

S B

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JUDICIAL BRANCH SALARY INCREASE

Current Compensation	A Proposal	Salary Commission Proposal
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BASE SALARIES

Supreme Ct. Chief J.	\$85,728	\$95,000	\$100,000
Supreme Ct.	85,728	94,500	99,500
Appeals Ct.	79,992	89,300	94,000
Superior Ct.	77,304	87,400	92,000
Dist. Ct.	66,816	74,100	78,000

COLA ADJUSTMENTS

Percent of base		Percent of old base only.	Percent of \$40,000 only. COLA factor change
Anch. Juneau Ketch.	0%		0% Anch. Juneau Ketch.
Wran-Pet. Palmer Sitka	3.5%		0% Wran-Pet. Palmer Sitka
Kenai Homer	7%		0% Kenai Homer
Fbks	14%		3.5% Fbks
Kodiak	10.5%		10.5% Kodiak Valdez
Kotz. Nome Barrow Bethel Valdez	17.5%		17.5% Kotz Nome Barrow Bethel

JUDGES SALARIES

Location (# judges)	Current	A Prop. (% increase)	A Prop. w/ Com. COLA. (% increase)
<u>Anch, Jun, Ketch.</u>			
Supreme Ct. CJ(1)	85,728	95,000 (11)	95,000 (11)
Supreme Ct. (3)	85,728	94,500 (10)	94,500 (10)
Appeals Ct. (3)	79,992	89,300 (12)	89,300 (12)
Superior Ct. (14)	77,304	87,400 (13)	87,400 (13)
Dist. Ct. (10)	66,816	74,100 (11)	74,100 (11)
<u>Wran-Pet., Palmer, Sitka.</u>			
Superior Ct. (3)	80,009	90,105 (13)	87,400 (9)
Dist. Ct. (1)	69,155	76,439 (10)	74,100 (7)
<u>Kenai, Homer.</u>			
Superior Ct. (1)	82,715	92,811 (12)	87,400 (6)
Dist. Ct. (1)	71,493	78,777 (10)	74,100 (4)
<u>Fairbanks</u>			
Supreme Ct. (1)	97,729	106,501 (9)	95,900 (-)
Superior Ct. (4)	88,127	98,223 (11)	88,800 (1)
Dist. Ct. (3)	76,170	83,454 (10)	75,500 (-)
<u>Kodiak</u>			
Superior Ct. (1)	85,421	95,517 (12)	91,600 (7)
<u>Valdez</u>			
Superior Ct. (1)	90,832	100,928 (11)	91,600 (1)
<u>Nome, Kotz., Barrow, Bethel</u>			
Superior Ct. (4)	90,832	100,928 (11)	94,400 (4)

any other office or position of profit under the United States, the state, or its political subdivisions. A supreme court justice filing for another elective public office other than delegate to a constitutional convention of this state or the United States forfeits the judicial position. (§ 13 ch 50 SLA 1959; am § 1 ch 30 SLA 1971; am § 7 ch 12 SLA 1980)

NOTES TO DECISIONS

Quoted in *Begich v. Jefferson*, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

Collateral references. — Validity and application of statute regarding prohibition of judge from practicing law. 17 ALR4th 829.

Sec. 22.05.140. Compensation. (a) The monthly salary of each justice is equal to Step F, Range 30 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

(b) A salary warrant may not be issued to a justice of the supreme court until the justice has filed with the state officer designated to issue salary warrants an affidavit that no matter referred to the justice for opinion or decision has been uncompleted or undecided by the justice for a period of more than six months.

(c) In addition to annual salary, each justice is entitled to receive a geographic cost-of-living adjustment, based on the location of the primary office assignment, equal to 3.5 percent of the justice's annual salary times the number of pay step increases provided under AS 39.27.020 for a state employee working in the same election district in those districts for which AS 39.27.020 specifies zero-to-five pay step increases. In an election district for which AS 39.27.020 specifies more than five pay steps, the number of pay step increases under this section is limited to five. Any retirement benefits to which a justice may be entitled shall be computed only on the annual salary. (§ 14 ch 50 SLA 1959; am § 4 ch 115 SLA 1965; am § 2 ch 83 SLA 1967; am § 1 ch 101 SLA 1969; am § 1 ch 193 SLA 1970; am § 1 ch 34 SLA 1974; am § 1 ch 205 SLA 1975; am § 2 ch 148 SLA 1976; am § 3 ch 263 SLA 1976; am § 4 ch 80 SLA 1978; am §§ 3, 18 ch 3 SLA 1980; am §§ 53, 54 ch 59 SLA 1982)

Editor's notes. — Chapter 205, SLA 1975, which amended this section, was submitted to the voters by referendum and was rejected.

cancy and submit to the governor the names of two or more persons qualified for the judicial office. (§ 1 ch 12 SLA 1980; am § 2 ch 7 SLA 1985)

Effect of amendments. — The 1985 amendment in subsection (b) in the second sentence inserted "election following" preceding "failure of a judge to file," deleted

"to succeed" preceding "the judicial council," and substituted "90" for "45" and "90-day" for "45-day."

Sec. 22.07.075. Impeachment. A judge of the court of appeals is subject to impeachment by the legislature for malfeasance or misfeasance in the performance of official duties. Impeachment must originate in the senate and must be approved by two-thirds vote of its members. The motion for impeachment must list fully the basis for the proceeding. Trial on impeachment shall be conducted by the house of representatives. A supreme court justice designated by the court shall preside at the trial. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but does not prevent proceedings in a court on the same or related charges. (§ 6 ch 38 SLA 1987)

Sec. 22.07.080. Restrictions. A judge of the court of appeals while holding office may not practice law, or engage in the conduct of any other profession, vocation, or business for profit or compensation, which conduct would interfere with the performance of the judicial duties of the judge, nor may a judge hold office in a political party, or hold any other office or position of profit under the United States, the state or its political subdivisions. A judge of the court of appeals filing for another elective public office other than delegate to a constitutional convention of this state or the United States forfeits the judicial position. (§ 1 ch 12 SLA 1980)

Collateral references. — Validity and application of statute regarding prohibition of judge from practicing law. 17 ALR4th 829.

Sec. 22.07.090. Compensation. (a) The monthly salary of a judge of the court of appeals is equal to Step E, Range 29 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska. The compensation of a judge may not be diminished during the term of office, unless by general law applying to all salaried officers of the state.

(b) A salary warrant may not be issued to a judge of the court of appeals until the judge has filed with the state officer designated to issue salary warrants an affidavit that no matter referred to the judge for opinion or decision has been uncompleted or undecided by the judge for a period of more than six months. (§ 1 ch 12 SLA 1980)

required for a judgment of impeachment. The judgment may not extend beyond removal from office, but does not prevent proceedings in the courts on the same or related charges. (§ 23 ch 50 SLA 1959)

Sec. 22.10.180. Restrictions. A superior court judge while holding office may not practice law, nor engage in the conduct of any other profession, vocation, or business for profit or compensation, which conduct would interfere with the performance of the judicial duties of the judge, nor may a judge hold office in a political party, or hold any other office or position of profit under the United States, the state or its political subdivisions. A superior court judge filing for another elective public office other than delegate to a constitutional convention of this state or the United States forfeits the judicial position. (§ 29 ch 50 SLA 1959; am § 2 ch 30 SLA 1971; am § 11 ch 12 SLA 1980)

Opinions of attorney general. — Because the University of Alaska is an instrumentality of the state and membership on its Board of Regents is necessarily an office under the state, a judge may not sit as a regent while holding judicial office. December 27, 1976 Op. Att'y Gen.

When a judge sits as a regent, the judge

is not sitting in a representative capacity of the judicial branch or exercising judicial power but rather is exercising certain executive powers of control vested in the regents over the state's sole institution of higher learning. This, the judge may not do pursuant to Alaska Const., art. IV, § 14. December 27, 1976 Op. Att'y Gen.

NOTES TO DECISIONS

Cited in *Begich v. Jefferson*, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

Collateral references. — Propriety and permissibility of judge engaging in the practice of law. 89 ALR2d 886.

