

Original Sponsor: Mr. Taylor

Introduced: 3/16/65
Referred: Rules

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 36

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the eligibility require-
7 ments for admission to the Alaska Bar."

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

9 * Section 1. AS 08.08.130 is amended to read:

10 Sec. 08.08.130. ELIGIBILITY FOR ADMISSION. Any person
11 is eligible for admission to the Alaska Bar if he

12 (1) is a citizen of the United States;

13 (2) is over 21 years of age;

14 (3) has been a resident of the state for at least

15 60 days before the date of application for admission by

16 examination or by reciprocity, and the date for the examina-

17 tion for admission or the date for certification by the

18 board that the person be admitted by reciprocity shall be

19 at least 90 days after the application is made;

20 (4) is a graduate of a law school approved by

21 the American Bar Association [, OR AN ATTORNEY IN GOOD

22 STANDING IN THE BAR OF ANOTHER STATE OR TERRITORY,] or has

23 completed [BEGUN] a clerkship [PRIOR TO JANUARY 1, 1956, AND

24 COMPLETED IT] in the manner required by sec. 135 of this

25 chapter [SEC 35-2-44 ACLA 1949]; and

26 (5) has passed a bar examination given by the

27 Alaska Bar [.] ; or

28 (6) meets the requirements in (1) - (4) of this

29 section, and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

(A) has passed a bar examination of another state or the District of Columbia;

(B) is a member in good standing of the bar of that state or the District of Columbia;

(C) has been a resident of Alaska for at least three years before petitioning the court to be admitted;

(D) has been actively employed in Alaska by a law firm or the state or federal government in work of a legal nature for at least three consecutive years;

(E) the supreme court determines that it is in the best interests of those served by the legal profession that he be admitted, except that nothing in this paragraph shall permit the admission of an attorney who after the effective date of this Act has taken and failed to pass the Alaska bar examination.

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

Sec. 08.08.135. STUDY OF LAW IN OFFICE OF PRACTICING ATTORNEY. (a) A person who desires to study law in the office of a practicing attorney in Alaska for the purpose of qualifying to take the bar examination, shall, before the commencement of his studies, file with the clerk of the superior court in the district in which he resides, a certificate stating his age, residence, preparatory education, the name and residence of the person under whose direction he proposes to study law, the date of the commencement of his studies and his employment as a law clerk, together with a certificate of the person under whom the studies are to be pursued substantiating the facts set out in the certificate.

(b) A person studying law in the office of a practicing

1 attorney is entitled to take an examination for admission to
2 the Alaska Bar if he has devoted at least 36 weeks of not
3 less than 24 hours each in the performance of his duties and
4 studies at the law office during each of three consecutive
5 years. The successful completion of a full year at an
6 accredited law school shall be the equivalent of one year of
7 study under this section.

8 (c) If relationship of employer and employee should
9 terminate before the student has completed the prescribed
10 work and study, the student may notify the board and the
11 board may approve similar employment with another law office
12 for the continuance or completion of the prescribed work and
13 study.

14 * Sec. 3. AS 08.08 is amended by adding a new section to
15 Article 5 to read:

16 Sec. 08.08.245. DEFINITIONS. In this chapter "active
17 practice of law" includes

18 (1) sitting as a judge in a federal, state or
19 territorial court;

20 (2) being actually engaged in advising and
21 representing clients in matters of law;

22 (3) rendering legal services to an agency, branch,
23 or department of a civil government within the United States
24 or a state or territory of the United States, in an elective,
25 appointive or employed capacity;

26 (4) discharging legal duties as a member of one
27 of the armed services of the United States if certified as
28 having been engaged in the active practice of law by the
29 Judge Advocate General of the respective armed services;

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

(5) serving as a professor, associate professor, assistant professor or instructor in a law school accredited by the American Bar Association.