

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 342

Amending Alaska Bar Rule
44, Relating to Legal
Interns.

IT IS ORDERED:

Rule 44, Alaska Bar Rules, is amended to read:

Rule 44. Legal Interns.

Section 1. The Integrated Bar Act prohibits the practice of law by anyone not admitted to practice in Alaska. This rule does not authorize an intern to perform any function prohibited by that Act other than those specifically set forth herein.

Section 2. Definition of Legal Intern. A "legal intern" is any person who has on file with the Alaska Bar Association an effective permit issued by the Bar Association through its Executive Director.

Section 3. Eligibility for Intern Permit. Every applicant for an intern permit shall:

(a) File an application in the form prescribed by the Board and produce and file the evidence and documents herein required as proof of eligibility for the permit;

(b) Be a student who:

(1) Is duly enrolled in a law school approved by the American Bar Association;

(2) Has successfully completed at least one-half of the course work required for a law degree;

(3) Has filed with the application a certificate from the dean of his law school stating that he meets the requirements as set forth in subsections (b)(1) and (b)(2); or

(c) Be a law school graduate who:

(1) Has graduated from a law school approved by the American Bar Association;

(2) Has never failed a bar examination or, despite failure, has subsequently passed a bar examination;

(3) Has filed with the Executive Director a certificate from the dean of his law school stating that he meets the requirements set forth in subsection (c)(1) and either his personal affidavit stating that he never failed a bar examination or a certificate from the Supreme Court of the state in which subsequent to failure, a bar examination was passed.

Section 4. Prior Admission. Any applicant who has been admitted to practice in another jurisdiction must file a certificate of good standing from each jurisdiction in which he is admitted. If not in good standing, the applicant shall submit satisfactory proof that he has never been disbarred, suspended or otherwise disciplined.

Section 5. Act Authorized by Permit.

(a) A legal intern may appear and participate in all proceedings before any district or superior court of this state to the extent permitted by the judge or the presiding officer if the attorney representing the client is himself personally present and able to supervise the intern and has filed an entry of appearance with the court and the office of the Alaska Bar Association substantially in compliance with the form set forth in Section 9 of this rule.

(b) A legal intern may also appear and participate before any district court in small claims matters, arraignments, pleas, bail hearings, sentencings and recorded in-chambers conferences without an attorney being personally present to supervise him under the following conditions;

(1) If the attorney representing the client has filed an appearance in the case and with the Bar

Office substantially in compliance with the form set forth in Section 9 of this rule;

(2) If the supervising attorney files a certificate stating that the intern has previously been present and supervised in a similar proceeding and that the attorney believes the intern is competent to conduct such proceedings without the personal presence of the attorney;

(3) If the client gives his written consent to the appearance. A governmental body may grant approval through its attorney; and

(4) If the judge or magistrate agrees to permit the legal intern to participate in the proceedings.

Section 6. Termination of Permit. A permit shall cease to be effective upon the occurrence of one of the following events whichever occurs first:

(a) The expiration of a period of six months from date of issuance;

(b) The failure of an intern to take the first Alaska Bar examination for which he is eligible;

(c) The failure of an intern to pass any bar examination.

Section 7. Renewal of Expired Permit. A permit which has expired under Section 6(a) may be renewed upon compliance with the conditions for issuing an original permit, providing there has been no prior revocation of any certificate, authorization or approval required by Section 5 of this rule. No other permit shall be renewed.

Section 8. Prior Certification. All interns certified prior to the effective date of this rule must comply with the provisions of this rule within 30 days of its effective date.

Section 9. The form for entry of appearance under
Section 5 of this rule shall be substantially as follows:

COMES NOW, (Name of Attorney), attorney at law, and his
appearance on behalf of (Name of Party). Please serve all
pleadings and notices at counsel's address of record: _____

Pursuant to Alaska Bar Rule IV-44, (Name of Intern)
hereby enters his appearance as a legal intern. Supervising
counsel (Name of Attorney) certifies that he is supervising
(Name of Intern) in all matters relating to this case.

(Name of Attorney) also certifies that (Name of Intern)
has been supervised in previous proceedings and that the legal
intern is competent to appear alone in the following proceedings:

(Name of Intern) is a legal intern within the meaning of Alaska
Bar Rule IV-44.

DATED: _____

SUPERVISING ATTORNEY

DATED: _____

LEGAL INTERN

CONSENT

I, (Name of Client), hereby agree that (Name of Intern)
may represent me in this case under the supervision of
(Name of Attorney).

DATED: _____

CLIENT

ORDER

IT IS HEREBY ORDERED that (Name of Intern) may hereby
appear in the above entitled case for all proceedings except

DATED: _____

JUDGE

DATED: December 18, 1979

EFFECTIVE DATE: December 18, 1978

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