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alaska judicial council

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EXECUTIVE DIRECTOR
William T. Cotton

NON-ATTORNEY MEMBERS
Jim A. Arnesen
David A. Dapceovich
Janice Lienhart

ATTORNEY MEMBERS
Mark E. Ashburn
Thomas G. Nave
Christopher E. Zimmerman

CHAIRMAN, EX OFFICIO
Daniel A. Moore, Jr.
Chief Justice
Supreme Court

NCJRS

APR 27 1995

ACQUISITIONS

Message From the Executive Director

We are pleased to present the Alaska Judicial Council's Seventeenth Report to the Legislature and Supreme Court for the years 1993 and 1994. The Council reports biennially on its dual constitutional responsibilities of nominating candidates for judicial vacancies and of making reports and recommendations to the supreme court and legislature. The report also covers the statutory mandate to evaluate judges standing for retention and nominate applicants for the Public Defender.

This report includes a brief narrative summarizing Council activities during 1993 and 1994, and a series of appendices. The appendices list statutory and constitutional laws affecting the Judicial Council, judicial applicants, nominees and appointees, all sitting judges and their retention election dates, and summaries of Council procedures for judicial selection and retention evaluation. Summaries of the Council's major reports during 1993 and 1994 also are included as appendices.

The Judicial Council welcomes your comments and questions about this report.

154007

Very truly yours,

William T. Cotton
Executive Director

U.S. Department of Justice
National Institute of Justice

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Seventeenth Report: 1993-1994
to the
Legislature and Supreme Court

February 1995

The Alaska Judicial Council (1993-1994)

Members and Terms

CHAIRPERSON

Daniel A. Moore, Jr.
Chief Justice (1992-1995)

ATTORNEY MEMBERS

Daniel L. Callahan (1988-1994)
Mark E. Ashburn (1990-1996)
Thomas G. Nave (1992-1998)
Christopher E. Zimmerman (1994-2000)

NON-ATTORNEY MEMBERS

David A. Dapcevich (1991-1997)
Leona Okakok (1987-1993)
Janice Lienhart (1993-1999)
Jim A. Arnesen (1991-1995)

COUNCIL STAFF *1993-1994*

William T. Cotton, Executive Director
Teresa W. Carns, Senior Staff Associate
Susanne D. Di Pietro, Staff Attorney
Alan R. McKelvie, Research Analyst
Peggy J. Skeers Kerr, Administrative Assistant
Josefa M. Zywna, Fiscal Officer

Joan Connors, Rural Justice Project Evaluator
Marcia Vandercook, Sentencing Manual Staff Attorney
Pamela R. Kelley, Rule 82 Project Attorney
Joan M. Unger, DOC Policy & Procedures Project Attorney
Susan McKelvie, Research Assistant
Lydia D. Heyward, Rule 82 Project Research Assistant
Stephanie R. Lawley, Secretary
Stephanie Pavelko, Secretary



Judicial Council Membership

1994

Members and staff, left to right (standing)

David A. Dapcevich, Thomas G. Nave, Chief Justice Daniel A. Moore, Jr.,
Mark E. Ashburn, William T. Cotton (Executive Director)

(seated)

Teresa W. Carns (Senior Staff Associate) Christopher E. Zimmerman,
Janice Lienhart, Jim A. Arnesen, Susanne D. Di Pietro (Staff Attorney)

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The Judicial Council released this publication to comply with its constitutional duty to report biennially to the legislature and supreme court. The report cost \$6.51 per copy from a printer doing business in Anchorage, AK.

Part I

Introduction

Part I

Introduction

Alaska's Constitution established the Alaska Judicial Council and required it to "make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years" (Article IV, Section 9). This is the Judicial Council's Seventeenth Report to the legislature and the supreme court since statehood. It summarizes the Council's activities in 1993 and 1994 in judicial selection and evaluation and in research. The report includes appendices that describe the Council's membership (Appendix B), judicial selection procedures (Appendix D), judicial nominations and appointments since statehood (Appendix E), retention election evaluation procedures (Appendix F), and a retention election log (Appendix G). Executive summaries or excerpts from the major reports published by the Council appear as Appendices J and K.

A. Purposes of the Judicial Council

Delegates to Alaska's Constitutional Convention created the Judicial Council for two purposes: to nominate candidates for supreme and superior court judgeships, and to conduct studies and recommend improvements in the administration of justice. The legislature since has expanded Council activities to include nomination of court of appeals and district court judges and candidates for the state public defender's office. Statutes also require the Council to evaluate the performance of all judges and justices standing for retention elections and to report its findings to voters. The supreme court, by court rule, has asked the Council to assume varied responsibilities, including evaluation of *pro tem* judges and monitoring or evaluation of several experimental court programs. Appendix A gives constitutional and statutory references to all mandated Judicial Council functions.

B. Council Membership

Article IV, Section 8 of Alaska's Constitution sets the membership of the Council as three non-attorneys appointed by the Governor, three attorneys appointed by the Board of Governors of the Alaska Bar Association, and the Chief Justice of the Supreme Court of Alaska who serves, *ex officio*, as Chair. The Constitution provides that all appointments shall be made "with due consideration to area representation and without regard to political affiliation." A majority of both houses of the legislature must confirm the non-attorney appointments, while the Board of Governors of the Alaska Bar Association appoints the attorney members, after conducting advisory elections among bar members within local judicial districts. Members serve six-year staggered terms.

New members of the Council include Janice Lienhart of Anchorage and Christopher E. Zimmerman of Fairbanks. Governor Hickel appointed Ms. Lienhart to fill the non-attorney seat vacated by Leona Okakok of Barrow. The Board of Governors named Mr. Zimmerman to replace attorney Daniel L. Callahan of Fairbanks.

C. Organization and Administration of the Council

The Judicial Council adopts bylaws for its governance in concurrence with the constitutional provision that the Council shall act ". . . according to rules which it adopts" (Article IV, Section 8). The Council revised its bylaws substantially in 1973 and 1983. Appendix C includes the current bylaws.

The legislature funds most Council activities from the general fund. The Council often receives grants from other sources and conducts much of its research with federal funding. In 1994, the State Justice Institute made two grants to the Judicial Council. In August 1994, SJI funded "A Consumer Guide to Choosing a Mediator," which the Council completed in February, 1995. In September 1994, the State Justice Institute made a grant to the Council to evaluate "Alaska's 'English' Rule: A Study of Fee-Shifting in Civil Cases," which the Council will complete in August, 1995.

The Judicial Council's staff currently includes the executive director, senior staff associate, staff attorney, fiscal officer, administrative assistant, and research analyst. Other staff work in temporary positions as needed for major projects and evaluations.

Part II

Judicial Selection and Evaluation 1993-1994

Part II

Judicial Selection and Evaluation 1993-1994

A. Judicial Selection

The Council nominated applicants for four judicial vacancies in 1993 and 1994. Governor Hickel appointed Robert L. Eastaugh (1/29/94) to the supreme court to fill a vacancy created by the retirement of Justice Edmond Burke (12/1/93). Governor Hickel appointed Larry D. Card (8/13/93) to the superior court in Anchorage for a vacancy caused by the retirement of Judge J. Justin Ripley (7/16/93).

Two of the vacancies occurred in the Anchorage District Court when Judges Martha Beckwith (1993) and John D. Mason (1994) retired. Governor Hickel appointed James N. Wanamaker (8/13/93) and Stephanie E. Joannides (10/28/94) to fill these two vacancies.

B. Judicial Selection Procedures

The Council reviews information about judicial applicants from many sources. The Council surveys all Alaska attorneys about the applicants and holds public hearings before making its nominations. Each applicant must list five references. The Council asks these and former employers to comment on the applicants' abilities and performance. Staff check credit and criminal history. Appendix D describes selection procedures in more detail.

C. Evaluation of Judges

1. Retention Evaluation of Judges.

Alaska's constitution and statutes require every judge to stand periodically for retention in the general elections. Judges appear on the ballot unopposed. Judges' terms vary, depending on the court in which the judge serves.

Statutes enacted in 1975 authorize the Judicial Council to evaluate each justice or judge eligible to stand for retention. The Council must publicize its evaluation of each judge and must provide information about the evaluations to the Lieutenant Governor for inclusion in the Official Election Pamphlet. The Council also may make a recommendation about each judge.

Twenty-five judges stood for retention in 1994, including one supreme court judge, one court of appeals judge, fifteen superior court judges, and eight district court judges. The Council found each judge qualified, and recommended all for retention. Voters retained all of the judges with at least 62% yes votes per judge (see Appendix F for an analysis of the 1994 vote).

In 1994, the Council surveyed Bar members and peace and probation officers about the performance of all judges standing in 1994 elections, all judges eligible to stand in 1996, the three federal district court judges (at their request) and twelve *pro tem* judges. Despite the large number of judges, Bar members and peace and probation officers responded well to the surveys, with about a 48% return rate for the Bar and 41% return rate for peace and probation officers. The Council also surveyed all 3,945 jurors who had appeared before the 1994 retention judges during 1992 and 1993. The 1,784 returned questionnaires varied from 23% to 55% of the questionnaires sent out for individual judges.

The Council worked hard to encourage public input and disseminate its evaluations widely. In addition to holding public hearings during the evaluation period for seventeen communities around the state, staff and members spoke to local organizations, issued press releases, and used newspaper and radio advertising to invite citizen participation in the evaluation process. For two months before the election, the Council again spoke to local groups, sent out press packets to all of the weekly and daily newspapers in the state, and placed extensive newspaper advertising.

2. Performance Evaluation of Pro Tem Judges.

The Council evaluated twelve *pro tem* judges under Administrative Rule 23 (adopted by the supreme court in 1986) including Judges Asper, Beckwith, Bosshard, Craske, Crutchfield, Hanson, Jones, Mason, Pegues, Ripley, Schulz, Stemp, and Stewart. The Council surveyed all members of the Alaska Bar Association, and Alaska peace and probation officers. After approving evaluation results for each of the judges, the Council forwarded them to the Chief Justice for his review.

3. Evaluation of Federal District Court Judges.

Judges Holland, Sedwick and Singleton of the federal district court in Alaska asked the Judicial Council to survey Alaska Bar members about their performance. The Council included the three federal judges in its 1994 retention survey. The federal judges received comments and ratings from the Bar members.

Part III

Reports and Recommendations

Part III

Reports and Recommendations

A. Introduction

Alaska's constitution requires the Judicial Council to "conduct studies for the improvement of the administration of justice, and make reports and recommendations to the supreme court and to the legislature." Since statehood the Council has responded to this mandate by recommending changes to the justice system that have included establishment of the Public Defender agency, adoption of presumptive sentencing and revisions of the court system's fee structure. Two appendices to this report list the Council's major recommendations (Appendix H) and its publications since statehood (Appendix I).

B. Major Reports, 1993 and 1994

1. Resolving Disputes Locally: A Statewide Report and Directory

The legislature asked the Council to follow up its 1992 report, *Resolving Disputes Locally: Alternatives for Rural Alaska*, with a directory of all existing resources for the rural communities. The Council prepared a report that discussed historical methods of resolving disputes, described dispute resolution activity region by region, described interactions among tribal courts and councils and state or local governments, and recommended increasing interactions between state and tribal governments. The Council found over a hundred organizations that were resolving disputes at a local level throughout the state, many through interactions with state agencies. Based on its findings, the Council strongly recommended that the state work more closely with the local organizations because it appears that the state saves money and that citizens benefit when they can resolve disputes within the community.

2. Plan for the Integration of Alaska's Criminal Justice Computer Systems and the Creation of a Comprehensive Criminal History Repository

The legislature asked the Judicial Council to work with the state's criminal justice agencies, the courts and the legislature to decide how to coordinate the data and operation of the information systems, and how to create a criminal history database that included all necessary data and could be updated easily. The Council worked with a Computer Policy subgroup and members of the Criminal Justice Working Group. Wolfe and Associates, a nationally recognized firm, helped the groups define the types of data they had to collect, possible sources, and areas in which cooperation would be needed. The report identified benefits, including efficiency, accurate criminal history records, improved security, and compliance with federal requirements.

The contractor surveyed the technology available to transmit these data, and recommended that the justice system agencies move from inadequate and outdated

equipment to a more flexible and state-of-the-art system that could store and share data easily. The recommended system relies on unique identifying numbers for offenders and transactions, uses client-server networks to store and transmit data, and calls for electronic transmission of data to and from each agency to a common repository of criminal history records. The Criminal Justice Working Group recommended that the legislature fund agency information systems in a unified capital budget request, emphasizing that the individual agencies must have working systems before the state can establish effective links among the systems.

3. Appellate Courts Case Management System

The Judicial Council began working with the appellate courts' judges, clerk and staff in March, 1994 to design and install a case management and information system. Using federal funds, the appellate courts purchased personal computers, network links and software. The Council staff wrote programs to track appellate cases, remind staff of due dates and tasks associated with each case, provide a database that the court can use for management and policy decisions, and generate letters and other documents associated with cases. The Council completed the work at a small fraction of the cost needed to pay an outside firm for a custom program. Staff will continue to develop the case management system during the next year, designing components to meet specific needs of the appellate courts.

C. Work in Progress, 1995

The projects currently underway at the Council include a contract with the Department of Corrections to review the department's policies and procedures, an update of the directory for rural alternative dispute resolution organizations, grants from the State Justice Institute to create guidelines for selecting a mediator and to assess the use and effects of fee-shifting in Alaska civil cases, manuals for public use about the criminal justice system and about victims' rights and resources, and continuing work on the appellate case management system.

1. DOC Policies and Procedures

The Department of Corrections asked the Council to assist with a reorganization of its policies and procedures. The Council will work with the Department to update its policies and procedures to reflect court decisions, new statutes and actual practices, and re-write them to a consistent set of grammar and style guidelines.

2. Update Rural Alternative Dispute Resolution Directory

Since April of 1993 when the Council published the first version of the directory, tribal councils and courts, regional Native non-profit corporations, and a variety of other groups have greatly increased the amount of attention given to local governance issues. New federal money, training programs and recommendations from other groups such

as the Alaska Natives Commission and the state Department of Public Safety VPSO program encouraging local dispute resolution have supported this trend.

In June, 1994, the Council began to update the directory. The Department of Community and Regional Affairs shared a database for all of the rural communities with the Council, and the Council sent questionnaires to all organizations listed in the 1993 directory. The updated directory will contain more detailed information about the structure of tribal courts and councils, data about the community, and updates about the interactions among tribal governments and other governments and organizations. The update also will describe dispute resolution resources for local communities.

3. State Justice Institute Grant, Guidelines for Selecting a Mediator

The State Justice Institute funded the Council to write and produce a model brochure about how to select a mediator. The guide is aimed at attorneys, judges and consumers looking for a mediator. Because no national standards or certification program exist, the guide uses a series of checklists to help its readers think about what they need from the dispute resolution, how to assess mediators' qualifications, and how to interview mediators. The guide is tailored to Alaskan practice, with advice on how to modify it for use in other jurisdictions. The Council will print and distribute a final version in early 1995.

4. State Justice Institute Grant, Fee-Shifting in Alaska

A second grant from the State Justice Institute calls for extensive interviewing and data collection to establish an empirical base for evaluating fee-shifting in civil cases. The only state to apply partial fee-shifting, Alaska could serve as a model for both state and federal courts interested in the effects of the practice. Staff will interview about two hundred attorneys in Anchorage and out of state, and all of the Anchorage trial court judges and the five supreme court justices. Data from over 800 state court cases and about 350 federal cases to which Rule 82 applied will provide a baseline from which to assess the Alaska practice. A final report and journal article, due in August or September of 1995, will summarize the project's findings and recommendations.

5. Criminal Justice System and Victims' Rights Manuals

The Alaska Sentencing Commission recommended that the state write a brief description of the criminal justice system and sentencing practices to help participants in criminal cases and citizens understand the complexities of the law and policies. The Judicial Council took on this project in 1994, and hopes to complete the work in mid-1995. The victims' manual was similar enough that staff plan to finish it at about the same time. The manuals will describe typical practices, define commonly used legal terms, and list resources.

6. Appellate Case Management System

The Council will continue work on the appellate case management system. During 1995, the system will expand to include a wider variety of appellate actions, more management analysis capability, and a broader range of word-processing and case-tracking tasks. Staff also will consider other means of improving the system, or of using similar systems in other organizations.

7. Juvenile Victim-Offender Mediation Pilot Project Evaluation

The Council staff offered to evaluate the success of a volunteer mediation program that serves non-violent juvenile offenders and the victims of their offenses. Since the project began in 1994, Council staff have worked with University of Alaska Anchorage professors to design and implement the evaluation component. Staff will report on the mediation results and success of the pilot project in the summer of 1995.

D. Administration

The Judicial Council took on a series of other responsibilities during 1993 and 1994, including training, committee service, work with other agencies, and liaison with the legislature.

1. Committee Service

Council staff assisted several committees in their work. The Council's Executive Director chaired the Supreme Court's Child Support Guidelines Committee. Through a series of extensive meetings, public hearings, and review of data and case law, the committee presented a proposal to the Supreme Court updating Alaska's child support guidelines rule (Civil Rule 90.3) and complying with federal requirements for periodic evaluation. The Executive Director also sat on the Public Information Task Force and the Civil Rules Committee, both of which report to the Supreme Court.

The Council's Senior Staff Associate served as Vice-Chair of the Joint State-Federal Court Gender Equality Task Force, created by Chief Justice Moore and Chief Judge Holland to create solutions for any gender bias problems that the Task Force might identify in the courts. The group presented a half-day training session at the 1993 Judges' Conference. Members worked with over a hundred attorneys, court staff, and others throughout the state to identify means of dealing with gender bias in the courts and legal profession. The Senior Staff Associate also sits on the Supreme Court's Day Fines Program Development Committee, which began work in September, 1994 and submitted its final report to the court in January, 1995.

The Staff Attorney serves on the Alaska Supreme Court's Standing Advisory Mediation Task Force. Members include representatives from the bench, bar and mediation service providers. The Staff Attorney also chairs the Family Court Video

Committee, which designed and implemented a program to show divorcing parents a video about their children's needs during the divorce and after. She is Vice President of the Board of Directors of the Community Dispute Resolution Center, and sits on the Community Advisory Panel of the Juvenile Victim-Offender Mediation Pilot Project. She also chaired the Anchorage State Courts Subcommittee of the Gender Equality Task Force.

2. Criminal Justice Working Group

The Criminal Justice Working Group includes commissioners of all the executive branch agencies associated with the justice system, the Chief Justice and Administrative Director of the courts, chairs of the Senate and House Judiciary Committees of the Alaska Legislature, and representatives of other major agencies associated with criminal justice in the state. The Judicial Council serves as a member of the group, and facilitates the meetings. The group considers sentencing, prison overcrowding, legislation, fiscal and budget issues, and other matters that benefit from a unified approach by justice agencies.

During 1993 and 1994, the Council worked with the CJWG to improve coordination of criminal justice agency information systems. Funded by the legislature, the Council prepared a report (see "Plan for the Integration of Alaska's Criminal Justice Computer Systems and the Creation of a Comprehensive Criminal History Repository," on page 5 and Appendix K) for the legislature. The Council also helped the CJWG draft a unified capital budget request to the legislature for funding for the information systems.

3. Technical Assistance

The Judicial Council assists various community groups and public interests with information and referrals to appropriate resources. In 1993 and 1994, staff answered questions from other agencies, referred citizens to appropriate agencies, advised nonprofit citizens' groups about the justice system, and provided information to organizations in other states about Alaska's judicial selection and retention methods and the Council's studies and recommendations. Staff also answered questions from citizens, applicants, and judges about the selection and retention evaluation processes.

4. Legislative Liaison

The legislature asks the Council for information about a wide range of issues. In 1993, the legislature funded a major report from the Council on criminal justice information systems. Legislators also asked for information about sentencing, costs of changes in various laws, rural justice, and alternative dispute resolution. The Council also responds to requests for information about judicial selection and retention.

Appendix A

***Catalogue of Current Law
Relating to the Alaska Judicial Council***

Appendix A

Catalogue of Current Law Relating to the Alaska Judicial Council

Alaska Constitution:

ARTICLE IV, SECTION 5	Duty to nominate supreme court justices and superior court judges.
ARTICLE IV, SECTION 6	Retention.
ARTICLE IV, SECTION 7	Judicial vacancy.
ARTICLE IV, SECTION 8	Composition of Judicial Council and manner of appointment of members, necessity of four votes.
ARTICLE IV, SECTION 9	Duty to conduct studies to improve the administration of justice.
ARTICLE IV, SECTION 13	Compensation of Judicial Council members to be prescribed by law.
ARTICLE XV, SECTION 16	First Judicial Council.

Alaska Statutes:

01.10.055	Residency requirements for judicial applicants.
09.25.110-120; (39.51.020)	Inspection and copying of public records, including applications for public employment; (compliance without penalty).
15.13.010	Judges to file retention reports with APOC.
15.15.030(10)	Election ballot for judicial retention.
15.15.450	Certification of retention vote.

Alaska Statutes (Continued)

- 15.35.030 Approval/rejection of supreme court justice.
- 15.35.040 Retention filing date for supreme court.
- 15.35.053 Approval/rejection of court of appeals judge.
- 15.35.055 Retention filing date for court of appeals.
- 15.35.060 Approval/rejection of superior court judge.
- 15.35.070 Retention filing date for superior court.
- 15.35.080 Determination of judicial district in which to seek approval.
- 15.35.100 Approval/rejection of district court judge.
- 15.35.110 Retention filing date for district court.
- 15.58.020(2) Election pamphlet must contain retention election information from Judicial Council.
- 15.58.030(g) August 7 deadline for judges to file photograph and statement for OEP.
- 15.58.050 Information must be filed with lieutenant governor no later than August 7 of the year in which the general election will be held and should include a description of any public reprimand, public censure or suspension received during the evaluation period by a judge standing for retention.
- 15.58.060(c) Judicial Council does not have to pay for space in election pamphlet.
- 18.85.030 Duty of Council to nominate public defender candidates.
- 18.85.050 Duty to nominate public defender candidates as soon as possible if vacancy occurs mid-term.

Alaska Statutes (Continued)

- 22.05.070 Qualifications of supreme court justices.
- 22.05.080 Duty to nominate supreme court justice candidates; vacancy occurs 90 days after election at which rejected or for which judge failed to file for retention.
- 22.05.100 Duty to provide information to public on supreme court justice on retention.
- 22.05.130 Restrictions on supreme court justice.
- 22.07.040 Qualifications of court of appeals judges.
- 22.07.060 Duty to provide information to public on court of appeals judge on retention.
- 22.07.070 Duty to nominate court of appeals judge candidates; vacancy occurs 90 days after election at which rejected or for which judge failed to file for retention.
- 22.07.080 Restrictions on court of appeals judges.
- 22.10.090 Qualifications of superior court judges.
- 22.10.100 Duty to nominate superior court candidates; vacancy occurs 90 days after election at which rejected or for which judge failed to file for retention.
- 22.10.120 Council to designate judicial district in which appointee to reside and serve.
- 22.10.150 Duty to provide information to public on superior court judge on retention.
- 22.10.180 Restrictions on superior court judges.
- 22.15.160 Qualifications of district court judges.

Alaska Statutes (Continued)

- 22.15.170 Duty to nominate district court judge candidates; vacancy occurs 90 days after election at which rejected or for which judge failed to file for retention.
- 22.15.195 Duty to provide information to the public on district court judge on retention.
- 22.15.210 Restrictions on district court judges.
- 22.20.037 Judicial Council employees subject to state laws regarding leave, retirement, travel; annual salary survey.
- 22.25.010 Copy of declaration of judge incapacity to be filed with Council.
- 22.30.011 Responsibilities of the Commission on Judicial Conduct include public or private reprimand of a judge or referral to the Supreme Court for suspension or removal.
- 22.30.010 Council members may not serve on both Council and Commission on Judicial Conduct simultaneously.
- 24.20.075 Legislative recommendations of the Council to be reviewed by the Code Revision Commission.
- 24.55.100 and .330 Judicial Council subject to jurisdiction of Ombudsman.
- 39.05.035 Commission of office.
- 39.05.045 Oath of office.
- 39.05.070 Uniformity of appointment process.
- 39.05.080 Appointment procedure.
- 39.05.100 Qualifications for appointment.

Alaska Statutes (Continued)

39.05.200	Definitions.
39.20.110	Per Diem.
39.20.120	Allowable expenses.
39.20.130	Mileage.
39.20.140	Travel costs and travel out-of-state.
39.20.150	Advances.
39.20.160	Regulations.
39.20.170	Construction.
39.20.180	Transportation and per diem reimbursement of Council members.
39.20.185	Per diem--when not entitled to.
39.20.190	Definitions.
39.20.200-.350	Leaves of absence.
39.23.240	State Officers Compensation Commission.
39.25.080	Public records.
39.25.090	State Personnel Act.
39.25.100	Classified service.
39.25.110(2),(10)	Staff exempt from coverage of State Personnel Act; Council members exempt.
39.25.178	Employee political rights.
39.27.011(a), Sec. 6	Cost of living increases for ch. 87 SLA 1985 employees of judicial branch.

Alaska Statutes (Continued)

- | | |
|-----------------------|---|
| 39.30; 39.35; 39.45 | Insurance and supplemental employee benefits; public employees' retirement system; public employees' deferred compensation program (refer to statutes). |
| 39.50.010-.200(b)(15) | Report of financial and business interests. |
| 44.62.310 | Requirement that Council meetings be open to the public. |
| 44.62.312 | State policy regarding meetings. |

Resolutions

- | | |
|-----------------------|------------------------------|
| S. Res. 5am (8/16/85) | Council to study grand jury. |
|-----------------------|------------------------------|

Temporary and Special Acts

- | | |
|----------------|---|
| Ch. 163 (1990) | Requiring the Alaska Judicial Council to establish and evaluate a pilot child visitation mediation project. |
|----------------|---|

Rules of Court

- | | |
|---------------|--|
| Adm.R.23(a-b) | Pro tem judge performance evaluation by Council. |
|---------------|--|

Administrative Code

- | | |
|--------------|-------------------------------------|
| 2 AAC 37.010 | Judicial retirement for incapacity. |
|--------------|-------------------------------------|

State Admin. Regulations

- | | |
|--|--------------------|
| AAM 60.010-60.400
(State Administrative Manual) | Travel and moving. |
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Appendix B

Judicial Council Membership

Members of the Alaska Judicial Council

Council Members	Appointment Effective	Expiration Date
Chief Justice Daniel A. Moore, Jr. Alaska Supreme Court 303 "K" Street Anchorage, Alaska 99501 264-0622 (Off.) 276-5808 (Fax)	10/1/92	9/30/95
Thomas G. Nave (<i>Attorney Member</i>) 227 7th Street Juneau, Alaska 99801 586-3309 (Off.) 789-1436 (Res.) 586-2206 (Fax)	2/24/92	2/23/98
Janice Lienhart (<i>Non-Attorney Member</i>) 619 E. 5th Avenue Anchorage, Alaska 99501 278-0977 (Off.) 337-5201 (Res.) 258-0740 (Fax)	5/19/93	5/18/99
Mark E. Ashburn (<i>Attorney Member</i>) Ashburn & Mason 1130 W. 6th Avenue, Suite 100 Anchorage, Alaska 99501 276-4331 (Off.) 276-0859 (Res.) 277-8235 (Fax)	3/23/90	2/23/96
David A. Dapceovich (<i>Non-Attorney Member</i>) 3308 Pioneer Avenue Juneau, Alaska 99801 586-3377 (Res.) 747-1040 (Sitka) 586-3334 (Fax) 747-6699 (Fax/Sitka)	5/19/91	5/18/97
Jim A. Arnesen (<i>Non-Attorney Member</i>) 1800 Shore Drive Anchorage, Alaska 99515-3209 277-3725 (Off.) 344-7707 (Res.) 277-3790 (Fax/Off.) 344-9540 (Fax/Res.)	10/4/91	5/18/95
Christopher E. Zimmerman (<i>Attorney Member</i>) Call, Barrett & Burbank 711 Gaffney Road Fairbanks, Alaska 99701 452-2211 (Off.) 452-7225 (Res.) 456-1137 (Fax)	4/14/94	2/23/00

Judicial Council attorney and non-attorney members serve terms of six years. The Chief Justice serves a three-year term.

Historical Roster of Alaska Judicial Council Members

Position	Residence	Appointment Effective	Expiration of Term
<u>CHAIRPERSON¹</u>			
<i>(Current Term Expires 9/30/95)</i>			
Chief Justice Buell A. Nesbett		11/29/59	06/18/70
Chief Justice George F. Boney		06/18/70	11/16/72
Chief Justice Jay A. Rabinowitz		11/16/72	11/16/75
Chief Justice Robert Boochever		11/16/75	11/16/78
Chief Justice Jay A. Rabinowitz		11/16/78	11/17/81
Chief Justice Edmond W. Burke		11/16/81	09/30/84
Chief Justice Jay A. Rabinowitz		10/01/84	09/30/87
Chief Justice Warren W. Matthews		10/01/87	09/30/90
Chief Justice Jay A. Rabinowitz ³		10/01/90	09/30/92
Chief Justice Daniel A. Moore, Jr.		10/01/92	09/30/95
<u>ATTORNEY MEMBERS</u>			
<i>(Current Term Expires 2/23/98)</i>			
E.E. Bailey ²	Ketchikan	02/24/59	02/24/62
E.E. Bailey	Ketchikan	02/24/62	02/24/68
Frank M. Doogan ³	Juneau	10/15/68	04/73
Michael L. Holmes ⁴	Juneau	05/73	02/24/74
Michael L. Holmes	Juneau	02/24/74	02/24/80
Walter L. Carpeneti ⁵	Juneau	02/24/80	02/81
James B. Bradley ⁴	Juneau	04/81	02/24/86
William T. Council	Juneau	02/24/86	02/24/92
Thomas G. Nave	Juneau	02/24/92	02/23/98
<i>(Current Term Expires 2/23/00)</i>			
Robert A. Parrish ²	Fairbanks	02/24/59	02/24/64
William V. Boggess ⁵	Fairbanks	02/24/64	04/64
Michael Stepovich ⁴	Fairbanks	05/64	02/24/70
Michael Stepovich	Fairbanks	02/24/70	02/24/76
Michael Stepovich ³	Fairbanks	02/24/76	08/78
Marcus R. Clapp ⁴	Fairbanks	08/78	02/24/82
Mary E. Greene ³	Fairbanks	02/24/82	04/82
Barbara L. Schuhmann ⁴	Fairbanks	07/82	02/24/88
Daniel L. Callahan	Fairbanks	02/24/88	02/24/94
Christopher E. Zimmerman	Fairbanks	04/14/94	02/23/00

Historical Roster of Alaska Judicial Council Members

Position	Residence	Appointment Effective	Expiration of Term
<u>ATTORNEY MEMBERS (Continued)</u>			
<i>(Current Term Expires 2/24/96)</i>			
Raymond E. Plummer ^{2,3}	Anchorage	02/24/59	09/26/61
Harold Butcher ⁴	Anchorage	11/61	02/24/66
George F. Boney ⁵	Anchorage	02/24/66	09/68
Lester W. Miller, Jr. ⁴	Anchorage	10/15/68	02/24/72
Eugene F. Wiles ³	Anchorage	02/24/72	03/75
Joseph L. Young ⁴	Anchorage	04/75	02/24/78
Joseph L. Young	Anchorage	02/24/78	02/24/84
James D. Gilmore	Anchorage	02/24/84	02/24/90
Mark E. Ashburn	Anchorage	03/23/90	02/23/96
<u>NON-ATTORNEY MEMBERS</u>			
<i>(Current Term Expires 5/18/97)</i>			
Elmo LeRoy "Roy" J. Walker ²	Fairbanks	05/18/59	05/18/61
John Cross	Kotzebue	05/18/61	05/18/67
Thomas K. Downes ³	Fairbanks	05/18/67	Mid-1968
V. Paul Gavora ⁴	Fairbanks	10/15/68	05/18/73
Thomas J. Miklautsch ³	Fairbanks	05/28/73	12/10/74
Robert H. Moss ⁴	Homer	12/10/74	05/18/79
Robert H. Moss	Homer	05/18/79	05/18/85
Dr. Hilbert J. Henrickson	Ketchikan	08/13/85	05/18/91
David A. Dapcevich	Sitka	05/19/91	05/18/97
<i>(Current Term Expires 5/18/99)</i>			
Jack E. Werner ²	Seward	05/18/59	05/18/63
Jack E. Werner	Seward	05/18/63	05/18/69
Ken Brady	Anchorage	06/28/69	05/18/75
Ken Brady	Anchorage	05/18/75	05/18/81
Mary Jane Fate	Fairbanks	05/18/81	05/18/87
Leona Okakok	Barrow	07/31/87	05/18/93
Janice Lienhart	Anchorage	5/19/93	5/18/99

Historical Roster of Alaska Judicial Council Members

Position	Residence	Appointment Effective	Expiration of Term
<i>(Current Term Expires 5/18/95)</i>			
Dr. William M. Whitehead ^{2,3}	Juneau	05/18/59	12/06/62
Charles W. Kidd ^{4,3}	Juneau	04/63	01/64
H. Douglas Gray ⁴	Juneau	04/64	05/18/65
H.O. Smith ⁶	Ketchikan	05/18/65	06/65
Pete Meland ⁴	Sitka	01/66	05/18/71
Oral Freeman ³	Ketchikan	11/22/71	01/73
Lew M. Williams, Jr. ⁴	Ketchikan	04/73	05/18/77
John Longworth	Petersburg	05/18/77	05/18/83
Renee Murray	Anchorage	08/08/83	05/18/89
Janis Roller ³	Anchorage	09/01/89	02/14/91
Dr. Paul Dittrich, M.D. ^{4,3}	Anchorage	04/06/91	10/08/91
Jim A. Arnesen ⁴	Anchorage	10/04/91	05/18/95

¹ The Judicial Council initially submitted nominations for the position of Chief Justice; the Constitution did not limit the Chief Justice's term. Chief Justice Nesbett and Chief Justice Boney were nominated and appointed in this manner. Voters amended the Constitution on August 25, 1970 to provide for the election of the Chief Justice by the justices of the Supreme Court for a three-year term; the amendment further provided that a Chief Justice may not be re-elected to consecutive terms.

² Appointed to initial staggered term.

³ Resigned during term.

⁴ Appointed to complete unexpired term.

⁵ Resigned during term to apply for judicial office.

⁶ Denied legislative confirmation.

Appendix C

Bylaws of the Alaska Judicial Council

Appendix C

Bylaws of the Alaska Judicial Council

ARTICLE I Policies

Section 1. Concerning Selection of Justices, Judges, and Public Defender.

The Judicial Council shall endeavor to nominate for judicial office and for public defender those judges and members of the bar whose character, temperament, legal ability and legal experience are demonstrated to be of the highest quality. The Council shall actively encourage qualified members of the bar to seek nomination to such offices, and shall endeavor to prevent political considerations from outweighing fitness in the judicial and public defender nomination processes.

Section 2. Concerning Retention of Judges.

Pursuant to the provisions of Alaska Statutes Title 15 and 22, the Council may recommend the retention in judicial office of incumbent justices and judges found to be qualified through such means of judicial performance assessment as deemed appropriate; and may recommend against retention of justices and judges found to be not qualified through such survey and assessment processes. The Council shall endeavor to prevent political considerations from outweighing fitness in the judicial retention process.

ARTICLE II Membership

Section 1. Appointment; Limitation of Term.

Members of the Council shall be appointed and shall serve their terms as provided by law; however, a member whose term has expired shall continue to serve until his/her successor has been appointed. Council members may be appointed to successive terms; however, no Council member should serve more than two full terms or one unexpired term and one full term.

Section 2. Effective Date of Appointment.

(A) Non-Attorney Members. The effective date of a non-attorney member's appointment to the Council shall be the day following the effective date of the vacancy in the seat to which appointed, if appointed prior to such date; or the date of or

specified in the gubernatorial letter of appointment, if appointed after such date. Non-attorney members shall have full voting rights effective upon said appointment date, unless and until denied confirmation by the legislature.

(B) Attorney Members. The effective date of an attorney member's appointment shall be the day following the effective date of the vacancy in the seat to which appointed, if appointed prior to such date; or the date of or specified in the letter of appointment from the Board of Governors of the Alaska Bar Association, if appointed after such date.

(C) Chief Justice. The effective date of the Chief Justice's appointment is the effective date of his or her election to the post of Chief Justice.

Section 3. Oath of Office.

The Chairperson of the Council shall administer the oath of office to each new member, following a determination by the Council that the person selected has met the qualifications for membership as set forth by law.

Section 4. Vacancies.

At least 90 days prior to the expiration of the term of any Council member, or as soon as practicable following the death, resignation, or announced intent to resign of any Council member, the Executive Director shall notify the appropriate appointing authority and request that the appointment process be initiated immediately to fill the existing or impending vacancy.

Section 5. Disqualification.

(A) Candidacy of Council Member. Any member of the Judicial Council who seeks appointment to a judicial office or the office of public defender must resign from the Council as of the date of the application and should not accept reappointment to the Council for a period of two years thereafter.

(B) Attendance at Regular Meetings. Council members shall attend all regular meetings of the Council unless excused by the Chairperson for good cause. If a member is absent without good cause for two consecutive meetings, the Chairperson shall formally request the resignation of such member.

Section 6. Expenses; Compensation.

Council members shall be reimbursed for travel and other expenses incurred while on Council business and may receive compensation as otherwise provided by law.

ARTICLE III Officers

Section 1. Officers Specified.

(A) The officers of the Council shall be the Chairperson, Vice-Chairperson and Executive Director.

(B) Chairperson. The Chief Justice of the Alaska Supreme Court is the Chairperson of the Alaska Judicial Council.

(C) Vice-Chairperson. The Vice-Chairperson will be the member of the Judicial Council whose current term will first expire.

(D) Executive Director. The Council by concurrence of four or more of its members may designate an Executive Director to serve at the pleasure of the Council.

Section 2. Duties and Powers.

(A) Chairperson. The Chairperson shall preside at all meetings of the Council and perform such other duties as may be assigned by the Council. In the absence of an Executive Director or Acting Director, the Chairperson will serve as Acting Director.

(B) Vice-Chairperson. The Vice-Chairperson shall preside at meetings of the Council in the absence of the Chairperson. The Vice-Chairperson shall perform such other duties as usually pertain to the office of the Chairperson when the Chairperson is unavailable to perform such functions.

(C) Executive Director. The Executive Director shall keep a record of all meetings of the Council; shall serve as chief executive officer of the Council; shall be responsible to the Council for planning, supervising and coordinating all administrative, fiscal and programmatic activities of the Council; and shall perform such other duties as may be assigned. The Executive Director may receive compensation as prescribed by the Council and allowed by law.

(D) Acting Director. In the event of the incapacity, disability, termination or death of the Executive Director, the Council may appoint an Acting Director, and may impose such limits on the authority of said Acting Director as it deems advisable, until such time as a new Executive Director can be found, or until such time as the incapacity of the Executive Director can be cured. Should the Council choose not to appoint an Acting Director or otherwise fail to appoint, the Chairperson of the Council will, ex officio, serve as Acting Director until a replacement can be found.

ARTICLE IV Meetings

Section 1. Public Sessions; Public Notice.

All meetings of the Judicial Council shall be open to the public, except as hereinafter specifically provided. At least three days prior to any such meeting to be held in Anchorage, Fairbanks, or Juneau, public notice of date, time, and place of the meeting and of general topics to be considered shall be given through paid advertisements in major newspapers of general circulation in all three cities; for meetings to be held elsewhere in the state, paid public notice shall be provided at least three days in advance in the newspaper or newspapers of general circulation in such other areas as well as in the newspapers of general circulation in Anchorage, Fairbanks, and Juneau. When the notice requirements of this section are determined by the Council to be unreasonable, the Council is authorized to meet after such other period and utilizing such other form of public notice as it deems reasonable under the circumstances.

Section 2. Participation by Telecommunications.

It shall be the policy of the Judicial Council to meet in person, where practicable. When, however, in the opinion of the Chairperson, circumstances exist warranting a telephone conference among members between meetings, or the personal attendance of one or more Council members at a regularly scheduled meeting has been excused for good cause, a member or members may participate in regular or special meetings by teleconference subject to the following requirements: that reasonable public notice under Article IV, Section 1, and adequate notice to members under Article IV, Section 8, have been given; that at least one member is present at the time and location publicly announced for any such meeting; and that adequate teleconference or other electronic communication means are available. Teleconferencing may be used to establish quorums, receive public input and, if all voting individuals have a substantially equal opportunity to evaluate all testimony and evidence, to vote on actions.

Section 3. Regular Meetings.

The Council shall hold not fewer than two meetings per year, at times designated by the Council, to consider problems which may affect the Council and concern the administration of justice in the State of Alaska.

Section 4. Special Meetings.

When a vacancy in the office of justice, judge, or public defender actually occurs or is otherwise determined to be lawfully impending, the Chairperson shall call a special meeting of the Judicial Council within the time-frame required by law. The Chairperson shall also call a special meeting of the Council upon the request of four or more members to consider such business as may be specified in the request; at such meeting,

the Council may also consider such other business as may come before the Council with the consent of four or more of the members present. The Chairperson shall fix the time and place of such meeting not more than 30 days from the date of receipt of such request.

Section 5. Public Hearings.

The Council may hold public hearings on all matters relating to the administration of justice as it deems appropriate and in such places as it determines advisable.

Section 6. Executive Sessions.

The Council may determine as permitted by law whether its proceedings will be conducted in executive session. This determination must be made in a session open to the public and the decision to hold an executive session must be supported by the concurrence of four or more members. No subjects may be considered at the executive session except those mentioned in the motion calling for the executive session, unless auxiliary to the main question. No action may be taken in executive session.

Section 7. Place of Meeting.

Insofar as may be practicable, meetings should be held in the area of the State most directly affected by the subject matter under consideration, or elsewhere as determined advisable.

Section 8. Notice of Meeting: Waiver.

Written notice of each meeting shall be mailed to all members of the Council as far in advance as practicable but in any event not less than five days before the date fixed for each meeting. Presence at a meeting of the Council without objection shall constitute waiver of notice.

ARTICLE V
Voting and Quorum

Section 1. Voting.

All members of the Council present shall be entitled to vote on all matters coming before the Council, except that the Chairperson shall only vote when to do so would change the result. The Council shall act by concurrence of four or more members. All votes shall be taken in public session. Any member can vote in the affirmative or negative or abstain on any matter; however, a member who wishes to abstain shall

indicate his or her intention to do so prior to the question being called and shall disclose the reasons for such proposed abstention.

Section 2. Conflict of Interest; Disqualification.

No member may vote on any matter in which he or she has a substantial personal or pecuniary interest. In addition, any member of the Council who believes that his or her personal or business relationship to any applicant for a judicial or public defender vacancy or to any judge or justice being evaluated for retention purposes might prevent such member from fairly and objectively considering the qualifications of such person, or might otherwise involve a conflict of interest or create the appearance thereof, shall disclose the circumstances of such actual or apparent conflict to the Council and shall disqualify himself or herself from discussing or voting on the nomination or retention of said person.

Section 3. Quorum.

Four members of the Council shall constitute a quorum for the transaction of business at any meeting.

Section 4. Rules of Order.

Robert's Rules of Order Revised will govern the meetings of the Council insofar as they do not conflict with these bylaws.

**ARTICLE VI
Committees**

Section 1. Standing Committees.

The Council shall establish such standing committees from time to time as may be deemed appropriate for the efficient and effective conduct of Council business. Standing committee assignments shall be made annually by the Chairperson. The function of each committee shall be to monitor Council activities between meetings, to provide guidance and advice to staff, and to report to the Council at regularly scheduled meetings regarding the committees' areas of oversight. Each committee shall include at least one attorney and one non-attorney member. To the maximum extent possible, Council members should be permitted to serve on the committee or committees of their choice. The following standing committees shall be established:

- (A) Finance, audit, and administration;

- (B) Programs and research;
- (C) Judicial and public defender selection and retention;
- (D) Legislation.

Section 2. Ad Hoc Committees.

The Chairperson may direct the establishment of ad hoc committees from time to time as may be deemed appropriate. Ad hoc committees shall report to the Council on their activities and may make recommendations for Council action.

ARTICLE VII Research and Investigation

The Council shall initiate studies and investigations for the improvement of the administration of justice. These studies and investigations may be conducted by the entire Council, by any of its members or by its staff as directed by the Council. The Council may hire researchers and investigators and may contract for the performance of these functions. A topic for any study or investigation may be proposed at any meeting of the Council by any member without prior notice.

ARTICLE VIII Procedure for Submitting Judicial and Public Defender Nominations to the Governor

Section 1. Notice of Vacancy; Recruitment.

Whenever a vacancy to be filled by appointment exists, or is about to occur, in any supreme court, court of appeals, superior court, or district court of this state, or in the office of public defender, the Council, by mail or by such other publication means as may be appropriate, shall notify all active members of the Alaska Bar Association of the vacancy, and shall invite applications from qualified judges or other members of the bar of this state for consideration by the Council for recommendation to the Governor. Council members may also encourage persons believed by such members to possess the requisite qualifications for judicial or public defender office to submit their applications for consideration and may cooperate with judicial selection committees of the state or local bar associations or of such other organizations as may be appropriate in the identification and recruitment of potential candidates.

Section 2. Application Procedure.

The Council shall establish and publish forms and procedures for the solicitation, evaluation, and nomination of candidates for vacancies in the offices of justice, judge, and public defender. Each applicant for a judicial or chief public defender position shall obtain and complete an application for appointment provided by the Council and shall comply with all the requirements therein. Such application may request such information as deemed appropriate to a determination of qualification for office, including but not limited to the following: family and marital history; bar and/or judicial discipline history; criminal record; involvement as a party in litigation; credit history; physical and mental condition and history; academic and employment history; military record; and representative clientele.

Section 3. Evaluation and Investigation of Applicants' Qualifications.

(A) Judicial Qualifications Polls. The Judicial Council may conduct judicial qualifications polls in such form and manner as may be prescribed by the Council and cause the same to be circulated among the members of the Alaska Bar Association. If the Alaska Bar Association conducts a qualifications poll satisfactory to the Council, the Council may recognize such poll. The Judicial Council may conduct such other surveys and evaluations of candidates' qualifications as may be deemed appropriate.

(B) Investigation. The Council and its staff shall investigate the background, experience, and other qualifications of an applicant under consideration for a judicial or a public defender vacancy, and may call witnesses before it for such purposes.

(C) Candidate Interviews; Expenses. The Council may, when and where it deems desirable, conduct a personal interview with one, some, or all applicants for any judicial or public defender vacancy. Candidates requested to appear before the Council for such interviews shall appear in person; when, however, a candidate for good cause shown is unable to personally attend such interview, the Council may arrange for an interview by telephone or other electronic communication means with such applicant, and such alternative interview as may be appropriate, including but not limited to interview of such candidate by a committee of the Council at such other time and place as may be convenient.

A candidate's expenses for judicial or Public Defender office are that candidate's responsibility. The Council may reimburse candidates for travel expenses in the Council's discretion. The cost of a telephone interview requested by the Council shall be paid by the Council.

Section 4. Nomination Procedure; Recommendation of Best Qualified Candidates.

The Council shall carefully consider whether or not each person under consideration possesses the qualities prescribed in Article I, Section 1, hereof, and shall determine whether each such person is so qualified. The Council shall then submit a panel of names in alphabetical order to the Governor of the candidates it considers most qualified, provided such panel includes two or more names; if fewer than two applicants are determined to be qualified, the Council shall decline to submit any names and shall re-advertise for the position.

Section 5.

The Council will not reconsider the names submitted to the Governor after the nominees are submitted to the Governor.

ARTICLE IX
Review of Judicial Performance

Section 1. Retention Election Evaluation.

Prior to each general election in which one or more justices or judges has expressed his or her intention to be a candidate for retention election, the Council shall conduct evaluations of the qualifications and performance of such justices and judges and shall make the results of such evaluations public. Such evaluations may be based upon the results of a judicial performance survey conducted among all active members of the Alaska Bar Association. Such evaluations may also be based upon such other surveys, interviews, or research into judicial performance as may be deemed appropriate including, but not limited to, any process which encourages expanded public participation and comment regarding candidate qualifications.

Section 2. Recommendation.

Based upon such evaluative data, the Council may recommend that any justice or judge either be retained or not be retained. The Council may actively support the candidacy of every incumbent judge recommended to be retained, and may actively oppose the candidacy of every incumbent judge whom it recommends not be retained.

Section 3. Judicial Performance Evaluation.

The Council may conduct such additional evaluations of judges, other than at the time of retention elections, at such times and in such a manner as may be appropriate, and make the results of such additional evaluations public.

**ARTICLE X
Extra-Council Communications**

All written communications between a Council member and any other person or organization regarding the qualifications of any candidate or the performance of any judicial officer should be forwarded to all other members; all oral communications regarding such matters should be shared with other members without unreasonable delay.

Persons who wish to communicate with the Council should be advised of the Council's bylaws and policies regarding confidentiality and extra-Council communications. Council members should encourage persons who wish to communicate support for or concerns about particular candidates to the Council to do so in writing.

All communications and deliberations among Council members regarding the qualifications of any candidate or the performance of any judicial officer shall be kept confidential in accordance with law and Council bylaws.

**ARTICLE XI
Access to Council Records**

Section 1. Public Records.

All records of the Judicial Council, unless confidential or privileged, are public as provided in AS 09.25.110. The public shall have access to all public records in accordance with AS 09.25.120.

Public Records include:

1. Council bylaws and policy statements;
2. Minutes of Council meetings;
3. Final Council reports;
4. Financial accounts and transactions;

5. Library materials; and
6. All records other than those excepted in this bylaw.

Section 2. Right to Privacy.

Materials that, if made public, would violate an individual's right to privacy under Art. I, Section 22 of the Alaska Constitution shall be confidential. Confidential materials are not open for public inspection and include:

1. Solicited communications relating to the qualifications of judicial or public defender vacancy applicants, or judicial officers;
2. Unsolicited communications relating to the qualifications of a judicial or public defender applicant or judicial officer, where the source requests confidentiality;
3. Those portions of the "application for judicial appointment" and "judge questionnaire" that reveal sensitive personal information entitled to protection under law;
4. Investigative research materials and internal communications that reveal sensitive personal information entitled to protection under law; and
5. Contents of Council employees' and members' personnel records, except that dates of employment, position titles, classification and salaries of present and/or past state employment for all employees are public information. In addition, application forms, resumes and other documents submitted to the Judicial Council in support of applications for any position with the Council grade 16 or above are public information.

Section 3. Deliberative Process.

Materials that are part of the deliberative process of the Judicial Council, including those prepared by Council employees, are privileged and confidential if their disclosure would cause substantial and adverse effects to the Council that outweigh the need for access. These materials generally include drafts and computations prior to final document approval, internal memoranda conveying personal opinions, and other pre-decisional documents not incorporated into public records under this bylaw.

Section 4. Other Information.

Information required or authorized to be kept confidential by law is not a public record.

Section 5. Privileged Communications.

Communications that are legally privileged are not public information. These communications include but are not limited to communications between the Council and its attorney made for the purpose of facilitating the rendition of professional legal services to the Council.

Section 6. Release of Information.

If a record contains both disclosable and nondisclosable information, the nondisclosable information will be deleted and the disclosable information will be disclosed. Information that otherwise would not be disclosable may be released to the subject of that information or to the public if it is in a form that protects the privacy rights of individuals and does not inhibit candid debate during the decision-making process.

**ARTICLE XII
Office of Judicial Council**

The Council shall designate an office of the Council in such location as it deems appropriate. Records and files of the Council's business shall be maintained by the Executive Director at this location.

**ARTICLE XIII
Appropriations**

The Council will seek such appropriations of funds by the Alaska Legislature and other funding sources as it deems appropriate to carry out its constitutional and statutory functions.

**ARTICLE XIV
Amendments**

These bylaws may be altered or amended by the Judicial Council by concurrence of four or more members, provided reasonable notice of proposed amendments has been provided to all Council members.

These bylaws adopted by the Alaska Judicial Council, this 15th day of February 1966; amended November 10, 1966; June 18, 1970; March 30, 1972; February 15, 1973; May 26, 1983; December 10, 1986; March 19, 1987; January 14, 1989; November 2, 1993.

Appendix D
Judicial Selection Procedures

Appendix D

Alaska Judicial Council Judicial Selection Procedures

The Alaska Judicial Council is a constitutionally created state agency that evaluates the applications of persons seeking judicial appointment and nominates at least two qualified applicants to the Governor for appointment to fill existing or impending vacancies. The following is a brief summary of the judicial selection process--the steps that an applicant must take in order to be considered for a judicial appointment and the steps that are taken by the Judicial Council to ensure that applicants are qualified for appointment.

A. The Application Process

Applicants must first complete the Judicial Council's "Application for Judicial Appointment," which consists of a questionnaire and one appendix. This appendix requests a legal writing sample ten to twenty pages in length, prepared solely by the applicant within the past five years.

Applicants must submit *eleven* copies of the completed questionnaire and writing sample to the Judicial Council on or by the date set forth in the notice of vacancy.

Applicants also are encouraged to review the Code of Judicial Conduct (located in the Alaska Rules of Court) during the evaluation period. Pay particular attention to Canon 7 of the Code of Judicial Conduct which applies to applicants for judicial positions from the time the application is filed.

B. The Evaluation Process

Once the application deadline has passed, the Judicial Council begins its evaluation process.

1. The Bar Poll

An independent organization, the University of Alaska's Justice Center, surveys all active members of the Alaska Bar Association. The Bar Survey asks Bar members to rate each candidate on a five point scale [1 (Poor) to 5 (Excellent)] on six criteria: professional competence, integrity, judicial temperament, fairness, relevant experience, and overall professional performance. Survey respondents indicate whether their numerical ratings are based upon direct professional experience, other personal contacts, or professional reputation. Respondents may also decline to evaluate any candidate due to insufficient knowledge. Respondents with direct professional experience are asked to give brief narrative answers to additional questions regarding the applicant's legal

ability, comportment, diligence, suitable experience and other qualities. All respondents are invited to offer narrative comments which could assist the Council in its evaluation.

Completed survey forms are returned directly to the Justice Center, which prepares a statistical analysis of all survey responses, including average ratings for each quality for each candidate by range (i.e., excellent, good, acceptable, deficient, poor). (Note that ratings based on personal contacts or professional reputation are not included in the average ratings.) Although respondents do not rate candidates in comparison to each other, the Justice Center does prepare an analysis showing relative quantitative rankings among candidates (e.g., 2nd highest average rating out of 10 candidates).

Comments from the bar survey are not shared with the individual applicant. They are distributed only to Council members. Where one or two isolated comments regarding substantive concerns are received, such comments ordinarily are brought to the candidate's attention, with the statement that the Council may wish to inquire about such matters at the interview. Council staff may also be asked to investigate and obtain documentation about such comments.

After all applicants have been notified of the survey results, the survey report is released to the public. Survey results are used by the Council members in the evaluation process and each applicant interviewed has the opportunity to discuss the survey results with the Council during the interview. [See below, (5)].

2. Letters of Reference

The Council requests each applicant to submit the names of two general character references, three persons who can evaluate the applicant's professional competence, and attorneys involved in six of the applicant's recent cases. In addition to the names submitted by the candidates, the Council will request references from past employers. Letters of reference are solicited by the Council in its evaluation process. These reference letters are treated as confidential and may not be viewed by the applicants. The Council does not forward solicited letters of reference to the Governor for nominees. Letters of reference not solicited by the Council may be forwarded to the Governor.

3. Investigation of Applicants

The Council may verify applicants' educational and employment history and investigate criminal, civil, credit and professional discipline history. Supreme Court Order 489, effective January 4, 1982, authorizes the Council to review bar applications and bar discipline records. During the course of its investigation, the Judicial Council may also seek information on candidate qualifications from such other public or private groups or individuals as may be deemed appropriate. Information gathered during the Council's investigation is used only for the purpose of evaluating fitness for judicial appointment.

4. Public Hearing

The Council generally schedules a public hearing on the selection in the community where the judge will sit. The hearing is held when the Council meets to interview the candidates. [see below, (5)].

5. Interviews

Following its review of applications, survey data and other information, the Council schedules candidate interviews. As a general rule, the Council prefers to interview all candidates; however, the Council may decline to interview any candidate whom it finds to be unqualified. The Council may also decide not to interview candidates who have been recently interviewed for other vacancies, where the Council believes it has sufficient information upon which to base its evaluations. The Council ultimately will review and vote on the qualifications of all applicants, whether or not interviewed.

The final stage of the evaluation process is a 30 to 45-minute applicant interview with the full Council. Applicants invited to interview are asked about their qualifications and experience and are given an opportunity to respond to or explain any information of importance gathered during the investigation.

Following these interviews, the Council submits as nominees to the Governor the names of two or more of those candidates deemed most qualified. Thereafter, the applicants are notified and the Council's nominations are made public. The Governor then has 45 days to appoint a nominee from the list to fill the judicial vacancy.

C. Timing of Judicial Selection Procedures

From the time the Council receives notice of a vacancy to the final applicant interviews, the judicial selection process usually takes about three months. Once the names of the nominees have been submitted, the Governor has up to 45 days to appoint.

The outline below describes the timing of the major procedures followed during the judicial selection process:

1. Notice of the vacancy or impending vacancy is received by the Council.
2. The position is announced to all members of the Bar Association and the application process begins.
3. The deadline for receiving applications is approximately three weeks after the announcement of the position. The deadline for the current vacancy is (return deadline).

4. The names and biographies of applicants are made public immediately after the filing deadline.
5. The Judicial Council begins its investigation process, requesting letters of reference, disciplinary histories for each applicant, and such other records as may be deemed appropriate.
6. The Bar Survey is mailed out to all active members of the Alaska Bar shortly after the close of applications.
7. Bar members have approximately three weeks to complete and return the Bar Survey. The results are tabulated and analyzed following the survey return deadline.
8. The candidates are advised of the bar survey results and the report is made public.
9. Applicant files are screened and applicants selected are advised of the time, date and place of their interviews.
10. Interviews ordinarily are held within the next 30 days. Interviews for the current judicial vacancy are tentatively scheduled for (meeting date) , in (city of vacancy) .

Council members vote immediately following the interviews. The Governor and the candidates are immediately notified of the Council's vote and a press release is then issued.

11. The following day, the names of nominees are formally submitted to the Governor, along with copies of nominees' applications and a copy of the Bar Survey. Letters of reference not solicited by the Council also may be sent to the Governor. The Governor then has up to 45 days to make an appointment from the list.

Alaska Judicial Council Procedures on the Day of the Interview

Prior to the Interview

1. Interview times are scheduled as far in advance as possible. Candidates should advise the Council immediately if a conflict requires a change in schedule.
2. Interviews will be conducted in (city of vacancy) .
3. Candidates should plan to arrive 5-10 minutes prior to the interview time scheduled. A Council staff person will be stationed in the reception area. Please provide this staff person with a telephone number at which you can be reached between 3:00 and 5:00 p.m. on the day of the interview, so that you may be personally notified of the Council's decision.

The Interview

1. Interviews are scheduled at forty-five minute intervals.
2. Interviews are ordinarily conducted in executive session, although an applicant may request that the interview be conducted in public session.
3. During the interview, Council members or the Council's executive director may ask questions about an applicant's reputation, background, experience and other relevant matters.

Following the Interview

1. Following completion of all interviews, the Council meets in executive session to evaluate all candidates.
2. The Council votes its nominations in public session. Generally, the Council returns to public session to vote within two hours after the last interview.
3. The Council telephones the Governor's office to advise of the names of candidates nominated.
4. The Council telephones all applicants to advise of its decision.
5. The Council issues a press release regarding its nominations. (Steps 3, 4, & 5 all occur within approximately one hour following the Council's vote.)

6. On the day following the interview and nomination, formal notice of Council action is sent to each applicant and the Governor. A copy of each nominee's application and the Bar Survey are included with the Council's letter of nomination. Letters of reference not solicited by the Council may also be included.

Please notify the Council if you have any further questions.



alaska judicial council

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Thomas G. Nave
Christopher E. Zimmerman

July 28, 1994

CHAIRMAN EX OFFICIO
Daniel A. Moore, Jr.
Chief Justice
Supreme Court

Dear Member of the Alaska Bar Association:

Attached is the bar survey for applicants for the current vacancy in the Anchorage District Court. Please refer to Professional Conduct Rule 8.2 concerning your obligation to provide truthful and candid opinions on the qualifications or integrity of these applicants.

The Council encourages narrative comments on each candidate. A page for comments is provided for each applicant. If these pages are not sufficient please attach separate pages as needed. Comments from the bar survey are not shared with the individual applicant. They are distributed only to Council members. When comments regarding substantial concerns are received, the substance of the comments ordinarily is brought to the candidate's attention, with the statement that the Council may wish to ask the candidate about the subject of the comment.

For the first time, the Council is giving attorneys the option of identifying their written comments to the Council by signing comment pages. While optional, providing your name does tend to give comments more credibility with the Council. Your name will *not* be provided to the applicant, and it will *not* be used by the Council to identify your ratings or your comments on other applicants. Because the Justice Center gives the Council a separate comments section on each applicant, you must write your name on each comment page for which you wish to identify yourself to the Council.

We ask that you complete and return the survey form no later than August 22, 1994 to the University of Alaska Anchorage, Justice Center, P.O. Box 240207, Anchorage, Alaska 99524-0207.

Very truly yours,

A handwritten signature in cursive script that reads "William T. Cotton".

William T. Cotton
Executive Director

Introduction

Validation of Responses. A self-addressed, stamped envelope is enclosed for the return of your completed evaluation. Place the completed survey inside the envelope marked "Confidential" and seal the envelope. Then use the self-addressed stamped envelope, being sure to sign in the space provided. The return envelope **MUST BE SIGNED** in order for your survey to be counted. (In the last bar survey, 31 unsigned surveys were excluded from tabulation.)

Confidentiality. All responses will be aggregated solely for statistical analysis. The identity of individual respondents will remain strictly confidential. Responses to the demographic questions are also confidential. Demographic data are critical to our analysis; strict guidelines are followed to protect the identities of all respondents.

Return Date. Please complete and return this survey no later than **August 22, 1994** to:

Justice Center
University of Alaska Anchorage
P.O. Box 240207
Anchorage, AK 99524-0207

Demographic Questions

1. **Type of Practice.** Which of the following best describes your practice? (circle one)
 1. Private, solo
 2. Private, office of 2-5 attorneys
 3. Private, office of 6 or more attorneys
 4. Private corporate employee
 5. State judge or judicial officer
 6. Government
 7. Public service agency or organization (not government)
 8. Other (specify) _____
2. **Length of Alaska Practice.** How many years have you been practicing law in Alaska? _____ years (total)
3. **Gender.** _____ Male _____ Female
4. **Cases Handled.** The majority of your practice consists of (circle one)
 1. Prosecution
 2. Mainly criminal
 3. Mixed criminal and civil
 4. Mainly civil
 5. Other (specify) _____
5. **Location of Practice.** In which judicial district is most of your work conducted? (circle one)
 1. First district
 2. Second district
 3. Third district
 4. Fourth district
 5. Outside Alaska

Please consider each of the following candidates.

If you do not have sufficient knowledge to evaluate a candidate, please go to the next candidate.

Anchorage District Court, Third Judicial District

Stephanie E. Joannides

Basis for Evaluation

A Which of the following best describes the basis for your evaluation of this candidate? Direct professional experience is limited to direct contact with the applicant's professional work. This includes working with or against the attorney on a legal matter (i.e., a case, arbitration, negotiation). (check one)

- Direct professional experience Professional reputation
 Other personal contacts Insufficient knowledge to evaluate this candidate (go to next candidate)

B If you checked direct professional experience, which of the following best describes the amount of that experience?

- Substantial and recent (within last 5 years) Moderate Limited

C Please rate the candidate on each of the following qualities by circling the number that best represents your evaluation. Candidates should be evaluated on each quality separately. Use the ends of the scale as well as the middle. The tendency to rate an applicant "excellent" or "poor" on every trait should be avoided since each person has strengths and weaknesses. If you cannot rate the candidate on any one quality, leave that one blank.

1 Professional Competence	1 POOR Lacking in knowledge and/or effectiveness	2 DEFICIENT Below-average performance occasionally	3 ACCEPTABLE Possesses sufficient knowledge and required skills	4 GOOD Usually knowledgeable and effective	5 EXCELLENT Meets the highest standards for knowledge and effectiveness
2 Integrity	1 POOR Unconcerned with propriety and/or appearance, or acts in violation of codes of professional conduct	2 DEFICIENT Appears lacking in knowledge of codes of professional conduct and/or unconcerned with propriety or appearance at times	3 ACCEPTABLE Follows codes of professional conduct, respects propriety and appearance of propriety at all times	4 GOOD Above-average awareness of ethics, holds self to higher standard than most	5 EXCELLENT Outstanding integrity and highest standards of conduct
3 Fairness	1 POOR Often shows strong bias for or against some person or groups	2 DEFICIENT Displays, verbally or otherwise, some bias for or against groups or persons	3 ACCEPTABLE Free of substantial bias or prejudice towards groups or persons	4 GOOD Above-average ability to treat all persons and groups impartially	5 EXCELLENT Unusually fair and impartial to all groups
4 Judicial Temperament	1 POOR Often lacks compassion, humility, or courtesy	2 DEFICIENT Sometimes lacks compassion, humility, or courtesy	3 ACCEPTABLE Possesses appropriate compassion, humility, and courtesy	4 GOOD Above-average compassion, humility, and courtesy	5 EXCELLENT Outstanding compassion, humility, and courtesy
5 Suitability of This Candidate's Experience for This Vacancy	1 POOR Has little or no suitable experience	2 DEFICIENT Has less than suitable experience	3 ACCEPTABLE Has suitable experience	4 GOOD Has highly suitable experience	5 EXCELLENT Has the most suitable experience possible for this position
6 Overall Professional Performance	1 POOR Seldom meets standards of the profession	2 DEFICIENT Occasionally falls short of professional standards	3 ACCEPTABLE Consistently meets professional standards	4 GOOD Often exceeds professional standards	5 EXCELLENT Meets highest standards of the profession

Appendix E

Judicial Appointment Log

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
7/16-17/59	Supreme Court (3 new positions)	William V. Boggess Robert Boochever J. Earl Cooper Edward V. Davis John H. Dimond John S. Hellenthal Walter Hodge Verne O. Martin M.E. Monagle Buell A. Nesbett Walter Sczudlo Thomas B. Stewart	William V. Boggess Robert Boochever John H. Dimond Walter Hodge M.E. Monagle Buell A. Nesbett	John H. Dimond Walter Hodge Buell A. Nesbett (1959 by Gov. William Egan)
10/12-13/59	Superior - Ketchikan/ Juneau (2 new positions)	Floyd O. Davidson James M. Fitzgerald Verne O. Martin E.P. McCarron Thomas B. Stewart James von der Heydt Walter E. Walsh	E.P. McCarron Thomas B. Stewart James von der Heydt Walter E. Walsh	James von der Heydt Walter E. Walsh (1959 by Gov. William Egan)
10/12-13/59	Superior - Nome (new position)	James M. Fitzgerald Hubert A. Gilbert Verne O. Martin James von der Heydt	Hubert A. Gilbert Verne O. Martin	Hubert A. Gilbert (1959 by Gov. William Egan)

* The Judicial Council has attempted to compile an accurate listing of applicants, nominees and appointees to judgeships since statehood. Please notify the Council if you know of changes or additions that should be made to this list.

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**Historical Log of Judicial Appointments*
 1959 - Present**

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
10/12-13/59	Superior - Anchorage (3 new positions)	Harold J. Butcher Henry Camarot J. Earl Cooper Ralph H. Cottis Roger Cremo Edward V. Davis James M. Fitzgerald Everett W. Hepp Peter J. Kalamarides Verne O. Martin Stanley McCutcheon Ralph E. Moody Raymond Plummer William W. Renfrew Thomas B. Stewart James von der Heydt	Harold J. Butcher J. Earl Cooper Ralph H. Cottis Edward V. Davis James M. Fitzgerald Stanley McCutcheon Ralph E. Moody	Edward V. Davis J. Earl Cooper James M. Fitzgerald (1959 by Gov. William Egan)
10/12-13/59	Superior - Fairbanks (2 new positions)	H.O. Arend William V. Boggess James M. Fitzgerald Everett W. Hepp Verne O. Martin Warren A. Taylor Warren Wm. Taylor James von der Heydt	H.O. Arend William V. Boggess Everett W. Hepp Warren A. Taylor James von der Heydt (if not Juneau)	H.O. Arend Everett W. Hepp (1959 by Gov. William Egan)

**Historical Log of Judicial Appointments*
 1959 - Present**

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
3/12-13/60	Supreme Court Justice <i>(Walter Hodge)</i>	Judge H.O. Arend William V. Boggess Edward V. Davis Vern Forbes Verne O. Martin John Maude Robert McNealy M.E. Monagle Ralph E. Moody Warren A. Taylor Judge James von der Heydt	Judge H.O. Arend William V. Boggess M.E. Monagle	H.O. Arend <i>(1960 by Gov. William Egan)</i>
4/15/60	Superior - Fairbanks <i>(H. O. Arend)</i>	Henry Camarot Roger G. Connor Verne O. Martin Jay A. Rabinowitz William H. Sanders David Talbot Warren A. Taylor George M. Yeager	Jay A. Rabinowitz Warren A. Taylor	Jay A. Rabinowitz <i>(1960 by Gov. William Egan)</i>
3/17/62	Superior - Anchorage <i>(J. Earl Cooper)</i>	Harold J. Butcher Clifford Groh Dorothy A. Haaland Peter J. Kalamarides Ralph E. Moody William H. Sanders	Clifford Groh Ralph E. Moody	Ralph E. Moody <i>(1962 by Gov. William Egan)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
5/23-24/63	Superior - Anchorage <i>(new position)</i>	Burton C. Biss Wayne D. Caldenwood Judge Hubert A. Gilbert R. Everett Harris Judge Jay A. Rabinowitz James K. Tallman William Taylor	Burton C. Biss Judge Hubert A. Gilbert	Hubert A. Gilbert <i>(1963 by Gov. William Egan)</i>
10/17-18/63	Superior - Nome <i>(Hubert A. Gilbert)</i>	Peter J. Kalamarides William H. Sanders L. Eugene Williams George T. Yates	William H. Sanders L. Eugene Williams George T. Yates	William H. Sanders <i>(1963 by Gov. William Egan)</i>
1/7-8/65	Superior - Fairbanks <i>(Jay A. Rabinowitz)</i>	Clyde C. Houston Eugene V. Miller Mary Alice Miller J.H. Shortell, Jr. Howard P. Staley Warren Wm. Taylor	Mary Alice Miller Eugene V. Miller Warren Wm. Taylor	Warren Wm. Taylor <i>(1965 by Gov. William Egan)</i>
Jan. 1965	Supreme Court Justice <i>(H. O. Arend)</i>	W.C. Arnold William V. Boggess Harold J. Butcher Judge Edward V. Davis Vernon D. Forbes Judge Ralph E. Moody Judge Jay A. Rabinowitz Arthur D. Talbot	W.C. Arnold William V. Boggess Judge Edward V. Davis Judge Ralph E. Moody Judge Jay A. Rabinowitz	Jay A. Rabinowitz <i>(2/21/65 by Gov. William Egan)</i>
11/9-10/66	Superior - Juneau <i>(moved from Ketchikan)</i>	Seaborn J. Buckalew, Jr. James R. Clouse, Jr. James E. Fisher Judge William H. Sanders Thomas B. Stewart J. Gerald Williams	Thomas B. Stewart J. Gerald Williams	Thomas B. Stewart <i>(1966 by Gov. Wm. A. Egan)</i>

Historical Log of Judicial Appointments* 1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
6/12/67	Superior - Anchorage (General) (Hubert A. Gilbert)	James R. Clouse, Jr. Eben H. Lewis Robert N. Opland Judge William H. Sanders J. Gerald Williams	James R. Clouse, Jr. Eben H. Lewis J. Gerald Williams	Eben H. Lewis (1967 by Gov. Walter Hickel)
6/1-2/67	Superior - Anchorage (Family) (new position)	Harris R. Bullerwell Harold J. Butcher James R. Clouse, Jr. Duane K. Craske Dorothy A. Haaland Judge William H. Sanders J. Gerald Williams L. Eugene Williams Virgil D. Vochoska Verne O. Martin	Harold J. Butcher James R. Clouse, Jr.	Harold J. Butcher (1967 by Gov. Walter Hickel)
12/5/67	Superior - Ketchikan (Walter E. Walsh)	Harris R. Bullerwell Duane K. Craske Benjamin T. Delahay, Jr. Judge Hubert A. Gilbert Helen L. Simpson John M. Stern, Jr. Judge William H. Sanders	Duane K. Craske Judge Hubert A. Gilbert John M. Stern, Jr.	Hubert A. Gilbert (1967 by Gov. Walter Hickel)
2/19-20/68	Superior - Anchorage (new position)	James R. Clouse, Jr. Lloyd R. Duggar Verne O. Martin C.J. Occhipinti Judge William H. Sanders Karl L. Walter, Jr. George M. Yeager	C.J. Occhipinti Karl L. Walter, Jr.	C.J. Occhipinti (1968 by Gov. Walter Hickel)

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
10/15/68	Supreme Court Justice <i>(2 new positions)</i>	Russell E. Arnett William V. Boggess George F. Boney Judge Harold J. Butcher Warren C. Christianson Charles J. Clasby Roger G. Connor Judge Edward V. Davis Benjamin T. Delahay Judge James M. Fitzgerald Wendell P. Kay Judge Ralph E. Moody Robert A. Parrish Judge William H. Sanders James K. Tallman	William V. Boggess George F. Boney Charles J. Clasby Roger G. Connor Judge James Fitzgerald	George F. Boney Roger G. Connor <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Juneau <i>(2 new positions)</i>	Hartley Crosby William J. Hurley, Jr. W. Bruce Monroe Irwin Ravin	Hartley Crosby W. Bruce Monroe	Hartley Crosby W. Bruce Monroe <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Sitka <i>(new position)</i>	Peter M. Page Irwin Ravin	Peter M. Page	Peter M. Page <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Fairbanks <i>(3 new positions)</i>	Hugh Connelly Benjamin T. Delahay, Jr. William J. Hurley, Jr. Elinor B. Levinson Mary Alice Miller Irwin Ravin William G. Richards Arthur Lyle Robson Warren A. Taylor	Hugh Connelly Mary Alice Miller William G. Richards Arthur Lyle Robson	Hugh Connelly Mary Alice Miller Arthur Lyle Robson <i>(12/30/68 by Gov. Walter Hickel)</i>

Historical Log of Judicial Appointments* 1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
11/1/68	District - Nome <i>(new position)</i>	Maurice Kelliher	Maurice Kelliher	Maurice Kelliher <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Anchorage <i>(5 new positions)</i>	John R. Beard Joseph J. Brewer Richard B. Collins Keifer L. Gray James A. Hanson William J. Hurley, Jr. Paul B. Jones Elinor B. Levinson John D. Mason Peter M. Page Nissel A. Rose Warren A. Tucker Dorothy D. Tyner Virgil D. Vochoska L. Eugene Williams Robert K. Yandell	Joseph J. Brewer James A. Hanson Paul B. Jones Warren A. Tucker Dorothy D. Tyner Virgil D. Vochoska L. Eugene Williams	Joseph J. Brewer James A. Hanson Paul B. Jones Warren A. Tucker Dorothy D. Tyner <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Ketchikan <i>(new position)</i>	Keifer L. Gray William J. Hurley, Jr. Henry C. Keene, Jr. Irwin Ravin	Henry C. Keene, Jr.	Henry C. Keene, Jr. <i>(1968 by Gov. Walter Hickel)</i>
11/1/68	District - Bethel <i>(new position)</i>	Nora Guinn	Nora Guinn	Nora Guinn <i>(sect abolished 1976)</i> <i>(1968 by Gov. Walter Hickel)</i>

Historical Log of Judicial Appointments*
1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
6/20/69	Public Defender	Victor D. Carlson Charles K. Cranston Stanley Ditus Marvin S. Frankel Johnston Jeffries Irwin Ravin Warren A. Taylor Harold W. Tobey Benjamin O. Walters, Jr.	Victor D. Carlson Marvin S. Frankel Harold W. Tobey	Victor D. Carlson (1969 by Gov. Keith Miller)
4/3/70	Chief Justice (Buell A. Nesbett)	Justice George F. Boney Justice John H. Dimond Judge C.J. Occhipinti	Justice George F. Boney Justice John H. Dimond	Justice George F. Boney (1970 by Gov. Keith Miller)
6/18/70	Supreme Court Justice (George F. Boney)	Robert C. Erwin L.S. Kurtz, Jr. Judge Eben H. Lewis Judge C.J. Occhipinti Robert A. Parrish Judge William H. Sanders	Robert C. Erwin L.S. Kurtz, Jr. Judge Eben H. Lewis Robert A. Parrish	Robert C. Erwin (1970 by Gov. Keith Miller)
9/16-19/70	Superior - Sitka (new position)	Edmond W. Burke Victor D. Carlson Warren C. Christianson M. Ashley Dickerson Judge James A. Hanson Judge Henry C. Keene, Jr. James Nordale Thomas E. Schulz J.H. Shortell, Jr. James K. Singleton, Jr. Benjamin O. Walters, Jr.	Edmond W. Burke Victor D. Carlson Judge James A. Hanson Thomas E. Schulz James K. Singleton, Jr.	Victor D. Carlson (1970 by Gov. Keith Miller) (position transferred administratively to Juneau)

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
9/16-19/70	Superior - Anchorage <i>(new position)</i>	Seaborn J. Buckalew, Jr. Edmond W. Burke Judge Victor D. Carlson M. Ashley Dickerson William Erwin Marvin Frankel Dorothy A. Haaland Robert E. Hammond Judge James A. Hanson Peter J. Kalamarides Denis Lazarus James Merbs James Nordale Robert N. Opland David Pree Ernest Rehbock Judge William H. Sanders Thomas E. Schulz Sylvia Short J.H. Shortell, Jr. James K. Singleton, Jr. Benjamin O. Walters, Jr.	Seaborn J. Buckalew, Jr. Edmond W. Burke Judge Victor D. Carlson William Erwin Judge James A. Hanson Peter J. Kalamarides Robert N. Opland Thomas E. Schulz James K. Singleton, Jr.	James K. Singleton, Jr. <i>(1970 by Gov. Keith Miller)</i>
9/16-19/70	Superior - Kodiak <i>(new position)</i>	Edmond W. Burke Judge Victor D. Carlson M. Ashley Dickerson Denis Lazarus Roy H. Madsen James Nordale David Pree Judge William H. Sanders Thomas E. Schulz Sylvia Short J.H. Shortell, Jr. James K. Singleton, Jr. Benjamin O. Walters, Jr.	Edmond W. Burke Judge Victor D. Carlson Roy H. Madsen Judge William H. Sanders Thomas E. Schulz J.H. Shortell, Jr. James K. Singleton, Jr.	Edmond W. Burke <i>(1970 by Gov. Keith Miller)</i>

Historical Log of Judicial Appointments* 1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
9/16-19/70	Superior - Kenai <i>(new position)</i>	Seaborn J. Buckalew, Jr. Edmond W. Burke Judge Victor D. Carlson M. Ashley Dickerson William Erwin Robert E. Hammond Judge James A. Hanson Denis Lazarus James Nordale David Pree Judge William H. Sanders Thomas E. Schulz Sylvia Short J.H. Shortell, Jr. James K. Singleton, Jr. Benjamin O. Walters, Jr.	Seaborn J. Buckalew, Jr. Edmond W. Burke Judge Victor D. Carlson William Erwin Judge James A. Hanson Judge William H. Sanders Thomas E. Schulz James K. Singleton, Jr.	James Hanson <i>(1970 by Gov. Keith Miller)</i>
9/16-19/70	Superior - Fairbanks <i>(new position)</i>	Seaborn J. Buckalew, Jr. Judge Victor D. Carlson Judge Hugh Connelly M. Ashley Dickerson Judge Mary Alice Miller James Nordale Judge William H. Sanders Thomas E. Schulz J.H. Shortell, Jr. James K. Singleton, Jr. Gerald van Hoomissen	Seaborn J. Buckalew, Jr. Judge Victor D. Carlson Judge Mary Alice Miller James K. Singleton, Jr. Gerald van Hoomissen	Gerald van Hoomissen <i>(11/5/70 by Gov. Keith Miller)</i>
11/9/70	District - Sitka <i>(Peter M. Page)</i>	Harris R. Bullerwell Roger W. DuBrock Edith A. Glennon Hal R. Horton John D. Mason Thomas B. Payne	Harris R. Bullerwell Roger W. DuBrock Hal R. Horton Thomas B. Payne	Roger W. DuBrock <i>(seat abolished 1976)</i> <i>(1970 by Gov. Keith Miller)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
11/9/70	District - Wrangell <i>(new position)</i>	Harris R. Bullerwell Roger W. DuBrock Edith A. Glennon Hal R. Horton John D. Mason Thomas B. Payne	Harris R. Bullerwell Roger W. DuBrock Hal R. Horton	Harris R. Bullerwell <i>(1970 by Gov. Keith Miller)</i>
11/9/70	District - Kodiak <i>(new position)</i>	Louis Agi Roger W. DuBrock Edith A. Glennon Hal R. Horton John D. Mason Thomas B. Payne	Roger W. DuBrock Hal R. Horton Thomas B. Payne	Hal R. Horton <i>(1970 by Gov. Keith Miller)</i>
11/9/70	District - Anchorage <i>(James A. Hanson)</i>	Louis Agi Edith A. Glennon Hal R. Horton John D. Mason Thomas B. Payne William Tull Virgil D. Vochoska L. Eugene Williams	Hal R. Horton John D. Mason Virgil D. Vochoska L. Eugene Williams	John D. Mason <i>(12/7/70 by Gov. Keith Miller)</i>
11/28/70	Public Defender <i>(Victor D. Carlson)</i>	Stanley Ditus Dick L. Madson Herbert D. Soll	Dick L. Madson Herbert D. Soll	Herbert D. Soll <i>(1970 by Gov. William Egan)</i>
12/16/71	Supreme Court Justice <i>(John H. Dimond)</i>	Robert Boochever Judge James M. Fitzgerald James Lack Roy H. Madsen	Robert Boochever Judge James M. Fitzgerald Roy H. Madsen	Robert Boochever <i>(1971 by Gov. William Egan)</i>
11/16/72	Supreme Court Justice <i>(George F. Boney)</i>	Edgar P. Boyko Judge James M. Fitzgerald Eugene V. Miller Judge Ralph E. Moody	Judge James M. Fitzgerald Judge Ralph E. Moody	James M. Fitzgerald <i>(12/31/72 by Gov. William Egan)</i>

**Historical Log of Judicial Appointments*
 1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
7/8/72	District - Kodiak (Hal Horton) (1972; position moved to Anchorage)	Louis E. Agi Benjamin T. Delahay, Jr. Edith A. Glennon Thomas F. Keever Francis van T. Kernan Virgil D. Vochoska	Louis Agi Thomas F. Keever Francis van T. Kernan Virgil D. Vochoska	Virgil D. Vochoska (1972 by Gov. William Egan)
2/15-17/73	Superior - Anchorage (Edward V. Davis)	Seaborn J. Buckalew, Jr. Judge Paul B. Jones Peter J. Kalamarides	Seaborn J. Buckalew, Jr. Peter J. Kalamarides	Peter J. Kalamarides (1973 by Gov. William Egan)
5/3-4/73	Superior - Anchorage (James M. Fitzgerald)	Judge Joseph J. Brewer Seaborn J. Buckalew, Jr. William H. Fuld Dorothy A. Haaland Judge Paul B. Jones James C. Merbs Nissel A. Rose Judge William H. Sanders Andrew R. Sarisky Thomas E. Schulz Judge Dorothy D. Tyner Benjamin O. Walters, Jr.	Seaborn J. Buckalew, Jr. Judge Paul B. Jones Judge William H. Sanders Thomas E. Schulz Benjamin O. Walters, Jr.	Seaborn J. Buckalew, Jr. (6/20/73 by Gov. William Egan)
8/21/73	District - Nome (Maurice Kelliher)	Benjamin T. Delahay, Jr. Jon Larson Thomas B. Payne Elmer C. Smith Ethan Windahl	Jon Larson Ethan Windahl	Ethan Windahl (seat abolished 1978) (1973 by Gov. William Egan)
9/29/73	Superior - Ketchikan (Hubert A. Gilbert)	Judge Roger W. DuBrock Thomas F. Keever A. Fred Miller Judge W. Bruce Monroe Thomas E. Schulz J. Gerald Williams	Judge Roger W. DuBrock Thomas E. Schulz J. Gerald Williams	Thomas E. Schulz (11/16/73 by Gov. William Egan)

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
1/11/75	Superior - Fairbanks <i>(new position)</i>	James R. Blair Judge Hugh Connelly Judge Roger W. DuBrock Eugene V. Miller David J. Pree Judge Arthur L. Robson	James R. Blair Judge Hugh Connelly Judge Roger W. DuBrock	James R. Blair <i>(1/31/75 by Gov. Jay Hammond)</i>
2/12-13/75	Supreme Court Justice <i>(James M. Fitzgerald)</i>	Judge Edmond W. Burke William V. Boggess	Judge Edmond W. Burke William V. Boggess	Edmond W. Burke <i>(4/4/75 by Gov. Jay Hammond)</i>
2/12-13/75	District - Anchorage <i>(Paul B. Jones)</i>	Alexander O. Bryner Gary W. Gantz Laurel Peterson	Alexander O. Bryner Gary W. Gantz Laurel Peterson	Alexander O. Bryner <i>(1975 by Gov. Jay Hammond)</i>
4/1/75	District - Juneau <i>(W. Bruce Monroe)</i>	Richard A. Bradley Gerald O. Williams	Richard A. Bradley Gerald O. Williams	Gerald O. Williams <i>(1975 by Gov. Jay Hammond)</i>
4/1/75	District - Wrangell <i>(Harris R. Bullerwell)</i>	Duane K. Craske George Gucker Francis van T. Kernan	Duane K. Craske George Gucker - Francis van T. Kernan	Duane K. Craske <i>(1975 by Gov. Jay Hammond)</i>
5/16/75	Public Defender <i>(Herbert D. Soll)</i>	Douglas A. Fox Brian Shortell Herbert D. Soll Ronald T. West	Douglas A. Fox Brian Shortell Herbert D. Soll	Brian Shortell <i>(1975 by Gov. Jay Hammond)</i>
5/16/75	Superior - Anchorage <i>(new position)</i>	Judge Victor D. Carlson Robert E. Hammond Richard P. Kerns David Pree J. Justin Ripley Helen L. Simpson Benjamin O. Walters, Jr.	Judge Victor D. Carlson Richard P. Kerns J. Justin Ripley Benjamin O. Walters, Jr.	J. Justin Ripley <i>(6/27/75 by Gov. Jay Hammond)</i>

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Historical Log of Judicial Appointments* 1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
8/20/75	Superior - Kodiak <i>(Edmond W. Burke)</i>	Roy H. Madsen Milton M. Souter	Roy H. Madsen Milton M. Souter	Roy H. Madsen <i>(9/17/75 by Gov. Jay Hammond)</i>
8/22/75	District - Fairbanks <i>(new position)</i>	Clay Berry Monroe Clayton Stephen R. Cline Francis van T. Kernan Edward Noonan	Monroe Clayton Stephen R. Cline	Monroe Clayton <i>(1975 by Gov. Jay Hammond)</i>
9/17/75	District - Anchorage <i>(new position)</i>	Clay Berry Bruce Bookman Susan Burke Stanley Howitt Laurel Peterson Bruce Tennant	Susan Burke Laurel Peterson	Laurel Peterson <i>(1975 by Gov. Jay Hammond)</i>
9/18/75	Superior - Anchorage <i>(Harold J. Butcher)</i>	Russell E. Arnett Judge Victor D. Carlson Gary Gantz Karl Johnstone Richard Lytle James Merbs A.D. Talbot	Russell E. Arnett Judge Victor D. Carlson	Victor D. Carlson <i>(10/8/75 by Gov. Jay Hammond)</i>
1/8-9/76	Superior - Juneau <i>(Victor D. Carlson)</i>	Linn H. Asper Joseph D. Balfe Allen T. Compton Judge Roger W. DuBrock Gary W. Gantz James E. Fisher	Joseph D. Balfe Allen T. Compton Judge Roger W. DuBrock	Allen T. Compton <i>(1976 by Gov. Jay Hammond)</i>
3/15/76	District - Valdez <i>(new position)</i>	John Bosshard, III James D. Ginotti Robin Taylor	John Bosshard, III James D. Ginotti Robin Taylor	John Bosshard, III <i>(1976 by Gov. Jay Hammond)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
8/31/76	Superior - Sitka <i>(former District Court Position)</i>	Joseph D. Balfé Judge Alexander O. Bryner Donald L. Craddick Judge Duane K. Craske Edward Stahla	Judge Alexander O. Bryner Judge Duane K. Craske	Duane K. Craske <i>(9/24/76 by Gov. Jay Hammond)</i>
9/23/76	Superior - Fairbanks <i>(Everett W. Hepp)</i>	Judge Monroe Clayton Judge Hugh Connelly Jay Hodges	Judge Monroe Clayton Judge Hugh Connelly Jay Hodges	Jay Hodges <i>(9/28/76 by Gov. Jay Hammond)</i>
10/18/76	Superior - Bethel <i>(new position)</i>	Christopher Cooke Stephen Cooper James E. Fisher	Christopher Cooke Stephen Cooper	Christopher Cooke <i>(11/15/76 by Gov. Jay Hammond)</i>
10/18/76	District - Homer <i>(new position)</i>	James P. Doogan, Jr. Henry Holst James C. Hornaday Jack McGee Anita Remerowski David Walker	James P. Doogan, Jr. James C. Hornaday	James C. Hornaday <i>(11/2/76 by Gov. Jay Hammond)</i>
12/13/76	District - Wrangell <i>(Duane Craske)</i>	Robin Taylor Larry D. Wood	Robin Taylor Larry D. Wood	Robin Taylor <i>(seat abolished 1982)</i> <i>(1976 by Gov. Jay Hammond)</i>
2/1-2/77	Superior - Anchorage <i>(Eben H. Lewis)</i>	Judge Alexander O. Bryner Denis Lazarus Mark C. Rowland Judge Thomas E. Schulz Gary Thurlow	Judge Alexander O. Bryner Mark C. Rowland Judge Thomas E. Schulz	Mark C. Rowland <i>(2/22/77 by Gov. Jay Hammond)</i>
4/14/77	Supreme Court Justice <i>(Robert C. Erwin)</i>	William V. Boggess Warren Matthews Daniel A. Moore, Jr. William G. Ruddy Judge James K. Singleton, Jr.	William V. Boggess Warren Matthews Daniel A. Moore, Jr. William G. Ruddy Judge James K. Singleton, Jr.	Warren Matthews <i>(5/26/77 by Gov. Jay Hammond)</i>

**Historical Log of Judicial Appointments*
 1959 - Present**

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
6/29/77	District - Anchorage <i>(Dorothy D. Tyner)</i>	Glen C. Anderson William D. Cook Beverly W. Cutler Richard Lytle James Wolf	Glen C. Anderson William D. Cook Beverly Cutler	Beverly W. Cutler <i>(1977 by Gov. Jay Hammond)</i>
12/14/77	Superior - Anchorage <i>(C. J. Occhipinti)</i>	Bruce A. Bookman William Erwin William H. Fuld Eugene Murphy Milton M. Souter Benjamin O. Walters, Jr. Richard Weinig	Bruce A. Bookman William H. Fuld Milton M. Souter Benjamin O. Walters, Jr.	Milton M. Souter <i>(1/23/78 by Gov. Jay Hammond)</i>
12/14/77	District - Fairbanks <i>(Arthur L. Robson.)</i>	Robert Blackford Stephen R. Cline Dallas L. Phillips L. Eugene Williams	Stephen R. Cline Dallas L. Phillips L. Eugene Williams	Stephen R. Cline <i>(1977 by Gov. Jay Hammond)</i>
2/10/78	District - Anchorage <i>(Alexander Bryner)</i>	Glen C. Anderson Joseph Evans John Strachan Richard Tennant L. Eugene Williams Ethan Windahl	Glen C. Anderson L. Eugene Williams Ethan Windahl	Glen C. Anderson <i>(3/16/78 by Gov. Jay Hammond)</i>

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
9/17/79	Superior - Anchorage <i>(Peter J. Kalamarides)</i>	Albert Branson Robert Bundy Harland Davis LeRoy DeVeaux Sheila Gallagher Max Gruenberg Karl S. Johnstone Carolyn Jones Judge Laurel Peterson Arthur Robinson Douglas Serdahely Brian Shortell D. Ralph Stemp	Sheila Gallagher Karl S. Johnstone Douglas J. Serdahely Brian Shortell	Karl S. Johnstone <i>(10/8/79 by Gov. Jay Hammond)</i>
9/17/79	District - Anchorage <i>(Laurel Peterson)</i>	Charles R. Avery James Bendell Robert Frenz Lucy Lowden Donald Starks Elaine Vondrasek George Weiss L. Eugene Williams	Charles R. Avery L. Eugene Williams	Charles R. Avery <i>(1979 by Gov. Jay Hammond)</i>
3/20/80	Superior - Kotzebue <i>(new position)</i>	William D. Cook Paul B. Jones Irwin Ravin Edward Welch Richard J. Whittaker	Paul B. Jones Richard J. Whittaker	Paul B. Jones <i>(5/5/80 by Gov. Jay Hammond)</i>

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
6/20/80	Court of Appeals <i>(3 new positions)</i>	Susan A. Burke Alexander O. Bryner Robert G. Coats Judge James A. Hanson Daniel Hickey Thomas F. Keever Judge Roy H. Madsen Charles Merriner Peter A. Michalski Judge Ralph E. Moody Robert N. Opland A. Lee Peterson Judge Thomas E. Schulz Judge James K. Singleton, Jr. D. Ralph Stemp Judge Warren Wm. Taylor	Alexander O. Bryner Robert G. Coats Judge James A. Hanson Judge Roy H. Madsen Charles Merriner Ralph Moody A. Lee Peterson Judge Thomas E. Schulz Judge James K. Singleton, Jr.	Alexander O. Bryner Robert G. Coats James K. Singleton, Jr. <i>(7/30/80 by Gov. Jay Hammond)</i>
9/15/80	District - Fairbanks <i>(Monroe Clayton)</i>	Hershel Crutchfield Robert Downes Natalie Finn Jane F. Kauvar Christopher E. Zimmerman	Robert Downes Jane F. Kauvar Hershel Crutchfield	Hershel Crutchfield <i>(10/30/80 by Gov. Jay Hammond)</i>
11/1/80	Supreme Court Justice <i>(Robert Boochever)</i>	Judge Victor D. Carlson Judge Allen T. Compton John Haveclock Andrew Kleinfeld Arthur Peterson William G. Ruddy Judge James K. Singleton, Jr. Donna Willard	Judge Victor D. Carlson Judge Allen T. Compton Andrew Kleinfeld William G. Ruddy Judge James K. Singleton, Jr.	Allen T. Compton <i>(12/12/80 by Gov. Jay Hammond)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
11/1/80	Superior - Anchorage (2 new positions) (1 existing position) (Singleton's position filled by Brian Shortell)	Judge Glen C. Anderson Stephen C. Branchflower William Donohue Sheila Gallagher Cheri Jacobus Carolyn Jones William Mackey Daniel A. Moore, Jr. Eugene Murphy Arthur Robinson Douglas J. Serdahely Brian Shortell James Wanamaker	Judge Glen C. Anderson William Donohue Sheila Gallagher Carolyn Jones Daniel A. Moore, Jr. Douglas J. Serdahely Brian Shortell James Wanamaker	Daniel A. Moore, Jr. Douglas J. Serdahely Brian Shortell (12/12/80 by Gov. Jay Hammond)
11/1/80	Superior - Nome (William H. Sanders)	Judge Paul B. Jones Charles Tunley	Judge Paul B. Jones Charles Tunley	Charles Tunley (12/12/80 by Gov. Jay Hammond)
1/23/81	District - Fairbanks (Mary Alice Miller)	Hershel Crutchfield Robert Downes Jane F. Kauvar Brett M. Wood Thomas F. Keever	Robert Downes Jane F. Kauvar	Jane F. Kauvar (2/18/81 by Gov. Jay Hammond)
3/31/81	Public Defender (Brian Shortell)	David Berry Ben Esch Dana Fabe Rene J. Gonzalez Nancy Shaw Sue Ellen Tatter Roy V. Williams	Dana Fabe Rene J. Gonzalez Sue Ellen Tatter Roy V. Williams	Dana Fabe (1981 by Gov. Jay Hammond)

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
4/28-29/81	Superior - Juneau (Allen T. Compton)	Linn H. Asper Walter L. Carpeneti James Douglas Douglas L. Gregg Peter M. Page Rodger W. Pegues Richard Svobodny Judge Robin Taylor	Walter L. Carpeneti Douglas L. Gregg Peter M. Page Rodger W. Pegues Judge Robin Taylor	Rodger W. Pegues (6/11/81 by Gov. Jay Hammond)
5/28-29/81	District - Anchorage (Charles R. Avery)	Elaine Andrews Thomas R. Boedecker Stephanie Cole James V. Gould Brigitte McBride Jess Nicholas Robert Rehbock John Scukanec Arthur Talbot Ronald T. West James Wolf Thomas Turnbull	Elaine Andrews Stephanie Cole James V. Gould Jess Nicholas	Elaine Andrews (6/11/81 by Gov. Jay Hammond)
9/3/81	Superior - Kenai (James Hanson)	Charles Cranston Charles Merriner Timothy Rogers Andrew R. Sarisky	Charles Cranston Charles Merriner	Charles Cranston (10/15/81 by Gov. Jay Hammond)
9/28/81	Superior - Juneau (Thomas Stewart)	Walter L. Carpeneti Peter M. Page	Walter L. Carpeneti Peter M. Page	Walter L. Carpeneti (10/15/81 by Gov. Jay Hammond)

**Historical Log of Judicial Appointments*
 1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
9/3/82	Superior - Palmer <i>(new position)</i>	Judge Glen C. Anderson Judge Beverly W. Cutler LeRoy DeVeaux Carolyn Jones Charles Merriner Sigurd Murphy Thomas J. Yerbich	Judge Glen C. Anderson Judge Beverly W. Cutler LeRoy DeVeaux	Beverly W. Cutler <i>(10/28/82 by Gov. Jay Hammond)</i>
9/30/82	Superior - Barrow <i>(new position)</i>	Michael Jeffery Timothy Stearns	Michael Jeffery Timothy Stearns	Michael Jeffery <i>(10/28/82 by Gov. Jay Hammond)</i>
9/30/82	Superior - Wrangell <i>(new position)</i>	Richard Folta Judge Henry C. Keene, Jr. Dennis L. McCarty Robin Taylor	Judge Henry C. Keene, Jr. Robin Taylor	Henry C. Keene, Jr. <i>(11/10/82 by Gov. Jay Hammond)</i>
2/15-16/83	District - Ketchikan <i>(Henry C. Keene, Jr.)</i>	Barbara Blasco James Bruce Roger Carlson George Gucker Dennis L. McCarty Richard J. Whittaker	Barbara Blasco George Gucker	George Gucker <i>(3/31/83 by Gov. William Sheffield)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
2/15-16/83	District - Anchorage (Joseph Brewer) (Fuld) (Virgil Vochoska) (Finn) (position moved from Kodiak)	Allen Bailey Eugene Cyrus Natalie Finn William H. Fuld Eric Hanson Donald Johnson Eugene Murphy Linda O'Bannon Patrick Owen Edward Peterson Robert Rehbock Christine Schleuss Nancy Shaw John Sivertsen Elaine Vondrasek L. Eugene Williams James Wolf Richard L. Yospin	Natalie Finn William H. Fuld Eric Hanson Donald Johnson Eugene Murphy Patrick Owen Christine Schleuss L. Eugene Williams Richard L. Yospin	Natalie Finn William H. Fuld (3/31/83 by Gov. William Sheffield)
5/26/83	Supreme Court Justice (Roger G. Connor)	Judge Alexander O. Bryner William Donohue Karen Hunt Millard Ingraham Kenneth Jacobus Judge Paul B. Jones Andrew Kleinfeld Judge Daniel A. Moore, Jr. Sandra Saville Judge Douglas J. Serdahely Judge James K. Singleton, Jr. Michael Thomas Donna Willard	Millard Ingraham Andrew Kleinfeld Judge Daniel A. Moore, Jr. Michael Thomas	Daniel A. Moore, Jr. (7/10/83 by Gov. William Sheffield)

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
11/29/83	Superior - Anchorage <i>(Daniel A. Moore, Jr.)</i>	Cynthia Christianson LeRoy DeVeaux William Erwin Gary W. Gantz William Greene Karen Hunt Joan M. Katz Suzanne Pestinger	LeRoy DeVeaux William Erwin Karen Hunt Joan M. Katz	Karen Hunt <i>(1/10/84 by Gov. William Sheffield)</i>
5/16/84	Superior - Valdez <i>(new position)</i>	Judge John Bosshard, III Hal P. Gazaway (withdrew) Patrick Owen (withdrew) Gordon J. Tans	Judge John Bosshard, III Gordon J. Tans	John Bosshard, III <i>(5/29/84 by Gov. William Sheffield)</i>
5/16/84	District - Juneau <i>(Gerald O. Williams)</i>	Linn H. Asper Margaret (Peggy) Berck Monte Lee Brice John R. Corso Donald L. Craddick David T. Walker Richard L. Yospin	Linn H. Asper Margaret (Peggy) Berck David T. Walker Richard L. Yospin	Linn H. Asper <i>(6/22/84 by Gov. William Sheffield)</i>
9/25-26/84	Anchorage - Superior <i>(2 new positions)</i>	Andrew M. Brown Edward G. (Ted) Burton William Erwin Gail Roy Fraties Judge William H. Fuld Rene J. Gonzalez James V. Gould Joan M. Katz Peter A. Michalski Melvin M. Stephens, II	Edward G. Burton Gail Roy Fraties Rene J. Gonzalez James V. Gould Joan M. Katz Peter A. Michalski	Rene J. Gonzalez Joan M. Katz <i>(11/8/84 by Gov. William Sheffield)</i>

**Historical Log of Judicial Appointments*
 1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
9/25-26/84	Anchorage - District (2 positions) (Beverly W. Cutler's position filled by Martha Beckwith) (Warren A. Tucker's position filled by D. Ralph Stemp)	Martha Beckwith Dennis P. Cummings John M. Eberhart Maryann E. Foley David P. Gorman Andy Hemenway Robert D. Lewis Connie J. Sipe (withdrew) D. Ralph Stemp Melvin M. Stephens, II David C. Stewart Michael N. White	Martha Beckwith Andy Hemenway D. Ralph Stemp David C. Stewart Michael N. White	Martha Beckwith D. Ralph Stemp David C. Stewart Michael N. White (11/8/84 by Gov. William Sheffield)
12/17/84	Fairbanks - District (Stephen R. Cline)	Teresa L. Foster Michael P. McConahy Thomas A. Miller Randy M. Olsen Daniel T. Saluri Mark I. Wood Christopher E. Zimmerman	Michael P. McConahy Randy M. Olsen Mark I. Wood Christopher E. Zimmerman	Christopher E. Zimmerman (2/1/85 by Gov. William Sheffield)
12/17/84	Fairbanks - Superior (Warren Wm. Taylor)	Rita T. Allee James P. Doogan, Jr. Mary E. "Meg" Greene Judge Jane F. Kauvar Dick L. Madson Billie D. Murphree Richard D. Savell D. Rebecca Snow Larry D. Wood Christopher E. Zimmerman	Mary E. "Meg" Greene Dick L. Madson	Mary E. "Meg" Greene (1/4/85 by Gov. William Sheffield)

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
12/18/84	Anchorage - Superior <i>(Ralph E. Moody)</i>	Edward G. (Ted) Burton Gail Roy Fraties Judge William H. Fuld Peter A. Michalski Eugene Murphy Benjamin O. Walters, Jr. Thomas J. Yerbich	Edward G. (Ted) Burton Peter A. Michalski Eugene Murphy Benjamin O. Walters, Jr.	Peter A. Michalski <i>(1/31/85 by Gov. William Sheffield)</i>
3/27-28/85	Wrangell - Superior <i>(Henry C. Keene, Jr.)</i>	James L. Bruce John B. Gaguine (withdrew) Thomas M. Jahnke Dennis L. McCarty T.W. Patch Drew Peterson John Peterson (withdrew) David T. Walker	Thomas M. Jahnke Dennis L. McCarty David T. Walker	Thomas M. Jahnke <i>(5/11/85 by Gov. William Sheffield)</i>
4/7-8/86	Bethel - Superior <i>(Christopher Cooke)</i>	Gail Roy Fraties James D. Ginotti L. Ben Hancock Laurie H. Otto Bryan E. Schuler Timothy H. Stearns	Gail Roy Fraties L. Ben Hancock Bryan E. Schuler	Gail Roy Fraties <i>(5/22/86 by Gov. William Sheffield)</i>
3/20/87	Fairbanks - Superior <i>(Gerald Van Hoomisen)</i>	Gary Foster Paul R. Lyle (withdrew) Dick L. Madson (withdrew) Richard D. Savell D. Rebecca Snow Niesje J. Steinkruger Patrick J. Travers Larry C. Zervos Judge Chris E. Zimmerman	Richard D. Savell D. Rebecca Snow Judge Chris E. Zimmerman	Richard D. Savell <i>(4/27/87 by Gov. Steve Cowper)</i>

**Historical Log of Judicial Appointments*
1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
6/20/87	Palmer - District <i>(new position)</i>	Peter G. Ashman Dennis P. Cummings John Thomas Maltas Daniel Weber Mark I. Wood	Peter G. Ashman Mark I. Wood	Peter G. Ashman <i>(7/31/87 by Gov. Steve Cowper)</i>
7/14/88	Fairbanks - District <i>(Hugh Connelly)</i>	S. Joshua Berger James H. Cannon Patrick B. Cole Monte Engel J. John Franich Raymond Funk James M. Mullen Charles R. Pengilly Kenneth P. Ringstad, Jr. Fleur L. Roberts Larry C. Zervos	James H. Cannon Raymond Funk Charles R. Pengilly Larry C. Zervos	Larry C. Zervos <i>(8/26/88 by Gov. Steve Cowper)</i>
7/15/88	Fairbanks - Superior <i>(James R. Blair)</i>	Gary Foster J. John Franich Raymond Funk Judge Jane F. Kauvar Charles R. Pengilly D. Rebecca Snow Niesje J. Steinkruger Judge Chris E. Zimmerman	D. Rebecca Snow Niesje J. Steinkruger	Niesje J. Steinkruger <i>(8/26/88 by Gov. Steve Cowper)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
7/16/88	Superior - Anchorage (Douglas Serdahely)	Louis E. Agi Joseph N. Barcott Harry Branson Dan E. Dennis Leroy E. DeVeaux R. Stanley Ditus Dana A. Fabe Judge William H. Fuld Nelson G. Page Timothy Jay Rogers (withdrew) Shannon D. Turner Vincent P. Vitale	Dana A. Fabe Judge William H. Fuld Nelson G. Page	Dana A. Fabe (8/26/88 by Gov. Steve Cowper)
7/17/88	District - Anchorage (Michael N. White)	Louis E. Agi Jacob H. Allmaras James A. Crary Dennis P. Cummings John E. Duggan Monte Engel John T. Maltas Paul E. Olson (withdrew) James Ottinger John A. Scukanec John W. Sivertsen, Jr. Michael L. Wolverton	Jacob H. Allmaras James Ottinger Michael L. Wolverton	Michael L. Wolverton (8/26/88 by Gov. Steve Cowper)
1/14/89	Public Defender (Dana A. Fabe)	James H. McComas John B. Salemi	James H. McComas John B. Salemi	John B. Salemi (1989 by Gov. Steve Cowper)

Historical Log of Judicial Appointments* 1959 - Present

<i>Meeting Date</i>	<i>Position</i>	<i>Candidates</i>	<i>Nominated</i>	<i>Appointed</i>
5/8/89	Anchorage - Superior (<i>Seaborn J. Buckalew</i>)	Terry Aglietti Jacob Allmaras Judge Glen Anderson Don Bauermeister Dan Dennis William Donohue Phillip Eide Judge William Fuld David Mannheimer Nelson Page John Reese Judge David Stewart Benjamin O. Walters, Jr. Larry Wood	Judge Glen Anderson David Mannheimer Nelson Page John Reese Judge David Stewart	John Reese (6/26/89 by Gov. Steve Cowper)
5/9/89	Juneau - District (<i>Linn H. Asper</i>)	Margaret Berck Peter Froehlich Pat Conheady David Walker Monte Brice David Ingram Stephen Pearson	Margaret Berck Peter Froehlich	Peter Froehlich (6/26/89 Gov. Steve Cowper)
11/20/89	Bethel - Superior (<i>Gail Roy Fratics</i>)	Dale O. Curda Lawrence Delay Jonathan Link Allison Mendel Joseph Slusser Richard Whittaker	Dale O. Curda Allison Mendel Jonathan Link	Dale O. Curda (12/15/89 by Gov. Steve Cowper)
6/5/90	Kenai - Superior (<i>new position</i>)	Thomas Boedeker Jonathan Link Peter Mysing Arthur S. Robinson Judge Michael Wolverton	Jonathan Link Arthur S. Robinson Judge Michael Wolverton	Jonathan Link (7/20/90 by Gov. Steve Cowper)

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
6/25/90	Juneau - Superior <i>(Rodger Pegues)</i>	Judge Thomas M. Jahnke Margot O. Knuth Ronald W. Lorensen Richard A. Svobodny David T. Walker Larry R. Weeks	Judge Thomas M. Jahnke Margot O. Knuth Ronald W. Lorensen Larry R. Weeks	Larry R. Weeks <i>(8/3/90 by Gov. Steve Cowper)</i>
8/6/90	Sitka - Superior <i>(Duane Craske)</i>	Daniel W. Allan <i>(withdrew)</i> Theron J. Cole Cynthia P. Christianson <i>(withdrew)</i> Jonathan H. Link <i>(withdrew)</i> Dennis L. McCarty William E. Olmstead J. Michael Robbins Elizabeth L. Shaw Edward A. Stahla Judge Larry C. Zervos	Elizabeth L. Shaw Judge Larry C. Zervos	Larry C. Zervos <i>(9/14/90 by Gov. Steve Cowper)</i>
8/26/90	Court of Appeals <i>(James Singleton)</i>	Judge Glen C. Anderson David Mannheimer Susan Orlansky	Judge Glen C. Anderson David Mannheimer Susan Orlansky	David Mannheimer <i>(10/11/90 by Gov. Steve Cowper)</i>
8/27/90	Fairbanks - District <i>(Christopher Zimmerman)</i>	Teresa Foster Brimner Robert B. Downes Raymond Funk Charles R. Pengilly Fleur Louise Roberts Wm. Ronald Smith	Teresa Foster Brimner Raymond Funk Charles R. Pengilly	Charles R. Pengilly <i>(9/27/90 by Gov. Steve Cowper)</i>
11/18/90	Kodiak - Superior <i>(Roy Madsen)</i>	L. Ben Hancock Donald D. Hopwood Craig S. Howard Carolyn E. Jones Susan S. McLean Anna M. Moran T.W. Patch J. Michael Robbins <i>(withdrew)</i>	Donald D. Hopwood Carolyn E. Jones Susan S. McLean	Donald D. Hopwood <i>(11/30/90 by Gov. Steve Cowper)</i>

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Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
11/19/90	Homer - District <i>(James C. Hornaday)</i>	Lynn H. Christensen Thomas H. Dahl Ronald W. Drathman Monte Engel <i>(withdrew)</i> Virginia Marie Espenshade James A. Farr Donald D. Hopwood Carolyn E. Jones M. Francis Neville Fate Putman <i>(withdrew)</i> J. Michael Robbins <i>(withdrew)</i> Daniel William Westerburg	Lynn H. Christensen Donald D. Hopwood Carolyn E. Jones M. Francis Neville Daniel William Westerburg	M. Francis Neville <i>(11/30/90 by Gov. Steve Cowper)</i>
1/20-21/91	Anchorage - District <i>(David Stewart)</i>	Louis E. Agi Dennis Cummings Steven D. DeVries James A. Farr Carolyn E. Jones Charlene Lichtmann <i>(withdrew)</i> John R. Lohff Kevin F. McCoy Gregory J. Motyka James Ottinger John A. Scukanec Benjamin O. Walters, Jr.	Carolyn E. Jones John R. Lohff Kevin F. McCoy	John R. Lohff <i>(3/8/91 by Gov. Walter Hickel)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
1/21-22/91	Anchorage - Superior (Victor D. Carlson)	Judge Glen C. Anderson Judge Elaine M. Andrews Bruce A. Bookman Stephen E. Branchflower Robert D. Frenz Kenneth P. Jacobus Thom F. Janidlo Carolyn E. Jones John R. Lohff J. Frank Prewitt, Jr. Richard Brock Shamberg James T. Stanley Richard J. Willoughby Judge Michael Wolverton Larry D. Wood	Judge Glen C. Anderson Judge Elaine M. Andrews Bruce A. Bookman Judge Michael Wolverton	Elaine M. Andrews (3/8/91 by Gov. Walter Hickel)
2/8/91	Kotzebue - Superior (Paul B. Jones)	Richard H. Erlich James A. Farr Gayle L. Garrigues Eric Smith Janna Stewart (withdrew)	Richard Erlich Eric Smith	Richard H. Erlich (3/8/91 by Gov. Walter Hickel)
6/9-10/91	Anchorage - District (Elaine Andrews)	Louis E. Agi Lynn H. Christensen Carolyn E. Jones Richard D. Kibby Michael L. Lindeman Kevin F. McCoy Gregory J. Motyka J. Frank Prewitt, Jr. Rhonda Butterfield Roberson John A. Scukanec William Jay Soule Susan M. Williams	Lynn H. Christensen Carolyn E. Jones Michael L. Lindeman Kevin F. McCoy Gregory J. Motyka	Gregory J. Motyka (7/26/91 by Gov. Walter Hickel)

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
10/11/91	Valdez - Superior <i>(John Bosshard)</i>	Judge Glen C. Anderson Bill Cook Kenneth D. Lougee Michael J. Walleri	Judge Glen C. Anderson Kenneth D. Lougee	Judge Glen C. Anderson <i>(11/26/91 by Gov. Walter Hickel)</i>
5/10-12/92	Anchorage - District <i>(Ralph Stemp)</i> <i>(Glen C. Anderson)</i>	Jacob H. Allmaras Lynn H. Christensen Paul Cossman James A. Farr Stephanie E. Joannides Carolyn Jones Shannon D. Hanley Michael J. Lindeman Allison E. Mendel Bruce Moore Sigurd E. Murphy Joseph D. O'Connell Diane Taylor O'Gorman Stephanie Rhoades Mitchel Schapira John Scukanec Valerie Van Brocklin Stephen J. Van Goor James N. Wanamaker Daniel Weber Roy V. Williams Teresa E. Williams	Jacob H. Allmaras Paul Cossman Stephanie Joannides Sigurd E. Murphy Stephanie Rhoades John Scukanec Stephen J. Van Goor James N. Wanamaker	Sigurd E. Murphy Stephanie Rhoades <i>(7/30/92 by Gov. Walter Hickel)</i>
9/25/92	Fairbanks - Superior <i>(new position)</i>	Ralph R. Beistline Daniel R. Cooper, Jr. J. John Franich Jane F. Kauvar Judge Charles R. Pengilly	Ralph R. Beistline Jane F. Kauvar Judge Charles R. Pengilly	Ralph R. Beistline <i>(10/26/92 by Gov. Walter Hickel)</i>

Historical Log of Judicial Appointments* 1959 - Present

Meeting Date	Position	Candidates	Nominated	Appointed
12/6-7/92	Fairbanks - District (<i>H. E. Crutchfield</i>)	Christian N. Bataille Scott Davis J. John Franich R. Poke Haffner Lynn Levensgood Richard Lee Musick Brenda Sheehan (<i>withdrew</i>) Wm. Ronald Smith Karla J. Taylor-Welch Terrence Howard Thorgaard Mark I. Wood	Scott Davis Karla J. Taylor-Welch Mark I. Wood	Mark I. Wood (1993 by Gov. Walter Hickel)
12/8-9/92	Ketchikan - Superior (<i>Thomas E. Schulz</i>)	Richard D. Kibby Richard Lee Musick Vivian Senungetuk John W. Sivertsen, Jr. Michael A. Thompson Kirsten Tinglum Stephen R. West	Michael A. Thompson Kirsten Tinglum	Michael A. Thompson (1993 by Gov. Walter Hickel)
6/27-29/93	Anchorage - District (<i>Martha Beckwith</i>)	Ella Anagick Judge Peter G. Ashman Jeffrey A. Friedman Walter H. Garretson Laurence Keys Lisa B. Nelson John A. Scukanec Thomas R. Tatka Kneeland Taylor Stephen J. Van Goor James N. Wanamaker	Judge Peter G. Ashman Lisa B. Nelson John A. Scukanec Stephen J. Van Goor James N. Wanamaker	James N. Wanamaker (8/13/93 by Gov. Walter Hickel)

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**Historical Log of Judicial Appointments*
 1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
6/27-29/93	Anchorage - Superior (<i>J. Justin Ripley</i>)	Judge Peter G. Ashman Allen M. Bailey Stephen E. Branchflower Larry D. Card Walter H. Garretson William W. Garrison Cheri Christine Moore Jacobus Michael Jungreis Marilyn Jane Kamm Elizabeth "Pat" Kennedy J. L. McCarrey, III Brant McGee Judge James N. Wanamaker Judge Michael L. Wolverton	Judge Peter G. Ashman Larry D. Card Brant McGee Judge Michael L. Wolverton	Larry D. Card (<i>8/13/93 by Gov. Walter Hickel</i>)
1/9-10/94	Supreme Court (<i>Edmond Burke</i>)	James R. Blair Roert E. Congdon Robert L. Eastaugh Cynthia M. Hora Judge Karen L. Hunt Judge Thomas M. Jahnke William K. Jermain Douglas D. Lottridge Judge Peter A. Michalski Joseph J. Perkins, Jr. Hugh G. (Jerry) Wade Donna C. Willard	Robert L. Eastaugh Judge Karen L. Hunt Judge Thomas M. Jahnke Hugh G. (Jerry) Wade Donna C. Willard	Robert L. Eastaugh (<i>1/29/94 by Gov. Walter Hickel</i>)

**Historical Log of Judicial Appointments*
 1959 - Present**

Meeting Date	Position	Candidates	Nominated	Appointed
9/25-26/94	Anchorage - District (John D. Mason)	Jacob H. Allmaras Ella Anagick Judge Peter G. Ashman Julie E. Bryant Carmen E. ClarkWeeks Walter H. Garretson Gary M. Guarino Thom F. Janidlo Stephanie E. Joannides Stephen F. McKee Lisa B. Nelson T. W. Patch John A. Scukanec Stephen J. Van Goor	Judge Peter G. Ashman Stephanie E. Joannides John A. Scukanec Stephen J. Van Goor	Stephanie E. Joannides (10/28/94 by Gov. Walter Hickel)

Appendix F

Retention Evaluation Procedures

Appendix F

Alaska Judicial Council Retention Evaluation Program

Alaska's statutes require the Alaska Judicial Council to evaluate each judge standing for retention election, and to make its evaluations and any recommendations public prior to the election. The Judicial Council also evaluates *pro tem* judges (retired judges sitting *pro tem* by order of the supreme court) at the request of the supreme court and may evaluate other judges. The procedures used by the Council, and the results of evaluations conducted since 1976 are outlined in the following paragraphs.

A. Retention Evaluation Procedures

The legislature first authorized retention evaluations in 1976. The evaluation procedures have evolved since that time into a thorough, objective review of each judge. The Council tried several new procedures in 1990 and 1992 on a pilot basis, and revised the 1994 procedures based on its experience.

The procedures fall into three general categories. First are the professional evaluations, which include surveys of all Alaska Bar Association members and all active peace and probation officers, as well as questionnaires sent to selected attorneys who have had demonstrated experience before each judge. Second, the Council reviews materials specific to each judge, including a questionnaire completed by the judge, a list of major trials and other cases handled by the judge, and a wide range of public sources including court case files, Alaska Public Offices Commission conflict-of-interest filings, and Commission on Judicial Conduct public records. The third aspect of the evaluations is public input. In 1994, this included public hearings at about seventeen locations throughout the state, and newspaper ads encouraging public comment (both oral and written) during the evaluation period. The Council also surveyed all jurors who had served in 1992 and 1993 with the judges up for retention in 1994.

The Council reviews all of the materials obtained and may interview the judge personally before making its final evaluation and recommendation. Once the Council evaluates each judge and makes its recommendations, it publishes the results in newspapers throughout the state and in the Official Election Pamphlet prepared by the Lieutenant Governor.

1. **Professional Evaluations**

a. Surveys

The Council surveys all active members of the Alaska Bar Association and all peace and probation officers in the state who handle state criminal cases. In 1994, the Council asked 2,546 attorneys and 1,278 peace and probation officers to evaluate the judges. About half of the attorneys, and a slightly lower percentage of the peace and probation officers responded. Survey specialists consider these good response rates for mail surveys.

Bar members evaluate all judges. Peace and probation officers evaluate all judges except appellate judges, before whom they do not appear. Peace and probation officers do not evaluate trial judges on legal abilities. The ten to twenty areas of evaluation for each judge include impartiality, integrity, administrative skills, judicial temperament, legal skills and knowledge, and overall performance. The Council encourages respondents to add comments, based on their experience with each judge. (See Attachment A for sample pages.)

An independent contractor carries out the surveys for the Judicial Council, to assure objectivity in the findings. Most of the analysis uses only responses from those who reported direct professional experience with the judge being evaluated. Analysis considers the respondent's type of practice, location within the state, and other demographic variables. The Council shares draft results with each judge before the Council's evaluation meeting and makes the final report available to the public and media throughout the state.

b. Counsel Questionnaires.

Each judge gives the Judicial Council a list of three trials, three non-trial cases, and any other cases that the judge found significant during his or her most recent term in office. The Council contacts all of the attorneys in each case, sending a brief questionnaire that asks about the judge's fairness, legal abilities, temperament and administrative handling of the case. Most attorneys contacted return these questionnaires. The comments typically do not differ strikingly from the survey findings. They corroborate the survey by giving evidence from attorneys who have had proven substantial experience with the judge. The Council gives the judges the comments from the counsel questionnaires after making minor changes to assure anonymity. The Council members use questionnaires to arrive at their final evaluations.

2. Judges' Materials

a. Judge's Questionnaire.

Each judge is asked to fill out a short questionnaire that informs the Council about the types of cases handled during the previous term, legal or disciplinary matters the judge may have been involved in, and health matters that could be related to the judge's ability to perform judicial duties. The questionnaire also asks the judge to describe satisfaction with judicial work during the previous term and to make any comments that would help the Council in its evaluations.

b. Other Records.

Council staff review a series of other public records, including conflict-of-interest annual statements filed with the Alaska Public Offices Commission and separate forms filed with the court system, court case files, and Commission on Judicial Conduct public files. The Council also reviews performance-related court data, such as the number of peremptory challenges filed against a judge and the number of reversals on appeal. The Council scrutinizes performance-related data carefully, because the type of caseload or judge's location may play a major part in the numbers of challenges or appeals and reversals. A domestic relations judge assigned 6,000 cases in one year may have more challenges (and possibly more appellate reversals) than a judge handling 1,000 criminal and civil cases.

c. Interviews.

Any judge may request an interview with the Judicial Council. The Council, in turn, may ask judges to speak with the Council members during the final stages of the evaluation process, to respond to concerns raised by attorneys, peace or probation officers, or citizens.

3. Public Input

The Council encourages input from the public with a wide variety of techniques. Among these are public hearings, juror surveys, and publicizing the evaluation process. The Council shares the public input with each judge, and considers it together with all of the other information about the judge.

a. Juror Surveys.

In 1990, for the first time since 1978, the Council surveyed jurors for their opinions on the performance of judges. The surveys provided useful information to the Council and were used again in 1992. In 1994, the Council surveyed 3,945 jurors. While jurors tend to rate judges more positively than do attorneys and peace officers, they highlight different aspects of judicial performance.

b. Public Hearings.

Public hearings for all judges standing for retention were conducted throughout the state in 1994, using the legislature's teleconference network and public meeting rooms. Statewide newspaper ads and public service announcements on radio and television stations encouraged public participation throughout the state. While juror surveys provided largely positive information about judicial performance, public hearings tended to attract persons who were less satisfied with judicial decisions. The two procedures offered some balance to each other, giving the Council the opportunity to view a range of opinions.

c. Other Publicity and Input.

The Council publicized the evaluation process widely through frequent press releases, personal contacts with radio and television stations, speeches to public groups such as community councils, and submitting feature articles to newspapers. The Victims for Justice courtwatchers' group provided information to the Council about the retention judges who had been evaluated by that group.

4. **Dissemination of Results**

By law, the Council must make its evaluations and recommendations public at least sixty days prior to the election, and also must submit materials to the Lieutenant Governor's Official Election Pamphlet. Attachment B includes sample materials. In 1994, besides complying with both of these requirements, a series of advertisements detailing the Council's recommendations were published in newspapers statewide in the week immediately before the election. Council staff also met with community organizations to provide information about the recommendations.

B. Results of Evaluations

The Council has evaluated judges standing for retention since 1976. In every election between 1976 and 1982, the Council found most of the judges qualified, and recommended their retention. Voters retained all of the judges found qualified, most by substantial margins. Vote analyses for all years since 1976 indicate that typically judges receive from 60 to 70% "yes" votes in the Third Judicial District (which includes Anchorage, Palmer, the Kenai Peninsula and Kodiak), and from 65 to 75% "yes" votes in the other judicial districts (see Attachment C for voting pattern analyses). The effects of the Council's recommendations, and of campaigns opposing judges must be measured against the typical voting patterns.

1. Judges Found "Not Qualified"

The Council found one or two judges not qualified for retention in each of the years between 1976 and 1982. All of the judges were district court judges. Both Bar and peace officers evaluated each as "below acceptable" on most of the evaluation criteria, including legal ability and overall performance. The judges were retained, although by significantly lower vote totals than most judges in their districts, in 1976, 1978 and 1980. In 1982, voters did not retain the two judges found unqualified, giving them about 45% "yes" votes in each case. Reasons suggested for the difference between the 1982 election and prior elections included increasing reliance on Judicial Council recommendations as voters grew more familiar with them, and a number of very controversial ballot issues that may have generated more general interest in the elections. Low "yes" vote totals for all judges in the Third Judicial District in 1982 may have been correlated with a minority of "yes" votes for the two judges found unqualified by the Council.

During the years 1984 through 1994, the Council has found most judges qualified, and voters retained all in office. The only judge found unqualified by the Council since 1982 was a superior court judge found unqualified in 1988, based on information including "below acceptable" ratings from attorneys and some peace officers on integrity, impartiality and some of the judicial temperament criteria. That judge was retained, although with significantly fewer "yes" votes than typical for that year.

2. Campaigns Against Judges

Several judges experienced campaigns against their retention from various public groups. For the most part, campaigns against judges have not been mounted until shortly before the election date. Many opponents have noted that the Code of Judicial Conduct (Canon 7 B(3)) prohibits judges from campaigning until opposed. By waiting until just before the election, opponents have the advantage of being able to prepare and raise funds while the judge cannot raise funds or prepare until after the first instance of public attack. Two substantial campaigns against supreme court justices were waged, in 1980 and in 1988. Both justices were retained, but by lower margins than most other judges. In 1984, 1994, and to a lesser extent in the other years, groups and individuals conducted grass roots campaigns against some trial court judges. For the most part, they were not well-organized and had little effect on voters' actions.

3. Effectiveness of Council Evaluations

The Council has assessed the effectiveness of its evaluation process twice. It surveyed 1978 voters in 1979, and made a formal report. In 1990, students informally polled voters in exit surveys. In both surveys, some voters said that they always voted either for or against all judges. Others said they discriminated, voting yes for some judges and no on others, based on personal experience or information available to them. Those voters were more likely to say that they had read the Judicial Council's recommendations or had used them in their voting.

Outside of these surveys, one good example of the effectiveness of the Council's recommendations came from the 1992 elections. Although the Council found qualified, and recommended "yes" votes on each, two Third Judicial District judges were rated below the other judges. No group campaigned against these judges, but they received substantially fewer votes than the other judges on the ballot. The voting results suggest that many voters used the Council's information in the Official Election Pamphlet to make their own decisions about how to vote.

4. Judicial Retirements

Observers occasionally suggest that the relatively low percentage of judges against whom the Council recommends, and the even lower percentage of judges rejected by the voters, shows that Alaska's retention election system does not work. The Council believes that it demonstrates the quality of both Alaska's non-political merit selection system for judges, and of Alaska's judiciary.

Another factor not immediately obvious is that a significant number of judges choose to retire rather than stand for retention. In 1990, twenty-two judges were eligible to stand for retention. Seven of these judges took themselves off the ballot voluntarily. While these decisions had little to do with the retention election and the Council's evaluation in the majority of cases, such factors probably do play a part in judges' decisions to retire in a few cases.

C. Other Judicial Evaluations

The Council has conducted three other types of judicial performance evaluation.

1. Pro Tem Judge Evaluations

The supreme court mandated Council evaluations of *pro tem* judges by court rule (Administrative Rule 23) in 1987. The Council sends its evaluations to the Chief Justice, who combines them with presiding judges' evaluations and other materials to decide whether judges should continue to serve *pro tem* for another two-year term. The first judges were evaluated in 1988, and a second group of four were evaluated in 1990. Six judges were evaluated in 1992, and twelve in 1994. Most *pro tem* judges are retired superior court judges who serve for a few days, up to a few months per year. The Council includes all *pro tem* judges in the survey questionnaires for the Bar and peace and probation officers.

2. General Judicial Performance Evaluation

The 1994 surveys of Bar and peace and probation officers included every judge in Alaska standing for retention in 1994 and 1996. The purpose of evaluating the judges on the ballot in 1996 was to give the judges an opportunity to assess their performance

before having to stand for retention. This process has been requested by judges since at least 1980, and has been supported by the Council for the same period.

3. Federal Judges Evaluation

The 1994 surveys of the Bar also included, at their request, Alaska's three federal district court judges. The judges asked for the evaluation to help them improve their performance as judges.

Attachment A

COURT OF APPEALS

Judge David Mannheimer

Basis for Evaluation

- A. Which of the following describes the basis for your evaluation of this judge? (CIRCLE ONE OR MORE)
1. Direct professional experience
 2. Professional reputation
 3. Social contacts
 9. Insufficient knowledge to evaluate this judge (GO ON TO NEXT JUDGE)
- B. If you have had direct professional experience with this judge, which of the following best describes the amount of that experience? (CIRCLE ONE)
1. Substantial
 2. Moderate
 3. Limited

To rate this judge, circle one number for each criterion. If you lack sufficient knowledge to rate the judge for any one of the criteria, circle 9. (SEE INSIDE FRONT COVER FOR PRECISE DEFINITION OF THE RATING SCALE)

	Unacceptable	Deficient	Acceptable	Good	Excellent	Insufficient Knowledge
Legal Ability						
1. Legal and factual analysis	1	2	3	4	5	9__
2. Writing clarity and precision	1	2	3	4	5	9__
Impartiality						
3. Equal treatment of all parties	1	2	3	4	5	9__
4. Sense of basic fairness and justice	1	2	3	4	5	9__
Integrity						
5. Conduct free from impropriety or the appearance of impropriety	1	2	3	4	5	9__
6. Makes decisions without regard to possible public criticism	1	2	3	4	5	9__
Judicial Temperament						
7. Courtesy, freedom from arrogance	1	2	3	4	5	9__
8. Human understanding and compassion	1	2	3	4	5	9__
Diligence						
9. Preparation for appeals and attentiveness to counsel's oral arguments	1	2	3	4	5	9__
Overall Evaluation						
10. Overall evaluation of judge	1	2	3	4	5	9__

Comments: Please add any comments that you believe would aid the Judicial Council in its evaluations. These comments are anonymous to protect the confidentiality of the respondent. If more space is needed, use pages 26, 40, 44, and 62 in this survey booklet or attach another sheet of paper.

THIRD JUDICIAL DISTRICT SUPERIOR COURT

Judge Elaine M. Andrews

Basis for Evaluation

- A. Which of the following describes the basis for your evaluation of this judge? (CIRCLE ONE OR MORE)
1. Direct professional experience
 2. Professional reputation
 3. Social contacts
 9. Insufficient knowledge to evaluate this judge (GO ON TO NEXT JUDGE)
- B. If you have had direct professional experience with this judge, which of the following best describes the amount of that experience? (CIRCLE ONE)
1. Substantial
 2. Moderate
 3. Limited

To rate this judge, circle one number for each criterion. If you lack sufficient knowledge to rate the judge for any one of the criteria, circle 9. (SEE INSIDE FRONT COVER FOR PRECISE DEFINITION OF THE RATING SCALE)

	Unacceptable	Deficient	Acceptable	Good	Excellent	Insufficient Knowledge
Legal Ability						
1. Legal and factual analysis	1	2	3	4	5	9__
2. Knowledge of substantive law	1	2	3	4	5	9__
3. Knowledge of evidence and procedure	1	2	3	4	5	9__
Impartiality						
4. Equal treatment of all parties	1	2	3	4	5	9__
5. Sense of basic fairness and justice	1	2	3	4	5	9__
Integrity						
6. Conduct free from impropriety or the appearance of impropriety	1	2	3	4	5	9__
7. Makes decisions without regard to possible public criticism	1	2	3	4	5	9__
Judicial Temperament						
7. Courtesy, freedom from arrogance	1	2	3	4	5	9__
8. Human understanding and compassion	1	2	3	4	5	9__
9. Ability to control courtroom	1	2	3	4	5	9__
Diligence						
10. Reasonable promptness in making decisions	1	2	3	4	5	9__
11. Willingness to work diligently; preparation for hearings	1	2	3	4	5	9__
Special Skills						
12. Settlement skills	1	2	3	4	5	9__
13. Consideration of all relevant factors in sentencing	1	2	3	4	5	9__
14. Talent and ability for cases involving children and families	1	2	3	4	5	9__
Overall Evaluation						
15. Overall evaluation of judge	1	2	3	4	5	9__

Comments: Please add any comments that you believe would aid the Judicial Council in its evaluations. These comments are anonymous to protect the confidentiality of the respondent. If more space is needed, use pages 26, 40, 44, and 62 in this survey booklet or attach another sheet of paper.

Attachment B



ALASKA'S JUDICIAL EVALUATION AND RETENTION SYSTEM



Alaska judges are appointed by a merit selection system. After appointment, they periodically appear on the ballot to allow the voters to decide whether they should be retained in office. These procedures were established by the Alaska Constitution and statutes to assure the appointment of qualified judges and the accountability of judges to the public throughout their tenure. Retention elections for judges are both nonpartisan and unopposed. Each judge stands for retention based on his or her record of judicial performance. If a judge is not retained in office, the position becomes vacant and a new judge is appointed by the merit selection system.

The Alaska Judicial Council is charged under Alaska statutes with evaluating judges up for retention elections and making recommendations to the voters. The Judicial Council is created by the Constitution and its six members are citizen volunteers, with the Chief Justice of the Alaska Supreme Court sitting as chair. Three of the six members are attorneys and three are not attorneys.

The Judicial Council is required by law to publish its evaluations and recommendations on judges standing for retention election in the Official Election Pamphlet. These evaluations and recommendations appear on the following pages. A biographical statement, provided and paid for by the judge if the judge wishes, is printed above the Judicial Council's evaluation of that judge's performance.

For the 1994 General Election, the Judicial Council evaluated one supreme court justice, one court of appeals judge, and twenty-three trial court judges. The Council found all twenty-five judges to be **QUALIFIED**, and recommends all for retention in office.¹

JUDICIAL EVALUATION PROCEDURES

The Judicial Council's judge evaluation is the most comprehensive and sophisticated in the country. To evaluate the judges standing for retention in 1994, the Council sent written surveys to over 7,700 Alaskans, solicited written and oral comments from all interested members of the public, and reviewed various other public and private records.

First, the Council sent a written survey to all 1,278 peace and probation officers in Alaska. Forty-one percent responded to this survey, which asked the officers to rate the trial court judges in twelve categories.

Second, the Council sent a written survey to all 2,540 attorneys in the state. Forty-eight percent of the attorneys responded to this survey, which asked that they rate the trial court judges in sixteen categories and the appellate judges in ten categories.

Third, the Council sent a written survey to 3,945 jurors who sat on trials before twenty-three judges in 1992 and 1993. Forty-five percent of the jurors responded, rating all of the trial court judges very highly.

Fourth, the Judicial Council actively sought input from other members of the public about the retention judges. Using newspaper ads and public service announcements, the Council invited witnesses, litigants, crime victims and others to comment in writing or at public hearings teleconferenced in sixteen Alaska communities. Council members benefited from the differing and valuable perspectives expressed by all interested members of the public.

Finally, the Council reviewed other information about the retention judges. This information included court records, disciplinary records, conflict of interest statements, APOC disclosure statements, and the Victims for Justice organization's Courtwatch Report.

The summary of the Council's evaluation information for each retention judge that appears on the following pages presents the attorney and peace and probation officer survey scores for several of the more significant categories. The graphs present five summary scores from the peace and probation officer and attorney surveys. The ratings are on a five-point scale with "1" as the least favorable score, "5" as the highest score, and "3" as acceptable. These pages also include a summary of the juror survey results. A complete copy of the survey results is available from the Alaska Judicial Council, 1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501; 907/279-2526.

¹Only information regarding the supreme court justice, the court of appeals judge, and judges serving the districts pertinent to this pamphlet is included on the following pages.



JUDICIAL RETENTION

By law, voters are allowed to vote on whether judges should be retained. Each judge in Alaska is subject to a retention election after a certain number of years on the bench. The number of years between retention elections depends upon the court in which the judge sits. Below is a summary the number of years between retention elections for each court:

- Supreme Court:** Voters decide whether the Justice should be retained for ten years.
- Court of Appeals:** Voters decide whether the Judge should be retained for eight years.
- Superior Court:** Voters decide whether the Judge should be retained for six years.
- District Court:** Voters decide whether the Judge should be retained for four years.



Supreme Court

Court of Appeals

Superior Court

District Court





SUPERIOR COURT

ELAINE MARIE ANDREWS

3rd Judicial District

Residence Address: Anchorage, Alaska
Mailing Address: 303 K Street, Anchorage, Alaska 99510
Date/Place of Birth: 04/19/1951, San Francisco, CA
Occupation: Superior Court Judge
Spouse: Roger W. DuBrock
Family: Christopher (27), Andrew (25), Fiona (21), Francesca (9), Russell (7)
Residency in Alaska: 18 years: Anchorage, 1976-present
Education: High School - Mercy High School, 1965-1969
 College - University of California, Berkeley, 1969-1973
 B.A. Criminology/Psychology
 Post Graduate - Golden Gate University School of Law 1973-1976
Business and Professional Positions: Past Member, Alaska Bar Association Committee on Alternative Dispute Resolution, Member, Committee on Bar Polls & Elections, Member, Alaska Supreme Court Committee on Civil Rules, Chair, Supreme Court Committee on Mediation, Chair, Committee on Day Fines, Member, Criminal Rules Committee, Judge Member, Alaska Commission on Judicial Conduct
Service Organization(s) Membership: Alaska & Anchorage Bar Associations, Anchorage Association of Women Lawyers, National Association of Women Judges, Boys and Girls Club of Alaska, Soroptimists of Cook Inlet



Statement

As a judge serving the people of Alaska, I have seen the strengths and weaknesses of our legal system. Our jury system is one of our greatest strengths. The commitment of Alaskans to serve as jurors, and the thoughtful quality of their decisions reflects the collective wisdom of community.

Not all cases should be decided at a trial. I have worked on alternative dispute resolution and mediation committees so that people will have alternatives to costly and often divisive litigation. My

time in family court has made me particularly aware of the need for other choices where children and families are involved.

Serving as a judge has been a rewarding experience. I have always tried to work hard to ensure a fair hearing for all, and give impartial and understandable decisions. I especially appreciate the recognition of my job performance in my ratings by police and probation officers, attorneys and jurors.

Part of the Candidate

Alaska Judicial Council Recommendation

The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Andrews to be **Qualified** and recommends that the public vote "Yes" to retain her as a superior court judge.

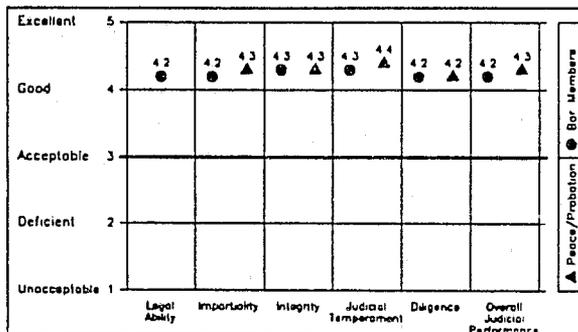
Summary of Evaluation Information

A survey of all 2,500 attorneys in Alaska rated Judge Andrews in the good category on her overall judicial performance (4.2, see graph). She scored highest in the categories of "conduct free from impropriety" (4.4), "courtesy, freedom from arrogance" (4.3) and "human understanding and compassion" (4.3). She scored above 4.0 in all sixteen categories.

A survey of all 1,200 peace and probation officers in Alaska rated Judge Andrews in the good category on her overall judicial performance (4.3, see graph). She scored highest in the categories of "human understanding and compassion" (4.4) and "courtesy, freedom from arrogance" (4.4). She scored above 4.0 in all twelve categories.

Judge Andrews was not rated by jurors because for the past two years she has been handling a domestic relations caseload in which juries are not used.

The Council completed a background investigation including a court records check, a disciplinary records check, a review of conflict of interest statements submitted to the court system and a review of financial disclosure statements submitted to the Alaska Public Offices Commission. Attorneys, peace officers and jurors were asked to submit written comments about the judge. The Council actively encouraged the public to comment, both in writing and in a statewide public hearing teleconference.



Based on the surveys and investigations discussed above, as well as other evaluation information, the Judicial Council voted unanimously that **Judge Andrews is a qualified judge who should be retained.**

More information is available by contacting the Alaska Judicial Council at 1029 W. 3rd, Suite 201, Anchorage, AK 99501 (telephone 279-2526)

Attachment C



alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1917 (907) 279-2526 FAX (907) 276-5046

EXECUTIVE DIRECTOR
William T. Cotton

NON-ATTORNEY MEMBERS
Jim A. Arnesen
David A. Dapceovich
Janice Lienhart

ATTORNEY MEMBERS
Mark E. Ashburn
Thomas G. Nave
Christopher E. Zimmerman

CHAIRMAN, EX OFFICIO
Daniel A. Moore, Jr.
Chief Justice
Supreme Court

MEMORANDUM

TO: Judicial Council
FROM: Staff *WC*
DATE: December 16, 1994
RE: Vote Analysis, 1994 Retention Election

This memo adds to the series of memos analyzing the voting patterns in judicial retention elections. Twenty-five judges stood in the 1994 election, including one supreme court justice and one court of appeals judge. Table A shows the "yes" and "no" votes cast for each judge. Totals come from the certified election results dated 11/30/94. The table also shows the "yes" and "no" vote percentages, and the Bar and Peace and Probation officer scores for overall performance (only from those with direct professional experience with the judge).

The total number of registered voters in Alaska for the 1994 general election was 336,226. Of those, 216,668 cast votes (64%). A total of 208,240 (96%) cast votes in the congressional race, and 213,404 (98%) voted in the gubernatorial race. In comparison, 185,246 voted in the supreme court election (85%). Table A shows the outcomes in the judicial elections.

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Table A

1994 Judicial Retention Election Votes and Survey Scores
 Alaska Judicial Council

Judge's Name	Yes Votes (N, %)	No Votes (N, %)	Total (N)	Survey Scores: Bar and PPO*
Statewide Appellate Courts				
Supreme Court, Allen Compton	119,089 64.3%	66,157 35.1%	185,246	4.0
Ct. of Appeals D. Mannheimer	118,317 64.9%	63,936 35.1%	182,253	4.0
First Judicial District				
Superior Court, Thomas Jahnke	20,291 70.7%	8,425 29.3%	28,716	3.7 3.9
Superior Court, Larry Weeks	20,411 70.2%	8,670 29.8%	29,081	4.1 4.1
Superior Court, Larry Zervos	19,195 68.6%	8,770 31.4%	27,965	4.2 3.5
District Court, Peter Froehlich	20,294 70.5%	8,486 29.5%	28,780	3.4 4.0
Second Judicial District				
Superior Court, Richard Erlich	6,167 74.2%	2,140 25.8%	8,307	3.7 3.8
Third Judicial District				
Superior Court, Elaine Andrews	73,921 65.7%	38,520 34.3%	112,441	4.2 4.3
Superior Court, Rene Gonzalez	69,758 62.0%	42,752 38.0%	112,510	3.5 3.1
Superior Court, Donald Hopwood	69,804 63.3%	40,489 36.7%	110,293	3.4 4.3
Superior Court, Karen Hunt	74,844 66.0%	38,565 34.0%	113,409	4.0 4.0
Superior Court, Karl Johnstone	70,883 62.6%	42,273 37.4%	113,156	3.2 4.2

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Judge's Name	Yes Votes (N, %)	No Votes (N, %)	Total (N)	Survey Scores: Bar and PPO*
Superior Court, Jonathan Link	71,526 64.3%	39,936 35.7%	111,162	3.8 4.4
Superior Court, Peter Michalski	71,018 64.9%	38,335 35.1%	109,353	3.4 4.1
Superior Court, Milton Souter	67,988 62.0%	41,838 38.0%	109,826	3.5 3.3
Superior Court, Joan Woodward (Katz)	68,177 62.1%	41,523 37.9%	109,700	3.4 3.2
District Court, John Lohff	70,686 65.5%	37,182 34.5%	107,868	3.7 4.1
District Court, Gregory Motyka	70,226 65.2%	37,532 34.8%	107,758	3.8 4.2
District Court, Sigurd Murphy	71,998 66.5%	36,308 33.5%	108,306	3.9 4.3
District Court, M. Francis Neville	71,034 65.8%	36,988 34.2%	108,022	3.8 3.9
District Court, Stephanie Rhoades	69,453 63.7%	39,516 36.3%	108,969	3.2 3.9
District Court, Michael Wolverton	72,596 66.8%	36,081 33.2%	108,677	4.3 4.1
Fourth Judicial District				
Superior Court, Dale Curda	23,008 66.9%	11,379 33.1%	34,387	3.6 4.0
Superior Court, Mary Greene	23,387 65.6%	12,281 34.4%	35,668	3.8 2.7
District Court, Jane Kauvar	24,871 69.8%	10,769 30.2%	35,640	3.3 3.7

Comparing the voting results to earlier years, the totals suggest that overall yes votes in the First Judicial District dropped somewhat in 1994. Between 1984 and 1992, the lowest percentage of yes votes for any superior court judge was 72%. In 1994, the three superior court judges all

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received yes vote totals between 68.6% and 70.7%. In the Second Judicial District, Judge Erlich's yes vote total of 74.2% resembled yes vote totals for the district's other judges in earlier years.

The Third Judicial District Superior Court judges received yes votes ranging from 62.0% to 66.0%. The years 1980 (two judges, 54.7% and 61.0% yes votes), and 1982 (three judges, with yes vote percentages ranging from 52.0% to 59.9%) were low years. The years 1986 (two judges, 68.9% and 69.6%) and 1988 (seven judges, with yes vote percentages ranging from 58.1% to 72.3%) were the high years. The 1994 yes vote percentages resembles those in 1984, 1990 and 1992. Within a given year, the yes vote percentages tend to resemble each other, and variations often can be explained by specific circumstances. The factors that differentiate one year from the next seem harder to pinpoint, since they seem to arise from events unrelated to judicial retention.

For the Third Judicial District Superior Court judges, the 1994 scores fell within a narrow range. All of the judges receiving between 62.0% and 62.9% yes vote percentages either received some type of opposition in 1994 or had been opposed in the past. The two judges receiving 65.7% and 66.0% yes vote percentages, at the high end of the range, received the highest ratings from Bar members and peace and probation officers.

Third Judicial District District Court judges received yes vote percentages ranging from 63.7% to 66.8%. These percentages resembled those seen in 1990 and 1992. In earlier years, Third District District Court judges had received somewhat higher yes vote percentages (in 1984, 1986 and 1988), or widely ranging percentages. As with the Superior Court judges, the judges with the higher percentages received high ratings from both the Bar and peace and probation officers, while the one judge with a slightly lower yes vote percentage received a relatively low Bar rating.

The yes vote percentages for Fourth District judges seem to show a fairly steady decline since 1976 and 1978. However, the pattern appears consistent among all judges and over a long period of time. The Fourth and First Districts may be growing more urban, and the general approval from people in small communities of judges with whom they feel a connection perhaps is being replaced by the skepticism felt more often by people in larger communities.

Overall, voting patterns in the First, Second and Fourth Districts appear related to larger phenomena, because they seem to change over a period of years without any noticeable connection to the survey scores or other measures of performance. In the Third District, although larger patterns certainly appear, variations in yes vote percentages during a given year can be tied to variations in ratings by the Bar and peace and probation officers. In the Third and Fourth Districts (but not the First), yes vote percentages for District Court judges seem to exceed those for Superior Courts judges noticeably in most years.

**Table B-1
Retention Vote Analysis, Trial Judges
1976 - 1982**

Judge	1976			1978			1980			1982		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
First Judicial District												
Superior Court												
Carpeneti												
Compton							4.1	4.0	76.1%			
Craske							3.7	3.0	70.4%			
Jahnke												
Pegues												
Schulz				3.9	2.6	74.8%						
Stewart, T.	4.2	3.8	72.8%									
District Court												
Asper												
Craske	3.8	3.7	78.2%									
Froehlich												
Gucker												
Keene				3.1	3.6	73.9%				3.5	4.1	76.4%
Taylor, R.				3.8	3.2	75.1%						
Williams	2.3	3.4	71.5%				2.2	3.9	59.1%			
Second Judicial District												
Superior Court												
Jeffery												
Jones												
Tunley												

* Survey scores are the mean score given by experienced raters (i.e., those who have direct professional experience with the judge) for the criterion "Overall Judicial Performance."

** The percentage shown is the percentage of "yes" votes cast for the judge in the retention election.

**Table B-1
Retention Vote Analysis, Trial Judges
1976 - 1982**

Judge	1976			1978			1980			1982		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Third Judicial District												
Superior Court												
Bosshard												
Buckalew	3.7	3.1	62.2%							3.9	3.4	59.9%
Carlson				3.9	3.2	67.4%						
Cutler												
Cranston												
Gonzalez												
Hanson							3.0	2.8	54.7%			
Hunt												
Johnstone										not evaluated		52.0%
Kalamarides	3.0	3.1	64.2%									
Katz												
Madsen				2.8	3.1	64.1%						
Michalski												
Moody				3.3	3.6	64.6%						
Ripley				3.5	3.5	67.8%						
Rowland							3.8	3.6	61.0%			
Serdahely												
Shortell												
Singleton							4.0	3.3	missing			
Souter										3.6	3.2	56.4%

**Table B-1
Retention Vote Analysis, Trial Judges
1976 - 1982**

Judge	1976			1978			1980			1982		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Third Judicial District												
District Court												
Anderson							4.1	3.6	63.7%			
Andrews										4.1	3.7	66.1%
Ashman												
Beckwith												
Bosshard				3.6	3.8	67.1%				3.6	3.5	57.9%
Brewer				2.7	2.7	55.6%				2.6	2.7	45.5%
Bryner	4.2	2.7	66.2%									
Cutler				3.8	2.8	69.5%				4.0	3.0	63.0%
Finn												
Fuld												
Hornaday				3.1	3.1	66.6%				3.2	4.1	59.8%
Mason	3.3	3.2	63.7%				3.1	3.1	57.8%			
Peterson	3.6	3.9	68.3%									
Stemp												
Stewart, D.												
Tucker				2.9	2.8	64.9%				2.8	3.1	54.5%
Vochoska				2.7	2.8	51.6%				2.7	2.4	42.3%
White												
Wolverton												

**Table B-1
Retention Vote Analysis, Trial Judges
1976 - 1982**

Judge	1976			1978			1980			1982		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Fourth Judicial District												
Superior Court												
Blair				3.7	3.7	73.4%						
Cooke							3.2	2.5	68.4%			
Greene												
Hodges							3.5	3.1	65.7%			
Taylor, W.							3.1	3.8	72.8%			
Van Hoomisen							3.5	4.1	72.3%			
District Court												
Clayton	3.9	3.8	75.9%				3.7	3.3	missing			
Cline							2.5	2.6	55.5%			
Connelly				3.8	4.0	74.3%				3.8	4.0	71.8%
Crutchfield										3.7	3.8	67.9%
Kauvar										3.6	2.9	68.7%
Miller				3.3	3.0	62.2%						
Savell												
Zimmerman												

**Table B-2
Retention Vote Analysis, Trial Judges
1984 - 1992**

Judge	1984			1986			1988			1990			1992		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
First Judicial District															
Superior Court															
Carpeneti	4.4	3.6	77.0%							4.5	4.2	76%			
Compton															
Craske				3.9	3.2	72.5%									
Jahnke							4.0	4.1	72.3%						
Pegues	3.5	3.7	75.4%												
Schulz	3.8	3.2	74.1%							3.6	3.3	72%			
Stewart, T.															
District Court															
Asper				4.0	2.2	72.5%									
Craske															
Froehlich										3.6	4.2	73%			
Gucker	3.8	2.1	67.9%				3.3	3.1	71.1%				3.7	3.7	69%
Keene															
Taylor, R.															
Williams															
Second Judicial District															
Superior Court															
Jeffery				3.5	3.5	76.3%							3.9	3.6	73%
Jones	3.4	3.5	75.6%												
Tunley	3.8	2.9	71.4%							3.7	3.8	72%			

* Survey scores are the mean score given by experienced raters (i.e., those who have direct professional experience with the judge) for the criterion "Overall Judicial Performance."

