

HJR 18 – Qualifications to be Attorney General

Representative LeDoux asked why the qualifications for a superior court judge were used for the qualifications of the Attorney General in HJR 18?

HJR 18, Page 1, Line 14 and following states

“Section 28. Attorney General. (a) The attorney general shall be elected in the manner provided by law by the qualified voters of the State at the same time and for the same term as the governor. A person is not eligible to serve as attorney general unless the person meets the qualifications for a superior court judge.”

Qualifications to be a superior court judge

In the Constitution

Article 4 § 4. Qualifications of Justices and Judges

Supreme court justices and superior court judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law.

In Alaska Statutes

AS 22.10.090. Qualifications of judges.

A judge of the superior court shall be a citizen of the United States and of the state, a resident of the state for five years immediately preceding appointment, have been engaged for not less than five years immediately preceding appointment in the active practice of law, and at the time of appointment be licensed to practice law in the state.

The active practice of law shall be as defined for justices of the supreme court in AS 22.05.070 .

Active Practice of Law

AS 22.05.070 Active Practice of Law.

The active practice of law includes

- (1) sitting as a judge in a state or territorial court;
- (2) being actually engaged in advising and representing clients in matters of law;
- (3) rendering legal services to an agency, branch, or department of a civil government within the United States or a state or territory of the United States, in an elective, appointive, or employed capacity;
- (4) serving as a professor, associate professor, or assistant professor in a law school accredited by the American Bar Association