

Glamour Magazine names Anchorage attorney ‘Mom of the Year’

Meet Lynda Limón, Glamour Magazine’s inaugural Mom of the Year awardee. If you live in Anchorage, maybe you already know her.

By Jenna Kunze

Excerpt reprinted with permission, for the full article please go to <https://www.adn.com/alaska-life/2024/10/20/glamour-magazine-names-anchorage-attorney-mom-of-the-year/>

When 25-year-old DuPree Walker of Anchorage saw the call for nominations online for Glamour Magazine’s first ever “Your Mom of the Year” award, she immediately thought of her own mother, who she compares to the Energizer Bunny for

the amount she’s able to get done in a day, even before heading to work at her downtown family law practice. Walker typed up a 364-word nomination, clicked submit, and forgot about it.

A month later, in September, while Walker was waiting for her international trade law class at George Washington University to begin, she received a response she at first thought was spam: Out of thousands of applicants across the country, her mother had been selected.

Glamour has selected about a



Lynda Limón talks about her recent experience being named Glamour Magazine’s inaugural “Your Mom of the Year,” on Thursday, Oct. 10, 2024 at her law office in downtown Anchorage. Limón was nominated for the award by her daughter DuPree Walker. (Loren Holmes / ADN)



Lynda Limón with her daughter DuPree Walker and Beyoncé at the awards ceremony earlier this month in New York. (Courtesy DuPree Walker)

dozen trailblazing women every year since 1990 to receive Women of the Year awards. But this year, the magazine gave out the inaugural “Your Mom of the Year Award,” meant to honor a woman outside of the national spotlight — a woman “who doesn’t have a Pulitzer or an Oscar, who hasn’t met the President or been interviewed by Oprah,” the magazine said in the nomination form. They wanted to recognize a mother “who’s made a difference without Hollywood connections,

without millions of social media followers, without millions in the bank to fund her cause.”

This year, it was Walker’s mom: Anchorage attorney Lynda Limón.

That meant on Oct. 8, Limón was honored on the red carpet in New York City, beside some of the nation’s most influential and well-known women, including model and actress Pamela Anderson, Olympic gold medalist Suni Lee, and Tina Knowles, mother of Beyoncé.

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New Pro Bono Director Hired By AK Bar

By the Alaska Bar Association

The Alaska Bar Association is pleased to announce the hiring of Lea McKenna as the new Pro Bono Program Director. An active member of the Alaska Bar with over 22 years of experience as an attorney, McKenna’s work has spanned both the non-profit and private sectors. McKenna brings extensive expertise in working with vulnerable groups and a deep commitment to expanding access to justice. As the former owner of a solo immigration practice, she regularly provided pro bono and low bono legal services to underserved clients, including survivors of domestic violence and asylum seekers throughout Alaska. Most recently, she worked as an attorney at Durrell Law Group, PC assisting families with estate planning, probate and business matters. Throughout her career, McKenna

has demonstrated strong leadership in nonprofit and community initiatives, including her roles as Chair of the Anchorage Equal Rights Commission and Co-Chair of the Alaska Bar’s Immigration Section. She was a founding member of the Coalition of Alaskans for Immigrants’ Rights, bringing together nonprofits and government agencies to protect the rights of immigrants, and organized a free naturalization clinic.

In her new role, McKenna will focus on enhancing pro bono initiatives, fostering partnerships and broadening access to legal assistance for low-income Alaskans. “I am honored to take on this role and eager to collaborate with Bar members to help bridge the justice gap,” she shared.

McKenna holds a J.D. from UC Berkeley School of Law and a B.A. in Psychology from UC Santa Cruz, and she speaks Spanish. In her free time, she loves spending time with her husband, two teenage kids and



Lea McKenna

their aggressively friendly cat, Kiko. She also enjoys making “uniquely (mis)shaped” pottery and trying to keep up with her husband on a bike—whether it’s battling snow drifts in winter or dodging mosquitoes in summer.

PRESIDENT'S COLUMN

2025 Alaska Bar Association Dues by the Numbers

By Jeffrey Robinson

In some permutation of its original concept, President Lincoln was credited with once saying “You can please some of the people all of the time, you can please all of the people some of the time, but you can’t please all of the people all of the time.” The Alaska Bar Association recently conducted our 2024 membership and stakeholder survey. The survey results confirm Lincoln’s maxim. For example, there is little the Bar can do to please a member who refuses to attend the Bar Conference because he or she is unhappy with the purported politics of a speaker who presented more than a decade ago. If the Bar were to invite the speaker’s opposite, an equal number of members would proclaim indignation. Although the survey results in fact reflected our membership’s genuine enthusiasm for the Bar, there will always be a potential unifier: the Bar’s continued unhappiness with the amount of annual bar dues paid by our members.

Each active member pays \$660 in dues per year. 2025 will be the 14th consecutive year that dues have remained the same. According to the U.S. Bureau of Labor Statistics inflation calculator, \$660 in 2012 would be \$918 today’s dollars. Yet, bar dues have stayed stagnant because of decisions made to cut costs, invest prudently and rely on the skilled expertise of Bar personnel to assume multiple hats. The Bar is always looking for coins in the couch to reduce or offset expenses. Some small efforts (better use of electronic communications and switching to online Bar cards come to mind) cumulatively help move the dial,

while other strategic ones (securing property tax exemptions) can each save tens of thousands of dollars or more.

Our decision to purchase the Bar’s current home on K Street has proved to be fiscally prudent. The building was purchased in September 2020 for \$2,700,000. The Bar funded the purchase with \$800,000 from Long Term Capital Reserves. An additional \$1,000,000 was drawn from Unappropriated Capital. The Bar’s loan (\$900,000) was paid down in significant increments between 2020 and October 31, 2024, when the balance was paid off in full. These payments saved the Bar over \$400,000 in interest over the life of the loan, saving the bar approximately \$77,000 per year in rental expenses.

In addition to enlisting a well-balanced Building Subcommittee consisting of some of Alaska’s most prominent transactional attorneys to plan strategically for this purchase, the Bar has benefited from the insight of its own in-house personnel, including the Bar’s Controller, Karen Schmidtkofer, who has been with the Bar for over 37 years. Karen was born in Michigan and moved to Alaska in 1984. She graduated from UAA with a degree in business management and a minor in accounting. Karen started working for the



"I have included in this article the 2025 Bar Dues Breakdown on page 3, which demonstrates how each member's dues are allocated."

Alaska Bar in 1987 as the accounting clerk under a wonderful mentor who shared her knowledge in accounting practices and computer technology. Former Executive Director Deborah O'Regan recognized Karen's potential and promoted her to controller in 2000. Current Executive Director Danielle Bailey offers that “perhaps the greatest benefit to our Bar members is the added value that Karen brings to the Bar. She is not just our accountant. She is our office manager, human resources administrator, database manager and backup IT provider.”

I have included in this edition the 2025 Bar Dues Breakdown on page 3, which demonstrates how each member’s dues are allocated. The numbers speak for themselves, but rest assured, there is no largesse, no waste and very little to quibble about. We recognize that \$660 is not an insignificant amount for lawyers to pay for membership in a professional association. This is particularly true for new lawyers carrying the burden of law school debt, underfunded public interest attorneys and lawyers saddled with a myriad of other important economic commitments. This is why we strive to keep member dues as low as possible, while maintaining gold standard services for our members.

Alaska is one of over 30 mandatory state bars, meaning that Alaska lawyers cannot opt out of membership. In addition to providing the Bar with financial vitality, the Bar handles most levels of ad-

mission, discipline and continuing education requirements. The regulation is not over the top in any way – indeed, our sections and committees rely on the skilled expertise and volunteer commitments of countless attorneys. We are only as strong as our community. As a mandatory Bar, we are able to serve as a release valve for the Court System and other administrative bodies that would otherwise be burdened with the regulation of our profession. It is, therefore, important for our membership to stay apprised of the committed work of our professionals, including Karen Schmidtkofer, who has the Bar well-positioned to succeed going forward.

Jeffrey Robinson is the president of the Alaska Bar Association. He was born and raised in Rhode Island. He has been a resident of Alaska for 16 years. Jeff graduated from Boston College and received his law degree from Notre Dame Law School. He is a shareholder in the Commercial Litigation Group of Lane Powell.

Each active member pays \$660 in dues per year. 2025 will be the 14th consecutive year that dues have remained the same.

In addition to providing the Bar with financial vitality, the Bar handles most levels of admission, discipline and continuing education requirements.

EDITOR'S COLUMN

In 2025, Let's Treasure the Genuine

By Monica Elkinton

This fall, I spent two weeks at the National Judicial College in Reno, NV. I knew I would miss my family, so my husband and I took our two children to Disneyland for the week prior. Then he flew the kids back to Anchorage without me. I do not recommend visiting Disney and then immediately going to stay in a casino.

As soon as I set foot in Disneyland, my senses were inundated. There are visually stunning rides and art, and the sounds of children giggling and happy tunes from movie soundtracks coming from hidden speakers. Every restaurant is Disney food, every trash can is positioned exactly within 30 feet of another, every restroom is positioned precisely where I would have to walk by merchandise that is



"As we embark on 2025, let's all try to treasure the genuine rather than the contrived. The sincere rather than the artificial."

all owned and manufactured by Disney. Every ride and game is making noise to grab my attention. Cameras watch you every step and analyze the data with an eye for how to make me spend more money.

I felt an eerily similar feeling at the casinos in Reno. As soon as I set foot inside, my eyes and ears were overwhelmed by the colorful flashes, rings and repeated dings of the slots. There was inescapable cigarette smoke, both stale and fresh. Every restaurant in the casino was designed to get

me back to gambling, or more often to sit and gamble while I ate and drank. Every machine wanted my attention, and all were carefully designed to separate me from my bank account. Cameras watched my every step and analyzed the data with an eye to how to make me spend

more money.

After three weeks away, I missed my family very much. I also missed fresh air, cool crisp mornings, majestic trees and the crunch of snow. I treasured the actual Alpenglow I can see from my office, not a photo of mountains projected onto a wall, with video effects that add glitter to a small river in the photo. I realized that I valued the things that make us human, not plastic.

As we embark on 2025, let's all try to treasure the genuine rather than the contrived. The sincere rather than the artificial. Take a walk outside in nature. Put your boots on real earth or cool snow. Take along a dog if you can. I'll be happy if I don't ever hear the ding of a slot machine for a very long time.

Monica Elkinton is a magistrate judge in Anchorage. She is a former co-chair of the Unbundled Services Section and serves on the Alaska Bar CLE Committee.

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:

- January 30 & 31, 2025
- April 22 & 23, 2025
- June 4, 2025
- August 21 & 22, 2025
- October 30 & 31, 2025

Convention and Annual Meeting dates:

- April 23-25, 2025 in Anchorage, AK

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]. TVF 2000

New lawyers Sworn in to the Alaska Bar Association

By Danielle Bailey

The Alaska Court System and the Alaska Bar Association hosted a swearing-in ceremony for new members of the Alaska Bar Association on November 7, 2024 in the Supreme Court Courtroom of the Boney Courthouse in Anchorage. Justice Dario Borghesan presided over the swearing-in of 36 new lawyers. Approximately 170 family, friends and colleagues appeared in person and over 100 viewed the live stream of the event through the court system’s website. The new attorneys can be seen in the picture raising their right hands as they take the Oath of Attorney, which was administered by Meredith Montgomery, clerk of the Appellate Court.



