

S

B

3

9

2

A M E N D M E N T

OFFERED IN THE SENATE:

BY: Senate Judiciary

TO: Senate Secretary

SENATE BILL No. 392

HOUSE BILL No. _____

PAGE: 2-3

LINE: _____

Page 2, lines 11 through 20, amend to read:

(1) in the first year, one member from the first judicial district, one member from the combined area of the second and fourth judicial districts, [AND] one member from the third judicial district, and one appointed member;

(2) in the second year, one member at large, [AND] two members from the third judicial district, and one appointed member;

(3) in the third year, one member from the combined area of the second and fourth judicial districts, one member from the third judicial district, [AND] one member from the first judicial district, and one appointed member.

Page 3, lines 2 & 3, amend to read:

for emergency meetings. Meetings of the Board shall take place in the state.

COMMITTEE REPORT
SENATE

FURTHER: Finance

4/6/81

Date: 4-24-81

Mr. President:

The Committee on JUDICIARY has had SB 392
continuing the existence of the Board of Governors of the Alaska Bar Assoc.

under consideration and (a majority of the committee) (the committee)
reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s) same title
- replace with CS for _____ new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Edwards, Stan - do not pass
unless amended.

Boyer, Kay - NO REC

Johnson - NO REC

Donnell - NO REC

Mark Radey
CHAIRMAN
LC PASS

JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 28, 1981

The Honorable Patrick Rodey
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator ^{Pat:} ~~Rodey~~:

In reply to your letter concerning sunset of several regulatory boards, I'd like to furnish you the following information.

From the Governor's perspective, the Collection Agency Board (AS 08.24.011) is a board that might well be terminated, and the Governor does not intend to introduce legislation or take any effort to see that that particular board is continued in force after June 30, 1980. As for the Guide Licensing and Control Board (AS 08.54.010), the Governor is very much interested in seeing that this board is continued and has drafted legislation making some amendments to the statutes relating to the Guide Licensing and Control Board. This particular piece of legislation should be in completed form relatively soon and will be ready for introduction. As to the Board of Governors of the Alaska Bar Association (AS 08.08.040), the Governor believes that it is appropriate that this board be continued. As you may be aware, there has been some discussion in the past as to whether or not there should be a lay person on the board; this is for the Legislature to determine. Certainly it is appropriate that the board be continued. As to the Board of Welding Examiners (AS 08.99.010), the Governor will not be submitting legislation for the continuation of this board.

I would be pleased to discuss this with further, should you wish.

Sincerely,

A handwritten signature in cursive script that reads "Keith".

Keith W. Specking
Legislative Assistant
to the Governor

Will the Bar Association See Sunset This Year?

2/20/81
By JOE La ROCCA

JUNEAU — The Alaska Bar Assn. has agreed to try to resolve its widely-publicized differences with the legislature over the controversial question of whether the lawyers' group is a state agency subject to the state's so-called "Sunset" law. It sets up a process under which the legislature determines whether state agencies should be abolished for unsatisfactory performance, or allowed to continue to exist based on its usefulness.

Bart Rozelle of Juneau, president of the 1,300 member state bar association, told a joint meeting of the House and Senate Judiciary Committees Monday that a majority of the bar's membership has voted to cooperate with the legislature this year rather than continue to defy what some legislators see as the state's authority to oversee and regulate certain aspects of the bar association's activities.

Rozelle said the bar association hopes to avoid what he

termed the "unfortunately acrimonious" atmosphere which characterized the discussions last year between the bar association and the legislature over whether the attorneys' organization is subject to legislative review under the sunset statute adopted by the legislature in 1978. That acrimony, Rozelle said, "tended to undermine what can be the constructive results of the sunset process."

Under the sunset process, the Legislative Budget and Audit Committee is charged with the responsibility for auditing the records and performance of state agencies, and reporting its findings to the legislature and its appropriate legislative committees.

Last year, the House Judiciary Committee, chaired by Rep. Charlie Parr, D-Fairbanks advised the Speaker of the House that the bar association had taken the position that "it is not a state agency, and that it is not subject to the Sunset review process." The committee report said that the

association "refused the legislative Auditor access to some of its records, there," the report said, "no performance audit has been conducted."

The report noted that, in a letter to the association, the committee had requested information on 87 points, 73 of which were "answered completely." On one point, a request for a copy of disciplinary records, the bar association said that the information was confidential, and could not be released.

The Legislative Budget and Audit Committee took the Bar Assn. to court over the dispute. The State Supreme Court decided that the records were classified confidential by court rule, and that the bar association had no authority to release them.

The House Judiciary Committee proposed legislation last year extending the existence of the bar association only until June 30th of this year, and making statutory changes which it said were needed to serve the public

interest.

But the legislation died in the Senate Judiciary Committee triggering an automatic termination of the bar association under the sunset statute, effective June 30th of this year.

In what was clearly a conciliatory statement designed to avert a continuation of the dispute, Rozelle told the Joint Judiciary Committees that the bar association has voted to seek the Supreme Court's permission to submit its records to the Legislative Auditor this year.

As a result of last year's controversy, the bar assn. president said, "we took a pretty hard look at ourselves on a number of questions that were raised." He added: "We think it's constructive to meet with the legislature and rather than fight with the legislature, participate in the process."

He pointed out that the decision to do was controversial within the bar association. Two member groups, the Tanana Valley and the Ketchikan bar associations, opposed the de-

cision, and may file a suit against any attempt to release the association's confidential records to the Legislative Auditor. However, Rozelle said, that hasn't changed the state bar association's position.

Still unresolved by Rozelle's comments to the Judiciary Committees, however, was the basic question of whether the bar association considers itself a state agency subject to the state's sunset process.

Rozelle was pressed on the question by Rep. Parr, who pointed out that the association is still on record as stating that it is not. Rozelle replied that the group has not taken another vote on the question.

Both Parr and Senator Eill Ray (D-Juneau) argued that the Bar Association plays a decisive role in the selection and retention of state judges and justices because attorneys dominate the Alaska Judicial Council, pursuant to a section of the State Constitution which was drafted largely by lawyer delegates. The Governor appoints judges from a list of nominees chosen by the seven-member council which consists of three attorneys, the chief justice, and three lay members.

The council also sponsors a poll of attorneys in the state to evaluate the performance of judges and justices and makes public recommendations on whether they should be retained for subsequent terms by the voters when their terms have expired.

Senator Ray says he thinks the simplest way for the legislature to resolve the dispute is to determine the Bar Association this year under the sunset statute. That would compel the State Supreme Court to decide whether or not the Bar Association is subject to the state's sunset law.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT

BOARD OF GOVERNORS

ALASKA BAR ASSOCIATION

P.O. BOX 270
ANCHORAGE, ALASKA 99510
AREA CODE 907/272-7469

RANDALL P. BURNS EXECUTIVE DIRECTOR

MARVIN S. FRANKEL DISCIPLINARY ADMINISTRATOR AND BAR COUNSEL



OFFICERS

WILLIAM B. ROZELL
PRESIDENT
JUNEAU

KAREN L. HUNT
PRESIDENT-ELECT
ANCHORAGE

STANLEY T. FISCHER
VICE PRESIDENT
KODIAK

HUGH G. WADE
SECRETARY
ANCHORAGE

BOARD MEMBERS

WILLIAM P. BRYSON

STANLEY T. FISCHER

KAREN L. HUNT

ELIZABETH P. KENNEDY

EDWARD G. KING

JONATHAN H. LINK

WILLIAM B. ROZELL

RICHARD D. SAVELL

HUGH G. WADE

January 19, 1981

Senator Jalmer M. Kerttula
Senate President
State of Alaska
Pouch V
Juneau, AK 99811

Representative Mike Miller
Acting Speaker of the House
State of Alaska
Pouch V
Juneau, AK 99811

Dear Mr. President and Mr. Speaker:

On behalf of the Board of Governors of the Alaska Bar Association, pursuant to AS 08.08.085, I make the following report to you and the members of the Alaska Legislature concerning admissions, discipline of members and disbarment proceedings.

Admissions and discipline, including disbarment proceedings, are conducted by the Alaska Bar Association pursuant to bar rules promulgated by the Alaska Supreme Court. The Alaska Bar Association reports to the Supreme Court on its activities after each bar examination (twice a year) for admissions and after each quarter for discipline. Disbarment proceedings are a part of disciplinary activities. Final action on all admissions applications and on all serious disciplinary matters is taken by the Alaska Supreme Court and not by the Alaska Bar Association. Copies of the petitions for admissions and quarterly discipline reports submitted to the Alaska Supreme Court are enclosed for your information.

Also enclosed are copies of reports on fee arbitration which have been provided to the Supreme Court.

Senator Jalmer M. Kerttula
Representative Mike Miller
January 19, 1981
Page Two

Decisions of the Board of Governors on discipline and admission matters may be appealed to the Alaska Supreme Court. The court's opinions in such cases are published. During 1980 the Alaska Supreme Court struck down the requirement that applicants be residents of the state for 30 days before taking the bar examination (Sheley v. Alaska Bar Association, Opinion #2156, August 29, 1980); affirmed the decision of the Board of Governors which increased the six month suspension recommended by the hearing committee made up of attorneys and lay persons to a two year suspension (In the Matter of Preston, Opinion #2156, August 29, 1980); affirmed the decision of the Board of Governors which similarly increased the suspension recommended for W. Clark Stump from one to five years (In the Matter of Stump, Opinion #2237, December 5, 1980); and upheld as fair, reasonable and constitutionally valid the requirement that applicants for admission be graduates of an accredited law school (Application of Urie, Opinion #2172, Sept. 26, 1980). The Urie opinion concluded:

The ABA system of accreditation is sophisticated and time-consuming. We can think of no effective substitute which could be developed at the state level without diverting impractical amounts of manpower and money into such an inquiry. Given the strong state interest in assuring that those entering the practice of law have had suitable training in adequate institutions, and considering the precedent from other jurisdictions, we are of the opinion that the Alaska bar rule requirement is valid and does not violate the due process clause of either the Alaska Constitution or the United States Constitution.

In this connection, we note that requiring attendance at an ABA accredited law school is not a severe impediment to entry into the legal profession. According to the brief of the ABA as amicus curiae, in the last decade the number of approved schools increased from 137 to 168. The number of students therein increased from 63,000 to 121,600, which included 36,808 women. There are 16 ABA approved schools in California, with a total enrollment of over 14,600 students. (Footnotes omitted.)

