Anchorman* or a hostile corporate takeover is about to happen on Sheet 1.

The game begins and it is a clash of physics and spirit.

A typical point goes something like this: Matt launches himself from a starting position in a controlled lunge, pushing the stone. It slides down the ice. “Sweep!” I yell in an unusually deep and (hopefully?) commanding tone. Hayden and Kayleigh are sweeping. They are sweeping with a violence that suggests the ice has personally offended them.

The brooms make a *scritch-scritch-scritch* sound. And the stone creeps its way into the house—sometimes jostling other occupants.

Our gameplay is high-drama. Sometimes, we are looking to smash the Carney stones out of the House (the circle) in a “takeout.” Sometimes, we are gently nudging the stone behind a guarding stone. The stone is always curling (curving) to the left or right (how much depends on the ice’s conditions).

We are dealing in margins of inches. It is terrifying. It is exhilarating. It is a bunch of people in business casual sliding around on a frozen pond indoors while the Alaska Supreme Court and our loved ones watch from the balcony.

And then, the moment. The Final Stone.

We are one point behind and I have the Hammer (the final throw). Before me is a wall of stones that protect the Carney point-scoring stones and the House. If we are to win, I will need to bounce my stone



off another. I line up my shot, slide out onto the ice, and gently turn the stone counter-clockwise, ensuring a leftward curl. It comes down, curling, curling, the friction battling the momentum, the sweepers sweeping, the shouters shouting, and then—*clack*.

The stones collide and ricochet, but our stone does not get close enough to the House to win. Team “Susan For a Bruisin” carries the day.

We shake hands and exchange the club sportsmanship gesture of saying, “good curling, good curling.” We head upstairs for the Pizza of Consolation, purchased per a bet by Justice Oravec. Some of us drink the Beer of Relief and we all remember that the other clerks are our good friends and great people. We sit there and we eat our cheese-delivery vehicles, and we think: “Yes. This is what we signed up for.”

And maybe it’s a stretch or a mo-

ment of cheese induced whimsy, but I think I’ve learned a lesson from all this about the law. We are lawyers. We push against the heavy things.

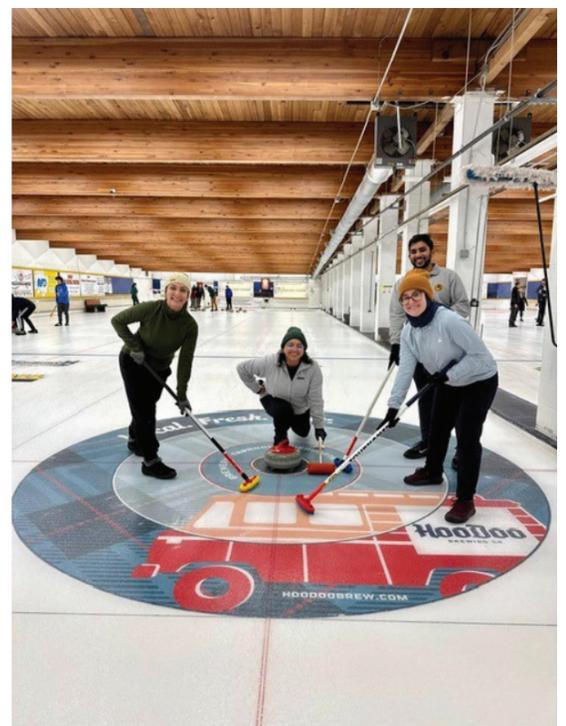
**I think I’ve learned a lesson from all this about the law. We are lawyers. We push against the heavy things. Sometimes the heavy things move. Sometimes they don’t. But you have to sweep, digging through the record, clearing the debris, making sure the path is clean so the Justices can land the opinion right on the button.**

Sometimes the heavy things move. Sometimes they don’t. But you have to sweep, digging through the record, clearing the debris, making sure the path is clean so the Justices can land the opinion right on the button.

Andy Willis is a judicial law clerk for Justice

Aimee Oravec of the Alaska Supreme Court and a graduate of UC Davis Law School, where he led the *Journal of International Law & Policy* as Editor-in-Chief and served as Vice Chair of the Moot Court Honors Board. His newfound legal career is informed by a diverse background, having worked as behavioral therapist with children with special needs and grown up as an American expatriate in the Middle East before pursuing college in the United States.

Photos by Andy Willis



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# Bar People

## Manley Brautigam Bankston, PC Welcomes Haylee Brister as Their Newest Attorney

Manley Brautigam Bankston, PC is pleased to announce that Haylee Brister has joined the firm as an Associate Attorney in the estate planning, tax law and asset protection groups.

In this role, Ms. Brister will bring a client-centered approach that emphasizes understanding each individual's goals while navigating complex legal and financial challenges with clarity and precision. Licensed in both Alaska and New Jersey, she draws on her diverse experience—including pro bono estate planning, judicial clerkship service, and active engagement in professional organizations—to provide thoughtful and comprehensive counsel.

While earning her law degree, Ms. Brister was recognized for her extensive pro bono work, including assisting veterans through the Rutgers Veterans Advocacy Clinic and helping prepare simple estate planning documents for low-income families. Prior to joining Manley Brautigam Bankston, PC, she served as a law clerk to the Hon. Reema Y. Hindawi Scaramella, in Burlington County Superior Court in New Jersey.

"We are pleased to have Haylee join our team of attorneys given her education and knowledge in estate planning, making her the perfect complement to the business, estate and tax planning work we do for our clients at Manley Brautigam Bankston, P.C.," said Peter Brautigam.

Ms. Brister earned her Juris Doctorate from Rutgers School of Law and holds a bachelor's degree in psychology and sociology. She is admitted to practice in Alaska and New Jersey.

"I am honored to join Manley Brautigam Bankston as I begin my career in estate planning," said Ms. Brister. "I'm eager to further develop my practice and collaborate with members of the Alaska Bar as I work to support the needs of Alaskans."



Haylee Brister

## Landye Bennett Blumstein Welcomes New Partner

Landye Bennett Blumstein LLP is pleased to announce that Alex Cleghorn has joined the firm as Partner. Alex returns to private practice after building and leading legal practices serving Alaska Native communities across nonprofit, governmental and corporate contexts for more than twenty years.

Alex assists Alaska tribes, tribal organizations, and Alaska Native Corporations in board governance, shareholder matters, corporate compliance and strategic legal matters. He also advises clients on business transactions, entity formation, economic development and commercial contracts. Alex brings practical, firsthand insight into the challenges and legal obligations facing our clients.

Alex was born and raised in Alaska. He is a tribal citizen of Tangirnaq Native Village and a shareholder of Natives of Kodiak, Koniag Inc., and Cook Inlet Region Inc.

At Landye Bennett Blumstein, we have built our practice around great lawyers who can help individuals, corporations and communities navigate complex legal landscapes. We are excited to welcome Alex Cleghorn to the firm and extend the high-quality legal services LBB offers.



Alex Cleghorn

## Jermain Dunnagan & Owens Welcomes New Hire

Courtney Kuhlmann is a longtime Alaskan who previously worked as a Summer Associate with the firm in 2023 and 2024, and we are excited to welcome her back. Courtney earned her J.D. from Gonzaga University School of Law, where she was Executive Editor of the Law Review. During law school, she worked in Gonzaga's Federal Tax Law Clinic representing low-income taxpayers and interned for the Honorable Judge Cooney of the Washington State Court of Appeals, Division III.



Courtney Kuhlmann

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9:00 a.m. - 12:15 p.m. | Webinar | 3.0 Ethics

**Wednesday - Friday, April 29 - May 1 | 2026 AK Bar Convention**  
Centennial Hall Convention Center, Juneau

**Thursday, May 7 | Law Practice Management: Websites - Sponsored by Solo & Small Firm Section**  
12:00 - 1:00 p.m. | AK Bar Zoom | 1.0 General CLE Credit

**Friday, May 15 | Semicolons are Stupid and other Legal Writing Myths**  
12:00 - 1:00 p.m. | AK Bar Zoom | 1.0 General CLE Credit

**Tuesday, September 15 | Killer Correspondence!**  
12:00 - 1:00 p.m. | AK Bar Zoom | 1.0 General CLE Credit

**Wednesday, December 9 | Ethics with Stuart Teicher**  
9:00 a.m. - 12:15 p.m. | AK Bar Zoom | 3.0 Ethics CLE Credits

**Thursday, December 17 | CLE Rerun: Free Ethics:**  
1:00 - 4:15 p.m. | Alaska Bar Association Office | 3.0 Ethics Credit

**Tuesday, December 29 | CLE Rerun: Free Ethics:**  
1:00 - 4:15 p.m. | Alaska Bar Association Office | 3.0 Ethics Credit

For more CLE offerings, visit our [Event calendar](#) or our [Video on Demand Catalog!](#)

# A Deep Dive into Mediation

By Howard Trickey

Chris Slottee wanted to have a follow-up discussion about mediation and how it works. I suggested dinner at Simon's, my favorite seafood restaurant and a fine drinking establishment. I always get wild sockeye salmon. Chris prefers halibut. Between the clink of cutlery and the din of conversations around us, Chris kicked off round two on mediation.

"We talked about preparation for mediation last time. But let's go deeper, what's the magic in the mediation process?"

I paused. I placed a lot of emphasis on being prepared on the law and facts in our last conversation. The law and facts are an important element, but not the key to a settlement.

"There is always a human drama being played out in a case. The drama is not connected to the facts and law. The drama is not relevant as a legal matter. The drama won't come out at trial. The drama is about a party's

motivations. What do they need? What do they want? I mean, what motivates the parties, emotionally and psychologically, to settle? To be effective, the mediator must understand this motivation piece in addition to understanding the case."

Chris, "What are some of the motivations you've seen play out in cases?"

"In my experience, there are two broad categories of motivations independent of the merits of the case."

Chris, "What are the two categories?"

"The first category is purely personal. The second relates to the litigation and trial process. Both are independent of the merits."

Chris, "What are the personal motivations?"