Photo by Danielle Bailey

NEW LAWYERS SWORN-IN INCLUDED:

Hannah Benson	Lily Ginsburg	Kael MacMaster	Kristine Quint*	Megan Wixom
Saphire Brown	Nathaniel Grabman	Helen Malley	Catherine Rocchi	Andrew Wright
Amanda Burton*	Noah Hammett*	Joy Ruth Matanguihan*	Dekota Smith	Ian Zwink
Hannah Clancy*	David Hicks*	Stormy Mion	Jacob Sowell*	Ilana Zyatitsky
Valerie Delatorre	Katherine Krasny	Jose Musa*	Nigel Stacey*	
Corey Dunn*	Claire Lamitie	Michael Partrick*	Steve Tennison*	*Denotes United States Dis-
Austin Echols*	Alice Lee	Nicole Prada-Trivino	Ann Thomas	trict Court Admission
Edward England*	Kyla Lucey*	Marla Quick*	Kaden Vanwey*	

2025 Alaska Bar Association Budget

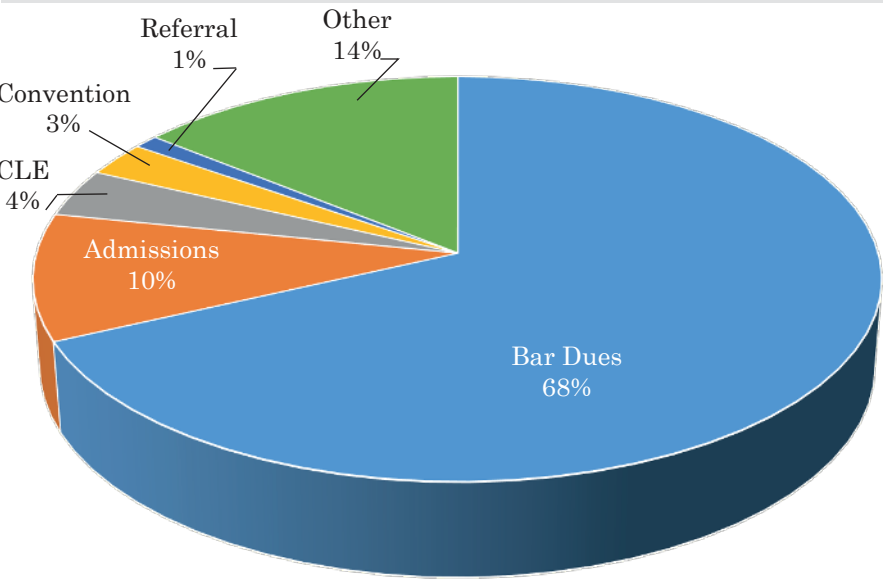
REVENUE

AdmissionFees-Bar Exams	78,940
AdmissionFees-MotionAdmit	58,800
AdmissionFees-Exam Soft	11,775
AdmissionFees-UBE	47,000
AdmissionFees-Rule 81s	130,000
CLE Seminars	92,650
CLE Health Plan Rebate	30,982
Accreditation Fees	2,000
Lawyer Referral Fees	34,550
Alaska Bar Rag - Ads,Subs	17,000
Annual Convention	88,250
Career Fair	7,000
Substantive Law Sections	25,895
AccountingSvc Foundation	12,740
Membership Dues	2,180,272
Dues Installment Fees	4,550
Penalties on Late Dues	12,580
840 K Street Rental Income	274,185
Disc Fee & Cost Awards	0
Labels & Copying	500
Investment Interest	103,174
Miscellaneous Income	14,868
SUBTOTAL REVENUE	3,227,711

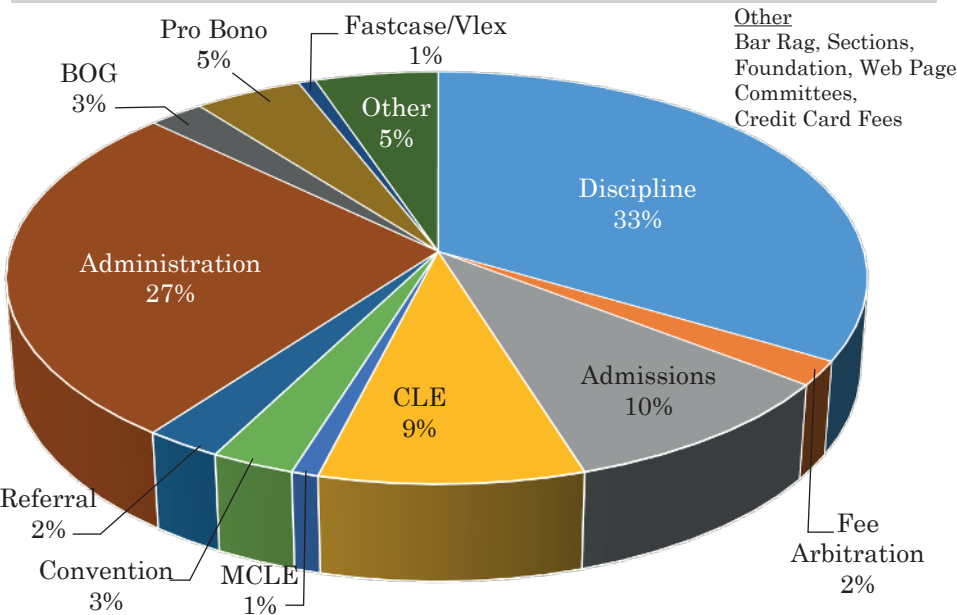
EXPENSE

BOG Travel	55,605	Lobbyist/BOG, Staff Travel	0
Admissions Committee Travel	1,000	Credit Card Fees	36,952
Diversity Commission Travel	0	Succession Planning	20,000
Staff Travel	40,508	Miscellaneous	13,715
Travel/Outreach	17,000	Staff Salaries	1,404,214
LRE Trave/Outreach	5,000	Staff Payroll Taxes	116,732
CLE Seminars	61,150	Staff 401k Plan	63,779
Free Ethics Course	350	Staff Insurance	524,906
Alaska Bar Rag	42,498	Postage/Freight	15,147
Bar Exam	62,024	Supplies	16,244
Other Direct Expenses	75,905	Telephone	0
Annual Convention	86,550	Copying	4,155
Career Fair	0	Office Rent	117,144
840 K Street Expenses	234,736	Depreciation/Amortization	93,840
AccountingSvc Foundation	12,740	Leased Equipment	29,598
MLK Day	4,000	Equipment Maintenance	45,903
Fastcase/Vlex	24,852	Property/GLA/WC Insurance	37,090
Committees	2,500	Programming/Database Maint	84,305
Duke/Alaska Law Review	0	Temp Support Staff/Recruitment	10,000
Miscellaneous Litigation	15,000	SUBTOTAL EXPENSE	3,391,291
Marketing/Communications	16,149	NET GAIN/LOSS	(163,580)

Revenue



Expense



New Section to Focus on Access to Justice

By Mara Kimmel and Jeannie Sato

The Alaska Bar Association recently created a new section to focus on Access to Justice. As co-chairs of this new section, we are excited to join our partners at the Alaska Supreme Court and the Alaska Court System in their dedication to expanding Alaska’s justice ecosystem.

Building on the Alaska Court System’s 2017 Justice for All Project Action Plan, our goal is to advance structural changes to the way Alaskans can access legal support and information. To do this, we plan to expand the capacity of providers to address unmet legal needs through technology and training, and enhance connections between legal and non-legal service providers.

Since the action plan in 2017, Alaska has adopted innovations in the way we understand “access” and “justice.” For example, the newly developed Community Justice Worker program housed at Alaska Legal Services Corporation has the potential to ensure justice systems can be accessed in every community in our state, whether or not lawyers live there. The

Building on the Alaska Court System’s 2017 Justice for All Project Action Plan, our goal is to advance structural changes to the way Alaskans can access legal support and information.

Alaska Law Review in cooperation with the Alaska Bar just hosted its first ever symposium on Access to Justice, bringing in national experts and featuring an array of areas where we, as a legal community, can improve Alaskan’s access to justice. The Court System has been developing new access to justice technologies, and in 2025 will launch a campaign to educate legal and non-legal service providers about these resources. The resources include an online dispute resolution platform, automated forms that allow the user to fill them out through an interview process, a chatbot, updated web page content, and an interview option that gives users a personalized plan for their specific situation.

These innovations point to what we know. When Alaskans come together with a shared vision – in this case to ensure all Alaskans have access to critical legal information they need for their wellbeing – we can create solutions to meet the moment. This is why we would like to invite you to join our new section. Our first meeting of 2025 will be held on January 28, and we will review the progression of Access to Justice in our state. Our second meeting on April 15 will examine the potential to expand existing access to justice models into other justice arenas in Alaska. Please watch your Bar emails for more information about these section meetings, and CLE credit for attendance.

We look forward to welcoming you to this new section.



Diversity Luncheon with Senior Justice Dana Fabe

By Christine Williams

Over 130 Alaska Bar members and other community members came together at the “Diversity: Stories Affecting Our Lives” event held on Wednesday October 30, 2024, at the Hotel Captain Cook in Anchorage, AK.

The panel discussion was moderated by Senior Justice Dana Fabe and aimed to highlight the importance of diversity in the legal profession and how personal narratives can shape and enrich the legal landscape. This year’s theme was how experience and law can be used in furtherance of public service.

The panelists included Ethan Schutt, Executive Vice President & General Counsel, Bristol Bay Native Corporation; Tara Sweeney, Vice President of External Affairs, ConocoPhillips Alaska; Michele Brown, Director, Housing Alaskans Public Private Partnership; and Becky Windt Pearson, Municipal Manager, Municipality of Anchorage. Each speaker brought a different perspective and narrative which added to a diverse array of experiences that emphasized the importance of inclusivity within our legal community.

The event was organized and sponsored by Outlook Law in cooperation with the Alaska Bar Association, Anchorage Association of Women Lawyers, and the Supreme Court’s Fairness, Diversity and Equality Committee.

Photos by Kara Bridge



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**MCLE
REMINDER**



**31
Dec**

ACTIVE bar member must complete
3 ETHICS credits by December 31, 2024.

February 1, 2025 is the deadline
for filing your 2024 MCLE reports.

**1
Feb**

Inactive Bar members and 2024 admittees are exempt from MCLE requirements. You may only report ONCE per calendar year. Once your MCLE reporting form is submitted it cannot be amended.

To report your 2024 MCLE, visit www.alaskabar.org
and log into your member dashboard.



2024 Alaska Bar Membership Survey Results

By Danielle Bailey

Earlier this fall, the Alaska Bar Association conducted a membership survey to better understand how we can enhance the services, resources and support we provide to legal professionals across the state. We are glad to report that 12% of our active membership participated, and even more excited to share that 89.4% of respondents reported being “satisfied” or “very satisfied” with the Alaska Bar.

This positive feedback is a great starting point, but we see it as only the beginning. We are committed to using the survey insights to further improve our offerings and increase member satisfaction. Below is an overview of the survey findings and the next steps we’re taking.

Member Benefits:

Your feedback reassured us that most membership benefits are highly valued, with only four scoring below 60%: the Alaska Law Review, Fastcase/vLex, the Fee Arbitration Program, and member discounts on commercial products (Clio, LawPay, etc.). Many respondents were unaware of these benefits, so we plan to better communicate their value. For example:

- 21.9% didn’t know that Fastcase/vLex is a legal research platform offered for free to members.
- Alaska Law Review and commercial product discounts are provided at no cost to the Bar.
- Our partnership with Clio not only offers members a 10% discount on the member management platform, but also benefits the entire Bar as Clio contributes ongoing financial support to the Bar for every member that uses their program.

We’re committed to showcasing the value of these benefits to ensure members can take full advantage of them.

Opportunities and Participation in the Bar:

Most members find Bar-offered opportunities important, but some expressed interest in learning more or becoming more involved. For those who provided their email, we’ll be reaching out early next year with details about engagement opportunities.

Pro Bono Opportunities and Involvement:

Only 15% of respondents reported meeting the recommended 50 hours of pro bono service, citing various barriers to volunteering. To address these challenges, we will be:

- Collaborating with our new Pro Bono Director and legal service providers.
- Planning free CLEs on subject-specific training.
- Exploring co-counseling opportunities to ease the burden of pro bono work.
- Evaluating new ways to incentivize pro bono work.

