

Introduced: 2/23/67
Referred: Judiciary

1 IN THE HOUSE

BY STEVENS AND HAUGEN

2 HOUSE BILL NO. 230

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to qualifications and appointment of
7 district court judges; and providing for an effective
8 date."

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

10 * Section 1. AS 22.15.160 is amended to read:

11 Sec. 22.15.160. QUALIFICATIONS OF DISTRICT JUDGES AND MAGIS-
12 TRATES. (a) A district judge [MAGISTRATE] shall be a citizen of the
13 United States and of the state, at least 21 years of age, a resident
14 of the state for at least 90 days immediately preceding his appoint-
15 ment, and at the time of his appointment licensed to practice law in
16 the State of Alaska [AT LEAST ONE OF THE STATES OF THE UNITED STATES.
17 HOWEVER, IF A COMPETENT LICENSED ATTORNEY IS NOT AVAILABLE FOR
18 APPOINTMENT, A PERSON OTHERWISE QUALIFIED MAY BE APPOINTED]. The
19 supreme court may prescribe additional qualifications.

20 (b) A [DEPUTY] magistrate shall be a citizen of the United
21 States and of the state, at least 21 years of age, and a resident of
22 the state for at least six months immediately preceding his appoint-
23 ment. The supreme court may prescribe additional qualifications.

24 * Sec. 2. AS 22.15.170 is repealed and re-enacted to read:

25 Sec. 22.15.170. SELECTION OF DISTRICT JUDGES AND MAGISTRATES.

26 (a) The governor shall fill a vacancy in an office of district judge
27 by appointing one of two or more persons nominated by the judicial
28 council. The judicial council shall determine the city within a
29 judicial district where the district judge is to sit.

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1 (b) The presiding judge of the superior court in each judicial
2 district may appoint acting district judges as needed to serve a term
3 of no longer than 12 months or until succeeded by an appointment made
4 under (a) of this section, whichever first occurs. An acting district
5 judge shall have all the qualifications of a district judge set out
6 in sec. 160(a) of this chapter except that he need not be licensed
7 to practice law in Alaska but must be licensed to practice law in at
8 least one of the states of the United States. Service as an acting
9 district judge is not considered as judicial service for the purposes
10 of ch. 25 of this title.

11 (d) Vacancies for judges and magistrates shall be filled in the
12 same manner as appointments.

13 * Sec. 3. Sec. 3, ch. 138, SLA 1966 is amended to read:

14 Sec. 3. Beginning September 1, 1968 [1967] the Alaska Judicial
15 Council [PRESIDING JUDGE OF THE SUPERIOR COURT IN EACH JUDICIAL
16 DISTRICT] shall accept applications for all positions as district
17 judge [IN HIS JUDICIAL DISTRICT] with all appointments to be made
18 before January 1, 1969 [1968]. All interested persons including
19 district judges sitting on September 1, 1968 [1967] may apply. The
20 term of a district judge sitting on September 1, 1968 [1967], con-
21 tinues until [EXPIRES WHEN] an appointment to his position is made
22 under this section, regardless of his qualifications under
23 AS 22.15.160(a).

24 * Sec. 4. This Act takes effect September 1, 1968.
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