** The percentage shown is the percentage of "yes" votes cast for the judge in the retention election.

**Table B-2
Retention Vote Analysis, Trial Judges
1984 - 1992**

Judge	1984			1986			1988			1990			1992		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Third Judicial District															
Superior Court															
Bosshard							3.2	3.3	68.6%						
Buckalew															
Carlson	3.6	4.1	63.6%												
Cranston	4.1	3.1	65.1%							3.8	2.9	61%			
Cutler				3.9	3.7	68.9%							4.0	2.9	63%
Fabe													4.4	3.6	63%
Gonzalez							3.5	2.8	65.2%						
Hanson															
Hunt							4.1	3.4	72.3%						
Johnstone							2.9	3.2	58.1%						
Kalamarides															
Katz							3.7	3.7	70.5%						
Madsen	3.1	3.1	62.1%												
Michalski							3.5	3.9	69.9%						
Moody															
Reese													4.0	4.1	62%
Ripley	3.4	3.7	64.2%							3.6	3.9	63%			
Rowland				3.6	3.9	69.6%							3.6	4.0	62%
Serdahely	4.1	3.7	68.1%												
Shortell	3.8	3.5	67.4%							4.0	3.7	63%			
Singleton															
Souter							3.7	3.5	68.7%						

**Table B-2
Retention Vote Analysis, Trial Judges
1984 - 1992**

Judge	1984			1986			1988			1990			1992		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Third Judicial District															
District Court															
Anderson	4.1	3.8	72.4%				4.2	4.0	74.3%						
Andrews				4.1	4.0	71.2%				4.2	4.2	67%			
Ashman							4.4	3.4	70.6%				4.2	4.0	63%
Beckwith				3.7	3.7	69.8%				3.6	3.7	66%			
Bosshard															
Brewer															
Bryner															
Cutler															
Finn	4.1	4.0	72.4%				4.1	4.0	72.8%				3.9	4.2	65%
Fuld	3.6	3.7	68.3%				3.5	3.5	68.5%				3.4	3.6	61%
Hornaday				3.1	3.9	67.2%									
Mason	3.2	2.8	58.1%				3.2	3.0	68.2%				3.1	2.9	61%
Peterson															
Stemp				3.3	4.0	67.8%									
Stewart, D.				4.0	3.6	70.5%									
Tucker															
Vochoska															
White				3.8	3.9	70.5%									
Wolverton										4.3	4.0	66%			

**Table B-2
Retention Vote Analysis, Trial Judges
1984 - 1992**

Judge	1984			1986			1988			1990			1992		
	Bar*	PPO	Vote**	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote	Bar	PPO	Vote
Fourth Judicial District															
Superior Court															
Blair	3.4	3.8	65.4%												
Cooke															
Greene							4.2	2.4	67.6%						
Hodges				3.4	3.2	69.2%							3.6	3.4	67%
Savell										3.9	3.6	70%			
Steinkruger													3.5	3.3	64%
Taylor, W.															
Van Hoomisen				3.4	4.0	72.2%									
District Court															
Clayton															
Cline															
Connelly				3.6	3.9	74.2%									
Crutchfield				3.5	3.6	71.3%				3.5	3.4	69%			
Kauvar				3.4	3.4	72.0%				3.6	3.6	70%			
Miller															
Pengilly													4.1	3.7	68%
Zimmerman				4.0	3.8	74.8%									

**Table B-3
Retention Vote Analysis, Trial Judges
1994 - 2002**

Judge	1994			1996			1998			2000			2002		
	Bar*	PPO	Vote**	Bar	PPO	Vote									
First Judicial District															
Superior Court															
Jahnke	3.7	3.9	70.7%												
Weeks	4.1	4.1	70.2%												
Zervos	4.2	3.5	68.6%												
District Court															
Fruehlich	3.4	4.0	70.5%												
Second Judicial District															
Superior Court															
Erlich	3.7	3.8	74.2%												
Third Judicial District															
Superior Court															
Andrews	4.4	4.3	65.7%												
Gonzalez	3.5	3.1	62.0%												
Hopwood	3.4	4.3	63.3%												
Hunt	4.0	4.0	66.0%												
Johnstone	3.2	4.2	62.6%												
Link	3.8	4.4	64.3%												
Michalski	3.4	4.1	64.9%												
Souter	3.5	3.3	62.0%												
Woodward (Katz)	3.4	3.2	62.1%												

* Survey scores are the mean score given by experienced raters (i.e., those who have direct professional experience with the judge) for the criterion "Overall Judicial Performance."

** The percentage shown is the percentage of "yes" votes cast for the judge in the retention election.

**Table B-3
 Retention Vote Analysis, Trial Judges
 1994 - 2002**

Judge	1994			1996			1998			2000			2002		
	Bar*	PPO	Vote**	Bar	PPO	Vote									
Third Judicial District															
District Court															
Lohff	3.7	4.1	65.5%												
Motyka	3.8	4.2	65.2%												
Murphy	3.9	4.3	66.5%												
Neville	3.8	3.9	65.8%												
Rhoades	3.2	3.9	63.7%												
Wolverton	4.3	4.1	66.8%												
Fourth Judicial District															
Superior Court															
Curda	3.6	4.0	66.9%												
Greene	3.8	2.7	65.6%												
Fourth Judicial District															
District Court															
Kauvar	3.3	3.7	69.8%												

Table C Supreme Court "YES" Vote Percentages		
Boochever	1976	67.8%
Burke	1978	68.6%
Rabinowitz	1978	67.8%
Matthews	1980	53.5%
Connor	1982	61.5%
Compton	1984	69.7%
Moore	1986	69.1%
Burke	1988	72.9%
Rabinowitz	1988	59.0%
Matthews	1990	65.1%
Compton	1994	64.3%

Table D Court of Appeals "YES" Vote Percentages		
Bryner	1984	68.5%
Coats	1984	68.1%
Singleton	1984	68.9%
Bryner	1992	62.4%
Coats	1992	60.7%
Mannheimer	1994	64.9%

Appendix G

Retention Log of Judges

Appendix G

Retention Election Log

I. SUPREME COURT JUSTICES - Retention Dates: First general election held more than 3 years after appointment; every 10 years thereafter.

Justice	Appointed	Prior Retention Elections	Next Retention Election
Allen T. Compton	12/12/80	84, 94	2004
Robert Eastaugh	1/29/94	--	98
Warren W. Matthews	05/26/77	80, 90	2000
Daniel A. Moore, Jr.	07/10/83	86	96
Jay A. Rabinowitz	02/21/65	68, 78, 88	98

II. COURT OF APPEALS JUDGES - Retention Dates: First general election held more than 3 years after appointment; every 8 years thereafter.

Judge	Appointed	Prior Retention Elections	Next Retention Election
Alexander O. Bryner	07/30/80	84, 92	2000
Robert G. Coats	07/30/80	84, 92	2000
David Mannheimer	10/11/90	94	2002

III. SUPERIOR COURT JUDGES - Retention Dates: First general election held more than 3 years after appointment; every 6 years thereafter.

A. First Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Walter L. Carpeneti	10/15/81	84, 90	96
Thomas M. Jahnke	05/11/85	88, 94	2000
Michael A. Thompson*	01/21/93	--	96
Larry Weeks	09/03/90	94	2000
Larry C. Zervos	09/14/90	94	2000

* Indicates first time judges for retention in current position

Retention Election Log (Continued)

SUPERIOR COURT JUDGES (Continued)

B. Second Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Richard H. Erlich	03/08/91	94	2000
Michael I. Jeffery	10/28/82	86, 92	98
Charles R. Tunley	12/12/80	84, 90	96

C. Third Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Glen C. Anderson*	11/26/91	80, 84, 88	96
Elaine M. Andrews	03/08/91	82, 86, 90, 94	2000
Larry D. Card	08/13/93	--	96
Charles K. Cranston	10/15/81	84, 90	96
Beverly W. Cutler	10/28/82	78, 86, 92	98
Dana A. Fabe	08/26/88	92	98
Rene J. Gonzalez	11/08/84	88, 94	2000
Donald D. Hopwood	11/30/90	94	2000
Karen L. Hunt	01/10/84	88, 94	2000
Karl S. Johnstone	10/08/79	82, 88, 94	2000
Jonathan H. Link	07/20/90	94	2000
Peter A. Michalski	01/31/85	88, 94	2000
John Reese	06/26/89	92	98
Mark C. Rowland	02/22/77	80, 86, 92	98
Brian C. Shortell	12/12/80	84, 90	96
Milton M. Souter	01/23/78	82, 88, 94	2000
Joan M. Woodward	11/08/84	88, 94	2000

* Indicates first time judges for retention in current position

Retention Election Log (Continued)

SUPERIOR COURT JUDGES (Continued)

D. Fourth Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Ralph R. Beistline*	10/26/92	--	96
Dale O. Curda	12/15/89	94	2000
Mary E. "Meg" Greene	01/04/85	88, 94	2000
Jay Hodges	09/28/76	80, 86, 92	98
Richard D. Savell	04/27/87	90	96
Niesje J. Steinkruger	08/26/88	92	98

IV. DISTRICT COURT JUDGES - Retention Dates: First general election held more than 2 years after appointment; every 4 years thereafter.

A. First Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Vacant as of 6/30/95			98
Peter Froehlich	06/26/89	90, 94	98

B. Second Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
<i>NO DISTRICT COURT JUDGES IN THE SECOND JUDICIAL DISTRICT</i>			

* Indicates first time judges for retention in current position.

Retention Election Log (Continued)

DISTRICT COURT JUDGES (Continued)

C. Third Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Peter G. Ashman	07/31/87	88, 92	96
Natalie K. Finn	03/31/83	84, 88, 92	96
William H. Fuld	03/31/83	84, 88, 92	96
John R. Lohff	03/08/91	94	98
Stephanie Joannides*	10/28/94	--	96
Gregory Motyka	07/26/91	94	98
Sigurd E. Murphy	07/30/92	94	98
M. Francis Neville	11/30/90	94	98
Stephanie Rhoades	07/30/92	94	98
James N. Wanamaker*	08/13/93	--	96
Michael L. Wolverton	08/26/88	90, 94	98

D. Fourth Judicial District

Judge	Appointed	Prior Retention Elections	Next Retention Election
Jane F. Kauvar	02/18/81	82, 86, 90, 94	98
Charles Pengilly	09/27/90	92	96
Mark I. Wood*	01/21/93	--	96

* Indicates first time judges for retention in current position.

1994 Retention Election Candidates		
Judge	Appointed	City/Judicial District
1. Justice Allen T. Compton	12/12/80	Anchorage/NA
2. Court of Appeals Judge David Mannheimer*	10/11/90	Anchorage/NA
3. Superior Court Judge Larry C. Zervos*	09/14/90	Sitka/First
4. Superior Court Judge Thomas M. Jahnke	05/11/85	Wrangell/First
5. Superior Court Judge Larry Weeks*	09/03/90	Juneau/First
6. Superior Court Judge Richard Erlich*	03/08/91	Kotzebue/Second
7. Superior Court Judge Elaine M. Andrews*	03/08/91	Anchorage/Third
8. Superior Court Judge Rene J. Gonzalez	11/08/84	Anchorage/Third
9. Superior Court Judge Donald Hopwood*	11/30/90	Kodiak/Third
10. Superior Court Judge Karen L. Hunt	01/10/84	Anchorage/Third
11. Superior Court Judge Karl S. Johnstone	10/08/79	Anchorage/Third
12. Superior Court Judge Joan M. Woodward	11/08/84	Anchorage/Third
13. Superior Court Judge Jonathan H. Link*	07/20/90	Kenai/Third
14. Superior Court Judge Peter A. Michalski	01/31/85	Anchorage/Third
15. Superior Court Judge Milton M. Souter	01/23/79	Anchorage/Third
16. Superior Court Judge Dale O. Curda*	12/15/89	Bethel/Fourth
17. Superior Court Judge Mary E. Greene	01/04/85	Fairbanks/Fourth
18. District Court Judge Peter Froehlich	06/26/89	Juneau/First
19. District Court Judge John Lohff*	03/08/91	Anchorage/Third
20. District Court Judge Gregory Motyka*	07/26/91	Anchorage/Third
21. District Court Judge Sigurd E. Murphy*	07/30/92	Anchorage/Third
22. District Court Judge Stephanie Rhoades*	07/30/92	Anchorage/Third
23. District Court Judge M. Francis Neville*	11/30/90	Homer/Third
24. District Court Judge Michael L. Wolverton	08/26/88	Anchorage/Third
25. District Court Judge Jane F. Kauvar	02/18/81	Fairbanks/Fourth

* Indicates first time judges for retention in current position.

1996 Retention Election Candidates		
Judge	Appointed	City/Judicial District
1. Supreme Court Justice Daniel A. Moore, Jr.	07/10/83	Anchorage/N/A
2. Superior Court Judge Walter L. Carpeneti	10/15/81	Juneau/First
3. Superior Court Judge Michael A. Thompson*	01/21/93	Ketchikan/First
4. Superior Court Judge Charles R. Tunley	12/12/80	Nome/Second
5. Superior Court Judge Charles R. Cranston	10/15/81	Kenai/Third
6. Superior Court Judge Larry D. Card*	08/13/93	Anchorage/Third
7. Superior Court Judge Brian C. Shortell	12/12/80	Anchorage/Third
8. Superior Court Judge Glen C. Anderson*	11/26/91	Valdez/Third
9. Superior Court Judge Richard D. Savell	04/27/87	Fairbanks/Fourth
10. Superior Court Judge Ralph R. Beistline*	10/26/92	Fairbanks/Fourth
11. District Court Judge Peter G. Ashman	07/31/87	Palmer/Third
12. District Court Judge Natalie K. Finn	03/3/83	Anchorage/Third
13. District Court Judge William H. Fuld	03/31/83	Anchorage/Third
14. District Court Judge Stephanie Joannides*	10/28/94	Anchorage/Third
15. District Court Judge Charles Pengilly	09/27/90	Fairbanks/Fourth
16. District Court Judge Mark I. Wood*	01/21/93	Fairbanks/Fourth

* Indicates first time judges for retention in current position.

1998 Retention Election Candidates		
Judge	Appointed	City/Judicial District
1. Supreme Court Justice Jay A. Rabinowitz	02/21/65	Anchorage/NA
2. Superior Court Judge Michael I. Jeffery	10/28/82	Barrow/Second
3. Superior Court Judge Beverly W. Cutler	10/28/82	Palmer/Third
4. Superior Court Judge Dana A. Fabe	08/26/88	Anchorage/Third
5. Superior Court Judge John Reese	06/26/89	Anchorage/Third
6. Superior Court Judge Mark C. Rowland	02/22/77	Anchorage/Third
7. Superior Court Judge Jay Hodges	09/28/76	Fairbanks/Fourth
8. Superior Court Judge Niesje J. Steinkruger	08/26/88	Fairbanks/Fourth
9. District Court (vacant as of 6/30/95)		Ketchikan/First
10. District Court Judge Peter Froehlich	06/26/89	Juneau/First
11. District Court Judge John R. Lohff	03/08/91	Anchorage/Third
12. District Court Judge Gregory Motyka	07/26/91	Anchorage/Third
13. District Court Judge Sigurd E. Murphy	07/39/92	Anchorage/Third
14. District Court Judge M. Francis Neville	11/30/90	Homer/Third
15. District Court Judge Stephanie Rhoades	07/20/92	Anchorage/Third
16. District Court Judge Michael L. Wolverton	08/26/88	Anchorage/Third
17. District Court Judge Jane F. Kauvar	02/18/81	Fairbanks/Fourth

* Indicates first time judges for retention in current position.

Appendix H

*Summary of Programs and Recommendations
of the Council Since Statehood: 1959-1994*

Appendix H

Summary of Programs and Recommendations of the Council Since Statehood: 1959-1994

Article 4, Section 9 of Alaska's Constitution states:

"The judicial council shall conduct studies for the improvement of the administration of justice, and make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years."

The topics studied by the Judicial Council at the request of the legislature and supreme court cover as wide a range as the constitutional language mandating these studies. The following list summarizes some of the more important contributions in the years since statehood.

A. Recommendations Relating to the Judiciary and the Courts.

1. Evaluation of judges standing for retention elections and recommendations to the public (1975).
2. Establishment of the Commission on Judicial Qualifications (1968). (Name changed in 1982 to Commission on Judicial Conduct.)
3. Legislation relating to judicial salaries and retirement plans.
4. Increased jurisdictions of district court judges.
5. Court facilities and court management programs.
6. Jury size and length of service.
7. Authority of magistrates.
8. Supervision of the procedure of revising rules of court (1959-1961).
9. Waiver of juvenile jurisdiction in minor traffic cases (Ch. 76, SLA 1961).
10. Establishment of Family Court (Ch. 100, SLA 1967).
11. Appellate review of sentences (CH. 117, SLA 1969).

12. Coroner-Public Administrator office (Ch. 216, SLA 1970).
13. Constitutional amendment rotating the office of Chief Justice (approved by electorate in 1970).
14. Revised criteria for judges serving *pro tem* (court, administrative rule 23).
15. Guidelines for evaluation of *pro tem* judges (court, administrative rule 23).
16. Extension of district court judge's "probationary" period for retention elections to two years rather than one year (approved by legislature, 1990).

B. Recommendations Relating to Other Aspects of the Administration of Justice.

1. Compilation of the records of the constitutional convention.
2. Adoption of Rule 40(e) of the uniform rules of the legislature (requiring 2/3 vote of the legislature to change rules of court).
3. Establishment of Public Defender Agency (Ch. 109, SLA 1969).
4. Parole Board autonomy (granted in 1972).
5. Modernization of the state recording system (1966).
6. Various recommendations regarding probation and parole services, including administration of probation by courts.
7. Recommendations regarding juvenile services.
8. Extensive analysis of Bush Justice needs, and recommendations.
9. Monthly statistical reporting system on sentences (established by courts and corrections in 1962).
10. Recommendation for presentence reports in all felony convictions (enacted by court rule in 1974).
11. Reclassification of minor traffic offenses as noncriminal.
12. Presumptive sentencing for second felony offenders (adopted by legislature, 1978).
13. Revision of presentence reports to meet requirements of new criminal code and reduce disparities in sentencing (1981).

14. Establishment of alternative mechanisms for dispute resolution (undertaken by Department of Law, 1980-81).
15. Annual monitoring of felony and misdemeanor sentencing patterns (authorized by legislature, 1980).
16. Development of mail-in bail schedule for minor Fish and Game offenses (authorized by legislature, 1984; adopted by supreme court 1985).
17. Establishment of Code Revision Commission to revise laws and regulations governing fish and game offenses.
18. Focus of justice system resources on efforts to encourage completion of alcohol treatment programs and monitoring of compliance with treatment requirements (similar recommendation adopted by Governor's Task Force on Drunk Driving, 1984).
19. Development of sentencing guidelines for drug offenses (used in 1981 and 1982 until drug law revisions took effect January 1, 1983).
20. Establishment of alternative jail facilities for persons convicted of Driving While Intoxicated and other alcohol-related offenses (currently recommended by Department of Corrections and under consideration by legislature).
21. Use of television for arraignments and other court proceedings on a permanent basis (experimental rule made permanent by supreme court in August, 1986).
22. Adoption of a court rule to provide guidelines for judicial review and dissemination of grand jury reports (Crim. Rule 6.1 adopted by court).
23. Revised media plan and judicial canons to permit use of cameras in court proceedings.
24. Establishment of a Sentencing Commission to review existing sentencing laws and practices in context of state's needs and resources (Commission established June 1990 through June 1993).
25. Creation of a pilot program to mediate disputes in child visitation cases (program established October 1990); establish permanent mediation program for mediation of custody and visitation issues.
26. Maintenance of high screening standards by Attorney General's office for criminal cases.

27. Coordination of Attorney General's charge bargaining policies with actual charge bargaining practices.
28. Examination of appellate court sentencing benchmarks and guidelines, to determine whether some case law should be statutory.
29. Summarize appellate court benchmarks and sentencing criteria to make them accessible to judges, attorneys and public.
30. Cooperate with the legitimate voluntary dispute resolution work done by tribal courts (the Council takes no position on the resolution of sovereignty issues) and other rural dispute resolution organizations.
31. Coordinate activities and share data among all criminal justice information systems.
32. Review of computerized document imaging systems.
33. Preparation of appellate case management and document imaging software for the Alaska Appellate Courts.

Appendix I

Council Publications Since Statehood

Appendix I

Alaska Judicial Council Studies and Reports

Biennial Reports

1. *The First Annual Report.* (Jan., 1961). Review of the Council's activities and recommendations during 1960.
2. *Second Annual Report.* (Jan., 1962). Review of the Council's activities and recommendations during 1962.
3. *Alaska Judicial Council Third Report 1962-1963.* (Jan., 1964). Review of the Council's activities and recommendations during the period 1962-1963.
4. *Alaska Judicial Council Fourth Report 1964-1966.* (Jan., 1967). Review of the Council's activities and recommendations during the period 1964-1966.
5. *Alaska Judicial Council Fifth Report 1967-1968.* (Jan., 1969). Review of the Council's activities and recommendations during the period 1967-1968.
6. *Alaska Judicial Council Sixth Report 1969-1970.* (Feb., 1971). Review of the Council's activities and recommendations during the period 1969-1970.
7. *Alaska Judicial Council Seventh Report 1971-1972.* (Feb., 1973). Review of the Council's activities and recommendations during the period 1971-1972.
8. *Eighth Report to the Supreme Court and Legislature 1973-1975.* (Feb., 1976). Review of the Council's activities and recommendations during the period 1973-1975.
9. *Ninth Report to Supreme Court and Legislature 1976-1978.* (March, 1978). Review of the Council's activities and recommendations during the period 1976- 1978.
10. *Tenth Report of the Alaska Judicial Council to the Supreme Court and Legislature 1978-1980.* (Feb., 1981). Review of the Council's activities and recommendations during the period 1978-1980.
11. *Eleventh Report of the Alaska Judicial Council to the Supreme Court and Legislature 1981-1982.* (March, 1983). Review of the Council's activities and recommendations during the period 1981-1982.

12. *Twelfth Report: 1983-1984 to the Legislature and Supreme Court.* (March, 1985). Review of the Council's activities and recommendations during the period 1983-1984; and includes historical documentation of Council members, judicial nominees and appointees, etc. over the past 25 years.
13. *Thirteenth Report: 1985-1986 to the Legislature and Supreme Court.* (May, 1987). Review of the Council's activities in 1985 and 1986.
14. *Fourteenth Report: 1987-1988 to the Legislature and Supreme Court* (June 1989). Review of the Council's activities in 1987 and 1988.
15. *Fifteenth Report: 1989-1990 to the Legislature and Supreme Court* (April 1991). Review of the Council's activities in 1989 and 1990.
16. *Sixteenth Report: 1991-1992 to the Legislature and Supreme Court* (January 1993). Review of the Council's activities in 1991 and 1992

Policy Reports

1. *The Alaska Public Defender Agency in Perspective.* (Jan., 1974). An analysis of the law, finances, and administration from 1969 to 1974. The report resulted in amendments to Title 18, improving Public Defender services.
2. *Report on Policy Considerations for Court Fee Structures.* (Feb., 1974). Resulted in changes to court system policies regarding fees collected for adoptions, recording services, and child support.
3. *Evaluation of Courts of Limited Jurisdiction.* (1974, unpublished). Resulted in establishment of superior court judgeships in Kodiak and Sitka.
4. *Judicial Districting.* (Jan., 1975). Resulted in creation of Barrow and Bethel service areas by court order.
5. *The Grand Jury in Alaska.* (Feb., 1975). Resulted in preliminary hearing pilot project in Anchorage and experimental rule change by supreme court.
6. *Sentencing in Alaska.* (March, 1975). Statistical analysis of felony sentences imposed in 1973.
7. *Bail in Anchorage.* (March, 1975). Statistical analysis of bail practices for Anchorage felony cases in 1973.

8. *1973 Sentences of Five Years or Longer.* (April, 1975). Analysis of factors contributing to lengthy sentences, and the impact of appellate review of sentencing.
9. *Report on Repeat Bail Recidivists in 1973.* (April, 1975). Case-by-case analysis of defendants who violated bail conditions by committing more than one new crime while on bail for a felony offense.
10. *Alaska Felony Sentencing Patterns: A Multivariate Statistical Analysis -- 1974-1976.* (April, 1977). Study requested by the legislature and used to structure presumptive sentencing provisions of the new criminal code. Also resulted in the creation of the Sentencing Guidelines Committee.
11. *Interim Report on the Elimination of Plea Bargaining.* (May, 1977). Summarized effects of the Attorney General's 1975 ban on plea bargaining as reported by attorneys, judges, and defendants.
12. *The Anchorage Citizen Dispute Center: A Needs Assessment and Feasibility Report.* (1977). Analysis of dispositions of minor disputes reported to Anchorage Police Department. Recommended establishment of alternative dispute resolution procedures for certain types of situations. Resulted in establishment of a pilot dispute resolution process in Anchorage (1981) through the Department of Law.
13. *A Look Inside: A Pilot Project in Citizen Involvement with the Judicial System.* (Oct., 1978). Contributed to citizen participation in all aspects of the justice system, and to revised procedures for the evaluation of judges.
14. *Interim Report of the Alaska Judicial Council on Findings of Apparent Racial Disparity in Sentencing.* (Oct., 1978). Summary of data accumulated on felony case dispositions and sentencing patterns from Anchorage, Fairbanks, and Juneau (1974-1976) giving evidence of racial and other disparities in sentencing for certain types of offenses. Resulted in legislation creating the Advisory Committee on Minority Judicial Sentencing Practices, and funding of Judicial Council follow-up studies of felonies and misdemeanors. See text of *Tenth Report* for other effects.
15. *The Effect of the Official Prohibition of Plea Bargaining on the Disposition of Felony Cases in Alaska Criminal Courts.* (Dec., 1978). [Reprinted by the Government Printing Office, Washington, D.C. as *Alaska Bans Plea Bargaining*, 1979]. Evaluates the effectiveness and consequences of the Attorney General's 1975 ban on plea bargaining, including the results of over 400 interviews with attorneys, judges, and criminal justice personnel, and 2-year felony statistical study.

16. *Alaska Misdemeanor Sentences: 1974-76 Plea Bargaining.* (Aug., 1979). Analysis of misdemeanor sentences to determine effect of plea bargaining ban on sentences imposed after trial or plea.
17. *"Northrim Survey": An Analysis of the Results of a Survey for the Alaska Judicial Council.* (Aug., 1979). Prepared for the Judicial Council by Northrim Associates. Analyzes the findings of a survey of registered voters asked to comment on the 1978 retention election results.
18. *Alaska Misdemeanor Sentences: 1974-76 Racial Disparity.* (Nov., 1979). Analysis of existence of racial disparity in misdemeanor sentences; shows significant disparity for several categories of offense.
19. *Sentencing Under Revised Criminal Code.* (Jan., 1980). Probation Officer training manual for the revised criminal code.
20. *Alaska Felony Sentences: 1976-1979.* (Nov., 1980). Follow-up study requested by the legislature on felony disparities; shows disappearance of most racial disparities. Additional analysis and findings on sentences in rural areas, effects of attorney type, and possible continuing trends from the plea bargaining ban.
21. *Recommendations of the Alaska Judicial Council to the Supreme Court Proposing Changes to the Civil Rules to Reduce Excessive Costs and Delays of Civil Litigation.* (1981). Details proposed changes to the civil litigation system to reduce deterrents to pursuing or defending claims with a value of under \$25,000 through the implementation of an "economical litigation program".
22. *A Preliminary Statistical Description of Fish & Game Sentences.* (1981). Reviews data from Fish and Wildlife Protection data tapes; finds sufficient disparities to warrant full-scale statistical analysis.
23. *Alaska Prison Population Impact Analysis.* (1982). Funded by Division of Corrections. Estimates growth in sentenced felon prison populations based on potential and actual legislative changes.
24. *Alaska Felony Sentences: 1980.* (Dec. 2, 1982). Study requested by the legislature as a continued monitoring of sentence disparities and analysis of the effects of the revised criminal code. Shows disappearance of disparities (racial and attorney type), shortened sentence lengths.
25. *Statistical Analysis of Major Fish & Game Offense Sentencing Outcomes.* (Dec., 1983). Funded by the legislature in 1982 to study sentences imposed on 1980 and 1981 fish and game violators. Found widespread disparities and fluctuations in charging and sentencing patterns. Recommended complete revision of applicable statutes and codes.

26. *Alaska Misdemeanor Sentences: 1981.* (Dec., 1983). Funded by the legislature to analyze misdemeanor sentences imposed during 1981. Recommended alcohol treatment programs for convicted defendants and increased legislative sanctions for DWI to reduce the incidence of alcohol-related crime.
27. *DWI Sentences: 1981.* (March, 1984). Additional analysis of DWI (drunk driving) sentences included in the 1981 Misdemeanor Study data base. Types of sentences imposed for DWI convictions and characteristics of offenders are described.
28. *Interim Evaluation Report Fairbanks Closed Circuit TV Arraignment Program.* (Aug. 8, 1985). Interim evaluation of the experimental closed circuit TV arraignment project in Fairbanks. Presents recommendations for improvement of project.
29. *Fairbanks Televised Arraignments Final Report.* (March 21, 1986). Final evaluation of the use of television for arraignments, plea changes and other proceedings. Based on the report, a permanent court rule allowing televised hearings has been adopted by the Alaska Superior Court.
30. *The Investigative Grand Jury in Alaska.* (February, 1987). Describes the history of the investigative grand jury and grand jury reports in Alaska. Recommends a new court rule to provide due process protections for persons named in reports, judicial review of reports, and guidelines for publication and dissemination of reports.
31. *Alaska Felony Sentences: 1984.* (March, 1987). Describes felony sentencing patterns for 1984 cases. Analyzes the impacts of presumptive sentencing and other criminal justice system changes between 1980 and 1986.
32. *News Cameras in the Alaska Courts: Assessing the Impact.* (January, 1988). Evaluation of the Supreme Court's experimental programs, including statistical analysis of increased news coverage. Based on the report, a revised media plan and judicial canons have been promulgated by the Supreme Court.
33. *Alaska Bar Membership Survey* (July, 1989). An economic and demographic survey of the membership of the Alaska Bar Association.
34. *A Re-evaluation of Alaska's Ban on Plea Bargaining* (January 1991). An analysis of data and interviews showing the career of Alaska's ban on plea bargaining and its interactions with presumptive sentencing and other changes into the justice system between 1975 and 1990.
35. *A Re-evaluation of Alaska's Ban on Plea Bargaining: Executive Summary* (January 1991).

