



alaska judicial council

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MEMORANDUM

TO: Alaska Judicial Council

FROM: Staff

DATE: April 18, 2006

RE: Peremptory Challenge Rates for Judges Eligible for Retention in 2006

I. Introduction

In Alaska, a defendant has a right to a fair trial before an unbiased judge and the right to preempt a judge without proving bias or interest.¹ Two different authorities govern the challenge right. The legislature created the substantive right and defines its scope by statute.² The court regulates peremptory challenge procedures by court rules.³ In general, each side in a case gets one peremptory challenge.⁴

This memo examines retention judges' peremptory challenge records for judges who are eligible to stand for retention in November 2006. The tables display civil and criminal case challenges for each judge, by year. Because superior court judges' terms are six years, a six year period is examined for them. Because district court judges' terms are four years, a four year period is examined for them. No appellate judges are standing for retention in 2006 and in any case, parties have no right to peremptorily challenge an appellate judge, so those judges are not discussed.

¹See *Gieffels v. State*, 552 P.2d 661 (Alaska 1976).

²See *id.*; AS 22.20.020.

³See Alaska R. Crim. P. 25(d); Alaska R. Civ. P. 42(c).

⁴See *id.*

II. Context for evaluating peremptory challenge data

Although the peremptory challenge provisions were designed to ensure each litigant's right to a hearing by a fair and impartial judge, in practice many factors prompt litigants or attorneys to challenge judges. Some parties might challenge a judge because they perceive the judge to be unfair in a certain type of case, while others might challenge a judge because they perceive the judge to be "too fair," and hope their case will be reassigned to a judge who they perceive as being more favorable to their case. Such a scenario can be especially relevant in smaller judicial districts and communities, where attorneys often can predict which other judge will receive the reassigned case. Other reasons parties might challenge judges include unfamiliarity with a new judge or seeking to avoid the demands of a judge who insists on high standards of practice or timeliness. Sometimes an attorney will use a peremptory challenge with the hope that a change of judge will result in additional time to prepare the case.

The Alaska Court System provides the Council with data regarding "disqualifications." The data are categorized into disqualifications brought in criminal cases by defense attorneys or prosecutors, those brought in civil cases by plaintiffs or defendants, and those initiated by the judges themselves. Most courts also track peremptory challenges in children's cases. These cases include Child in Need of Aid ("CINA") cases and juvenile delinquency cases. Children's cases are included among civil cases in this analysis even though delinquency cases are more like criminal cases than civil cases. This is because the available data did not distinguish between delinquency and CINA cases in children's proceedings.

Each judge collects the data and provides it to the court system analyst for compilation quarterly. In recent years, the court has instituted a new computerized case management system in Anchorage, Fairbanks, and Palmer that has facilitated the collection of accurate data. Data collection under the old system was uneven and less precise. Because of this, the Council forwarded its analysis of the data to judges and court administrators to confirm the accuracy of the data.

Care must be taken when comparing judges with different caseloads. Judges with higher-volume caseloads generally will have more peremptory challenges than those with lower-volume caseloads. Appendices A and B provide comparative caseload information for superior and district court judges. Appendix A reveals that average superior court caseloads range from about 220 cases per judge in Dillingham and Sitka to about 740 cases per judge in Anchorage and Palmer. These appendices should only be used as a rough guide, however. Presiding judges sometimes ease one court's heavy caseload by assigning cases to judges from other venues within their judicial district, and to *pro tem* judges. Moreover, superior courts with heavy caseloads may ease their burden somewhat by assigning the bulk of a case to masters and/or magistrates. Similarly, statistics in the district court caseload tables may reflect cases handled by magistrates as well as by district court judges. The court system's caseload data does not reflect when a judge regularly travels to another community to hear cases. Finally, consideration must be taken of judges who handle predominately criminal or predominately civil caseloads, as judges in Anchorage do, versus those judges who handle all cases.

Parties who have not previously exercised their right of peremptory challenge may challenge newly assigned judges, as if their case had been newly filed. Consequently, challenges often increase when a judge is assigned to a different caseload. Challenges also often occur when a new judge is appointed because those judges are newly assigned to existing cases and because that judge is

“unknown” and thus less predictable. Another factor to consider is that some communities have only one or two assistant district attorneys or assistant public defenders. If an assistant DA or PD perceives a reason to categorically challenge a particular judge, that judge’s criminal peremptory challenge rate will be high, even though just one or two attorneys might be responsible for virtually all of that judge’s challenges.

Care must also be taken when comparing judges across judicial districts. In 1995, the Anchorage Superior Court consolidated into civil and criminal divisions. Since then, all civil cases (including domestic relations, child in need of aid cases and domestic violence cases) have been assigned equally to each of the Anchorage Superior Court judges in the civil division. Criminal division judges handle criminal and child delinquency cases, but do not routinely handle domestic cases. For this reason, it may be misleading to compare the peremptory challenges a superior court judge in Anchorage with the rate of a superior court judge in another judicial district. Also, some judges in some judicial districts currently handle the therapeutic courts, such as Wellness Court, or felony DWI court. The impact of those caseloads on a judge’s challenge rate is unknown.

Because so many factors may potentially affect the number of peremptory challenges filed, these numbers should only be used as a signal of a potential issue with a judge. Once a high number of challenges is identified from the table, please refer to the explanatory text on the following pages which gives context for the judge’s caseload and potential factors which may have affected his or her challenge rates.

A. Superior Court⁵

Judge	2000		2001		2002		2003		2004		2005		Average Number Challenges per year
	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	
Bolger (Kodiak) (Appointed 9/2/03)									1 1D	3 3D	0	4 4D	4
Brown (Kenai)	56 22D 34P	11 11D	28 13D 15P	43 43D	39 20D 19P	40 37D 3P	48 29D 19P	102 101D 1P	35 13D 22P	75 75D	38 17D 16P 5U	76 76D	99
Devaney (Bethel) (Appointed 2/27/02)					11 8D 3P	33 33D	24 18D 6P	62 62D	33 23D 10P	47 46D 1P	32 11D 14P 7U	0	63
Erlich (Kotzebue)	12 9D 3P	1 1D	0	2 2D	3 3P	7 7D	18 8D 10P	17 12D 5P	20 15D 5P	79 72D 7P	32 7D 25P	67 65D 2P	43
Esch (Nome)	5 1D 4P	2 2D	2 2P	1 1D	1 1P	1 1P	3 2D 1P	0	3 1D 2P	4 4D	7 4D 3P	2 2D	5

⁵"D" signifies "defendant" in both criminal and civil cases.

"P" signifies "plaintiff" in civil cases and "prosecutor" in criminal cases.

"U" signifies unknown whether challenge raised by plaintiff or defendant.

If a judge had fewer than six months on the bench in the first year of appointment, the number of challenges in that year was not used to calculate the average number of annual challenges for that judge. Blank spaces in the table represent years that preceded the judge's appointment to the current position.

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	2000		2001		2002		2003		2004		2005		Average Number Challenges per year
Judge	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	
Huguelet (Kenai) (Appointed 9/2/03)									8	4	4	5	9
									6D 2P	3D 1P	3D 1P	1D 4P	
Michalski (Anchorage)	70	0	41	0	74	0	71	0	89	0	90	0	73
	31D 39P		12D 29P		22D 52P		27D 44P		32D 57P		28D 62P		
Morse (Anchorage) (Appointed 2/27/02)					47	0	33	0	62	0	63	1	54
					18D 29P		16D 17P		27D 35P		32D 31P	1P	
Olsen (Fairbanks) (Appointed 4/28/03)							14	10	10	68	17	60	64
							6D 8P	6D 4P	5D 5P	18D 50P	9D 8P	43D 17P	
Eric Smith (Palmer)	33	10	41	5	33	0	52	13	17	7	31	11	44
	18D 15P	2D 8P	20D 21P	3D 2P	25D 8P		36D 16P	8D 5P	14D 3P	7D	22D 9P	10D 1P	
Suddock (Anchorage) (Appointed 11/14/02)					1	0	90	0	49	0	37	0	59
					1D		62D 28P		29D 20P		11D 26P		
Tan (Anchorage)	23	0	27	0	43	0	15	0	28	0	28	0	27
	11D 12P		11D 16P		28D 15P		6D 9P		11D 17P		12D 16P		

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	2000		2001		2002		2003		2004		2005		Average Number Challenges per year
Judge	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	
Torrissi (Dillingham)	0	5 5D	2 2D	4 3D 1P	1 1D	2 2P	0	4 2D 2P	0	2 2D	3 3P	4 4D	5
Volland (Anchorage) (Appointed 11/14/02)							26 19D 7P	0	2 2P	1 1P	1 1P	3 3P	11
Weeks (Juneau)	12 3D 9P	3 3D	5 2D 3P	8 8D	10 7D 3P	4 4D	9 6D 3P	3 3D	13 4D 9P	3 3D	5 3D 2P	7 7D	14
Wolverton (Anchorage)	1 1P	22 7D 15P	0	7 7D	0	74 3D 71P	1 1P	1 1D	1 1P	48 10D 38P	3 1D 2P	11 1D 10P	28
Wood (Fairbanks) (Appointed 8/30/02)							10 10P	13 7D 6P	7 1D 6P	8 8D	18 7D 11P	8 6D 2P	21
Zervos (Sitka)	0	7 3D 4P	1 1D	8 2D 6P	1 1P	6 3D 3P	2 1D 1P	8 7D 1P	1 1P	6 5D 1P	0	13 13D	9

Overall: The average number of peremptory challenges for the superior court judges on the ballot in 2006 was 36 per year. As discussed above, caution should be used when comparing a particular judge's annual average with the average for all judges. The location of the judgeship, the size of a judge's caseload, the type of cases heard by the judge, and the local legal culture can and do affect peremptory challenge rates. For example, it is not surprising that Judges Torrisi and Zervos, who preside over smaller caseloads than other superior court judges, have fewer peremptory challenges. The legal culture among attorneys practicing criminal law in Kenai is reportedly very contentious and helps to explain Judge Brown's relatively high number of peremptory challenges. Judges in rural locations, like Judges Erlich and Brown, are particularly susceptible to peremptory challenges because there are relatively few attorneys in these locations. The actions of only one or two attorneys can substantially affect a judge's peremptory challenge rate. At the same time, judges with many years of service on the bench, like Judge Michalski, may experience more peremptory challenges because they have been exposed to more attorneys. Peremptory challenge rates must be considered in the context of other available information about a judge's performance.

Judge Bolger (Kodiak): Judge Bolger averaged a very low number of challenges after his appointment to the superior court bench in 2003. When challenges were filed, they were most commonly filed by criminal defense attorneys.

Judge Brown (Kenai): Among the superior court judges on the ballot in 2006, Judge Brown had the highest average number of peremptory challenges. Peremptory challenges were particularly high from 2003-2005. The majority of challenges were filed by criminal defense attorneys, mostly public defenders. A substantial number of the civil case challenges were filed in children's proceedings. Litigants in these proceedings are commonly represented by many of the same attorneys who represent criminal defendants. Most of the other challenges in civil cases were filed by plaintiffs' attorneys.

Judge Huguelet is the other superior court judge in Kenai. Commencing in 2006, Judge Huguelet has experienced a high number of peremptory challenges in criminal cases by prosecutors. These circumstances suggest that the local legal culture is a substantial factor affecting the high number of peremptory challenges filed in criminal cases in Kenai. Judges in rural locations can be particularly susceptible to peremptory challenges. Rates may be substantially affected by the actions of very few attorneys.

Judge Devaney (Bethel): Judge Devaney averaged a higher number of peremptory challenges than most other superior court judges due to a relatively high number of peremptory challenges filed by criminal defense attorneys in 2003 and 2004. In 2005, Judge Devaney did not experience any challenges filed by criminal defense attorneys which caused a noticeable decline in his peremptory challenge total for that year.

Judge Erlich (Kotzebue): From 2000-2003, Judge Erlich experienced very few peremptory challenges. In 2004 and 2005, Judge Erlich had a high number of peremptory challenges, most of which were filed by criminal defense attorneys. About two-thirds of the civil challenges in 2005 were filed by the state in children's cases. Judges in single judge locations may be particularly susceptible to peremptory challenges. Rates may be substantially affected by the actions of very few attorneys. Peremptory challenges in Judge Erlich's children's cases and criminal cases have declined substantially in 2006.

Judge Esch (Nome): Judge Esch experienced a very low peremptory challenge rate over his most recent term. More challenges were filed in civil cases than in criminal cases.

Judge Huguelet (Kenai): Through 2005, few peremptory challenges were filed against Judge Huguelet who was appointed to the bench in 2003. Commencing in 2006, Judge Huguelet experienced a high number of peremptory challenges by prosecutors in criminal cases. (The data cited above do not include cases filed in 2006.)

Judge Brown is the other superior court judge in Kenai. Judge Brown was subject to a high number of peremptory challenges from criminal defense attorneys. These circumstances suggest that the local legal culture is a substantial factor affecting the high number of peremptory challenges filed in criminal cases in Kenai. Judges in rural locations can be particularly susceptible to peremptory challenges. Rates may be substantially affected by the actions of very few attorneys.

Judge Michalski (Anchorage): Judge Michalski experienced a higher number of peremptory challenges than most other superior court judges. These challenges only occurred in civil cases because Judge Michalski did not preside over criminal cases during his most recent term. Most of the challenges were filed by plaintiffs' attorneys. Judge Michalski has served as a superior court judge for many years which may have contributed to a higher peremptory challenge rate. A judge on the bench for many years will have direct experience with more attorneys than other judges. Some of these attorneys will perceive a reason to file a peremptory challenge.

Higher than average numbers of peremptory challenges were also filed against Anchorage Superior Court Judges Morse (54/year) and Suddock (59/year) who also had predominantly or exclusively civil caseloads. This suggests that numbers of peremptory challenges experienced by judges were affected by their type of caseload.

Judge Morse (Anchorage): Judge Morse experienced a higher number of peremptory challenges than most other superior court judges. All but one of the peremptory challenges were filed in civil cases because Judge Morse's caseload has been almost exclusively civil. Challenges were filed by plaintiffs' and defense attorneys at fairly similar rates. Higher than average numbers of peremptory challenges were also filed against Anchorage Superior Court Judges Michalski (73/year) and Suddock (59/year) who also had predominantly or exclusively civil caseloads. This suggests that numbers of peremptory challenges experienced by judges were affected by their type of caseload.

Judge Olsen (Fairbanks): Judge Olsen experienced a higher than average number of peremptory challenges since his appointment to the bench in 2003. In 2004, the majority of peremptory challenges were filed by prosecutors. In 2005, the majority of challenges were filed by criminal defense attorneys. Fairbanks District Court Judges Burbank and Kauvar experienced above average numbers of peremptory challenges in criminal cases. This suggests that the peremptory challenge rate may be affected by the legal culture in Fairbanks.

Judge Eric Smith (Palmer): Judge Eric Smith experienced an average number of peremptory challenges. A substantial majority of the challenges were filed in civil cases. Among challenges filed in civil cases, twice as many were filed by defense attorneys than were filed by plaintiffs' attorneys.

Judge Suddock (Anchorage): A relatively high number of peremptory challenges were filed in Judge Suddock's cases in 2003, his first year on the bench. The majority of these challenges were filed by defense attorneys in civil cases. Judge Suddock's prior experience as a plaintiffs' attorney may have affected these challenges. After Judge Suddock's first year on the bench, the number of challenges filed by defense attorneys in civil cases declined noticeably from 51 (2003) to 18 (2004) to 11 (2005). All of Judge Suddock's challenges were filed in civil cases because Judge Suddock did not start presiding over criminal cases until very late in 2005. Higher than average numbers of peremptory challenges were also filed against Anchorage Superior Court Judges Michalski (73/year) and Morse (54/year) who also had predominantly or exclusively civil caseloads. This suggests that numbers of peremptory challenges experienced by judges were affected by their type of caseload.

Judge Tan (Anchorage): Judge Tan experienced a relatively low number of peremptory challenges. All challenges were filed in civil cases because Judge Tan did not preside over criminal cases. Challenges were filed by plaintiffs' and defense attorneys at fairly similar rates.

Judge Torrisi (Dillingham): Very few peremptory challenges were filed in Judge Torrisi's cases. Most were filed by defense attorneys in criminal cases.

Judge Volland (Anchorage): In 2003, Judge Volland's first year on the bench, an average number of peremptory challenges were filed. Most were filed by defense attorneys in civil cases. In 2004 and 2005, very few challenges were filed.

Judge Weeks (Juneau): A low number of peremptory challenges were filed in Judge Weeks' cases. Slightly more were filed in civil cases than in criminal cases. Civil case peremptions were fairly evenly split between plaintiffs' and defense attorneys. All of the criminal case challenges were filed by defense counsel.

Judge Wolverton (Anchorage): Judge Wolverton experienced a somewhat lower than average number of peremptory challenges. Judge Wolverton's caseload was predominantly criminal, so few challenges were filed in civil cases. Most challenges were filed by prosecutors. In 2002, Judge Wolverton experienced 71 challenges from prosecutors. In subsequent years, peremptory challenges filed by prosecutors declined, including no challenges in 2003 and ten in 2005.

Judge Wood (Fairbanks): A low number of peremptory challenges were filed in Judge Wood's cases after his appointment to the superior court bench in 2002. Challenges were evenly split among civil and criminal attorneys and plaintiffs' and defense attorneys. In 2003 and 2005, many of the civil case challenges occurred in children's cases and were filed by attorneys representing the state. Judge Wood had the highest recusal rate among judges on the ballot in 2006. Judge Wood's high recusal rate may have contributed to a lower peremptory challenge rate.

Judge Zervos (Sitka): Judge Zervos experienced a low peremptory challenge rate overall and a very low peremptory challenge rate in civil cases. Most challenges in criminal cases were filed by criminal defense attorneys.

B. District Court⁶

Judge	2002		2003		2004		2005		Average Number Challenges per year
	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	
Burbank (Fairbanks) (Appointed 4/28/03)			2 2D	18 18P	2 1D 1P	107 3D 104P	0	121 5D 116P	87
Clark (Anchorage) (Appointed 6/11/03)			1 1P	0	0	1 1D	2 1D 1P	3 3D	2
Estelle (Palmer) (Appointed 1/23/03)			2 2D	14 13D 1P	0	59 58D 1P	1 1D	13 13D	29
Heath (Palmer) (Appointed 10/11/03)			0	2 2P	1 1D	9 1D 8P	0	3 2D 1P	7
Kauvar (Fairbanks)	11 7D 4P	33 32D 1P	5 3D 2P	38 32D 6P	7 6D 1U	15 15D	6 2D 4P	10 10D	31
Landry (Kenai) (Appointed 11/1/04)					3 1D 2P	6 6D	1 1P	0	1
Lohff (Anchorage)	0	6 6D	7 2D 5P	8 8D	2 2D	5 5D	2 2D	1 1D	8
Miller (Ketchikan)	0	9 8D 1P	0	5 4D 1P	1 1P	11 11D	0	4 4D	8

⁶"D" signifies "defendant" in both criminal and civil cases.

"P" signifies "plaintiff" in civil cases and "prosecutor" in criminal cases.

"U" signifies unknown whether challenge raised by plaintiff or defendant.

If a judge had fewer than six months on the bench in the first year of appointment, the number of challenges in that year was not used to calculate the average number of annual challenges for that judge. Blank spaces in the table represent years that preceded the judge's appointment to the current position.

	2002		2003		2004		2005		Average Number Challenges per year
Judge	Civ	Crim	Civ	Crim	Civ	Crim	Civ	Crim	
Motyka (Anchorage)	2 1D 1P	1 1D	3 3D	0	2 2P	2 2D	2 2P	2 1D 1P	4
Sigurd Murphy (Anchorage)	1 1P	4 3D 1P	0	36 27D 9P	0	8 1D 7P	3 3P	14 9D 5P	17
Rhoades (Anchorage)	9 3D 6P	3 3D	11 6D 5P	2 2D	10 3D 7P	3 2D 1P	17 3D 14P	2 1D 1P	14
Jack Smith (Anchorage) (Appointed 1/23/03)			0	2 2D	0	2 2P	0	3 1D 2P	2
Wolfe (Palmer) (Appointed 11/1/04)							0	20 20D	20

Overall: Many fewer peremptory challenges were reported for district court judges than for superior court judges, particularly considering the substantially higher caseloads in district court. The average number of peremptory challenges for a district court judge was seventeen. In district court, criminal cases are not assigned until trial call which means that attorneys in district court cases have relatively fewer opportunities to bring a peremptory challenge than those in superior court cases. It is also possible that the disqualifications are under-reported in district court criminal cases, in part due to the higher caseloads.

Judge Burbank (Fairbanks): Among the district court judges on the ballot in 2006, Judge Burbank had the highest average number of peremptory challenges. Almost all of the challenges were filed by prosecutors. Fairbanks Superior Court Judge Olsen and Fairbanks District Court Judge Kauvar experienced above average peremptory challenge rates in criminal cases. This suggests that the peremptory challenge rate in criminal cases may be affected by the legal culture in Fairbanks.

Judge Clark (Anchorage): Judge Clark, appointed to the bench in 2003, experienced almost no peremptory challenges.

Judge Estelle (Palmer): Since his appointment to the bench in 2003, Judge Estelle experienced an above-average number of peremptory challenges. Judges in the Palmer court have higher than average caseloads which likely affects the number of peremptory challenges filed. Almost all of the challenges were filed by criminal defense attorneys. The vast majority of challenges filed by criminal defense attorneys were filed in 2004. In 2005, the number of challenges

filed by criminal defense attorneys declined to 13.

Judge Heath (Palmer): Judge Heath, appointed to the bench in 2003, experienced a low number of peremptory challenges. Most were filed by prosecutors in 2004. Judge Heath's prior experience as a public defender may have affected these challenges.

Judge Kauvar (Fairbanks): The number of peremptory challenges filed in Judge Kauvar's cases was above average for a district court judge. Fairbanks Superior Court Judge Olsen and Fairbanks District Court Judge Burbank experienced an above average number of peremptory challenges in criminal cases. This suggests that the peremptory challenge rate in criminal cases may be affected by the legal culture in Fairbanks. Most of Judge Kauvar's challenges were filed by criminal defense attorneys. The number of challenges declined steadily from 44 in 2002 to 16 in 2005.

Judge Landry (Kenai): Judge Landry was appointed to the bench in late 2004, so few data were available. Nine peremptory challenges were filed in Judge Landry's first two months, but only one challenge was filed in 2005.

Judge Lohff (Anchorage): Judge Lohff experienced a low number of peremptory challenges, mostly by defense attorneys in civil and criminal cases.

Judge Miller (Ketchikan): Few peremptory challenges were filed in Judge Miller's cases. Almost all challenges were filed by criminal defense attorneys.

Judge Motyka (Anchorage): Judge Motyka experienced very few peremptory challenges.

Judge Murphy (Anchorage): Over a four year period, Judge Murphy had an average number of peremptory challenges. In 2003, a relatively high number of peremptory challenges were filed by criminal defense attorneys.

Judge Rhoades (Anchorage): The number of peremptory challenges filed in Judge Rhoades' cases was slightly below average for a district court judge. Very few challenges were filed in criminal cases. Most of the challenges filed in civil cases were filed by plaintiffs' attorneys.

Judge Jack Smith (Anchorage): Judge Jack Smith, appointed to the bench in 2003, experienced almost no peremptory challenges.

Judge Wolfe (Palmer): Judge Wolfe was appointed to the bench in late 2004, so few data were available. In 2005, Judge Wolfe had a slightly higher than average number of peremptory challenges, all filed by criminal defense attorneys. Judge Wolfe's prior experience as a prosecutor may have affected these challenges. Judges in the Palmer court have higher than average caseloads which likely affects the number of peremptory challenges filed.

Appendix A - Comparative Caseloads - Alaska Superior Court

Location	Case Filings by Fiscal Year (7/1-6/30)	2000	2001	2002	2003	2004	2005	Average filings/judge
Anchorage (12 Judges) ⁷		8,490	8,214	8,209	8,411	8,832	9,340	735
Bethel (2 Judges) ⁸		938	885	889	1013	1004	1000	503
Dillingham (1 Judge)		122	142	190	323	271	267	219
Fairbanks (5 Judges)		2,546	2,556	2,658	2,679	2,780	2,635	528
Juneau (2 Judges)		871	990	1,065	1,018	1,061	1,039	504
Kenai (2 Judges)		955	969	971	1,154	1,257	1,183	541
Kodiak (1 Judge)		380	416	367	451	489	511	436
Kotzebue (1 Judge)		319	331	430	330	328	445	364
Palmer (2 Judges)		1,245	1,400	1,430	1,495	1,628	1,699	741
Sitka (1 Judge)		226	210	224	196	233	238	221

⁷Twelfth superior court judgeship added in 2001. Average based on 11.67 judgeships from FY 00-05.

⁸Second superior court judgeship added in 2002. Average based on court filings from FY 03-05.

Appendix B - Comparative Caseloads - Alaska District Court:

Location	Case Filings by Fiscal Year (7/1-6/30)	2002	2003	2004	2005	Average filings/judge
Anchorage (9 Judges)		46,130	51,256	54,446	51,285	5,642
Fairbanks (3 Judges)		14,734	15,273	13,522	12,336	4,655
Kenai ⁹ (1 Judge)		9,547	9,244	10,923	8,975	8,975
Ketchikan (1 Judge)		3,883	4,590	3,765	3,371	3,902
Palmer (3 Judges)		14,447	13,536	16,558	19,874	9,202

⁹Judgeship created in 2004. FY 05 data used as average.