

ALASKA LEGISLATURE COMMITTEE FILES 1900-1900 00/2
4004 SJUD CORRESPONDENCE 1986 - ALASKA BAR ASSOC., GEN. INFO. 880

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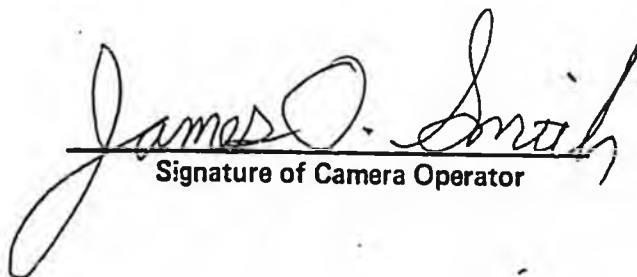
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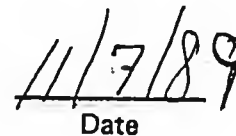


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Signature of Camera Operator


Date

COMMITTEE
CORRESPONDENCE,
1986

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

January 13, 1986

Mary Antonson
2024 Waldron Dr.
Anchorage, AK 99507

Dear Ms. Antonson:

Thank you for sharing with me your concerns, as a corporate shareholder, regarding the proposed corporations code revision. I will forward a copy of your comments to the House Judiciary Committee so that they may include your thoughts in their deliberations also.

Please don't hesitate to contact me again regarding this or any other issue of interest to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat", written over the word "Sincerely,".

Patrick M. Rodey

PMR/acp

December 30, 1985

Senator Patrick M. Rodey,
Pouch V,
Juneau, Alaska 99811

Dear Senator Rodey:

Thank you for your prompt answer to my request in seeking background information regarding House and Senate Joint Journal Supplement #8 regarding the proposed revision of Alaska Corporate Code.

My children, who are grown, have requested that I write on their behalf also in this letter and the previous one I mailed to you in November regarding these proposed revisions. We are shareholders in the Sealaska Native Corporation, and had heard that there were proposed bills in the State Legislature which would affect our situation as shareholders. Hence, we have an earnest interest in the status of these bills.

If you were a shareholder in a Native Corporation, such as ours, Sealaska, and had waited 14 years to receive some form of appreciable benefit from the corporation, and had not been satisfied to the present time, I am sure you, also, would be apprehensive about what proposals were being made which would affect your future.

You are probably aware that the AFN has also been lobbying the U.S. Congress to prohibit us (shareholders) from selling our stock in 1991 on the market, but would have to sell back to the corporation, at the price they determine with the stock being devalued (without land value), which would ultimately leave the stock virtually worthless. The corporate entity could then repurchase our stock cheaply from us, but paradoxically could receive generated income from stock containing the land value.

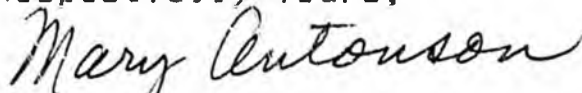
In addition to the above efforts by our trusted leaders, we now have their efforts in lobbying our State government to allow passage of these bills which are heavily pro-management, in my opinion. I have listed on the attached papers, my comments relative to various sections and language contained in these bills.

We also are concerned that the AFN has had so much impact in supporting these bills, when this organization is not a shareholder under ANCSA and

does not own any stock. Is this a legal entity in representing the wishes of the vast majority of Alaska Native shareholders? These proposals to amend Alaska Corporate Code are too serious to us, to be passed without careful and cautious deliberation by your committee.

We appreciate your serious concerns about these bills, and request that you also view these revisions from the shareholder perspective. Thank you for allowing us to express our opinions, on behalf of my son, Michael O. Smith, daughters, Diana L. Smith, Sylvia Lythgoe and myself.

Respectfully Yours,

A handwritten signature in cursive script that reads "Mary Antonson".

Mary Antonson
2024 Waldron Dr.
Anchorage, Alaska 99507

Senate Bill No. 199: " An Act revising the corporations code; and providing for an effective date."

H.B. No. 246: Identical.

One of our major concerns regarding the above mentioned Act and S.B. 199 and H.B. 246 is that the AFN organization is listed as one of the prime supporters of these revisions to the Alaska Corporate Code. The AFN is not recognized as a shareholder entity under ANCSA and does not own any stock, so how can the AFN legally represent Alaska Native Corporation shareholders and impact decisions made by members of our State government? This is an important consideration and should be deliberated cautiously.

Sec. 10.06.010

(6) lend money to its employees and, if properly approved, to its officers and directors, and otherwise assist its employees, officers and directors;

(Comment) This seems to place the corporation at the beck and call of the personnel with support of money and covers the personnel in any manner of assistance whatsoever with such a blanket statement of support with "otherwise assist its employees, etc. The shareholders at large are not listed as receiving this type of support and are not included. This statement too generous for the corporate employees and the shareholders at large would be bearing the expense of such potential generosity.

(15) pay pensions and establish pension plans, pension trusts, profit sharing plans, stock bonus plans and other incentive plans for its directors, officers, and employees;

(Comment) Again, this is biased towards the corporate personnel, particularly when you consider that the corporation could loan money to its personnel, who could then purchase stock along with sharing in the profits of the corporations. There could be created a situation where the corporate personnel could finally own the corporations with all this assistance in securing the stock. Definitely pro-management at the expense of the shareholder at large.

Sec. 10.06.433. Annual Report to Shareholders: Content; Financial Statement on Request. (b) (1) "all transactions, excluding compensation of officers and directors,"

(Comment) Why is this necessary to exclude information regarding compensation to officers and directors from the owners of the corporations, the shareholders? Should not the law protect the rights of the majority also? This information should not be kept secret from the shareholders so that the checks and balances would be in place to prohibit undue extravagance on the part of corporate management. Again, this clause is pro-management at the expense of the shareholder.

Sec. 10.06.435. Shareholders Derivative Action.

(Comment) Since we are not corporate attorneys and cannot interpret the legalese in this section, we, nevertheless, get a sense that a shareholder bears the heaviest burden in proving a wrongful case against the corporation and has to initially put up the money to sue, and cannot receive financial satisfaction. If we are interpreting this correctly, then again, we feel this is decidedly pro-management and orphans the shareholder. If we are wrong, then please advise.

ARTICLE 7. Amendments and Changes.

(Comment) Since our native corporations have been created and organized by the U.S. Congress with each shareholder being issued 100 shares prior to the cut-off date, this above section seems to allow considerable latitude to the corporate management in rearranging the framework of the native corporation as it now stands. Since our native corporations utilize the Alaska Corporate Code as it was written and legislated, we feel uneasy in allowing our corporate leaders to reclassify our shares, changing preferences, limitations, and relative rights of the shares, and allowing corporate management to cancel dividends, etc. Again, pro-management.

Sec. 10.06.576. Rights of Dissenting Shareholders: Procedure to Enforce Shareholders Right to Receive Payment for Shares. Withdrawal of Demand.

(a) Page 93. Line 4. ".....and a demand for payment of the fair value of the shares.....," and

(e) Page 94. "Upon completion of the corporation action, the shareholder shall cease to have the rights of a shareholder except the right to be paid the fair value of the shares as to which the dissenters rights were perfected under this chapter." and

P.95 ".....the corporation may elect to pay the shareholder the fair value of the shares in cash at the value, as determined by the board.....".

(Comment) The term FAIR VALUE for payment of the stock by the corporation to the dissenting shareholder is too broad in interpretation. This term we find objectionable, for we believe that stock to be fair should have the terms PAR or MARKET value. What is considered fair to the corporate leaders would not be considered fair to the shareholder, particularly, when the corporate leaders have been petitioning U.S. Congress to devalue our stock by not including our major asset, our land. This term of fair value with reference to the value of our stock has been a source of conflict already and to include this language in this bill is objectionable to us.

Since we do not have the legal background to properly interpret areas of these amendments to Alaska Corporate Code and how they would affect the general population of shareholders, there are probably sections that need careful scrutiny and evaluation by others knowledgeable in corporate law from the perspective of the shareholder, and not what has already been promoted to the State Legislative Committee from the perspective of the corporate managers.

We understand the House Bill #246 is identical to this S.B. 199, so we petition that the same consideration of our views apply to the House Bill #246 as it does to Senate Bill #199.

Your efforts to advocate the shareholder perspective will protect the majority interest, for there are more shareholders than corporate managers. We appreciate your efforts on our behalf.

Alaska Association Chiefs of Police

625 C Street • Anchorage, Alaska 99501



January 10, 1986

Patrick Rodey
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99801

Dear Senator Rodey:

The Alaska Association of Chiefs of Police supports the following legislation. We would like to know your opinion and request that you take a moment to fill out and return this questionnaire. If you support the bill answer yes. If you do not support the bill answer no.

	<u>Support/Non-Support</u>
SB139 HB 178 Conspiracy	<u>yes</u>
HB 179 Hearsay Evidence	<u>yes (with amendments)</u>
HB 205 Juvenile Waiver	<u>yes</u>
HB 264 Juvenile Waiver	<u>yes</u>
HB 163 Capital Punishment Recriminalization of Marijuana	<u>yes</u>
HB 264 Recriminalization of Marijuana	<u>no</u>
Election of the Attorney General	<u>yes</u>

Please return to: Alaska Association of Chiefs of Police
C/O Soldotna Police Department
Box 2499
Soldotna, AK 99669

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

Katherine Bigler, President
Anchorage Chapter, M.A.D.D.
2205 East Tudor Road, Suite 38
Anchorage, Alaska 99504

Dear Ms. ~~Bigler~~ ^{KATHERINE}:

Thank you for your recent letter requesting my support of the speedy passage of Senate Bill 138 through the Senate Judiciary Committee which I chair. You will be pleased to know that I have waived SB 138 out of my committee and onto the next committee of referral.

Again, thank you for your letter. Keep up the good work!

Very truly yours,

A handwritten signature in cursive script, appearing to read "Pat".

Patrick M. Rodey

SCOTT & WESLEY GERRISH
MEMORIAL

M A D D

ANCHORAGE, ALASKA
CHAPTER

2205 EAST TUDOR ROAD, SUITE 38 • ANCHORAGE, ALASKA 99504 • (907) 561-MADD

February 24, 1986

*Nice
letter
saying
"waived" for
as way*

Senator Patrick Rodey
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Rodey,

I understand Senate Bill 138, the Happy Hour Bill, has been passed from the State Affairs Committee to your Judiciary Committee. I urge you to move it through Judiciary as quickly as possible, as we discussed. If the full Senate will act quickly, then the House would have ample time to consider it well before the end of the session.

Sincerely,

Katherine Bigler

Katherine Bigler, President
Anchorage Chapter, MADD

MOTHERS

AGAINST

DRUNK

DRIVING

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

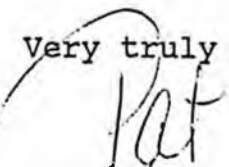
Mr. Don Bruegel, Corporate Auditor
Bayly, Martin & Fay of Alaska, Inc.
1031 W. 4th Ave., Suite 400
P.O. Box 7502
Anchorage, Alaska 99510-7101

Dear Mr. Bruegel:

Thank you for your letter of February 5, concerning jurisdictional limitation of small claims. I have enclosed a copy of a February 19, 1986, article from the Juneau Empire, which describes House Bill 118 and its passage by the legislature. I'm sure this bill will address your areas of concern.

Thank you for your comments.

Very truly yours,


Patrick M. Rodey

Small claims ceiling could be raised; case load upped

By ED SCHOENFELD

THE JUNEAU EMPIRE

A bill that would increase the ceiling for Small Claims Court suits has passed the Senate and is on its way to the Governor's office.

The bill (HB118) will increase the amount an individual, business or government agency can gain from a small claims action from \$2,000 to \$5,000.

The small claims procedure is popular because it is faster, simpler and less expensive than the formal civil court process. Filing costs for a case in small claims court is \$5 and an attorney is not needed.

The bill was submitted by the court system and is strongly supported by the Anchorage Chamber of Commerce, said Karla Forsythe, staff counsel to the administrative offices of the state court system.

The change is supported by private industry because it would make it easier to sue for small amounts of money.

"It's not economic to bring an action between \$2,000 and \$5,000 because attorney fees will eat up most settlements. It's just not worth it," said Forsythe.

The increased maximum is expected to double the number of cases filed, she said. A fiscal note attached to the bill calls for the hire of six new court clerks to handle the increased load, including one in Juneau, she said.

The bill would increase the cost of filing a small claims case from \$5 to at least \$15. Court officials estimate the increase would bring in \$357,000 a year, more than offsetting the cost of additional staff.

The bill passed the Senate 18-0 Wednesday and is headed to the governor's office, where it is expected to be signed into law. It takes effect

once the Supreme Court, which sets Small Claims Court rules, raises the filing fee.

It is unclear how the bill will affect the Juneau courts office, which has been overloaded with small claims cases in recent years.

Statistics show a 44 percent increase locally in small claims filings between fiscal year 1984 and fiscal year 1985, and officials said the trend is continuing.

Juneau Clerk of Trial Courts Sharon Walker said about two-thirds of all civil court cases filed so far this year have been small claims cases.

The increase in filings is related to the increase in the number of large organizations seeking to get payments that have been delinquent. Juneau City-Borough, Bartlett Memorial Hospital and the Alaska Electric Light and Power Company are three of the biggest users, Walker said.

She also said the large number of cases can be at least partially attributed to more collection agencies in Juneau.

Walker said the increased number of small claims cases has caused a staff crunch in the local trial clerk's office. Only one person at the office is assigned to small claims cases, which are often filed in large numbers, she said.

"When you get hit with 70 cases a day and it takes an average of 15 minutes per case and you only have one person doing that, we all get in and help," she said.

The large number of filings is slowing down the small claims court process two to three weeks, she said. The length of the process varies from case to case. The average case took about a month to complete before the current crunch hit, she said.

The staff shortage is worse in Juneau than some other communities, Walker said. The Fairbanks office has two staff members assigned to handle small claims cases and handles a smaller case load than Juneau, she said.

But Juneau is not the only community where small claims court cases have increased. Court filings went up by one-third statewide in 1985, according to the state court system's annual report. At 78 percent, Palmer had one of the largest increases in filings. A 34 percent increase was reported in Anchorage.

Because of the heavy load of cases, court employees are encouraging those considering small claims

actions to read several booklets explaining the court procedure.

A booklet titled "Alaska Small Claims Handbook," is available from the local trial clerk's office. The office is located on the ground floor of the Court Building, at the corner of Fourth and Main Streets downtown.

While an attorney is not needed to file a small claims case, one can be used, and if the person filing suit

wins the case, attorney fees can be collected.

The small claims procedure can be used to gain a legal ruling about a debt, but it does not force payment. These methods are also described in a booklet that's available at the court office. Methods of collection include seizing property, garnishing wages and getting the state to hand over part of a Permanent Fund Dividend.

SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

January 23, 1986

Harold M. Brown
Attorney General
Pouch K
Juneau, AK, 99811

HAL
Dear General Brown:

The Senate Judiciary Committee will be hearing Senate Bill 139, "An Act relating to the crime of conspiracy," on Thursday, February 6, at 1:30 p.m. You are invited to attend and share your comments with members of the committee.

Enclosed you will find a copy of SB 139; if you require any further information, please contact Ann Plunkett at 465-3717.

Sincerely,

Pat
Patrick M. Rodey

Encl.

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

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SENATOR TIM KELLY, VICE-CHAIR
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SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

Mr. William J. Bernier
Division Manager
7811 Spring Street
Anchorage, Alaska 99502

Dear Mr. Bernier:

Thank you for your very thoughtful letter and comments concerning a definition of the term, "Alaska bidder." I have shared copies of your letter with each member of the Senate Judiciary Committee to assist us in our deliberations on Senate Bill 341; the procurement bill.

I appreciate the time you took to testify at our March 15 hearing in Anchorage, and your efforts to follow up on our request for language defining an Alaskan bidder. I hope you will feel free to contribute any additional thoughts or comments you may have as our procurement legislation evolves.

Very truly yours,

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

Patrick M. Rodey

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

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POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

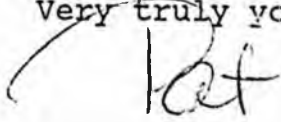
Jeffrey R. Dickstein
3605 Arctic Boulevard, No. 598
Anchorage, Alaska 99503

Dear Mr. Dickstein:

Thank you for the copy of your letter to Kim Rich concerning the role of juries in our American Justice System, for the newsclipping, and for the booklet entitled, "The Citizen's Rule Book." I agree that it is important for each of us as American citizens to inform ourselves as much as possible about our rights and responsibilities under the law so that, by accepting the responsibility to inform ourselves, we may protect the rights which are our heritage.

Again, thank you for sending your views.

Very truly yours,


Patrick M. Rodey

JEFFREY A. DICKSTEIN
3605 Arctic Boulevard
No. 598
Anchorage, AK 99503
(907) 243-4805

March 18, 1986

Senator Patrick Rodey
Pouch U
Juneau, AK 99811

Dear Senator Rodey:

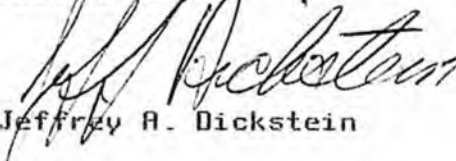
I am in receipt of your letter dated March 2, 1986 in response to my letter to Kim Rich.

It is a citizens obligation to keep ourselves informed of violations of our rights by government activity.

Under the doctrine of separation of powers, it is also your function, Senator, to protect citizens from abuse by the judicial department of the government. Now that you know that our judiciary has taken a position contrary to the Constitutions of the United States and the State of Alaska, what exactly are you going to do about it?

I look forward to your response.

For Constitutional
Government,



Jeffrey A. Dickstein

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

Mr. Charles G. Estes
C.G. Estes Co.
4015 Borland Drive
Anchorage, Alaska 99517

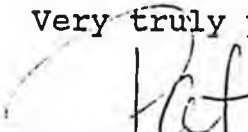
Dear Mr. Estes:

Thank you for your letter expressing your concern about the ever increasing cost of insurance. Tort reform has become one of the major issues facing this legislature. The Senate Judiciary Committee which I chair will be one of the more important committee referrals for the tort reform legislation which is now wending its way through the legislature.

In preparation for dealing with this issue, we have done a great deal of research, and listened to several nationally prominent experts on the subject. It is my hope that we can at least begin to find some satisfactory solutions to this dilemma by the end of this legislative session.

Thank you for your interest and your concern. I can appreciate that tort reform is an issue which effects all of our lives, and will do my best to alleviate some of the burden.

Very truly yours,


Patrick M. Rodey

SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

January 30, 1986

Cheryl Jong
2701 Raspberry Rd.
Anchorage, AK 99502

Dear Cheryl:

Thank you for your recent correspondence regarding SB150, making amendments to the Alaska Water Use Act. SB 150 is now in the Senate Judiciary Committee, which I chair, and will be scheduled for hearing shortly. You may be assured that your comments will be taken into consideration when the bill is heard.

Again, thank you for your comments. Please don't hesitate to contact me again regarding this or any other issue of interest to you.

Sincerely,

A handwritten signature in cursive that reads "Pat".

Patrick M. Rodey

PMR/acp

As A former miner myself
I share your concern for
WATER RIGHTS

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
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SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

Mr. Victor C. Krumm
District Attorney
Department of Law
Criminal Division/Third Judicial District
1031 West 4th Avenue, Suite 520
Anchorage, Alaska 99501

Dear Mr. Krumm:

I thank you for your recent letter and attachments concerning rehabilitation of sex offenders. At this point, I tend to agree with your belief that our focus should be on victim rehabilitation and on identification and rehabilitation of youthful sex offenders. Abused and troubled children are the sex offenders of tomorrow. This approach makes sense fiscally as well, especially in light of our diminishing state revenues.

Again, thank you for taking the time to send your views.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Patrick M. Rodey".

Patrick M. Rodey



Senate

During Session:
Pouch V
Juneau, Alaska 99811
(907) 465-3717

January 21, 1986

Anita Norris
909 Chugach Way #81
Anchorage, AK 99503

Dear Anita:

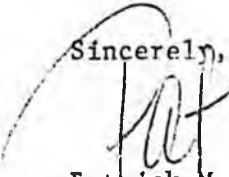
Thank you for taking the time to share with me your thoughts on the Municipality's priority list and other capital improvement needs in Anchorage. Many of your neighbors responded, as well, and I have received a broad range of recommendations on how our money should be spent this next year.

A good number of people seem to support the Municipality's focus upon the Eklutna Water Project and the Accelerated Roads Program. Others listed needs which they felt were more important, including sewers, parks and greenbelts, crime prevention, education, and protection of the permanent fund. Rest assured I will keep your ideas in mind when making funding decisions next session.

Again, I appreciate your comments and suggestions, and I encourage you to stay in contact with me through the addresses and phone numbers listed at the top of this page. Also, you may send messages to me during session by calling the Anchorage Legislative Information Office at 278-3668. This service is provided to you free of charge, and I will receive the message within 24 hours.

I hope to hear from you again soon.

Sincerely,



Patrick M. Rodey

PMR/acp

Anita Morris
909 Chugach Way #81
Anchorage, Alaska 99503

January 14, 1986

Senator Patrick Rodey
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Dear Senator Rodey,

I am writing in response to your letter of November 11, 1985. I think that it is very important that representatives on local, state, and national levels try to stay in touch with their constituents and far too many of them do not. Your letter indicated an attempt to do so and I commend you for that. I think that both the state and the nation are going to have serious problems to contend with because of falling oil revenues on the state level and Gramm-Rudman on the national level. The only "trickle-down" that we are going to enjoy is the "trickle-down" of lost revenue. That means a lot of thought is going to have to go into the funding of priorities—that would be easy if everyone's priorities were the same! I think that the Accelerated Road Program and education are two areas of concern—I also would not like to see programs that deal with child abuse and the care of the homeless in this state lost through a loss of funding. These are only some of my concerns, but I am sure that you will continue to work hard on behalf of the people of this state.

Sincerely,

Genita Morris

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

Ms. Renee Murray
605 W. 42nd
Anchorage, Alaska 99503

Dear Ms. Murray. ^{Renee.}

Thank you for your note and the article on the increasing cost of insurance. Tort reform has become one of the major issues facing this legislature. The Senate Judiciary Committee which I chair will be one of the more important committee referrals for the tort reform legislation which is now wending its way through the legislature.

In preparation for dealing with this issue, we have done a great deal of research, and listened to several nationally prominent experts on the subject. It is my hope that we can at least begin to find some satisfactory solutions to this dilemma by the end of this legislative session.

Thank you for your interest and your concern. I can appreciate that tort reform is an issue which effects all of our lives, and will do my best to alleviate some of the burden.

Very truly yours,

A handwritten signature in cursive script that reads "Patrick M. Rodey".

Patrick M. Rodey



Senate

During Session:
Pouch V
Juneau, Alaska 99811
(907) 465-3717

January 21, 1986

Anne Pasch
7661 Wandering Dr.
Anchorage, AK 99502

Dear Anne:

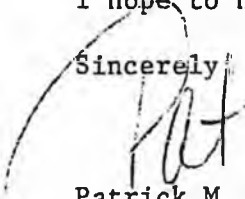
Thank you for taking the time to share with me your thoughts on the Municipality's priority list and other capital improvement needs in Anchorage. Many of your neighbors responded, as well, and I have received a broad range of recommendations on how our money should be spent this next year.

A good number of people seem to support the Municipality's focus upon the Eklutna Water Project and the Accelerated Roads Program. Others listed needs which they felt were more important, including sewers, parks and greenbelts, crime prevention, education, and protection of the permanent fund. Rest assured I will keep your ideas in mind when making funding decisions next session.

Again, I appreciate your comments and suggestions, and I encourage you to stay in contact with me through the addresses and phone numbers listed at the top of this page. Also, you may send messages to me during session by calling the Anchorage Legislative Information Office at 278-3668. This service is provided to you free of charge, and I will receive the message within 24 hours.

I hope to hear from you again soon.

Sincerely,


Patrick M. Rodey

PMR/acp

*Rec'd
1-16*

7661 Wandering Dr.
Anchorage, AK 99502
January 10, 1985

Senator Pat Rodey
1024 W. 6th Ave., Suite 308
Anchorage, AK 99501

Dear Senator Rodey:

Thank you for your letter of Dec. 10 expressing interest in my opinions. In general I support the Municipality's funding priorities for the Eklutna Water Project and Roads. However, I am not convinced that all of the road improvements are necessary. For example, I don't think that Jewell Lake Road should be widened at all. I feel more attention should be given to traffic flow problems such as coordinating lights so that one doesn't hit red every block! I also feel road maintenance should also be given more attention. We need sanding and plowing on the existing Wandering Drive much more than new or wider roads.

There are two other main areas of concern, one being the management of the city's water resources. We have lived at this address in Sand Lake for the past 15 years utilizing a 185 foot private well for our water supply. There has been a very noticeable deterioration in the quality of our water, in color, iron content, sediment content, Ca content. There is no question in my mind that this is due to the increasing number of wells drilled in the area. I do not think the city is concerned enough with the protection of existing water supplies. New building permits are issued as though the water supplies are inexhaustible.

The other end of the water spectrum concerns me also. The pollution of surface streams has attracted attention and the city seems to be trying to take some steps to alleviate that problem. However, not much attention is given to areas like ours where septic tanks draining into Sand Lake have been in use for years. There is also a great deal of surface run off from streets that the city oils and from construction of new subdivisions. Sand Lake has no outlet, so these sediments, oils, and heavy metals can only accumulate.

The other general area of concern to me in the Municipality is the lack of control on new development. The recommendations of the Geo-Technical Advisory Commission are constantly being ignored. The city is issuing

7661 Wandering Dr.
Anchorage, AK 99502
January 10, 1965

building permits for construction on major landslides such as the Turnagain Slide and most recently for the new courthouse expansion on the 4th Ave. Slide. I don't know how they got an expert from Stanford University to say there is no risk at this site because the literature is full of information suggesting otherwise. Landslides are definite risks, especially in areas of high seismic activity. The developers have chosen to ignore these facts in their rush for economic gain. Someday, these areas are going to fail. We may be lucky and not see it in our lifetime. But don't we owe something to future generations? What happens once an area is developed? Buildings are upgraded or torn down to make way for larger ones. By putting up structures on these slides we are insuring a future disaster. This is extreme irresponsibility on the part of our state and local governments. If you can hold up the courthouse expansion, you would be doing something worthwhile.