CLE and Convention:

The survey highlighted that seminar topics are the biggest draw for CLEs and conventions. Members expressed a desire for more practice-oriented, subject-specific options. We are:

- Reviving and energizing Bar sections to develop targeted CLEs.
- Collaborating with the court system, adjunct legal organizations and community partners to develop a broader range of CLE programs.
- Expanding the number of concurrent sessions at Convention to offer a wider variety of topics and speakers.
- Actively seeking suggestions for speakers and topics. If you have ideas, please email bridge@alaskabar.org!

Learning from Other Bars:

For members of multiple Bars, we asked what offerings from other jurisdictions we should consider. Again, we were happy to see that many of you felt our Bar offered better services. However, you also provided some good suggestions:

- Practice area listservs.
- Online systems for tracking CLE credits.

We are exploring these and other

ideas and will reach out to other Bars for inspiration.

Improving Bar Operations:

We appreciated your candid feedback on areas for improvement:

- Inactive Sections: Sections that haven’t met in the past year will be moved to inactive status. Starting in 2025, members will only be able to sign up for active sections.
- Rural Outreach: We are working to serve all of Alaska. In 2024, we visited Juneau, Kenai, Kodiak, Sitka and Nome, hosting CLEs, legal programming and community events. Let us know if your community is due for a visit, and we’ll try to add it to our calendar.
- Affinity and Local Bars: We’re developing a guide on starting local or affinity Bars and plan to strengthen our connections with existing ones.

Membership Dues:

We recognize that lowering dues

is a priority for many members. While we can’t reduce dues in 2025, we are proud to mark the 14th consecutive year without an increase. Additionally, Alaska Bar dues are no longer the highest in the nation, despite being one of only nine Bars to handle admissions and discipline independently without state funding. We are committed to finding ways to keep costs down.

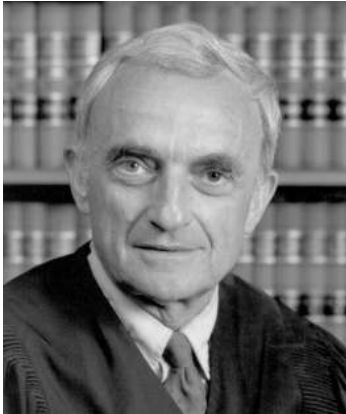
Thank you for your participation and feedback.

We remain committed to delivering value, improving our services and supporting AK Bar members across Alaska. The full results of the survey are available on our website here: <https://alaskabar.org/wp-content/uploads/2024-Member-Survey-Results.pdf>. If you have additional suggestions, questions or concerns, please don’t hesitate to reach out to me at bailey@alaskabar.org.

Danielle Bailey is the Executive Director of the Alaska Bar Association.

Call for nominations for the 2025 Jay Rabinowitz Public Service Award

The Board of Trustees of the Alaska Bar Foundation is accepting nominations for the 2025 Award. A nominee should be an individual whose life work has demonstrated a commitment to public service in the State of Alaska. The Award is funded through generous gifts from family, friends and the public in honor of the late Alaska Supreme Court Justice Jay Rabinowitz.



Jay Rabinowitz

ALASKA BAR FOUNDATION



Nominations for the award are presently being solicited. Nomination forms are available from the Alaska Bar Association, 840 K Street, Suite 100, Anchorage, AK 99501 or at www.alaskabar.org.

Completed nominations must be returned to the office of the Alaska Bar Association by March 3, 2025.



BILL GORDON
2024 Recipient



JUDGE STEPHANIE
RHOADES
2023 Recipient



MAYOR PATRICIA
B. BRANSON
2022 Recipient



MAGISTRATE
JUDGE KIMBERLEY
SWEET
2021 Recipient



CHRISTINE PATE
2020 Recipient



SENIOR JUSTICE
DANA FABE
2019 Recipient



VICTOR FISCHER
2018 Recipient



SENIOR JUDGE
ELAINE
ANDREWS
2017 Recipient



JAMES E.
TORGERSON
2016 Recipient



SENIOR JUDGE
MICHAEL I. JEFFERY
2015 Recipient



JANET McCABE
2014 Recipient



KATIE HURLEY
2013 Recipient



TREVOR STORRS
2012 Recipient



JUDGE MARY E.
GREENE
2011 Recipient



BARBARA J. HOOD
2010 Recipient



ANDY
HARRINGTON
2009 Recipient



JUDGE SEABORN J.
BUCKALEW, JR.
2008 Recipient



BRUCE BOTELHO
2007 Recipient



LANIE FLEISCHER
2006 Recipient



JUDGE THOMAS B.
STEWART
2005 Recipient



ART PETERSON
2004 Recipient



MARK REGAN
2003 Recipient



Group photo of CIP participants from across the state. Photo by Magistrate Pam Smith.



Emma Haddix speaks to participants at CIP training. Photo by Magistrate Pam Smith.



Participants in CIP training doing a hands-on exercise. Photo by Magistrate Pam Smith.

Court Improvement Program Offers Three Day Training

By Mara Rabinowitz

The Court Improvement Program (CIP) delivered a three day training in September 2024 at the Snowden Training Center in Anchorage. The topic of the training was “Child in Need of Aid (CINA) Laws, Roles and Responsibilities, Practices and Procedures.” The training was provided by experienced CINA practitioners includ-

ing: Carla Erickson, Chief Assistant Attorney General, Child Protection Section; Sam Cherot, Alaska Native Justice Center; Emma Haddix, Assistant Attorney General, Child Protection Section; Elizabeth Brennan, Assistant Public Defender; Anita Alves, Supervising Attorney, Anchorage Civil Section of the Office of Public Advocacy; and Tandra Donahue, Office of Children’s Services. There were approximately 40

participants including judges, court staff, Assistant Attorneys General, Office of Children’s Services case workers and staff, Guardians ad Litem, ICWA workers, tribal attorneys and parents’ attorneys.

Haddix commented that, “I love being a part of this recurring training. I love working in a field that wants everyone to know what they need to know to be good at their jobs.”

More information about the CIP program including links to eLearning courses with pre-approved CLE credits on CINA Laws and ICWA are available on the court system’s website.

The court system has also created a new self help page on Child in Need of Aid with videos explaining CINA processes, short educational videos and general information.

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TALES FROM THE INTERIOR

Courthouse Security: Differences Over the Years and Around the State

By William R. Satterberg

"The first thing we do, let's kill all the lawyers!"

-William Shakespeare, Henry VI, Part II

When I began practicing law in Fairbanks in 1976, there was no such thing as courthouse security. All anyone had to do was walk through the doors into the Judge's chambers on the third floor of the old state courthouse at 604 Barnette and they would be welcomed by Judge Crutchfield's always-active popcorn machine. Certain judges, now deceased, were known to pack their own "courthouse security." During that era, I remember two specific courthouse security issues.

The first was a stabbing that took place at a sentencing. I was in the courtroom when a defendant in an orange jumpsuit was standing to address the judge. Suddenly, out of the gallery, a person ran up and jammed a pocket knife into the shoulder of the innocent defendant. It was not a fatal wound. In retrospect, it was not even that serious. But it did get the attention of the gallery. Fortunately, guards were quick to wrestle the assailant down. Like any other good citizen and the others in the courtroom, I chose not to get involved.

The second incident occurred as I was leaving a courtroom. A suspect burst out of an elevator, followed closely by a female, gray-shirted judicial services officer trying to capture him. Clearly, his mind was bent on escape, even though his handcuffs were still on. Doing my civic duty at the time, coupled with the fact that I was a state employee and likely covered by a generous worker's compensation plan, I tackled the man. A wrestling match ensued between myself, the suspect and the guard, who was also frantically calling for help on her radio. It was clear that the prisoner had tasted a brief moment of freedom. I soon realized that he was far better at hand-to-hand combat than I. He appeared to be getting the best of both myself and the frustrated guard. Suddenly, the elevator doors opened. Another gray-shirted officer, Trooper Manumik, stood silent and imposing in the opening, smiling, with his muscle-bound arms curled out in front of him. Trooper Manumik let out a deep, guttural grunt. The prisoner looked up, saw

Trooper Manumik, sighed a defeatist sigh and admitted, "Ok, I quit."

In time, a metal detector was eventually installed in the Fairbanks courthouse to provide some reassurance. Over the years, additional security precautions became prevalent, not only in Fairbanks, but in Anchorage and other courthouses as well.

Following the election of Governor Wally Hickel in 1990, the State of Alaska bestowed upon Fairbanks a new courthouse to be located on the banks of the Chena River. The judiciary got nice offices, along with stunning views of the river. Accompanying the new courthouse as added extras were separate entrances for court personnel, separate bathrooms for judges, security doors to the courtrooms, surveillance cameras, judicial alert systems and a sad departure from the casual, welcoming atmosphere of the past. Eventually, courtroom security was farmed out to contractors who used a rigorous screening process. Times had changed.

The federal system had its own security system. There was security to enter the federal court building, and additional security screening to enter the most sacred court section of the building. Personal identification also had to be produced to enter the federal court. Over time, an interesting paradox developed. Whereas court security was rather extensive and becoming even more pervasive in the "big" cities, the concept of security in the bush court system was totally lacking. Many rural justices are even reported to pack their own "heat."

For example, I once had a trial in Ketchikan before Judge Carey. It was a felony case with a potentially violent client, charged with theft.

At the start of the case, Judge Carey asked if I would be my client's third-party custodian. If I chose to accept the task, I would have to obtain my client each morning from the local jail, transport him to court, spend the day with him, and return him that evening to jail after a nice dinner in town. For the next several days, I would pick my client up at the jail dressed in a suit and then transport him to the courthouse. Not once was he ever patted-down



"If stringent security is to be provided in the city courthouses, shouldn't it also be provided in the bush?"

to see if he was carrying a weapon or any other dastardly devices.

Over the years, I have done several trials in rural Alaska communities like Healy, Galena, Nome, Kotzebue, Utqiagvik, Delta Junction, Tok, Glenallen and Valdez. In virtually all, courtroom security has been effectively absent.

I remember doing a trial in Utqiagvik. The charge was first-degree murder. When I entered the courtroom for jury selection, there was already a panel seated in the gallery. I noticed that virtually every potential juror wore a hat. I actually found that allowing jurors to wear hats was helpful. It was a way of determining their particular biases, inclinations, employment or attitudes. Many also had buck knives on their belts. One juror in particular, however, had a bullet-proof vest and a Glock pistol. As the names were called out, the prosecutor disclosed that this juror was the arresting officer in the murder case and, as such, probably should be excused. I appreciated the prosecutor's candor.

I acknowledge that there needs to be a certain modicum of courtroom security, but there is no statewide consistency. Sometimes

a person can pass through a metal detector without any alarm triggering. Yet, the next day, wearing the same exact clothes — my wife tells me I need to shower more often — the metal detector will alert. From a social perspective, is the judiciary simply less important in bush communities than it is in the big cities? Hopefully not. If stringent security is to be provided in the city courthouses, shouldn't it also be provided in the bush?

Finally, I do not want to be a spoiler, but because I am from Fairbanks I will be one. In Anchorage, there are two lines to enter into the Nesbitt courthouse. One line is reserved for the commoners. I suspect that the screening devices are more selective in that queue. The other line is reserved for "Attorneys Only." Rarely, if ever, does the attorney's device trigger. But the irony is that no one ever asks if the person in the attorney line is, in fact, really an attorney. As long as one looks and dresses like an attorney, they apparently can walk unchallenged through the attorney line. So, Anchorage attorneys, beware! Changes are coming soon, that is, if anyone in the court administration ever reads this article.

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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Alaska Law Review editors visit with Chief Justice Maassen, Justice Borghesan and Justice Henderson at the Alaska Supreme Court. Photo provided by the Alaska Law Review.

