

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1329

Amending Alaska Rule of
Professional Conduct 1.4
concerning communication.

IT IS ORDERED:

Alaska Rule of Professional Conduct 1.4 is amended to read:

Rule 1.4 Communication.

(a) A lawyer shall keep a client reasonably informed about the status of a matter undertaken on the client's behalf and promptly comply with reasonable requests for information.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

(c) A lawyer shall inform an existing client in writing if the lawyer does not have malpractice insurance of at least \$100,000 per claimant and \$300,000 total and shall inform the client in writing at any time the lawyer's malpractice insurance drops below these amounts or the lawyer's malpractice insurance is terminated. A lawyer shall

maintain a record of these disclosures for
six years from the termination of the
client's representation.

ALASKA COMMENT

Subsection (c) does not apply to lawyers
in government practice or lawyers employed as
in-house counsel.

Lawyers may use the following language
in making the disclosures required by this
rule:

(1) no insurance: "Alaska Rule of
Professional Conduct 1.4(c) requires that
you, as the client, be informed in writing if
a lawyer does not have malpractice insurance
of at least \$100,000 per claimant and
\$300,000 total and if, at any time, a
lawyer's malpractice insurance drops below
these amounts or a lawyer's malpractice
insurance coverage is terminated. You are
therefore advised that (name of attorney or
firm) does not have malpractice insurance

coverage of at least \$100,000 per claimant and \$300,000 total."

(2) insurance below amounts: "Alaska Rule of Professional Conduct 1.4(c) requires that you, as the client, be informed in writing if a lawyer does not have malpractice insurance of at least \$100,000 per claimant and \$300,000 total and if, at any time, a lawyer's malpractice insurance drops below these amounts or a lawyer's malpractice insurance coverage is terminated. You are therefore advised that (name of attorney or firm)'s malpractice insurance has dropped below at least \$100,000 per claimant and \$300,000 total."

(3) insurance terminated: "Alaska Rule of Professional Conduct 1.4(c) requires that you, as the client, be informed in writing if a lawyer does not have malpractice insurance of at least \$100,000 per claimant and \$300,000 total and if, at any time, a lawyer's malpractice insurance drops below these amounts or a lawyer's malpractice insurance coverage is terminated. You are therefore advised that (name of attorney or

firm)'s malpractice insurance has been terminated."

COMMENT

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DATED: July 9, 1998

EFFECTIVE DATE: January 15, 1999

/s/
Chief Justice Matthews

/s/
Justice Compton

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Bryner