"A client's personal motivations that drive settlement include humiliation, embarrassment, standing on principle, lack of confidence in one's own lawyer or the feeling one is getting outlawyered, bad publicity, the desire for retribution, fearing disclosure of bad conduct or bad business practices, wanting to inflict pain on the other side by going through trial, insolvency, the desire to protect close family or friends from having to testify, risk tolerance, future business relationships, a desire to cap damages by settling for a sum certain, conflicting vacation or fam-

ily commitments, having to explain to a boss why it made sense to settle, and impacts on a company's financial results during a sensitive period, such as right before the end of a fiscal year."

Chris, "I can see these motivations have nothing to do with the facts and the law. What about the second category of motivations related to the trial process?"

"The trial related motivations include fear of testifying and cross-examination, not wanting to roll the dice, not wanting to spend the time preparing for and sitting through trial, lack of confidence in the judge, a case not having jury appeal, the risk of an appeal, not understanding the litigation process, and not wanting to deal with delays and the lost time you need to devote to a case. Fear and uncertainty underlie most of these motivations. Fear is rooted

in the desire to avoid loss and pain. You can inoculate your client from some of the trial process motivations if you really explain the promise and pitfalls of the trial process, but doubt and fear about a trial can still have an effect."

Chris, "So do you think mediators are better than judges at figuring out the human drama or motivation piece?"

I replied, "Yes. Mediators are more tuned to how the human drama in a case affects settlement. Judges think it's all about the facts and the law. They don't have time to figure out the motivation piece. Mediators also often have the benefit of having direct conversation with the litigants, whereas Judges only interact with them through the lawyers. That gives mediators a better insight to the litigants' motivations."

Chris, "When we met last, you talked about mediators building trust with clients in the process. Let's invert that question. When do you trust the mediator to follow their lead in the mediation process?"

"The short answer is that I select mediators based on prior experience with them, and that prior experience gives me trust in their process and recommendations. In the mediation process, I look at what the mediator focuses on to see if they understand the case. I think there are outcome drivers for both sides in a case. I define an outcome driver as a fact, the law, a piece of evidence, public opinion, the jury pool, a current event,

a lie, a credibility assessment, or anything that can determine the outcome for one side or the other. A mediator who can put a finger on an outcome driver understands the case. A mediator who can put a finger on the outcome drivers understands human behavior and motivations. A mediator who connects with the emotional center of a case will understand the human drama. The mediator will grasp what is going to motivate a party to settle, and that is a mediator who you can follow their lead."

Chris, "How do you probe whether the mediator understands the motivation?"

"You just ask questions about how the mediator reads the other party. What do they say about why they brought the case? How do they behave? What's their relationship with the lawyers like? The mediator must read the non-verbal cues, as well as listen intently to the parties. The mediator is helping to resolve a stressful, complicated problem for the parties, so at some point the parties open up and reveal more about their needs, wants and motives. The mediator listens to not just what people say, but how they say it and address. In addition to the words and tone of what is said, the mediator must pick up on what is not said or the subtext of the conversation."

Chris, "If you trust the mediator, how do you work with them once you've reached that point of trust?"

"You asked about the magic in the mediation process when we started this conversation. I think the magic moment in mediation is when you can look the mediator in the eye and say, 'I trust you. I'm willing to tell you what we can do.' You have to trust that the mediator will keep that confidential and not compromise your bargaining position. You can then work with the mediator to solve the other side of the settlement equation."

Chris, "We've been talking without any specific examples. Tell me about a few cases where the human drama and motivations drove the settlement independent of the merits."

"Off the top of my head, an emotionally charged case with big financial stakes comes to mind. The family patriarch passed control of a business to his sons under a shareholder agreement. The sons fought over how to grow the company and whether to take on debt. The shareholder agreement addressed how such deadlocks should be resolved. The language was ambiguous. The patriarch would have to testify at trial and pick sides. He was in poor health and did not have many years left. The patriarch's testimony would have necessarily favored one son over the other. The case settled in mediation on the eve of trial because the sons did not want to force the patriarch to testify. While the brothers could not even speak to each other, they did not want to put the patriarch through the stress, pressure, and pain of having to testify. In another case, I had a client who purchased property to expand their business. After the purchase, site work revealed undisclosed toxic contamination. The seller had made fraudulent representations. The client had a solid case but settled because the time and delay in litigation would put them at a competitive disadvantage in the marketplace. Time drove the settlement decision."

Chris, "What about simple cases? Do motivations matter?"

"Yes, even in the simplest case, the human element affects settlement. Human drama is present

in every case."

*Howard Trickey is a partner with the Schwabe law firm. For the past forty-nine years, he has represented public and private clients in trials, appeals, arbitrations, administrative hearings, and mediations. His cases involved employment and labor matters, commercial disputes, professional negligence, and injury cases.*

The views expressed in this piece are the writer's and are not necessarily endorsed by the Alaska Bar Association or the Bar Rag, which welcomes a broad range of viewpoints. To submit an opinion piece or other article for consideration, email [info@alaskabar.org](mailto:info@alaskabar.org).

**"...what motivates the parties, emotionally and psychologically, to settle? To be effective, the mediator must understand this motivation piece in addition to understanding the case."**

**"...I think the magic moment in mediation is when you can look the mediator in the eye and say, 'I trust you. I'm willing to tell you what we can do.' You have to trust that the mediator will keep that confidential and not compromise your bargaining position."**

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# Justice Carney Addresses the Alaska Legislature

On February 11, 2026, Chief Justice Susan Carney gave the State of the Judiciary address to the Alaska Legislature. The address covered the following:

- The elimination of pandemic criminal case backlog.
- Ongoing efforts, such as SCO 2038, to eliminate criminal case delays and continuances.
- Rededication of the Utqiagvik courthouse as the Sadie Brower Neakok Courthouse.
- National award for the Color of Justice civics education program.
- Collaboration with tribes, including recognition of tribal court orders and dual-jurisdiction therapeutic courts.
- Request for a new superior court judge in Palmer due to rapid Mat-Su growth and rising caseloads.

For more information covered and the full transcript of the State of the Judiciary address, go to the Alaska Court System website here: <https://courts.alaska.gov/soj/index.htm>.



Chief Justice Susan Carney addresses the Alaska Legislature. Photo by Eric Stone/Alaska Public Media.

# Judge William Taylor Installed in Anchorage Superior Court



Left to Right: Judge Timothy Terrell, Judge Patrick Hanley, Judge William Taylor, Justice Dario Borghesan, Judge Jack McKenna

Judge William Taylor was installed in a ceremony at the Boney Courthouse in Anchorage on November 14, 2025. Addresses and remarks were provided by Justice Dario Borghesan, Judge Timothy Terrell, Judge Jack McKenna, Judge Patrick Hanley, Federal Magistrate Judge Kyle Reardon, James Stinson (Director of OPA), Jeffrey Robinson (Board of Governors of the Alaska Bar Association), and Morgan White (President-Elect of the Anchorage Bar Association).

Judge William Taylor was raised in Arizona and spent five years coaching high school football before attending law school at the University of Michigan. He was introduced to Alaska during his second year of law school when his brother was stationed at Joint Base Elmendorf-Richardson, and he knew immediately that it was where he wanted to build his life.

After graduating law school, he moved to Alaska the very next day and began his career at the Anchorage District Attorney's Office. In 2016, he joined the United States Attorney's Office, where he focused on organized crime and transnational drug trafficking. His work also took him beyond Alaska—representing the Department of Justice across the country and serving with the National Security Division in El Salvador, Mexico, and later spending three months in Jordan as an advisor to the Department of Defense. Judge Taylor and his wife, Elizabeth ("Betsy"), have been married for 18 years and have three sons, ages 11, 8, and 5. He and his boys are avid hunters, and he coaches both youth tackle and flag football. When they're not enjoying Alaska's year-round outdoor activities, the family can usually be found at the football field, hockey rink, baseball diamond or soccer pitch.



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# Judge Colleen Baxter installed as Superior Court judge at a Ceremony in Kodiak

Judge Colleen Baxter was installed as a judge of the Superior Court at a ceremony in the Roy Madsen Justice Center in Kodiak, AK on August 8, 2025. Justice Dario Borghesan gave the welcome remarks and administered the Oath of Office. Addresses and remarks were provided by Justice Borghesan, Judge David Roghair, and Judge Kari McCrea, as well as Thomas Ballard, Lee Baxter, Colin Baxter, Rebecca Patterson (President of the Alaska Bar Association), and Jill Wittenbrader (President of the Kodiak Bar Association). The robing was performed by Colin Baxter and Thomas Ballard.

Born in Nome, AK, to public school teachers, Judge Baxter was raised in Alaska villages and received the bilingual-bicultural education that rural Alaskan children experience, as well as the broader lessons learned in rural Alaska of positive relationships and personal responsibility.

While attending law school in Pennsylvania, Judge Baxter was accepted to Temple University Beasley School of Law's Moot Court, and Political and Civil Rights Law Review. Each summer during law school, Judge Baxter returned to Alaska for internships with the Alaska Public Defender Agency and Kenai District Attorney's Office. Upon graduation from law school, Judge Baxter returned to Alaska to clerk for Judge Jonathan Link, Kenai Superior Court. Judge Baxter then commenced her 24-year career in private practice, during which time she represented and guided countless Alaskans through the legal system.

Prior to being appointed to the Kodiak Superior Court, Judge Baxter served for three years as a magistrate judge in Utqiagvik (formerly known as Barrow) and Kotzebue, in Alaska's Second Judicial District.



Left to Right: Judge David Roghair, Judge Colleen Baxter, Justice Dario Borghesan, Judge Kari McCrea.



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# Basic Examples of Estate Planning Complexity

By Steven T. O'Hara

If artificial intelligence is ever capable of learning humility, it will find law a good instructor.

Within the field of law, the sub-field of estate planning includes documenting various decisions and elections. You know whenever there is documentation, there is a level of complexity.

For married couples, there is the decision whether to transmute an asset from separate property to community property or from community property to separate property. In Alaska, the legislature has seen fit to require specific language in capital letters at the beginning of every community property agreement and every community property trust, warning of possible extensive consequences and suggesting the parties "SEEK COMPETENT ADVICE." AS 34.77.090(b) and 34.77.100(b).