Validity and application of statute regarding prohibition of judge from practicing law. 17 ALR4th 829.

Sec. 22.10.190. Compensation. (a) The monthly salary for each superior court judge is equal to Step E. Range 28 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

(b) A salary warrant may not be issued to a superior court judge until the judge has filed with the state officer designated to issue salary warrants an affidavit that no matter referred to the judge for opinion or decision has been uncompleted or undecided by the judge for a period of more than six months.

(c) In addition to annual salary, a superior court judge is entitled to receive a geographic cost-of-living adjustment, based on the location of the judge's primary office assignment, equal to 3.5 per cent of the judge's annual salary times the number of pay step increases provided under AS 39.27.020 for a state employee working in the same election

district in those districts for which AS 39.27.020 specifies zero-to-five pay step increases. In an election district for which AS 39.27.020 specifies more than five pay steps, the number of pay step increases under this section is limited to five. Any retirement benefits to which a superior court judge may be entitled shall be computed only on the annual salary. (§ 30 ch 50 SLA 1959; am § 5 ch 115 SLA 1965; am § 4 ch 83 SLA 1967; am § 2 ch 101 SLA 1969; am § 2 ch 193 SLA 1970; am § 2 ch 34 SLA 1974; am § 2 ch 205 SLA 1975; am § 3 ch 148 SLA 1976; am § 4 ch 263 SLA 1976; am § 5 ch 80 SLA 1978; am §§ 4, 19 ch 3 SLA 1980)

Editor's notes. — Chapter 205, SLA 1975, which amended this section, was submitted to the voters by referendum and was rejected.

A reference to AS 29.27.020 was changed to AS 39.27.020 in subsection (c),

by the revisor of statutes pursuant to AS 01.05.031.

Legislative history reports. — For report on ch. 83, SLA 1967 (HB 141), see 1967 House Journal, pp. 339-340.

NOTES TO DECISIONS

Cited in *Kochutin v. State*, Sup. Ct. Op. No. 3194 (File No. S-1894), 739 P.2d 170 (1987).

Chapter 15. District Courts.

Article

- 1. District Judges and Magistrates (§§ 22.15.010 — 22.15.270)
- 2. Public Administrator (§§ 22.15.310 — 22.15.350)

Article 1. District Judges and Magistrates.

Section

- 10. Establishment of the district court of the State of Alaska
- 20. Number of district judges and magistrates
- 30. Civil jurisdiction
- 40. Small claims
- 50. Actions not within civil jurisdiction
- 60. Criminal jurisdiction
- 70. Extent of jurisdiction
- 80. Change of venue
- 90. Sessions and general powers of district court
- 100. Functions and powers of district judge and magistrate
- 110. Additional duties of district judge and magistrate
- 120. Limitations on proceedings which magistrate may hear
- 140. Process

Section

- 150. Jury trials
- 160. Qualifications of district judges and magistrates
- 170. Selection of district judges and magistrates
- 180. Oath of office
- 190. Assignment of district judges and magistrates
- 195. Approval or rejection
- 205. Impeachment
- 210. Restrictions
- 220. Compensation
- 230. Additional compensation
- 240. Appeal
- 250. Disposition of fines
- 260. Bond
- 270. Retention of fines, etc., by political subdivisions

tive public office other than delegate to a constitutional convention of this state or the United States forfeits the judicial position.

(b) A magistrate, while holding office, may not hold office in a political party. A magistrate may hold any other office or position of profit under the United States, the state or its political subdivisions, or engage in the conduct of any profession or business which does not interfere with the performance of the judicial duties of the magistrate or require that the magistrate repeatedly disqualify himself or herself from judicial service because of a conflict of interest caused thereby. (§ 16 ch 184 SLA 1959; am § 2 ch 5 SLA 1960; am § 3 ch 30 SLA 1971; am § 14 ch 12 SLA 1980)

Legislative history reports. — For report on ch. 30, SLA 1971 (FCCS HCSSB 64), see 1971 House Journal, p. 226.

NOTES TO DECISIONS

Quoted in Begich v. Jefferson, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

Collateral references. — Validity and application of statute regarding prohibition of judge from practicing law. 17 ALR4th 829.

Sec. 22.15.220. Compensation. (a) The monthly salary for each district judge is equal to Step C, Range 26 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska.

(b) Each magistrate shall receive annual compensation to be determined by the supreme court. Salary increases shall be determined on the basis of percentage of pay increase the legislature provides for state employees in the classified service. The base salary of a magistrate shall be increased by a percentage equal to three and one-half per cent times the number of step increases provided under AS 39.27.020 that a state employee would receive working in the same election district. A magistrate's annual compensation may be payable, at the option of the magistrate, either monthly in 12 equal installments or semi-monthly in 24 equal installments.

(c) A salary warrant may not be issued to a district judge or magistrate until the judge or magistrate has filed with the state officer designated to issue salary warrants, an affidavit that no matter referred to the judge or magistrate for opinion or decision has been uncompleted or undecided by the judge or magistrate for a period of more than six months.

(d) In addition to annual salary, a district court judge is entitled to receive a geographic cost-of-living adjustment, based on the location of the judge's primary office assignment, equal to 3.5 per cent of the

judge's annual salary times the number of pay step increases provided under AS 39.27.020 for a state employee working in the same election district in those districts for which AS 39.27.020 specifies zero-to-five pay step increases. In an election district for which AS 39.27.020 specifies more than five pay steps, the number of pay step increases under this section is limited to five. Any retirement benefits to which a district court judge may be entitled shall be computed only on the annual salary. (§ 17 ch 184 SLA 1959; am § 1 ch 66 SLA 1962; am § 1 ch 64 SLA 1963; am § 1 ch 137 SLA 1966; am § 5 ch 83 SLA 1967; am § 3 ch 101 SLA 1969; am § 3 ch 193 SLA 1970; am § 1 ch 78 SLA 1971; am § 1 ch 188 SLA 1972; am §§ 3, 4 ch 34 SLA 1974; am § 3 ch 205 SLA 1975; am §§ 4, 5 ch 148 SLA 1976; am § 1 ch 196 SLA 1976; am § 5 ch 263 SLA 1976; am § 6 ch 80 SLA 1978; am §§ 5, 20 ch 3 SLA 1980)

Editor's notes. — Chapter 205, SLA submitted to the voters by referendum 1975, which amended this section, was and was rejected.

NOTES TO DECISIONS

Cited in *Kochutin v. State*, Sup. Ct. Op. No. 3194 (File No. S-1894), 739 P.2d 170 (1987).

Sec. 22.15.230. Additional compensation. Subject to rule of the supreme court, a district judge or magistrate shall receive a per diem allowance and a transportation allowance commensurate with that authorized for other state employees. (§ 18 ch 184 SLA 1959)

Sec. 22.15.240. Appeal. (a) Either party may appeal a judgment of the district court in a civil action to the superior court.

(b) The defendant may appeal a judgment of conviction given in the district court in a criminal action to the superior court. When the judgment is given on a plea of guilty, an appeal may not be taken by the defendant except on the ground that a sentence of imprisonment of 90 days or more was excessive. The state has no right of appeal in criminal actions for which judgment is given in the district courts, except to test the sufficiency of the information or to appeal a sentence on the ground it is too lenient. When a sentence is appealed by the state on the ground it is too lenient, the court may not increase the sentence but may express its approval or disapproval of the sentence and its reasons in a written opinion.

(c) *[Repealed, § 47 ch 14 SLA 1987.]*

(d) *[Repealed, § 47 ch 14 SLA 1987.]* (§ 20 ch 184 SLA 1959; am § 3 ch 5 SLA 1960; am § 3 ch 117 SLA 1969; am § 15 ch 12 SLA 1980; am § 47 ch 14 SLA 1987)

Sec. 39.27.010. Basic salary schedule. [Repealed, § 12 ch 80 SLA 1978. For current law covering the subject matter, see AS 39.27.011.]