Another area that is under great pressure for development in my neighborhood is the Sand Lake gravel pits. We see proposal after proposal coming before the Assembly. Those gravel pits have provided millions of dollars of income for the land owners. Now that they have a huge hole in the ground, they seem to think that they should also be allowed to "develop it." I have read some of the reports showing how difficult it will be to provide the area with sewers. The city engineers have said that the only way to get sewage out of those depressions is to use lift stations. These are extremely costly to build and maintain and they recommend that the city NOT accept any lift stations for this reason. I am totally against the city spending money on such extravagance.

Other difficulties will show up as soon as that sandy surface is covered with impermeable materials (roads, roofs, driveways, etc.). The surface runoff can only flow into those holes. What will happen to the structures at the bottom? How safe will the roads be going down into those holes? The city can't even maintain the hill on Wandering Dr. The hills on roads going down into those mines would be much longer. It is idiotic to look at those gravel pits as "developable land." The city should accept that fact and zone it accordingly. Wouldn't the pit make a dandy stadium with a football field at the bottom and seats around the edges?

As far as statewide issues are concerned I hope the legislature will stop pouring money down such bottomless pits as the Valdez grain elevator, the

7661 Wandering Dr.
Anchorage, AK 99502
January 10, 1985

Delta barley project, the Matanuska Dairy, and other marginal agricultural efforts. The Matanuska Valley farmers proved long ago that farming is not a viable industry in Alaska. It may be a way of life for those who want to try it. That can be done by individuals. However, the state should stop throwing money into subsidies and bad loans. It infuriates me that the state is spending money to destroy forests in the Susitna Basin for "farms" that certainly can't be any more profitable than the rich Matanuska Valley.

In my view, it is also stupidity for the state to promote settlement on remote parcels of land. As soon as the people settle there, they need roads, schools, and other services that will generate costs way out of proportion to their value.

The above issues are all related to the importance of having a responsible legislature. Therefore openness and honesty in government is essential. I hope that the ethics committee will be able to provide some effective leadership. I have answered your letter because you seem to be one of the few responsible legislators.

Best wishes for 1986.

Sincerely,



Anne Pasch

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR EICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

January 21, 1986

U.S. Attorney Michael Spaan
701 C Street
Anchorage, AK 99501

Dear Mr. Spaan:

The Senate Judiciary Committee will be hearing Senate Bill 139, "An Act relating to the crime of conspiracy," on Thursday, February 6, at 1:30 p.m. You are invited to attend and share your comments with members of the committee.

Enclosed you will find a copy of SB 139; if you require any further information, please contact Ann Plunkett at 465-3717.

Sincerely,

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

Patrick M. Rodey

Encl.

With Suzanne

March 13, 1986

Senator Patrick Rodey
P.O. BOX 17
Juneau, Alaska 99811

NOVEMBER 1985

Aron S. Wolf, L-Pi and Associates
Investments and Management
4001 Dale Street, Suite 101
Anchorage, Alaska 99508
Phone 563-2930

Dear Pat:

As a followup to our prior correspondence regarding Correctional needs, we have been able to accumulate some definitive data. It appears that the Department of Corrections must bill itself for total services rendered at a cost per prisoner day in the Anchorage bowl area within the range of \$65-\$80. We have also been able to do some preliminary cost analyses of providing a program within the guidelines of AS 33-30 amended, Section 33-062-33-30-288, and feel that we can provide the appropriate correctional services within an approximate dollar range of \$41-\$45 per prisoner per day. The total dollar range within these scenarios would vary from \$748,250 to \$985,500.

Our estimates have been based on a facility that will accept between 50 and 60 prisoners, either as misdemeanants or in a re-tention center setting. We have pursued several options including placement of the center both in Anchorage and in the Mat-Cu Valley. If we were to pursue the building of a facility in Mat-Cu, we would attempt to coordinate it with the Goose Bay site in order to maximize the function of both facilities. If it were in Anchorage, we certainly would look at either a freestanding institution or the lease back of any current unused part of our present correctional system.

We are prepared, at this point, to share our projections and cost estimates with you or your staff so that funding for such a needed center could be included in this year's budget. We certainly understand the fiscal constraints upon the 1986 Legislature, but I am sure that you are equally aware of the pressing need for cost-effective, quality correctional beds.

Ms. Betty Clark of our administrative staff will be in contact with your office to arrange for us to share this information with you in Juneau in early April. If you or your staff feel that you need this information earlier, we can direct it to you by mail or meet with you or you staff members here in the Anchorage area. I am looking forward to meeting with you relative to this very important issue.

Thank you for your interest.

Sincerely,

Aron S. Wolf M.D.

Aron S. Wolf, M.D., F.A.P.A.

ASW/bc

cc: Commissioner Roger Endell
Department of Corrections

Will arrive in Juneau Sunday, 13 April - 6 P.M. Staying at the Baranoff - See you then Betty

ALASKA STATE LEGISLATURE
SENATE JUDICIARY COMMITTEE

SENATOR PATRICK RODEY, CHAIRMAN
SENATOR TIM KELLY, VICE-CHAIR
SENATOR JAN FAIKS
SENATOR RICK HALFORD
SENATOR ROBERT ZIEGLER, SR.



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3717

March 2, 1986

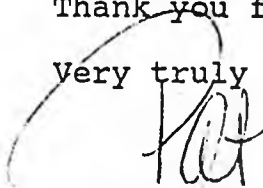
Mr. Thomas Y. Yerbich
Yerbich & Associates
329 "F" Street, Suite 210
Anchorage, Alaska 99501-2268

Dear Mr. Yerbich:

Thank you for your letter of February 12, concerning jurisdictional limitation of small claims. I have enclosed a copy of a February 19, 1986, article from the Juneau Empire, which describes House Bill 118 and its passage by the legislature. I'm sure this bill will address your areas of concern.

Thank you for your comments.

Very truly yours,


Patrick M. Rodey

Small claims ceiling could be raised; case load upped

By ED SCHOENFELD

THE JUNEAU EMPIRE

A bill that would increase the ceiling for Small Claims Court suits has passed the Senate and is on its way to the Governor's office.

The bill (HB118) will increase the amount an individual, business or government agency can gain from a small claims action from \$2,000 to \$5,000.

The small claims procedure is popular because it is faster, simpler and less expensive than the formal civil court process. Filing costs for a case in small claims court is \$5 and an attorney is not needed.

The bill was submitted by the court system and is strongly supported by the Anchorage Chamber of Commerce, said Karla Forsythe, staff counsel to the administrative offices of the state court system.

The change is supported by private industry because it would make it easier to sue for small amounts of money.

"It's not economic to bring an action between \$2,000 and \$5,000 because attorney fees will eat up most settlements. It's just not worth it," said Forsythe.

The increased maximum is expected to double the number of cases filed, she said. A fiscal note attached to the bill calls for the hire of six new court clerks to handle the increased load, including one in Juneau, she said.

The bill would increase the cost of filing a small claims case from \$5 to at least \$15. Court officials estimate the increase would bring in \$357,000 a year, more than offsetting the cost of additional staff.

The bill passed the Senate 18-0 Wednesday and is headed to the governor's office, where it is expected to be signed into law. It takes effect

once the Supreme Court, which sets Small Claims Court rules, raises the filing fee.

It is unclear how the bill will affect the Juneau courts office, which has been overloaded with small claims cases in recent years.

Statistics show a 44 percent increase locally in small claims filings between fiscal year 1984 and fiscal year 1985, and officials said the trend is continuing.

Juneau Clerk of Trial Courts Sharon Walker said about two-thirds of all civil court cases filed so far this year have been small claims cases.

The increase in filings is related to the increase in the number of large organizations seeking to get payments that have been delinquent. Juneau City-Borough, Bartlett Memorial Hospital and the Alaska Electric Light and Power Company are three of the biggest users, Walker said.

She also said the large number of cases can be at least partially attributed to more collection agencies in Juneau.

Walker said the increased number of small claims cases has caused a staff crunch in the local trial clerk's office. Only one person at the office is assigned to small claims cases, which are often filed in large numbers, she said.

"When you get hit with 70 cases a day and it takes an average of 15 minutes per case and you only have one person doing that, we all get in and help," she said.

The large number of filings is slowing down the small claims court process two to three weeks, she said. The length of the process varies from case to case. The average case took about a month to complete before the current crunch hit, she said.

The staff shortage is worse in Juneau than some other communities, Walker said. The Fairbanks office has two staff members assigned to handle small claims cases and handles a smaller case load than Juneau, she said.

But Juneau is not the only community where small claims court cases have increased. Court filings went up by one-third statewide in 1985, according to the state court system's annual report. At 78 percent, Palmer had one of the largest increases in filings. A 34 percent increase was reported in Anchorage.

Because of the heavy load of cases, court employees are encouraging those considering small claims

actions to read several booklets explaining the court procedure.

A booklet titled "Alaska Small Claims Handbook," is available from the local trial clerk's office. The office is located on the ground floor of the Court Building, at the corner of Fourth and Main Streets downtown.