Singles do not get a pass when it comes to complexity. Consider this hypothetical: There is a widow in Alaska with a home she owns free and clear. She has title insurance on the property, and the home has a fair market value significantly greater than tax basis. She is 98 and, with her certificates of deposit, she will never qualify for government assistance. She is moving into an assisted-living home in Alaska and considering quitclaiming the home at this time to her two children, both domiciled in Alaska. One child pilots his personal aircraft throughout Alaska; the other is a surgeon.

What is the effect of a quitclaim deed on the title insurance? Would mom rather convey title by warranty deed? And might her children prefer to receive the gift in trust to obtain creditor and predator protection to the extent allowed by law? And what about income tax? A disadvantage of gifting appreciated property during lifetime is that the children or trusts do not get an increase in tax basis to fair market value like they could get if the home passes at mom's death. IRC Section 1014 provides rules whereby heirs pay no income tax on the sale of certain inherited assets by reason of a step-up in tax basis at death. Cf. IRC Sec. 1015.

Consider this hypothetical: A widower who has never made a taxable gift wants a basic Will to give his total estate, currently \$300,000 of after-tax dollars, to a specific charity. Contributions to the specific

charity are tax deductible to the extent allowed by law. Widower has three children, all adults domiciled in Alaska, and all with high incomes and no concern about creditors or predators.

Widower might instead consider a Will giving his estate in equal shares to his children with precatory language expressing his wish, but not his binding direction, that each child donate the inheritance to the specific charity. From this planning, the children might obtain income tax deductions that otherwise would not exist. See IRC Sec. 170.

Now consider some esoteric tax returns required even in the most basic of plans and even when there is no possibility of tax.

The federal generation-skipping transfer ("GST") tax system imposes tax filing obligations on trusts and estates, even small trusts and estates where there is no possibility of GST tax. See my blog posts at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "IRS Form 706-GS(D-1)" and "GST Tax Issues Appear In Everyday Transactions."

The GST tax system also imposes tax filing obligations on individuals who make lifetime gifts to grandchildren and other persons deemed to be two or more generations below the donors even where there is no possibility of GST tax. Treas. Reg. Sec. 26.2662-1(b)(3)(i). Cf. IRC Sec. 2642(c) (granting a zero inclusion ratio to direct skips that are nontaxable gifts) and IRC Sec. 2631 (granting every individual a substantial GST Exemption; the GST Exemption is equal to the substantial federal estate tax credit granted to the estate of every citizen and resident of the United States under IRC Sec. 2010).

The federal gift tax system imposes tax filing obligations on individuals who make gifts of future interests regardless of amount as well as certain gifts in excess of the amount of the annual gift tax exclusion even where there is no possibility of federal gift tax. IRC Sec. 6019. Cf. IRC Sec. 2505 (granting every citizen and resident of the U.S. a substantial credit against federal gift tax).

The balance of this article contains examples that may be relevant primarily with respect to Taxable Individuals. As used in this article,



**"The federal government is well aware that the payment of federal gift tax can result in substantial tax savings."**

"Taxable Individual" means an individual whose prior gifts plus current assets equals the fact that federal estate tax (plus GST tax, depending on the individual's beneficiaries) will be payable at the individual's death. Cf. my blog post at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "How Lifetime Gifts Figure Into The Estate Tax."

There is nothing simple about a decedent's unused GST Exemption passing to his surviving spouse because to my knowledge it cannot be done. Cf. IRC Sec. 2631 with IRC Sec. 2010(c)(4) and (5). The GST Exemption is in the category of use it or lose it.

There is nothing simple about a decedent's unused federal estate tax credit passing to his surviving spouse. The transfer of the credit can only be done by election, which can only be made on a complete and timely federal estate tax return of the decedent. IRC Sec. 2010(c)(5). Here, the government has leverage over families who suffer from an arguably incomplete federal estate tax return. See *Estate of Rowland v. Commissioner*, T.C. Memo. 2025-76.

A federal estate tax return is complex. The best policy with respect to the federal estate tax credit may be use it sooner than later or risk losing it.

Now consider life insurance. The premiums on one or more whole life insurance policies properly owned could be less than federal estate tax or GST tax or both payable upon the insured's death. Intuitively, families may want to pay the least amount in premiums to one or more life insurance companies. They naturally may gravitate toward life insurance policies that appear to have sufficient death benefit but the least amount of premiums payable.

However, what might actually be most beneficial are one or more whole life insurance policies that require more substantial premiums. This discussion assumes the insurance company or companies are only the best in the business of whole life insurance.

Keep in mind that life insurance is complex. Indeed, it is possible that a life insurance policy will not perform as well as advertised when it was purchased. It is possible a life insurance policy owned by a trust will not satisfy the expectations of trust beneficiaries. This concern is so common that in Alaska, the legislature has seen fit to provide a level of liability protection that a trustee of a life insurance trust may obtain by election. See AS 13.36.273(b).

The federal gift tax system is another area that is counterintuitive. The gift tax system is the backstop to the federal estate tax system. Who would have thought that you may be able to save substantial tax by electing, in effect, to pay gift tax instead of estate tax?

Paying tax early, before death, is counterintuitive. But a consider-

ation is that the federal estate tax is calculated on the whole or gross amount, including the portion going to the Internal Revenue Service. There is tax on tax with the federal estate tax. See my blog post at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "Estate Tax is Tax-Inclusive."

By contrast, the federal gift tax is generally tax-exclusive. In other words, the gift tax paid by the donor is excluded in computing the amount of the taxable gift. Noteworthy is that the donor's payment of GST tax, such as with respect to a gift to a grandchild, is considered an additional gift, thus increasing gift tax. IRC Sec. 2515. Cf. my blog post at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "Interrelated Computations: Part 1."

After considering the tax-inclusive nature of the federal estate tax, and after considering the tax-exclusive nature of the federal gift tax, a Taxable Individual may decide to make substantial gifts before death and systematically pay gift tax.

The federal government is well aware that the payment of federal gift tax can result in substantial tax savings. Thus, the Internal Revenue Code provides that federal gift tax paid with respect to gifts made within three years of death are included in the tax base on which the federal estate tax is calculated. IRC Sec. 2035(b). Cf. my blog post at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "How Lifetime Gifts Figure Into The Estate Tax."

Retirement accounts are another example. Consider again the tax-inclusive nature of the federal estate tax. In calculating the federal estate tax on retirement accounts, no federal estate tax deduction is

allowed for the income tax that will be payable on the accounts, let alone for the federal estate tax. See my blog post at [www.oharatax.lawyer](http://www.oharatax.lawyer) titled "Estate Tax is Tax-Inclusive."

Accordingly, a Taxable Individual may want to consider terminating all retirement accounts before death. Doing so could create a deduction on the federal estate tax return for the federal income tax triggered by the pre-death withdrawal. IRC Sec. (1)(c) and Treas. Reg. Sec. 20.2053-6(f). However, consideration of this issue takes coordination with beneficiaries, who may have other resources (such as life insurance) with which to pay federal estate tax and any GST tax and, thus, may prefer that the retirement accounts remain intact in order to defer income tax to the extent allowed by law. Cf. IRC Sec. 401(a)(9)(H)(i)(1). Retirement accounts may also have desirable creditor protection benefits which are lost upon termination of the accounts. Cf. AS 09.38.017.

Nothing in this article is legal or tax advice. Non-lawyers must seek the counsel of a licensed attorney in all legal matters, including tax matters. Lawyers must research the law touched upon in this article.

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*In private practice in Anchorage, Steven T. O'Hara has written a column for every issue of The Alaska Bar Rag since August 1989.*

**Indeed, it is possible that a life insurance policy will not perform as well as advertised when it was purchased. It is possible a life insurance policy owned by a trust will not satisfy the expectations of trust beneficiaries.**

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## Welcoming Our New Editor-in-Chief for the 2026–27 School Year

We are thrilled to announce that the *Alaska Law Review* has elected its next Editor-in-Chief, Katie Roberts, J.D. '27. Katie is originally from the Chicago area and attended The George Washington University in Washington, D.C. for undergrad. She brings to the role experience as her sorority's Chief Administrative Officer and Chief Recruitment Officer, as well as three years of experience as an intellectual property paralegal. At Duke Law, Katie is a Teaching Assistant for 1L legal writing classes, serves as the Intramural Chair on the Moot Court Board, and is a member of the Mock Trial Team. She joined *ALR* because she was eager to be a part of the close-knit community and learn more about Alaska. Katie is excited to be *ALR*'s next Editor-in-Chief and can't wait to visit Juneau with *ALR* in March.



Katie Roberts

## Alaska Law Review's 2025 Quarter in Review

The *Alaska Law Review* recently published its 2025 Year-in-Review. The Year-in-Review is a collection of brief summaries of selected state and federal appellate cases concerning Alaska law. They are not an authoritative guide and are meant only to alert the Alaska legal community about judicial decisions from the previous year. Below is a selection of cases from 2025. To access the full 2025 Year-in-Review or follow the blog, visit: <https://alr.law.duke.edu/year-in-review-main/>.

## NATIVE LAW: United States Court of Appeals for the Ninth Circuit (2025)

By Adam Yaggy

In *United States v. Alaska*, 151 F.4th 1124 (9th Cir. 2025), the United States Court of Appeals for the Ninth Circuit held that “public lands” under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) includes navigable waters where subsistence fishing traditionally has taken place. (*Id.* at 1127). In this case, the United States sought declaratory and injunctive relief to prevent Alaska from interfering with federal efforts to implement the rural subsistence priority. (*Id.* at 1135–36). The district court granted summary judgment in favor of the United States, and Alaska appealed. (*Id.* at 1136). The *Katie John* Trilogy interpreted “public lands” to include water rights where the United States holds water rights. (*Id.* at 1127). In contrast, *Sturgeon II* interpreted “public lands” differently in another ANILCA section based on a subsistence fishing context that was not present in the *Katie John* Trilogy. (*Id.* at 1127–28). When Alaska argued that the *Katie John* Trilogy and *Sturgeon II* are clearly irreconcilable, the United States Court of Appeals for the Ninth Circuit rejected the argument. The Court stated that the contextual differences between the two sections rebuts the presumption of consistent usage for “public lands” and analyzed legislative history to ground its opinion. (*Id.* at 1128, 1141–42). Affirming the lower court's judgment, the United States Court of Appeals for the Ninth Circuit held that the federal government has the authority to implement the rural subsistence priority on navigable waters within federal conservation units in Alaska. (*Id.* at 1143–44).

