

HJR

60

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. JUD. 2-22-88

1:30p.m.

Original sponsors: Miller, Frank
and Gruenberg

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 60 (Judiciary)

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 or
7 other legislation adding a second bank-
8 ruptcy judgeship for Alaska.

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

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

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

14 WHEREAS, for the 12 - month period ending June 30, 1987, the District
15 of Alaska recorded 204 Chapter 11 filings, placing it well above the na-
16 tional average of 80 filings per bankruptcy judge; and

17 WHEREAS the current District of Alaska bankruptcy judge handled 773
18 adversarial proceedings in the same 12 - month period, which is 2.5 times
19 the circuit average of 311 proceedings per authorized judgeship; and

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

24 WHEREAS the Alaska District bankruptcy judge currently holds court for
25 approximately four days a month in Fairbanks, Nome, Juneau, and Ketchikan,
26 requiring the expenditure of more than 30 hours a month in nonproductive
27 travel time; and

28 WHEREAS unpredictable flying weather in Alaska often results in addi-
29 tional lost time for the bankruptcy judge and staff due to flight delays or

1 cancellations; and

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

6 WHEREAS the current case load of the bankruptcy judge precludes addi-
7 tion of communities as court sites; and

8 WHEREAS the District of Alaska Bankruptcy Court will be moving in July
9 1988 to the remodeled Anchorage Federal Court Building, a building that
10 includes facilities for a second bankruptcy judge, secretary, and law
11 clerk, and a second courtroom; and

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

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

19 WHEREAS Alaska's senators have introduced legislation to establish a
20 second bankruptcy judge;

21 BE IT RESOLVED that the Alaska State Legislature urges the United
22 States Congress to take expedient and positive action on S. 1983 or other
23 legislation creating a second bankruptcy judgeship for the District of
24 Alaska.

25 COPIES of this resolution shall be sent to the Honorable Howell T.
26 Heflin, Chairman of the Subcommittee on Courts and Administrative Prac-
27 tices, a subcommittee of the U.S. Senate Committee on the Judiciary; the
28 Honorable Charles E. Grassley, Ranking Minority Member of the Subcommittee
29 on Courts and Administrative Practices, a subcommittee of the U.S. Senate

1 Committee on the Judiciary; the Honorable Joseph R. Biden, Jr., Chairman of
2 the Senate Committee on the Judiciary; the Honorable Strom Thurmond, Rank-
3 ing Minority Member of the Senate Committee on the Judiciary; the Honorable
4 Robert W. Kastenmeier, Chairman of the Subcommittee on Courts, Civil Lib-
5 erties, and the Administration of Justice, a subcommittee of the U.S. House
6 of Representatives Committee on the Judiciary; the Honorable Carlos J.
7 Moorhead, Ranking Minority Member of the Subcommittee on Courts, Civil
8 Liberties, and the Administration of Justice, a subcommittee of the U.S.
9 House of Representatives Committee on the Judiciary; the Honorable Peter W.
10 Rodino, Jr., Chairman of the House Committee on the Judiciary; the Honor-
11 able Hamilton Fish, Jr., Ranking Minority Member of the House Committee on
12 the Judiciary; and to the Honorable Ted Stevens and the Honorable Frank
13 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
14 members of the Alaska delegation in Congress.
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5-1928A
Chenoweth
2/12/88

1 IN THE HOUSE

BY MILLER AND FRANK

2 HOUSE JOINT RESOLUTION NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

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6 the United States Congress on S. 1983,
7 adding a second bankruptcy judgeship for
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9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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11 number of bankruptcy filings, both personal and corporate, to reach crit-
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14 bankruptcy judge, whose official duty station is Anchorage; and

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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.

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STATE OF ALASKA
THE LEGISLATURE

POUCH Y · STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 22, 1988

SUBJECT: CS HJR 60, relating to a second bankruptcy
judge in Alaska

TO: Representative John Sund, Chairman
House Judiciary Committee
Attn: John Hartle

FROM: Jack Chenoweth
Legislative Counsel

The committee substitute requested is enclosed.

In addition to the three changes you specifically requested,
I have

(1) amended the title to refer to S. 1983 "or other
legislation," a change made to parallel the amendment made
in the "Be It Resolved" clause;

(2) amended a reference to "statistical year" in the
fourth WHEREAS clause, a change made to parallel the change
made in the immediately preceding clause.