While an attorney is not needed to file a small claims case, one can be used, and if the person filing suit

wins the case, attorney fees can be collected.

The small claims procedure can be used to gain a legal ruling about a debt, but it does not force payment. These methods are also described in a booklet that's available at the court office. Methods of collection include seizing property, garnishing wages and getting the state to hand over part of a Permanent Fund Dividend.



Senate

During Session:
Pouch V
Juneau, Alaska 99811
(907) 465-3717

January 21, 1986

Senator Bob Ziegler
Pouch V
Juneau, Alaska 99811

Dear Bob:

I read the article you sent me on Georgia's youth program with great interest.

The intensive supervision program also caught my eye - perhaps we ought to have a look at the legislation.

I don't know about you, but I'm always willing to be a hero.

Regards,

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

Senator Fat Rodey

Alaska State Legislature

SENATOR
ROBERT H. ZIEGLER SR.
307 BAWDEN STREET
KETCHIKAN ALASKA 99901

WHILE IN JUNEAU
POUCH V
JUNEAU ALASKA 99811



Senate

MEMBER
SENATE JUDICIARY COMMITTEE
SELECT COMMITTEE ON LEGISLATIVE ETHICS

WESTERN STATES LEGISLATIVE
FORESTRY TASK FORCE

EXECUTIVE COMMITTEE
WESTERN LEGISLATIVE CONFERENCE
COUNCIL OF STATE GOVERNMENTS

ALTERNATE MEMBER
NATIONAL CONFERENCE OF STATE LEGISLATURES
STATE AND FEDERAL ASSEMBLY
COMMITTEE ON
FEDERAL TAXATION TRADE AND ECONOMIC DEVELOPMENT

January 17, 1986

Senator Patrick Rodey
Chairman - Senate Judiciary Committee
Juneau, Alaska

Dear Pat:

In view of what we heard yesterday about overcrowded prison systems, I thought you might be interested in the article "A Taste of Prison for Georgia's Young Criminals".

I clipped the article in mid December when I ran across it in the "Seattle P.I.", having you in mind at the time.

Who knows, you - or you and I - might be heroes one day?

If you're interested, I can get copies of the relevant legislation in no time at all. We can then run it by Corrections.

Regards,

3-

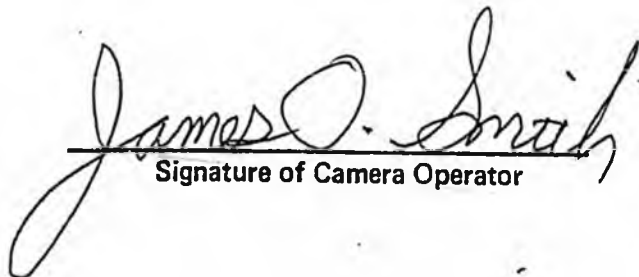
Robert H. Ziegler, Sr.

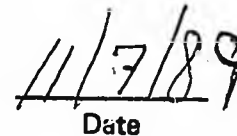
Enclosure



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

ALASKA

BAR

ASSOC. :

GENERAL

INFORMATION

JUNEAU BAR ASSOCIATION

* * * MINUTES OF THE JUNEAU BAR ASSOCIATION
...FOR FEBRUARY 8, 1985

--1) GUESTS WERE:

(NONE INTRODUCED)

--2) ANNOUNCEMENTS: (FOR FUTURE ACTIVITIES SEE BELOW)

A) NEXT C-L-E SESSION WILL BE ABOUT THE INTOXIMETER 3000, ON MONDAY, FEBRUARY 11, FROM 6:00 TO 9:00PM IN TOM WAGNER'S OFFICE.

B) C-L-E, RE: BAD FAITH INSURANCE LITIGATION WILL BE PRESENTED ON 2/19 & 2/21 (IF 2 SESSIONS ARE REQUIRED)

C) MAYOR ULMER WROTE TO THANK THE JUNEAU BAR FOR JOINING THE COMMUNITY RECEPTION FOR ALASKA'S 14TH STATE LEGISLATURE.

D) RULES COMMITTEE URGENTLY REQUIRES VOLUNTEERS--PLEASE DO SO 2/15!!

--3) CONTINUING BUSINESS:

ART PETERSON REPORTED ON THE AK LEGAL SERVICES CORP. (CONDENSED):
...THE FORMER PRESIDENT WAS APPOINTED SUPERIOR JUDGE, HE IS ACTING;
...SEVERAL (OR ALL) OTHER OFFICERS ARE SHIFTING (HE MOVED INTO PRES.)
...ALSC IS REQUESTING \$1.86 MILLION FUNDING FROM THE STATE;
...HE AND ALSC WOULD VERY MUCH APPRECIATE A LETTER SUPPORTING NEEDS;
...HOPES BAR ASSOCIATIONS AND LAWYERS ALL OVER SE WILL URGE \$1,860,000
...NEXT MEETING WILL BE IN FAIRBANKS ON 3/16;
...PETERSON WILL DRAFT A RESOLUTION OF SUPPORT FOR ALSC FOR THE BAR.

SENATOR PAT RODEY, THE FEATURED SPEAKER, STATED (CONDENSED REMARKS):

---THE FINGERPRINTING LEGISLATION IS REQUIRED TO SATISFY THE FEDS;
---REMINDED US OF THE PROPOSED INCREASE OF DISTRICT COURT'S JURISDICTION;
---A REPEAL OF THE VENUE STATUTE WILL ALLOW VENUE TO BE COURT RULED;
---A CHILD ABUSE PACKAGE IS IN PROCESS BUT IS NOT BEFORE JUDICIARY--YET;
---DWI WILL: A) CLOSE OPEN CONTAINERS (BEER, ETC) & STIFFEN PENALTIES;
---WILL THE HORIZONTAL PROPERTY REGIME BE ADOPTED BY UNIFORM ACT(?) & IS
BEST APPROACHED SLOWLY & CAUTIOUSLY;
---A CHILD CUSTODY STATUTE MAY PASS THIS YEAR;
---HE FAVORS A 'LONG ARM' SERVICE STATUTE TO SECURE THIS SESSION.
(THIS SCRIBE HOPES HE DECIPHERED THE GENEROUS VOLUNTEER'S NOTE???)

JAMES E. FISHER, SECRETARY

2/19 & 2/21, INSURANCE BAD FAITH LITIGATION, AG'S CONF, 6-9:00

))) FUTURE PROGRAMS:

2/15 -- FRANK LENDARO OF MC CAW, ON NEW CABLE TECHNOLOGIES

2/22 -- COMMISSIONER OF REVENUE, MARY NORDALE (WILL SHE TALK ON
'TRUST ME WITH YOUR MONEY'?)

3/4-8--STUDENTS FROM DUKE U. TO RECEIVE OUR RESEARCH SUGGESTIONS.
5/15-18/85 -- NOTE AK BAR ASSN CONVENTION @ SITKA (LET'S GET OUT
AND SUPPORT SITKA)

ALASKA BAR ASSOCIATION

APPROVED 1985 BUDGET

	Total 1984 Budget =====	12 Month Projection for 1984 =====	Approved 1985 Budget =====	Over (Under) Difference =====	Percent of Previous Yr's Budget =====
Total INCOME from All Sources	\$857,945	\$903,525	\$973,422	\$115,477	113.46%
Total EXPENSE from All Departments	\$902,997	\$870,653	\$1,098,912	\$195,915	121.70%
Net Gain (Loss) for the Period	----- \$(45,052)	----- \$ 32,872	----- \$(125,490)		
	=====		=====		

1983 and prior years surplus = \$454,777

1984 projected surplus = 32,872

Projected accumulated income
as of 12-31-84 = \$487,649

=====

APPROVED INCOME BUDGET

=====

MAI:

=====
 0400

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
----	-----	-----	-----	-----	-----	-----
400-00	MEMBERSHIP DUES	546,445	-410,654.31	-547,539	585,425	38,980
401-00	ADMISSION FEES - BAR EXAM	85,000	-75,872.50	-101,163	92,300	7,300
401-01	ADMISSION FEES - RULE B1	0.00	0.00	0	20,000	20,000
401-02	ADMISSION FEES - ATTORNEY	0	0.00	0	20,000	20,000
402-00	CLE SEMINARS & TAPES	52,000	-23,967.40	-31,957	50,000	-2,000
403-00	SUBSTANTIVE LAW SECTIONS	4,300	-3,635.00	-3,635	4,300	0
404-00	ADDRESSING & COPYING	5,000	-5,325.51	-7,101	7,000	2,000
406-00	DUES INSTALLMENT SVC FEES	5,600	-5,880.00	-5,880	6,200	600
407-00	INTEREST INCOME	45,000	-39,822.33	-53,096	60,000	15,000
409-00	LAWYER REFERRAL FEES	55,600	-42,886.00	-57,181	55,600	0
410-00	THE BAR RAG	8,000	-6,457.00	-8,609	12,000	4,000
411-00	1985 ANNUAL MEETING	30,000	-43,685.63	-43,686	40,000	10,000
412-00	DISCIPLINE COST AWARDS	0	-2,689.50	-3,586	3,000	3,000
414-00	ANCHORAGE BAR ASSOCIATION	4,000	0.00	0	0	-4,000
415-00	STATE OF ALASKA	10,000	-3,456.75	-4,609	11,597	1,597
416-00	MISCELLANEOUS INCOME	2,000	-1,575.82	-2,101	2,000	0
417-00	PENALTIES - LATE DUES	5,000	-3,995.00	-3,995	4,000	-1,000
418-00	CIVIL JURY INSTRUCT PROJ	0	-22,040.00	-29,387	0	0
Subtotals for 0400		857,945	-691,942.75	-903,525	973,422	115,477
%		100%		-105.31%	113.46%	13.46%
Grand Total		857,945	-691,942.75	-903,525	973,422	115,477
%		100%		-105.31%	113.46%	13.46%
Percentages						