Alaska Law Review Students Visit Alaska

By Allyson Barkley

In October, members of the Alaska Law Review (ALR) made their annual trip to spend their fall break in the 49th state. Each year, ALR students who have written or committed to writing at least one note pertaining to an Alaska-specific legal issue have the opportunity to travel to Alaska in either the spring or fall to connect with the state’s legal community and strengthen ties with the Alaska Bar Association. During the trip, students stay with families of Alaska Bar Association members and meet with local lawyers and judges to discuss pressing legal issues in the state and the future direction of the journal. Recently, the trip has been limited to 3Ls, but this year marked a significant milestone as 2Ls were included for the first time since pre-COVID years.

The legal professionals students met included Representative Andy Josephson, Senator Bill Wielechowski, Chief Operating Officer of the Alaska Native Justice Center Alex Cleghorn and Executive Director of the Alaska Bar Association Danielle Bailey. Students also visited the Alaska Supreme Court where they spoke with Justices Henderson and Borghesan, and Chief Justice Maassen. They had a lunch meeting with Magistrate Judge Marika Athens of the Third Judicial District. Students on the trip visited prac-



From left to right, Pearl Pickett, Joy Anderson, Mara Kimmel, Rebecca Sandefur and Matthew Burnett discuss Community Justice Workers and expanding non-lawyer alternatives in Alaska and beyond. Photo provided by the Alaska Law Review.

titioners at the ACLU of Alaska, Earthjustice, Alaska Legal Services Corporation, Office of Public Advocacy and Joint Base Elmendorf-Richardson.

On October 16th, students hosted ALR’s bi-annual Symposium at the University of Alaska Anchorage in conjunction with the Alaska Bar Association and the UAA Justice Center. This year’s symposium, titled “Expanding Access to Justice in Alaska,” featured a keynote address by Frontline Justice CEO Nikole Nelson and included panel discussions on topics such as tribal jurisdiction, the role of technology in expanding access to courts, environmental justice, trauma-informed lawyering and the future of community justice workers. Featuring articles written and discussed by the panelists at the event, the symposium issue will be published in December 2024. Members of the Alaska bar who attended the symposium were eligible to receive general and ethics CLE credits.

In addition to participating in the Symposium and meeting members of the legal community, students explored Anchorage, visited

the annual Alaska Federation of Natives convention, hiked Flattop Mountain, trained with Iditarod Alaskan Huskies, and sampled local restaurants across the city.

The full text of the most recent issue of ALR is available on the journal’s website, along with a recording of the 2024 Symposium.

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.



Alaska Law Review editors meet Iditarod dogs. Photo provided by the Alaska Law Review.



Alaska Law Review editors near Flattop Mountain, Anchorage, AK. Photo provided by the Alaska Law Review.



Frontline Justice CEO Nikole Nelson delivers her keynote address at the ALR Access to Justice Symposium. Photo provided by the Alaska Law Review.

Blast from the Past: A Look Back



Photographer Tom Sadowski captures the dread of passing the Bar exam with the above early 1980s postcard. Sadowski was a longtime columnist of the *Anchorage Free Press* and a photographer whose postcards often graced the Alaska gift stores and presented a quirky and humorous visual of life in Alaska.



Relaxed Supreme Court: The Alaska Supreme Court is seen in a more relaxed pose from the late 1970s. Pictured from left to right: Justice Robert Boochever, Justice Edmond Burke, Justice Warren Matthews, Justice Roger Connor and Justice Jay Rabinowitz. Photo provided by Mara Rabinowitz.

Court System Rule 12 (e) Attorney Appointments Needed

There is an ongoing need for attorneys to represent Alaskans in adoption matters; minor and adult guardianship cases; estate cases; paternity actions; alcohol commitment proceedings; military service members through the Servicemembers Civil Relief Act; CINA cases; and in post-conviction relief (PCR) cases. The court appoints eligible attorneys under Administrative Rule 12(e) and provides compensation at a rate of \$130.00 per hour.

According to Deputy Director Mary Burnell, the court system is “grateful for the attorneys who volunteer to serve on these cases, which often involve clients who lack the resources to protect very fundamental rights.” Attorneys may contact Mary Burnell with any questions about this opportunity at mburnell@akcourts.gov.

Attorneys interested in accepting appointments under Rule 12(e) or with any questions, should send their contact information (name, mailing address, phone numbers, e-mail, and fax numbers) and a copy of their errors and omissions insurance to the appropriate Area Court Administrator (ACA). ACA contact information can be found here: <https://courts.alaska.gov/media/index.htm#liaisons>.



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A: The caterer.

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For Lawyers, Is Moonlighting Worth It?

By Mark Bassingthwaighte, Esq.

Truth be told, the answer to this question is one where reasonable minds can see things differently. Some will say yes, others will say no; and of course, there will always be those who will take the middle ground. This is my way of saying that the answer isn't for me to decide, it's going to be entirely your call. All I can do is try to help you answer the question by discussing the benefits and risks as I see them.

What are the benefits of moonlighting?

When I was younger, I was told the fastest way to grow wealth is by first retiring all debt; and that lesson certainly proved true in my life. When my wife and I finally got to the point where we were able to accelerate payments on those seemingly never-ending student loan payments and clear that all up, well, suffice it to say the relief from one financial concern was palpable. We were well on our way to financial security. I share this story because in my mind, the most obvious benefit would be the additional income stream from having a moonlighting side gig. This really can be an effective way to supplement your earnings and improve your financial security, particularly if you are straddled with debt.

Depending upon what the specifics of any given moonlighting opportunity are, this could be a way to grow professionally. At a minimum, by taking on additional work you

would continue to sharpen your legal skills. You might also gain experience in a different area of the law, thereby broadening your skill set and/or deepening your knowledge base. Regardless, the additional experience can only help ensure your long-term success as an attorney.

Moonlighting can sometimes be an opportunity to expand your professional network. Usually, the broader your network, the greater likelihood of developing valuable referral sources and finding mentoring and even career advancement opportunities. Speaking personally, any opportunity to build or maintain connections to the broader legal community and stay informed about trends and developments in the legal profession is an opportunity worth considering.

In terms of benefits, the above are the big three in my mind. That said, I have heard others say that moonlighting can be a way to bring about autonomy and flexibility in their professional lives. I have trouble with this idea because by definition moonlighting is an extra job, a side gig. However, if deciding when and what additional moonlighting work you take on is entirely up to you, then there would be some accompanying flexibility and autonomy with this side gig.

Finally, if the additional income stream isn't important, but the professional growth and networking are, think about giving back. Not only will those two benefits be in play, one new benefit will come into play. It's the health and wellness of personal fulfillment, which of-

ten results after a decision is made to make a positive impact in the lives of others and to contribute to the greater good of your local community through the gift of pro bono moonlighting.

What about the risks of moonlighting?

Here again, I'll talk about what I see as the big three. The first is a wellness concern. Stress, burnout, depression and addiction are significant problems for our profession. The reason why is often due to the time demands and pressures that come with the practice of law. To add in extra stress with additional work from moonlighting only risks further compounding the wellness problem. Even if the impact of extra hours is limited to fatigue, this alone can impair one's judgment. It can be quite difficult to continue to consistently serve your clients competently if you spread yourself too thin.

There are also ethical and legal concerns because moonlighting by definition is a side gig that your employer is unaware of. Lawyers have been suspended, forced to disgorge earned fees, fired and even disbarred once their moonlighting work came to light. Also understand that there are no moonlighting exceptions to any of the rules of professional conduct. Conflicts must be tracked, unearned funds must be placed in a trust account, client confidences must be kept, data must be protected and the list goes on. If you are interested in moonlighting, never take this step unless and until the firm you work for approves your request to do so. Otherwise, you are simply asking for trouble. Ethical missteps are just one of the ways that trouble can start.

Finally, there is an insurance

coverage concern. Here's one way it can play. Assume a viable malpractice claim arises on one of your moonlighting matters and the exposure is more than you could ever hope to personally handle. If your thinking is now something along the lines of "yes, having to fess up to my employer that I've been moonlighting is going to be problematic; but at least my firm's malpractice policy will take care of the claim," you're wrong.

Far too many lawyers seem to believe that once they are covered under a malpractice policy, they are covered for everything they do as a lawyer. This simply isn't true, and the moonlighting space is an excellent example of why. Malpractice policies cover lawyers for work they do on behalf of clients of the firm they work for. This means that any work you do outside of the scope of your employment with a firm will not be covered. Yes, you could go out and purchase your own malpractice policy to cover your moonlighting exposure, but in my experience this doesn't happen.

In sum, while the benefits of moonlighting can be enticing, they do need to be weighed against the associated risks and challenges. There's nothing wrong with pursuing additional income or experience. Just make sure you never compromise any ethical standards, sacrifice any client's interests or allow your workload to become unmanageable along the way. Oh, and always check with the powers that be at your place of employment before doing any moonlighting. As I see it, that's never going to be optional.

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



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Lawyers' Assistance Committee Alaska Bar Association

The Alaska Bar Association Meets with Nome Legal Community

By Danielle Bailey

Board member Meghan “Sig” Tapqaq and Executive Director Danielle Bailey joined the Alaska Supreme Court on their trip to Nome for Supreme Court Live. While in town, Bailey met up with Nome members of the Bar at Airport Pizza. Supreme Court Justices Jude Pate and Susan Carney were able to stop by and meet up with attorneys at Airport Pizza as well. Magistrate Pamela Smith and Tapqaq helped to coordinate meetings with the Village of Solomon, Village of Council, King Island Native Community, Kawerak and Nome Eskimo Community. Tapqaq, as a volunteer with Nome Youth Court, also arranged for the Supreme Court to meet with Nome Youth Court students at the high school.



The Supreme Court Justices speak with members of Nome Youth Court at Nome-Beltz High School. Photo by Danielle Bailey.



Justice Susan Carney speaks with Nome attorneys at Airport Pizza. From left to right: John Earthman, Kirsten Bey, Justice Susan Carney, Bob Lewis, Phil Edwards and Morgan Muhlestein. Photo by Danielle Bailey.



Morgan Muhlestein, law clerk for Judge Romano DiBenedetto, speaks with Justice Jude Pate at Airport Pizza. Photo by Danielle Bailey.

Alaska’s (Legal) History, May It Mean To You

By Peter Ashenbrenner



The British composer Frederick Delius (1862-1934) had a long-running love affair with Norway, a land that he visited frequently. When he composed the incidental music for a satirical play Folkeraadet ‘The People’s Parliament’, he jollied up the Norwegian National Anthem. The results offended Norwegians (seeking full independence from Sweden at the time) and Delius’s star plummeted dramatically. Risking the same dismal fate, I offer this homage to those Alaska barristers and counselors whose daily catechism includes study of the published Ethics Opinions of the Alaska Bar Association.

Peter J. Aschenbrenner has practiced law in Alaska since 1972, with offices in Fairbanks (until 2011) and Anchorage. From 1974-1991 he served as federal magistrate judge in Fairbanks. He also served eight years as a member of the Alaska Judicial Conduct Commission. He has self-published 16 books on Alaska law. Since 2000 the Bar Rag has published 48 of his articles.

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Janell Hafner Receives 2024 AG Pro Bono Award in Domestic Violence Awareness Month

By Sadie Cowles

This October, attorney Janell Hafner was awarded the Attorney General's Pro Bono Award for providing "outstanding pro bono legal representation to victims of domestic violence."

Janell was awarded this honor not only to recognize the importance of attorneys doing pro bono work, but also to draw attention to domestic violence. Alaska has some of the highest rates of domestic violence in the country. A 2020 survey conducted by the Justice Center at the University of Alaska Anchorage found that 57% of women in the state have been victims of intimate partner violence and/or sexual violence.

Volunteering with heart

Janell has been a dedicated volunteer for the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) for years. She has answered ANDVSA's Information and Referral Hotline 11 times as well as taken on two cases. Janell describes ANDVSA as the "beating heart of the Alaska non-profit community" and it is volunteers like her that drive ANDVSA's mission to end violence in our state. Janell's time staffing the ANDVSA hotline has shown her how "within 10 minutes of being on the phone, you will feel a sense of purpose and internal motivation to further this caller's goals."