Senator Jalmer M. Kerttula
Representative Mike Miller
January 19, 1981
Page Three

In a separate challenge in the federal courts the Ninth Circuit Court of Appeals affirmed the United States District Court and held that the requirement of graduation from an accredited law school was rationally related to the fitness or capacity to practice law and did not violate the Fourteenth Amendment of the United States Constitution. The court followed earlier decisions upholding such requirements in other states. (Santos v. Alaska Bar Association and the Justices of the Supreme Court of Alaska, 618 F.2d 575 (9th Cir. 1980)).

Very truly yours,

ALASKA BAR ASSOCIATION

William B. Rozell

William B. Rozell
President

FAULKNER, BANFIELD DOOGAN & HOLMES
311 Franklin, Suite 201
Juneau, AK 99801
(907) 586-2210

WBR/slb

cc: Randall Burns
Board of Governors

The Board of Governors of the Alaska Bar Association, by its Executive Director, Randall P. Burns, in accordance with Part I, Rule 4, Section 4, Alaska Bar Rules, certifies to this Court the following results of the July, 1980 Bar Examination and respectfully petitions the Court to grant the admission of the applicants herein recommended as qualified for admission:

1. The Alaska Bar Association conducted a Bar Examination on July 28, 29, and 30, 1980 in which a total of 106 applicants were examined. Thirteen (13) of the applicants qualified for the attorney examination.

2. The examination consisted of three parts. The Alaska portion consisting of four essay questions was given on the first afternoon. The California portion consisting of six essay questions was given on the first morning and the second day. The third day consisted of the multi-state examination. Thirteen attorney applicants took only Alaska essay examination. Some of the general applicants were permitted to transfer their scores from prior multi-state exams in lieu of taking the multi-state portion of the July, 1980 exam.

3. The Committee of Law Examiners certified its written report of examination to the Board of Governors on October 24, 1980. The Committee followed Rule 4, Section 6 of the Alaska Bar Rules. A composite score of 70% was the passing score on the examination, a scaled score of 135 on the multi-state having been considered the equivalent of 70% of the highest possible score on that portion of the examination. The different parts of the general examination were weighted as follows: 40% California, 40% Multi-state and 20% Alaska. After the initial grading, the Committee of Law Examiners re-read the California essay answers of applicants whose initial composite scores were between 65% and 70%. Fifty-eight (58) general applicants and seven (7) attorney applicants were certified by the Committee as having received a composite score of 70% or above. Thirty-five (35) general applicants and six (6) attorney applicants were certified as having received composite scores below 70%.

Committee's report of examination, the recommendations of the Executive Director and such other matters as it considered pertinent, determined that the following 65 applicants receiving composite scores of 70% or above were qualified for admission to practice law in Alaska:

Mary Ellen Ashton	Marc W. June
Marilyn E. Bain	James F. Klasen
Susan P. Behlke	Gerard R. LaParle
Wilfred D. Bennett	Carolyn D. Lathrop
Joan E. Blades	Stanley T. Lewis
Douglas L. Blankenship	Charlene A. Lichtmann
Daniel L. Callahan	Nicholas G. Maroules
Larry D. Card	Philip J. Matricardi
Larry L. Caudle	Peggy M. Mentele
Mark C. Choate	Robert J. Molloy
Jeffrey W. Cole	Richard D. Monkman
Theron J. Cole	John M. Moxness
Kathryn J. Coleman	Myra M. Munson
Patrick W. Conheady	Deanna C. Myers
Joel D. DiGangi	Michael S. McLaughlin
Walter T. Featherly, III	Jonathan B. Noll
Maryann E. Foley	Gregory L. Peters
William R. Fossey	Hollie I. Ploog
Joseph H. Franich	Mary L. Poteet
Raymond M. Funk	Colleen A. Ray
Deidre S. Ganopole	Kenneth P. Ringstad
Dianna R. Gentry	Eleanor C. River
Peter W. Giannini	Linda Scoccia
David E. Grashin	Elizabeth L. Shaw
Mitchell D. Gravo	John M. Skrhak, Jr.
Carmen L. Gutierrez	Richard J. Todd
Theresa R. Hebert	Fred H. Valdez
Theresa Hillhouse	Richard L. Wagg
Robert C. Holmes	Stephen M. Williams
Alan J. Hooper	Mark T. Woelber
Donald P. Hopwood	Clark L. Young
Thomas G. Johnson	Durwood J. Zaelke, Jr.

Carol A. Zamarello

5. The Board of Governors, based upon the Committee's report of examination, the recommendations of the Executive Director and such other matters as it considered pertinent, determined that the following forty-one (41) applicants who received composite scores below 70% have failed to demonstrate their qualifications for admission to practice law in Alaska:

David L. Allison	John P. McDonald
James D. Babb, Jr.	Kathleen I. McGuire
Dennis P. Cummings	William F. Meese
Dale O. Curda	Michael K. Murray
Joseph D. Darnell	Lou Anne S. Nelson
Michael P. Dixon	Margaret L. Oberly
Robert L. Doss, Jr.	David W. Oesting
Helga Eakon	Penny R. Potter
John M. Eberhart	John M. Richard

ALASKA BAR
ASSOCIATION
BOX 279
ANCHORAGE, ALASKA
99510
272-7458

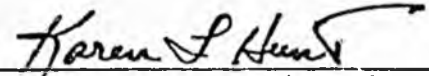
Adrienne P. Foor
Peter B. Foor
D. Monita Fontaine
Peter C. Gamache
Gayle Garrigues
Joseph W. Geldhof
Stephen L. Hale
Edward H. Hein
Jaime P. Hidalgo
Carol Barclay Jones
David G. Koivuniemi

Leslie D. Komo
Henry C. Schmidt
Susan R. Sharrock
Donald R. Sherer
Robert D. Sinkey
Michael Stepovich, Jr.
Walter Stillner
Anthony L. Strong
Harvey P. Sullivan
Laurence M. Sylvester
John M. Talley

Walter P. Zulkoski

WHEREFORE, the Board of Governors of the Alaska Bar Association recommends that upon the filing of proof of compliance with the provisions of Part I, Rule 6 of the Alaska Bar Rules, the applicants listed in paragraph four (4) above be admitted to practice in Alaska and that the applications of the forty-one (41) applicants listed in paragraph five (5) above be denied.

DATED this 13th day of November, 1980.



BY: Karen L. Hunt, President-Elect
ALASKA BAR ASSOCIATION

FOR: Randall P. Burns, Executive Director
ALASKA BAR ASSOCIATION

IN THE SUPREME COURT OF THE STATE OF ALASKA

In the Matter of the Applications of:

STEPHEN M. AGNI, DAVID L. ALLISON, ELLA)
 ANAGICK, KATHLEEN C. BARRON, CONSTANCE A.)
 BASTIAN, WILLIAM BIXBY, KATHRYN A. BLACK,)
 RICHARDO BRAVO, JR., JULIENNE E. BRYANT,)
 LARRY D. CARD, JACQUELINE K. CARR,)
 MARK C. CHOAT, ALICEMARY L. CLOSUIT,)
 PATRICK W. CONHEADY, TERRY-LYNN COONS,)
 PATRICK J. COUGHLIN, DAN E. DENNIS, PAUL)
 L. DILLON, DAN D. DIXON, GEORGE DUKE,)
 DAVID G. DYE, SHARON J. EMLEY, RONALD D.)
 FLANSBURG, PETER C. GAMACHE, RENE J.)
 GONZALEZ, LEWIS F. GORDON, DAVID E.)
 GRASHIN, NANCY J. GROSZEK, PARRY GROVER,)
 GLORIA HANSSON, WILLIAM C. HARPIN, SUSAN)
 HENOCH, TERESA HILLHOUSE, KARLA F.)
 HUNTINGTON, JAMES E. HUTCHINS, DAVID A..)
 INGRAM, JAMES H. ISHERWOOD, III, RICHARD)
 D. KIBBY, RICHARD J. KORECKI, HENRY M.)
 LANCASTER, KATHERYN LYNCH, GARY L.)
 MARSHALL, FRED A. MATSUNO, KATHLEEN I.)
 McGUIRE, JAMES Q. MERY, WALLACE W. MILLS,)
 EDWARD L. MINER, MILTON L. MOSS, DIANNE)
 E. OLSEN, RUTH E. O'ROURKE, LAURIE OTTO,,)
 STEFFANIE D. PARKER, STEPHANIE PATEL,)
 MATTHEW K. PETERSON, BETTY RAMAGE, MARK)
 RINNER, BARBARA D. L. ROBERTS, LOWELL A.)
 ROBINSON, LESLIE D. ROMO, PATRICK RUMLEY,)
 JEAN S. SCHANEN, BRYAN E. SCHULER,)
 ELIZABETH H. SHELEY, BRUCE F. SHERMAN,)
 THOMAS G. SMITH, MICHAEL A. D. STANLEY,)
 GERALD E. STINSON, HARVEY P. SULLIVAN,)
 JOHN M. TALLEY, H. CONNOR THOMAS, RICHARD)
 J. TODD, LANCE P. WELLS, RAYMOND G.)
 WHELESS, L. VAN WHITEHEAD, ROY V.)
 WILLIAMS, CARL WINNER, MICHAEL L.)
 WOLVERTON, RONALD M. ZOBEL)
)
)
)

PETITION

For Admission to the Practice of Law in)
 Alaska and Membership in the Alaska Bar)
 Association)

ALASKA BAR
 ASSOCIATION
 BOX 279
 ANCHORAGE, ALASKA
 99510
 272-7468

The Board of Governors of the Alaska Bar Association, by its Executive Director, Randall P. Burns, in accordance with Part I, Rule 4, Section 4, Alaska Bar Rules, certified to this Court the following results of the February, 1980 Bar Examination and respectfully petitions the Court to grant the admission of the applicants herein recommended as qualified for admission:

1. The Alaska Bar Association conducted a Bar Examination on February 26, 27, and 28, 1980 in which a total of 78 applicants were examined. Ten (10) of the applicants qualified for the attorney examination.

2. The examination consisted of three parts. The Alaska portion consisting of four essay questions was given on the first afternoon. The California portion consisting of six essay questions was given on the first morning and the third day. The second day consisted of the multi-state examination. Nine (9) attorney applicants took only the multi-state examination. Some of the general applicants were permitted to transfer their scores from prior multi-state exams in lieu of taking the multi-state portion of the February, 1980 exam.

3. The Committee of Law Examiners certified its written report of examination to the Board of Governors on May 22, 1980. The Committee followed Rule 4, Section 6 of the Alaska Bar Rules. A composite score of 70% was the passing score on the examination, a scaled score of 135 on the multi-state having been considered the equivalent of 70% of the highest possible score on that portion of the examination. The different parts of the general examination were weighted as follows: 40% California, 40% Multi-state and 20% Alaska. After the initial grading, the Committee of Law Examiners re-read the California essay answers of applicants whose initial composite scores were between 65% and 70%. Forty-seven (47) general applicants and nine (9) attorney applicants were certified by the Committee as having received a composite score of 70% or above. Twenty-one (21) general applicants were, and one (1) attorney applicant was certified as having received composite scores below 70%.

(4) On May 22, 1980, the Board of Governors, based upon the Committee's report of examination, the recommendations of the Executive director and such other matters as it considered pertinent, determined that the following 56 applicants receiving composite scores of 70% or above were qualified for admission to practice law in Alaska:

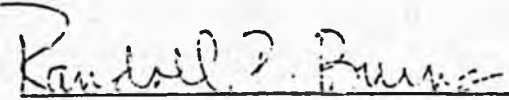
Stephen M. Agni	Wallace W. Mills
Kathleen Barron	Edward L. Miner
Constance A. Bastian	Milton L. Moss
William Bixby	Ruth E. O'Rourke
Kathryn A. Black	Laurie H. Otto
Julienne E. Bryant	Dianne Olsen
Jacqueline K. Carr	Steffanie D. Parker
Alicemary L. Closuit	Stephanie Patel
Terry-Lynn Coons	Matthew K. Peterson
Patrick J. Coughlin	Betty Ramage
Dan E. Dennis	Mark Rindner
Paul L. Dillon	Barbara D. L. Roberts
David Dye	Lowell A. Robinson
Sharon J. Emley	Patrick Rumley
Ronald D. Flansburg	Jean S. Schanen
Parry Grover	Bryan E. Schuler
Lewis F. Gordon	Bruce F. Sherman, Jr.
Rene J. Gonzalez	Gerald E. Stinson
Gloria Hanssen	Elizabeth H. Sheley
William C. Harpin	Michael A. D. Stanley
Karla F. Huntington	H. Connor Thomas
James E. Hutchins	Lance P. Wells
David A. Ingram	Carl Winner
James H. Isherwood, III	Roy V. Williams
Richard D. Kibby	Raymond G. Wheless
Richard J. Korecki	Michael L. Wolverton
Kathryn D. Lynch	Ronald M. Zobel
Gary L. Marshall	
James Q. Mery	

5. The Board of Governors, based upon the Committee's report of examination, the recommendations of the Executive Director and such other matters as it considered pertinent, determined that the following twenty-two (22) applicants who received composite scores below 70% have failed to demonstrate their qualifications for admission to practice law in Alaska:

David L. Allison	Susan Henoch
Ella Anagick	Teresa Hillhouse
Ricardo Bravo, Jr.	Henry M. Lancaster
Larry D. Card	Kathleen I. McGuire
Mark C. Choat	Fred A. Matsuno
Patrick W. Conheady	Leslie D. Romo
Danny D. Dixon	Harvey P. Sullivan
George Duke	Thomas G. Smith
Nancy J. Groszek	John M. Talley
David E. Grashin	Richard J. Todd
Peter C. Gamache	L. Van Whitehead

WHEREFORE, the Board of Governors of the Alaska Bar Association recommends that upon the filing of proof of compliance with the provisions of Part I, Rule 6 of the Alaska Bar Rules, the applicants listed in paragraph four (4) above be admitted to practice in Alaska and that the twenty-two (22) applicants listed in paragraph five (5) above be denied.

DATED this _____ day of June, 1980.



Randall P. Burns
Executive Director
ALASKA BAR ASSOCIATION

ALASKA BAR
ASSOCIATION
BOX 278
ANCHORAGE, ALASKA
99510
272-7488

ALASKA BAR ASSOCIATION

P.O. BOX 279

ANCHORAGE, ALASKA 99510

AREA CODE 907/272-7489

RANDALL P. BURNS, EXECUTIVE DIRECTOR

WILLIAM GARRISON, BAR COUNSEL

BOARD MEMBERS

ALBERT H. BRANSON

STANLEY T. FISCHER

KAREN L. HUNT

ELIZABETH P. KENNEDY

EDWARD G. KING

JONATHAN H. LINK

WILLIAM B. ROZELL

RICHARD D. SAVELL

DONNA C. WILLARD

OFFICERS

DONNA C. WILLARD
PRESIDENT
ANCHORAGEWILLIAM B. ROZELL
PRESIDENT ELECT
JUNEAUJONATHAN H. LINK
VICE PRESIDENT
FAIRBANKSEDWARD G. KING
SECRETARY
KETCHIKAN

July 16, 1980

Hon. Jay A. Rabinowitz
Chief Justice
Alaska Supreme Court
604 Barnette Street
Fairbanks, Alaska 99701

Dear Chief Justice Rabinowitz:

Please find enclosed the discipline and fee arbitration figures for the second quarter of 1980. I believe that we are managing to maintain the case load at a workable level.

Mr. Marvin Frankel will assume the duties of Disciplinary Administrator as of this date. I am confident that he will prove to be an asset to the office.

I would like to take this opportunity to express my appreciation to you and the other Justices for the courtesy which has been extended to me during the past three years.

Regarding the report, I would like to clarify an error in reporting. Please note the data sheet for the first quarter, which I have included and marked Exhibit A. Due to an oversight, the final tally for the number of cases closed last quarter was miscounted. A count of the data sheet setting forth the individual cases will indicate that twenty (20), rather than nineteen (19) cases, were dismissed. I have indicated the corrected data on Exhibit A. As a practical matter this simply means that we ended the

Hon. Jay A. Rabinowitz
July 16, 1980
Page 2

quarter, and began the second quarter, with
a case load of twentyseven (27) rather than
twentyeight (28). I remain,

Respectfully,



William W. Garrison
Bar Counsel

WWG/cc

CC: Board of Governors
Justice Robert Boochever
Justice Roger G. Connor
Justice Warren W. Matthews
Justice Edmond W. Burke

EXHIBIT A
DISCIPLINE REPORT

January 1, 1980 - March 31, 1980

I. CASELOAD

1. Cases pending & carried forward on January 1, 1980	38
2. Cases filed or reactivated since January 1, 1980	10
TOTAL CASELOAD FOR PERIOD	48
3. Cases closed since January 1, 1980	
(a) Dismissed by Bar Counsel	19
(b) Informal Admonitions	1
(c) Disbarred	0
TOTAL	20
4. Total Pending Cases on March 31, 1980	28

II. STATUS OF PENDING ACTIVE CASES:

1. Investigative Stage:	
(a) To Committee Member for Advisory Opinion ..	0
(b) Bar Counsel	25
(c) Special Prosecutor	1
(d) Matters held in abeyance	0
(e) Conciliation Panel	0
TOTAL	0
2. Before Board of Governors	0
3. Before Supreme Court	2
TOTAL PENDING ACTIVE CASES ON MARCH 31, 1980	28

III. REQUESTS FOR ASSISTANCE OR COMPLAINTS FOUND NOT TO BE VIOLATIONS OF THE CODE OF PROFESSIONAL RESPONSIBILITY

Number disposed of during this quarter	76
--	----

DISCIPLINE REPORT

APRIL 1, 1980 - JUNE 30, 1980

I. CASELOAD

1. Cases pending & carried forward on April 1, 1980.	27
2. Cases filed or reactivated since April 1, 1980.	9
TOTAL CASELOAD FOR PERIOD	36
3. Cases closed since April 1, 1980	
(a) Dismissed by Bar Counsel	12
(b) Informal Admonitions	1
(c) Disbarred	0
TOTAL	13
4. Total Pending Cases on June 30, 1980	23

II. STATUS OF PENDING ACTIVE CASES

1. Investigative Stage:	
(a) To Committee Member for Advisory Opinion	0
(b) Bar Counsel	17
(c) Special Prosecutor	1
(d) Matters held in abeyance	3
(e) Conciliation Panel	0
2. Before Board of Governors	0
3. Before Supreme Court	2
TOTAL PENDING ACTIVE CASES ON JUNE 30, 1980	23

III. REQUESTS FOR ASSISTANCE OR COMPLAINTS FOUND NOT TO BE VIOLATIONS OF THE CODE OF PROFESSIONAL RESPONSIBILITY

Number disposed of during this quarter	86
--	----

FEE ARBITRATION REPORT

APRIL 1, 1980 - JUNE 30, 1980

CASELOAD

1. Cases pending & carried forward on April 1, 1980.	20
Cases filed since April 1, 1980	14
3. Cases Reactivated since April 1, 1980	0
TOTAL CASELOAD FOR PERIOD.	34
4. Cases Closed since April 1, 1980.	10
TOTAL PENDING CASES ON JUNE 30, 1980	24

ALASKA BAR ASSOCIATION
SURVEY OF GRIEVANCES

In an effort to better inform the court, bar and public of the source and nature of grievances, and the areas of practice from which grievances arise, the following is a sample based on the files closed in the Bar Association office from April 1, to June 30, 1980.

In describing the nature of the grievance, only the most serious allegation is reflected. In fact, more grievances allege various acts of misconduct. It is not practical to attempt to reflect all allegations.

I. NATURE OF GRIEVANCE	#	%
1. Trust violations (embezzlement/ conversion/withholding client's property)	1	7.5
2. Conflict of Interest	1	7.5
3. Neglect (Failure to perform, delay abandonment)	0	0
4. Relationship with client	4	31
5. Misrepresentation/Fraud	1	7.5
6. Excessive Fees	0	0
7. Interference with justice	5	39
8. Improper advertising & solicitation	1	7.5
9. Criminal conviction	0	0
10. Personal Behavior	0	0
11. Failure to cooperate with investigation	0	0
12. Medical incapacity	0	0
13. Incompetence	0	0
14. Other	0	0
TOTAL	13	100.0

An additional 86 matters were handled which did not involve violations of the Code of Professional Responsibility, but did involve an interview. require a response on the rendering of assistance to resolve the matter.

