

SENATE BILL NO. 392

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR RODEY

Introduced: 2/10/92
 Referred: Judiciary, Finance

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to appearances in civil actions and making an exception from the
 2 requirement of representation by an attorney for appearances on behalf of nonprofit
 3 housing corporations in certain civil actions."

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

5 * Section 1. PURPOSE. This Act amends existing law to authorize corporations to be represented
 6 in civil actions by persons other than attorneys when explicitly authorized by law and specifically allows
 7 a nonprofit housing corporation acting as a landlord to be represented in a forcible entry and detainer
 8 action by an officer or employee of the corporation who is not an attorney. The bill is intended to
 9 reduce some of the costs of legal representation for nonprofit housing corporations in forcible entry and
 10 detainer actions.

11 * Sec. 2. AS 09.45 is amended by adding a new section to read:

12 Sec. 09.45.158. APPEARANCE IN ACTION. A nonprofit housing corporation may
 13 designate an officer or employee of the corporation who is not an attorney to commence and
 14 maintain an action under AS 09.45.060 - 09.45.160 on behalf of the corporation against a tenant

1 or person in possession. When, under this section, a nonprofit corporation appears by an officer
2 or employee of the corporation who is not an attorney, the written proceedings shall be in the
3 name of the person representing the corporation and that person is the sole representative of the
4 corporation as between the corporation and the adverse party.

5 * Sec. 3. AS 22.20.040 is amended to read:

6 Sec. 22.20.040. APPEARANCE [IN PERSON OR BY ATTORNEY]. (a) An action or
7 proceeding may be prosecuted or defended by a party in person or by attorney. However,

8 (1) [EXCEPT THAT] the United States [OR A CORPORATION, EITHER
9 PUBLIC OR PRIVATE,] shall appear by an attorney in all cases; and

10 (2) a corporation, either public or private, shall appear by an attorney in all
11 cases unless an exception to the corporation's appearance by an attorney has been explicitly
12 made by law.

13 (b) When [WHERE] a party appears by attorney, the written proceedings shall be in the
14 name of the attorney, who is the sole representative of the client as between the client and the
15 adverse party.