Pro bono work not only provides an invaluable resource to cli-

ents, but it is also of value for the attorney. Beyond being personally fulfilling, Janell notes that pro bono work helps new attorneys gain experience, though "lawyers who have been practicing for 15-20 years can equally benefit." She believes that one of the most common misconceptions attorneys have about pro bono work is that it will take over their lives or become a second job. In reality, there are a variety of ways for an attorney to volunteer their time that can fit into their schedule. Janell emphasizes how easy it is to do pro bono with ANDVSA. Whether it's answering a hotline for a couple of hours each month, mentoring an attorney doing pro bono work, co-counseling a case, or taking on a case alone, there are many ways to become involved.

With great power comes great responsibility

The need for attorneys to engage in pro bono work cannot be emphasized enough. ANDVSA is regularly unable to offer representation to clients due to a lack of available attorneys and the same is true for other legal services providers such as Alaska Legal Services Corporation and Alaska Native Justice Cen-

ter. Alaska Rule of Professional Conduct 6.1 provides that every lawyer should aspire to provide at least 50 hours of pro bono legal services per year to "persons of limited means" or organizations serving those clients.

Janell notes that it is often when she is facing a particularly challenging or busy time in her personal or professional life that volunteering with ANDVSA can feel most impactful and rewarding. Volunteering helps her refocus and remember the "responsibility and privilege of having a law license and using it to help Alaskans."

Raising awareness through service

In response to being honored with the Attorney General's Pro Bono Award, Janell humbly and quickly acknowledges that there are many other lawyers in Alaska doing equal amounts or more of pro bono work. She believes that "there are countless volunteers in the state who would be equally or more deserving of this award." Janell notes that despite their work, the need for legal services continues to grow. "Alaskans, and Alaskan women in particular, are disproportionately victimized by sexual assault and domestic violence. As lawyers we're uniquely equipped to help survivors navigate the justice system to lead safer, happier lives. I hope that we can all do more not only to advocate for increased funding and awareness around the justice gap in our state as it pertains to intimate partner violence, but to volunteer our time to help a survivor." On a personal level, Janell also noted that staffing the helpline and working with ANDVSA this past year kept



Janell Hafner

her grounded in the values of public service that first inspired her to go law school and work in government. Janell hopes that more lawyers will look for ways to share their time and use their law license to do pro bono work in the coming year.

Janell received a dual Masters and Juris doctorate from Brooklyn College and Brooklyn Law School. She has worked for the Department of Law as an Assistant Attorney General as well as a Chief Assistant Attorney General of Labor in the State Affairs section. Janell was also a Solicitor General for Civil Appeals.

Janell is currently spending time in Juneau and Seattle with her family. She most recently worked as the Government Partnerships Lead for Clearbrief, a legal AI company, and is now looking forward to new professional opportunities and deciding on her next role.

To learn more about pro bono opportunities with ANDVSA, please contact Katy Soden at ksoden@andvsa.org or (907) 297-2791.

Sadie Cowles is a Legal Fellow at the Sitka office of the Alaska Network on Domestic Violence and Sexual Assault. She is part of the Alaska Fellows Program. She graduated from Georgetown University in May 2024 with a bachelor's degree in American Studies.



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:

Fairbanks: Aimee Oravec, aoravec@doyonutilities.com
Mat-Su: Greg Parvin, gparvin@gparvinlaw.com
Anchorage: Stephanie Joannides, 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.



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Jay Rabinowitz Public Service Award Given to Bill Gordon

By Danielle Bailey

Bill Gordon was awarded the Jay Rabinowitz Public Service Award on October 19, 2024 at the Rabinowitz Courthouse. The Jay Rabinowitz Public Service Award is given out each year by the Board of Trustees of the Alaska Bar Foundation. The award is given to a well-deserving individual whose life work has demonstrated a commitment to public service in the State of Alaska.

Gordon has served as a public member of the Alaska Judicial Council from 2003-2009, the Alaska Bar Association Board of Governors from 2012-2021, and he now serves as a leader of Justice Not Politics Alaska, working to defend Alaska's merit selection system. In 2021, Gordon received the Board of Governors' Lay Person Service Award, which honors public members for distinguished service to the membership of the Alaska Bar Association. Gordon also served as a member of the Walter Harper Project, a group that worked to commemorate the legacy of Walter Harper, a Koyukon Athabaskan and the first person to stand atop Denali, by erecting a life-sized bronze statue of Harper.

One of his nominators stated of Gordon that "Bill's energy is never ending and contagious, inspiring others to act as well. He loves to think big and doesn't succumb to a business-as-usual approach." Another group of nominators said that he made a "uniquely impactful contribution to the judiciary of Alaska." They added that because of his "contributions, and because of his gracious and public-minded nature, [they] believe Bill Gordon personifies the spirit of the Rabinowitz award."



From left to right, Jeff Wildridge, Susanne DiPietro, Bill Gordon, and Judge Michael McDonald pose together after the award ceremony. Photo by Phil Shanahan.



Attendees listen as the Jay Rabinowitz Public Service Award is given to Bill Gordon on October 19, 2024 at the Rabinowitz Courthouse in Fairbanks, AK. Photo by Phil Shanahan.



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George Washington's Rules of Civility


6 "Shift not yourself in the sight of others nor gnaw your nails."

The Bar Rag doesn't intend to print them all but will offer one now and then.




Library of Congress

The first U.S. President wrote a copy of the 110 Rules of Civility in his school book when he was 14. The rules appeared in late 16th Century France and were popular in Washington's time. Some have application today.

A silhouette of a person standing on a rocky outcrop, reaching up towards a cluster of seven floating gears. The gears contain various symbols: a magnifying glass, 'L|S', a mountain, a right arrow, a double right arrow, a circuit board, and a gear with a right arrow. The background is a dark, starry sky.


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Alaska Delegation Gathers at National Association of U.S. Attorneys Conference

By Danielle Bailey

On Friday, September 27, 2024, four of Alaska’s former U.S. Attorneys attended the National Association of Former United States Attorneys in Oklahoma City, OK. In attendance from left to right: Karen Loeffler (Obama administration), Bob Bundy (Clinton administration), Judge Mike Spann (Reagan and George H.W. Bush administrations) and Bryan Schroder (Trump administration). The annual conference is held each year and features continuing legal education programs of interest in the areas of federal practice, Department of Justice policies and significant cases.



From L-R: Justice Jude Pate, Judge Larry Woolford, Judge Amy Mead, and Judge Kristen Swanson. Photo by Rebecca Koford.

Woolford Installed as Superior Court Judge

By Rebecca Koford

Larry Woolford was installed as a Superior Court Judge in Juneau on September 20, 2024. He was appointed on March 14, 2024. Judge Woolford has been an Alaska resident for over 52 years and has practiced law for more than 25 years. He graduated from Seattle University School of Law in 1998. Prior to becoming a judge, he was in private practice in Juneau, AK.



Photos by Kara Bridge

Elizabeth Peratrovich Legal Clinic Serves 26 at AFN

By Kara Bridge

The Elizabeth Peratrovich Legal Clinic is a public service project of the Alaska Bar’s Alaska Native Law Section and Alaska Legal Services Corporation with in-kind support from the Alaska Federation of Natives (AFN).

The free legal clinic, held on Friday, October 18, 2024, marked its 11th year of operation during the AFN Convention in Anchorage. A total of 18 volunteer attorneys provided 56 hours of service, collectively assisting 26 clients with various civil legal needs. Materials for the AK Free Legal

Answers (AKFLA) were also distributed to AFN attendees in case they did not have legal issues presently or would rather submit their legal questions online.

The Alaska Bar is grateful to our dedicated volunteers and partners who made this year’s clinic a success. Your generos-

ity and expertise have truly impacted so many lives. If you are interested in volunteering for this or other pro bono events, please email the Alaska Bar at info@alaskabar.org.

Kara Bridge is the CLE Director for the Alaska Bar Association.

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Ballard Spahr, Lane Powell Agree to Combination

Ballard Spahr and Lane Powell announced September 10, 2024, that they have agreed to combine effective January 1, 2025. The combined firm—which will be called Ballard Spahr—will have more than 750 attorneys in 18 U.S. offices.

Lane Powell clients will gain the scope and practice depth of an Am Law 100 firm with nationally recognized offerings in corporate transactions, finance, intellectual property, litigation and real estate. The combination will significantly increase across-the-board service offerings, including in a number of areas where one or both firms are a regional or national leader: banking and finance, real estate (particularly construction and senior living), litigation, emerging companies and M&A, private client services, and life sciences.

The combination expands Ballard Spahr's geographic footprint into the Pacific Northwest, giving it new offices in Anchorage, Portland and Seattle—a fast-growing, business-friendly center for emerging companies with strong industry presence in health care, manufacturing, technology and life sciences. Seattle will be Ballard Spahr's largest office outside of Philadelphia.

Ballard Spahr Chair Peter Michaud commented "Lane Powell is a first-rate law firm with strength in areas we want to expand and an excellent reputation in a region that is a strategic priority for our firm and our clients. Their lawyers have the skill and experience to help our clients solve their most complex challenges. Our firms share strength in litigation, transactions and real estate. And we have a number of clients who would like to see us expand to the Pacific Northwest. On top of all that, the lawyers and business professionals at Lane Powell are terrific people who share our values and our commitment to clients. I came to Ballard through its merger with Lindquist & Vennum in 2018. That combination was an extraordinary success for our clients, our lawyers and our firm. This one holds as much promise."

Lane Powell President Barbara J. Duffy commented "Lane Powell celebrates its 150th anniversary next year, and last year was our most successful year to date. As our clients continue to grow, their needs are evolving. This combination allows us to materially expand the services we provide while enabling us to preserve what makes Lane Powell so special: a steadfast commitment to our incredible clients in the Pacific Northwest, a standard of service that goes above and beyond, and an inclusive culture where our outstanding professionals have the opportunity to grow and thrive. The firm we create with Ballard Spahr will leverage the strengths, traditions and values of both firms. For a period of time, the combined firm will use the name Ballard Spahr Lane Powell in the Pacific Northwest to help introduce the firm to the area. It's an exciting time for us and for our clients."

ABOUT BALLARD SPAHR: Ballard Spahr LLP, an Am Law 100 law firm with more than 600 lawyers in 15 U.S. offices, serves clients across industries in litigation, transactions and regulatory compliance. A strategic legal partner to clients, Ballard goes beyond to deliver actionable, forward-thinking counsel and advocacy powered by deep industry experience and an understanding of each client's specific business goals. Our culture is defined by an entrepreneurial spirit, collaborative environment and top-down focus on service, efficiency and results. Visit <https://www.ballardspahr.com/>

ABOUT LANE POWELL: Founded in 1875, Lane Powell is one of the largest law firms in the Pacific Northwest, with nearly 180 attorneys across over 35 practice areas. The firm's diverse, cutting-edge professionals tackle corporate, litigation and regulatory challenges for individuals, small businesses and Fortune 500 companies. Built on a legacy of trusted, unparalleled service and collaboration, Lane Powell offers a modern, holistic approach to legal counsel, ensuring clients succeed in today's dynamic environment. More information: www.lanepowell.com



Peter Michaud



Barbara Duffy

Danika Watson Joins Dorsey & Whitney LLP

Danika joined Dorsey's Anchorage office in October 2024 as an Associate focusing on commercial litigation and Alaska Native law. A fourth-generation Alaskan, Danika served as a clerk for Justice Jennifer Stuart Henderson of the Alaska Supreme Court and Judge Timothy M. Burgess of the U.S. District Court for the District of Alaska. Danika earned her J.D. from Fordham University School of Law, her M.M. from The Juilliard School, and her B.M. from Northwestern University. While in law school, Danika served as a senior articles editor for the Fordham Law Review and completed internships at the Alaska Department of Law, U.S. District Court for the District of Alaska, and U.S. Attorney's Office for the District of Alaska. Her legal writing has been published in the Fordham Law Review, American Indian Law Journal, and Alaska Law Review. Before law school, Danika performed and toured internationally as a classical musician. She now plays with the Anchorage Symphony Orchestra and her string quartet.



