

1 IN THE HOUSE

BY MILLER, FRANK AND
GRUENBERG

2

HOUSE JOINT RESOLUTION NO. 60

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Urging expedient and positive action by

6

the United States Congress on S. 1983,

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adding a second bankruptcy judgeship for

8

Alaska.

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

10 WHEREAS the current condition of the Alaskan economy has caused the
11 number of bankruptcy filings, both personal and corporate, to reach crit-
12 ical proportions in the state; and

13 WHEREAS the District of Alaska currently has only one authorized
14 bankruptcy judge, whose official duty station is Anchorage; and

15 WHEREAS the total number of bankruptcy cases filed in the District of
16 Alaska has increased 332 percent between 1983 and 1987; and

17 WHEREAS, for the statistical year ending June 30, 1987, the District
18 of Alaska recorded 204 Chapter 11 filings, placing it well above the na-
19 tional average of 80 filings per bankruptcy judge; and

20 WHEREAS the current District of Alaska bankruptcy judge handled 773
21 adversarial proceedings in statistical year 1987, which is 2.5 times the
22 circuit average of 311 proceedings per authorized judgeship; and

23 WHEREAS the high percentage of adversary proceedings and the high
24 percentage of Chapter 11 filings result in a caseload that requires the
25 Alaska bankruptcy judge to expend a greater amount of time per case than a
26 judge in a district with a more balanced caseload; and

27 WHEREAS the Alaska District bankruptcy judge currently holds court for
28 approximately four days a month in Fairbanks, Nome, Juneau, and Ketchikan,
29 requiring the expenditure of more than 30 hours a month in nonproductive

1 travel time; and

2 WHEREAS unpredictable flying weather in Alaska often results in addi-
3 tional lost time for the bankruptcy judge and staff due to flight delays or
4 cancellations; and

5 WHEREAS growing case loads in Cordova, Kodiak, Valdez, and Sitka have
6 prompted recommendations by the Administrative Office of the United States
7 Courts to recommend that these communities be added to the list of court
8 sites; and

9 WHEREAS the current caseload of the bankruptcy judge precludes addi-
10 tion of communities as court sites; and

11 WHEREAS the District of Alaska Bankruptcy Court will be moving in July
12 1988, to the remodeled Anchorage Federal Court Building, a building that
13 includes facilities for a second bankruptcy judge, secretary, and law
14 clerk, and a second courtroom; and

15 WHEREAS the Ninth Circuit Court of Appeals currently recognizes the
16 excessive work load in the District of Alaska Bankruptcy Court by sending
17 an extra judge and support staff to Alaska for approximately one week every
18 month to help handle the conflict case load; and

19 WHEREAS roughly 25 percent of the cost for a second District of Alaska
20 bankruptcy judge and support staff is currently being expended through the
21 cost of this traveling judge and staff; and

22 WHEREAS Alaska's senators have introduced legislation to establish a
23 second bankruptcy judge;

24 BE IT RESOLVED that the Alaska State Legislature urges the United
25 States Congress to take expedient and positive action on S. 1983 creating a
26 second bankruptcy judgeship for the District of Alaska.

27 COPIES of this resolution shall be sent to the Honorable Howell T.
28 Heflin, Chairman of the Subcommittee on Courts and Administrative Prac-
29 tices, a subcommittee of the U.S. Senate Committee on the Judiciary; the

1 Honorable Charles E. Grassley, Ranking Member of the Subcommittee on Courts
2 and Administrative Practices, a subcommittee of the U.S. Senate Committee
3 on the Judiciary; the Honorable Joseph R. Biden, Jr., Chairman of the
4 Senate Committee on the Judiciary; the Honorable Strom Thurmond, Ranking
5 Member of the Senate Committee on the Judiciary; and to the Honorable Ted
6 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable
7 Don Young, U.S. Representative, members of the Alaska delegation in Con-
8 gress.