## ETHICS & PROFESSIONAL RESPONSIBILITY: Supreme Court of Alaska (2025)

By Michael Ash

In *Sheldon-Lee v. Birch Horton Bittner, Inc.*, 565 P.3d 985 (Alaska 2025), the Supreme Court of Alaska adopted the continuous representation rule in attorney malpractice cases, vacating summary judgment that had dismissed a malpractice claim as time-barred under the statute of limitations. (*Id.* at 995). The malpractice action arose from a trust settlement that Sheldon-Lee alleged she was coerced into accepting after receiving improper mediation guidance from her attorneys at Birch Horton Bittner, Inc. (BHBC). (*Id.* at 989–92). Sheldon-Lee filed suit against BHBC in February 2020. (*Id.* at 992). Shortly thereafter, the superior court granted summary judgment to the attorneys, concluding that Sheldon-Lee was “on notice” of her alleged injury either when the mediation and settlement occurred in December 2015 or, at the latest, when her motion for reconsideration was denied in August 2016. (*Id.* at 995). Because Alaska imposes a three-year statute of limitations on malpractice claims, the court held the claim time-barred. (*Id.*). Sheldon-Lee appealed. (*Id.* at 992). The Supreme Court of Alaska agreed that August 2016 was the latest date on which Sheldon-Lee had enough information to alert her of her injury, meaning the claim would ordinarily be barred under Alaska's discovery rule. (*Id.* at 993–95). However, the Court emphasized that Alaska's legislature has not specified how the limitations period should begin to run in attorney malpractice cases and that the discovery rule itself is a court-created doctrine. (*Id.* at 997–98). Accordingly, the Court held that it retained authority to adopt the continuous representation rule and chose to do so in this case. (*Id.* at 995–98). Under the continuous representation rule, the statute of limitations for attorney malprac-

tice is tolled until the attorney's representation in the specific matter at issue has ended. (*Id.* at 996). The Court described the rule as a limited carveout from the discovery doctrine designed to protect ongoing attorney-client relationships, provide fairness to plaintiffs who await appeals—since the discovery rule does not delay accrual until final judgment—and allow clients an opportunity to permit attorneys to remedy alleged errors without forfeiting malpractice claims. (*Id.* at 996–98). The Court cautioned that accrual is not tolled by the mere continuation of a general professional relationship, explaining that when an attorney has been formally substituted out as counsel, that substitution ordinarily ends the representation. (*Id.* at 1000–01). However, where there is an ongoing mutual relationship in which professional services continue from the alleged malpractice, accrual does not begin. (*Id.*). Applying this standard, the Court held that it was a question of fact whether BHBC's post-2016 emails—advising Sheldon-Lee that another attorney might be preferable while simultaneously providing limited legal guidance—demonstrated an “ongoing, continuous, developing, and dependent relationship.” (*Id.* at 1000–02). Viewing the evidence in the light most favorable to Sheldon-Lee, the Court concluded that her malpractice claim may not be untimely under the continuous representation rule and that summary judgment based on the statute of limitations passing since plaintiff's discovery of their harm was therefore improper. (*Id.* at 1002).

## HEALTH LAW: Supreme Court of Alaska (2025)

By Ben Helzner

In *Thomason v. Department of Health and Social Services*, 563 P.3d 586 (Alaska 2025), the Supreme Court of Alaska held that Medicaid providers have a protected liberty interest in their reputations that the state deprives when it terminates providers, and therefore the state can only deprive that interest with due process. (*Id.* at 597–98). Thomason was a personal care assistant paid by Medicaid to provide direct services to her stepson. (*Id.* at 590). The Department of Health and Social Services (Department) investigated Thomason for inaccurate records of services and found evidence that her records were indeed inaccurate. (*Id.* at 590–91). The Department then notified Thomason that her status as a personal care assistant would be terminated, and that she had a right to appeal this decision. (*Id.* at 592). Thomason appealed to the Office of Administrative Hearings, and an administrative law judge affirmed the Department's decision. (*Id.*). Thomason then appealed to the Alaska superior court, arguing, among other things, that the administrative procedure did not provide sufficient due process to protect her liberty interest in her reputation. (*Id.* at 593). The superior court rejected this claim on the basis that the Department's decision to terminate reflected on Thomason's professional, rather than personal or moral character. (*Id.* at 597). However, the Supreme Court of Alaska reversed the superior court on this issue, reasoning that the court had previously recognized harms to reputational interests based on negative government job evaluations where the evaluated employee's honesty, integrity, or morality was criticized. (*Id.* at 597). Thomason's dismissal allowed the inference that she had committed some act or omission warranting such dismissal from a position of trust. (*Id.* at 598). The Supreme Court of Alaska held that Medicaid providers have a protected liberty interest in their reputations that the state deprives when it terminates providers, and therefore the state can only deprive that interest with due process. (*Id.* at 597–98).

## ENVIRONMENTAL LAW: Court of Appeals of Alaska (2025)

By Olivia Sontag

In *State v. Rosenbruch-Decker*, 567 P.3d 715 (Alaska Ct. App. 2025), the Court of Appeals of Alaska held that two game guides violated a regulation prohibiting “taking” of game animal with the aid of a wireless communication device when they used a radio to locate and kill a goat they had already wounded. (*Id.* at 723). The game guides were leading a mountain goat hunt when a client wounded a goat that then fled. (*Id.* at 717). The game guides used a radio to help the client locate the goat and kill the animal. (*Id.*). The game guides were charged with violating a fish and game regulation that prohibits “taking” a game animal with the aid of a wireless communication device. (*Id.*). The guides filed a motion to dismiss on three grounds: (1) they had not used a radio to “take” the animal because it was already taken when mortally shot and wounded; (2) the State's interpretation of “take” was vague and overbroad; and (3) the prosecution violated their substantive due process rights. (*Id.*). The district court agreed and dismissed the case. The Court of Appeals of Alaska reversed, finding that the statutory definition of “taking” is broader than the common law definition and includes ongoing conduct such as pursuit. (*Id.* at 719–22). Additionally, given there is no evidence of arbitrary enforcement of the statute, and the statute is clarified by legal analysis, the Court of Appeals of Alaska held the statute is not vague and provides sufficient notice to hunters. (*Id.* at 724). Finally, the Court of Appeals of Alaska held the guides' substantive due process rights were not violated as they had lawful alternatives to locate the goat without the use of a radio. (*Id.* at 725). Reversing the lower court's decision, the Court of Appeals of Alaska held two game guides violated a fish and game regulation prohibiting “taking” of an animal with the aid of a wireless communication device when they used a radio to locate and kill a wounded goat. (*Id.* at 723).

*Alaska Law Review: The Alaska Law Review is an academic law journal that examines legal issues affecting the state of Alaska. It is published by students at Duke Law School every June and December. The journal is not published in Alaska, because no law school operates within the state.*

# Don't Fall for the Call: What Lawyers Need to Know About Vishing Scams

By Mark Bassingthwaighte, Esq.

For years, criminals have been using phones to try to scam people out of money or into disclosing personal information. They tend to find success with victims who were not very tech-savvy. Today, however, cybercriminals are using vishing attacks to up their game. Vishing is a short way of saying voice phishing. It's a type of social engineering scam where cybercriminals use the phone to impersonate trusted entities such as banks, government agencies, vendors, and even your own IT support. Their goal is to use real-time manipulation and emotional pressure to trick victims into enabling the download of malicious software or revealing sensitive information, like login credentials, credit card numbers, or bank details.

Vishing attacks take phone scams to a whole new level of sophistication by making it more difficult for even tech-savvy folks to recognize the scam. In part, this is because criminals can now use spoofing tools. Such tools allow them to make it appear their call is coming from a recognizable phone number hoping the callee will believe they are call-

ing from an organization the callee would normally interact with. Making matters worse, due to the amount of information available on social media websites coupled with the vast amount of personally identifiable information that has been stolen via cyberbreaches like the one that occurred with Equifax, criminals have all the information and tools they need to try and perpetrate a very convincing scam. Perhaps several examples will help elucidate the seriousness of the situation.

The first example concerns a partner in a small estate planning firm who received a call from someone claiming to be with the firm's IT service provider. Using a spoofing tool, the correct company name and number appeared on his caller ID display. The caller calmly explained a security breach was traced back to the firm's IP address and there was some unusual activity on the firm's email server which needed to be stopped. The caller asked the lawyer to log in to the network and open a link the caller sent via email so that a security patch could be installed. The lawyer, concerned about unauthorized access to client data, followed the caller's instructions to include eventually giving the caller remote

access to his computer so the caller could finalize the security update. The end result was this lawyer's actions not only allowed a criminal to install spyware on the lawyer's computer, but within an hour they enabled the criminal to begin using the lawyer's email account to send phishing emails to firm clients.

The second example concerns an associate at a family law firm who received a call purportedly from a representative of the state bar's disciplinary board. The caller shared that a complaint has been filed against the lawyer and referenced legitimate bar rules and disciplinary procedures. The caller went on to explain that due to the nature of the allegations and in order to initiate the processing of the matter, the lawyer needed to immediately confirm her identity while also sharing that a failure to cooperate would be noted and could even result in an imminent suspension. The caller then asked for the associate's bar number, date of birth, and the last four digits of her social security number. The end result was this criminal was able to use the stolen information to impersonate the lawyer in an attempt to defraud "clients."

The final example involves a call from someone claiming to be from a lawyer's bank. The caller was quite pleasant and professional. The caller shared that there was some suspicious activity in the lawyer's personal account, and also accurately provided a little personally identifiable information. The call went something like this: "I'm calling from [lawyer's bank]. Someone's been using your debit card ending in 8774. In fact, one of the charges is for \$1473.82 on Amazon. I'll need to verify your Social Security number, which ends in 3006. Is this correct?" The lawyer responds yes. "Thank you. Now, if you would provide me with your full debit card information, we can stop this unauthorized activity." Because the personally identifiable information was accurate, the lawyer did provide the information believing the caller would remove the suspicious charges and immediately authorize the sending of a replacement card. Unfortunately, the lawyer's actions resulted in giving complete access and control of the lawyer's hard-earned money to a criminal who emptied out the lawyer's checking account while still on the phone with the lawyer.