36. *Appellate Sentence Review in Alaska* (January, 1991). A historical analysis of appellate sentence review in Alaska, and analysis of current benchmarks and guidelines for sentencing established by the appellate courts. Also published as an *Alaska Law Review* article (December 1990).
37. *Alaskan Rural Justice: A Selected Annotated Bibliography* (May 1991). A selected bibliography of materials related to rural justice in Alaska, including anthropology, law, sociology, and related fields.
38. *Alaska Child Visitation Mediation Pilot Project* (February 1992). Describes the pilot program established by the legislature to offer mediation for parents with visitation disputes. Recommends expansion of the project and continuation in another agency.
39. *Resolving Disputes Locally: Alternatives for Rural Alaska* (August 1992). Evaluates three rural organizations that resolve disputes—Minto and Sitka tribal courts and the PACT conciliation organization in Barrow. Recommends increased cooperation among state courts and local dispute resolution organizations.
40. *Managing Documents with Imaging Technology: A Review of the Computer Software and Hardware Evaluated by the Alaska Judicial Council* (August 1993). Evaluates imaging systems for small organizations. Describes available software, hardware; develops criteria for choosing a system.
41. *Resolving Disputes Locally: A Statewide Report and Directory* (April 1993). Reports over one hundred local organizations that resolve disputes in rural Alaska. Describes interactions among these groups and state and local governments.
42. *Plan for the Integration of Alaska's Criminal Justice Computer Systems and the Creation of a Comprehensive Criminal History Repository* (May 1994). Makes recommendations to Alaska's criminal justice agencies and the legislature for upgrading and coordinating criminal justice computer information systems.

Selection Surveys

1. *Survey of Alaska Bar Association Members: Evaluation of Court of Appeals Candidates*. (June 12, 1980). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the three Alaska Court of Appeals judge positions.
2. *Survey of Alaska Bar Association Members: Evaluation of Fairbanks District Court Candidates*. (Aug. 12, 1980). Prepared for the Judicial Council by Professor

- Richard Ender, UAA. Evaluates candidates for Fairbanks District Court judge position.
3. *Survey of Alaska Bar Association Members: Evaluation of Three Judicial Positions.* (October, 1980). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for judgeships on the Alaska Supreme Court, Anchorage Superior Court, and Nome Superior Court.
 4. *Survey of Alaska Bar Association Members: Evaluation of Fairbanks District Court Candidates.* (Nov. 24, 1980). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for Fairbanks District Court judge position.
 5. *Survey of Alaska Bar Association Members Evaluation of One Judicial Position and One Public Defender Position.* (Mar. 19, 1981). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for Juneau Superior Court and Alaska Public Defender positions.
 6. *Survey of Alaska Bar Association Members Evaluation of Applicants Third Judicial District at Anchorage.* (May 20, 1981). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for Anchorage District court judge position.
 7. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Kenai Superior Court Judgeship.* (Aug. 18, 1981). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Kenai Superior Court judge position.
 8. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Juneau Superior Court Judgeship.* (Sep.16, 1981). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Juneau Superior Court judge position.
 9. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Palmer, Barrow and Wrangell Superior Court Judgeships.* (Sep. 17, 1982). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Palmer, Barrow and Wrangell Superior Court Judge positions.
 10. *Survey of Alaska Bar Association Members Evaluation of Applicants for the District Court Judgeships of the Third Judicial District at Anchorage and the First Judicial District at Ketchikan.* (Feb. 14, 1983). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Anchorage and Ketchikan District Court Judge positions.

11. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Alaska Supreme Court Justice.* (May 5, 1983). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Alaska Supreme Court Justice position.
12. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Third Judicial District.* Oct. 20, 1983). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Anchorage Superior Court Judge position.
13. *Survey of Alaska Bar Association Members Evaluation of Applicants for the District Court, First Judicial District (Juneau) and the Superior Court, Third Judicial District (Valdez).* (Apr. 24, 1984). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Juneau District Court and the Valdez Superior Court Judge positions.
14. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for The Third Judicial District (Anchorage) Superior Court And the Third Judicial District (Anchorage) District Court.* (Sept. 4, 1984). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Anchorage Superior Court and District Court judge positions.
15. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for The Third Judicial District (Anchorage) Superior Court and the Fourth Judicial District (Fairbanks) District Court.* (Nov. 9, 1984). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Anchorage Superior Court and Fairbanks District Court judge positions.
16. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for The Fourth Judicial District (Fairbanks) Superior Court.* (Nov. 30, 1984). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Fairbanks Superior Court judge position.
17. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for the First Judicial District (Wrangell/Petersburg) Superior Court.* (Feb. 25, 1985). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Wrangell/Petersburg Superior Court judge position.
18. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for the Fourth Judicial District (Bethel) Superior Court.* (March, 1986). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Bethel Superior Court judge position.
19. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for the Fourth Judicial District (Fairbanks) Superior Court.* (March, 1987). Prepared

- for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Fairbanks Superior Court judge position.
20. *Survey of Alaska Bar Association Members Evaluation of Judicial Applicants for the Third Judicial District (Palmer) District Court*, (June, 1987). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for the Palmer District Court judge position.
 21. *Survey of the Alaska Bar Association Members Evaluation of Judicial Applicants for the Superior and District Courts, Third Judicial District (Anchorage) and the Superior and District Courts, Fourth Judicial District (Fairbanks)*. (June, 1988) Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates candidates for four judicial vacancies in Anchorage and Fairbanks courts.
 22. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Position of Public Defender, State of Alaska*. (December, 1988). Prepared for the Judicial Council by Professor Richard Ender, UAA. Evaluates the two applicants for the Public Defender vacancy.
 23. *Survey of Alaska Bar Association Members Evaluation of Applicants for the Superior Court, Third Judicial District (Anchorage) and for the District Court, First Judicial District (Juneau)*. (April, 1989).
 24. *Survey of the Alaska Bar Association: Results on the Evaluation of Applicants for the Bethel Superior Court* (November 1989). Prepared for the Judicial Council by The Justice Center, UAA.
 25. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Kenai Superior Court* (May 1990). Prepared for the Judicial Council by The Justice Center, UAA.
 26. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Juneau Superior Court* (May 1990). Prepared for the Judicial Council by The Justice Center, UAA.
 27. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Sitka Superior Court* (July 1990). Prepared for the Judicial Council by The Justice Center, UAA.
 28. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Court of Appeals and Fairbanks District Court* (August 1990). Prepared for the Judicial Council by The Justice Center, UAA.

29. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Kodiak Superior Court* (October 1990). Prepared for the Judicial Council by The Justice Center, UAA.
30. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Homer District Court* (October 1990). Prepared for the Judicial Council by The Justice Center, UAA.
31. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage Superior and District Court, and Kotzebue Superior Court* (January 1991). Prepared for the Judicial Council by The Justice Center, UAA.
32. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage District Court* (May 1991). Prepared for the Judicial Council by the Justice Center, UAA.
33. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Valdez Superior Court* (September 1991). Prepared for the Judicial Council by the Justice Center, UAA.
34. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage District Court* (April 1992). Prepared for the Judicial Council by the Justice Center, UAA.
35. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Fairbanks Superior Court* (September 1992). Prepared for the Judicial Council by the Justice Center, UAA.
36. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Fairbanks District Court* (November 1992). Prepared for the Judicial Council by the Justice Center, UAA.
37. *Survey of the Alaska Bar Association: Results on the Evaluation of Applicants for the Ketchikan Superior Court* (November 1992). Prepared for the Judicial Council by the Justice Center, UAA.
38. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage Superior Court, Third Judicial District* (May 1993). Prepared for the Judicial Council by the Justice Center, UAA.
39. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage District Court, Third Judicial District* (May 1993). Prepared for the Judicial Council by the Justice Center, UAA.

40. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Alaska Supreme Court* (December 1993). Prepared for the Judicial Council by the Justice Center, UAA.
41. *Survey of the Alaska Bar Association: Results of the Evaluation of Applicants for the Anchorage District Court, Third Judicial District* (September 1994). Prepared for the Judicial Council by the Justice Center, UAA.

Retention Surveys

1. *Preliminary Report of the Alaska Judicial Survey*. (Aug., 1976). Prepared for 1976 retention elections by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1976 general election.
2. *Report of the Results of the 1978 Alaska Judicial Survey*. (Aug., 1978). Prepared for 1978 retention elections by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1978 general election.
3. *Report of the Results of the 1980 Alaska Judicial Survey*. (July, 1980). Prepared for the Judicial Council by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1980 general election.
4. *Report of the Results of the 1982 Alaska Judicial Survey*. (1982). Prepared for the Judicial Council by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1982 general election.
5. *Report of the Results of the 1984 Alaska Judicial Survey*. (Aug., 1984). Prepared for the Judicial Council by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1984 general election.
6. *Final Report of the 1986 Alaska Judicial Survey*. (August 8, 1986). Prepared for the Judicial Council by the Center for Political Studies, University of Michigan. Evaluates judges standing for retention in the 1986 general election.
7. *Report on the 1988 Retention Election Survey*. (June, 1988). Prepared for the Judicial Council by Mystrom Research. Presents and analyzes the results of surveys of the Bar Association and of peace and probation officers regarding judges standing for retention in 1988.
8. *Report on the 1990 Retention Election Surveys* (June 1990). Prepared for the Judicial Council by Dittman and Associates. Presents the results of surveys of the

Bar Association and of peace and probation officers regarding judges standing for retention in 1990.

9. *Report on the 1992 Retention Election Surveys* (May 1992). Prepared for the Judicial Council by the Justice Center, UAA. Presents the results of surveys of the Bar Association and of peace and probation officers regarding judges standing for retention in 1992. (Note: Results of juror surveys for trial court judges standing for retention are available separately, from the Judicial Council).
10. *Report on the 1994 Judicial Evaluation Material* (May 1994). Prepared for the Judicial Council by the Justice Center, UAA. Presents the results of surveys of the Bar Association and peace and probation officers regarding judges standing for retention in 1994. Also includes juror surveys and comments.

Appendix J

***Resolving Disputes Locally:
A Statewide Report and Directory***

Indians⁸), to the extent that accurate information is available from written anthropological and sociological documents, and from interviews.⁹ The transitional use of village councils, the evolution of tribal courts from traditional adjudicatory systems and councils, and the overlaps and sharing of work between tribal courts and councils also are discussed. Information about the transition from traditional law-ways to village councils comes largely from the same sources, with much of this report based on interviews and research done by the Judicial Council in the past few years.

Part II of the report describes the present activities of local dispute resolution organizations within each region of the State, beginning with an overview of dispute resolution in the State as a whole. Part II also includes alphabetical directory listings of the names, addresses, and phone numbers of the organizations in each region of the State that offer dispute resolution services. Knowledge of present-day activities comes from interviews by the Council's staff for its earlier report,¹⁰ and from interviews and materials assembled for the present report.

Part III of the report discusses the interactions of tribal courts, councils and other dispute resolution organizations with state governmental agencies. Part IV contains the Judicial Council's conclusions and recommendations.

When the Judicial Council began reviewing rural justice needs and options in 1987, there were substantially fewer active tribal courts and councils than can be tallied in 1993. The situation has changed remarkably in the past six years, from one in which repeated inquiries led to information about only a handful of tribal courts and councils active in dispute resolution to the present, in which over one hundred villages and tribal organizations report dispute resolution activity. Given the fact

Apaches. M. Krauss, *Native Peoples and Languages of Alaska* (1982) (map published by University of Alaska, Fairbanks).

⁸ Southeast Alaskan Indians include Tlingits, Haidas, and Eyaks, with Tsimshian Indians from Canada moving to Metlakatla in the latter part of the nineteenth century.

⁹ To prepare this report, Judicial Council staff interviewed numerous residents of the State who either worked in the communities described or worked closely with the people of those areas. Staff have not cited to individual interviews for two reasons. First, we tried to rely on more than one source for most statements made, and secondly, many people seemed to feel more comfortable with the idea that they would not be quoted directly by name. To further verify the information obtained, we circulated a draft copy of the report to nearly seventy people who had participated in the preparation of either this report or our earlier, more detailed evaluations of the Minto and Sitka Tribal Courts and the PACT organization in Barrow. Numerous reviewers made detailed and extremely helpful comments that were incorporated in this final report. Staff also read as extensively as our limited time permitted, and used the available written work to the extent possible. However, because this is a rapidly evolving area, we did not rely on written work as our only source for most information. Indeed, the very quickly changing characteristics of justice and dispute resolution in rural areas of Alaska means that much of our work may be outdated quickly. Thus, we urge readers to contact each organization individually for the most up-to-date knowledge of that organization's characteristics and work. In addition, because so many villages and groups are developing new programs, the fact that a community is not mentioned in our work should not be taken as an oversight or indication that no activity is occurring in the area. The directory entries in this report give addresses and contact persons for local and regional organizations in all parts of the State.

¹⁰ J. CONNORS, T. CARNS, AND S. DI PIETRO, *RESOLVING DISPUTES LOCALLY: ALTERNATIVES FOR RURAL ALASKA* (1992) [hereinafter *RESOLVING DISPUTES LOCALLY*].

that this rapid rate of change is likely to continue, another goal of this report is to document present activity for purposes of making future comparisons.¹¹

¹¹ To aid this effort, we ask readers of this report to use the data form in Appendix C to record information about their organization or others they know of. Return the form to the Judicial Council within the next nine months so that it can be used to prepare the next directory.

Resolving Disputes Locally: A Statewide Report and Directory

«»«»«»«»«»«»» Conclusions and Recommendations «»«»«»«»«»«»»

A. Conclusions

The conclusions of this report may be stated fairly briefly. A relatively large and increasing number of rural, mostly Native, Alaskan communities attempt to deal with local justice problems locally. These communities use, for the most part, tribal councils and courts to address childrens' and family disputes (especially Indian Child Welfare Act matters), relatively minor criminal disputes, alcohol control, and a variety of other matters. The communities with active tribal councils or courts appear to need state justice resources (Troopers, courts, etc.) less than comparable rural communities without local justice organizations.

Despite fundamental differences on the issue of Native sovereignty, tribal dispute resolution organizations and state justice system personnel have shown an ability to cooperate to further the needs of rural Alaskans on a case-by-case basis. This cooperation is informal and varies depending on individual personalities and other factors, but many of the relationships have withstood the test of over a decade of work. Further, the cooperative efforts, when they occur, can improve the lives of rural Alaskans, while at the same time saving the State money -- a not insignificant accomplishment given Alaska's current economic climate.

B. Recommendations

The general recommendations of the Alaska Judicial Council based on this report are straightforward:

1. Alaska's rural communities, Natives, and state and federal agencies can and must cooperate to bring rural residents a basic access to justice. Without conceding firmly held positions on Native sovereignty¹² all groups must work together to support local tribal dispute resolution organizations' efforts to help rural residents voluntarily resolve disputes locally. This cooperation is especially imperative given the fiscal restraints that render the State unable to provide a full range of legal services to rural residents.

¹² The legal issues regarding various aspects of the Native sovereignty issue we set out in the Council's prior rural justice report. See RESOLVING DISPUTES LOCALLY, *supra* note 11. This discussion is updated in Appendix B of this report.

The Council has avoided trying to anticipate what the final resolution of these complex and controversial issues will be. The Council has, however, consistently reminded both tribal advocates and state agencies that since local tribal councils and courts almost always act with the consent of those who appear before them (in a sense, the organizations practically act like mediation or arbitration bodies), an opposition to Native sovereignty and tribal jurisdiction need not mean an opposition to tribal courts and councils.

2. The first, and most important, step in this cooperative process is for both state agencies and local justice groups to establish communications and personal contact with each other. It is hoped that the directory entries in this report can be of assistance in establishing this initial contact.
3. All state agencies should evaluate their policies and procedures for ways in which cooperation with tribal courts and councils could be further encouraged, and to identify existing policies or procedures that inadvertently bar increased interaction. The agencies should then set out timetables for changing policies to increase interactions with tribal courts and councils.

The Judicial Council's remaining recommendations are directed to specific individuals, groups and agencies. They are grouped by the entity to which they are directed. Although this organization leads to some redundancy, it should make the recommendations easier to implement.

1. The Governor's Office

Governor Hickel, as the leader of the executive branch in Alaska, must take the lead in directing state agencies to work with tribal councils and courts to meet the legitimate needs of rural residents. While the Governor has encountered opposition from Native groups as to his views on Native sovereignty, he has consistently supported what he believes are the legitimate aspirations of Native Alaskans. The Council believes its recommendation to the Governor falls into that category.

- a. Governor Walter Hickel should issue an executive proclamation by the end of June 1993 to the Departments of Law, Public Safety, Corrections and Administration and other state agencies mandating that executive agencies cooperate fully with the legitimate aspirations of tribal courts, councils, and other rural justice organizations. The executive order should cite the need to bring justice services to rural Alaskans, the inability of the State to pay for those services, and the legitimate desire of rural Alaskans to resolve disputes locally.

2. Alaska State Legislature

The State Legislature shares with the Governor the responsibility of ensuring that legitimate justice needs are met within the State's fiscal constraints. The Judicial Council again emphasizes that because parties' participation in tribal council and court proceedings is overwhelmingly voluntary, there is no reason that these recommendations could not be implemented independent of resolution of the sovereignty issue.

- a. The Legislature should issue a joint resolution encouraging the development of local dispute resolution projects and urging state agencies and rural residents to cooperate in assisting rural justice organizations, including tribal councils and courts. The resolution should cite the need to bring justice services to rural Alaskans, the inability of the State to pay for those services, and the legitimate desire of rural Alaskans to resolve disputes locally.

- b. The Legislature, in its operational and budgetary overview of state agencies, should encourage agency cooperation with rural justice organizations, including tribal councils and courts.
- c. Bills HB 93 and CSSB15, now before the Legislature, would establish the VPSO program as a statutory commitment of the State, still under the purview of the Department of Public Safety. The Legislature should pass these bills. The Legislature also should ensure that the VPSO program is adequately funded; increasing the salaries of VPSOs will decrease turnover and increase the overall quality of VPSO applicants.
- d. While the State does not have the resources to fully fund rural justice in Alaska, the Legislature must take into account rural needs when making funding decisions. Further, funding for important continuing projects (such as the VPSO program) and special projects (such as this Judicial Council report and directory) should be provided.

3. Alaska Court System

The judicial branch of government plays a key role with rural justice issues in Alaska. While court case law is in opposition to positions taken by many tribal advocates, the court system has attempted to further justice in rural Alaska in many ways, including inviting tribal judges to the 1992 judicial conference session on tribal courts. These cooperative efforts should be continued and expanded. The Judicial Council makes the following recommendations.

- a. The Alaska Supreme Court should issue a Supreme Court Order mandating full cooperation from judges and other court system personnel towards the legitimate aspirations of tribal courts and councils, and other rural justice organizations. The order should cite the need to bring justice services to rural Alaskans, the inability of the State to pay for those services, and the legitimate desire of rural Alaskans to resolve disputes locally. The order should be worded broadly to include organizations such as PACT in Barrow, as well as clearly including tribal courts and councils. The order might specify types of cases or offenders or parties for whom local cooperation is especially appropriate.
- b. State court judges and magistrates should work with tribal courts and councils in appropriate civil and criminal cases. Currently, some state court judges and magistrates interact routinely with tribal courts and councils, while some interact only sporadically (as cases arise). In criminal cases, state court judges and magistrates can ask tribal courts and councils to supervise offenders' community work service, supervise probation, testify at sentencings, and give advice on appropriate action to take in probation or parole revocations. State courts can discuss with tribal courts and councils appropriate dispositions of cases, decisions about which aspects of the case may be handled best in which forum, and the extent to which each court or council can be involved in long-term oversight of the case or supervision of an offender.

- c. Reciprocal invitations between state court judges and tribal court judges and council members to attend conferences should continue, because they further communication and understanding. In particular the Alaska Supreme Court should invite tribal court judges to attend its June 1993 judges' conference in Juneau.
- d. In any case which might be appropriate for alternative dispute resolution, and in which a local organization such as a tribal court or council exists, judges should encourage the parties to consider referring the case to the tribal court or council (or other comparable organization such as a conciliation organization). Appropriate cases could include landlord/tenant problems, business or contract disputes, and small claims cases, child custody and visitation issues, divorce and dissolution discussions, and other domestic relations matters. In addition, to the extent possible, the state courts should authorize the appointment of tribal members/judges as marriage commissioners, guardians ad litem or other roles in which court responsibilities routinely are shared with non-state-judicial volunteers or personnel.
- e. The court system should participate in the forum project sponsored by the Conference of Chief Justices' Committee on Jurisdiction in Indian Country. This program has for the past several years encouraged states to work closely with tribal courts and councils. The forum allows a small number of state and tribal court judges (three to four from each group) to meet, identify issues that need resolution within that state, conduct public hearings to obtain information and support for the work of the forum and finally, make specific recommendations for resolving issues that have been identified. Alaska is represented on the national planning body for these forums by retired judge Thomas Schulz of Ketchikan, who is working to encourage use of the forum structure in Alaska.
- f. Materials currently being prepared for magistrate correspondence courses should include information about possible interactions with tribal courts and councils. Magistrates often are in an excellent position to work with local organizations in small communities. The Judicial Council sends copies of its reports on rural alternative dispute resolution organizations to all magistrates for their reference.
- g. Judges and court personnel should encourage the scheduling of hearings, trials, and case dispositions (especially sentencings) in local communities, within the court system's fiscal constraints. Holding proceedings in local communities provides an opportunity for tribal courts and councils to interact directly with state court personnel and judges, increasing communication and understanding among all parties.

4. Department of Law

State and local prosecutors, and state and local attorneys representing government agencies, may find numerous opportunities to interact with tribal courts and councils. The state Attorney General's office routinely gives notice of ICWA cases to tribal councils, and assistant attorneys general work with members of tribal courts and councils to resolve ICWA as well as other family and child matters. Prosecutors tend to work less directly with tribal courts and councils, but many are aware of the ways in which closer cooperation can facilitate the delivery of justice services in rural areas.

- a. Prosecutors can consider deferring prosecution of appropriate offenses, with the concurrence of people in a village, with conditions that the offender perform work for the village council and comply with other conditions. In addition, prosecutors can support tribal courts and councils by taking into account the tribal organizations' expressed desires in making the decision whether to prosecute an offender who may have a history of prior offenses which the local organizations have been unable to manage.
- b. In making bail and sentencing recommendations, prosecutors should continue to take community standards and expressed concerns and wishes into account. In particular, prosecutors should contact an offender's local tribal council or court for sentencing suggestions. For cases in which other considerations require disposition not desired or expected by the community, prosecutors should provide an explanation of the decision to local residents.
- c. Assistant Attorneys General who handle ICWA cases should continue to involve tribal courts and councils in those cases. Tribal courts and councils can provide information about alternative placements and can monitor families' progress. Although the State is not required to give notice to tribes in voluntary termination of parental rights under ICWA, Assistant AGs should consider notifying tribes in those cases in which parental privacy is not at issue.
- d. Assistant attorneys general should be aware of opportunities to resolve disputes in tribal courts or councils, or other organizations. Attorneys can encourage the parties in domestic relations cases or any kind of case, when appropriate, to use the services of tribal courts and councils to resolve disputes. The attorneys also can work directly with the tribal courts and councils.

5. Department of Public Safety and Local Police Departments

- a. Local police departments may interact with tribal courts and councils if the community in which the offense occurs has a tribal court or council, or if the person being dealt with by the local police department comes from a community with a tribal court or council. Many offenders or persons contacted by urban police departments reside in rural communities and are

in the urban location only temporarily. In these situations, the urban police department should determine whether the tribal court or council can provide resources for supervision or resolution of a dispute that are unavailable in the urban location.

- b. The VPSO program has proven to be an effective method of strengthening law enforcement and dispute resolution in local areas. For many tribal courts and councils, the VPSO is the most important source of case referrals and the key to enforcement of tribal orders. Despite high turnover, low funding and periodically unmanageable demands on the VPSOs, most people involved with the program support it strongly and encourage its continued use.
- c. The Judicial Council supports the Department of Public Safety in its efforts to create a career ladder for VPSOs. Providing the possibility of upward mobility for VPSOs will decrease VPSO turnover and increase the overall quality of VPSO applicants.

1) Training: The Department of Public Safety should broaden training provided to VPSOs, including training in methods of dispute resolution and discussion of the roles of tribal courts and councils and state courts, as well as on-the-spot dispute resolution by the VPSO.

2) Work Group: The Department should convene local work groups made up of representatives from the regional non-profit corporations, village councils, oversight Troopers, and others as appropriate to resolve situations in which conflicts among the expectations from each organization of the VPSO are perceived to be occurring.

3) Consistent State-wide policies: The Department of Public Safety should adopt state-wide policies to clarify and make consistent the role of VPSOs in local communities.

- d. In villages which do not have VPSOs, Troopers should make contact with local councils or courts and work directly with the local organizations. For example, Troopers could in their discretion refer probation or parole violations to the tribal court or council, working in the context of state and local laws and Department policies. For example, Troopers could refer a probation or parole violation (especially if the violation is a "technical" violation, rather than being a new offense) to a tribal court or council if it seems that the offender would respond to local action.
- e. If the Trooper has a choice between charging an offense under state law or local ordinance, the officer should be encouraged to charge the offense as a local violation. This strengthens the credibility of the local organization, encourages its work and reduces the burdens on the state agencies responsible for prosecution, adjudication and corrections. In addition, a local response may be more suited to the offender's, victim's and community's needs.

- f. Although most situations in which Department of Public Safety officers become involved may warrant criminal charges, some do not, and others may involve non-criminal matters that need attention. The non-criminal aspects may well be appropriate for dispute resolution action by the tribal court or council, whether acting alone or in concert with the state courts or other state agencies. Department of Public Safety officers should be encouraged to refer appropriate domestic and civil matters to tribal courts and councils.
- g. In villages which do have VPSOs, oversight Troopers should encourage and support the VPSO to refer disputes to tribal courts and councils, to charge under local ordinances where appropriate, and to refer non-criminal matters to the local organizations for resolution.
- h. Department of Public Safety personnel should offer training to Troopers and VPSOs about tribal courts and councils. Training could include information about structures used by tribal courts and councils, law applied, typical cases handled, persons to contact, and types of actions taken by tribal courts and councils. Department personnel could be given copies of the Judicial Council's reports on tribal courts and councils, including this report which contains directory entries listing tribal courts and councils. In-house personnel can conduct the training; tribal courts and councils probably would be happy to assist.

6. Department of Corrections

- a. Many offenders from rural communities who are obliged to remain in urban areas during probation or parole are removed from their support systems and more likely to fail. Parole and probation officers should initiate contacts with local dispute resolution organizations that may be able to supervise parole and probation conditions. Local organizations also can suggest means of monitoring the offender's actions, and followup if the offender violates conditions of probation or parole. Local organizations have taken responsibility for every aspect of supervision from developing the conditions of supervision, to setting timetables, enforcing compliance, monitoring successful completion or violations, and reporting back to a probation/parole officer or other designated representative of the criminal justice system, as needed.
- b. The Department of Corrections should encourage probation and parole officers to use local councils or courts to supervise rural offenders' probation and parole, and should make available any training necessary for the members of the tribal organizations to do so.
- c. To the greatest extent possible, presentence report writers should encourage local dispute resolution organizations such as tribal courts and councils to participate in making sentence recommendations. Although such participation may sometimes be inappropriate, in most instances all parties will benefit. Presentence report writers should explore the following matters:

- 1) **Supervision:** Is supervision of release conditions, or of some aspect such as community work service possible and appropriate for the offender and community? What stipulations might be necessary or helpful (such as hours, particular persons to be involved, type of work)? How long should supervision continue? What community resources are available for supervision?
- 2) **Community Condemnation:** What are the community's feelings about the particular offender and offense?
- 3) **Prior Record of Behavior:** It will help the presentence reporter to know whether the offender has a record of problems, or whether the present behavior is isolated. Has the council or tribal court met with this offender before? How frequently, and for what reasons?
- 4) **Context:** Is there information about the victim, the community, the offender's family, or other matters that would be useful and relevant to consider at the time of sentencing?
- 5) **Appropriate Conditions of Sentence/Release:** What conditions respond most aptly to the offender's background? Are substance abuse, violent behavior, education, or need for work skills considerations in designing the sentence? What resources are available in the offender's community to meet these conditions? What creative uses could be made of technology, alternative punishments, or local resources to tailor the conditions to the needs of the specific offender?

7. Division of Family & Youth Services

- a. State social workers should work closely with tribal councils and courts whenever possible, as they now do in Dillingham and Sitka, calling upon local resources to assist in resolving family disputes. Clearly, situations occur in which the presence of a neutral person or organization from outside the problem or community can more objectively and beneficially resolve the dispute or assist the parties. However, the experience in numerous communities throughout the State has shown that local tribal councils and courts often have intervened effectively to repair and preserve local relationships, or resolve issues. Ways in which local tribal organizations have been involved have included:
 - 1) *Finding foster care;*
 - 2) *Handling traditional adoptions;*
 - 3) *Counseling parents about appropriate parenting skills and needed changes in living situations, and providing support for families;*

4) *Supporting state agency interventions and investigations;*

5) *Supporting foster or adoptive families.*

- b. The Judicial Council reiterates its recommendation, made in its earlier report evaluating the Minto and Sitka tribal courts and the PACT organization in Barrow, that "the Department of Health and Social Services consider beginning discussions on the issues that were reserved for subsequent negotiation in the 1989 Indian Child Welfare Act State-Tribal Agreement. Those issues were tribal courts, jurisdiction, and state funding for social services and for children placed in foster homes by a tribe. Included in negotiations on state funding of social services should be discussion of a tribal guardian ad litem program modeled after the State's."

8. Public Defender Agency & Office of Public Advocacy

- a. Assistant Public Defenders should encourage defendants and tribal courts and councils to devise community work service programs, rehabilitation programs, and other forms of supervision or reporting that meet the needs of the court in imposing bail or sentence conditions, and that respond to community concerns (e.g., community condemnation, deterrence, safety of the community).

9. Regional and State Native Organizations

- a. Alaska's regional and state Native organizations can play an important role in assisting local Native communities in addressing local needs through tribal courts. These organizations should actively seek to cooperate with state officials at all levels.

10. Local Communities, Tribal Councils and Tribal Courts

- a. Local communities, as well as state agencies, must pursue cooperation. Rural, especially Native, Alaskans must realize that the actions of state agencies in the criminal justice system are generally not based on either racism or a disregard for rural and Native concerns. Rather, instances of apparent disregard are more often a result of insufficient communication between state personnel and tribal members, and a consequent lack of understanding. Native Alaskans have a responsibility to communicate their cultural standards to people involved in the state justice system. Various means of thinking about and expressing community standards can be used. The 1986 North Slope Borough Elders Conference on traditional law is an excellent example of community expression of cultural standards, especially insofar as community members were able to advise the state court judge on appropriate sentencing for specific offenses. The communication should take place with the goal of making state justice agencies more responsive to Native concerns. Community members should take advantage of other public hearings and forums to express their opinions and concerns about the articulation and use

of community standards in resolution of disputes. Examples include letters to newspaper editors, public hearings sponsored by state and local governmental agencies, requests to Native non-profit corporation boards of directors to consider these issues, and participation in programs such as the court system's "Meet the Judges."

- b. Some tribal courts and councils make it their practice to make sentencing recommendations to the state courts. This practice is a helpful one that other tribal courts and councils should adopt. Also, tribal courts and councils should provide the state courts with information about the defendant's criminal history in the village. This information helps the state court determine an appropriate sentence.
- c. Tribal courts and councils also should share information about their work with attorneys, through the Alaska Bar Association's Native Law Section, through Continuing Legal Education programs, through the newly-organized Native Bar Association and through other appropriate means.
- d. Tribal courts and councils should ratify the Indian Child Welfare Act State-Tribal Agreement. This ratification would promote state and local cooperation to assist Native children. It would not stop Native groups from seeking resolution of jurisdiction and funding disputes concerning tribal courts and social services.