Sec. 39.27.011. Salary schedule. (a) The following monthly basic salary schedule is approved as the pay plan for classified and partially exempt employees in the executive branch of the state government who are not members of a collective bargaining unit established under the authority of the Public Employment Relations Act and employees of the legislature under AS 24.10 and AS 24.20:

Range No.	Step A	Step B	Step C	Step D	Step E	Step F
05	1,387	1,425	1,467	1,507	1,552	1,593
06	1,467	1,507	1,552	1,593	1,639	1,687
07	1,552	1,593	1,639	1,687	1,740	1,793
08	1,639	1,687	1,740	1,793	1,845	1,903
09	1,740	1,793	1,845	1,903	1,965	2,020
10	1,845	1,903	1,965	2,020	2,082	2,145
11	1,965	2,020	2,082	2,145	2,217	2,286
12	2,082	2,145	2,217	2,286	2,365	2,445
13	2,217	2,286	2,365	2,445	2,531	2,623
14	2,365	2,445	2,531	2,623	2,715	2,818
15	2,531	2,623	2,715	2,818	2,910	3,020
16	2,715	2,818	2,910	3,020	3,129	3,242
17	2,910	3,020	3,129	3,242	3,353	3,468
18	3,129	3,242	3,353	3,468	3,582	3,717
19	3,353	3,468	3,582	3,717	3,831	3,974
20	3,582	3,717	3,831	3,974	4,095	4,246
21	3,831	3,974	4,095	4,246	4,379	4,537
22	4,095	4,246	4,379	4,537	4,687	4,859
23	4,379	4,537	4,687	4,859	5,021	5,209
24	4,687	4,859	5,021	5,209	5,385	5,568
25	5,021	5,209	5,385	5,568	5,773	5,990
26	5,209	5,385	5,568	5,773	5,990	6,206
27	5,385	5,568	5,773	5,990	6,206	6,442
28	5,568	5,773	5,990	6,206	6,442	6,666
29	5,773	5,990	6,206	6,442	6,666	6,901
30	5,990	6,206	6,442	6,666	6,901	7,144

(b) *[Repealed, § 38 ch 3 SLA 1980.]*

(c) If a state officer or employee is appointed a deputy department head or a division director and, at the time of appointment, the officer or employee is receiving a salary higher than that set for the position to which appointment has been made, the officer or employee is entitled to continue receiving the higher salary. This subsection does not apply to the salary of a person appointed to a position other than a deputy department head or a division director. (§ 12 ch 148 SLA 1976; am § 1 ch 92 SLA 1977; am §§ 1, 10 ch 80 SLA 1978; am §§ 1, 16, 30,

31, 38 ch 3 SLA 1980; am § 1 ch 50 SLA 1982; am § 1 ch 83 SLA 1983; am § 4 ch 87 SLA 1985; am § 7 ch 21 SLA 1987)

Cross references. — For applicability of the salary schedules in (a) of this section to employees of the judicial and legislative branches, and to employees of the executive branch not otherwise covered by this section, see § 6, ch. 87, SLA 1985 in the Temporary and Special Acts; for certain employees of the University of Alaska, see § 7, ch. 87, SLA 1985, in the Temporary and Special Acts; for the Public Employment Relations Act, see AS 23.40.070 — 23.40.260.

For Act authorizing certain salary adjustments during fiscal year 1988 for clas-

sified, exempt, and partially exempt employees in the executive branch who are not members of a collective bargaining unit, see ch. 4, FSSLA 1987 in the Temporary and Special Acts.

Effect of amendments. — The 1983 amendment rewrote subsection (a).

The 1985 amendment rewrote subsection (a).

The 1987 amendment added "and employees of the legislature under AS 24.10 and AS 24.20" immediately preceding the table in subsection (a).

Sec. 39.27.012. Temporary salary schedules. The director of personnel may establish salary schedules providing lesser amounts than those in the basic salary schedule in order to meet salary limit requirements for receipt and expenditure of federal funds. Salary rates established under authority of this section do not affect the salaries of employees provided for by a collective bargaining agreement negotiated under the authority of the Public Employment Relations Act (AS 23.40.070 — 23.40.260). (§ 2 ch 138 SLA 1975)

Revisor's notes. — Section 6, ch. 138, SLA 1975, provided that this section would be repealed on the effective date of

a pay schedule adopted under a section enacted by a particular bill. However, that bill did not become law.

Sec. 39.27.015. Cost-of-living adjustments. [Repealed, § 12 ch 80 SLA 1978.]

Sec. 39.27.020. Pay step differentials by election district and in other states. (a) The following pay step differentials are approved as an amendment to the basic salary schedules provided in AS 39.27.011:

Election District	Pay Steps Above Basic Salary Schedule
1	0
2	1
3	1
4	0
5	2
6a (excluding Valdez Duty Station)	4
6b (Valdez Duty Station)	5
7	1
8	0
9	2
10	2

Election District	Pay Steps Above Basic Salary Schedule
11	2
12	7
13	7
14	8
15a (excluding Nenana Duty Station)	9
15b (Nenana Duty Station)	8
16a (south of Arctic Circle)	4
16b (north of Arctic Circle)	9
17	9
18	9
19	8
In other states	minus 6

(b) For purposes of (a) of this section, "election district" means an election district designated in the governor's proclamation of reapportionment and redistricting of December 7, 1961.

(c) The director shall establish salary differentials for positions in foreign countries. The differentials shall be adjusted annually, effective July 1, to maintain equitable relationships between salaries for positions in foreign countries and salaries for positions in Alaska. (§ 1 ch 158 SLA 1966; am § 8 ch 101 SLA 1969; am § 2 ch 87 SLA 1971; am § 3 ch 47 SLA 1974; am § 3 ch 138 SLA 1975; am § 13 ch 148 SLA 1976; am §§ 32, 33 ch 3 SLA 1980)

Revisor's notes. — Section 6, ch. 138, SLA 1975, provided that this section would be repealed on the effective date of a pay schedule adopted under a section enacted by a particular bill. However, that bill did not become law.

Sec. 39.27.022. Pay increments for longevity in state service.

(a) Pay increments, computed at the rate of 3.75 per cent of the employee's base salary, shall be provided after an employee has remained in the final step within a given range for two years, provided that the employee has worked continuously for the state for seven years and provided that the current annual rating by the employee's supervisors is designated as "good" or higher.

(b) Additional increments, each computed at the rate of 3.75 per cent of the employee's base salary, shall be provided under the same restrictions as provided in (a) of this section when the employee has remained in the final step for four, nine and thirteen years.

(c) Longevity pay increments provided for in (a) and (b) of this section are approved under AS 39.25.150(2) as an amendment to the pay plan for employees of the state.

(d) This section applies to employees of the legislature only if the committee responsible for adopting employment policies concerning the employee adopts a written policy that the section applies. This section applies to the employees of the office of the ombudsman only if

JUDICIAL SALARY PAPER

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OFFICE OF THE ADMINISTRATIVE DIRECTOR
ALASKA COURT SYSTEM
303 K Street
Anchorage, Alaska 99501
(907) 264-0547

JUDICIAL SALARY PAPER

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I. Purpose

The purpose of this paper is to provide information to the State Officer's Compensation Commission about current levels of judicial salaries. Pursuant to AS 39.23.240(b), the commission may review the compensation, benefits and allowances of justices and judges of the court system.

In 1988, Alaska judicial salary levels are:

1. Supreme Court Justice

AS 22.05.140(a): "The monthly salary of each justice is equal to Step F, Range 30 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska."

[Cost-of-living adjustments are applicable pursuant to AS 22.05.140(c).]

Per annum: \$85,728

2. Court of Appeals Judge

AS 22.07.090(a): "The monthly salary of a judge of the court of appeals is equal to Step E, Range 29 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska."

Per annum: \$79,992

3. Superior Court Judge

AS 22.10.190(a): "The monthly salary for each superior court judge is equal to Step E, Range 28 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska."

[Cost-of-living adjustments are applicable pursuant to AS 22.10.190(c)].

Per annum: \$77,304

4. District Court Judge

AS 22.15.220(a): The monthly salary for each district judge is equal to Step C, Range 26 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska."

