

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1863

Amending paragraph (d) and adding new paragraph (f) to Alaska Rule of Professional Conduct 1.2 regarding a lawyer's assistance to a client regarding Alaska's marijuana laws

Adding a new comment to Alaska Rule of Professional Conduct 8.4 providing that assisting a client under new Rule 1.2(f) is not a violation of Rule 8.4(b)

IT IS ORDERED:

Alaska Rules of Professional Conduct 1.2 and 8.4 are amended to read as follows:

Rule 1.2 Scope of Representation and Allocation of Authority Between Client and Lawyer.

* * * *

(d) Except as provided in paragraph (f), A lawyer shall not counsel or assist a client to engage in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.

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(f) A lawyer may counsel a client regarding Alaska's marijuana laws and assist the client to engage in conduct that the lawyer reasonably believes is authorized by those laws. If

Alaska law conflicts with federal law, the lawyer shall also advise the client regarding related federal law and policy.

Rule 8.4. Misconduct.

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COMMENT

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[5] Although assisting a client under Rule 1.2(f) may violate federal drug laws, it is not a violation of Rule 8.4(b).

DATED: June 23, 2015

EFFECTIVE DATE: June 23, 2015

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger