

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 703

Amending Administrative Rule
12(b)(1) Relating to Appointments
of Counsel Under AS 18.85.100(a)

IT IS ORDERED:

Administrative Rule 12(b)(1) is amended to read:

(b) Appointments under AS 18.85.100(a) (Public Defender Agency).

(1) Appointment Procedure.

(A) When a person is entitled to counsel under AS 18.85.100(a), appointments shall be made first to the public defender agency. If the agency files a motion to withdraw on the grounds that it cannot represent the person because of a conflict of interest, if the parties stipulate on the record that the agency has a conflict of interest, or if the court on its own motion finds an obvious conflict of interest, the court accepting such motion or stipulation or making such finding shall appoint the office of public advocacy to provide counsel.

(B) The court may appoint an attorney in a case in which the office of public advocacy has been appointed only if:

(i) the office of public advocacy has shown that it is unable to provide counsel either by staff or by contract; and

(ii) the office of public advocacy has provided the court with the name or names of the attorneys who should be appointed in that particular case.

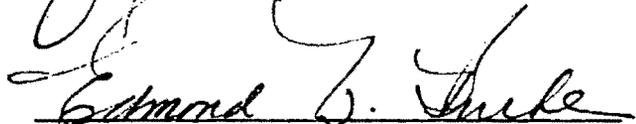
The office of public advocacy shall be responsible for compensating any attorney appointed under this subparagraph.

(C) All claims for payment for services performed after July 1, 1984, by attorneys appointed by the court shall be submitted to the director of the office of public advocacy, under such procedures as the director may prescribe. The director shall approve, modify or disapprove the claim.

DATED: May 1, 1986

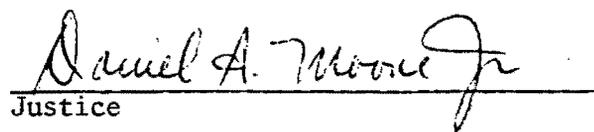
EFFECTIVE DATE: May 12, 1986


Chief Justice Rabinowitz


Justice


Justice


Justice


Justice