[Cost-of-living adjustments are applicable pursuant to AS 22.15.220(d)].

Per Annum: \$66,816

II. INTRODUCTION

Judicial compensation plans have been examined and revised in a substantial number of states within the past few years. For example, in a recent comprehensive study (November 1984), a special commission appointed in Hawaii to report on state judicial salaries determined that judicial compensation must be set at appropriate levels to achieve three purposes: (1) to provide compensation that is fair, reasonable and just; (2) to provide adequate compensation so as to attract qualified men and women in sufficient numbers as candidates for judicial office; and (3) to provide compensation which is commensurate with judicial responsibilities.¹⁻¹

An understanding of the nature of judicial duties and responsibilities is crucial to the determination of a fair level of compensation. Extraordinary burdens are placed upon the men and women chosen as members of the judiciary. The Hawaii commission found that traditional qualifications for a judge include:

(1) demonstrated judicial temperament, (2) professional expertise and competence, (3) absolute personal and professional integrity, (4) an able, agile, lucid mind, (5) appropriate professional educational background and training, and (6) the ability to communicate clearly, both orally and in writing, especially the latter.

In addition to these and other traditional requirements, the Hawaii commission found that changing social conditions resulting in increased demands on the courts now required judges to possess additional talents, which include administrative and management abilities, communication and community relations skills, and mediation and negotiation proficiency.

The Nature of the Job

Day after day, Alaska's judges are expected to exercise exemplary judgment in making crucial decisions about the lives and property of the

citizens of this state. The Code of Judicial Conduct demands that they curtail their personal, business and political activities to a level far more restricted than is expected of other state professionals. They are even required to curtail the activities of members of their families residing in their households.

Not only is a judge required to give his or her judicial responsibilities precedence over all other activities, but a judge must also apply these principles to his or her conduct seven days a week, 24 hours a day. A judge can never escape scrutiny with an excuse that the judge was "off-duty".

There are sacrifices that a person must make in accepting a judicial position, due to the restrictions imposed on judges by the judicial canons. Judges are not permitted to take an active role in the political sphere. Judges must isolate themselves to a great degree from the practicing bar, which would provide their most logical source of social contacts. Judges' abilities to avail themselves of investment opportunities are substantially curtailed. Also, judges are public figures and are expected to uphold a "proper" judicial image. Even their private or social life may be open to public scrutiny.

A. Evaluating the Relative Importance of Judicial Duties

In order to evaluate the importance of judicial positions relative to other positions in state government, it is useful to analyze judicial positions using the four criteria ordinarily employed by personnel analysts to establish compensation levels: consequence of error, complexity of job tasks, supervisory responsibilities, and degree of independence required.

The consequence of error by any judicial officer is very great. A judicial error may have a profound effect upon an individual appearing before the court, a class of citizens affected by court rulings, and sometimes every citizen in the state. Judges are asked to rule upon the guilt or innocence of criminal defendants, to evaluate issues of liability and the extent of damages in civil cases, and to interpret the Alaska Statutes and the Constitution in ways that can affect the rights and responsibilities of all citizens. Many cases have been decided in the courts of Alaska involving issues of major importance, not only to the individual litigants, but to all the citizens of this state. For example, when the supreme court established the doctrine of comparative negligence in personal injury cases, a major change was introduced in the way our society distributed monetary losses associated with these injuries.

Since the cases each judge hears may involve major issues (freedom vs. detention of a defendant, large monetary awards in civil cases, constitutional interpretations affecting the relationships of entire classes of people), the consequence of an error, either in a substantive judgment or in procedure, is correspondingly high. The consequence of error is obviously highest at the supreme court level, since the supreme court is the court of last resort in the state. However, even though decisions of the district courts, superior courts, and court of appeals may be appealed to higher courts, most cases are not appealed and most decisions of the lower courts are not challenged. Even in those cases in which an appeal is filed and a lower court judge is reversed, the initial court decisions still have a considerable impact, monetary and otherwise, on the litigants appearing before the court.

mineral leasing, prohibition of coal leasing or prospecting, or another management option is needed to protect the continued productivity and availability of the resource in conflict.

A. Retained Lands with Significant Commercial, Industrial, or Public Use Values

- Lands with significant coal, oil and gas, timber or other commercial potential.
- Lands recognized as future transportation corridors where access for pipelines, road, railroads, or other surface transportation infrastructure could be blocked or impeded by mining claims. (After the alignment is established, areas will be reopened if they are surplus land.)
- Lands and waters that provide unique or unusual opportunities for human use and enjoyment, such as fishing, hunting, trapping, photography, and fish and wildlife viewing.
- Lands and waters that provide significant recreation opportunities, such as clear water rivers that are now or are expected to be important for recreation, key public access sites, and recreation facilities.
- Lands and waters that are the watershed of a community water supply.
- Sand and gravel pits, stone quarries, or other significant known material sites where development might be impeded if mineral claims were staked.

B. Retained Lands With Significant Fish or Wildlife Resources

- Lands and waters that support protected species of plants, fish or wildlife (bald and golden eagles), threatened species (Arctic peregrine falcon), or endangered species (American peregrine falcon).
- Lands and waters that support production or maintenance of fish or wildlife species that have significant economic, recreational, scientific, educational, or cultural values or which have been given special protection through state or federal legislation or international treaty.
- State game refuges, critical habitat areas, and sanctuaries. (In decision memorandum 44 signed by the commissioner in January 1984, DNR set the statewide policy that in legislatively established Critical Habitat Areas and Wildlife Refuges mining will occur under lease. Also, individual legislatively designated areas may be recommended for mineral closure, but such a closure would be decided case by case using the criteria found in AS 38.05.185(a).)
- Other lands and waters not included above that are known to support unique or unusually large assemblages of fish or wildlife.

Oil and Gas Guidelines

Generally, oil and gas exploration, development, and production will be encouraged on state lands. Impacts on other important uses and resources will be managed through appropriate mitigation measures such as those contained in this plan and those developed during the permitting and leasing processes.

Oil and gas guidelines are not addressed here. Oil and gas guidelines specific to a particular management unit are found in Chapter 3. DNR's statewide policies for oil

and gas are found in the Five-Year Oil and Gas Leasing program. Specific stipulations for oil and gas exploration, development, and production activities will be developed and applied case by case for each oil and gas lease sale using the lease sale process.

Other Guidelines Affecting Subsurface resources

Several other guidelines may affect subsurface resources. See the following sections of this chapter:

- Fish and wildlife habitat
- Settlement
- Transportation
- Public Access
- Stream corridors and instream flow
- Trail management
- Wetlands management

Land Allocation Summary

Minerals. Mining is a primary use in the Slate Creek mining area which is the only state land with extensive mining activity. Most other mining claims and most lands with mineral potential in the Copper River Basin occur on Native lands or private claims located in the Wrangell Mountains. Approximately 3.15 million acres (97 percent) of the state land in the basin remains open to mineral entry. Approximately 108,000 acres (3 percent) of the state land in the basin would be closed to mineral entry to protect certain recreation and fish resources. Additional acreage (approximately 36,000 acres, or 1 percent) would be closed for land disposals before individual land offerings. State land remains open to mineral entry except for the Kettlehole Lakes - Mendeltna recreation area, Thompson Pass transportation and utility corridor, and the streams and lakes listed below. The north shore of Tazlina Lake, which contains extensive archaeological sites, will also be closed to new mineral entry. The following areas would be closed to new mineral entry to protect important salmon spawning and rearing areas, resident fish habitat, recreation and scenic resources:

- Mendeltna Creek and Old Man Lake
- Tolsona Creek
- Kaina Lake and Creek
- St. Anne Creek
- Klutina Lake and River above Manker Creek
- Mahlo River
- Manker Creek
- Tonsina Lake and River above Rainbow Creek
- Greyling Creek
- Bernard Creek
- Long Lake and Long Lake outlet
- Nizina River - Dan Creek to Spruce Point
- Slana River above Lost Creek
- Ahtel Creek
- East Fork Chistochina River below Mankomen Lake
- Unnamed tributary to Gakona River near Alder Lake and Swampy Lake
- Spring Creek
- Gulkana River

Paxson Lake
Summit Lake
Gunn Creek and Gunn Lakes
Fish Creek and Fish Lakes
Crosswind Lake

State-owned uplands within 200 feet of mean high water on both sides of these streams would also be closed to new mineral entry.