Danika Watson

David Hicks Joins Clayton & Diemer, LLC

The law firm of Clayton & Diemer, LLC is pleased to announce that attorney David Hicks joined the firm.

While still in law school, David participated in his school's General Public Practice & Indian Law Clinic, where he obtained his Kalispel Bar License. This allowed him to practice in the tribal court of the Kalispel Native American Tribes of Washington and Montana, where he gained litigation experience. During this time his primary practice area was utilizing the Kalispel Tribal Code and the Indian Child Welfare Act to facilitate the reunification of families. David graduated from Gonzaga School of Law *summa cum laude*, placing him in the top five of his graduating class. At Clayton & Diemer, his practice will focus on civil litigation in the areas of tort, contract and insurance law.



David Hicks

Hannah G. Clancy Joins Clayton & Diemer, LLC

Hannah G. Clancy joined the law firm in August 2024.

Hannah's practice focuses on healthcare, business formation, commercial real estate, litigation and estate planning. While in law school, Hannah served on the *Wyoming Law Review* editorial board, and gained invaluable experience working for the U.S. District Court for the District of Wyoming, The Spence Law Firm and the University of Wyoming Civil Legal Services Clinic and Rural Law Center. Upon graduating, Hannah received the University of Wyoming Outstanding Law Student award bestowed by the National Association of Women Lawyers.



Hannah Clancy

Heidi H. Borson Joins Clayton & Diemer, LLC

Heidi H. Borson joined the firm in June. Heidi brings 25 years of estate planning, health care law and business transaction experience to the firm.

Heidi is licensed to practice law in Alaska and Washington. Her practice focuses mainly on business law, health care law, estate planning and administration, and real property law. Prior to joining Clayton & Diemer, Heidi was a partner at Durrell Law Group, P.C., clerked for Judge Sedwick and Judge Holland in U.S. District Court, District of Alaska, and Judge Bryan in U.S. District Court, Western District of Washington, practiced civil rights and employment law at MacDonald, Hoague & Bayless in Seattle, Washington, and served as supervising attorney of the Access to Justice Institute at Seattle University School of Law.

"We are very pleased that Heidi joined Clayton & Diemer," said Pete Diemer. "Heidi is a tremendous addition to the firm and greatly expands our estate planning, health care law and business transaction practice group."



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In Memoriam

Glen Clark Anderson Passes Away in Medford, Oregon

By Yvonne Anderson

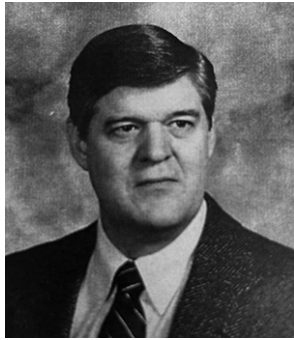
As the pictures show, Glen was a serious and dedicated public servant and an adventure-loving family man. Glen and I were privileged in our retirement to care for his aging parents, enjoyed many family events, and satisfied our love of travel both abroad and within all fifty states. Our children, Ken, Todd and Charity were often with us. Glen would be sure they learned details of history and geography along the way. Todd would remark “He goes from the fall of the Roman Empire to the Ming Dynasty in a heartbeat and with excruciating detail!” Glen was a true wordsmith and great with puns.

Imagine his astonishment, no, pride, when son Ken out punned him! Granddaughter Josie impressed him one Fourth of July with a gorgeous homemade cake showcasing blueberries and strawberries in a flag pattern. Grandson Trevor provided a favorite family story when he called Glen “Dude”. Glen gave him that “approach the bench” look and informed him, “Trevor, I am not now, nor have I ever been a Dude.” Case closed!

Glen loved fishing, especially in Oregon. In Alaska we braved the cold and dark for cross country skiing, often having to wait until the moose moved off the trail. Later, Glen decided that learning all about collecting watches was a wonderful new hobby. He was also a book lover, and never saw a book that he didn’t want, bringing many home with him.

Glen oversaw the family farmland in Kansas. For years we dutifully monitored the Farm Report on TV early Saturday mornings. I would excuse myself when Tractor Pete came on and Glen was fast asleep. I continue to do so, as I feel it is incumbent upon me to follow the price of soybeans in Brazil and about the drought in Nebraska.

We all feel incredibly privileged to have shared life with this loving and very Special Person.



Glen Clark Anderson

The Obituary

Glen Clark Anderson, age 79, went to be with his Lord Jesus on June 23, 2024, in Medford, OR. Glen was born in Glendale, CA on November 26, 1944, the son of O. Kenneth and Rhoda Anderson. Glen’s family on his father’s side had come to California and Oregon in the “Preachers’ Wagon Train,” in 1853 and settled in the Applegate area and Jacksonville. Glen always enjoyed time spent in the area with cousins, aunts and uncles. Glen spent his younger years in Louisville, KY where his father was posted with the Weather Bureau. During that time Glen was involved with the Boy Scouts, attaining the rank of Eagle Scout.

Glenn attended Colorado State University and went on to teach history in Cheyenne, WY and Richland, WA where his son Kenneth was born to him and his wife Diane. Glen went on to earn his law degree and served as a law clerk for Alaska Supreme Court Justice Robert Erwin, who became a very important friend. Glen held positions in both the Alaska Attorney General’s office as well as becoming a District Attorney specializing in White Col-

lar Crime. Glen was then appointed to the District Court Bench where he gained a reputation as a very kind and caring judge who listened respectfully to people in his court.

Glen and Yvonne were married in 1983 and his appointment to the Superior Court Bench sent them to Valdez, AK in 1991. Upon his retirement in 1995, Glen and Yvonne moved to Medford, OR and spent the ensuing years travelling and spending time with family. Glen and Yvonne were both faithful members of St. Peter Lutheran Church in Medford.

Glen is survived by his wife Yvonne and son Kenneth; grandchildren Josie and Trevor; several great-grandchildren and his stepson Todd and wife Charity. Glen was preceded in death by his parents O. Kenneth and Rhoda Anderson, and a brother Kenneth.

David Dean Reineke

April 3, 1957 — November 5, 2024

By Mary Spengler

David Dean Reineke of Port Ludlow, WA died Nov. 5, 2024 after a short battle with cancer. He was 67. At Dave’s request, there will be no services. He would want people to remember and celebrate him in their own way.

Dave was born April 3, 1957 in Carroll, IA, to the late Dennis and Marilyn Reineke, and grew up in nearby Coons Rapids. He served in the US Army as a medic in Germany, receiving an honorable discharge. Dave received a bachelor’s in history from the University of Iowa and a JD from the University of Iowa College of Law. In 1984, he met his life partner and best friend Mary Spengler. Dave and Mary drove from Iowa City to Anchorage, AK in February 1989, and spent 23 years hiking, backpacking and exploring Alaska. They married on July 22, 1991 in Anchorage.

Dave worked for 20 years at the Alaska Public Defender Agency in Anchorage. He was a true believer in the role of the public defender and in the constitutional right to counsel. Dave also mentored beginning public defenders, and they respected and admired his quiet air of capability and patience. In 2012, Dave and Mary retired and moved to Bend, OR, and in 2022, they moved to Port Ludlow, WA, to their house with views of Puget Sound. Dave loved to travel and to be outdoors, and they made many trips overseas visiting historical sites and hiking. Their final trip was to Svalbard, Norway in 2023, where they hiked, paddled, cruised, and saw polar bears, walrus, and other wildlife. Dave recorded it all on his camera. It was the trip of a lifetime.

Dave was kind, gentle, and smart, and would help anyone who needed it. He put people at ease and had a dry, sometimes goofy sense of humor which he showed to those who knew him well. Dave was an avid hiker, runner, workout enthusiast, nature lover, family history researcher, and a voracious reader with an insatiable interest in history. He was a loyal friend and a quiet, loving member of his family. Dave was the best person and best partner Mary could have hoped to find. It will be hard for so many to imagine a world without him.

Dave is survived by his life partner and wife, Mary Spengler; three sisters, Michelle McGill (David Greteman), Cheryl Baumgarten (Joe), and Denise Reineke; two brothers, Kevin Reineke (Debbie), and Greg Reineke; uncles and aunts; nieces and nephews; and many friends.

In lieu of flowers, consider donations to Planned Parenthood, National Multiple Sclerosis Society, or Alaska SPCA in Anchorage, AK.



David Dean Reineke

John Hagey 1947-2024

Originally published in the Fairbanks Daily News-Miner

John Hagey died of cancer on Aug. 26, 2024, at his home in Fairbanks, AK. He was born in Stanley, ND in 1947, the second of two children to Verne and Hattie Hagey. He grew up on the family farm, which he returned to every fall to hunt pheasant and watch the harvest.

John graduated from Cal State San Bernardino in 1969. Uncle Sam called him into service after graduation and he served two years in the U.S. Army.

The GI Bill provided the funds for him to attend UCLA law school. During two summers of law school John interned at a prison, assisting prisoners with legal matters. When law firms set up the job fair for senior law students, John went to the table of a casually dressed Herb Soll, who was recruiting for the Alaska Public Defender Agency. John interned for the Fairbanks Public Defender Agency the summer of 1975 and worked for them until he retired in 1997. The office provided him with colleagues who became lifetime friends. He never wanted to practice an-



John Hagey



Photos provided by Yvonne Anderson

Continued on page 19

Part Three: Tax Apportionment Clauses

By Steve O'Hara

Part III of a series

Every Will governed by Alaska law has tax apportionment. Alaska Statute 13.16.610(a), which is titled "Apportionment of Estate Taxes," begins with these five words: "Unless the will provides otherwise...."

When preparing a Will or Revocable Living Trust, visualize what the document states or does not state in terms of estate and inheritance taxes, whether the taxes are real or theoretical in the particular case at hand.

Interrelated computations, where a marital share or a charitable share or both are charged with estate and inheritance taxes, are about reducing the marital deduction and the charitable deduction in lockstep with the tax on top of tax. See Treas. Reg. Sec. 20.2056(b)-4(c) and 20.2055-3(a).

The Internal Revenue Service has illustrated methods of computing marital and charitable deductions in circumstances where the deductions are reduced by estate and inheritance taxes. Treasury regulations sum up the matter this way: "Examples of methods of computation of the charitable deduction and the marital deduction (with which similar problems are encountered) in various situations are contained in supplemental instructions to the estate tax return." Treas. Reg. Sec. 20.2055-3(a)(2). For the IRS examples, see IRS Publication 904, Supplemental Instructions to Form 706, Estate and Gift Tax Interrelated Computations, Revised February 2023 ("IRS Publication 904").

For my example, consider Joe Client, a United States citizen domiciled in Alaska. He recently died, survived by his spouse, also a U.S. citizen. As of the day before Client's death, he had no remaining unified credit against gift tax under IRC

Section 2505. His lifetime gifts were all sheltered by unified credit such that no gift tax was ever paid or payable. Cf. IRC Sec. 2001(b)(1)(B). Assume that Client's estate will pay 40% in federal estate tax on every dollar of value, not sheltered by a deduction, that he passes at his death. Cf. IRC Sec. 2001(c).

Client's sole remaining asset at his death is separate property of five million dollars, which he is free to give to anyone pursuant to a prenuptial agreement.

Under his Will, Client gives 50% (\$2,500,000) to his surviving spouse ostensibly qualifying for a deduction under IRC Section 2056 (the "Marital Share"); 25% (\$1,250,000) to a public charity ostensibly qualifying for a deduction under IRC Section 2055 (the "Charitable Share"); and 25% (\$1,250,000) to Jane Niece, his niece one generation below him. Niece is domiciled in Alaska. The Marital Share plus the Charitable Share is the Deductible Amount, but there is a complication.