Enclosure

JBC:gc
WKG1:107

February 22, 1988

Adopted

MEMORANDUM

TO: Rep. John Sund, Chair,
House Judiciary Committee

FROM: John Hartle, PA, JH
House Judiciary Committee Staff

RE: HJR 60

I have three suggestions for amendments to HJR 60, the resolution which urges the U.S. Congress to add a second bankruptcy judgeship for Alaska.

1. Page 1, line 10-12: Drop the first 'whereas' clause.
- The second, third, and fourth clauses state the rationale for the request quite clearly.
2. Page 1, line 17 [STATISTICAL YEAR] 12-month period
3. Page 2, line 25 after "S. 1983" add "or otherwise"
[CREATING] create
- This would express support for adding a second bankruptcy judgeship without regard to the specific legislation used to authorize it.

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

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the United States Congress on S. 1983,

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18 of Alaska recorded 204 Chapter 11 filings, placing it well above the na-
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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.

Alaska State Legislature

REPRESENTATIVE
MIKE W. MILLER
P.O. Box 55094
North Pole, Alaska 99705
(907) 488-2687

District 18
North Pole
Badger Road
Eielson
Moose Creek
Salcha




While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-4976

House of Representatives

MEMORANDUM

TO: Representative Mike Navarre
Chairman, House Rules Committee

FROM: Representative Mike Miller 

RE: Scheduling of CS HJR 60 (Judiciary)

DATE: 2/22/88

The House Judiciary Committee heard testimony on House Joint Resolution 60 and passed a committee substitute on to the Rules Committee. This resolution urges the U.S. Congress to consider Senate Bill 1983 which would create a second bankruptcy judgeship for the District of Alaska. A copy of the U.S. Senate Bill is attached for your review.

As you are aware, the Alaskan economy is going through a very rough period of time. With the current economic downturn, the number of bankruptcy filings in Alaska have soared yet the entire state is still served by a single Bankruptcy Judge stationed in Anchorage.

The Scheduling and passage of S. 1983, by Congress, will accelerate the decision process for obtaining a second bankruptcy judgeship for Alaska. Although steps have been taken to ensure favorable consideration of this legislation, the bill needs to be scheduled for a hearing before the U.S. Senate Committee on the Judiciary. The chairman of this committee has expressed an interest in the bill; however, the recent requirement of time to confirm a new U.S. Supreme Court Judge has caused a backlog in the committee schedule. I believe it would be beneficial to express our collective state support for S. 1983 before the schedule for the Senate Committee on the Judiciary is filled with other matters.

With the congressional time constraint in mind, I respectfully request that CS HJR 60 (Judiciary) be scheduled before the full House of Representatives at the earliest possible date.

100TH CONGRESS
1ST SESSION

S. 1983

FEB 03 1988

To amend title 28, United States Cod..

IN THE SENATE OF THE UNITED STATES

DECEMBER 19 (legislative day, DECEMBER 15), 1987

Mr. STEVENS (for himself and Mr. MURKOWSKI) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 152(a)(2) of title 28, United States Code, is
4 amended in the item relating to Alaska by striking out "1"
5 and inserting in lieu thereof "2".

○

Alaska State Legislature

REPRESENTATIVE
MIKE W. MILLER
P.O. Box 55094
North Pole, Alaska 99705
(907) 488-2687

District 18
North Pole
Badger Road
Eielson
Moose Creek
Salcha



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 485-4976

House of Representatives

MEMORANDUM

TO: Representative John Sund, Chairman
House Judiciary Committee

FROM: Representative Mike Miller *M. W. Miller*

RE: HJR 60, Urging expedient and positive action by the U.S. Congress on S. 1983, adding a second bankruptcy judgeship for Alaska

DATE: 2/15/88

House Joint Resolution 60 was introduced today, under my sponsorship, and referred to the House Judiciary Committee. A copy of the resolution is attached for your review.

This resolution urges the U.S. Congress to consider Senate Bill 1983 which would create a second bankruptcy judgeship for the District of Alaska. A copy of the U.S. Senate Bill is also attached for your review.

As a attorney, you are probably aware of Alaska's current Bankruptcy Court situation. With the current economic downturn, the number of bankruptcy filings in Alaska have soared yet the entire state is still served by a single Bankruptcy Judge stationed in Anchorage.

Federal legislation has been introduced, in the form of S 1983, which would accelerate the decision process for obtaining a second bankruptcy judgeship for Alaska. Although steps have been taken to ensure favorable consideration of this legislation, the bill needs to be scheduled for a hearing by the U.S. Senate Committee on the Judiciary. The chairman of this committee has expressed an interest in the bill, however; the recent requirement of time to confirm a new U.S. Supreme Court Judge has caused a backlog in the committee schedule. I believe it would be beneficial to express our collective state support for S. 1983 before the schedule for the Senate Committee on the Judiciary is filled with other matters.

I respectfully request that you consider scheduling HJR 60 before the House Judiciary Committee sometime during the week of February 22-26. I anticipate discussion on the resolution will consume very little of the Committee's time.

SUMMARY

The U.S. Committee on the Judiciary applies a three-pronged test in determining whether an additional bankruptcy judge is warranted.

1. MUST BE A HIGH PERCENTAGE OF ADVERSARIAL PROCEEDINGS PER JUDGE. These are more time consuming.

Judge Ross handled 773 adversarial proceedings in 1987 while the average 9th Circuit judge handled only 236. The national average is 212 adversarial proceedings per judgeship per year.

2. NUMBER OF CHAPTER 11 FILINGS MUST EXCEED 100 PER JUDGE.

In 1987, 204 Chapter 11 cases were filed in Alaska. The Ninth Circuit averaged 133 Chapter filings per judge while the national average is 80.

3. TOTAL NUMBER OF BANKRUPTCY FILINGS MUST EXCEED 1,800.

In 1987, Alaska had 1,351 bankruptcy filings which represented a 360% increase over 1984 filings and a 65% increase over 1986. Alaska does not meet this prong of the test; however, there are several OTHER SUBJECTIVE FACTORS which justify a second judge for Alaska.

(a) Alaska has a higher proportion of business filings than the rest of the 9th Circuit. 31% of the Alaska case filings are business filings compared to an average of 15% for the 9th Circuit and 16% for the nation. These kinds of cases are more time consuming.

(b) Alaska's Bankruptcy Judge spends approximately 30 hours a month traveling to court sites in Nome, Juneau, and Fairbanks. As early as 1982, the Administrative Office of the 9th Circuit recommended expanding the court sites in Alaska to include Cordova, Kodiak, Valdez and Sitka which would mean increased travel requirements. The existing travel schedule is also hampered by unpredictable weather around the state.

(c) Due to the existing number of bankruptcy filings and adversarial proceedings, the 9th Circuit has been sending a judge, clerk and secretary to Alaska for approximately one week every month. The personnel cost for this visiting judge and staff equal 25% of the cost of stationing a second judge in the state full-time.

LEGISLATIVE REPORTING SERVICE (BILL SUMMARY)

2nd Bankruptcy
Judgeship
(urging cre-
ation of)

HOUSE JOINT RESOLUTION NO. 60, by Reps. Miller, Frank and Gruenberg. Would urge the U.S. Congress: "to take expedient and positive action on s. 1983 creating a second bankruptcy judgeship for the District of Alaska". Cites the excessive work load in the District of Alaska Bankruptcy Court, due to the current economic conditions; and the fact that 25 percent of the cost for a second judge is already being spent on a part-time judge and support staff sent for one week a month by the Ninth Circuit Court of Appeals. Cites new facilities available in July, 1988 that will have room for a new judge, staff, and second courtroom in Anchorage.

Introduced February 15, 1988 and referred to Judiciary.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Urqing expedient and positive
action on second bankruptcy judge
Sponsor: Miller
Requestor: _____

Agency Affected: None
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact.

Prepared by: John Hartle *JH* Phone: 465-4990
Division: House Judiciary Committee Date: 2/23/88
Approved by Commissioner: _____ Date: 2/23/88
Agency: _____

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

BILL HISTORY - HOUSE ACTION

HJR 60

HOUSE CALENDAR: WEDNESDAY / FEBRUARY 24, 1988

HOUSE JOURNAL FEBRUARY 15, 1988

HJR 60

HOUSE JOINT RESOLUTION NO. 60 by Miller, Frank and Gruenberg:

Urging expedient and positive action by the United States Congress on S. 1983, adding a second bankruptcy judgeship for Alaska.

was read the first time and referred to the Judiciary Committee.

HOUSE ACTION FEBRUARY 23, 1988

HJR 60

The House Judiciary Committee has considered:

HOUSE JOINT RESOLUTION NO. 60

"Urging expedient and positive action by the United States Congress on S. 1983, adding a second bankruptcy judgeship for Alaska."

And recommends: replace with CS HJR 60 (JUD) + new title recommending do pass. * CS ATTACHED

Recommending do pass (7): Sund, Uimer, Gruenberg, Barnes, Navarre, Cotten, Taylor

Zero fiscal note attached.