There are a number of steps one can take to avoid falling prey to these types of scams; but the most important one is this. **Never volunteer information or assist someone in**

**accessing any account, financial or otherwise, if you didn't initiate the call.** Just because someone shares accurate personal information about you doesn't mean you can trust them! The best course of action would be to hang up and call them back using a phone number you've verified independently (e.g., from their official website, a bill, or a statement) to determine if something is amiss. Never use a number the caller provides. Additional steps to take include the following:

Always be wary of unsolicited calls. Legitimate organizations, such as banks or government agencies, typically won't call out of the blue

and ask for sensitive information. If you receive an unexpected call, especially one with a sense of urgency or is coupled with scare tactics, you should become suspicious. Stop, take a breath, and think logically. Remember that

legitimate organizations don't use such tactics.

**1. Also be wary of voicemail.** Voicemail can be used as something of a Trojan Horse. In short, scammers often leave voicemails that sound quite credible, prompting call-backs that initiate the real con.

**2. Trust Your Gut.** Be aware that emerging AI voice cloning tools allow scammers to mimic voices, adding a layer of realism that's hard to detect. So, if something about a call (or voicemail) feels off, trust your instincts and hang up. You are not obligated to continue the conversation. Pay attention to details like poor call quality, unusual background noise, or a robotic-sounding voice, which can be signs of a scam.

**3. Don't trust Caller ID.** Scammers can spoof numbers to make it look like they're calling from your bank, the IRS, or even a family member.

**4. Use two-factor authentication on every personal and work account that makes it available.** This adds an extra layer of security, making it harder for a scammer to access your accounts even if they obtain your password.

**5. Conduct mandatory training on these types of scams.** Anyone at your firm could be the target of a vishing scam, thus everyone must be taught how to recognize and respond to vishing attacks. The goal is to create a healthy culture of skepticism toward unsolicited requests for information or actions.

Mark Bassingthwaighte, Esq. is the resident Risk Manager at ALPS Insurance. To learn more about how ALPS can support your solo or small firm visit: [alpsinsurance.com](http://alpsinsurance.com)

**A thought provoker - change the facts just a bit. This type of call is received by the person responsible for overseeing trust account funds and the account of concern is the firm's trust account. What do you think this person would do?**



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### OUR GOOD WORKS IN 2025

- \$1,000 donation to Bean's Café to honor our deceased colleagues
- \$5,700 donation to the Anchorage Youth Court thru the Race Judicata
- \$900 donation to the Anchorage Youth Court from membership signups
- \$2,500 to the Western Alaska Relief Fund
- \$3,000 in grants for students outside of Anchorage to travel to the 37th annual All Alaska High School Mock Trial Competition. 63 students from seven schools participated.
- \$1,000 donation to Alaska Legal Services in the name of Lynn Allingham
- \$1,000 donation to the Alaska Bar Legal Career Fair
- A 2 general credit CLE on Hearsay Evidence featuring Julia Moudy, Judge William Morse (ret.), and Judge Eric Aarseth (ret.). It was awesome!!

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# 17th Annual Martin Luther King Jr. Day Free Legal Clinics Offered Advice to Clients Statewide



The Anchorage clinic serving clients at the Mountain View Community Center.

The 17th annual Martin Luther King Jr. Day Free Legal Clinics, held January 19, 2026, reflected the AK Bar’s continued dedication to honoring Dr. King’s legacy through meaningful service. The clinics provided free civil legal advice to 182 clients in person and 41 clients online in January through Alaska.FreeLegalAnswers.org, and fostered collaboration among legal, governmental, and community partners.

*Photos by Lea McKenna and Ben Hofmeister.*



Marc June and Leslie Need enjoying a break between clients in Anchorage

## THANK YOU

FOR SERVING ALASKANS IN NEED ON MLK DAY!

Volunteers donated 410 hours to assist 223 clients with their civil legal questions online in January and at clinics in Anchorage, Bethel, Fairbanks and Juneau on MLK Day - January 19, 2026.



### Leadership Team:

Autumn Smith  
Ben Hofmeister (Juneau)  
Jeannie Sato  
\*Joy Anderson (Bethel)  
Kevin Higgins (Juneau)  
\*Lea McKenna  
Leslie Need  
Lauren Sommer  
Maggie Humm  
Meg Zaletel  
Rachael Delehanty (Fairbanks)  
Russ Winner  
Stacey Marz  
Zach Manzella

### Juneau Volunteers:

Andrew Bocanumenth  
Andrew Juneau  
BethAnn Chapman  
Bruce Wehyrauch  
Christine Pate  
Clinton Barnum Mitchell  
Corrine Conlon  
Dawn Collinsworth  
Fred Triem  
Heather Parker  
Hollis Handler  
James Cole  
Jane Steiner Mores  
Janell Hafner  
Jessie Archibald  
Jocelyn Rimes  
Jude Pate  
Louis Menendez  
Mary Almeida  
Neil Slotnick  
Susan Cox  
Tricia Collins

### Fairbanks Volunteers:

Alexis Howell  
Alison Carter  
Andy Harrington  
Caleb Anderson  
Deana Walters  
Foster Wallace  
\*Gail Ballou  
Jeremiah Scanlan  
Jill Dolan  
Kristen Farleigh  
Laura Winther  
Lexie Voudrie  
Matthew Gulick  
Mike Stepovich  
Robert Sparks  
Savannah Fletcher  
Steven Hansen  
Zoe Wise

### Bethel Volunteers:

Anna Cometa  
\*Carolyn Nicole Daussin  
Isabel MacCay  
Jerilyn Kelly  
Patsy Shaha  
Sheryl Musgrove

### Alaska Free Legal Answers Volunteers in January 2026 (and those with \*):

Alexandra Foote-Jones  
Eric Salinger  
Marshall Harbin  
Matt Widmer  
Shane Osowski

### Anchorage Volunteers:

Alexus Baker  
Avery Zasada  
Brian Riekkola  
Chelsea Riekkola  
Clarice Ruhlien-Hicks  
Connor Smith  
Danielle Bailey  
Delaney Voorheis  
Elliott Dennis  
Erin Curran-Tileston  
Eva Gardner  
Fred Torrisi  
Geoffrey Bacon  
Grace Heglund-Lohman  
\*Heidi Borson  
Helen Poitra-Chalmers  
Holly Hill  
Jackson Morawski  
\*Jenna Krohn  
\*Jessica Falke  
Jessica Willoughby  
Judge Adolf Zeman  
Judge Chris Darnall  
Judge Ian Wheelles  
Judge Kari McCrea  
Judge Marika Athens  
Judge Suzanne Cole  
Judge Yvonne Lamoureux  
Karen Hawkins  
Kevin McCoy  
Kevin Sullivan  
Lily Cohen  
\*Marc June  
Mary Geddes  
Monica Elkinton  
Ryan Roley  
Stephanie Harrod  
Stephanie Rhoades  
Teresa Dawkins



Municipality of Anchorage attorneys Jessica Willoughby and Eva Gardner gather in between seeing clients.



The Juneau clinic all set up and ready to serve clients.

THANK YOU TO OUR PARTNERS FOR MAKING THE MLK DAY FREE LEGAL CLINICS POSSIBLE:



AND THANK YOU TO THE FOLLOWING ORGANIZATIONS THAT DONATED FOOD AND SHUTTLE SERVICE:



# AAWL Corner: A Season of Connection, Wellness and Community

By *Chelsea Ray Riekkola, AAWL Events Chair*

The Anchorage Association of Women Lawyers has been busy this winter, and we are grateful for the continued engagement of our members and the broader legal community. Earlier this year, AAWL hosted *Work, Wellness, and the Woman Lawyer* at Refuge Coffee Collab. The event focused on wellness as a professional competency and explored how women experience stress, health, and workplace expectations differently across life stages. Refuge Coffee Collab provided a welcoming setting for the conversation and aligns closely with AAWL's values through its mission-driven work supporting survivors of exploitation through employment and community engagement.

The panel brought together professionals from medicine, law, and wellness to offer practical, accessible guidance grounded in real-world experience. Dr. Tania Hall, OB-GYN at Alaska Women's Health, spoke about women's health considerations across career and life transitions. Julia Moudy, senior litigator at Dillon & Findley, reflected on self-advocacy and sustaining a demanding legal career over decades

of trial and appellate work. Dr. Cameron O'Connell, naturopathic physician at Coordinates Health Care, addressed longevity, energy, and performance through different professional phases. Melissa Sundberg, founder of AK Pelvic Health & Wellness, discussed the importance of physical health, education, and reducing stigma around pelvic health. Together, the panel emphasized that professional excellence and personal well-being are inseparable, and that sustainable legal careers require both individual and institutional awareness.

We extend our sincere thanks to Foley Pearson Riekkola Iverson, P.C. and Birch Horton Bittner & Cherot for their generous sponsorship of this event, and to everyone who joined the conversation.

Looking ahead, we are excited to welcome back one of our most popular programs: *Pivots, Promotions, and Partnerships – Speed Networking with AAWL*, which will return on April 9, 2026, from 5:00–7:00 p.m., once again at the Quarterdeck of the Captain Cook Hotel. This event blends or-

ganic mingling with structured speed-networking rounds, creating space for meaningful connections among attorneys at all stages of practice. The event is free for AAWL members and \$50 for non-members. We are grateful to North Star Law Group, Landye Bennett Blumstein, and Cashion Gilmore & Lindemuth for generously sponsoring this year's program.

In May, we invite members of the Bar and bench to save the date for AAWL's Summer Reception, hosted in partnership with the National Association of Women Judges, on May 24 from 4:00–6:30 p.m. This event is free and open to all members of the legal community, though RSVP will be required. Additional details will be shared soon.

