

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

**Alaska Constitution**

ARTICLE IV, SECTION 4	Qualifications of justices and judges.
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; biennial report.
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.
12.62.100	Representative of Judicial Council to serve on Criminal Justice Information Advisory Board (CJIAB advises criminal justice agencies on criminal justice information systems and central repository).
15.13.010	Judges to file retention reports with APOC. (See AS 15.13 generally for detailed APOC requirements).
15.13.040	Requirement to report election advertising and other expenditures made for or against any candidate.
15.15.030(10)	Election ballot for judicial retention.
15.15.450	Certification of retention vote.
15.35.030	Approval/rejection of supreme court justice.
15.35.040	Retention filing deadline for supreme court.
15.35.053	Approval/rejection of court of appeals judge.
15.35.055	Retention filing deadline for court of appeals.
15.35.060	Approval/rejection of superior court judge.
15.35.070	Retention filing deadline for superior court.
15.35.080	Determination of judicial district in which superior court judge to seek approval.
15.35.100	Approval/rejection of district court judge.
15.35.110	Retention filing deadline 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 election pamphlet.
15.58.050	August 7 deadline for Judicial Council to file informational statements regarding justices and judges for election pamphlet. Statements must reflect evaluations and must describe each public reprimand, public censure or suspension received during the evaluation period by a justice or judge standing for retention. Six hundred word limit.
15.58.060 (c)	Judicial Council does not have to pay for space in election pamphlet.
18.85.030 and .050	Duty of Judicial Council to nominate public defender candidates. Candidates to be nominated as soon as possible if vacancy occurs mid-term.

22.05.020	Composition of supreme court.
22.05.070	Qualifications of supreme court justices.
22.05.080	Judicial Council 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	Judicial Council to evaluate supreme court justices eligible for retention, and provide information and any recommendation to public.
22.05.130	Restrictions on supreme court justices.
22.07.010	Composition of court of appeals.
22.07.040	Qualifications of court of appeals judges.
22.07.060	Judicial Council to evaluate court of appeals judges eligible for retention, and provide information and any recommendation to public.
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.
22.10.010	Judicial districts established.
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	Composition of superior court; Judicial Council to designate judicial district in which appointee to reside and serve.
22.10.150	Judicial Council to evaluate superior court judges eligible for retention, and provide information and any recommendation to public.
22.10.180	Restrictions on superior court judges.
22.15.020	Composition of district court.
22.15.160	Qualifications of district court judges.
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. Presiding judge may appoint acting district court judges.
22.15.195	Judicial Council to evaluate district court judges eligible for retention, and provide information and any recommendation to public.
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.
22.20.200	Judicial Council to periodically review and distribute information about legal use of DNA profiles to selected agencies.
22.25.010(b)	Copy of declaration of judicial retirement for incapacity to be filed with Judicial Council.
22.30.010	Judicial Council members may not serve simultaneously on Commission on Judicial Conduct.
22.30.011	Commission on Judicial Conduct to report to Judicial Council all public sanctions imposed on justices and judges standing for retention.
22.30.070©	Copy of notice of judicial retirement for disability to be filed with Judicial Council.
24.55.100 & .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 to Judicial Council.
39.20.170-.185	Travel and per diem reimbursement for Judicial Council members; no per diem for business in home community.
39.25.110(2) and (10)	Justices, judges, Judicial Council members and staff exempt from coverage of State Personnel Act.
39.50.010-.090, .135, .200	Council members to file reports of financial and business interests with APOC. Procedures and consequences detailed.
40.25.110-120; 39.90.010	Inspection and copying of public records; compliance not to be penalized.
44.19. 641-642	Creates Alaska Criminal Justice Commission; provides that Alaska Judicial Council shall provide staff and administrative support.
44.62.175	Council meetings to be noticed on Alaska Online Public Notice System.
44.62.310	Council meetings open to the public; notice required; teleconference and executive session procedures.
44.62.312	State policy regarding meetings.
44.99.200-.240	Production of publications; disclosure statement required.

### Rules of Court

Alaska Bar R. 21(c)(5)	Judicial Council access to confidential information maintained by Bar Counsel regarding applicants for judicial vacancies.
Judicial Conduct Canon 5	Political activities allowed and prohibited for judges and for candidates for judicial office.
Adm. R. 23(c)	<i>Pro tem</i> judge performance evaluation by Council.

### Administrative Code

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

### State Admin. Regulations

(State Administrative Manual)

AAM 60.010-60.400	Travel and moving.
-------------------	--------------------

### Alaska Attorney General Opinions

#366-357-83 (12/3/1982)	Five year statutory residency requirement for justices and judges is constitutionally sound.
#366-781-82 (10/25/1982), #A66-423-82 (4/1/1982)and #J66-532-81 (3/9/1981)	AS 39.20.185, disallowing per diem "when the meeting or other business takes place in the community of which the member is a resident," applies only to a Council member who is otherwise employed by, or is an officer of, the state (i.e., the Chief Justice).
#J66-463-81 (1/12/1981)	Governor may appoint an acting public defender to fill vacancy, pending a permanent appointment.  Judicial Council and governor to fill public defender vacancy as soon as possible.
#J66-417-80 (1/28/1980)	Judicial Council may contract with state agency to evaluate agency program relating to the administration of justice.  The scope of the studies and reports that may be undertaken by the Judicial Council is limited in practicality solely by the sound discretion of the Council.
#xxx-680-xx (11/8/1968)	Judicial Council may submit more than two names to governor for each judicial vacancy to be filled.  Governor is bound to fill judicial vacancy from list of nominees submitted by Judicial Council.

#663 -87 -0258 (12/12/1986)	Executive Ethics Act (AS 39.52) does not apply to Judicial Council.
#366 -308 -85 (1/16/1985)	Sitting state legislator may apply for an existing judicial position, but would be ineligible for appointment if the legislature were to increase the benefits of the judicial office before the date of the appointment.
#366 -625 -84 (supp) (10/9/1984)	Judicial Council is a public agency subject to general state law, including the public meetings statute (AS 44.62.310).  Judicial Council may discuss judicial applicants' qualifications in executive session, with the discussions and deliberations kept confidential.
#366-625-84 (10/3/1984)	Judicial Council is subject to state public records statutes; Council may adopt rules and regulations regarding the confidentiality of its records, consistent with those statutes.  Judicial Council must consider constitutional right to privacy and deliberation process in deciding if particular records are confidential.  Judicial Council does not have subpoena power to compel testimony or the production of records.  Submission to the governor of confidential contents of Council records or files, including confidential reference letters, is within the discretion of the Council. Confidential letters transferred to the governor remain confidential. (See also, #366 -350- 84 (1/5/1984), regarding governor's release to a Council member of portions of reference letter referring to that Council member).
#366-624-84 (7/19/1984)	Residence and practice of law requirements for district court judge candidates.

### **Past Statutes, Temporary and Special Acts, and Resolutions**

Ch. 108, Sec. 1 (1996) <i>(repealed effective 7/1/05)</i>	Duty of Council to evaluate and nominate administrative law judge candidates; duty of Council to evaluate administrative law judge who seeks reappointment; duty to recommend to governor whether administrative law judge should be reappointed.
Ch. 73 (1990)	Authorizing the Alaska Sentencing Commission to place staff under the executive director of the Judicial Council.
H. Conc. Res. 5am S (1979)	Request for Council to expand statistical sentencing research to address inequities in sentencing ethnic minority offenders.
S. Res. 5am (8/16/1985)	Council to study grand jury.
Ch. 163 (1990)	Requiring the Judicial Council to establish and evaluate a pilot child visitation mediation project.
Ch. 026, Sec. 54 (1997)	Requiring the Judicial Council to report to the legislature regarding establishment of a program for alternative dispute resolution in the Alaska Court System.
Ch. 64, Sec.1(k)(2001)	Requiring the Judicial Council to develop a uniform data collection form for use by the therapeutic courts and to evaluate and report on the effectiveness of the pilot therapeutic court programs.
AS 09.68.130	Judicial Council to compile information relating to compromise or other resolution of some types of civil litigation. Repealed, 5/11/17. Also repealed AK Civil Rule 41(a)(3) appellate Rule 511 (c) and (e), effective May 11, 2017.
AS 21.06.087	Division of Insurance consult with Judicial Council-repealed, effective May 11, 2017.