LEGISLATIVE REPORTING SERVICE (BILL SUMMARY)

Appropriations HOUSE BILL NO. 512, by the Rules Committee by Request of
(special) the Governor. See SB 430, page 1132, identical.
("jobs bill")

Introduced February 15, 1988 and referred to Finance.

Appropriations SENATE BILL NO. 430, by the Rules Committee by Request of
(special) the Governor. Makes special appropriations for projects to
("jobs bill") boost the Alaska economy (see accompanying letter). The bill's
"purpose" section states: "The purpose of this appropriation is to
commit the expenditure of approximately \$75,000,000 from the
state general fund to a series of projects selected to put Alaskans
throughout the state to work. . . ." The bill would become law
immediately after being signed by the governor.

Introduced February 16, 1988 and referred to Finance.

In his message that accompanied the bill, Governor Cowper stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making appropriations designed to provide immediate economic benefit throughout the State of Alaska. The specific projects are explained in detail in material furnished by my division of budget review to the finance committees and in material assembled by the staffs of the finance committees.

The bill is unusual in that it is the product of extensive legislative/executive cooperation as to both purpose and content before introduction. This cooperative spirit had to precede introduction to assure completion of public hearings, legislative deliberations, and passage timed to put a "jobs bill" on my desk for signature by the end of the month.

As is the case with all appropriation bills, I must mention that I retain my line-item veto authority to strike or reduce items I believe unacceptable in the bill as passed by the legislature. But my staff and the staffs of all departments of the state government have been instructed to work closely with the finance committees to suggest any appropriate specific project modification or replacement. By this method, I hope to eliminate the need for line-item vetoes or reductions.

100TH CONGRESS
1ST SESSION

S. 1983

II
FEB 03 1988

To amend title 28, United States Code.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19 (legislative day, DECEMBER 15), 1987

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A BILL

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- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 152(a)(2) of title 28, United States Code, is
4 amended in the item relating to Alaska by striking out "1"
5 and inserting in lieu thereof "2".

○

OFFICE OF THE CIRCUIT EXECUTIVE

United States Court of Appeals for the Ninth Circuit

P.O. BOX 42068
SAN FRANCISCO, CALIFORNIA 94142-2068

MEMORANDUM

TO : Judicial Council

FROM : Greg Walters and Carolyn F. McNiven

DATE : October 28, 1987

RE : Alaska Bankruptcy Judgeship Recommendation

The District of Alaska is seeking Judicial Council approval for a second bankruptcy judgeship. The district currently has one authorized bankruptcy judge whose official duty station is Anchorage.

In 1985 the Judicial Council recommended that a second judgeship be authorized for the district. The Judicial Conference of the United States (USJC), however, did not concur and did not include Alaska in its 1986 recommendations to Congress for new bankruptcy judgeships. As a result, Alaska was not granted one of the fifty-four bankruptcy judgeships approved by Congress.

The situation in Alaska has changed dramatically since the U.S. Judicial Conference last reviewed judgeship needs. Alaska is, therefore, asking the Judicial Council to approve this request and forward it to the U.S. Judicial Conference for immediate review. Although this is outside of the normal time-frame for requesting new judges, the need for assistance in Alaska justifies immediate consideration.

STAFF RECOMMENDATION

Approve a second Bankruptcy Judge for the District of Alaska.

UNITED STATES BANKRUPTCY COURT

DISTRICT OF ALASKA
FEDERAL BUILDING - U. S. COURTHOUSE
701 C STREET, BOX 47
ANCHORAGE, ALASKA 99513

WAYNE W. WOLFE
CLERK

THE CLERK
OCT 19 1987
CIRCUIT EXECUTIVE

Francis L. Bremson
Circuit Executive
Ninth Circuit Court of Appeals
Post Office Box 42068
San Francisco, California 94101

Re: Second Bankruptcy Judgeship for District of Alaska

Dear Mr. Bremson:

The following narrative is the request and justification for an additional judgeship as requested by Greg Walters.

CASELOAD

Our District's case load has increased by four time those figures considered in the basis for the recommendations of the Judicial Conference in 1982. The Main Case Statistical Summary Report attached covers the first three quarters of years 1983 through 1987 and illustrates this growth. Historically, the last quarter has generated approximately forty percent (40%) of our annual case count due to the nature of the Alaskan economy and seasonal working conditions. If the historical pattern continues, filings in excess of 1450 cases can be expected by year end. Chapter 11 cases, which number 112 for the district through September 1987, should exceed 155 cases by year end.