Our summer programming will conclude with AAWL organizing a team for the Alaska Run for Women, taking place on June 6, 2026. This long-standing Anchorage tradition brings together runners and walkers of all ages and abilities to raise funds and awareness for breast cancer research and support services in Alaska. No donation is required to join the AAWL team, though contributions are always welcome! Participants are encouraged to take part in whatever way feels right for

them, whether it's running, walking, or volunteering for the event.

Finally, we are pleased to recognize and congratulate AAWL's newly elected officers. Whitney Brown will serve as President. Meredith Behrens has been elected Vice President. Kristal Leonard will serve as Secretary through July, with Emma Haddix assuming the role from August through December. Sarah Kathryn Bryan will serve as Treasurer. We are grateful to each of them for their willingness to lead and serve, and we look forward to the year ahead under their guidance.

As we continue to plan future programming, we want to hear from our members (and potential members)! Please use the QR code to complete a brief survey that will help us better understand how our events are being received and what our members would like to see in the future. The survey requests feedback on topics, formats, venues, and event timing, and your responses will help guide our planning as we move forward. We appreciate you taking a few minutes to share your thoughts and look forward to continuing to build programming that reflects the interests and needs of our community!

*Chelsea Ray Riekkola has practiced estate planning and administration at Foley Pearson Riekkola Iverson, P.C. since 2014.*



**The panel brought together professionals from medicine, law, and wellness to offer practical, accessible guidance grounded in real-world experience**

## Martin Luther King Jr. Day Free Legal Clinics

*"I was able to speak with two different attorneys. They were both extremely helpful with what steps to take. It's a shot in the dark what I would do without them. But now I have a path forward."*

—Anchorage MLK Day Clinic Client 2026



Autumn Smith-Amy, Alaska Legal Services Corporation Pro Bono Integration Manager at ALSC resource table in Anchorage.



Beth Chapman and Dawn Collinworth serving clients in Juneau.



Joy Anderson and Jerilyn Kelly from the Bethel clinic get together for a photo in between serving clients.



Bethel Volunteers (from left) – back row: Joy Anderson, Sheryl Musgrove, Isabel MacCay, Claudia Holdridge, Christopher Enfield. Front row: Carolyn Nicole Daussin and her son, Patsy Shaha, Jerilyn Kelly, and Anna Cometa.

# Why All Lawyers (Even Solos) Need to Take Deepfakes Seriously - and What You Can Do About Them

Mark Bassingthwaighte, Esq.

Let's start by defining the word deepfake. A deepfake is a hyper-realistic image, video, or audio forgery that was edited or generated using artificial intelligence. These synthetic media can convincingly mimic real people saying or doing things they never did; can portray events, people, or things that are not real; and are difficult if not impossible for humans to reliably distinguish from the real thing. Making matters worse, deepfake technology is rapidly advancing; is widely available to the masses; and with tools like Synthesia, DeepFaceLab, and Resemble AI, it's easy for bad actors to fabricate content with minimal technical skill.

## Why Should Lawyers Care?

Given the above, the implications are profound. The concerns that come immediately to mind include evidence tampering, social engineering scams, impersonation, reputational attacks, and malpractice exposure. For example:

**1) Fabricated Evidence** – What if an opponent or malicious third party were to produce doctored audio or video that purports to show a witness or a client making a statement or engaging in conduct that never occurred? Even if you can eventually prove it's a fake, trying to recover from any short-term reputational, tactical, or judicial damage may prove insurmountable. And even more concerning is this. As deepfakes continue to proliferate (which they most surely will), will

courts and jurors grow ever more skeptical of genuine video and audio thus eroding the evidentiary value of what used to be "trustworthy" evidence?

Fabricated evidence has been a problem for far longer than deepfakes have been around. Deepfakes just make the challenge of identifying fabricated evidence more complex and expensive.

**2) Social Engineering Scams** – What if a cybercriminal were to create a deepfake audio of you or a client in an attempt to commit wire fraud? Do you think the person at your firm who is to be the target of this scam would question the veracity of the instructions? Would you if a "client" were to call you and authorize a wire transfer? This example isn't just hypotheti-

cal. Millions upon millions have been stolen worldwide as a result of scams just like this.

**3) Impersonation** – What if someone were to create a deepfake of your client in an attempt to settle a matter under more favorable terms, communicate with third parties, or negatively impact your attorney-client relationship? What if someone creates a deepfake of you in an attempt to turn your client against you, communicate with third parties, or communicate with opposing counsel? If you think something like this could never happen, think again, because it already has.

**4) Reputational Attacks** – What if an opposing party in a contested divorce were to create a deepfake of you making racist remarks, touching someone in an inappropriate way, or threatening someone and the video goes viral? Your reputation that took years to build could be gone in an instant. You and I both know that attacks on reputations have been going on for years. Deepfakes just make the chances of this type of attack succeeding a heck of a lot better.

**5) Malpractice Exposure** – What if you fail to recognize or challenge evidence that was not authentic? What if you rely on synthetic media without proper verification and it turns out the media is a deepfake? What if deepfakes are used in a disinformation or defamation campaign against a client and you fail to properly advise the client on how to respond? Missteps like these can all too easily lead to disciplinary complaints and malpractice claims.

## What Can and Should You Do Now?

I do understand how tempting it is to hope that deepfakes will prove to be something you will never have to deal with in your practice. All I can say is when it comes to deepfakes, running your practice on a wing and a prayer isn't going to get you very far in terms of responsibly managing this risk. You must be proactive. Here are a few ideas on where to start:

**1) Education and Training** – Start with the basics. Make sure everyone at your firm knows what a deepfake is and how easy they are to create. Train them to spot common red flags such as lip sync errors, weird eye blinking, mismatched reflections, unnatural pauses, inconsistent shadows, and the list goes on. Start to treat digital media with skepticism. Practice asking "Is this authentic," particularly with evidence that looks to be too good or too damaging to be true. Always consider requiring proof before relying on it.

**2) Conduct Mandatory Ongoing Social Engineering Awareness Training** – Over time this training should cover all the various tactics utilized in social engineering attacks. Include current deepfake examples in order to demonstrate how these attacks "look and feel." Note that mandatory means no exceptions; all lawyers and staff must participate. And if you happen to be a true solo with no staff, you should at least seek out and review relevant educational materials (e.g.,

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*Continued on page 21*

# Why All Lawyers (Even Solos) Need to Take Deepfakes Seriously - and What You Can Do About Them

*Continued from page 20*

you could subscribe to the [KnowBe4.com Blog](#).

**3) Mandate the Use of an Out-of-band Communication Process** to verify the legitimacy of every request to transfer funds, regardless of who the person making the request is and the communication channel the requestor is using. To clarify, an out-of-band communication is a method of challenge and response to the requestor of a transfer, payment, or delivery of funds using a communication method that is separate and distinct from the communication method the requestor originally used. For example, if the instructions come in the form of a video call, you might try to verify the veracity of the instructions by seeking to confirm them via a text message or phone call using a previously verified number.

**4) Maintain Strong Chain of Custody and Metadata Preservation** - When you receive any digital media from clients or third parties, treat it as evidence from the get-go. Require and preserve the original files and metadata, use secure platforms for evidence exchange, and document chain of custody meticulously because courts will look to provenance and reliable chain of custody to assess authenticity.

**5) Partner With Experts** - While there are products and

services that apply forensic analysis, metadata scrutiny, AI-based flagging, and anomaly detection to identify manipulated media, they are not foolproof. If you decide to use such tools, treat the result as suggestive, not conclusive. Given this, it's important that you build relationships with credible digital forensics consultants who have experience in deepfake detection and litigation support and use them as your budget allows.

**6) Include a Digital Evidence Integrity and Deepfake Risk Provision in Your Engagement Agreements** - Clients may not realize how costly or complex it can be to prove what is real and what is not. Given that the authenticity of digital evidence is increasingly under threat, a provision such as this can help protect clients from surprise costs, prepare them for possible attacks on their credibility, and help ensure that their own evidence can withstand scrutiny. I had Microsoft's Copilot draft the following sample provision:

### **Client Acknowledgment of Digital Manipulation Risks:**

*Client understands and acknowledges that advances in artificial intelligence and digital editing technologies—including but not limited to “deepfake” audio, video, and image generation—pose a growing risk to the authenticity and reliability of*

*electronically stored information (ESI) and multimedia evidence. These technologies may be used to fabricate or alter content in ways that are difficult to detect without expert analysis.*

### **Preservation and Authentication of Client Evidence:**

*To safeguard against potential challenges to the integrity of Client's own evidence, Client agrees to cooperate in preserving original files, metadata, and chain-of-custody documentation for any digital materials relevant to the matter. Upon request, the Firm may recommend or engage forensic professionals to assist in authenticating Client-provided evidence. The cost of such services shall be borne by the Client unless otherwise agreed in writing.*

### **Responding to Potentially Manipulated Evidence from Opposing Parties:**

*If the Firm reasonably suspects that evidence submitted by an opposing party has been digitally manipulated or generated using deepfake technologies, the Firm may advise Client on the feasibility and cost of challenging such evidence. This may include retaining forensic experts, conducting authenticity analyses, and filing appropriate motions. Client understands that these efforts may involve significant time*

*and expense, which are not included in standard engagement fees.*

### **Limitation of Firm Responsibility:**

*While the Firm will exercise reasonable diligence in evaluating the authenticity of evidence, it cannot guarantee the detection of all forms of manipulation or fabrication. The Firm's role does not include forensic analysis unless expressly agreed upon in a separate writing.*

### **A Final Thought**

Deepfakes have the potential to undermine one of the core foundations of law, which is the ability to present trustworthy evidence that holds people accountable. As much as I do wish otherwise, deepfakes are not going to be a passing novelty. They are best viewed as an emerging and very real threat. That said, there is some good news. With prudent education and preparation paired with the development of responsive procedures and finding the right partners, you can competently manage the risks they bring to your practice. Just realize that the time to start is now.

Mark Bassingthwaighe, Esq. is the resident Risk Manager at ALPS Insurance. To learn more about how ALPS can support your solo or small firm visit: [alpsinsurance.com](https://alpsinsurance.com).

## Donate Before March 31: Revived Alaska Bar Scholarship Program Continues to Grow in its Eighth Year

*By Ashley Brown*

Entering its eighth year of operation since its revival in 2018, the Alaska Bar Scholarship Program continues to help reduce the costs of a legal education for law students who wish to practice in Alaska. The donation window closes March 31, 2026, and members of the Bar still have time to donate and contribute to encourage qualified attorneys to establish careers in Alaska.