DISCIPLINARY REPORT
SECOND QUARTER

APRIL 1, 1980 - JUNE 30, 1980

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
77-18	3/22/77	Third Party	Neglect--3 A & E	Petition for formal Hrg. held pending malpractice action.	Investigation delayed because of absence of witness	
78-13	6/2/78	ABA	Interference w/justice 7-3-1-f	Criminal Prosecution dismissed D.A. Records forwarded to Discipline Under investigation.		
78-20	7/11/78	ABA	Misrep./fraud 5-B	To Review Committee Member 9/27/78--To Hearing Committee 6/12/79--To ROG 10/10/79 To Supreme Court 10/31/79 Brief Submitted-Oral Argument before Supreme Ct 6/24/80		
78-29	11/20/78	Client	Incompetence 13	Investigation pending resolution of civil malpractice suit		
79-1	2/9/79	Opposing Counsel	Interference w/justice 7-D-1--Personal Behavior 10-B Failure to co-operate with Disciplinary Authorities 11-C-2	Petition for formal Hearing sent to Resp. 9/20/79. Answer received. Investigation continuing on affirmative defenses Respondent indicted on unrelated criminal charges. (See 80-16) Trial Set for Sept. 1980.		
79-2	3/6/79	ABA	Trust Violation 1-A 1,2c	Petition for Formal Hearing served on Respondent Attorney		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-4	3/22/79	ABA	Criminal Conviction 9	Pet. for Formal Hrg. 4/24/79--Set for formal hrg. 6/12/79--Rescheduled 7/12/79--To BOC 9/8/79-- To Supreme Court 9/17/79 Briefs submitted--Oral Argument 3/24/80--Pending Decision by Court.		
79-6	5/3/79	ABA	Criminal Conviction 9	Supreme Court order Suspending Resp. issued 6/18/79--Resp. previously suspended for non- payment of dues--Present address unknown.		
79-7	5/6/79	ABA	Interference w/justice 7-T-1	BOG assigned matter to special prosecutor--Hearing before master held--Findings and recommendation of Master issued. BOG considered same 6/10/80. Matter referred back to Master for additional findings.		
79-8	5/18/79	ABA	Relationship w/client 4-B-2,3 12 Complaints	ABR-29 Petition filed and granted--9/28/79--Attorney appointed--9/28-79--Motion to suspend for failure to pay dues filed 9/28/79. Disability Proceedings pending. Receipt of Affidavits from Psychiatrist.		
79-9	7/17/79	ABA	Conflict of Interest	Informal Admonition	Closed	6/6/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-17	9/5/79	Third Party	Interference w/justice	Dismissed	Closed	4/17/80
79-18	9/4/79	Opposing Counsel	Conflict of Interest 2-A-5b	Investigation delayed pending resolution of Civil action		
79-26	9/24/79	Client	Relationship w/client 4-B-2,3	See 79-8- Consolidated		
79-34	10/11/79	Opposing Counsel	Interference w/justice 7N	Dismissed	Closed	6/3/80
79-36	10/30/79	Third Party	Misrepresentation/fraud 5B	Under investigation		
79-39	11/2/79	ABA	Improper advertising 8 A 2	Under investigation		
79-40	11/6/79	Client	Relationship w/client 4 B 2	Dismissed	Closed	6/30/80
79-41	11/8/79	Client	Relationship w/client 4 B 1	Dismissed	Closed	6/29/80
80-1	11/15/79	Client	Relationship w/client 4 B 2	Dismissed	Closed	5/7/80
80-3	2/20/80	ABA	Medical Incapacity	Attorney placed on inactive status by court order--dated 2/28/80--Atty appointed pursuant to ABR II-29--Practice in process of termination		

PAGE 4

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-4	1/30/80	Clients	Relationship w/client 4,B; Neglect 3,A	Under investigation		
80-5	2/11/80	Third Party	Interference w/justice	Petition for Formal Hearing filed, Consolidated with 79-2.		
80-6	2/26/80	Third Party	Solicitation 8-C-1	Dismissed	Closed	6/29/80
80-8	2/28/80	Magistrate	Interference w/justice 7-B-g	Dismissed	Closed	6/30/80
80-9	3/14/80	Third Party	Interference w/justice 7-D-2	Dismissed	Closed	4/22/80
80-10	3/3/80	ABA	Interference w/justice 7-B-(c) e)	Dismissed	Closed	6/4/80
80-11	4/12/80	Third Party	Misrepresentation/fraud 5-B	Under investigation		
80-12	4/21/80	Attorney	Trust violations 1 B & C	Abeyance Under investigation by District Attorney-Civil Action in progress		
80-13	4/25/80	Client	Relationship w/client 4-F	Unable to locate Resp.		
80-14	4/21/80	Client	Relationship w/client 4-B 1,2,3	Dismissed	Closed	6/30/80
80-15	5/7/80	Attorney/client	Trust violation 1-A2(d)	Dismissed	Closed	6/3/80

PAGE 5

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-16	5/14/80	ABA	Trust Violation 1-B & C	Abeyance, Criminal proceedings in progress. See 79-1.		
80-17	5/15/80	Attorney	Solicitation C-1	Under investigation		
80-18	5/15/80	ABA	Trust Violation 1A2,C	Investigation delayed. Civil action in progress.		
80-19	6/5/80	Wife	Misrepresentation/fraud 5-B	Dismissed	Closed	6/30/80

DISCIPLINE REPORT

January 1, 1980 - March 31, 1980

I. CASELOAD

1. Cases pending & carried forward on January 1, 1980	38
2. Cases filed or reactivated since January 1, 1980	10
TOTAL CASELOAD FOR PERIOD	48
3. Cases closed since January 1, 1980	
(a) Dismissed by Bar Counsel	19
(b) Informal Admonitions	1
(c) Disbarred	0
TOTAL	20
4. Total Pending Cases on March 31, 1980	28

II. STATUS OF PENDING ACTIVE CASES:

1. Investigative Stage:	
(a) To Committee Member for Advisory Opinion ..	0
(b) Bar Counsel	25
(c) Special Procedutor	1
(d) Matters held in abeyance	0
(e) Conciliation Panel	0
TOTAL	0
2. Before Board of Governors	0
3. Before Supreme Court	2
TOTAL PENDING ACTIVE CASES ON MARCH 31, 1980	28

III. REQUESTS FOR ASSISTANCE OR COMPLAINTS FOUND NOT TO BE VIOLATIONS OF THE CODE OF PROFESSIONAL RESPONSIBILITY

Number disposed of during this quarter 76

FEE ARBITRATION REPORT

January 1, 1980 - March 31, 1980

CASELOAD

1. Cases pending & carried forward on January 1, 1980	15
2. Cases filed since January 1, 1980	12
3. Cases Reactivated since January 1, 1980	1
TOTAL CASELOAD FOR PERIOD	28
4. Cases Closed since January 1, 1980	8
TOTAL PENDING CASES ON March 31, 1980	20

ALASKA BAR ASSOCIATION
SURVEY OF GRIEVANCES

In an effort to better inform the court, bar and public of the source and nature of grievances, and the areas of practice from which grievances arise, the following is a sample based on the files closed in the Bar Association office from January 1 to March 31, 1980.

In describing the nature of the grievance, only the most serious allegation is reflected. In fact, more grievances allege various acts of misconduct. It is not practical to attempt to reflect all allegations.

I. NATURE OF GRIEVANCE	#	%
1. Frust violations (embezzlement/ conversion/withholding client's property)	0	0
2. Conflict of Interest	1	5
3. Neglect (Failure to perform, delay abandonment)	2	10
4. Relationship with client	4	20
5. Misrepresentation/Fraud	1	5
6. Excessive Fees	0	0
7. Interference with justice	9	45
8. Improper advertising & solicitation	2	10
9. Criminal conviction	0	0
10. Personal Behavior	0	0
11. Failure to cooperate with investigation	0	0
12. Medical incapacity	0	5
13. Incompetence	1	0
14. Other	0	0
TOTAL	20	100%

An additional 76 matters were handled which did not involve violations of the Code of Professional Responsibility, but did involve an interview, require a response on the rendering of assistance to resolve the matter.

DISCIPLINARY REPORT
FIRST QUARTER

January 1, 1980 - March 31, 1980

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE
73/74-33	1/18/74	Client	Conflict of Interest 2A -3a	Informal Admonition	Closed	3/19/80
77-18	3/22/77	Third Party	Neglect--3 A & E	Petition for formal Hrg. held pending malpractice action	Investigation initially delayed because of absence of witness	
77-25	6/28/77	Client	Misrepresentation, Fraud 5-B	Dismissed Witnesses Unavailable	Closed	2/28/80
78-4	3/8/78	Fee Arb. Panel	Interference with Justice 7-T-1	Dismissed	Closed	3/18/80
78-13	6/2/78	Alaska Bar Assn.	Interference w/justice 7-B-1-f	Criminal Prosecution Dismissed Under Investigation		
78-15	6/19/78	Opposing Counsel	Interference w/justice 7-B-1-h	Dismissed	Closed	3/18/80
78-20	7/11/78	Alaska Bar Assn.	Misrep./Fraud 5-B	To Review Committee Member 9/27/78--To Hearing Committee 6/12/79--To BOG 10/16/79 To Supreme Court 10/31/79 Brief Submitted - Oral Argument Requested		
78-22	8/3/78	Opposing Counsel	Relationship w/client 4-A-2	Dismissed	Closed	3/28/80
78-25	10/4/78	Opposing Counsel	Interference w/justice 7-D-1	Dismissed	Closed	3/1/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
78-29	11/20/78	Client	Incompetence 13		Investigation pending resolution of civil malpractice suit	
79-1	2/9/79	Opposing Counsel	interference w/justice 7-D-1--Personal Behavior 10-B Failure to co-operate with Disciplinary Authorities 11-C-2		Petition for formal Hearing sent to Resp. 9/20/79. Answer received Investigation continuing on affirmative defenses	
79-2	3/6/79	Alaska Bar Assn.	Trust Violation 1-A 1,2c		Accounting in Process	
79-4	3/22/79	Alaska Bar Assn.	Criminal Conviction 9		Pet. for Formal Hrg. 4/24/79--Set for formal Hrg. 6/12/79-Rescheduled 7/12/79-- To BOG 9/8/79-- To Supreme Court 9/17/79 Briefs submitted-- Oral Argument 3/24/80	
79-6	5/3/79	Alaska Bar Assn.	Criminal Conviction 9		Supreme Court order Suspending Resp. issued 6/18/79--Resp. previously suspended for non-payment of dues--Present address unknown	

