

## Questions & Answers on Emeritus Attorney Status

### **What is Emeritus Attorney Status?**

Bar members who are in Inactive or Retired status may change their status to Emeritus Attorney status and have all Bar dues waived if they provide pro bono service for a qualified legal services provider.

### **Who should apply for Emeritus Attorney status?**

Any Alaska Bar member who has already stopped representing paying clients or who is ready to do so is encouraged to apply. Doing pro bono service is a great way to give back to the community while also remaining engaged in the practice of law in a more limited way. Our members are uniquely qualified to provide much-needed legal help to Alaskans of limited means and doing pro bono service can ease the transition into retirement.

### **Are there other requirements?**

The Emeritus Attorney may not be compensated for such pro bono service, must be covered by the malpractice insurance of the qualified legal services provider, must read and be familiar with the Alaska Rules of Professional Conduct, and must not have been publicly disciplined within the last 15 years in any jurisdiction.

### **Who are the qualified legal services providers (QLSPs) and how do I find out about pro bono opportunities with them?**

The QLSPs and their current pro bono opportunities can be found at <https://alaskabar.org/probono>. You should also contact the QLSP you list on your Emeritus Attorney affidavit to register as a volunteer so that you receive the most up to date information about training and opportunities with them.

### **When must the pro bono service be done?**

Bar dues will be waived in the year following qualifying pro bono service.

### **What are the other benefits of being on Emeritus Attorney status?**

Emeritus attorneys enjoy [all the other benefits of Active membership](#), including free access to vLex Fastcase, ability to join committees and sections, discounts on practice management software, car rentals, and CLEs, and a subscription to the Bar Rag.

### **What are the other obligations of being an Emeritus Attorney?**

Like Active attorneys, Emeritus Attorneys are subject to the Alaska Rules of Professional Conduct, Alaska Bar Rules, and Alaska Bar Association Bylaws.

### **Are Emeritus Attorneys required to complete MCLEs?**

No, but we encourage you to keep current in your practice areas and on your ethical obligations.

### **What happens if an Emeritus Attorney who was previously Inactive does not do pro bono service in a given year?**

If an Emeritus Attorney does not do pro bono service by December 31, and if the attorney's prior status was Inactive, they will revert to Inactive status and be invoiced for Inactive Bar dues for the following year, which will be due by February 1.

### **Is there a minimum number of pro bono hours an Emeritus Attorney must do in a given year?**

No.

### **Does mentoring or providing training to other pro bono attorneys count as qualifying pro bono service?**

Yes, if the Emeritus Attorney is registered as a volunteer with a QLSP that has requested that you provide such mentorship or training.

### **Can an Emeritus Attorney represent clients other than those they represent pro bono for a qualified legal services provider?**

No. An Emeritus Attorney who wishes to do so would need to change their status to one that does not have restrictions on such representation (e.g. Active, Retired, or certain waivers).

### **How does a member apply for Emeritus Attorney status?**

Only Inactive or Retired members may apply for Emeritus Attorney status. An Active member must first [change status to Inactive or Retired](#). Once Inactive or Retired, the member must then complete the Emeritus Attorney Affidavit and email it to [info@alaskabar.org](mailto:info@alaskabar.org) or mail it to the Alaska Bar Association. Once approved, the Alaska Bar Association will notify the member and the QLSP listed on the Affidavit.

The affidavit and more information can be found on the [Alaska Bar website](#) and in [Alaska Bar Rule 43.2](#).

### **Can a member change to Emeritus Attorney status after getting their Bar dues notice?**

Yes, but whether an Inactive member will have their Bar dues waived for the following year depends on whether they do pro bono service after changing their status to Emeritus Attorney status (see above question for how to change status). Bar dues notices typically are mailed out in December and the Emeritus Attorney rule (Bar Rule 43.2) states "An attorney who serves as an emeritus attorney at any time during a year shall have bar dues for the following year waived."

### **Are member dues reduced or prorated when a member changes to Emeritus Attorney status after December 31?**

No. Bar Rule 43.2 states: “An attorney who serves as an emeritus attorney at any time during a year shall have bar dues for the following year waived.”

### **How are attorney’s fees and costs handled for Emeritus Attorneys?**

Bar Rule 43.2 states, “Emeritus Attorneys shall not be paid by the QLSP, but the QLSP may reimburse the Emeritus Attorney for actual expenses incurred while rendering services. If allowed by law, the Emeritus attorney may seek attorney’s fees on behalf of the client, but may not personally retain them.” Many Emeritus Attorneys choose to donate attorney’s fees awards to the QLSP.

Bar Rule 43.2 also states, “The Emeritus Attorney and the client shall enter into a written fee agreement under Rule of Professional Conduct 1.5 for the disposition of such fees. Collection of any money from the client, including but not limited to reimbursements for expenses incurred, shall be handled exclusively by the QLSP.”

### **What if the Emeritus Attorney wants to volunteer for a different QLSP from the one they have listed on their affidavit?**

We request that members only list those QLSPs where they know they wish to volunteer, as we contact the QLSP to verify pro bono service. If you wish to switch to, or add, a different QLSP, simply email the Pro Bono Director at [info@alaskabar.org](mailto:info@alaskabar.org). We will update our records and notify the new QLSP. No new affidavit is required. There is no need to notify the Bar if you volunteer for both the QLSP listed on your affidavit and a different QLSP in a given year.

### **How long does a member remain in Emeritus Attorney status?**

A member remains in Emeritus Attorney status until they request otherwise. If you know that you will no longer be providing pro bono service to a QLSP, we request but do not require that you notify us.

### **Where can members get more information about Emeritus Attorney status?**

The affidavit and more information can be found on the [Alaska Bar website](#) and in [Alaska Bar Rule 43.2](#). For questions, please email the Bar at [info@alaskabar.org](mailto:info@alaskabar.org) or call (907) 272-7469.