Oil and Gas. All state land is available for oil and gas exploration and leasing except state-owned shorelands under the Gulkana River. The Gulkana River is a National Wild River and adjacent federal lands are withdrawn from leasing. Seasonal restrictions may be applied to oil and gas activities in the trumpeter swan habitat areas.

Other Leaseable Minerals (Coal, sedimentary uranium, potassium, sodium, oil shale, geothermal). Any leases will be dealt with case by case consistent with the intent of the appropriate management unit.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Transportation & Public Facilities
Mailing Address: P.O. Box 2
Juneau, AK 99811
Agency Contact: Bruce R. Freitag
Telephone: 465-2957

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

17AAC 25 (Size & Weight) 17AAC 15 (Utilities)
17AAC 35 (Ind. Use Highways)
AS 19 (Hwys & Ferries) 17AAC 10 (Driveways)

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Office of the Ombudsman

Mailing Address: Box 100
Juneau AK 99811-3000

Agency Contact: Juneau Archives Feinberg
Duncan Fowler / Rosie Garner / Sandra McCoy

Telephone: 465-4970 / 277-8848 / 452-4001

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes No Specifically If no, then additional information

Note: This office does have the authority to review any administrative act of state government. As such we can investigate both the legality & fairness of
If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.
Please list those statutes and regulations which are applicable to mineral exploration and development: Actions
See AS 24.55.

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

_____ Yes _____ No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

_____ Yes _____ No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska Public Utilities Commission
Mailing Address: 420 L Street, Suite 100
Anchorage, Alaska 99501
Agency Contact: _____
Telephone: (907) 276-6222

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes No If no, then additional information
PUC regulates intrastate pipelines: is not required. Return form to DNR
his indirectly affects mineral expl- in the pre-addressed envelope provided.
ration and development.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

AS 42.06 (indirectly) _____

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes x No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

 X Yes No If no, please list those statutes,
regulations or procedures that do
not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska State Council on the Arts
Mailing Address: 619 Warehouse Avenue, Suite 220
Anchorage, Alaska 99501-1682
Agency Contact: Christine D'Arcy, Executive Director
Telephone: 279-1558

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes x No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes x No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: ALASKA STATE MUSEUM--DIVISION OF STATE MUSEUMS

Mailing Address: 395 Whittier Street

Juneau, AK 99801

Agency Contact: Jerry D. Howard Museum Specialist II

Telephone: 465-2901

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes

 X No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes

 No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

 Yes

 No

If no, please list those statutes, regulations or procedures that do not comply:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska Public Broadcasting Commission
Mailing Address: P.O. Box CB
Juneau, AK 99811
Agency Contact: Charles M. Northrip Exec. Dir.
Telephone: (907) 465-2846

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes

No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes

No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes

No

If no, please list those statutes, regulations or procedures that do not comply:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: OLDER ALASKANS COMMISSION
Mailing Address: OFFICE of THE LONG TERM CARE OMBUDSMAN
3601 C STREET, SUITE 380
ANCHORAGE, AK 99503-5209
Agency Contact: WILLIAM M. O'CONNOR
Telephone: (907) 279-2232

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.
2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No
4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

10/11/84

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska Public Officers Commission

Mailing Address: 2221 E. Northern Lights

Box 128

Anchorage AK 99508

Agency Contact: Karla Forsythe Executive Director

Telephone: 276-4176

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes X No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes X No

... although we do think the

4. Do your agency's statutes, regulations, or other laws administered under Section 1 of the Minerals Policy Act?

 Yes No

If regulations are not administered under "gold" in the eyes of the public!

KCF

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Department of Administration
Mailing Address: P.O. Box C
Tuneau AK 99811
Agency Contact: John M. Andrews, Commissioner
Telephone: 465-2200

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes

No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes

No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes

No

If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: A I D E A

Mailing Address: 1577 "C" Street, Suite 304
Anchorage, Alaska 99501

Agency Contact: Bertram L. Wagnon, Executive Director

Telephone: (907) 274-1651

Please complete the following information requests:

1. Does you agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes X No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska State Building Authority
Mailing Address: P.O. Box 100080 99510
624 W. International Airport Rd
Anchorage, Alaska 99518
Agency Contact: JeAnn Goynes, Deputy Executive Dir.
Telephone: 786-6220

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes No

4. Do your agency's statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes No If no, please list those statutes, regulations or procedures that do not comply:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

10/2/81

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska Power Authority
 Mailing Address: P.O. Box 4M
Juneau, AK 99801
 Agency Contact: P. Lelesche
 Telephone: 907 465-3575

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 _____ Yes X No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 _____ Yes _____ No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 _____ Yes _____ No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

~~Department/Board/Commission~~ Name: Alaska Seafood Marketing Institute
Mailing Address: P.O. Box DX
Juneau, AK 99811-0800
Agency Contact: Peter W. Carlson
Telephone: (907) 586-2902

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Alaska Oil & Gas Conservation Commission

Mailing Address: 5001 Porcupine Drive
Anchorage, AK 99501-3192

Agency Contact: C. V. Chatterton

Telephone: (907) 279-1433

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

 Yes

 X No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

 Yes

 No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

 Yes

 No

If no, please list those statutes, regulations or procedures that do not comply:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: DCRA
Mailing Address: Box B
Juneau, AK 99801
Agency Contact: Paul Cunningham
Telephone: 465-4750

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Dept of Conservation
Mailing Address: 2003-507
J. ... AK 99811
Agency Contact: Kathy Civity
Telephone: 561-2426

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes ✓ No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Dept of Education
Mailing Address: Box F
Tomball - 77481
Agency Contact: Steve Hale
Telephone: 465-2800

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: COMMISSION ON POSTSECONDARY EDUCATION
Mailing Address: P.O. Box FP
JUNEAU, ALASKA 99811
Agency Contact: RON THIPPS
Telephone: 465-2854

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes

No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes

No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes

No

If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: State Archives + Records Service
Mailing Address: Dept. of Education
141 Willoughby
Tuneau, AK 99801
Agency Contact: Virginia Newton, State Archivist
Telephone: 465-2275

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes X No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Dept. of Education, Division of Libraries

Mailing Address: P.O. Box G

Juneau, AK 99811

Agency Contact: Karen R. Crane, Director

Telephone: (907) 465-2910

Please complete the following information requests.

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?

Yes

No

If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?

Yes

No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?

Yes

No

If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

MEMORANDUM

State of Alaska

TO: Judith M. Brady
Commissioner
Department of Natural
Resources


DATE: 10/14/83

FILE NO: 122-001-10-10-1

TELEPHONE NO: 1-230-0000

SUBJECT: Alaska Minerals Policy Act

THRU:

FROM: 
Kaye M. Munson
Commissioner
Department of Health and
Social Services

Attached is the form pertaining to the Alaska Minerals Policy Act that you requested I complete. In reviewing our statutes, regulations, and internal policies and procedures, I found none applicable to minerals exploration and development.

Thank you for the opportunity to review and comment.

Attachment

CIVIL

Minerals Policy Act Compliance Form
as required by AS 44.99.110

Department/Board/Commission Name: Health and Social Services
Mailing Address: PO Box II
Juneau, AK 99811
Agency Contact: Dave Williams
Telephone: 465-3015

Please complete the following information requests:

1. Does your agency have statutory authority, regulations or procedures applicable to mineral exploration and development?
 Yes xxx No If no, then additional information is not required. Return form to DNR in the pre-addressed envelope provided.

