

1 IN THE HOUSE

BY MR. HARRIS

2 HOUSE BILL NO. 113

8 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the study of court
7 administration and promulgation of rules
8 governing practice and procedure in civil
9 and criminal cases in all state courts; and
10 providing for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 Section 1. DECLARATION OF PURPOSE. It is the purpose of
13 this Act to make provision for an orderly transition from the
14 territorial court system to a state court system and to provide
15 for the conduct of studies of the administration of justice to
16 this end under the supervision of the Chief Justice of the Supreme
17 Court of Alaska. It is recognized that the Chief Justice in his
18 capacity as the administrative head of all courts should super-
19 vise a comprehensive study of a proposed state court system and
20 that this study should take precedence over the activation of any
21 courts or the appointment of any justices or judges other than the
22 Chief Justice.

23 Sec. 2. STUDIES FOR ADMINISTRATION OF JUSTICE. Upon the
24 appointment of a Chief Justice of the Supreme Court of the State
25 of Alaska in the manner provided by the Constitution and laws of
26 the State of Alaska, the Judicial Council shall thereupon insti-
27 tute studies of court administration for the purpose of assisting
28 the Legislature in establishing an overall judicial system for
29 the State.

1 Sec. 3. STUDIES: WHAT TO INCLUDE. The studies shall be
2 conducted under the supervision of the Chief Justice and shall
3 contain recommendations for the establishment of an inferior
4 court system. Such studies shall include but not be limited to
5 cost estimates as to physical facilities needed; annual budgetary
6 requirements for the state court system; rules governing practice
7 and procedure in civil and criminal cases; and such additional
8 information with regard to the administration of justice as may
9 be required to fully inform the Legislature upon the subjects.

10 Sec. 4. FILING OF REPORTS: SUBMISSION OF NOMINATIONS. Upon
11 the completion of the studies herein provided for, copies shall be
12 immediately transmitted to the Governor and the Legislature. There-
13 after, the Judicial Council shall submit to the Governor the names
14 of the persons nominated as the first associate justices of the
15 Supreme Court and the first judges of the Superior Court.

16 Sec. 5. EFFECTIVE DATE. This Act shall take effect immed-
17 iately upon its passage and approval or upon its becoming law
18 without such approval.