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-7	5/6/79	Alaska Bar Assn.	Interference w/justice 7-T-1	BOG assigned matter to special prosecutor-- Hearing before master held		
79-8	5/18/79	Alaska Bar Assn. Client	Relationship w/client 4-B-2,3 12 Complaints	ABR-29 Petition filed and granted--9/28/79--Attorney appointed--9/28/79--Motion to suspend for failure to pay dues filed 9/28/79 Respondent's address unknown		
79-9	7/17/79	Fee Arb. Panel	Conflict of Interest 2-A-1	Under Investigation		
79-13	5/19/79	Client	Neglect 3A,E	Dismissed	Closed	1/80
79-16	6/13/79	Judge	Incompetence 13	Dismissed	Closed	3/18/80
79-17	9/5/79	Third Party	Interference w/justice	Under Investigation		
79-18	9/4/79	Opposing Counsel	Conflict of Interest 2-A-5b	Investigation delayed pending resolution of civil action		
79-20	9/6/79	Opposing Counsel	Interference w/justice T-2	Dismissed	Closed	1/17/79
79-23	9/12/79	Client	Neglect--3 A,B	Dismissed	Closed	3/18/80
79-25	9/24/79	Alaska Bar Assn.	Improper Advertising 8-2	Dismissed	Closed	3/17/80
79-26	9/24/79	Client	Relationship w/ client 4-B-2,3	See 79-8 Consolidated		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-31	6/1/79	Judge	Interference w/justice 7-D-1	Dismissed	Closed	2/28/80
79-32	10/11/79	Client	Relationship w/Client 4 B 2	Dismissed	Closed	3/17/80
79-33	9/27/78	Third Party	Interference w/justice 7 G 2	Dismissed	Closed	2/22/80
79-34	10/11/79	Opposing Counsel	Interference w/justice 7N	Under Investigation		
79-36	11/30/79	Third Party	Misrepresentation/Fraud 5B	Under investigation		
79-38	10/30/79	Client	Relationship w/client 4E	Dismissed	Closed	3/17/80
79-39	11/2/78	Alaska Bar Assn,	Improper advertising 8 A 2	Under investigation		
79-40	11/6/79	Client	Relationship w/client 4 B 2	Under investigation		
79-41	11/8/79	Client	Relationship w/client 4 B 1	Under investigation		
79-42	9/26/79	Third Party	Solicitation 8 C 1	Dismissed	Closed	3/17/80
79-43	11/28/79	Attorney	Relationship w/client 4 B 3	Dismissed	Closed	1/14/80
79-44	11/29/79	Opposing Counsel	Interference w/justice 7 D 1	Dismissed	Closed	3/17/80

DISCIPLINARY REPORT

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-45	12/10/79	Third Party	Interference w/justice 7-0	Dismissed	Closed	3/19/80
80-1	11/15/79	Client	Relationship w/client 4-B-2	Under investigation		
80-2	9/27/79	Third Party	Interference w/justice 7-G-2	Dismissed	Closed	2/22/80
80-3	2/20/80	Alaska Bar Assn.	Medical Incapacity	Attorney placed on inactive status by court order-dated 2/28/80--Atty appointed pursuant to ABR II-29		
80-4	10/30/80	Clients	Relationship w/client 4,B; Neglect 3,A	Under Investigation		
80-5	2/11/80	Third Party	Interference w/justice	Under investigation		
80-6	2/26/80	Third Party	Solicitation 8-C-1	Under investigation		
80-7	2/28/80	Judge	Interference w/justice 7-B-g	Dismissed	Closed	3/25/80
80-8	2/28/80	Magistrate	Interference w/justice 7-B-g	Under investigation		
80-9	3/14/80	Third Party	Interference w/justice 7-D-2	Under investigation		
80-10	3/3/80	Alaska Bar Assn.	Interference w/justice 7-B-(c) (a)	Under investigation		

ALASKA BAR ASSOCIATION

BOARD MEMBERS

OFFICERS

WILLIAM B. ROZELL
PRESIDENT
JUNEAU

KAREN L. HUNT
PRESIDENT-ELECT
ANCHORAGE

STANLEY T. FISCHER
VICE PRESIDENT
KODIAK

HUGH G. WADE
SECRETARY
ANCHORAGE

ELIZABETH P. KENNEDY
TREASURER
ANCHORAGE

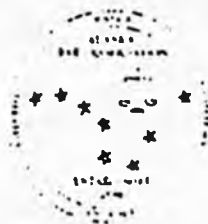
PO BOX 279
ANCHORAGE, ALASKA 99510
AREA CODE 907/272-7489

RANDALL P. BURNS EXECUTIVE DIRECTOR

MARVIN S. FRANKEL DISCIPLINARY ADMINISTRATOR AND BAR COUNSEL

WILLIAM P. BRYSON
STANLEY T. FISCHER
KAREN L. HUNT
ELIZABETH P. KENNEDY
EDWARD G. KING
JONATHAN H. LINK
WILLIAM B. ROZELL
RICHARD D. SAVELL
HUGH G. WADE

October 14, 1980



Hon. Jay A. Rabinowitz
Chief Justice
Alaska Supreme Court
604 Barnette Street
Fairbanks, Alaska 99701

Dear Chief Justice Rabinowitz:

RE: QUARTERLY REPORT OF DISCIPLINE ADMINISTRATOR

Enclosed, please find my report for the quarter ending September 30, 1980.

At the request of the Board of Governors, this report reflects some changes which I have instituted concerning the record keeping of this office.

The changes are in an interim stage and may or may not reflect the final decision on the manner of keeping the records of this office. Your indulgence would be appreciated.

Very truly yours,

ALASKA BAR ASSOCIATION

Marvin S. Frankel
State Bar Counsel

MSF/cc

Enclosures

cc: Justice Roger G. Connor
Justice Warren W. Matthews
Justice Edmond W. Burke
Randall P. Burns (for distribution to
the Board of Governors)

ALASKA BAR ASSOCIATION
SURVEY OF GRIEVANCES

In an effort to better inform the court, and the Bar of the source and nature of grievances, and the areas of practice from which grievances arise, the following is furnished based on the files of the Bar Association office.

In describing the nature of the grievance, only the most serious allegation is reflected. In fact, most grievances allege various acts of misconduct. It is not practical to attempt to reflect all allegations.

I. NATURE OF GRIEVANCE	#	%
1. Trust violations (embezzlement/ conversion/withholding client's property)	5	4.4
2. Conflict of Interest	4	3.5
3. Neglect (Failure to perform, delay, abandonment)	48	41.6
4. Relationship with client	12	10.4
5. Misrepresentation/fraud	7	6.1
6. Excessive Fees	7	6.1
7. Interference with justice	14	12.2
8. Improper advertising & solicitation	5	4.4
9. Criminal conviction	4	3.5
10. Personal Behavior	6	5.2
11. Wilful failure to cooperate with Discipline Authorities	0	0
12. Medical incapacity	2	1.7
13. Incompetence	1	.9
TOTAL	115	100%

FEE ARBITRATION REPORT

JULY 1, 1980 - SEPTEMBER 30, 1980

CASELOAD

1. Cases pending & carried forward on July 1, 1980 .	26
2. Cases filed since July 1, 1980	22
3. Cases Reactivated since July 1, 1980	3
TOTAL CASELOAD FOR PERIOD	51
4. Cases Closed since July 1, 1980	18
TOTAL PENDING CASES ON SEPTEMBER 30, 1980	33

DISCIPLINE REPORT

JULY 1, 1980 - SEPTEMBER 30, 1980

I. CASELOAD

1. Cases pending & carried forward on July 1, 1980.	22
2. Cases filed or reactivated since July 1, 1980.	79
TOTAL CASELOAD FOR PERIOD.	101
3. Cases closed since July 1, 1980.	60
(a) Dismissed by Bar Counsel	55
(b) Informal Admonitions.	3
(c) Disbarred	0
(d) Suspensions	2
TOTAL	60
4. Total Pending Cases on September 30, 1980.	43

II. STATUS OF PENDING ACTIVE CASES

1. Investigative State:	
(a) To Committee Member for Advisory Opinion.	2
(b) Bar Counsel	30
(c) Special Prosecutor	0
(d) Matters held in abeyance	8
(3) Conciliation Panel	0
2. Before Board of Governors	1
3. Before Supreme Court	2
TOTAL PENDING ACTIVE CASES ON SEPTEMBER 30, 1980	43