2. Please list those statutes and regulations which are applicable to mineral exploration and development:

3. Does your agency have written procedures (not including statutes and regulations) applicable to mineral exploration and development?
 Yes No

4. Do your agencies statutes, regulations and procedures comply with Section 1 of the Minerals Policy Act?
 Yes No If no, please list those statutes, regulations or procedures that do not comply:

Please return this completed form to the Department of Natural Resources in the pre-addressed envelope provided. Thank you.

The complexity of the work performed by judges and justices is of the highest level. Judges must understand and interpret legal principles contained within a myriad of source materials, including state and federal constitutions, state and federal statutes, court rules and vast bodies of caselaw. They must extract relevant legal principles from these materials and apply them correctly to decisions to be made in cases before them. In cases presented to them, they must listen to testimony, evaluate arguments and review documents relevant to the controversies at hand. To adequately execute these responsibilities, judges must engage in constant study and continuing education, since the body of law upon which they rely is constantly changing.

Judges also have supervisory responsibilities. In smaller, single judge court locations, the resident superior or district court judge is responsible for supervising the non-judicial staff and establishing local procedures for court operations. In larger courts (such as Anchorage or Fairbanks) overall managerial authority is vested in a presiding judge, but individual judges must supervise law clerks, in-court clerks, and secretaries as well as control the actions of the attorneys and litigants appearing before the court each day. Each judge must manage his or her caseload, working with attorneys to resolve conflicts, directing the proceedings in the courtroom, and ruling on requests relating to procedural issues in each case. It is also the sole responsibility of each judge to see that all court personnel, attorneys, litigants, witnesses, and spectators conform to the correct procedures of court during court hearings or trials.

The independence of each judge must be high. Each judge must make decisions in each individual case strictly upon the evidence presented in that case, applicable legal precedents, and the judge's interpretation of

statutes and other legal authority. A judge is not permitted to seek advice from outside sources, but rather must make independent decisions based upon how he or she interprets the law, unbiased by outside opinions. A judge does not hold public hearings or conduct polls to determine the fate of a defendant or the resolution of a major civil or constitutional issue. A judge must make decisions alone.

The above analysis of the nature of judicial responsibilities demonstrates the importance and difficulty of a judge's role. While the unique nature of the judiciary makes it difficult to classify judicial positions relative to positions in the executive branch, it is clear that the judicial functions rank high on any scale.

B. Job Qualifications

Not only are judicial responsibilities difficult and important, as outlined in the section above, but those who apply for judicial positions must be highly qualified. An applicant for the supreme court or the court of appeals must have been a resident of Alaska for five years and must have had eight years of experience in the active practice of law immediately preceding his or her application. An applicant for the superior court bench must have five years residency in Alaska and have practiced law for five years immediately prior to his or her application. A district court judge must have been a resident of Alaska for at least five years prior to his or her appointment, and must have practiced law for at least three years, or be a graduate of an accredited law school and have been a state magistrate for at least seven years.

Prior to being appointed to a judicial position, an attorney must be found to be qualified by the Alaska Judicial Council. The criteria used by the council (both for selection and retention election purposes) are based

on national standards and encompass numerous types of skills and talents. (See Table 1, attached, which contains copies of Alaska Judicial Council survey instruments containing these criteria.) The council solicits public input during its evaluation of each applicant, and conducts a comprehensive survey of all attorneys to determine the qualifications of each applicant. Following this screening, the council submits only the names of those whom are deemed most qualified to the governor. To be appointed to a judicial position, therefore, it is not only necessary to meet the minimum statutory requirements, but it is also necessary to have demonstrated a high level of competence in the legal field.

C. Other Considerations in the Establishment of Appropriate Judicial Salaries

In addition to the points raised in Sections A and B relating directly to the setting of judicial salaries, there are other important issues to be considered.

At current salary levels, many appointees to the bench must take an immediate major salary cut to accept a judicial position. (Of course, these applicants have a reasonable expectation that judicial salary levels will experience increases over time in line with increases in costs of living and increases in other individuals' incomes.) Also, since private attorney's earnings generally reach their highest levels in the latter years of an attorney's career, an applicant for a judicial position generally gives up not only current salary but also potential for earning significantly greater sums in his or her later years. Finally, since judicial officers are restricted by the judicial canons in their ability to invest, further reductions in personal income wealth may result. A practicing attorney may earn a substantial proportion of his or her income from other business

in addition to the actual practice of law. Such opportunities are severely restricted for judicial officers. This third point concerning the lack of investment potential for judges is a particularly important consideration when the judicial retirement program is under examination.

III. RANKING OF JUDICIAL SALARIES: A STATE-TO-STATE COMPARISON

One approach to the evaluation of Alaskan judicial salaries is to compare Alaskan salaries with the salaries of judges of courts of comparable jurisdiction in other states. The materials presented in this chapter make these comparisons for the supreme court, the court of appeals, and the superior court. Comparisons cannot be made for the district court. District court jurisdiction varies dramatically from state to state, and any comparison would therefore not be valid. However, it should be noted that the district court in Alaska has broader, more extended jurisdiction than do district courts in most other states.

Since costs of living vary drastically from state to state, a comparison of unadjusted salary figures would not be illustrative of any true ranking.²⁻¹ Therefore, the salaries presented herein have been adjusted by applicable cost of living indices²⁻² so that there is a common basis for comparison.

Another matter of interest is the way that rankings change over time. As judges in particular states are granted salary increases, those judges may rise in relative salary rank as compared with other states' salary levels. The attached materials therefore track the relative ranks of judicial salaries over an ten-year period.

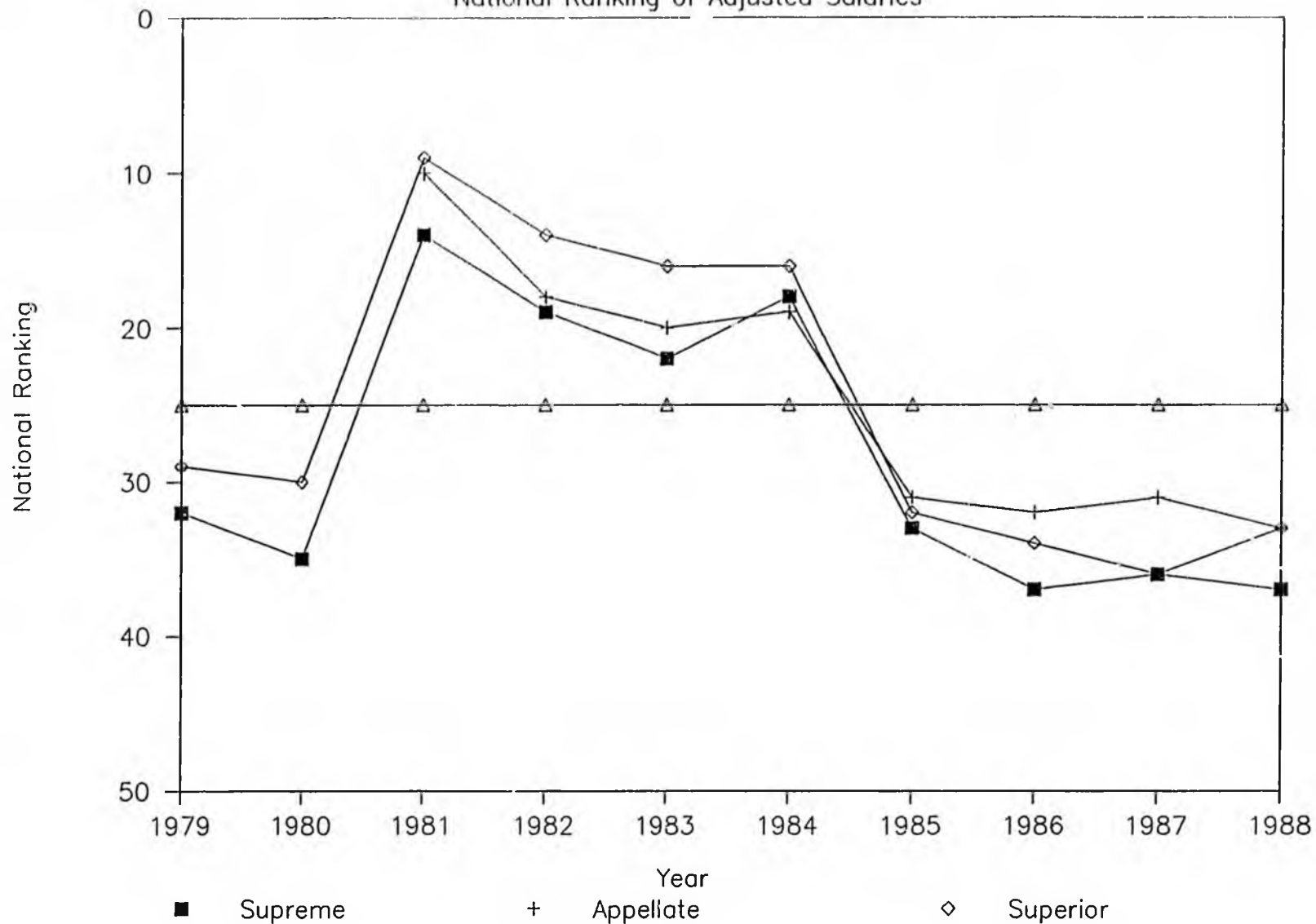
From the attached materials, it can be seen that Alaskan supreme court salaries rank 37th of the 45 states which can be ranked by available cost of living indices in 1988. Similarly, court of appeals salaries rank 33rd of 35 ranked states and superior court salaries rank 33rd of 45 ranked states in 1988. At the supreme court level, this means that at least 36 of the 45 states reported compensate their supreme court justices

