

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 344

Adding Alaska Bar Rule
43.1, Relating to
Waivers to Practice Law
for Members of the
United States Armed
Forces.

IT IS ORDERED:

The Alaska Bar Rules are amended by adding Rule 43.1 to
read:

Rule 43.1. Waivers to Practice Law under a United States
Armed Forces Expanded Legal Assistance
Program.

Section 1. Eligibility. A person not admitted to
the practice of law in this state may receive permission
to practice law in the state for a period of not more
than two years if such person meets all of the following
conditions:

(a) The person is a graduate of a law school which
was accredited or approved by the Council of Legal Educa-
tion of the American Bar Association or the Association
of American Law Schools when he entered or graduated and
is an attorney in good standing, licensed to practice
before the courts of another state, territory or the
District of Columbia, or is eligible to be admitted to
practice upon taking the oath of that state, territory
or the District of Columbia;

(b) The person is an active duty member of the
United States Armed Forces assigned to the Judge
Advocate General's Corps or the United States Coast
Guard; and

(c) The person has not failed the bar exam of this
state.

Section 2. Application. Application for such
permission shall be made as follows:

(a) The Staff Judge Advocate of the Military
Installation to which the applicant is assigned shall
apply to the Board of Governors on behalf of a person
eligible under Section 1;

(b) Application shall be made on forms approved by
the Board of Governors; and

(c) Proof shall be submitted with the application
that the applicant is a graduate of an accredited Law
School as provided in Section 1 of this rule and is an
Attorney in good standing, licensed to practice before
the courts of another state, territory or the District
of Columbia, or is eligible to practice upon taking the
oath of the state, territory or the District of Columbia.

Section 3. Approval. The Board of Governors shall
consider the application as soon as practicable after it
has been submitted. If the Board finds that the appli-
cant meets the requirements of Section 1 above, it shall

grant the application and issue a waiver to allow the applicant to practice law before all courts of the state of Alaska. The Board of Governors may delegate the power to the executive director of the Bar Association to approve such applications and issue waivers, but the Board shall review all waivers so issued at its regularly scheduled meetings.

Section 4. Conditions. A person granted such permission may practice law only as required in the course of representing military clients under an approved Expanded Legal Assistance Program, and shall be subject to the provisions of Part II of these rules to the same extent as a member of the Alaska Bar Association. Such permission shall cease to be effective upon the failure of the person to pass the Alaska Bar examination.

Section 5. Advisory Council. An advisory council composed of one representative from each participating United States military service and one representative of the Alaska Bar Association shall establish rules and regulations for conducting the Expanded Legal Assistance Program in Alaska.


DATED: December 18, 1978

EFFECTIVE DATE: December 18, 1978

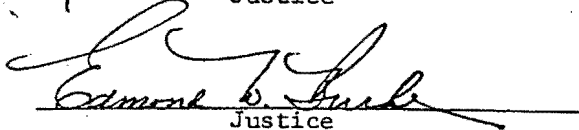
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