

Daniel George

From: Sue Johnson <scjohnson@gci.net>
Sent: Tuesday, February 17, 2015 2:46 PM
To: Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bill Wielechowski; Sen. Bill Stoltze; Sen. John Coghill
Subject: Oppose SJR 3

Dear Senators:

I want to go on record to express my opposition to SJR 3. I believe we should preserve the separation of powers between the Judicial Branch and the Legislative Branch in order to keep the politics out of our justice system.

Allowing a Governor to appoint most of the council members and then obtain legislative confirmation politicizes Alaska's merit-based judicial selection and retention process. It also gives the Executive and Legislative Branches undue influence over the Judicial Branch and undermines the checks and balances that are needed for a fair and nonpartisan process. It is critical for us to possess judicial independence in our society.

Thanks for your consideration.

Respectfully,

Sue C. Johnson

Anchorage

Daniel George

From: Leslie Hiebert <lhiebert5@gmail.com>
Sent: Monday, February 16, 2015 3:23 PM
To: Sen. Bill Stoltze
Subject: SJR3

I am a lawyer and have practiced before the trial courts, Court of Appeals, and Supreme Court in Alaska. I also have experience trying cases in Texas where judges are elected and politicized. Alaska has a strong, ethical, and competent judiciary. I can't imagine a judge asking me if I had contributed to his campaign fund or telling me he would "charge rent" on the courtroom if I tried my case in front of him. This happened in Austin. Another judge told me I owed him because he dismissed a case I defended on my motion - even though the dismissal was due to lack of jurisdiction. Alaska needs and deserves judges who adhere to the rule of law and who are not there despite weak skills or because of popular appeal. Please do not alter the way we select our judges. Thank you.

>
> Leslie Hiebert
> Bar No. 8406029

Daniel George

From: tparagi@alaska.net
Sent: Wednesday, February 18, 2015 7:37 PM
To: Sen. Bill Stoltze; Sen. John Coghill; Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bill Wielechowski
Subject: please oppose SJR 3

Dear Senators,

I urge you to oppose SJR 3 that proposes to increase the number of non-attorney members of the Alaska Judicial Council from 3 to 6.

Upon learning of the resolution I read about the purpose and responsibilities of the Alaska Judicial Council and then read a recent letter to the Fairbanks newspaper:

http://www.newsminer.com/opinion/community_perspectives/judicial-council-bill-a-fix-in-search-of-a-flaw/article_d1e62e36-b1c8-11e4-908d-1bd57a06c7b0.html

I have not perceived controversy over this issue nor heard complaints over the nomination and endorsement procedures that are shown in the voter pamphlet at elections. I can understand the rationale to broaden citizen input, but random selection from among a group of people willing to do it (assuming other qualifications, e.g., resident, registered voter, non-felon) would be a more equitable means of selection than political appointments.

If the proposal for 3 new seats were to occur more like jury selection, I would support it. However, to my knowledge that would require an amendment to the Alaska Constitution.

Sincerely,

Tom Paragi
1271 Lowbush Lane
Fairbanks, AK 99709

Daniel George

From: Rosy Jacobsen <rosyandjordan@gmail.com>
Sent: Tuesday, February 17, 2015 8:29 AM
To: Sen. Bill Stoltze; Sen. John Coghill; Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bill Wielechowski
Subject: No on SJR 3, please!

Categories: Committee

I've been an Alaska resident for 25 years and appreciate the current merit-based system for selecting and retaining judges. I always cringe when we're Outside and see politics interfering with - or even just appearing to interfere with - judicial selection. The politics of the day (whether right or left) shouldn't hold any sway in who our judges are!

Please preserve the Constitutional Separation of Powers and our merit-based system by saying No to SJR 3. Thanks for listening!

Rosanne Jacobsen
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Anchorage AK 99504
907-229-2799

Daniel George

From: TOM WAGNER <tomwagnerak@gmail.com>
Sent: Monday, February 16, 2015 3:50 PM
To: Sen. Bill Stoltze; Sen. John Coghill; Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bill Wielechowski
Subject: Please do not pass SJR3

Dear Members of the Senate State Affairs Committee:

I write to urge you to vote against approval of SJR3. That bill would weaken Alaska's judicial system for years into the future. Alaska's judicial selection and retention system is probably the finest in the country. If it ain't broke, don't fix it!

The Alaska Judicial Council is composed of three non-lawyer members and three lawyer members, plus the state's chief justice who acts as ex-officio chair. The bill would add three more non-lawyer members, and would subject the lawyer members to confirmation by the legislature. The intent, I assume, is to ensure the non-lawyer members are not overrun by the lawyer. In fact, it would render our current merit selection process more political, cumbersome, and expensive than it needs to be, or should be.

The current system, as designed by the constitutional framers, first provides a nonpolitical method for the council to nominate a slate of highly qualified candidates for the governor to select from. The lawyer members probably have the most experience dealing with judges and lawyers. They have practical experience in dealing with the character traits and methods that make a candidate likely to be a good judge. The lawyer members and the non-lawyer members are both expected to have a good deal of sensitivity to those traits that might impinge on the public. This part of the selection process is to be merit based and not political. It is to ensure that only the most highly qualified candidates are forwarded to the governor.

The second part of the selection process, the selection of a judge from the slate of highly qualified candidates, is political. The governor, by virtue of his or her election as governor, is by definition pretty good at dealing with political matters and is responsive to the constituents.

To inject politics into the first part of the process by requiring legislative confirmation of the lawyer members, would weaken the first, nonpolitical, part of the selection process.

To expand the number of non-lawyers to six, while having only three lawyer members, would damage the balance of selecting for both professional competence and personal character traits. Moreover, a committee of ten,

including the ex-officio chair, would be much more unwieldy, cumbersome, and expensive to convene and work with than the current group of seven.

For these reasons, I urge you to vote against advancement of SJR3. Thank you for your consideration.

Tom

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Daniel George

From: Erin Dougherty <erincdough@gmail.com>
Sent: Tuesday, February 17, 2015 2:02 PM
To: Sen. Bill Stoltze
Subject: Comment re: SJR 3

Hi Senator Stoltze,

I'm writing to you as a member of the State Affairs Committee to voice my opposition to SJR 3, which will be taken up by the Committee later this week. SJR 3 intends to change Alaska's process of selecting judges. Alaska's Constitutional Convention had the opportunity to review the processes for how 48 other states and wisely created a system that puts merit first and keeps politics out of the courtroom. One need only look to other states in the Lower 48 with highly politicized courts to see that Alaska's Constitution got it right.

I encourage you to please vote against SJR 3.

Warm regards,
Erin Dougherty
(907)351-6980