

Introduced: 1/26/79
Referred: Judiciary

1 IN THE HOUSE

BY MCKINNON

2 HOUSE BILL NO. 85

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to bar examination review procedures;
7 and amending Alaska Bar Rule 7, Section 1."

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

9 * Section 1. Alaska Bar Rule 7, section 1 is amended to read:

10 SECTION 1. An applicant who has been denied an examination permit
11 or who has been denied certification to the Supreme Court for admission
12 to practice shall have the right within thirty days after notice of such
13 denial to file with the Board a written verified statement of appeal.
14 Failure timely to file an appeal statement shall constitute waiver of
15 appeal rights. In his statement an applicant shall state all grounds
16 upon which he intends to rely and may:

17 (a) object to the form of notice from which such appeal is taken
18 on the ground that it is so indefinite or uncertain that he cannot
19 reasonably prepare his statement;

20 (b) present new matter on which he relies to establish his eligi-
21 bility for admission to practice.

22 An applicant who is denied an examination permit or who is denied
23 certification shall allege facts which, if true, would establish an
24 abuse of discretion or improper conduct on the part of the Board, the
25 Executive Director, the Committee or a master. If the allegation in the
26 verified statement are found to be sufficient by the Board, a hearing
27 shall be granted. A hearing shall be granted in all cases where the
28 applicant requests it and the score of the applicant on the bar examina-
29 tion is within five points of the passing grade of the bar examination.

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The applicant shall be given access to his examination questions, his answers to those examination questions, and the model answers for the particular examination together with a representative sampling of the examination papers of other applicants who received overall passing and overall failing grades.

* Sec. 2. Section 1 of this Act amends the Rules of Court (Rule 7 of Part I of the Alaska Bar Rules).