

Introduced: 4/7/75
Referred: Judiciary

BY THE JUDICIARY COMMITTEE
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 384 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to evaluations of judges before
7 retention elections."

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

9 * Section 1. AS 22.05.100 is amended to read:

10 Sec. 22.05.100. APPROVAL OR REJECTION. Each supreme court
11 justice is subject to approval or rejection as provided in the Alaska
12 Election Code (AS 15.05 - 15.60). The judicial council shall conduct an
13 evaluation of each justice before his retention election and shall
14 provide to the public information about that justice and may provide a
15 recommendation regarding his retention or rejection. Such information
16 and any recommendation shall be made public at least 30 days before the
17 retention election. The judicial council shall also provide such
18 information and any recommendation to the office of the lieutenant
19 governor in time for publication in the election pamphlet under
20 AS 15.57.025. If a majority of those voting on the question rejects
21 his candidacy, he shall not be appointed to fill any vacancy in the
22 supreme or superior courts of the state for a period of four years
23 thereafter.

24 * Sec. 2. AS 22.10.150 is amended to read:

25 Sec. 22.10.150. APPROVAL OR REJECTION. Each superior court
26 judge is subject to approval or rejection as provided in the Alaska
27 Election Code (AS 15.05 - 15.60). The judicial council shall conduct
28 an evaluation of each judge before his retention election and shall
29 provide to the public information about the judge and may provide a

1 recommendation regarding his retention or rejection. Such information
2 and any recommendation shall be made public at least 30 days before the
3 election. The judicial council shall also provide such information
4 and any recommendation to the office of the lieutenant governor in time
5 for publication in the election pamphlet under AS 15.57.025. If a
6 majority of those voting on the question rejects his candidacy, he
7 shall not for a period of four years thereafter be appointed to fill
8 any vacancy in the supreme or superior courts of the state.

9 * Sec. 3. AS 22.15 is amended by adding a new section to read:

10 Sec. 22.15.195. APPROVAL OR REJECTION. Each district court judge
11 is subject to approval or rejection as provided in the Alaska Election
12 Code (AS 15.05 - 15.60). The judicial council shall conduct an evalua-
13 tion of each judge before his retention election and shall provide to
14 the public information about the judge and may provide a recommendation
15 regarding his retention or rejection. Such information and the recom-
16 mendation shall be made public at least 30 days before the election.
17 The judicial council shall also provide such information and any recom-
18 mendation to the office of the lieutenant governor in time for publica-
19 tion in the election pamphlet under AS 15.57.025. If a majority of
20 those voting on the question rejects his candidacy, he shall not for
21 a period of four years thereafter be appointed to fill any vacancy in
22 the supreme, superior or district courts of the state.

23 * Sec. 4. AS 15.57.010 is amended to read:

24 Sec. 15.57.010. CONTENTS OF PAMPHLET. The lieutenant governor
25 shall mail to all voters of the state before each state general
26 election a candidate pamphlet containing photographs and campaign
27 statements of eligible nominees who desire to participate in the
28 pamphlet, and information and any recommendations regarding the
29 retention of judicial officers supplied by the judicial council.

1 The pamphlet shall also contain, for each ballot proposition, (1) a
2 neutral summary of the proposition prepared by the Legislative Affairs
3 Agency, and (2) a statement by persons or organizations supporting the
4 proposition, and (3) a statement by persons or organizations opposing
5 the proposition.

6 * Sec. 5. AS 15.57 is amended by adding a new section to read:

7 Sec. 15.57.025. INFORMATION AND RECOMMENDATIONS ON JUDICIAL
8 OFFICERS. No later than 60 days before the applicable state election,
9 the judicial council shall file with the lieutenant governor a state-
10 ment including information about each supreme court justice, superior
11 court judge, and district court judge who will be subject to a retention
12 election, following the evaluation of each such justice or judge con-
13 ducted by the judicial council according to law. Each such statement
14 may not exceed 300 words.

15 * Sec. 6. AS 15.57.030 is amended to read:

16 Sec. 15.57.030. PUBLICATION. The statements and photographs of
17 nominees and of judicial officers subject to retention elections, as
18 well as statements and recommendations of the judicial council, as set
19 out in secs. 10, [AND] 20 and 25 of this chapter, shall be published
20 by the lieutenant governor as a candidate pamphlet.

21 * Sec. 7. AS 15.57.040(a) is amended by adding a new paragraph to read:

22 (5) no charge for statements and recommendations submitted by
23 the judicial council concerning judicial retention elections.
24
25
26
27
28
29