

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1244

Amending Alaska Bar Rule 12
concerning area discipline
divisions and hearing
committees.

IT IS ORDERED:

1. Paragraph (a) of Alaska Bar Rule 12 is amended to read as follows:

(a) **Appointment of Area Division Members.** Members of Area Discipline Divisions (hereinafter "Area Divisions") will be appointed by the ~~president, subject to ratification by the board~~ chief justice under the procedure set out in this rule. One Area Division will be established in each area defined in Rule 9(d). Each Area Division will consist of

(1) not less than six members in good standing of the Bar, each of whom maintains an office for the practice of law within the area of disciplinary jurisdiction for which he or she is appointed; and

(2) not less than three non-attorney members of the public (hereinafter "public member"), each of whom resides in the area of disciplinary jurisdiction for which he or she is appointed, is a United States Citizen, is at least 25 years of age, and is a resident of the State of Alaska.

Area Division members will each serve a ~~three~~ four year term, with each term to commence July 1 and expire on June 30th of the

~~third~~ fourth year. No member will serve for more than two consecutive terms. A member whose term has expired prior to the disposition of a disciplinary or disability matter to which he or she has been assigned will continue to serve until the conclusion and disposition of that matter. This continued service will not prevent immediate appointment of his or her successor. A member who has served two consecutive terms may be reappointed after the expiration of one year.

By May 15 of each year, the Board will send the chief justice lists of proposed Area Division members meeting these qualifications together with their resumes. The chief justice will appoint the members of the Area Discipline Divisions from these lists.

2. Paragraph (d) of Alaska Bar Rule 12 is amended to read as follows:

(d) **Failure to Perform.** The ~~president~~ chief justice has the power to remove an Area Division member for good cause. The ~~president~~ chief justice will appoint, ~~subject to ratification by the board,~~ a replacement attorney or public member to serve the balance of the term of the removed member.

3. Alaska Bar Rule 12 is amended to include new paragraph (k) to read as follows:

(k) Procedure for Selection and

Assignment of Area Division Members by the Director. The Director will select and assign Area Division Members as required by this rule from a roster of the members appointed by the chief justice. If a member declines to serve an assignment, the Director shall select the next member in order and place the declining member in line for the next assignment. The Director may request that the chief justice remove a member from the roster if that member declines assignments on two consecutive occasions.

DATED: May 2, 1996

EFFECTIVE DATE: July 15, 1996

/s/
Chief Justice Compton

/s/
Justice Rabinowitz

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe