

Introduced: 3/5/75
Referred: Judiciary

1 IN THE SENATE

BY HOHMAN, FERGUSON AND SACKETT

2 SENATE BILL NO. 232

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 judges."

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

8 * Section 1. AS 22.10.130 is amended to read:

9 Sec. 22.10.130. APPOINTMENT AND DUTIES OF PRESIDING JUDGE. The
10 chief justice of the supreme court shall designate a presiding judge for
11 each district. The presiding judge of a judicial district without a
12 resident superior court judge shall be the judge regularly assigned to
13 that judicial district. The presiding judge shall in addition to his
14 regular judicial duties (1) assign the cases pending to the judges made
15 available within the district, (2) supervise the judges and their court
16 personnel in the carrying out of their official duties within the
17 district, and (3) expedite and keep current the business of the court
18 within the district.

19 * Sec. 2. AS 22.10.140 is amended to read:

20 Sec. 22.10.140. CHIEF JUSTICE MAY ASSIGN SUPERIOR COURT JUDGES.
21 The chief justice may assign a superior court judge and his court per-
22 sonnel for temporary duty from time to time not to exceed 90 days
23 annually anywhere in the state except to permit completion of hearings
24 in progress. However,

25 (1) the chief justice may assign the presiding judge of a
26 judicial district without a presiding judge for those periods exceeding
27 90 days annually that are necessary to fulfill the judicial service needs
28 of that judicial district; and

29 (2) a [A] judge may be temporarily assigned for longer and

1 additional periods with his consent.

2 * Sec. 3. AS 22.10.150 is amended to read:

3 Sec. 22.10.150. APPROVAL OR REJECTION. Each superior court judge
4 is subject to approval or rejection as provided in the Alaska Election
5 Code (AS 15.05 - 15.60). If a majority of those voting on the question
6 rejects his candidacy, he shall not for a period of four years thereafter
7 be appointed to fill any vacancy in the supreme or superior courts of
8 the state. In any judicial district without a resident superior court
9 judge, where a majority of those voting on the question in the district
10 reject the assigned judge's candidacy, he shall not for a period of four
11 years thereafter be appointed or assigned to fill any vacancy in the
12 courts of that district.

13 * Sec. 4. AS 15.35.080 is amended to read:

14 Sec. 15.35.080. DETERMINATION OF JUDICIAL DISTRICT IN WHICH TO SEEK
15 APPROVAL. The judge shall seek approval in the judicial district to
16 which he was originally appointed, and in any judicial district without
17 a resident judge of the superior court to which the judge has been
18 assigned and where he has served at least 90 days during each of the
19 preceding three years of his term [EXCEPT IN CASE OF ASSIGNMENTS AND
20 TRANSFERS WITH THE JUDGE'S CONSENT, IN WHICH CASE HE SHALL SEEK APPROVAL
21 IN THE DISTRICT WHERE HE HAS SERVED THE MAJOR PORTION OF HIS TERM]. The
22 judge shall designate on his declaration of candidacy the judicial dis-
23 trict to which he was appointed, and the judicial district without a
24 resident judge of the superior court to which the judge has been
25 assigned and where he has served at least 90 days during each of the pre-
26 ceding three years of his term [EXCEPT IN CASE OF ASSIGNMENTS AND
27 TRANSFERS IN WHICH CASE HE SHALL DESIGNATE THE DISTRICT WHERE HE HAS
28 SERVED THE MAJOR PORTION OF THIS TERM].

29 * Sec. 5. AS 15.35.100(b) is amended to read:

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(b) The district judge shall seek approval in the judicial district in which he was originally appointed, and in any judicial district without a resident judge of the district court to which the judge has been assigned and where he has served at least 90 days during each of the preceding three years of his term [OR IN THE DISTRICT WHERE HE HAS SERVED THE MAJOR PORTION OF HIS TERM]. The district judge shall designate on his declaration of candidacy the judicial district in which he was appointed, and the judicial district without a resident judge of the district court to which the judge has been assigned and where he has served at least 90 days during each of the preceding three years of his term [OR IN THE DISTRICT WHERE HE HAS SERVED THE MAJOR PORTION OF HIS TERM].

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