Alaska is the only state without a “brick and mortar” law school. This makes the fee of a legal education for Alaskans all the more expensive because of additional costs including travel, housing, and out-of-state tuition.

The lack of an in-state law school presents challenges to increasing access to qualified attorneys in the state, a primary goal of the Alaska Bar Association's 2026-2028 Strategic Plan.<sup>1</sup> The Alaska Bar Scholarship Program is an important mechanism for encouraging new attorneys to practice in Alaska. It helps ease the financial strain created by attending law school out of state. As time passes, the success of the program in assisting law students who wish to practice in Alaska has become evident. For

scholarship award years 2019-2022, roughly 61% of scholarship recipients have since become members of the Bar.

The Alaska Bar Scholarship Program is both old and new. It existed in the 1980s, when Scholarship Committee Chair Darrel Gardner was in law school and received a scholarship. By the time Darrel became Alaska Bar President-elect in 2017, it no longer existed. As a new President, Darrel remembered how every little bit can help when in school, and how the scholarship helped defray the costs of living in San Francisco for law school. Darrel identified the re-establishment of the scholarship program as a goal for his tenure as President, and in 2018 the Board of Governors voted to re-establish the program.

Since then, donations to the Bar Scholarship Program have steadily grown. In 2019, \$4,400 was raised and awarded to students. In the seven years since, the Bar has been able to award more than 100 scholarships, totaling \$98,280!

In 2025, the Committee raised a total of \$29,300 in generous donations. This enabled the Committee to award scholarships to 17 first and second-year law students who demonstrated ties to Alaska, and an in-

tent to return to Alaska within two years of graduation.

Donating is easy. Bar members can donate online by logging into their dashboard and then going to the Online Store/make a donation. Online donations are not subject to credit card fees. Bar members or law firms can also send a check to the Alaska Bar Association, payable to the Alaska Bar Foundation (write “scholarship” in the memo line), a 501(c)(3) organization. Donations are tax-deductible and, for the 2026 round of scholarships, are due **March 31**. Donations received after that date will apply to 2027 scholarship awards. The Bar Rag contains a section listing donors and award

recipients at the end of each scholarship cycle.

If you know of a law student interested in applying for the scholarship, applications for a scholarship must be sent to the Alaska Bar Association by March 1 each year. Further information can be found at: <https://alaskabar.org/for-lawyers/law-school-scholarships/>.

<sup>1</sup><https://alaskabar.org/wp-content/uploads/2026-2028-Strategic-Plan-and-Timeline.pdf>.

Ashley Brown is a shareholder at the Law Offices of Guess & Rudd P.C. and a member of the Alaska Bar Association's Scholarship Fundraising and Implementation Committee.

**The Alaska Bar Scholarship Program is an important mechanism for encouraging new attorneys to practice in Alaska. It helps ease the financial strain created by attending law school out of state.**



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## *In Memoriam*

### Ninth Circuit Court of Appeals Mourns Passing of Judge Andrew Kleinfeld

*From the Office of the Circuit Executive*

Judges and staff of the U.S. Court of Appeals for the Ninth Circuit are mourning the loss of a distinguished jurist, Senior Circuit Judge Andrew Jay Kleinfeld, who died Friday, November 7, 2025, after a long illness. Born on June 12, 1945, he was 80 years old.

“Judge Andy Kleinfeld’s service on the federal judiciary—first as a district court judge and later on the Ninth Circuit Court of Appeals—spanned nearly four decades. He was a respected and beloved colleague, and we will miss his reliable solstice reports, gentle reminders of the unique perspective he brought from Alaska, our northernmost state,” said Chief Judge Mary H. Murguia.

Judge Kleinfeld began his judicial career in 1971, serving as a part-time magistrate judge for the U.S. District Court in the District of Alaska for four years. Nominated by President Ronald Reagan in 1986, Judge Kleinfeld was confirmed by the U.S. Senate as a district judge for the District of Alaska, where he remained in that position until he was appointed as a U.S. circuit judge for the Ninth Circuit Court of Appeals in 1991 by President George H.W. Bush. Although his chambers were in Fairbanks, Alaska, he also heard cases in Anchorage, Nome and Ketchikan. Born in the Bronx, Judge Kleinfeld grew up in the Washington, D.C., suburbs and was formally educated at Wesleyan University where he earned his Bachelor of Arts in 1966. During college, he considered a life in politics but ultimately chose law and earned his Juris Doctor from Harvard Law School in 1969. After law school, Judge Kleinfeld clerked for Justice Jay A. Rabinowitz, Alaska Supreme Court, and found Alaska was his new frontier and remained there throughout his career.

**“About two weeks before his passing, one of our members visited him before coming to lunch. During their conversation, Judge Kleinfeld was asked, ‘If you had to start your career all over again, what would you change?’ To which Judge Kleinfeld responded, ‘Nothing, I would do it all over exactly the same.’”**

Judge Kleinfeld was well known in the Tanana Valley Bar Association (TVBA) to never miss a meeting unless traveling. Bobbie L. Allen, current TVBA secretary, shared, “About two weeks before his passing, one of our members visited him before coming to lunch. During their conversation, Judge Kleinfeld was asked, ‘If you had to start your career all over again, what would you change?’ To which Judge Kleinfeld responded, ‘Nothing, I would do it all over exactly the same.’” “The TVBA is grateful to Judge Kleinfeld for his years of service, and diehard commitment to our community to the very end,” Allen concluded.

Arguably, the most well-known decision that Judge Kleinfeld wrote was for the Exxon Valdez case, but when asked by Howard Bashman in Above the Law’s “How appealing 20 questions” article about his most memorable decision he was quoted as saying, “An especially important opinion for me was a short dissent I wrote in our court’s “right to die” case, Compassion in Dying, which was later reversed by the Supreme Court.” Another well-publicized case is Frederick v. Morse. In this free speech case, also known as the “Bong Hits 4 Jesus” case, Judge Kleinfeld wrote the opinion for the unanimous panel reversing a district court decision and ruled that the stu-

dent’s speech was permitted because the student had not caused a disturbance.

“From my first days on the court, Judge Kleinfeld was a great friend and mentor. He was a superb judge. His curiosity, skepticism, and exceptional intelligence led him to delve deeply into the record of each case to ensure he reached the right result. He crafted each opinion with the greatest care and precision. I will always remember him for his unparalleled friendliness and humor, which will be greatly missed,” said Senior Circuit Judge Sandra S. Ikuta.

Senior Circuit Judge Carlos T. Bea shared, “Years ago, the Kleinfelds invited us to their home for a meal. They lived in a house that resembled a log cabin, in the midst of a forest outside Fairbanks. Near the back door was a shelf with a large pistol on it. It may have been a .44 Magnum. I asked Andy why he had such a piece. ‘Out here, when you go for a walk, you may meet a hungry grizzly bear. I don’t want to be his snack.’ This was typical no-nonsense Andy Kleinfeld. We all miss him and his wife Judy.”

Senior Circuit Judge Richard C. Tallman remembered his friend and colleague as a thoughtful and pragmatic jurist. “Judge Kleinfeld was an outspoken advocate for respecting individual liberties against government intrusion. He had deep respect for his fellow Alaskans in their never-ending struggle to wrest state control from federal oversight of Alaska lands and resources, reminding his colleagues on the court that the subsistence needs of both Native and non-Native inhabitants of our Last Frontier required a nuanced understanding of the rich history and cultural traditions of our fellow citizens living at the top of the world.” Judge Tallman concluded by saying, “I will miss his colorful commentary and the deep insight that he provided us all on the Ninth Circuit in resolving our cases.”

Circuit Judge Johnnie B. Rawlinson shared her favorite memory of Judge Kleinfeld is when they sat in Las Vegas and visited the Mob Museum. “Judge Kleinfeld showed up dressed in a pinstriped suit and matching fedora. We will always remember that day with a smile and a nod to Judge Kleinfeld’s joyful adoption of the spirit of the museum. He will be missed.”

Predeceased by his wife, Judith, Judge Kleinfeld is survived by his children, Daniel, Rachel and Joshua.

### Dennis Hopewell Passes Away at 73

*From the Anchorage Daily News, January 12, 2025*

Dennis Hopewell passed away a little over a year ago on December 27, 2024, in Anchorage after a long, productive and inspiring life.

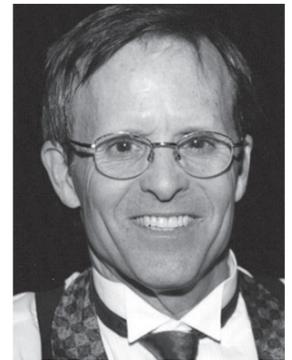
Dennis was born in Jamestown, ND to Ellsworth and Inez Hopewell April 30, 1951. The family moved to San Diego, CA when Dennis was 5 and welcomed his brother Mark a year later. In 1959 they moved to Lakeside, CA where Dennis graduated from El Capitan High School. Dennis then graduated from United States International University in San Diego and received his Juris Doctor from California Western School of Law in 1975.

In the fall of 1975 Dennis began a VISTA volunteer position with Alaska Legal Services for one year in Dillingham, AK. By January he missed his sweetheart, Denise Lynn Pitman, so much that he called and asked her to marry him and move to Alaska for six months. They were married in Lakeside, CA in April 1976. They remained in Alaska where Dennis had a long and distinguished career, first with Alaska Legal Services and then with the U.S. Department of Interior Office of the Solicitor where he was the Deputy Alaska Regional Solicitor and on three occasions the Acting Regional Solicitor. He retired in 2013.

Dennis primarily gave advice and representation to the Bureau of Land Management, the largest of the Interior Department agencies in Alaska with a huge multi-decade workload implementing the 1971 Alaska Native Claims Settlement Act, as well as a number of other federal statutes dealing with federal land and natural resources such as Alaska Native allotments, federal mining law, homesteading, and oil and gas. Dennis was particularly instrumental in helping carry out the smooth transfer of the ownership and responsibilities of the Alaska Railroad from the federal government to the State of Alaska under the Alaska Railroad Transfer Act of 1982.