In preparing his Will, Client insisted that Niece must not be burdened with any federal estate tax on her \$1,250,000 inheritance. Specifically, under Client's tax apportionment clause in his Will, Client charges all estate and inheritance taxes pro rata to the Marital Share and the Charitable Share.

For purposes of this illustration, we use three columns: Deductible Amount, Taxable Estate, and Tax Payable.

Circular Computation 1. To begin, we write \$3,750,000 under Deductible Amount (five million dollars times 75%). And we enter \$1,250,000 under Taxable Estate (five million dollars minus



"For purposes of this illustration, we use three columns: Deductible Amount, Taxable Estate, and Tax Payable."

\$3,750,000). Note that "Taxable Estate" has the meaning of IRC Section 2051.

Here, to get started, we assume the Taxable Estate is five million dollars minus the Deductible Amount. Thus, with a 40% estate tax rate, we write \$500,000 under Tax Payable (\$1,250,000 times 40%).

Circle 2. For the next computation, we know that \$500,000 of Tax Payable comes out of the Deductible Amount pursuant to our tax apportionment clause. So we write \$3,250,000 under Deductible Amount (\$3,750,000 beginning amount minus \$500,000).

With a \$3,250,000 Deductible Amount, we write \$1,750,000 under Taxable Estate (five million dollars minus \$3,250,000). Thus, with a 40% estate tax rate, we write \$700,000 under Tax Payable (\$1,750,000 times 40%).

Circle 3. For the next computation, we know that \$700,000 of Tax Payable comes out of the Deductible Amount pursuant to our tax apportionment clause. So we enter \$3,050,000 under Deductible Amount (\$3,750,000 beginning amount minus \$700,000).

With a \$3,050,000 Deductible Amount, we write \$1,950,000 under Taxable Estate (five million dollars minus \$3,050,000). Thus, with a 40% estate tax rate, we write \$780,000 under Tax Payable (\$1,950,000 times 40%).

Circles 4 -16. For computations 4 through 16, continue the circular computations. You can see the math for computations 4 through 16 in my blog post at www.oharatax.lawyer titled "Interrelated Computations: Part 2."

Circle 17. For the final computation, we know from the previous computations that \$833,333 of Tax Payable comes out of the Deductible Amount pursuant to our tax apportionment clause. So we can write \$2,916,667 under Deductible Amount (\$3,750,000 beginning amount minus \$833,333).

With a \$2,916,667 Deductible Amount, we can write \$2,083,333 under Taxable Estate (five million dollars minus \$2,916,667). Thus, with a 40% estate tax rate, we can

write \$833,333 under Tax Payable (\$2,083,333 times 40%). Since the numbers are the same here as those in computation 16, we know we are finished.

Thus, as of Client's death, with five million dollars on the table, the shares are as follows: IRS, \$833,333 (borne pro rata by Client's surviving spouse and the charity); surviving spouse, \$1,944,445 (\$2,500,000 minus tax of \$555,555); charity, \$972,222 (\$1,250,000 minus tax of \$277,778); and Niece, \$1,250,000 (no tax apportioned to her by Client).

The federal estate tax apportioned by Client to his surviving spouse (i.e., \$555,555) would go on line 5a of Schedule M of the federal estate tax return (IRS Form 706, Revised August 2019). The federal estate tax apportioned by Client to charity (i.e., \$277,778) would go on line 4a of Schedule O of the federal estate tax return.

I would dismiss any temptation to think that it may be normal to charge estate and inheritance taxes to marital and charitable shares because, after all, Schedules M and O of the federal estate tax return have lines for such taxes. I suggest that it is neither normal nor advisable. As stated in previous issues of this column, a simplistic assumption that has served me well in the design-stage of the tax apportionment clause when working with a client is that if equitable tax apportionment is not adopted, then the client's tax apportionment clause makes the effective rate of estate and inheritance taxes 100% or more. While the example provided above shows that the relative shares of the beneficiaries determine the actual result, the example also shows the complication or circle of an interrelated computation of an estate tax deduction.

In the next issue of this column, I plan to wrap up this discussion by showing that Client's tax apportionment clause is a slippery slope and why I hold firm on my simplistic assumption in the design-stage of the tax apportionment clause.

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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.

John Hagey 1947-2024

Continued from page 18

other area of the law, although he was looking forward to voting for a prosecutor this fall.

John met his wife, Sonia Mazurek, in 1977 and together they bought the Chena Ridge house that has been their home ever since. They married in 1985 and their son, Joe, was born in 1987.

John loved spending time in the Alaska outdoors, and rivers were the best part of that experience. A summer didn't go by without at least one long weekend on the Upper Gulkana and most summers included a remote trip somewhere else. The rivers included the Fortymile, the Noatak, the Alatna, Beaver Creek, the Kongakut and the Koyukuk.

John had an adventurous spirit. Whether by plane, train, motorcycle or Volkswagen van he was ready to go. He would encourage those around him to travel and get out, see new places and new cultures, and eat new food.

John thought Fairbanks was the best place a person could choose to live. There was great music: thank you Mace and Trudy and the Blue Loon, the Fairbanks Concert Association, the Far North Fiddle Fest, and local musicians who gather to play anywhere. He would also say, is there a better place to golf than Fairbanks in the summer? He considered himself so lucky to have extended family living here to share holidays and usher in a new generation.

John is survived by his wife, Sonia, their son, Joe Hagey and spouse Katie of Chicago; and his sister, Janet Guinn of Arizona and her spouse John, her son Michael Guinn and wife Erica, and their children Mathew and Sophia. He would want to include his bonus Fairbanks family, his sister-in-law Nancy Mazurek and her three children, Sarah, Kathryn and Robert and their spouses and children. He leaves behind many cousins in North Dakota and Sonia's family, primarily in Montana. He will be missed by many good friends.

John was a supporter of the ACLU of Alaska, the Southern Poverty Law Center and the Fairbanks Community Food Bank.

John's ashes will be scattered in several of his favorite places in Alaska, at the family farm in North Dakota, on Kauai, and finally at Lambeau Field.



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Supreme Court Live in Nome

By Ben Townsend

Article reprinted with permission by author and photographer Ben Townsend of KNOM Radio Mission.

In a first for the Alaska Supreme Court, Nome-Beltz High School hosted a live court session after class Monday. The stop in Nome is part of the Supreme Court LIVE series and gives students and community members a rare opportunity to observe the judicial process up close.

Walking through the double doors of the Nome-Beltz Gym felt different Monday. Law enforcement officers stood scattered around as microphone cables criss-crossed the court. Just under the east-side basketball hoop, a table with a Nome-Beltz-blue tablecloth was set up along with folding chairs usually occupied by athletes sitting on the bench.

A clerk announced “all rise” as the five Supreme Court justices emerged from an undisclosed room. Over 100 students and community members stood as they watched the black-robed justices make the brief trip to their table.

The session began with oral arguments in a personal injury case that occurred in 2019. The case, John D. Rochon v. City of Nome, examined whether Nome’s ambulance services were liable for a man’s injuries sustained during transport after a crash outside city limits, sparking debate on the nuances of statutory immunity for municipal services.

After an hour of arguments by attorneys representing both parties, Chief Justice Peter J. Maassen took the case under advisement, meaning that a determination in the case will be made at a later time.

Following the arguments, the justices opened the floor to questions from students. They covered topics ranging from specific details of the case to broader questions about career paths in law and the nature of justice.

torney, explained his motivation to take on “challenging cases,” noting that they often involve public safety and the need for accountability.

Lee Baxter, the defense attorney representing the City of Nome, said he works with municipalities across the state.

“When Mr. Barber’s client filed a lawsuit, we were notified, we were activated,” Baxter explained. “The City of Nome is one of those clients, when they need us, we put our suits on and we defend the case.”



Students watch as the plaintiff’s attorney, Jeff Barber, addresses the justices. Ben Townsend photo.



Alaska Supreme Court justices take their seats at the Supreme Court LIVE event. Ben Townsend photo.

Student Atlas Boeckmann asked the justices how many cases they hear at the state’s highest court. With some help from Clerk of the Appellate Courts, Meredith Montgomery, they shared that they oversee about 350 appeals each year.

In another exchange, Sarah James inquired about the justices’ thoughts on bringing restorative

Chief Justice Maassen responded by saying that, “the boundaries between the two are constantly moving. A lot of tribal governments, tribal courts are taking on more and more responsibilities as they develop. We see that as a good thing. We’re trying to push it along.”

Justice Jennifer Henderson then tacked on to the tough question.

“We want for there to be good re-

lationships between the state court and the tribal court and respect and sort of working together where we’re able to to serve all of the communities,” Justice Henderson said.

Chief Justice Maassen closed the session by thanking the students, teachers, and community members for their engagement, adding that it was an honor to bring the court to Nome for the first time.



Finn Gregg at the lectern with Justice Susan M. Carney in the foreground. Ben Townsend photo.



Angela Olmeadalina asks a question, flanked by Sara James. Ben Townsend photo.



Ivy Bahnke asks a question. Ben Townsend photo.

Ivy Bahnke asked the panel of judges what led them to pick Nome for Supreme Court LIVE.

“I was wondering what made you guys want to do this at our school instead of like, at a courthouse?” Bahnke asked.

“Because it’s way more fun to talk to you guys!” Justice Susan M. Carney retorted.

Chief Justice Maassen then chimed in, “And our purpose here is to bring the court into the community in a way that we really can’t do in a courthouse.”

Angela Olmeadalina asked the attorneys why they chose to represent their respective sides in this case. Jeff Barber, the plaintiff’s at-

justice and tribal courts into the state court system.

“Ding, ding, ding, great idea!” Justice Jude Pate said.

“It’s not like sometimes you go to court and you win or you lose, right? Restorative justice is more than that, it’s not a zero sum game. You try to make it so that the person who has maybe done something wrong is giving back, restoring, getting back to the community,” Justice Pate added.

Orson Hoogendorn asked the final question of the afternoon event.

“I was wondering who holds more power, tribal government or the Supreme Court?” Hoogendorn said.



Clary Ruud asks a question. Ben Townsend photo.

IMMIGRATION INSIGHTS

Understanding the Basics of Immigration Law

By Nicolás Olano & Lara Nations

Immigration has become a major issue in the national news, particularly during this past election cycle. From where we sit as immigration lawyers, what is lacking in the news coverage is a broad view of what immigration really is, and how immigration processes really work. We love our chosen practice area, and we want our colleagues and fellow Alaska Bar members to know more about this fascinating area of the law.

Why should we care about immigration law? There are many reasons but here are two that we think are important. First, Alaska is home to immigrants from every corner of the globe. Immigrants to our state come from many countries, cultures, and educational and socioeconomic backgrounds. Many industries in Alaska, from fishing to restaurants and hospitality to education to construction and beyond, rely on immigrants as an important component of their workforce. Second, immigration law is complex and super interesting! Although most of the Alaska Bar members who read this column do not practice immigration law, immigration issues come up and are relevant to a wide range of practice areas. We hope that you will enjoy learning more about it.

In future articles for this new column that I will be co-writing with Nicolás Olano, my law partner and husband, we will explore different types of immigration processes, hot topics in the field of immigration law, and some comparative law concepts. I have worked in this area of law since 2006, when I got a job as a receptionist at an immigration law firm while I was in college. Since then, I have had the opportunity to hold every position in a small immigration law firm, working my way from answering phones to co-managing Nations Law Group as an attorney. Nicolás has been practicing immigration law since 2001 and has been a small law firm owner since 2003. He is an immigrant, having grown up in Colombia and the United States. He then became an attorney in Colombia, a country with a civil law system, before attending law school in the United States and becoming an attorney here as well. He will share that unique perspective with us.