DISCIPLINARY REPORT

JULY 1, 1980 - SEPTEMBER 30, 1980

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
77-18	3/22/77	Third Party	Neglect	Complaint filed 7/25/80 - Time to answer extended 10/5/80		
78-13	6/2/78	ABA	Interference w/justice	Complaint filed 8/5/80 - Time to answer extended 10/10/80		
78-20	7/11/78	ABA	Misrep./fraud	Oral Argument before Supreme Court 6/24/80		
78-29	11/20/78	Client	Incompetence	Abeysance pending resolution of civil malpractice suit		
79-1	2/9/79	Opposing Counsel	Interference w/justice Personal Behavior Failure to co-op with Disciplinary Authorities	Complaint sent to Resp. 9/20/79. Answer received. Investigation cont'g on affirmative defenses. Resp. indicted on unrelated criminal charges. (See 80-16) Trial Set for 11/3/80		
79-2	3/6/79	ABA	Trust Violation	Complaint filed 7/14/80 - Hrg. set 10/6/80 - Guetschow, Chrm. Consolidated with 80-5.		
79-4	3/22/79	ABA	Criminal conviction	Supreme Court Decision 8/29/80 -	Suspension 4/5/79 To 4/5/81	8/29/80
79-6	5/3/79	ABA	Criminal Conviction	Supreme Court order Suspend Resp. issued 6/18/79	Suspension	8/30/80
79-7	5/6/79	ABA	Interference w/justice	Referred back to BOG from Master		
79-8	5/18/79	ABA	Relationship w/client	ABR-29 Pet. filed and granted 9/28/79 - Attorney appointed 9/28/79 - Motion to suspend for failure to pay dues filed 9/28/79. Disability Investigation pending.		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
79-9	7/17/79	ABA	Conflict of Int.	Informal Admonition	CLOSED	6/6/80
79-17	9/5/79	Third Party	Inter w/justice	No merit	DISMISSED	4/17/80
79-18	9/4/79	Opposing Counsel	Conflict of Int.	Abeyance pending resolution of Civil action.		
79-26	9/24/79	Client	Relationship w/client	See 79-8 -- Consolidated		
79-34	10/11/79	Opposing Counsel	Interference w/justice	No Merit	DISMISSED	6/3/80
79-36	10/30/79	Third Party	Misrep/fraud	Informal Admonition	CLOSED	7/16/80
79-39	11/2/79	ABA	Improper Adver.	Informal Admonition	CLOSED	5/17/80
79-40	11/6/79	Client	Relationship w/client	No Merit	DISMISSED	6/30/80
79-41	11/8/79	Client	Relationship w/client	No Merit	DISMISSED	6/29/80
80-1	11/15/79	Client	Relationship w/client	No Merit	DISMISSED	5/7/80
80-3	2/20/80	ABA	Medical Incapacity	Attorney placed on inactive status by Court Order dated 2/28/80 - Atty appointed pursuant to ABR II-29 - Practice in process of termination.		
80-4	1/30/80	Clients	Relationship w/client & Neglect	No Merit	DISMISSED	7/16/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-5	2/11/80	Third Party	Interference w/justice	Hrg. set 10/6/80 Consolidated with (79-2)		
80-6	2/26/80	Third Party	Solicitation	No Merit	DISMISSED	6/29/80
80-8	2/28/80	Magistrate	Interference w/justice	No Merit	DISMISSED	6/30/80
80-9	3/14/80	Third Party	Interference w/justice	No Merit	DISMISSED	4/22/80
80-10	3/3/80	ABA	Interference w/justice	No Merit	DISMISSED	6/4/80
80-11	4/12/80	Third Party	Misrep/fraud	Abeyance pending resolution of Civil Action		
80-12	4/21/80	Attorney	Trust violation	Abeyance pending resolution of Civil Action		
80-13	4/25/80	Client	Relationship w/client	Under investigation.		
80-14	4/21/80	Client	Relationship w/client	No Merit	DISMISSED	6/30/80
80-15	5/7/80	Attorney/client	Trust violation	No Merit	DISMISSED	6/3/80
80-16	5/14/80	ABA	Trust violation	Abeyance; Pending unrelated criminal trial		
80-17	5/15/80	Attorney	Solicitation	No Merit	DISMISSED	7/15/80
80-18	5/15/80	ABA	Trust violation	Abeyance pending resolution of Civil Action		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-19	6/5/80	Wife	Misrep/fraud	No Merit	DISMISSED	6/30/80
80-20	7/16/80	ABA	Criminal conviction	Informal Admonition	CLOSED	7/22/80
80-21	7/17/80	ABA	Relationship w/client	Under investigation (See 80-13)		
80-22	8/7/80	ABA	Solicitation	Under investigation		
80-23	6/3/80	Client	Personal Behavior	No Merit	DISMISSED	7/14/80
80-24	8/20/80	Client	Neglect	No Merit	CLOSED <i>Dismissed</i>	4/3/80
80-25	3/12/80	Client	Neglect (3 charges)	No Merit	DISMISSED	7/9/80
80-26	7/30/80	Client	Neglect	Under Investigation		
80-27	7/24/80	Third Party	Neglect	No Merit	DISMISSED	7/30/80
80-28	2/23/80	Client	Neglect	No Merit	DISMISSED	7/10/80
80-29	7/30/80	Client	Neglect	No Merit	DISMISSED	8/27/80
80-30	5/3/80	ABA	Criminal	No Merit	DISMISSED	9/3/80
80-31	7/31/80	Client	Neglect	No Merit	DISMISSED	8/27/80
80-32	8/27/80	Client	Neglect	Under Investigation		
80-33	7/11/80	Client	Relationship w/client	No Merit	DISMISSED	7/22/80
80-34	7/22/80	Client	Neglect	No Merit	DISMISSED	8/29/80
80-35	6/26/80	Client	Neglect	No Merit	DISMISSED	7/31/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE		STATUS	DISPOSITION	DATE CLOSED
80-36	6/23/80	Client	Neglect	No Merit		DISMISSED	7/31/80
80-37	8/5/80	Client	Neglect	Abeyance pending Criminal Proceeding in progress (See 80-16)			
80-38	7/29/80	Client	Neglect	No Merit		DISMISSED	7/29/80
80-39	4/25/80	Client	Neglect	No Merit		DISMISSED	7/1/80
80-40	8/6/80	Client	Neglect	No Merit		DISMISSED	8/7/80
80-41	8/18/80	ABA	Neglect	No Merit		DISMISSED	9/18/80
80-42	7/5/80	Client	Misrepresentation	No Merit		DISMISSED	7/18/80
80-43	7/14/80	Third Party	Neglect	No Merit		DISMISSED	8/8/80
80-44	8/12/80	Client	Neglect	No Merit		DISMISSED	9/9/80
80-45	5/27/80	Client	Neglect	No Merit		DISMISSED	5/28/80
80-46	4/8/80	Client	Relationship w/client	No Merit		DISMISSED	6/9/80
80-47	6/2/80	Client	Personal Behavior	No Merit		DISMISSED	6/17/80
80-48	3/26/80	Client	Intorference w/justice	No Merit		DISMISSED	4/11/80
80-49	4/24/80	Client	Neglect	No Merit		DISMISSED	4/30/80
80-50	1/16/80	Client	Personal Behavior	No Merit		CLOSED - Dismissed	4/11/80
80-51	5/9/80	Client	Personal Behvior	No Merit		DISMISSED	6/3/80
80-52	3/3/80	Attorney	Interference w/justice	No Merit		CLOSED - Dismissed	9/18/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-53	12/1/79	Client	Excessive fee	No Merit	CLOSED Dismissed	9/3/80
80-54	1/22/80	Client	Personal Behavior	No Merit	CLOSED Dismissed	4/11/80
80-55	4/1/80	Client	Relationship w/client	Under investigation		
80-56	4/10/80	Attorney	Excessive fee	No Merit	DISMISSED	4/11/80
80-57	4/17/80	Attorney	Solicitation	Under investigation		
80-58	3/15/80	Client	Neglect	No Merit	DISMISSED	4/4/80
80-59	3/11/80	Client	Neglect	No Merit	CLOSED Dismissed	5/9/80
80-60	2/26/80	Client	Interference w/justice	No Merit	CLOSED Dismissed	9/4/80
80-61	9/4/80	Client	Neglect	Under investigation		
80-62	2/25/80	Client	Neglect	Under investigation		
80-63	4/25/80	Client	Neglect	No Merit	DISMISSED	9/18/80
80-64	5/27/80	Client	Neglect	Under investigation		
80-65	5/24/80	Client	Neglect	No Merit	DISMISSED	9/4/80
80-66	8/8/80	Client	Neglect	Under investigation		
80-67	7/11/80	Client	Neglect	No Merit	DISMISSED	8/29/80
80-68	5/21/80	Client	Neglect	No Merit	DISMISSED	9/16/80
80-69	7/1/80	Client	Neglect	No Merit	DISMISSED	9/23/80
80-70	8/5/80	Client	Neglect	Under investigation		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-71	5/14/80	Client	Conflict of Interest	Under Investigation		
80-72	4/7/80	Client	Misrepresentation	No Merit	DISMISSED	9/10/80
80-73	9/9/80	Client	Misrepresentation	No Merit	DISMISSED	9/10/80
80-74	9/9/80	Client	Neglect	Abeyance pending Fee Arb FA 38-80		
80-75	3/25/80	Client	Neglect	No Merit	DISMISSED	9/29/80
80-76	6/27/80	Client	Neglect	No Merit	DISMISSED	9/29/80
80-77	9/4/80	Client	Neglect	Under investigation		
80-78	9/4/80	Client	Neglect	Under investigation		
80-79	2/14/80	ABA	Medical Incapacity	Under Investigation		
80-80	9/11/80	Third Party	Personal Behavior	No Merit	DISMISSED	9/18/80
80-81	9/18/80	Client	Neglect	Under investigation		
80-82	3/10/80	Client	Neglect	No Merit	DISMISSED	9/16/80
80-83	4/4/80	Client	Excessive fee	Under investigation		
80-84	8/25/80	Client	Neglect	No Merit	DISMISSED	9/18/80
80-85	4/16/80	Client	Neglect	No Merit	DISMISSED	9/18/80
80-86	4/22/80	Client	Excessive fee	No Merit	DISMISSED	9/29/80
80-87	6/3/80	Client	Excessive fee	Under investigation		
80-88	5/18/80	Client	Neglect	No Merit	DISMISSED	8/29/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-89	3/21/80	Client	Neglect	No Merit	DISMISSED	9/8/80
80-90	4/7/80	Client	Neglect	Under investigation		
80-91	9/19/80	Client	Excessive fee	Under investigation		
80-92	9/19/80	Attorney	Interference w/justice	Under investigation		
80-93	5/13/80	Client	Neglect	No Merit	DISMISSED	9/23/80
80-94	9/22/80	Attorney	Neglect	Under investigation		
80-95	9/23/80	ABA	Conflict of Interest	Under investigation		
80-96	9/23/80	Client	Interference w/justice	Under investigation		
80-97	9/16/80	Client	Excessive fee	No Merit	DISMISSED	9/24/80
80-98	9/23/80	Client	Neglect	No Merit	DISMISSED	9/25/80

ALASKA BAR ASSOCIATION

PO BOX 279
ANCHORAGE, ALASKA 99510
AREA CODE 907/272-7469

RANDALL P. BURNS EXECUTIVE DIRECTOR
MARVIN S. FRANKEL DISCIPLINARY ADMINISTRATOR AND BAR COUNSEL

BOARD MEMBERS

WILLIAM P. BRYSON
STANLEY T. FISCHER
KAREN L. HUNT
ELIZABETH P. KENNEDY
EDWARD G. KING
JONATHAN H. LINK
WILLIAM B. ROZELL
RICHARD D. SAVELL
HUGH G. WADE

OFFICERS

WILLIAM B. ROZELL
PRESIDENT
JUNEAU
KAREN L. HUNT
PRESIDENT-ELECT
ANCHORAGE
STANLEY T. FISCHER
VICE PRESIDENT
KODIAK
HUGH G. WADE
SECRETARY
ANCHORAGE
ELIZABETH P. KENNEDY
TREASURER
ANCHORAGE



January 8, 1981

Hon. Jay A. Rabinowitz
Chief Justice
Alaska Supreme Court
604 Barnette Street
Fairbanks, Alaska 99701

RE: QUARTERLY REPORT OF DISCIPLINE ADMINISTRATOR

Dear Chief Justice Rabinowitz:

Enclosed, please find my report for the quarter ending December 31, 1980.