Dennis was a loving and devoted father and husband. He ensured he spent plenty of quality time with his wife, sons David (Kate), Derek, and Dustin, and daughter Deanne (Ryan), by including them on his daily to-do lists, making sure to spend time with each person individually and as a family. Some of his favorite family activities included bicycling, canoeing, fishing, camping, cross country skiing, ice skating and playing board games. Dennis loved being a grampa. The joy he found from having his grandchildren, Zane, Koen, Eva, Jack and Liv, around helped him through many difficult times. He exemplified a strong work ethic, integrity, faith, and love - his perseverance despite his progressive physical disabilities gave witness to his unwavering faith in the Lord. Dennis had a heart for people. Donations in his memory can be made to Anchorage Gospel Rescue Mission or Alaska Legal Services.

Dennis was preceded in death by his father and is survived by his mother, brother, wife, children and grandchildren.



Dennis Hopewell

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## In Memoriam

# Former Juneau attorney Gordon Evans Passes Away January 3rd, 2026

By Kari Evans Whitney

Gordon E. Evans (1932-2026) was born to Ethel Mae Rogers and William John Evans in the Mexican border town of Douglas, AZ. Raised in both Arizona and Missouri, including challenging stays in an orphans' home and foster care, he graduated high school in Douglas at the age of 16 with a growing interest in the field of journalism. This was sparked by his work covering high school sports for the *Douglas Daily Dispatch* and as editor of the yearbook and school newspaper.

After briefly studying railroad telegraphy in Chillicothe, MO, and spending the next year in El Paso, TX, in advertising jobs, Gordon enrolled at Texas Western (now UTEP) to study journalism. During his freshman year, though, in the midst of the Korean War, he didn't want to be at the mercy of the Army draft of 19 year olds. Still 18, he enlisted in the US Navy.



Gordon Evans

After boot camp in San Diego, he was sent to Naval Journalism School in Illinois, where he found his favorite class was Naval History. At 19, he was given the choice of serving on the public information staff of four admirals in the Atlantic fleet or one in Kodiak. He chose Kodiak and began his 74-year Alaskan adventure in April 1952.

He edited the base newspaper, *The Kodiak Bear*, and became known for his photography on search and rescue missions. His duties included travel throughout Alaska, except Southeast Alaska.

Eighteen months later and having qualified for Journalist 2nd Class, the 21-year-old Gordon was transferred to the public information staff of the Pacific Air Fleet out of San Diego, and he started a six-month stint on the USS Essex in the west Pacific as the war wound down. This led to his first visit to Hawaii and a lot of Tokyo shore time, as well as visits to Hong Kong and the Philippines.

After six-week rotations on the aircraft carriers USS Oriskany, the new USS Yorktown, and the USS Bon Homme Richard, he was assigned to the USS Pine Island, which, as it turned out, didn't need a journalist because it was a spy ship monitoring aerial surveillance flights over Russia and China. He worked in the war room but soon enough was promoted to Journalist 1st Class and transferred to the staff of Carrier Division One for six months aboard the USS Oriskany.

Upon returning to San Diego in spring 1955, Gordon resisted reenlistment offers because he wanted to go back to college at the University of Arizona. In the fall, he became a 23-year-old sophomore, having received credit for his studies at Texas Western and the Navy. Majoring in journalism, he worked at the *Arizona Wildcat* as a sportswriter and news editor, and became managing editor midway through his junior year, and then editor as a senior. In 2014, he was inducted into the Arizona Daily Wildcat Hall of Fame.

During the summer, he worked for the *Tucson Citizen*. This led to two post-graduate years with the *Citizen* as the night police beat reporter, followed by a move to the Bay Area in 1960 to work for United Press International. In December he was sent to cover the Montana legislative session, where he also covered high school sports. United Press International (UPI) promoted him to their Anchorage Bureau Manager in April 1961, with the understanding that he could be the Tucson Bureau Manager when the incumbent retired in two years.

He started to become more politically involved, by choice and because of the job. That's how he met Bill Egan, Alaska's first state governor. He also had some success in writing the story of a hiker rescued from being lost for 90 days near Fairbanks, and the story was printed in, among other places, *The New York Times*.

After covering the 1963 legislative session in Juneau, Gordon learned that UPI had hired someone else in Tucson, so he accepted an offer to become the managing editor for the *Anchorage Daily News*. He went back to Juneau for the 1964 legislative session, where in February he had a blind date with the Secretary of State's executive secretary, a Stanford grad named Elizabeth Wyller. While they were at dinner a month later at The Baranof Hotel, he was paged about what they would soon learn was the 9.2 Great Alaska Earthquake. He, the Governor, and all of the legislators flew to Anchorage in the morning to fly over the damaged communities and land on a hastily patched airport runway. The printing presses of both of the daily newspapers were damaged, forcing them to fly earthquake stories to Fairbanks to be printed and flown back to Anchorage.

After a busy legislative season of earthquake relief efforts, Gordon and Elizabeth were both delegates to the 1964 Democratic State Convention in Fairbanks, and Gordon was selected as an alternate delegate to the national convention in Atlantic City, which he described as "an experience I'll never forget."

Back at home, he and Elizabeth became engaged, in anticipation of a December wedding. Gordon decided to move to Juneau, expecting to take a job as Deputy Director of the Division of Tourism. However, four days before the wedding, Governor Egan called and asked if he wanted to be his Special Assistant. The answer was an immediate "Yes!" He functioned as a press secretary, speechwriter, coordinator of board appointments, and legislative liaison.

A year later their son Erik arrived, and they bought the downtown house where Elizabeth had been raised, and it became their forever home.



Gordon Evans at Ely, Guess, and Rudd in 1981.

They purchased a cabin on Lena Loop Road, 17 miles north of downtown Juneau. It became their summer place for 55 years. Their daughter Kari came along in 1974.

After Governor Egan lost his reelection bid, Gordon and the family headed to the University of Arizona Law School, with a temporary jack-of-all-trades *Juneau Empire* gig in between. He became managing editor of the *Arizona Law Review*, and earned his J.D. in 1970.

For the rest of his life he and Elizabeth lived in Juneau. After law school he clerked for Judge Tom Stewart and then he was a practicing lawyer and lobbyist for his entire career. He joined a law firm with Allan Engstrom in the old National Bank of Alaska building. Later he joined Ely, Guess, and Rudd located on the first floor of the Mendenhall Apartments. When Guess & Rudd eventually closed their Juneau offices, he carried on his practice while also managing the business suite, as well as the tenants of the Assembly Building a block away, of which he was part owner. He received the Alaska Bar Association Board of Governors' Professionalism Award in 2001, in recognition of exemplary conduct in his association with the public, his colleagues and the legal community.

He was a delegate to the 1976 Democratic National Convention, while serving as chair of the state party. He was on the University of Alaska Board of Regents from 1983-1991, including a term as the board's president, and was a member of the Alaska Commission on Postsecondary Education, the University of Alaska Foundation Board of Trustees, the Northwest Commission of Colleges and Universities, and the Juneau Airport Board. He loved the St. Louis Cardinals (his favorite player was Stan Musial) and the University of Arizona sports teams, and never stopped talking about the 1997 national champion men's basketball team. The family enjoyed annual trips to Kihei, Hawaii, and frequent trips down south for shopping, specialty medical care, and Arizona reunions in Tucson and Seattle.

For his final years, he and Elizabeth shared a suite at the Juneau Pioneers Home, for whose care the family is grateful. Gordon passed away on the 67th anniversary of Alaska Statehood, January 3, 2026. He is survived by Elizabeth, his children Erik and Kari (Ken) and his grandchild Helen. He was preceded in death by brothers Roger and Bob, and grandchild Rheid.

A celebration of life will be held at Yancy Derringer's the Hangar Ballroom in Juneau from 2:00 to 5:00 pm on Monday, March 30.

In lieu of flowers, the family requests that donations be made in his name to the Juneau Community Foundation Operating Fund.

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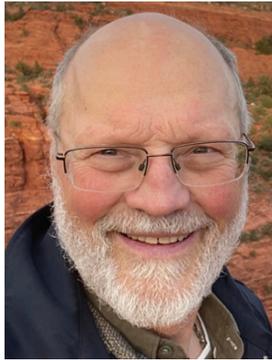
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## *In Memoriam*

### Richard Louis Harren Passes Away

*From the Anchorage Daily News, January 8, 2026*

Richard Louis “Dick” Harren, 71, of Wasilla, Alaska, passed away peacefully on January 8, 2026, surrounded by family. Born July 23, 1954, in Red Lake Falls, Minnesota, to Joseph and Jeanne Harren, Richard was the second of ten children. After graduating from Saint John’s University in 1976, he moved to Alaska. He eventually settled in the Matanuska-Susitna Valley to raise his family and build a career spanning four decades.



**Richard Harren**

Richard was both a Certified Public Accountant and an attorney (UND Law ‘82). He started a firm in Wasilla where he practiced with integrity and tenacity. As a colleague noted, “He was the kind of guy who liked helping people who needed help,” and he never shied away from hard cases. Committed to his community, he served as board president for the United Way of Mat-Su in 1995 and was a dedicated member of the Rotary Club and Ducks Unlimited.

Hockey and the outdoors remained lifelong passions. He was an avid moose hunter and angler; he founded the Wasilla Outdoor Youth Hockey Association, coached youth hockey for twenty years, and hosted the annual Salmon Cup tournament.

Richard’s greatest pride was his family. He shared 33 years of marriage with Suzanne “Suzy” Chapelle, building a life rooted in love and adventure. He is preceded in death by his parents and his brother Bill. Richard is survived by his wife, Suzy; daughters Cynthia Koons and Rebecca (Nick) Maslar; sons Wendell (Katie), William, and Russell Harren; grandchildren Adalynn, Quincy, and Emerson; siblings John, Jeanette, Jaci, Sue, Mark, Sheila, Pete, and Paulette; and many loved nieces, nephews, and friends.

Richard will be remembered for his creativity, generous heart, and enduring belief in the goodness of people. His legacy lives on in the family and community he loved.



*Photos submitted by William Harren.*

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