APPROVED BUDGET-Worksheet

DEPT MAIN	APPROVED 1984 BUDGET	1984 YTD BALANCE	#of STANDARD MOS PROJECTION	PROTECTION ADJUSTMENT	PROTECTION ADJUSTED	RATE INFLATION INF% PROJECTION*	APPROVED 1985 BUDGET	84 - 85 DIFFERENCE
ADMINISTRATION	308691	201905.76	265466	0	265466	284838	248791	-59900
ADMISSIONS	121183	76182.89	104671	1859	106530	113206	140563	19380
BOARD OF GOVERNORS	51844	23706.10	31605	0	31605	33487	57769	5925
CONTINUING LEGAL EDUCATION	83600	43123.57	57498	2190	59688	63210	91573	7973
DISCIPLINE/ BAR COUNSEL	213048	174408.13	230455	0	230455	246517	355734	142686
FEE ARBITRATION	0	4367.21	17468	0	17468	18567	40543	40543
LAWYER REFERRAL SERVICE	38676	25668.57	34226	0	34226	36296	38537	-139
LEGISLATIVE REVIEW	0	.00	0	0	0	0	15284	15284
LEGISLATIVE REVIEW PROCESS	0	.00	0	0	0	0	3342	3342
MISCELLANEOUS DEPARTMENTS	66500	81466.19	100999	0	100999	106050	78133	11633
SUBSTANTIVE LAW SECTIONS	4300	2352.18	3136	0	3136	3292	4300	0
THE BAR RAG	15155	10539.95	21080	0	21080	24243	24343	9188
	902997	643720.55	866604	4049	870653	929706	1098912	195915
Grand Total								
%	100%	71.29%	95.97%		96.42%	102.96%	121.70%	21.70%
Percentages								

APPROVED EXPENSE BUDGET

MAIN

0500 ADMISSIONS

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
501-00	ADMISSIONS SALARIES	41,440	29,176.66	38,902	47,458	6,018
502-00	ADMISSIONS PAYROLL TAXES	2,960	2,258.26	3,011	3,298	338
503-00	ADMISSIONS STAFF INSURANC	2,227	1,573.70	2,098	3,245	1,018
504-00	ADMISSIONS STAFF PENSIONS	2,072	1,078.79	1,438	1,825	-247
505-01	BAR EXAM GRADING - MBE	4,444	4,255.00	4,255	4,800	356
505-02	BAR EXAM GRADING - LCCAL	28,000	13,695.35	29,250	29,250	1,250
506-00	EXAM REVIEW TRAIN&CONSULT	10,000	580.11	773	10,000	0
508-00	BAR EXAM RENT	9,800	8,708.02	8,708	9,700	-100
509-00	ADMISSIONS POSTAGE/SUPPLY	13,635	8,633.87	11,512	12,663	-972
510-00	ADMISSIONS TELEPHONE	905	1,022.63	1,364	1,432	527
511-00	ADMISSIONS MISCELLANEOUS	500	54.50	73	500	0
512-00	BAR EXAM QUESTIONS	5,200	5,146.00	5,146	5,000	-200
513-00	ADMISSIONS OFFICE RENT	0	0	0	7,004	7,004
514-00	ADMISSIONS DEPRECIATION	0	0	0	1,681	1,681
515-00	ADMISSIONS LEASED EQUIP.	0	0	0	1,856	1,856
516-00	ADMISSIONS EQUIP MAINTAIN	0	0	0	851	851
Subtotals for 0500		121,183	76,182.89	106,530	140,563	19,380
%		100%		87.91%	115.99%	15.99%

0600 BOARD OF GOVERNORS

601-01	BOG TRAVEL&PERDIEM - ANC	17,790	7,474.14	11,211	15,894	-1,896
601-02	BOG TRAVEL&PER DIEM-SITKA	0	0	0	8,115	8,115
601-04	BOG TRAVEL&PERDIEM - MISC	1,000	944.00	1,259	1,000	0
602-01	BOG ABA MID-YEAR MEETING	3,181	1,413.86	1,414	2,535	-646
602-02	BOG BAR LEADERSHIP MTC	1,673	1,506.88	1,507	2,096	423
602-03	BOG ABA ANNUAL CONVENTION	3,784	1,035.36	1,035	2,387	-1,397
602-04	BOG WESTERN STATES	1,401	1,521.51	1,522	3,865	2,464
603-01	N/ATNY TRAVEL&PERDIEM-ANC	11,205	3,456.75	5,185	8,683	-2,522
603-02	N/ATNY TRAVEL&PERDIEM-STK	0	0	0	2,744	2,744
604-00	BOG TELEPHONE	3,000	1,837.42	2,450	3,000	0
605-00	BOG MAIL/SUPPLY/MISC	8,810	4,516.18	6,022	6,700	-2,110
606-00	BOG CONFERENCE ROOM RENT	0	0	0	750	750

APPROVED EXPENSE BUDGET

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
Subtotals for 0600		51,844	23,706.10	31,605	57,769	5,925
%		100%		60.96%	111.43%	11.43%

0700 DISCIPLINE/ BAR COUNSEL

701-00	D/BC SALARIES	128,743	101,665.67	135,554	190,777	62,034
702-00	D/BC PAYROLL TAXES	9,606	8,400.00	11,200	14,005	4,399
703-00	D/BC STAFF INSURANCE	10,632	8,761.59	11,682	17,591	6,959
704-00	D/BC STAFF PENSIONS	3,826	2,539.75	3,386	6,767	2,941
705-00	LITIGATION SUPPORT SVCS	10,000	5,030.56	6,707	2,400	-7,600
706-01	D/BC TRAVEL&EXPENSE-NOBC	7,684	3,339.27	3,339	7,150	-534
706-02	D/BC TRAVEL&EXPENSE-SITKA	0	0	0	2,792	2,792
706-03	D/BC TRAVEL&EXPENSE-ABAWK	1,822	0.00	0	0	-1,822
706-04	D/BC TRAVEL&EXPENSE-JN&AH	5,000	3,147.95	4,197	12,023	7,023
707-00	CONTRACTLABOR/CONFLICTLIT	8,000	15,882.06	21,176	10,000	2,000
708-00	D/BC MAIL/SUPPLY/COPY/MSC	10,063	9,124.92	12,167	13,992	3,929
710-00	D/BC TELEPHONE	5,000	2,301.07	3,066	4,000	-1,000
711-00	D/BC RENT	12,072	7,292.62	9,723	29,744	17,672
712-00	1983 ABA DISCIPLINE TEAM	0	2,922.67	2,923	0	0
713-00	D/BC WESTLAW SYSTEM	600	0.00	0	0	-600
714-00	DISCIPLINE RULES CONTRACT	0	4,000.00	5,333	0	0
715-00	INFORMATION & TRAINING	0	0	0	19,427	19,427
716-00	D/BC DEPRECIATION	0	0	0	9,604	9,604
717-00	D/BC LEASED EQUIPMENT	0	0	0	10,602	10,602
718-00	D/BC EQUIP MAINTENANCE	0	0	0	4,860	4,860
Subtotals for 0700		213,048	174,408.13	230,455	355,734	142,686
%		100%		108.17%	166.97%	66.97%

0800 ADMINISTRATION

801-00	ADMIN SALARIES	114,840	85,069.32	113,426	103,767	-11,073
802-00	ADMIN PAYROLL TAXES	8,571	6,723.68	8,965	8,071	-500
803-00	ADMIN STAFF INSURANCE	8,246	6,891.71	9,189	9,981	1,735
804-00	ADMIN STAFF PENSIONS	5,742	3,873.47	5,165	4,425	-1,317
805-00	ADMIN TELEPHONE	2,465	925.82	1,234	2,000	-465
806-00	ADMIN SPECIALIZATION AD	5,000	2,541.05	3,388	0	-5,000