Immigration law has many subspecialties, which can generally be divided into three groups: 1) immigration through a family relationship; 2) immigration through an offer of employment; and 3) humanitarian programs. In Alaska, we see all three types of immigration cases. Across all areas of immigration, there are also two broad types: nonimmigrants, peo-



Nicolás Olano



Lara Nations

ple who come to the United States for a temporary period of time, as well as immigrants, people who plan to stay here for the long term. According to the U.S. Census Bureau, Alaska's foreign-born residents make up approximately seven percent of our state's population, which is lower than the national average of nearly fourteen percent. Among Alaska residents born outside the United States, sixty-three percent are naturalized U.S. citizens.

A common theme to most areas of immigration law is the relatively slow pace with which cases move forward. Processing times can vary widely even for a single type of case, but overall, it is often

slower than one might expect. Even the spouse of a U.S. citizen might have to wait two or more years to be allowed to immigrate to the United States. Siblings of a U.S. citizen currently face a wait of seventeen to twenty-three years to be able to immigrate, depending on country of origin. Employment-based immigration options are also often not fast enough to allow employers to hire employees on the timeline their businesses and organizations need. Some delays are related to government processing constraints while others are due to statutory or regulatory numerical limitations on the number of cases of a particular type that can be approved each year.

We hope you will enjoy future columns in which we will delve into the world of immigration law in more detail. We look forward to sharing our corner of the law with the Alaska Bar.

Nicolás Olano and Lara Nations co-own Nations Law Group. Olano focuses primarily on removal defense, asylum and crimmigration. Nations focuses primarily on family-based and humanitarian immigration work.

ATTORNEY DISCIPLINE

Supreme Court Disbars Anchorage Attorney

The Alaska Supreme Court disbarred Anchorage attorney Benjamin Crittenden, effective August 30, 2024, adopting a Disciplinary Board recommendation that disbarment was the appropriate sanction for misconduct that harmed multiple clients. Bar Counsel found misconduct after investigating 16 grievances against Mr. Crittenden. Evidence showed that Mr. Crittenden did not perform legal services for clients, did not return their calls, did not prosecute lawsuits on their behalf, was dishonest when asked about the status of their cases, did not disburse funds promptly, failed to account when clients asked where their money was, and took client money and used it for his own purposes.

Mr. Crittenden presented some mitigating factors, including no prior disciplinary record, personal or emotional problems, and physical disability that impaired his ability to respond to some client needs. He agreed, however, when he entered into a stipulation with the Bar, that the mitigating factors were insufficient to merit reduction of the sanction of disbarment for client neglect, the failure to safekeep client funds, and using client monies for his own benefit.

Bar Counsel administratively closed nine other grievances which were filed too late to be included in the disbarment stipulation.

If Mr. Crittenden files for readmission after his term of disbarment ends, he will have to show that he has made full restitution of any amounts owed to the Lawyers' Fund for Client Protection, the Alaska Bar Association, and to all clients for any fee arbitration awards that remain unpaid. He will also have to certify that he has earned at least 15 credit hours of CLE in the area of ethics, law office management, and management of law office accounts.



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Wednesday, December 4 | ALPS: Productive Attorney/Client Relationships: A Master Class

9:30 – 10:30 a.m. | ALPS – Webinar | 1.0 Ethics Credit

Wednesday, December 4 | Monthly Chapter I I Lunch Series: TBA

11:00 a.m. – 12:00 p.m. | Zoom | 1.0 General CLE Credit

Thursday, December 5 | Clio: Family Law Virtual Summit

7:30 a.m. – 1:00 p.m. | Clio – Webinar | 3.5 General CLE Credits

Thursday, December 5 | AK Bar Members' Guide to the Judicial Council's Electronic Surveys (2024)

4:30-5:30 p.m. | AK Bar Zoom | 1.0 Ethics Credit

Tuesday, December 10 | Clio: Top AI Tools to Save Your Firm Time in 2025

10:00 – 11:00 a.m. | Clio – Webinar | 1.0 General CLE Credit

Friday, December 13 | What a Road Trip through the USA Teaches about Legal Ethics

9:00 a.m. – 12:15 p.m. | AK Bar Zoom | 3.0 Ethics Credits

Thursday, December 19 | CLE Rerun: Free Ethics: The Firm Retreat

1:00 – 4:15 p.m. | Alaska Bar Association Office | 3.0 Ethics Credits

Tuesday, December 31 | CLE Rerun: Free Ethics: The Firm Retreat

9:00 a.m. – 12:15 p.m. | Alaska Bar Association Office | 3.0 Ethics Credits

CLEs on the Horizon

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Success Inside and Out: Supporting Reentry with Compassion and Community

By Chelsea Riekkola

Founded in 2006 by former Alaska Supreme Court Justice Dana Fabe, the “Success Inside and Out” program is a unique initiative. It provides incarcerated women at Hiland Mountain Correctional Center with the tools and confidence needed to transition successfully back into society. Held on October 12 this year, the program’s annual conference offered a full day of impactful workshops, group presentations and one-on-one mentoring sessions, all designed to build resilience and hope in women preparing to re-enter their communities.

Organized through a collaboration of the National Association of Women Judges, the Alaska Department of Corrections and Partners for Progress, the conference was led by an array of volunteer professionals, including judges, attorneys and case managers. There were presentations on a variety of practical and personal topics, ranging from employment and family law to mental health and mindset. The programs were designed to enable attendees to make informed, confident decisions about their lives after incarceration.

The day began with an unforgettable keynote address by speaker Dasha Kelly Hamilton, whose spoken word presentation set a tone of hope and empowerment. This was followed by a panel of former inmates sharing stories of suc-



Left to right, Judge Jo-Ann Chung, speaker Dasha Kelley Hamilton and Judge Pamela Washington at the Success Inside and Out event at Hiland Mountain Correctional Center on Oct. 12, 2024. Photo provided by Judge Jo-Ann Chung.

cess after spending time at Hiland, moderated by Judge Jo-Ann Chung. This powerful opening laid the foundation for the concurrent sessions that followed, which offered an array of resources and insights tailored to support women in preparing for life beyond Hiland Mountain.

One of the most valuable resources at the conference was the “Plan for Success” mentoring session. Judges Kari McCrea and Pamela Washington organized a group of volunteer attorneys and other professionals to provide each inmate attendee with one-on-one guidance to address specific reentry challenges, from job applications and transportation to housing and treatment options. This individualized mentoring was an opportunity for attendees to discuss their unique needs and receive targeted advice on how to effectively utilize community resources after release.

Other group sessions included a workshop on probation and parole, led by field probation officer Cristina May-Gamboa. The workshop detailed the complexities of compliance with release conditions and emphasized com-

mon pitfalls to avoid. May-Gamboa underscored the importance of understanding legal requirements to support successful reentry and avoid re-incarceration.

For many, finding employment after release is a critical challenge. Leslie Vines from the Alaska Department of Labor led a session on job placement and workforce reentry. She offered an overview of employment opportunities, as well as support services that assist job-seeking women in building skills and connecting with potential employers. Other employment-related sessions included the conference’s most spirited moment, the “Dress for Success” fashion show, where inmates modeled professional attire, celebrating self-expression and self-confidence. After, there was a panel of potential employers, moderated by Rachel Pennington, discussing their willingness to hire applicants who have previously been incarcerated and offering hope and encouragement to individuals preparing for re-entry.

The conference also recognized that many women face ongoing family law issues, which can present unique and complex challenges. Judges Laura Hartz and Yvonne Lamoureux led an educational session on family law, discussing matters like child custody, divorce, protective orders and child support. The discussion was framed to address the common questions and obstacles many women experience, with a goal of increasing awareness around available legal tools.

Participants in the conference also had the opportunity to explore creative writing and journaling in a session led by author Jamey Bradbury, focused on how taking control of a personal narrative can be a deep act of self-empowerment. Bradbury’s interactive presentation highlighted storytelling as a transformative tool for reclaiming one’s identity and establishing goals.

Cathleen McLaughlin’s breakout session, “How to Change Your Mindset,” offered a thoughtful discussion on probation, employment and mentoring. She emphasized the roles that positive outlook and self-belief play in achieving success. McLaughlin shared practical strategies for resilience and growth, inspiring participants to approach life’s challenges with renewed determination.

The conference closed with a raffle of donated gift certificates to various second-hand stores and Fred Meyer, and with uplifting singing by Shirley Mae Stanton. For many of the participants, the most meaningful aspect of the conference was the clear message offered by the volunteers and organizers of the event: people in the community genuinely care about the success of the women at Hiland Mountain.

The “Success Inside and Out” conference would not be possible without the dedicated support of the National Association of Women Judges, the Alaska Department of Corrections, the Alaska Court System and Partners for Progress, with additional support from Restorative & Reentry Services, LLC, the Anchorage Reentry Coalition, DOC Probation & Parole, the Anchorage Department of Labor, One2One Mentorship, Fire Island Rustic Bakeshop, and Sweet Caribou. These supporters and sponsors play an essential role in ensuring that incarcerated women have access to resources, mentorship and practical guidance as they prepare to rejoin the community. We cannot thank them enough for the time, energy and resources they contributed to make the event a success.

Chelsea Riekkola is a Shareholder at Foley and Pearson.



A group of volunteers participate in the Success Inside and Out event at Hiland Mountain Correctional Center on October 12, 2024. Photo by Judge Jo-Ann Chung.

AAWL Corner: Events and Updates

By Chelsea Riekkola

Over the past year, the Anchorage Association of Women Lawyers (AAWL), has had the pleasure of reconnecting in person and hosting meaningful, well-attended events. The most recent highlight was our Annual Meeting, where we were joined by certified coach Cate Goethals, PCC, and Director of the UW Foster School of Business Women Board Director Development Program. Cate led an insightful session on building a personal roadmap for effective board service, with a focus on advancing women’s influence on boards. Participants left with new perspectives on transitioning from nonprofit to for-profit boards and creating pitches for corporate board seats—a fantastic start to the fall slate of events.

Another standout event was the AAWL’s partnership with Outlook Law and the Alaska Bar Association for the annual Diversity Luncheon (*Diversity: Stories Affecting Our Lives*). The panel was moderated by Alaska Supreme Court Senior Justice Dana Fabe, and featured prominent voices from the community: Becky Windt Pearson, Municipal Manager of Anchorage; Michele Brown, Director of the Housing Alaskans Public Private Partnership; Tara Sweeney, Vice President of External Affairs at ConocoPhillips Alaska and the first Alaska Native woman to serve as Assistant Secretary of Indian Affairs; and Ethan Schutt, Executive Vice President and General Counsel of the Bristol Bay Native Corporation. The discussion highlighted diverse leadership paths, the value of in-

clusive workplaces, and strategies for promoting diversity in Alaska’s legal and corporate spheres. A special shout-out and thank you to Christine Williams of Outlook Law, who takes on the lion’s share of organizing and arranging this amazing event every year.

As we look to wrap up 2024, we are excited to invite you to our next event: *Packing Your Briefcase: Ethical Exits and New Beginnings*. This AAWL end-of-year ethics CLE, approved for 1.5 ethics CLE credits, will focus on the ethical and professional considerations of job transitions in the legal field. Panelists will include Justice J. Dana Fabe, Phil Shanahan and Jahna Lindemuth, who will share their insights on navigating career changes with integrity. The event will be held at Williwaw Social on Thursday, December 12, 2024. Doors open at 4:30 p.m., and the program runs from 5:00 to 6:30 p.m. Enjoy heavy appetizers and non-alcoholic drinks, compliments of AAWL. This event is free to members and \$35 for non-members—the same as the cost of an AAWL membership, should you decide to join.

While our programming is designed to support women lawyers, we welcome anyone who supports our mission to actively promote gender equality and leadership roles for our members in the legal profession, judiciary and community at large. If you’d like to join our organization, please visit <https://aawl-ak.org/>, click on the “Membership” page and follow the prompts. We hope to see you at one of our upcoming events!

Chelsea Riekkola is a Shareholder at Foley and Pearson. She is a board member and chair of the events committee for AAWL.

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