11. Bureau of Indian Affairs

- a. The BIA and other agencies should emphasize funding of Alaska Native dispute resolution organizations, including development of tribal courts and councils.

12. Alaska Natives Commission

- a. The Alaska Natives Commission should adopt a resolution supporting the development and use of culturally appropriate local dispute resolution whenever appropriate. The resolution should support using local dispute resolution organizations to resolve a wide range of problems, including (as appropriate for an individual community or situation) family matters, civil matters such as contract disputes or landlord-tenant relationships, appropriate situations involving juveniles, including drug and alcohol abuse, and violations of local ordinances.
- b. The Alaska Natives Commission should encourage the BIA and other federal agencies to fund tribal courts in Alaska.
- c. The Commission should encourage state agencies and local communities to adopt the recommendations made in this report.

13. Alaska Bar Association/Attorneys

- a. Attorneys should be aware of opportunities to resolve the disputes in tribal courts or councils, and should encourage the parties to consider these options. Attorneys also can work directly with the tribal courts and councils.
- b. Criminal defense attorneys should work with tribal councils and courts when appropriate in representing their clients. These efforts should include working through tribal courts and councils to devise community work service programs, rehabilitation programs, and other forms of supervision or reporting that meet the needs of the court in imposing bail or sentence conditions, and that respond to community concerns (e.g., community condemnation, deterrence, safety of the community).
- c. The Alaska Bar Association should include in any CLE training materials for training prosecutors, defense attorneys, and other attorneys working in rural areas information about tribal courts and councils, and ways of working with tribal courts and councils to resolve disputes.
- d. The Native Law section and the Alaska Bar Association can develop Continuing Legal Education courses related to tribal court and council activities.
- e. The *Bar Rag* should promote awareness of tribal courts and councils' activities, perhaps through a regular column or through special feature articles.
- f. The Alternative Dispute Resolution section of the Bar Association should educate attorneys about alternative dispute resolution in general and about tribal courts and councils in particular as an alternative for resolving disputes that involve village residents.
- g. The Alaska Bar Association, through the Native Law Section, should consider designating a central repository or library for materials related to tribal court and council activities and laws. The library would contain copies of tribal court rules, local ordinances creating tribal courts, handbooks, writings and case law of Alaska and national cases and articles about Indian law, copies of materials about traditional law and law ways, and other relevant materials. (Alternatively, the repository might be managed by Alaska Intertribal Court, RurAL CAP, or by one of the regional profit or non-profit corporations.)

14. Boroughs and Municipalities

- a. The Council encourages local governments, both boroughs and municipalities, to adopt resolutions supporting the use of local methods of dispute resolution when appropriate.

- b. Local communities should consider forming task forces to develop programs for alternative ways of sentencing specific offenses. Sitka formed such a task force in 1992. The group, including the police chief, the tribal court judge, the state court judge, the probation officer, other agency people, and several concerned citizens was coordinated by the Sitka Alliance for Health. For its first project, the group developed a new procedure for handling Minor Consuming [Alcohol] offenses that used existing laws, staff and funds but changed the actions taken by police, courts and supervisory organizations.

Table 2
Tribal Courts and Councils Active in Dispute Resolution
 Rural Justice Directory and Report: 1993
 April, 1993

Area	Tribal Courts	Councils Active in Dispute Resolution																				
North Slope <i>(8 villages)</i>	Pt. Hope ICAS and NVOB both planning tribal courts	Inupiat Community of Arctic Slope NVOB - Native Village of Barrow Arctic Slope Native Association																				
Kotzebue Sound <i>(11 villages)</i>	Planned or active courts: Kiana Selawik	<table border="0"> <tr> <td>Ambler</td> <td>Kotzebue</td> </tr> <tr> <td>Buckland</td> <td>Noatak</td> </tr> <tr> <td>Deering</td> <td>Noorvik</td> </tr> <tr> <td>Kivalina</td> <td>Selawik</td> </tr> <tr> <td>Kobuk</td> <td>Shungnak</td> </tr> </table>	Ambler	Kotzebue	Buckland	Noatak	Deering	Noorvik	Kivalina	Selawik	Kobuk	Shungnak										
Ambler	Kotzebue																					
Buckland	Noatak																					
Deering	Noorvik																					
Kivalina	Selawik																					
Kobuk	Shungnak																					
Bering Straits <i>(17 villages)</i>	All have tribal court ordinances: Brevig Mission Diomede Gambell King Island Koyuk Mary's Igloo Nome Eskimo Community Saint Michael Shaktoolik Shishmaref Stebbins Teller Unalakleet Wales White Mountain Western Alaska Intertribal Court System - planned appellate, possibly trial court	Savoonga Golovin																				
Yukon/Kuskokwim <i>(56 villages)</i>	Planning or have established a court: Akiachak Chevak Goodnews Bay Kipnuk Kotlik Kwethluk Kwigillingok Mekoryuk St. Mary's Toksook Bay Yupiit Nation has regional and appellate courts planned	<table border="0"> <tr> <td>Akiachak</td> <td>Kotlik</td> </tr> <tr> <td>Akiak</td> <td>Kwethluk</td> </tr> <tr> <td>Atmaultluak</td> <td>Kwigillingok</td> </tr> <tr> <td>Chevak</td> <td>Lower Kalskag</td> </tr> <tr> <td>Chuathbaluk</td> <td>Mekoryuk</td> </tr> <tr> <td>Emmonak</td> <td>Mt. Village</td> </tr> <tr> <td>Goodnews Bay</td> <td>Napakiak</td> </tr> <tr> <td>Hooper Bay</td> <td>Saint Mary's</td> </tr> <tr> <td>Kipnuk</td> <td>Scammon Bay</td> </tr> <tr> <td></td> <td>Toksook Bay</td> </tr> </table>	Akiachak	Kotlik	Akiak	Kwethluk	Atmaultluak	Kwigillingok	Chevak	Lower Kalskag	Chuathbaluk	Mekoryuk	Emmonak	Mt. Village	Goodnews Bay	Napakiak	Hooper Bay	Saint Mary's	Kipnuk	Scammon Bay		Toksook Bay
Akiachak	Kotlik																					
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Emmonak	Mt. Village																					
Goodnews Bay	Napakiak																					
Hooper Bay	Saint Mary's																					
Kipnuk	Scammon Bay																					
	Toksook Bay																					

Area	Tribal Courts	Councils Active in Dispute Resolution																																										
Bristol Bay <i>(29 villages)</i>	Nondalton (planned) New Stuyahok (planned) Togiak (active)	Aleknagik Dillingham Ekwok Manokotak Naknek New Stuyahok Nondalton Port Heiden Togiak																																										
Aleutians <i>(13 villages)</i>	No courts; none planned	Akutan St. George St. Paul																																										
Kodiak <i>(6 villages)</i>	No courts; Kodiak Tribal Council and Kodiak Area Native Association planning courts	Akhiok Larsen Bay																																										
Interior Doyon <i>(34 villages)</i>	Served by TCC: Chalkyitsik Eagle Hughes Minto Nenana Northway Tanacross Not served by TCC: Tanana	<table border="0"> <tr> <td>Alatna</td> <td>Lake Minchumina</td> </tr> <tr> <td>Allakaket</td> <td>Manley</td> </tr> <tr> <td>Anvik</td> <td>McGrath</td> </tr> <tr> <td>Arctic Village</td> <td>Medfra</td> </tr> <tr> <td>Beaver</td> <td>Minto</td> </tr> <tr> <td>Birch Creek</td> <td>Nenana</td> </tr> <tr> <td>Canyon Village</td> <td>Nikolai</td> </tr> <tr> <td>Chalkyitsik</td> <td>Northway</td> </tr> <tr> <td>Circle</td> <td>Nulato</td> </tr> <tr> <td>Dot Lake</td> <td>Rampart</td> </tr> <tr> <td>Eagle</td> <td>Ruby</td> </tr> <tr> <td>Evansville</td> <td>Shageluk</td> </tr> <tr> <td>Fort Yukon</td> <td>Stevens Village</td> </tr> <tr> <td>Galena</td> <td>Takotna</td> </tr> <tr> <td>Grayling Tanacross</td> <td></td> </tr> <tr> <td>Healy Lake</td> <td>Tanana</td> </tr> <tr> <td>Holy Cross</td> <td>Telida</td> </tr> <tr> <td>Hughes</td> <td>Tetlin</td> </tr> <tr> <td>Huslia</td> <td>Venetie</td> </tr> <tr> <td>Kaltag</td> <td>Wiseman</td> </tr> <tr> <td>Koyukuk</td> <td></td> </tr> </table>	Alatna	Lake Minchumina	Allakaket	Manley	Anvik	McGrath	Arctic Village	Medfra	Beaver	Minto	Birch Creek	Nenana	Canyon Village	Nikolai	Chalkyitsik	Northway	Circle	Nulato	Dot Lake	Rampart	Eagle	Ruby	Evansville	Shageluk	Fort Yukon	Stevens Village	Galena	Takotna	Grayling Tanacross		Healy Lake	Tanana	Holy Cross	Telida	Hughes	Tetlin	Huslia	Venetie	Kaltag	Wiseman	Koyukuk	
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Prince William Sound <i>(6 villages)</i>	No Courts	Nanwalek (English Bay) Port Graham Tattilek																																										

Area	Tribal Courts	Councils Active in Dispute Resolution
Copper River <i>(8 villages)</i>	Kluti-kaah (has tax court; general court planned) Mentasta Lake	Chistochina Chitina Kluti-kaah
Southeast <i>(21 villages)</i>	Chilkat Indian Village (Klukwan) Ketchikan Metlakatla Sitka Central Council Tlingit and Haida planning appellate court	Saxman
Total Villages: 218	33 active; 16 planned; 5 regional groups (ICAS, Western Alaska, Yupiit Nation, KANA, Central Council)	99

Alaska Judicial Council
 April 1993

Appendix K

***Plan for the Integration of
Alaska's Criminal Justice Computer Systems
and the Creation of a Comprehensive
Criminal History Repository***

by

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May 2, 1994

Appendix K

Executive Summary

In 1993, after recognizing the inadequacies of Alaska's criminal justice computer information systems, the Legislature directed the Alaska Judicial Council to work with the criminal justice agencies to improve the operation and coordination of these computer information systems. The Council contracted with independent consultants Wolfe & Associates to review Alaska's current systems and present a comprehensive plan for improvements.

This report shows how Alaska can create effective and coordinated criminal justice information systems in the next five years. The plan takes advantage of Alaska's existing investment in mainframe computers as well as newer technologies to suggest a cost-effective and practical approach that retains the investment in existing mainframes during a phased migration to a smaller, more cost-effective computer architecture. This plan to improve the quality and availability of criminal justice information in Alaska identifies the issues that must be resolved, presents recommendations for creating a comprehensive criminal history record repository, and provides alternative technical solutions for integrating criminal justice information systems.

We recommend that the legislature and agencies take the following four crucial steps immediately:

1. The legislature should pass the APSIN legislation (HB 442 and SB 321) which will require fingerprinting of criminals, improve the collection of criminal justice information, and establish a framework for agency coordination.
2. The legislature should immediately fund the Department of Corrections (\$150,000) and the Department of Law (\$75,000) to begin planning to replace their outdated and inadequate computer information systems. These departments, especially DOC, must commit adequate and skilled personnel to this planning process if it is to succeed.
3. The Department of Public Safety must develop a plan for a new fingerprint system and must purchase more efficient live-scan fingerprint devices. The legislature should fund these purchases in its 1995 session.
4. The Department of Administration must begin to implement a multi-protocol communications backbone network for all state agencies. It must develop a capital budget request to the 1995 legislature to complete

this project. The legislature should give funding of this backbone network the highest priority.

A. Summary of Findings

Our findings confirm what the legislature understood when it ordered this project: criminal justice computer information systems in Alaska are, to varying degrees, inadequate even for individual departments. The state designed and acquired many parts of the systems twenty or more years ago, when the demographics, state structure, prison population and technology all were vastly different from the situation in 1994. The various departments' systems, even when adequate for their individual needs, seldom can communicate with one another. This inability to communicate leads to inefficiency, duplicative costs and numerous mistakes that cost the state money and threaten public safety. The departments have made recent efforts to work together, but substantial problems remain.

1. The criminal justice computer information systems are, to varying degrees, inadequate even for individual departments.

While the Department of Public Safety's computer information system best serves the needs of its department, even this system needs improvements. Specifically, DPS needs a new fingerprint identification system. The Court System's information system is comprehensive in theory; however, the software is only now being written. The Department of Law's system is outdated and not as useful as it should be.

The Department of Corrections is in the worst position with a computer system that dates back over twenty years. It must manage a large and expanding prison population, as well as a budget well over \$100,000,000 per year, with what is essentially a paper information system. The great expense and chance for serious mistakes created by managing such a complicated organization without an adequate computer information system makes a compelling case for implementing the systemwide changes we suggest.

2. The Departments' computer systems are not coordinated.

Many, though not all, of the subparts of Alaska's criminal justice computer systems should work together. Each department processes the same criminals, collects much of the same information about them, and in many cases desperately needs information available only from other agencies. Nonetheless, the departments have separate systems that for the most part do not communicate.

An important example is the typical fate of information about an offender's conviction. Ideally, the court would immediately enter the conviction into a court case management computer system and transfer it electronically to Corrections, Public Safety, Prosecutors, and the Public Defender Agency. Instead, court clerks write this essential

conviction information onto paper forms and send it with varying degrees of speed and efficiency to other agencies. Workers at the other agencies then must manually type the information into the various computer systems, sometimes months later, with the data entry errors that accompany manual systems.

3. The criminal justice agencies are working together to improve the system.

All agencies are participating in interagency groups designed to identify critical integration issues and resolve them. The Criminal Justice Working Group, the Computer Policy Coordination Group, and the Criminal Justice Information Systems Technical Users Group meet regularly, with staff support from the Alaska Judicial Council. The Department of Administration, Division of Information Services has defined the requirements for and is working to implement a statewide backbone telecommunications network that would allow agencies using different computer systems to communicate with one another. The Alaska Court System has spent three years designing a state-of-the-art case management system. The Department of Public Safety has significantly improved the identification of offenders and has provided leadership in implementing change.

4. Unless improvements are made, Alaska faces substantial and increasing problems.

Inadequate case management systems severely compromise many important functions of Alaska's criminal justice system. Under the current system, child care centers and other employers do not have the complete, accurate and reliable criminal history records needed to identify convicted child molesters and felons who apply for jobs. State social service agencies do not have the complete, accurate and reliable criminal history records needed to screen out convicted felons from foster care and other programs. Judges, prosecutors and defense attorneys cannot accurately apply presumptive sentencing guidelines because the state cannot create the offender's full criminal history. Other important state legislation, such as the "three strikes and you're out" initiative and sex offender registration, cannot be implemented without accurate, timely and complete criminal history records. The inadequacies of the current systems also compromise victims' rights, because the systems often cannot notify victims of the release of offenders from state custody.

While the Department of Public Safety has significantly improved identification processing, the inadequacy of the state's current fingerprint identification system compromises Alaska's ability to identify felons who could otherwise avoid detection by using an alias. Also, a new fingerprint identification system is needed in order for the state to fully comply with important federal programs such as the Brady Bill, the Child Protection Act, the interstate exchange of criminal history records, and the convicted alien reporting program of the Immigration and Naturalization Service (INS).

B. Platform Choices

The plan examines three possible technical system configurations that would permit all the criminal justice agencies' operating systems to share information. Collectively, the three technical alternatives encompass the range of computer resources available in the industry, from the desktop to the mainframe. While all would enhance the ability of individual state systems to share information and create a useful and timely criminal history record, they differ in their degree of technical complexity, costs, and impact on the agencies' administrative and personnel resources. We recommend that the state move, over the next five years, from the mainframes to client/server technology.

We believe Alaska will benefit most from a migration to a client/server computing platform because it maximizes the investment in the current mainframe technology, while moving judiciously to a smaller, more effective computer platform. This alternative calls for the state to move in phases away from the mainframe to client/server. The mainframe still will serve as a data repository and as the current platform for complex mission critical applications. New applications will be developed on client/server technology, and the state will begin moving existing applications from the mainframe to the new technologies. Serious administrative problems most likely would attend a too-rapid conversion to client/server technology. The open server concept accommodates all new, heterogeneous systems developed to take advantage of client/server technology.

Businesses describe this approach as "rightsizing." Rightsizing puts the right part of an application on the right computer. For example, that part of the criminal history record that the users interact with would be put on the client PC, while the data that comprise the criminal history record would stay on the mainframe. It represents an appropriate division of labor in an essentially "open computing environment"--the PC's run the application from the desktop, a small but robust Unix server brokers information requests and handles sophisticated transactions, and the mainframe uses its large capacity to house the data and to run the more complex operations.

Perhaps the most significant advantage of this gradual approach is that it gives the state some time to wait for the new client/server technology to mature. In the next two years, refinements in client/server technology will ensure data integrity and security in transaction processing. Other advances will ensure that the technology fully meets the state's processing requirements. This plan lets the state move away from the mainframe as resources and budgets permit.

C. Summary of Recommendations

Part 2 of this report discusses our recommendations in detail. In particular Chapter VIII sets out a five-year implementation plan for each department. A summary of recommendations appears here.

1. The legislature should enact the proposed APSIN legislation to improve criminal justice information.

At the heart of any criminal justice information system is accurate identification of offenders and tracking of important case "events" (i.e., arrest, release, conviction, sentence, etc.). Current Alaska statutes do not mandate fingerprinting of felons or misdemeanants, nor do they require criminal justice agencies to report important case "events" to the criminal history repository. The legislature and governor have worked together during this session on legislation to remedy these fundamental problems. The bill provides the framework for the success of any integration efforts. (The proposed APSIN legislation requires fingerprinting for all felonies immediately, and for all misdemeanors by 1996. This legislation also establishes authority with the Commissioner of Public Safety, advised by a board consisting of representatives from interested agencies, to require the criminal justice agencies to submit arrest and disposition information. See Appendix C for a discussion of the proposed legislation).

2. The legislature should enact the proposed APSIN legislation to support criminal records by fingerprints.

The state must positively identify offenders in order to maintain accurate criminal history records. Fingerprints remain the most widely accepted method of verifying an offender's identity, yet Alaska routinely identifies *only thirty-nine percent* of the offenders in the criminal history repository through fingerprints. The proposed legislation will solve this problem by requiring that agencies submit fingerprint cards for all offenders to the Department of Public Safety (currently, such submittals are voluntary.)

3. The legislature should fund a new automated fingerprint system, including Live-Scan fingerprint devices in the Department of Public Safety.

The second step in establishing a criminal history records system, after giving DPS the authority (discussed above) to require fingerprinting, is to provide the means of acquiring and using fingerprint records. The current fingerprint system cannot hold even the fingerprints that are anticipated in the near future. DPS must analyze its needs and present a funding request to the legislature for its 1995 session.

The funding request also should include live-scan devices for taking fingerprints easily, accurately and in a cost-effective manner. Department of Health and Social Services should have live-scan devices to fingerprint juvenile offenders as well.

4. The Department of Corrections must begin now to plan and acquire a computer information system to efficiently administer the department.

The Department of Corrections desperately needs a computerized management system to efficiently run the Department. The legislature this year should fund the detailed, methodical planning process needed before the department acquires a new system. Chapter IV explains the details of this planning process.

In addition to having funds for the planning process, DOC must make a commitment to carry it out. The Department must assign a capable administrator with some technical understanding of the project to lead the effort, and must authorize this person to call on Corrections personnel at all levels to participate in planning and implementation.

5. The Department of Law must begin to plan for the acquisition of a new case management system.

While DOL's situation is not otherwise analogous to DOC's, DOL does need to plan for and acquire a new case management system. DOL should work closely with DPS in this process. The design process that both DOL and DOC choose must include representatives of all other criminal justice agencies so that the systems that meet the agencies' individual needs also serve the needs of the justice system as a whole. See Chapter IV for more details.

6. The legislature should support the efforts of the other departments to improve their computer information systems.

This recommendation is the highest priority for the departments of Law and Corrections, because they have the least functional systems. Other agencies, such as the Alaska Court System and the Public Defender Agency, are using existing funds to develop case management systems using newer technologies. The legislature should support their continuing efforts. Even DPS, which has the most advanced system and can accommodate the electronic transfer of criminal history and offender information, needs further improvements.

7. Acquire a multi-protocol backbone network.

The Department of Administration, Division of Information Services (DOA/DIS) should receive capital funds to acquire a multi-protocol network. Because computers cannot communicate without a network, the network is critical to the successful integration of the criminal justice information systems.

8. Improve the quality of criminal history information

The criminal justice agencies as a whole must improve the mechanisms for arrest and disposition reporting. While DPS promptly enters into its computers all the fingerprints, arrest information, and court judgments that it receives, many fingerprints are never submitted and many are not even taken; all arrests are not entered by the law enforcement agencies; and some court dispositions are not received by Public Safety. Also, vital information on the location of the offender is not available from the Department of Corrections.

9. Comply with federal initiatives.

Several federal initiatives will require the state to provide complete, accurate, and timely criminal history records. The current lack of fingerprint-supported records and the inadequacy of criminal records restrict the state's ability to comply with these initiatives.

10. Develop standards for information sharing

Technology standards for information sharing represent the infrastructure that allows different computer systems to communicate effectively. Interagency committees already have set standards for key data elements, such as arrest tracking number (ATN), person ID number, name, social security number, date of birth, and court case number. These committees must continue to meet to resolve the questions of interfacing and new technology standards.

11. Expand the contents of the criminal history record.

The contents of the criminal history record maintained by the repository should be expanded to meet the real needs of the users of the records. The repository must store more data elements, and must make its information easily accessible. For example, implementing the "three strikes and you're out" initiative will require a criminal history record that tracks and records dispositions by charge and count.

12. Establish policies for interagency coordination.

Some organization must lead the way in addressing policy issues, standards, and integration methods. This agency also should provide leadership in coordinating technical efforts related to sharing information among justice agencies. The Criminal Justice Working Group, composed of cabinet-level officials from the operational agencies is the appropriate organization to resolve interagency policy issues relating to information sharing. The Department of Public Safety and the Telecommunications Information Council (TIC) also have leadership roles to play. See Chapter III for more discussion.

13. Enhance the criminal history repository.

Chapter VI of this plan describes the additional pieces of information that agencies should send to the criminal history data base. These enhancements should be carefully considered and implemented as new technologies provide a way to deliver the data.

14. Integrate agency systems.

Once the Alaska Court System and the departments of Law and Corrections have new computerized case management systems, they must transfer data electronically to the criminal history repository. Electronic transfers of key data among agency systems reduce data entry duplication and chances for errors.

15. Implement recommended technical alternative.

The recommended architectural alternative, shown as Figure 1 and discussed in Chapter VII, combines client/server technology with mainframe processing. All agencies should develop new systems using the "open" architectures offered by client/server systems.

16. Establish standards for information sharing.

DOA/DIS should chair the process of developing the open systems standards discussed in Chapter III and Appendix D. Standards ensure compatibility of new "open" systems among agencies. DIS also should assist agencies in evaluating how to use these new technologies. DIS should help agencies to select the best data base and assorted tool sets for their applications. The criminal justice inter-agency committees should develop standards for the transfer of criminal justice data among systems and the methods by which this transfer will occur.

D. The Cost of the Master Plan and the Cost of Doing Nothing

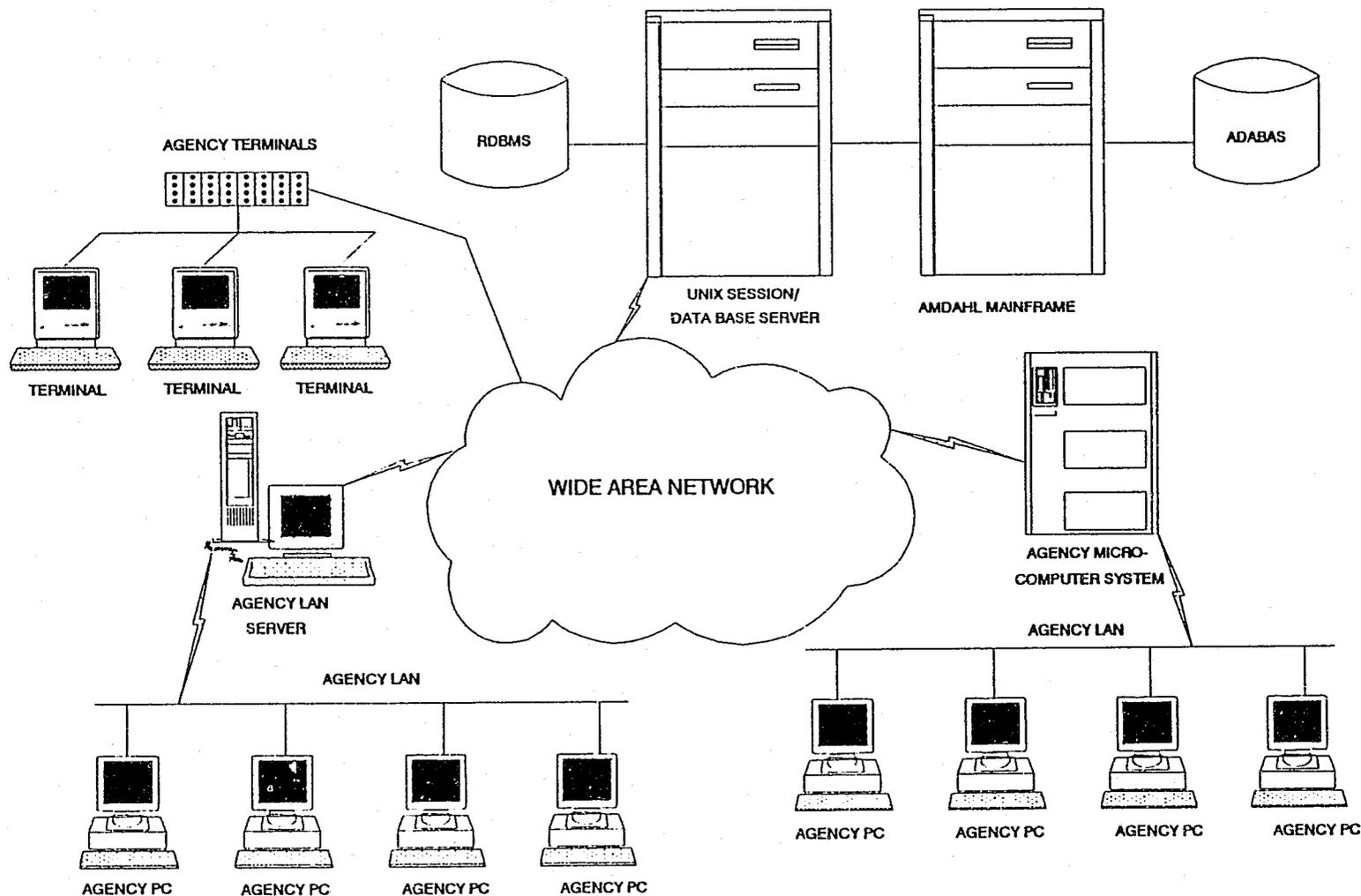
We estimated that Alaska spends about \$300 million a year on its criminal justice system—about \$1.5 billion over the next five years. The steps outlined in this report will cost about \$16,880,000 over the next five years, about one percent of total spending on the system. These costs are set out in detail in Chapter VIII. We believe they will lead to savings far greater than the costs.

Given the current fiscal climate in Alaska, the legislature and justice agencies will be tempted to reject the steps set out in this report, instead doing nothing and hoping that the current criminal justice computer systems will suffice. This alternative is neither realistic nor without cost. The \$300 million Alaska spends on criminal justice every year includes the unnecessary costs of duplicate data entry, and a myriad of time-consuming manual tasks that other jurisdictions have automated. The inefficiencies in just Department of Corrections, not to mention the system as a whole, are staggering. Without an integration of criminal justice information, the state of Alaska will continue to pay a high price for information that is neither accurate, timely, nor available.

If the state does nothing to coordinate and integrate its criminal justice computer systems, the justice agencies will require large numbers of additional staff to manually generate complete and accurate information. As the existing equipment ages further, the state will spend ever-larger amounts to maintain obsolete technology. Investing money in Alaska's justice agencies' case management systems will automate the collection, maintenance, and dissemination of criminal history record information and generate the information needed to administer justice and improve public safety without requiring large numbers of additional staff. Further, without the improvements outlined in this report, Alaska cannot comply with new federal and state mandates, let alone existing state laws.

FIGURE 1

ALTERNATIVE 3
UNIX SESSION/DATA BASE SERVER WITH RDBMS/
MAINFRAME DATA BASE SERVER WITH ADABAS



Nor can the state address deficiencies found in a single agency and ignore the rest of the criminal justice agencies. The deficiencies we found exist throughout the criminal justice system, and the system as a whole depends on many different agencies to provide complete, accurate, and timely information about crime and offenders. The solution, therefore, must include the entire system.

E. The Contents of the Report

This Executive Summary represents only the highlights of our findings, technical alternatives, and recommendations. The remainder of the report provides a complete discussion of these and other topics. The specific chapters that follow include:

- **Chapter I: Description of Existing Situation** -- This chapter describes agencies' existing systems, discusses the adequacy of those systems for meeting agency needs and for sharing information with other agencies, and outlines agencies' future technology development plans. This chapter also discusses agencies' readiness for integration.
- **Chapter II: Information Quality Assessment** -- This chapter assesses the quality of the existing criminal history data.
- **Chapter III: Need for a Policy Framework to Develop State Information Technology** -- This chapter discusses the need for a policy framework for developing information technology, including the need for a policy-making body and a lead agency to coordinate integration activities.
- **Chapter IV: Business Process Re-engineering** -- This chapter explains the business assessment and design process that agencies should undertake before acquiring new systems.
- **Chapter V: Model for an Integrated, Computerized Criminal History Record** -- This chapter discusses the criminal history record and how it should be used to meet both state and federal criminal history information needs.
- **Chapter VI: Criminal History Record Data Elements** -- This chapter lists and discusses the specific data elements that should be contained in a criminal history.
- **Chapter VII: Alternative System Configurations** -- This chapter explains the trends in technology, suggested client/server standards, and the alternatives for future system evolution. It also presents our recommended system configuration for Alaska.

- **Chapter VIII: Implementation Plan** -- This final chapter presents the detailed five-year implementation plan through which Alaska can achieve coordinated criminal justice information systems and high-quality criminal history records.
- **Appendix A** This part summarizes literature pertaining to integrating criminal justice systems and updating the criminal justice repository.
- **Appendix B** This part describes the operational structure of the Division of Information Services.
- **Appendix C** This part contains our commentary on the proposed APSIN fingerprint legislation.
- **Appendix D** This part sets out recommended open systems standards for Alaska.