I have added statistics on Fee Arbitration files which may be of interest to you.

Very truly yours,
ALASKA BAR ASSOCIATION

Marvin S. Frankel
State Bar Counsel

MSF/cc

Enclosures

cc: Justice Roger G. Connor
Justice Warren W. Matthews
Justice Edmond W. Burke
Randall P. Burns (for distribution to the Board of Governors)

FEE ARBITRATION REPORT

OCTOBER 1, 1980 - DECEMBER 31, 1980

CASELOAD

1.	Cases pending & carried forward on October 1, 1980	33
2.	Cases filed since October 1, 1980.	12
3.	Cases reactivated since October 1, 1980.	0
	TOTAL CASELOAD FOR PERIOD	45
4.	Cases Closed since October 1, 1980	<u>17</u>
	TOTAL PENDING CASES ON DECEMBER 31, 1980	28

FEE ARBITRATION

4th QUARTER 1980

FILE NO.	DATE FILED	AMOUNT	STATUS	DISPOSITION	DATE CLOSED
FA 16-79	8/28/79	(\$500.00)	Reopened 3/18/80 See discipline 78-1	Abeyance - Medical Dis.	
FA 34-79	12/21/79	(\$2,973.59)	Turned back to Discipline Administrator	CLOSED	11/24/80
FA 5-80	2/8/80	(\$6,850.00)	File in Ketchikan - Awaiting Decision Decision requested 12/3/80		
FA 9-80	3/5/80	(\$5,000.00)	\$4,400.00 awarded to Respondent	CLOSED	11/26/80
FA 13-80	4/15/80	(\$9,000.00)	File in Juneau - Awaiting decision Decision requested 12/2/80		
FA 15-80	4/28/80	(\$2,900.00)	Mr. Day died 6/23/80	CLOSED	11/6/80
FA 18-80	5/28/80	(\$1,000.00)	See FA 16-79. See discipline 78-1	Abeyance - Medical Dis.	
FA 19-80	5/30/80	(\$1,500.00+)	File in Ketchikan - Awaiting Decision Decision requested 12/2/80		
FA 20-80	6/2/80	(\$9,920.73)	Panel Decision referred back to Discipline Action. See 80-95.	CLOSED	11/7/80
FA 25-80	6/16/80	(\$3,750.00)	\$3,750.00 awarded to Respondent	CLOSED	11/13/80
FA 27-80	7/14/80	(\$1,200.00)	Awaiting Decision from Panel 12/15/80		
FA 29-80	8/4/80	(\$3,000.00)	\$2,657.50 awarded to Respondent	CLOSED	10/30/80
FA 30-80	8/6/80	(4,000.00)	Awaiting Decision from Panel 9/30/80		
FA 31-80	8/26/80	(\$1,200.00)	Settled by parties	CLOSED	10/27/80
FA 32-80	8/26/80	(\$20,000.00)	To be scheduled after Jan. 15, 1981		

FILE NO.	DATE FILED	AMOUNT	STATUS	DISPOSITION	DATE CLOSED
FA 33-80	9/3/80	(\$70,800.00)	Scheduled for cont'd hearing Jan. 27, 1981		
FA 34-80	9/3/80	(\$?)	File in Fairbanks - Awaiting Decision Decision requested 12/3/80		
FA 35-80	9/4/80	(\$45,693.75)	Settled between parties	CLOSED	11/13/80
FA 37-80	9/11/80	(\$2,500.00)	Complaint withdrawn	CLOSED	11/25/80
FA 38-80	9/12/80	(\$1,900.00)	Complaint withdrawn	CLOSED	11/4/80
FA 39-80	9/17/80	(\$618.70)	\$618.70 awarded to Respondent	CLOSED	11/24/80
FA 40-80	4/23/80	(\$1,000.00)	Complaint withdrawn	CLOSED	11/6/80
FA 41-80	4/14/80	(\$1,450.00)	Awaiting further notice from Complainant 12/23/80		
FA 42-80	9/8/80	(\$598.00)	File in Sitka - Awaiting hearing File sent 11/5/80		
FA 43-80	4/2/80	(\$600.00)	Unable to locate complainant		
FA 44-80	9/15/80	(\$?)	File in Fairbanks - Awaiting hearing File sent 12/2/80		
FA 45-80	9/9/80	(\$?)	Complaint withdrawn	CLOSED	11/6/80
FA 46-80	9/18/80	(\$168.00)	Settled between parties	CLOSED	12/3/80
FA 47-80	9/22/80	(\$13,530.70)	To be scheduled after March 1, 1981		
FA 48-80	9/23/80	(\$971.50)	Awaiting response from complainant		
FA 49-80	9/26/80	(\$1,500.00)	Complaint withdrawn	CLOSED	11/18/80
FA 50-80	9/29/80	(\$?)	Complaint withdrawn	CLOSED	10/9/80

FILE NO.	DATE FILED	AMOUNT	STATUS	DISPOSITION	DATE CLOSED
FA 51-80	9/29/80	(\$4,538.48)	Complaint withdrawn	CLOSED	10/20/80
FA 52-80	10/3/80	(\$400.00)	To be scheduled after Jan 15, 1981		
FA 53-80	10/22/80	(\$4,781.74)	No response from complainant		
FA 54-80	11/5/80	(\$24,589.96)	No response from complainant since 12/3/80		
FA 55-80	11/10/80	(\$1,000.00)	Complainant and Respondent to have meeting - Awaiting results of same.		
FA 56-80	10/29/80	(\$170.00)	Awaiting response from complainant		
FA 57-80	11/20/80	(\$194.00)	Awaiting response from complainant		
FA 58-80	11/24/80	(\$1,337.27)	Abeyance until Jan. 12, 1981		
FA 59-80	11/24/80	(\$500.00)	Awaiting response from Respondent		
FA 60-80	12/4/80	(\$?)	Awaiting Fee Arb forms from complainant		
FA 61-80	12/8/80	(\$33,333.33)	Hearing scheduled Jan. 20, 1981 - See 80-133.		
FA 62-80	12/18/80	(\$3,673.00)	To be set for hearing after Jan 12, 1981		
FA 63-80	12/17/80	(\$94,000.00)	File to be sent to Fairbanks for hearing - 1/8/81		

ALASKA BAR ASSOCIATION
SURVEY OF GRIEVANCES

In an effort to better inform the Court, and the Bar of the source and nature of grievances, and the areas of practice from which grievances arise, the following is furnished based on the files of the Bar Association office.

In describing the nature of the grievance, only the most serious allegation is reflected. In fact, most grievances allege various acts of misconduct. It is not practical to attempt to reflect all allegations.

I. NATURE OF GRIEVANCE	#	%
1. Trust violations (embezzlement/ conversion/withholding client's property)	4	4.65
2. Conflict of Interest	8	9.30
3. Neglect (Failure to perform, delay, abandonment)	32	37.21
4. Relationship with client	6	6.98
5. Misrepresentation/fraud	6	6.98
6. Excessive Fees	6	6.98
7. Interference with justice	16	18.60
8. Improper advertising & solicitation	3	3.49
9. Criminal conviction	1	1.16
10. Personal Behavior	1	1.16
11. Wilful failure to cooperate with Discipline Authorities	0	0
12. Medical incapacity	2	2.33
13. Incompetence	1	1.16
TOTAL	86	100%

DISCIPLINE REPORT

OCTOBER 1, 1980 - DECEMBER 31, 1980

I. CASELOAD

1.	Cases pending & carried forward on October 1, 1980.	43
2.	Cases filed or reactivated since October 1, 1980.	43
	TOTAL CASELOAD FOR PERIOD	86
3.	Cases closed since October 1, 1980.	31
	(a) Dismissed by Bar Counsel	26
	(b) Informal Admonitions	4
	(c) Disbarred.	-0-
	(d) Suspensions.	1
	TOTAL.	31
4.	Total Pending Cases on December 31, 1980.	55

II. STATUS OF PENDING ACTIVE CASES

1.	Investigative State:	
	(a) To Committee Member for Advisory Opinion	-0-
	(b) Bar Counsel.	42
	(c) Special Prosecutor	1
	(d) Matters held in abeyance	7
	(e) Hearing Committee	2
2.	Before Board of Governors	2
3.	Before Supreme Court.	1
	TOTAL PENDING ACTIVE CASES ON DECEMBER 31, 1980	55