with a higher salary (when adjusted for cost of living by a modification based upon the cost of living indices) than does Alaska.

Looking again at the supreme court salary levels (which demonstrate the same general pattern as shown by the other two levels of court), it is clear that the court enjoyed a relative rise in ranking following a salary increase in 1981, when the court's adjusted salary placed it in 14th place. However, more recent increases in other states, coupled with the lack of comparable increases in Alaskan judicial salaries, have caused the court's ranking to drop to 19th (1982), 22nd (1983), 18th (1984), 33rd (1985), 37th (1986), 36th (1987) and finally to 37th place in 1988. This makes 1988 the year of the Alaska supreme court's lowest ranking for the ten years studied (1979-1988).

Alaska Court System

National Ranking of Adjusted Salaries



COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
 SUPREME COURT (associate justice level)

State	----1979----		----1980----		----1981----		----1982----		----1983----		----1984----	
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank
Alabama	54,275	31	54,771	33	66,106	27	68,096	27	81,116	16	81,309	20
Alaska	52,992	32	52,992	35	74,196	14	74,196	19	77,760	22	81,648	18
Arizona	59,156	26	64,773	22	60,410	32	61,013	38	74,282	27	75,085	29
Arkansas	NA	-	55,240	32	60,554	31	65,192	33	71,734	31	72,649	32
California	81,951	1	86,318	1	89,346	3	95,687	3	97,223	3	102,482	3
Colorado	64,827	18	60,841	24	67,325	26	74,427	18	75,559	26	74,521	31
Connecticut	43,742	43	50,610	40	54,657	39	NA	-	62,685	42	65,127	40
Delaware	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Florida	61,310	25	62,920	23	78,929	9	80,140	12	86,712	10	88,801	11
Georgia	64,269	19	67,395	19	68,984	21	72,932	22	75,915	25	78,921	24
Hawaii	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Idaho	51,844	33	52,134	36	56,689	38	59,417	39	NA	-	NA	-
Illinois	77,525	2	78,144	4	77,171	10	78,912	13	89,402	7	100,741	4
Indiana	51,194	35	56,587	28	57,832	37	58,057	42	67,575	37	67,241	38
Iowa	62,629	21	67,408	17	69,014	20	73,750	20	80,661	17	79,632	23
Kansas	48,723	37	53,166	34	58,934	35	63,700	36	68,328	35	71,712	33
Kentucky	56,205	28	55,832	29	70,062	19	75,235	17	78,099	21	80,791	22
Louisiana	72,202	8	74,403	7	79,305	7	86,424	8	87,319	8	87,177	13
Maine	42,815	44	NA	-	43,964	44	51,014	44	NA	-	NA	-
Maryland	63,954	20	64,908	21	71,206	17	71,441	24	83,955	14	NA	-
Massachusetts	62,400	22	68,807	15	NA	-	78,473	14	84,144	13	82,902	15
Michigan	74,467	3	77,814	5	79,395	6	90,798	4	92,076	6	98,824	6
Minnesota	66,416	16	70,104	13	75,885	11	73,732	21	73,852	28	89,155	10
Mississippi	65,819	17	66,417	20	64,531	29	65,737	31	63,872	40	82,276	17
Missouri	69,600	9	71,043	10	71,645	16	70,367	25	73,580	29	75,459	28
Montana	49,315	36	51,454	38	53,956	40	59,087	40	63,061	41	64,104	41
Nebraska	61,662	23	60,743	25	67,719	24	67,701	28	68,896	34	78,750	25
Nevada	NA	-	58,200	26	NA	-	58,845	41	75,926	24	75,749	27
New Hampshire	NA	-	NA	-	63,276	30	64,465	34	NA	-	NA	-
New Jersey	69,358	10	68,634	16	71,084	18	96,340	2	98,966	2	94,344	7
New Mexico	55,942	29	51,471	37	58,273	36	67,093	30	72,937	30	74,647	30
New York	68,547	11	82,928	3	97,919	1	105,206	1	106,161	1	103,307	2
North Carolina	66,457	15	70,921	11	75,219	13	80,215	11	79,347	19	82,296	16
North Dakota	46,473	41	55,647	30	NA	-	NA	-	NA	-	NA	-
Ohio	77,888	12	69,136	14	68,177	23	78,434	15	85,616	11	92,089	9
Oklahoma	51,429	34	55,631	31	64,914	28	71,645	23	77,565	23	78,183	26
Oregon	54,922	30	NA	-	67,377	25	68,735	26	67,764	36	70,884	35
Pennsylvania	73,343	5	73,463	8	87,524	4	87,140	5	87,302	9	103,757	1
Rhode Island	NA	-	NA	-	NA	-	NA	-	59,983	43	71,422	34
South Carolina	67,797	13	71,173	9	75,783	12	81,867	10	83,225	15	87,896	12
South Dakota	48,100	39	49,040	42	59,969	34	63,061	37	65,611	38	66,372	39
Tennessee	73,884	4	83,686	2	90,666	2	87,041	6	93,169	5	92,255	8
Texas	72,254	7	77,318	6	79,099	8	87,010	7	93,820	4	99,069	5
Utah	48,190	38	50,767	39	51,249	42	65,702	32	70,313	32	67,486	37
Vermont	43,898	42	43,767	43	48,800	43	51,250	43	56,769	44	60,943	43
Virginia	72,483	6	70,118	12	74,064	15	82,689	9	84,323	12	81,443	19
Washington	61,613	24	NA	-	68,871	22	67,609	29	70,210	33	69,879	36
West Virginia	47,175	40	49,709	41	53,571	41	64,099	35	65,560	39	63,769	42
Wisconsin	66,874	14	67,405	18	80,235	5	77,603	16	78,889	20	80,982	21
Wyoming	58,981	27	58,078	27	60,096	33	NA	-	80,644	18	83,487	14

COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
 SUPREME COURT (associate justice level)

