

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2

HOUSE CONCURRENT RESOLUTION NO. 37

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the Alaska Bar Association.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7 WHEREAS the Alaska Bar Association is the entity responsible for  
8 regulating the practice of law and the professional standards for attorneys  
9 in the state; and

10 WHEREAS the public is unaware in large part of the procedures that  
11 govern the practice of law in the state; and

12 WHEREAS it is in the best interest of the state to assure initial and  
13 continued competency of the attorneys practicing law in the state;

14 BE IT RESOLVED that the Alaska State Legislature urges the Alaska Bar  
15 Association to develop an impaired attorney program with procedures to  
16 identify attorneys whose professional abilities are diminished by substance  
17 abuse, mental conditions, or other circumstances and to establish sanctions  
18 to encourage attorneys to practice competently, including suspension and  
19 revocation of the license to practice law in the state until the asso-  
20 ciation determines that the attorney does not require further supervision;  
21 and be it

22 FURTHER RESOLVED that the Alaska State Legislature urges the associa-  
23 tion to hire an additional investigator to investigate allegations of  
24 improper or incompetent practice; and be it

25 FURTHER RESOLVED that the Alaska State Legislature urges the associa-  
26 tion to require attorneys licensed to practice law in the state to post the  
27 association's disciplinary procedures for attorneys in a prominent place in  
28 their law offices; and be it

29 FURTHER RESOLVED that the Alaska State Legislature urges the

1 association to publish a list of its disciplinary actions at least once a  
2 year and to stop its practice of keeping disciplinary actions private; and  
3 be it

4       FURTHER RESOLVED that the Alaska State Legislature urges the associa-  
5 tion to review attorney fees and their relationship to the cost of liabil-  
6 ity insurance and to review the relationship between Alaska Rule of Civil  
7 Procedure 82 and contingency fees, to adopt standards for reasonable con-  
8 tingency fees, and to require that disciplinary action be taken against  
9 attorneys who exceed those reasonable standards.

10       A COPY of this resolution shall be sent to the Chair of the Board of  
11 Governors of the Alaska Bar Association.