

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1452

Amending Alaska Bar Rule 31(g)(3)
concerning trustee counsel fees and
expenses.

IT IS ORDERED:

Paragraph (g)(3) of Alaska Bar Rule 31 is amended to read as follows:

**Rule 31. Appointment of Trustee Counsel to
Protect Client's Interests.**

(g) Compensation.

(1) Any attorney serving as trustee counsel shall be entitled to compensation for reasonable fees and costs incurred in the performance of duties set forth in this Rule. Trustee counsel may seek payment of fees and costs from the estate of the unavailable attorney. Such a bill for fees and costs must be approved by the court as reasonable.

(2) An attorney who serves as trustee counsel may substitute as counsel for a client of the unavailable attorney after disclosure to the client that the client is free to select any attorney to substitute as counsel for the unavailable attorney and after obtaining the client's consent to substitution.

(3) In the event that the estate of the unavailable attorney is insufficient to compensate trustee counsel, an attorney appointed to serve as trustee counsel may submit a claim to the Board of Governors of the Alaska Bar Association. Reasonable compensation shall be determined by the Board and will not exceed ~~\$5,000~~ \$10,000.

DATED: August 20, 2001
EFFECTIVE DATE: October 15, 2001

/s/
Chief Justice Fabe

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Bryner

/s/
Justice Carpeneti