

In the Supreme Court of the State of Alaska

In the Disciplinary Matter Involving:)

Andrew K. Kurzmann,)

Respondent.)

Supreme Court No. S-14242

Order

Date of Order: May 19, 2011



ABA Member No.: 8309090

ABA File No.: 2007D194

Before: Carpeneti, Chief Justice, Fabe, Winfree, Christen, and Stowers, Justices.

On consideration of the findings, conclusions, and recommendation submitted by the Alaska Bar Association Disciplinary Board under Alaska Bar Rule 22(n) for review by the Supreme Court pursuant to Alaska Bar Rule 22(r),

IT IS ORDERED:

1. The Disciplinary Board's findings, conclusions and recommendation for discipline are **APPROVED**;
2. Attorney Andrew K. Kurzmann is **SUSPENDED** from the practice of law for four years effective June 20, 2011;
3. If Respondent seeks reinstatement under Alaska Bar Rule 29, he must prove that he has met the following terms and conditions:
 - a. Respondent must make full restitution of any amounts owed to the Lawyers' Fund for Client Protection, the Alaska Bar Association and to all clients for any fee arbitration awards;

- b. Respondent is required to pay any costs and fees incurred by the Bar Association in this disciplinary matter in an amount to be determined by the Bar;
- c. Respondent must satisfactorily complete 6 hours of continuing legal education in legal ethics and 12 hours of continuing legal education in law office management courses approved by the Bar's CLE Director and the Bar's Executive Director; Respondent must also obtain training (in a manner and provided by a company or person approved by the Bar), and provide proof to the Bar of said training, in setting up and handling client funds and client trust accounts;
- d. Respondent is required to present a detailed plan acceptable to Bar Counsel and the Disciplinary Board regarding his law practice financial procedures, including a plan for the handling of client funds with mandatory quarterly auditing and reporting for a period of two years following readmission. All costs incurred by the Bar Association associated with any review of said plan by any outside professionals for said auditing and reporting plan shall be paid by Respondent in advance;
- e. Respondent must undergo and complete a mental examination at his expense at a facility or by an individual or individuals chosen by or acceptable to the Bar Association to determine if he is mentally fit to practice law. Respondent will not be reinstated until he has successfully demonstrated compliance with this requirement and any

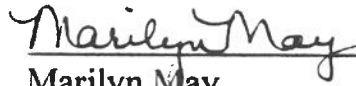
recommendations of said facility and/or individuals for any course of treatment that may result from said examination;

- f. Respondent shall have his conduct as an attorney monitored by an attorney approved by the Bar Association for a period of two years. All expenses incurred by the Bar Association including the attorney fees for monitoring shall be paid by Respondent. The monitoring attorney shall provide quarterly reports to the Bar Association which shall review the reports to make certain Respondent has demonstrated his fitness to practice law by correcting the conduct set forth in this proceeding;
- g. Respondent must, at his own expense, submit to mandatory drug and alcohol testing at a qualified testing facility selected by the Bar Association for a period of two years, and under such conditions and at a frequency as determined by the Bar in consultation with said facility; must show satisfactory results from the testing as required by said facility; and follow any courses of treatment or programs proscribed by said facility or any person or professionals recommended by said facility. All costs incurred by the Bar Associations for monitoring the testing and any follow up treatment must be paid by Respondent.

Entered at the direction of the court.

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Clerk of the Appellate Courts


Marilyn May

cc: Supreme Court Justices

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