DISCIPLINARY REPORT

OCTOBER 1, 1980 - DECEMBER 31, 1980

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
77-18	3/22/77	Third Party	Neglect	Hearing Continued to 2/6/81		
78-13	6/2/78	ABA	Interference w/justice	Hearing scheduled on or about 4/15/81		
78-20	7/11/78	ABA	misrep./fraud	Supreme Court Decision 12/3/80	Five year suspension 10/31/79 to 10/31/84	12/10/80
78-29	11/20/78	Client	Incompetence	Abeyance pending resolution of Civil malpractice suit		
79-1	2/9/79	Opposing Counsel	Interference w/justice Personal Behavior Failure to co-op with Disciplinary Authorities	Defendant acquitted of Criminal Charges. Under investigation. (80-16, 80-37)		
79-2	3/6/79	ABA	Trust Violation	To Board of Governors 1/26/81		
79-7	5/6/79	ABA	Interference w/justice	Under investigation		
79-8	5/18/79	ABA	Relationship w/client	MR-29 Pet. filed and granted 9/28/79 - Attorney appointed 9/28/79 - Motion to suspend for failure to pay dues filed 9/28/79. Disability investigation pending.		
79-18	9/4/79	Opposing Counsel	Conflict of Interest	Abeyance pending resolution of Civil action.		
79-26	9/24/79	Client	Relationship w/client	See 79-8 -- Consolidated		
80-3	2/20/80	ABA	Medical Incapacity	12/2/80 - Application for Reinstatement		
80-5	2/11/80	Third Party	Interference w/justice	See 79-2 - To BOG 1/26/81		
80-11	4/11/80	Third Party	Misrep/fraud	Abeyance pending resolution of Civil action.		
80-12	4/21/80	Attorney	Trust violation	Abeyance pending resolution of Civil action.		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-13	4/25/80	Client	Relationship w/client	Informal Admonition	CLOSED	10/31/80
80-16	5/14/80	ABA	Trust violation	See 79-1.		
80-18	5/15/80	ABA	Trust violation	Abeyance pending resolution of Civil action.		
80-21	7/17/80	ABA	Relationship w/client	Informal Admonition (See 80-13)	CLOSED	10/31/80
80-22	8/7/80	ABA	Solicitation	Informal Admonition	CLOSED	10/31/80
80-26	7/30/80	Client	Neglect	Under Investigation		
80-32	8/27/80	Client	Neglect	Under Investigation		
80-37	8/5/80	Client	Neglect	See 79-1, 80-16.		
80-55	4/1/80	Client	Relationship w/client	No Merit	DISMISSED	10/2/80
80-57	4/17/80	Attorney	Solicitation	Under Investigation		
80-61	9/4/80	Client	Neglect	No Merit	DISMISSED	11/11/80
80-62	2/25/80	Client	Neglect	No Merit	DISMISSED	10/9/80
80-64	5/27/80	Client	Neglect	No Merit	DISMISSED	10/9/80
80-66	8/8/80	Client	Neglect	No Merit	DISMISSED	10/11/80
80-70	8/5/80	Client	Neglect	No Merit	DISMISSED	10/16/80
80-71	5/14/80	Client	Conflict of Interest	Pending Civil litigation 8/1/81.	Abeyance	
80-74	9/9/80	Client	Neglect	No Merit	DISMISSED	11/4/80

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-77	9/4/80	Client	Neglect	No Merit	DISMISSED	10/29/80
80-78	9/4/80	Client	Neglect	Under Investigation		
80-79	2/14/80	ABA	Medical Incapacity	No Merit	DISMISSED	11/11/80
80-81	9/18/80	Client	Neglect	No Merit	DISMISSED	11/13/80
80-83	4/4/80	Client	Excessive fee	No Merit	DISMISSED	10/9/80
80-87	6/3/80	Client	Excessive fee	No Merit	DISMISSED	10/9/80
80-90	4/7/80	Client	Neglect	No Merit	DISMISSED	10/9/80
80-91	9/19/80	Client	Excessive fee	Under Investigation		
80-92	9/19/80	Attorney	Interference w/justice	No Merit	DISMISSED	12/22/80
80-94	9/22/80	Client	Neglect	Informal Admonition	CLOSED	11/19/80
80-95	9/23/80	ABA	Conflict of Interest	Under Investigation		
80-96	9/23/80	Client	Interference w/justice	Under Investigation		
80-99	10/2/80	Client	Neglect	No Merit	DISMISSED	11/18/80
80-100	10/9/80	Client	Interference w/justice	Abeyance pending adjudication by Court		
80-101	10/9/80	Client	Neglect	No Merit	DISMISSED	10/9/80
80-102	10/9/80	Client	Conflict of Interest	No Merit	DISMISSED	11/1/80
80-103	10/9/80	Client	Interference w/justice	Under Investigation		

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-104	10/20/80	ABA	Criminal Conviction	Awaiting Supreme Court Order		
80-105	10/16/80	Client	Neglect	No Merit	DISMISSED	10/20/80
80-106	10/17/80	Attorney	Neglect	Under Investigation		
80-107	10/20/80	Client	Excessive fees	No Merit	DISMISSED	10/31/80
80-108	10/20/80	Client	Interference w/justice	No Merit	DISMISSED	12/22/80
80-109	10/20/80	Client	Conflict of Interest	Under Investigation		
80-110	10/29/80	Client	Neglect	Under Investigation		
80-111	11/3/80	Client	Personal Behavior	No Merit	DISMISSED	11/14/80
80-112	11/4/80	Client	Neglect	No Merit	DISMISSED	11/4/80
80-113	11/4/80	Client	Neglect	Under Investigation		
80-114	11/4/80	Client	Conflict of Interest	Under Investigation		
80-115	11/4/80	Client	Neglect	Under Investigation		
80-116	11/7/80	ABA	Interference w/justice	Under Investigation		
80-117	11/10/80	Client	Neglect	No Merit	DISMISSED	11/10/80
80-118	11/10/80	Client	Neglect	No Merit	DISMISSED	11/10/80
80-119	11/14/80	Client	Neglect	No Merit	DISMISSED	12/16/80
80-120	11/14/80	Client	Conflict of Interest	Under Investigation		
80-121	11/14/80	Client	Misrepresentation	Under Investigation		

PAGE 5

FILE NO.	DATE FILED	COMPLAINANT'S RELATIONSHIP TO RESPONDENT	MOST SERIOUS CHARGE	STATUS	DISPOSITION	DATE CLOSED
80-122	11/17/80	ABA	Advertisizing	Under Investigation		
80-123	11/19/80	Client	Relationship w/client	Under Investigation		
80-124	11/24/80	Client	Interference w/justice	Under Investigation		
80-125	11/25/80	Client	Neglect	Investigation by H. Berkowitz		
80-126	11/25/80	Client	Neglect	Under Investigation		
80-127	12/2/80	Client	Misrepresentation	Under Investigation		
80-128	12/3/80	Client	Interference w/justice	Under Investigation		
80-129	12/3/80	Client	Interference w/justice	Under Investigation		
80-130	12/5/80	Client	Misrepresentation	Under Investigation		
80-131	12-5-80	Client	Neglect	Under Investigation		
80-132	12/8/80	Client	Neglect	No Merit	DISMISSED	12/9/80
80-133	12/9/80	Client	Excessive fees	Under Investigation		
80-134	12/9/80	Client	Conflict of Interest	Under Investigation		
80-135	12/9/80	Client	Interference w/justice	Under Investigation		
80-136	12/9/80	Client	Interference w/justice	Under Investigation		
80-137	12/17/80	Client	Neglect	Under Investigation		
80-138	12/19/80	Client	Excessive fees	Under Investigation		
80-139	12/22/80	Client	Neglect	Under Investigation		
80-140	12/23/80	Client	Interference w/justice	Under Investigation		
80-141	12/29/80	Client	Fraud and deceit	Under Investigation		

MISCELLANEOUS MATTERS

<u>PETITIONER</u>	<u>NATURE OF CASE</u>	<u>STATUS</u>
1. Eyerly	Admissions - ABA approved Law School	Pending Supreme Court Oral Argument.
2. (Confidential)	Admissions - Method of Grading Bar Exam	Petition denied by B.O.G. 9-6-80.
3. Santos	Admissions - ABA approved Law School	Petition for certification - U.S. Supreme Court 7-10-80.
4. Shuley	Admissions - 30 day residency requirement	Awaiting Supreme Court Decision on Petitioner's Motion for Attorney Fees and Costs.
5. Schroeter	Rule 81 Opposition - Superior Court	Decision favorable to Petitioner - Case closed.
6. Urie Pond Craviotto	Admissions - ABA approved Law School	Supreme Court Decision Upholding Alaska Bar Rule - 9-26-80 Case closed.
7. (Confidential)	Petition for Reinstatement	Pending action by Supreme Court.
8. (Confidential)	Admissions - Notified passed bar, then notified to contrary.	Assigned to Master - Case closed 9-18-80.
9. (Confidential)	Admissions - Unlawful practice of Law	B.O.G. denied approval 9-6-80.

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

SB 392 Continuing the existence of the Board of Governors of the Alaska Bar Association and amending the statutes relating to the practice of law in the state; and providing for an effective date."

- 1) Extends Board of Governors for three years.
- 2) Puts three lay members on Board, one each from: 1st District, 2nd and 4th combined, and 3rd District. Members are appointed by Governor and confirmed by Legislature.
- 3) Allows the Board to establish classification of members and fees.
- 4) Allows Board to establish programs and certificates for continuing legal education.
- 5) Allows Board to certify attorneys as specialists.

WORK ORDER REQUEST FORM

56 392

M2- 1202

KEYWORDS: amendments
rules on commissions

ASSIGNED TO brauley

REQUEST FOR: BILL RESOLUTION RESEARCH OTHER

SUBJECT _____

REQUESTED FOR _____ BY _____ EXT. _____

* DELIVER TO _____ TAKEN BY _____

INSTRUCTIONS, EXPLANATIONS _____

3/27
Cancelled by Kevin Bruce
3/27 Reopened with new draft
to be used. jk

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

TO REQUESTER

APPROVED: _____ Director, Legal Services

REVIEWED _____

IN _____ DUE _____

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

Senate passes bar panel bill

Associated Press

Juneau — The Senate has voted 11-6 to extend the life of the board of governors of the Alaska Bar Association, and to add three people to the board who are not lawyers.

The bill (SB392) introduced by Judiciary Chairman Pat Rodey, D-Anchorage, continues the board until June 30, 1984. The board will die under sunset legislation unless the bill gains final approval.

Under the bill, the governor would have the authority to appoint the three non-bar members to the board. Other members are chosen by bar members. The legislation also would prevent the board from meeting outside of Alaska.

Sen. Charles Parr, D-Fairbanks, gave notice of reconsideration on the bill, which means it may come up for another vote today.

In other action, the Senate unanimously approved a bill (SB101) that would allow the Alaska Teachers' Retirement Board to adopt regulations relating to the Teachers' Retirement System.

Sen. Bill Ray, D-Juneau, said the measure would give the people in the retirement system a voice in the way in which it is run.

NOTE REGARDING THE FOLLOWING FRAME ON MICROFILM:

COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES
IN ALASKA STATE ARCHIVES. TITLE PAGE ONLY HAS
BEEN FILMED.

THE ALASKA BAR ASSOCIATION



February 1980