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261

ELECT - QUERY  
0002 ALL SECTION EQ 22.15.190

S22.15.190 DOCUMENT= 1 OF 1

CHAPTER = 22.15  
SECTION = 22.15.190  
TITLE = 22

HEADINGS TITLE 22.  
JUDICIARY.  
CHAPTER 15.  
DISTRICT COURTS.  
ARTICLE 1.  
DISTRICT JUDGES AND MAGISTRATES.

DESCRIPTION SEC. 22.15.190.

ATTACH LINE

EXT ASSIGNMENT OF DISTRICT JUDGES AND MAGISTRATES.  
EACH DISTRICT JUDGE AND EACH MAGISTRATE SHALL HOLD COURT AT SUCH  
TIMES AND PLACES AS ARE ASSIGNED BY THE PRESIDING JUDGE OF THE  
SUPERIOR COURT OF THE DISTRICT. THE PRESIDING JUDGE IN ANY  
JUDICIAL DISTRICT MAY ASSIGN ANY DISTRICT JUDGE OR MAGISTRATE  
WITHIN THE DISTRICT TO SERVE TEMPORARILY IN ANY OTHER JUDICIAL  
DISTRICTS. RULES AND PROCEDURES FOR TEMPORARY ASSIGNMENT  
INCLUDING THE EMERGENCY SITUATION WHERE A SUPERIOR COURT JUDGE IS  
NOT READILY AVAILABLE TO ASSIGN A DISTRICT JUDGE OR MAGISTRATE  
SHALL BE AS PRESCRIBED BY THE SUPREME COURT.

HISTORY (SEC. 14 CH 184 SLA 1959; AM SEC. 3 CH 24 SLA 1966)

0601 \* END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

# Committee on Judiciary

## MEMORANDUM

TO: Representative Al Adams  
Chairman, Committee on Finance

FROM: Representative Charlie Bussell *CB*  
Chairman, Committee on Judiciary

DATE: March 14, 1983

RE: Alternative Solutions to the Peremptory  
Disqualification Problem

Please note the enclosed House Bill 261 that I introduced March 11, 1983, in order to hopefully rush the legislative process along.

Thank you.

CB:lyn

Alaska State Legislature  
House of Representatives

Al Adams  
Chairman  
Committee on Finance

Official Business

March 9, 1983

WHILE IN SESSION  
Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-3706

OUT OF SESSION  
P.O. Box 333  
Kotzebue, Alaska 99752  
(907) 442-3320

1024 W. 6th  
Anchorage, Alaska 99501  
(907) 274-0615

MEMORANDUM

TO: Representative Milo Fritz  
✓ Representative Charlie Bussell

FROM: Representative Al Adams *APA*

SUBJ: Alternative Solutions to the Peremptory  
Disqualification Problem



For your information only, I would like to draw to your attention the enclosed bill, introduced by Senator Ray last Friday. It would help to alleviate the problem illustrated by Judge Hornaday's experience in Homer. The bill would not allow a district court judge to serve outside of his district for more than 90 days without his consent. Thus, a judge could not be transferred permanently to another location unless he consents to such an arrangement.

Another solution, which I also think merits further attention, would be to raise minimum sentence levels for drunk driving convictions. This would go a long way towards achieving stricter penalties for drunk driving --- which I believe is the real impetus for public outcry regarding Judge Hornaday's transfer. Mitch Abood's HB 6 is an excellent vehicle for this kind of solution.

AA: lc  
Enclosure

STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: CS for HB 261  
Title: Assignment of Judges  
Sponsor: Bussell  
Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Alaska Court System  
Program Category Affected: Justice  
BRU, Program of Subprogram(s) Affected:

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		10.0	10.6	11.2	11.9	12.6
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		10.0	10.6	11.2	11.9	12.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		10.0	10.6	11.2	11.9	12.6
FEDERAL FUNDS						
OTHER (Specify Source:)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any analysis

Prepared By: Richard P. Barrier, Deputy Admin. Director *Richard P. Barrier* Phone: 264-0545  
Division: Alaska Court System Date: 4/21/83

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Department: \_\_\_\_\_

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ANALYSIS FOR FISCAL IMPACT: CS FOR HB 261

The CS for HB 261 (Judiciary) stipulates that "a district judge who has been assigned to an established court within a judicial district may not be permanently reassigned by the presiding judge to another court within that judicial district." In the third judicial district, the presiding judge has stated that he plans to permanently reassign the Homer district judge to Anchorage. If this legislation prohibits the permanent reassignment of the Homer judge, the court will incur additional travel and per diem expenses to transport the Homer judge to Anchorage and Anchorage judges to Homer to cover disqualifications. The estimated cost of this travel and per diem is \$10,000/year.