

S B

1 0 1

BILL FILE LOG

BILL # SB 101

1/25 Original bill

1/25 Phone call - Legal Services - ^{from} Terry Kramer

Bill requires correction on page 1, line 25
S/B AS 08.08.137

1/25 CSSB101 delivered

1/29 Bill passed out

CSSB 101 (Judiciary)

Amendment #1

By Rodey

Delete lines 15 - 17 and insert:

"in the processing of fingerprints of applicants seeking admission to the Alaska Bar Association and shall release the resulting information to the Association."

Original sponsor: Judiciary Committee

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 101 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to character investigation and
7 fingerprinting of applicants to the Alaska Bar Association;
8 and amending Rule 3, section 2 and Rule 5,
9 section 1(b) of the Rules of the Alaska Bar Association."
10

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

12 * Section 1. AS 08.08 is amended by adding new sections to read:

13 Sec. 08.08.136. ASSISTANCE FROM LAW ENFORCEMENT OFFICERS. State
14 and local law enforcement officers shall assist the Board of Governors
15 in an investigation into the conduct of members of the bar and into
16 the character and fitness of an applicant for admission or reinstatement
17 to the bar.

18 Sec. 08.08.137. FINGERPRINTS. The Board of Governors shall
19 require an applicant for admission to be fingerprinted. The fingerprints
20 shall be used to determine whether the applicant has a record
21 of criminal convictions in this state or another jurisdiction. The
22 Board of Governors may use the information obtained from the fingerprinting
23 only in its official determination of the character and
24 fitness of the applicant for admission to the Alaska Bar Association.

25 * Sec. 2. AS 08.08.137, enacted by sec. 1 of this Act, has the effect
26 of amending section 2 of Rule 3 and section 1(b) of Rule 5 of the Rules of
27 the Alaska Bar Association by requiring applicants for admission to the bar
28 to submit to fingerprints.

29 * Sec. 3. AS 08.08.137, enacted by sec. 1 of this Act, applies to

1 general applicants for admission who take a bar examination after July 31,
2 1985, and to attorney applicants who move for admission after the effective
3 date of this Act.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BOARD OF GOVERNORS

ALASKA BAR ASSOCIATION

P.O. BOX 100279
ANCHORAGE, ALASKA 99510
AREA CODE 907/272-7469

RANDALL P. BURNS, EXECUTIVE DIRECTOR

STEPHEN J. VAN GOOR, DISCIPLINARY ADMINISTRATOR AND BAR COUNSEL



BOARD MEMBERS

PAUL A. BARRETT
JUDITH J. BAZELEY
HARRY BRANSON
HAROLD M. BROWN
R. STANLEY DITUS
GAIL ROY FRATIES
ANDONIA HARRISON
BRUCE E. GAGNON
RONALD W. LORENSEN
NIESJE STEINKRUGER
GLENDA J. STRAUBE
LEW M. WILLIAMS

OFFICERS

HAROLD M. BROWN
PRESIDENT
KETCHIKAN

HARRY BRANSON
PRESIDENT-ELECT
ANCHORAGE

GAIL ROY FRATIES
VICE-PRESIDENT
ANCHORAGE

PAUL A. BARRETT
SECRETARY
FAIRBANKS

LEW M. WILLIAMS
TREASURER
KETCHIKAN

January 22, 1985

The Honorable Patrick Rodey, Chair
Senate Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Rodey:

The Alaska Bar Association would like to ask your assistance in the enactment of legislation relating to the character investigation of applicants seeking admission to the Bar. Specifically, we are seeking enactment of legislation that would allow the Alaska Bar Association to utilize the services of the Federal Bureau of Investigation (FBI) in processing the fingerprint cards submitted by applicants for admission to the Bar. Currently the cards are submitted for processing only in Alaska. The Bar Association has approval as a secondary user of AJIS, and the Alaska Department of Public Safety routinely provides us information contained within AJIS on applicants. In most cases, however, this reflects only arrests, convictions, suspended imposition of sentences, etc., for in-state violations.

Prior to 1981 the Association's fingerprint cards were also processed by the FBI. FBI rules were subsequently changed to require statutory authority for the submission of fingerprint cards to the FBI and the dissemination of information by the FBI to bar associations. Therefore, I write to ask your support for and sponsorship of such legislation.

As you are probably aware, many applicants seeking admission to the Alaska Bar are not residents of this state and have not lived here for any significant period of time prior to attending law school. In addition, effective January 1, 1985, the Alaska Supreme Court approved amendments to the Bar Rules which allow

January 22, 1985

for admission without examination (reciprocity). This will most likely bring more applicants from other states who have been out of school for a longer period of time.

Having access to FBI records, which contain information submitted by all states, would enhance our character investigation and background check on bar applicants, and assist us in adding a further level of protection to the public.

I have taken the liberty of enclosing suggested language for such legislation. As the attached correspondence indicates, the FBI has approved similar language in other jurisdictions.

Any support you could give the Association in the submission of a short bill for this purpose would be greatly appreciated. Thank you for your time and consideration of this matter. Should you need additional information, please do not hesitate to contact me.

Sincerely,

ALASKA BAR ASSOCIATION



Deborah O'Regan
Acting Executive Director

Enclosure

cc: Members, Board of Governors

ALASKAN INVESTIGATIONS

5750 GLACIER HIGHWAY, A-11 • JUNEAU, ALASKA 99801 • (907) 780-8816

March 4, 1985

Honorable Patrick Rodey
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Rodey:

In regards to Senate Bill #101, I am in favor with fingerprinting of applicants for admission to the Alaska Bar Association. However, the processing of fingerprints by a law enforcement officer is not always a good procedure simply because a lot of the law enforcement officers are not properly trained to take a good set of inked fingerprints. At one point of their training they are instructed on how to take inked impressions, but it is not something they do all the time. Unless you are a trained fingerprint expert, such as myself, you don't always know if the set of prints you took will be good enough to go through the remaining procedure. The procedure can be done completely if the inked impressions are done properly. There are a lot of variables to obtaining a good set of prints.

Spending several years with the Alaska State Troopers Crime Lab, Fingerprint Section, I ran across just about all the problems that can be encountered in the taking of inked impressions, and the majority of it was due to lack of training.

As the owner of Alaskan Investigations, a complete fingerprint lab, I hope this information will be of help to you on SB #101, and would be available for any further questions you may have in reference to fingerprinting.

Sincerely,



Robert C. Brookshire
Owner



Bobbie G. Brookshire



S. Van Valkenburg

RCB/bb

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 101 (Jud)
 Title: Character Investigation and Fingerprinting
 Sponsor: Senate Judiciary
 Requestor: House Judiciary
 Date of Request: 2-12-85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: _____
Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Paul Conger Phone: 465-4338
 Division: Administrative Services Date: 2-12-85

Approved by Commissioner: [Signature] Date: 2-14-85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84