

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1497

Amending Alaska Bar Rule 34(c)(4)
regarding of limitation of time to file
petition for arbitration of fee dispute.

IT IS ORDERED:

Alaska Bar Rule 34(c)(4) is amended to read as follows:

Rule 34. General Principles and Jurisdiction.

(c) Fee Disputes Subject to Arbitration. All disputes concerning fees charged for professional services or costs incurred by an attorney are subject to arbitration under these Rules except for:

(1) disputes where the attorney is also admitted to practice in another state or jurisdiction and (s)he maintains no office in the State of Alaska and no material portion of the legal services were rendered in the State of Alaska, unless (s)he appeared under Alaska Civil Rule 81;

(2) disputes where the client seeks affirmative relief against the attorney for damages based upon alleged malpractice or professional misconduct; or

(3) disputes where the fee to be paid by the client or on his or her behalf has been determined pursuant to State statute or by a court rule, order or decision.

(4) disputes which occur after EFFECTIVE DATE over fees which were charged more than three (3) years earlier, unless the attorney or client could maintain a civil action over the disputed amount.

DATED: October 31, 2002

EFFECTIVE DATE: April 15, 2003

Chief Justice Fabe

Justice Matthews

Justice Eastaugh

Justice Bryner

Justice Carpeneti