Conversions in this district, which are not included in any AO statistics, total 80 for the same period. Conversions are administered as a new case for all practical purposes. The yearly total will exceed 110 cases. A conversion data report is attached.

While the national annual average of 1800 to 2000 cases per judge exceeds our projected yearly case filings, the Chapter 11 cases filed and projected to year end exceed the national criteria per judge. The complexity and judicial time needed for these cases, considering logistics, more than balance the shortfall in total filings.

Business filings in this district are also higher than the national average; 31.8% of the total for the first three quarters of 1987.

Adversary case filings, while appearing to remain constant since 1983, are deceptive. The 1984 Bankruptcy Amendments removed from adversary status Reliefs from Stay and certain other matters. Reliefs from Stay, now filed as motions, total 888 through September, 1987. The adversary filings for this year represent complex legal issues which require a great deal more judge time. Historical projection would produce 500 adversary proceedings and more than 1200 Reliefs from stay by year end.

ALASKA'S ECONOMIC PROGNOSIS

The economic prognosis in Alaska continues to be grim. We have two principal industries: oil and government. Depressed oil prices have stopped all oil company activity in exploration and drilling. Some existing wells have been capped. Government is also adversely affected, with revenues being tied directly to the price per barrel of oil, which price generates in excess of 90% of State revenues. The municipalities and boroughs receive shared revenue from the State as a supplement to the tax base. Shortfalls in revenue have created extensive job losses in every area of the economy. Economists here predict slow recovery, if any, for the next several years; many believe conditions will continue to deteriorate. Bankruptcy filings support this economic forecast.

ALASKA'S LOGISTICS

Alaska's land mass is approximately one-third of the entire continental United States. The court is housed in Anchorage. Travel to four regional locations to conduct hearings is required:

Location	Distance in Air Miles (One Way)
Fairbanks	260
Nome	539
Juneau	571
Ketchikan	776

Court is held in these outlying locations an average of four days per month (fewer trips are made to Nome, with occasionally additional days in Fairbanks). In excess of thirty hours per month are consumed in non-productive travel time. Actual bench time varies depending on calendars; however, due to the vast distances and restrictive airline schedules, it is necessary to commit a full day to each location. We have the largest travel budget of any one-judge court.

Telephonic conferences and hearings to minimize expense to the government and to parties are utilized extensively; but this process is far from perfect. Technical problems with microwave telecommunications in the geographical area require additional time for equipment adjustment and multiple calls to establish an acceptable connection. The time required and the low success rate reduces judge time available for other matters.

Alaska's weather also plays a part in travel. It is not unusual for a plane to be unable to land in Nome, Juneau or Ketchikan due to weather conditions. Aborted flights to Southeast Alaska have taken the Judge and his staff to Seattle, causing delay, costs and inconvenience to everyone, as well as the inability to return from a regional court location where the plane cannot land due to heavy fog. These delays can, and often do, exceed more than one day.

MISCELLANEOUS CONSIDERATIONS

Visiting Judge

Since we are presently a single judge District, we have required a visiting judge to handle conflict cases. The visiting judge has provided approximately one week of his time per month during his appointment plus judge time outside Alaska for necessary telephonic hearings, case review and entry of orders. It is apparent that case load considerations will require these visits to become more frequent.

Minimal Increase in Government Costs

In July, 1988, this court will move to the remodeled former Federal Court Building. Facilities will be complete for a second Bankruptcy Judge, secretary and law clerk, including a second courtroom. Therefore facility costs are negated.

The visiting judge with a traveling law clerk is already one week per month in this district. Twenty-five percent of personnel costs (plus costs of travel) for the judge and support staffing is already being expended.

Standards of Court Service

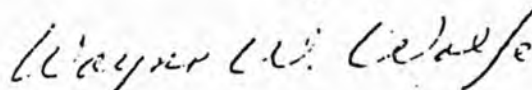
Growing case loads in the outlying areas have created pressures for additional support services and judge time in these locations. Current case loads in Anchorage and travel time

Francis L. Bremson
October 16, 1987
Page 4

requirements make it impossible to address these growing needs, and services presently provided in outlying areas are bare-bones at best for bar and litigants.

Attached also are copies of December, 1984, letters from former Judge Williams and Chief Judge James M. Fitzgerald discussing the existing need for a second bankruptcy judgeship for this District at that time. Judge Fitzgerald continues to support the second bankruptcy judgeship.

Very truly yours,



Wayne W. Wolfe, Clerk

Enclosures

cc: Honorable James M. Fitzgerald, Chief Judge
Honorable Herbert A. Ross
File