APPROVED EXPENSE BUDGET

MAIN

0800 ADMINISTRATION

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
807-01	AD TRAVEL&EXPENSE-ABAMDYR	3,550	1,054.56	1,055	3,440	-110
807-02	AD TRAVEL&EXPENSE-ABA AN	4,134	1,540.75	1,541	3,825	-309
807-03	AD TRAVEL&EXPENSE-SITKA	0	0	0	4,894	4,894
807-05	AD TRAVEL&EXPENSE-WANG	1,517	1,077.39	1,077	1,447	-70
807-06	AD TRAVEL&EXPENSE-BARLEAD	1,845	0.00	0	0	-1,845
807-07	AD TRAVEL&EXPENSE-ABAINSC	0	1,051.98	1,052	0	0
808-00	ADMIN EQUIPMENT MAINTAIN	11,752	5,536.80	7,382	4,131	-7,621
809-00	ADMIN SUPPLIES	7,531	3,556.33	4,742	5,300	-2,231
810-00	ADMIN POSTAGE/FREIGHT	22,840	13,623.83	18,165	20,890	-1,950
811-00	ADMIN EQUIPMENT LEASES	18,500	8,565.42	11,421	9,013	-9,487
812-00	ADMIN PRINTING	8,034	4,023.00	5,364	8,000	-34
813-00	ADMIN OFFICE RENT	41,664	25,860.50	34,481	26,794	-14,870
814-00	ADMIN LIBRARY	1,080	178.00	237	1,000	-80
815-00	ADMIN ANNUAL AUDIT	7,000	6,500.00	6,500	7,500	500
816-00	ADMIN DUES&SUBSCRIPTIONS	1,000	406.00	541	1,000	0
817-00	ADMIN ADVERTISING	750	0.00	0	500	-250
818-00	ADMIN CASUAL LABOR	500	0.00	0	500	0
819-00	ADMIN PROP&GLA INSURANCE	9,076	7,015.59	9,354	11,050	1,974
820-00	ADMIN DEPRECIATION	19,484	14,171.61	18,895	8,163	-11,321
823-00	ADMIN MISCELLANEOUS	2,000	1,291.45	1,722	2,000	0
824-00	PENSION FUND ADMIN COSTS	1,570	427.50	570	1,100	-470

Subtotals for 0800

% 100% 201,905.76 265,466 248,791 - 19.40%

0900 LAWYER REFERRAL SERVICE

901-00	LAW REF SALARIES	16,000	11,614.90	15,487	7,920	-8,080
902-00	LAW REF PAYROLL TAXES	1,452	1,040.23	1,387	711	-741
903-00	LAW REF STAFF INSURANCE	1,164	813.47	1,085	850	-314
904-00	LAW REF STAFF PENSIONS	500	251.31	335	0	-500
905-01	LAW REF ADVERTISING - ANC	6,000	1,923.60	2,565	6,000	0
905-02	LAW REF ADVERTISING - OUT	2,000	1,145.95	1,528	2,000	0
906-01	LAW REF TELEPHONE - LOCAL	3,834	2,704.56	3,606	824	-3,010

APPROVED EXPENSE BUDGET

MAIN

0900 LAWYER REFERRAL SERVICE

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
906-02	LAW REF TELEPHONE -ZENITH	5,328	5,321.24	7,095	10,440	5,112
907-00	LAW REF MAIL/SUPPLY/MISC	2,398	853.31	1,138	1,300	-1,098
908-00	LAW REF OFFICE RENT	0	0	0	4,104	4,104
909-00	LAW REF DEPRECIATION	0	0	0	1,681	1,681
910-00	LAW REF LEASED EQUIPMENT	0	0	0	1,856	1,856
911-00	LAW REF EQUIP MAINTENANCE	0	0	0	851	851
Subtotals for 0900		38,676	25,668.57	34,226	38,537	-139
%		100%		88.49%	99.64%	- .36%

1000 CONTINUING LEGAL EDUCATION

000-00	DIRECT COSTS OF SEMINARS	49,000	19,108.70	25,478	40,000	-9,000
101-00	CLE SALARIES	23,800	18,073.14	24,098	25,850	2,050
102-00	CLE PAYROLL TAXES	1,754	1,408.83	1,878	2,135	381
103-00	CLE STAFF INSURANCE	806	671.02	895	1,151	345
104-00	CLE STAFF PENSIONS	1,190	903.68	1,205	1,146	-44
105-00	CLE TELEPHONE	1,070	386.11	515	1,070	0
106-00	CLE SUPPLY/MISCELLANEOUS	2,151	1,276.63	1,702	2,100	-51
107-02	CLE TRAVEL&PERDIEM-NABEPR	2,190	0.00	2,190	1,963	-227
108-00	CLE DEPRECIATION	1,639	1,295.46	1,727	3,411	1,772
109-00	CLE OFFICE RENT	0	0	0	10,040	10,040
110-00	CLE LEASED EQUIPMENT	0	0	0	1,856	1,856
111-00	CLE EQUIP. MAINTENANCE	0	0	0	851	851
Subtotals for 1000		83,600	43,123.57	59,688	91,573	7,973
%		100%		71.40%	109.54%	9.54%

1100 FEE ARBITRATION

001-00	FEEARB SALARIES	0	2,208.32	8,833	19,353	19,353
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APPROVED EXPENSE BUDGET

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MAIN

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1100 FEE ARBITRATION

SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
002-00	FEEARB PAYROLL TAXES	0	183.07	732	1,498	1,498
003-00	FEEARB STAFF INSURANCE	0	435.87	1,743	2,402	2,402
004-00	FEEARB STAFF PENSIONS	0	131.23	525	968	968
005-00	FEEARB TELEPHONE	0	0.00	0	720	720
006-00	FEEARB MAIL/SUPPLY/MISC	0	1,408.72	5,635	2,816	2,816
007-00	FEEARB OFFICE RENT	0	0	0	8,652	8,652
008-00	FEEARB DEPRECIATION	0	0	0	1,201	1,201
009-00	FEEARB LEASED EQUIPMENT	0	0	0	1,325	1,325
010-00	FEEARB EQUIP MAINTENANCE	0	0	0	608	608
011-00	FEEARB COMMITTEE EXPENSE	0	0	0	1,000	1,000
Subtotals for 1100		0	4,367.21	17,468	40,543	40,543
%		100%		0%	0%	0%

1300 THE BAR RAG

001-00	BAR RAG TYPESETTING	7,263	5,195.00	10,390	11,949	4,686
002-00	BAR RAG PRINTING	5,042	2,603.60	5,207	5,988	946
003-00	BAR RAG PHOTO/ARTWORK	929	567.00	1,134	1,304	375
004-00	BAR RAG DISTRIBUTION	103	852.85	1,706	1,962	1,859
005-00	BAR RAG AD COMMISSIONS	1,805	1,005.60	2,011	2,313	508
006-00	BAR RAG PROMOTION	0	315.90	632	727	727
007-00	BAR RAG MISCELLANEOUS	13	0.00	0	100	87
Subtotals for 1300		15,155	10,535.95	21,080	24,343	9,188
%		100%		139.10%	160.63%	60.63%

1500 SUBSTANTIVE LAW SECTIONS

000-01	SUB LAW SECTIONS-FUNDED	1,500	1,220.88	1,628	1,500	0
000-02	SUB LAW SECTIONS-SIGNUPS	2,800	1,131.30	1,508	2,800	0

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APPROVED EXPENSE BUDGET

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SUB DT	ACCOUNT NAME	1984 BUDGET	YEAR TO DATE	EST. YEAR END	1985 APPROVED	+OVER-UNDER 84
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Subtotals for 1500		4,300	2,352.18	3,136	4,300	0
%		100%		72.93%	100.00%	0%
1900 LEGISLATIVE REVIEW						
190-00	LEGISLATIVE REVIEW-STAFF	0	0	0	4,884	4,884
191-00	LEGISLATIVE REVIEW-BOG	0	0	0	3,342	3,342
192-00	LEGISLATIVE REVIEW-LOBBY	0	0	0	10,400	10,400
Subtotals for 1900		0	0.00	0	18,626	18,626
%		100%		0%	0%	0%
2000 MISCELLANEOUS DEPARTMENTS						
120-00	COMMITTEE EXPENSE	4,500	4,195.52	5,594	5,000	500
140-00	LUKE/AK LAW REVIEW EXPENS	20,000	10,000.00	20,000	20,000	0
160-00	DONATED SUPPORT/SERVICES	9,000	7,148.71	9,532	0	-9,000
170-00	MEETING-LOCAL BAR PRES.	3,000	1,992.36	1,992	3,000	0
180-00	ANNUAL CONVENTION	30,000	40,875.94	40,876	40,000	10,000
190-00	CIVIL JURY INSTRUCT PROJ.	0	17,253.66	23,005	0	0
200-00	OFFICE RELOCATION	0	0	0	10,133	10,133
Subtotals for 2000		66,500	81,466.19	100,999	78,133	11,633
%		100%		151.88%	117.49%	17.49%
Grand Total		902,997	643,720.55	870,653	1,098,912	195,915
%		100%		96.42%	121.70%	21.70%
Percentages						

