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1 IN THE HOUSE

2 HOUSE BILL NO. 340

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the licensing of attorneys."

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

8 * Section 1. AS 08.08.130(3) is repealed and re-enacted to read:

9 (3) is a resident of the state on the date of his application
10 for admission by examination and the date for the examination is 15
11 days after application is made;

12 * Sec. 2. AS 08.08.130(5) is amended to read:

13 (5) has passed a bar examination given by the Alaska Bar
14 and graded by an organization designated by the supreme court, such
15 as the American Bar Association, the National Conference of Bar
16 Examiners or a law school accredited by the American Bar Association; or

17 * Sec. 3. AS 08.08 is amended by adding a new section to read:

18 Sec. 08.08.133. EXAMINATION. (a) An applicant for admission who
19 takes the bar examination shall be permitted to keep his copy of the
20 examination questions, and as soon as practicable after the papers have
21 been graded, but within 30 days of the examination, the board shall
22 send him a report showing his numerical score on each question.

23 (b) The organization selected by the supreme court to grade the
24 examination shall be instructed by the court that the examination is
25 simply to determine whether the examinee is qualified to practice law
26 without endangering the public. In grading the examination and in
27 ruling on an application for admission, factors such as the economics
28 of the profession may not be considered.

29 * Sec. 4. AS 08.08.140 is repealed and re-enacted to read:

HB 340

1 **Sec. 08.08.140. OUT-OF-STATE ATTORNEYS. (a)** An attorney in
2 good standing in the bar of another state or territory or the District
3 of Columbia shall be admitted to practice law in this state without
4 examination if

5 (1) he has been a resident of the State of Alaska for at
6 least 90 days before the date of his application for admission; and

7 (2) he is a graduate of a law school accredited by the
8 American Bar Association, or is a graduate of any law school if he
9 received his degree before 1950 and began his legal studies before
10 1940, or has been engaged in the active practice of law for at least
11 10 years; and

12 (3) he has graduated from law school within two years of the
13 date of his application or has engaged in work of a legal nature for
14 at least two out of the three years immediately preceding that date;
15 and

16 (4) the supreme court determine that he meets the character
17 standards established by the board and that it is in the best interests
18 of those served by the legal profession that he be admitted.

19 (b) An individual who meets these requirements except that
20 because of service in the armed forces he does not satisfy (a)(3) of
21 this section shall be admitted without examination if that service was
22 not for more than five years.

23 (c) The board shall prepare and publish a pamphlet setting forth
24 a description of the organization of the Alaska Statutes, a brief
25 history of the development of statutory law in Alaska and a summary of
26 the more fundamental distinguishing characteristics of Alaskan case and
27 statutory law. The board shall see to it that each out-of-state
28 attorney applying for admission receives a copy of this pamphlet.

29 * Sec. 5. AS 08.08.200 is amended to read:

1 Sec. 08.08.200. PROCEDURE FOR ADMISSION. (a) The state supreme
2 court [BOARD] shall pass upon all applications for admission to the
3 Alaska Bar. When the court [BOARD] is satisfied that an applicant has
4 fulfilled the requirements for admission to the bar it shall make an
5 announcement to that effect. Unless [, THE BOARD SHALL SO CERTIFY TO
6 THE SUPREME COURT OF THE STATE. UPON RECEIVING THE CERTIFICATION,
7 UNLESS] objection is raised within five days [,] the court shall make
8 an order admitting the applicant as an attorney at law in all the
9 courts of the state. A certificate of admission shall thereupon be
10 given to the applicant by the clerk of the court. If an objection is
11 raised, the sufficiency of the objection shall be determined by the
12 supreme court within 30 days.

13 (b) If an application is denied for any reason, the court shall
14 give the applicant a written report specifying that reason.
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