ALASKA BAR ASSOCIATION

Bar Exam Results
1982 - 1984

	<u>Applied</u>	<u>Passed</u>	<u>% Passing</u>
<u>February, 1982</u>			
General Applicants	126	89	
Attorney Applicants	<u>10</u>	<u>5</u>	
	136	94	69.0
<u>July, 1982</u>			
General Applicants	119	83	
Attorney Applicants	<u>7</u>	<u>5</u>	
	126	88	70.0
<u>February, 1983</u>			
General Applicants	106	80	
Attorney Applicants	<u>15</u>	<u>10</u>	
	121	90	74.4
<u>July, 1983</u>			
General Applicants	122	86	
Attorney Applicants	<u>9</u>	<u>6</u>	
	131	92	70.0
<u>February, 1984</u>			
General Applicants	108	72	
Attorney Applicants	<u>16</u>	<u>8</u>	
	124	80	64.5
<u>July, 1984</u>			
General Applicants	118	73	
Attorney Applicants	<u>8</u>	<u>6</u>	
	126	79	62.7

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

OFFICERS

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 PRESIDENT
 KETCHIKAN

HARRY BRANSON
 PRESIDENT ELECT
 ANCHORAGE

GAIL ROY FRATIES
 VICE-PRESIDENT
 ANCHORAGE

PAUL A. BARRETT
 SECRETARY
 FAIRBANKS

LEW M. WILLIAMS
 TREASURER
 KETCHIKAN

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 JUDITH J. BAZELEY
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 RONALD W. LORENSEN
 NIESJE STEINKRUGER
 GLENDA J. STRAUBE
 LEW M. WILLIAMS

MEMBERSHIP STATISTICS
 (as of January 21, 1985)

By Status

Active in Alaska	1,673
Active Outside	167
Inactive	280
Judge	51
Retired	10
Adjunct	2
	<hr/>
TOTAL,	<u>2,183</u>

By Judicial District

	<u>Active</u>	<u>Total</u>
District 1	235	246
District 2	27	30
District 3	1,229	1,274
District 4	182	192
Outside	167	441
	<hr/>	<hr/>
	<u>1,840</u>	<u>2,183</u>

DAVID T. WALKER
ATTORNEY AT LAW
MENDENHALL BUILDING
326 FOURTH STREET, SUITE B
JUNEAU, ALASKA 99801
(907) 580-3537

February 18, 1986

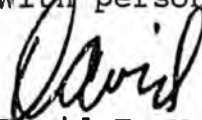
Kevin Bruce
Senate Judiciary Committee
State Capital Building
Juneau, Alaska 99811

Dear Kevin:

There seem to be a lot of bills this session that impact the practice of law. I have been advised that the Board of Governors has not retained a lobbyist this session. I very much want to do all I can to keep the Juneau Bar Association members up to date on the existence and status of measures which vitally impact the practice of law throughout the State. Does the Judiciary Committee maintain a listing of substantive and procedural measures impacting the practice of law? If you have such a list could you share it with me. Would you also put me on a list as an interested party to be notified of any hearing on one of these bills.

I would really welcome any help or suggestion you might offer that would help me get a handle on the issues. Once I have done that I will be in a much better position to assist the Committee by providing the Juneau Bar Association's input and insight to the committee.

With personal regards,



David T. Walker, President
Juneau Bar Association

DTW/dsm

*Suzanne called
2/20*

Board of Governors
Alaska Bar Association
P. O. Box 100279
Anchorage, AK 99510

*file:
MMSICA
MVA ASSN.*

Gary R. Eitel
April 13, 1986

*FILE - Senate Standing
Committee
Judiciary office*
RT 4, BOX 28
Umoale, TX 75771

ATTN: Susan L. Daniels
Discipline Counsel

RE: Your April 7, 1986 letter relating to attorneys McCool,
Baldwin and Davis

Dear Ms. Daniels:

I strongly object to your decision not to open an investigation on attorneys McCool, Baldwin and Davis, based on my March 9, 1986 letter to your office.

The decision not to investigate the above attorneys is apparently based on your organization's misunderstanding of material facts. I have never filed a complaint against Mr. McCool for effecting the perjured testimony of Vernon L. Lofstedt, Sr. and, for that fact, the Alaska Supreme Court did not rule based on your interpretations set out in your April 7, 1986 letter.

The issue of Mr. Lofstedt's perjured testimony that occurred in August, 1983 was not a matter of the State Court case entitled Eitel v. Baldwin, No. 3KN-78-789 and, therefore, was not part of the Lower Court record for the purpose of an appeal. The allegations against Mr. McCool, Baldwin and Davis are extrinsic to that civil case record and, on that basis, the Supreme Court was correct when it was stated, "The record does not support Mr. Eitel's claims of fraud and conspiracy." That issue was never part of the record. The merits of my allegation against Mr. McCool, Baldwin and Davis have never before been litigated, either by the trial court, the appellate court or this Bar Association.

Your April 7, 1986 letter serves as an injustice, and is rightfully construed by me to gloss over the real issue. I have never filed a complaint against Mr. Baldwin, Davis and McCool, alleging the three effected the perjured testimony of Vernon L. Lofstedt, in violation of Disciplinary Rule 7-102, Canon 1, and Disciplinary Rule 1-102, and that remains uncontroverted.

In rebuttal of your April 7, 1986 letter, there was no page 6 to Ms. Williams' June 26, 1985 dismissal notice. Furthermore, that dismissal was on a grievance complaint against attorneys Rogers and Baldwin. The issues under my March 9, 1986 grievance against McCool, Davis and Baldwin were never reviewed under the Rogers and Baldwin complaint and, as a matter of fact, any reference to Vernon L. Lofstedt's perjured testimony was beyond the scope of the Rogers and Baldwin complaint, whether within the initial complaint or under my July 15, 1985 request for reconsideration of the Rogers and Baldwin dismissal notice.

As to the Rule 60(b) motion that you stated the court went on to affirm: The Rule 60(b) motion that I filed concerned a missing liquor license application, that turned up in the hands of William McCool. A liquor license application that could have impeached witness Richard Ross. The Rule 60(b) motion was denied on the basis misconduct by William McCool as my trial counsel, could not stand as a basis for any relief under Rule 60(b). The Rule 60(b) motion did not address or litigate whether or not McCool, Davis and Baldwin effected the perjured testimony of Vernon L. Lofstedt, Sr., and the effected perjured testimony of Vernon L. Lofstedt, Sr. is precisely the basis for my March, 1986 grievance complaint against attorneys McCool, Baldwin and Davis.

Further for your information, I obtained the transcripts of Mr. Lofstedt's perjured testimony and attempted to amend the trial record on review before the Alaska Supreme Court, however, this attempt failed and evidence of perjured testimony was never made part of the lower court record. Perjured testimony of Vernon L. Lofstedt, Sr. at the hands of McCool, Baldwin and Davis was an issue raised after the trial and, on that basis, was not part of the lower court record.

Ms. Daniels, I wish to be very candid; I have a valid complaint against attorneys McCool, Baldwin and Davis under Disciplinary Rule 7-102 and Disciplinary Rule 1-102, and I have a lawful right to have that complaint investigated on its merits. To that end, I invoke the mandatory provisions of Alaska Bar Rule 25 for conclusively establishing misconduct for purposes of a disciplinary proceeding before the Alaska State Bar. Mr. McCool was found guilty and admitted misconduct under a Washington State Bar investigation, based on a grievance complaint. Mr. McCool was reprimanded, censured and put on probation for misconduct, and under Alaska Bar Rule 25, that conclusively establishes misconduct for purposes of a disciplinary proceeding before the Alaska State Bar.

I have in my possession, true and correct transcripts evidencing Mr. Lofstedt's perjured testimony, and I have unrefuted evidence that Mr. Lofstedt's perjured testimony was effected conspiratorially by Mr. McCool, Baldwin and Davis, and it cannot be argued by you or anyone else that this issue has ever been litigated, heard or resolved, in any form or fashion.

It is unnecessary and against justice to create a confrontation between your Bar Association and me concerning my complaint. It would cause me undue expense and hardship to seek redress through a mandamus proceeding on this matter, and to that end, I choose not to unless absolutely necessary. It is for that very reason that I have written you this letter. Please reconsider your position and afford me that which I am entitled to by law; a full and complete investigation of my allegations of March 9, 1986,

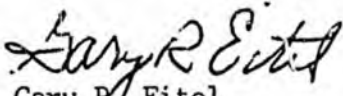
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against attorneys McCool, Baldwin and Davis.

Be assured that I take the matter at issue very serious, and although undesirable, I will seek a mandamus proceeding to have my March 9, 1986 complaint against Mr. McCool, Baldwin and Davis heard.

The matter at issue cannot wait and, on that basis, I would expect and demand your immediate reply, as that reply will set into concrete my next action.

With regards,



Gary R. Eitel
Rt. 4, Box 28
Lindale, TX 75771
(214) 882-9923

cc: Senate Standing Committee Judiciary

Certified Receipt # P 131 364 878