State	----1985----		----1986----		----1987----		-----1988-----		
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	Actual Salary	COLA Salary	Rank
Alabama	94,840	18	113,843	5	112,461	8	78,920	104,075	14
Alaska	81,648	33	85,728	37	85,728	36	85,728	85,728	37
Arizona	93,330	21	87,368	33	100,294	19	75,000	93,479	29
Arkansas	81,414	34	99,803	18	97,443	23	66,010	95,087	27
California	115,846	2	119,857	3	122,476	3	103,469	120,823	3
Colorado	89,985	25	87,385	32	89,049	35	72,000	98,354	20
Connecticut	76,144	39	83,043	40	NA	-	81,920	86,039	36
Delaware	NA	-	98,905	19	108,248	12	84,400	102,243	18
Florida	102,869	9	105,141	13	117,706	4	92,822	117,848	4
Georgia	97,327	16	106,053	11	103,379	16	80,514	105,319	13
Hawaii	NA	-	NA	-	NA	-	78,500	NA	-
Idaho	68,818	43	88,139	30	NA	-	62,738	88,024	34
Illinois	105,012	7	121,778	1	128,112	1	93,266	117,834	5
Indiana	89,322	26	86,049	36	93,775	27	66,000	88,023	35
Iowa	91,673	23	87,520	31	91,968	31	72,900	96,926	25
Kansas	85,233	30	89,144	28	93,059	29	70,142	96,838	26
Kentucky	86,391	29	87,262	34	94,534	26	66,946	91,162	31
Louisiana	93,681	20	103,764	16	106,119	14	74,966	97,471	24
Maine	NA	-	94,543	23	103,777	15	77,300	NA	-
Maryland	94,436	19	96,751	22	101,781	17	86,900	108,103	11
Massachusetts	98,999	12	103,905	15	80,677	40	90,450	84,208	39
Michigan	109,080	4	109,634	6	124,482	2	100,000	126,465	2
Minnesota	98,487	14	101,806	17	100,308	18	76,200	98,286	21
Mississippi	NA	-	81,258	42	84,004	37	70,800	98,800	19
Missouri	110,679	3	116,988	4	115,212	5	81,009	115,409	7
Montano	70,433	42	70,400	46	70,293	44	50,452	69,580	45
Nebraska	38,314	27	90,291	26	89,762	33	63,512	89,790	32
Nevada	81,693	32	80,197	43	92,145	30	73,500	91,875	30
New Hampshire	NA	-	NA	-	NA	-	68,060	71,309	44
New Jersey	92,609	22	86,986	35	99,648	22	93,000	NA	-
New Mexico	76,932	38	81,632	41	81,698	39	62,184	81,178	40
New York	127,066	1	121,189	2	114,284	6	115,000	136,628	1
North Carolina	95,870	17	98,858	20	99,926	20	79,668	103,481	16
North Dakota	NA	-	NA	-	NA	-	59,140	NA	-
Ohio	98,963	13	105,453	12	113,199	7	83,250	111,143	9
Oklahoma	82,428	31	93,491	25	94,944	25	71,406	98,164	22
Oregon	74,408	41	94,499	24	96,412	24	72,362	93,897	28
Pennsylvania	107,905	5	104,448	14	99,662	21	91,500	116,397	6
Rhode Island	77,653	37	NA	-	NA	-	82,967	NA	-
South Carolina	104,875	8	108,872	7	111,465	9	83,883	113,391	8
South Dakota	79,239	35	83,957	39	83,384	38	58,697	79,929	41
Tennessee	99,226	11	97,669	21	93,668	28	65,650	89,491	33
Texas	106,275	6	108,110	9	109,335	11	78,795	103,699	15
Utah	76,097	40	84,485	38	80,073	41	64,000	84,313	38
Vermont	68,283	44	75,022	45	78,333	43	63,900	73,295	43
Virginia	98,215	15	108,187	8	110,855	10	88,286	109,933	10
Washington	90,463	24	90,289	27	90,114	32	82,700	107,851	12
West Virginia	78,969	36	76,978	44	75,135	42	55,000	75,211	42
Wisconsin	100,923	10	107,202	10	106,671	13	76,859	102,823	17
Wyoming	87,121	28	88,342	29	89,385	34	66,500	97,639	23

COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
APPELLATE COURTS

State	----1979----		----1980----		----1981----		----1982----		----1983----		----1984----	
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank
Alabama	52,214	25	52,691	24	64,757	20	66,706	24	79,717	12	79,907	15
Alaska	NA	-	NA	-	69,240	10	69,240	18	72,654	20	76,188	19
Arizona	56,665	21	52,045	15	57,866	25	58,444	29	71,699	22	72,473	23
Arkansas	NA	-	51,311	22	56,846	28	62,920	27	69,233	25	70,176	26
California	76,829	1	80,924	1	83,764	3	89,708	4	91,148	3	96,080	2
Colorado	58,999	16	57,361	21	61,939	23	68,473	19	69,514	24	68,559	29
Connecticut	NA	-	NA	-	NA	-	NA	-	NA	-	62,223	32
Delaware	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Florida	58,201	19	59,728	19	64,904	19	72,321	11	78,253	14	80,138	14
Georgia	63,571	10	66,612	10	68,234	11	72,140	13	75,091	17	78,065	16
Hawaii	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Idaho	NA	-	NA	-	NA	-	58,035	31	NA	-	NA	-
Illinois	70,842	2	71,407	4	70,519	9	72,109	14	82,680	9	94,025	4
Indiana	51,194	26	56,587	20	57,832	26	58,057	30	67,604	27	67,241	30
Iowa	59,149	15	63,969	13	65,493	18	69,986	17	76,564	15	75,588	20
Kansas	47,043	28	51,095	26	54,822	29	61,018	28	65,451	30	68,693	28
Kentucky	53,323	24	52,969	23	67,202	15	72,164	12	74,911	18	77,493	18
Louisiana	68,592	4	70,829	5	75,494	5	82,271	7	83,123	8	82,988	11
Maine	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Maryland	60,074	14	60,939	13	67,785	13	68,008	20	80,597	10	NA	-
Massachusetts	58,363	18	61,927	16	NA	49	70,493	16	84,144	7	82,902	12
Michigan	67,877	5	71,447	3	72,899	7	87,166	5	88,393	5	94,871	3
Minnesota	NA	-	NA	-	NA	-	NA	-	NA	-	82,297	13
Mississippi	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Missouri	66,120	7	67,491	8	68,063	12	66,849	23	69,961	23	71,764	24
Montana	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Nebraska	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Nevada	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
New Hampshire	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
New Jersey	65,642	8	64,957	12	67,500	14	92,635	2	95,160	1	90,715	5
New Mexico	53,569	23	49,288	27	56,949	27	63,705	25	68,759	26	70,575	25
New York	58,421	17	70,678	7	84,319	2	90,594	3	91,416	2	88,959	7
North Carolina	62,922	11	67,145	9	71,212	8	75,943	8	75,121	16	77,908	17
North Dakota	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Ohio	62,564	12	63,714	14	62,830	22	73,025	10	80,180	11	86,672	10
Oklahoma	47,493	27	51,531	25	60,856	24	67,167	21	72,717	19	73,296	22
Oregon	53,614	22	NA	35	65,773	17	67,099	22	66,151	28	69,197	27
Pennsylvania	70,676	3	70,792	6	84,810	1	84,438	6	84,595	6	101,045	1
Rhode Island	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
South Carolina	NA	-	NA	-	NA	-	NA	-	NA	-	87,896	9
South Dakota	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Tennessee	67,727	6	76,713	2	83,111	4	95,111	1	89,586	4	88,706	8
Texas	63,820	9	65,045	11	66,624	16	73,236	9	78,972	13	89,162	6
Utah	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Vermont	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Virginia	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Washington	57,505	20	NA	-	64,324	21	63,146	26	65,574	29	65,266	31
West Virginia	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Wisconsin	61,335	13	61,822	17	73,583	6	71,169	15	72,349	21	74,287	21
Wyoming	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-

COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
APPELLATE COURTS

State	----1985----		----1986----		----1987----		-----1988-----		
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	Actual Salary	COLA Salary	Rank
Alabama	93,205	13	112,373	3	111,008	4	77,920	102,756	13
Alaska	76,188	31	79,992	32	79,992	31	79,992	79,992	33
Arizona	90,565	18	84,779	27	96,951	17	72,500	90,363	26
Arkansas	78,642	29	96,405	15	94,126	20	63,763	91,850	23
California	108,607	2	112,368	4	114,822	3	97,003	113,272	4
Colorado	83,557	25	81,143	31	82,688	30	67,500	92,207	21
Connecticut	72,694	33	79,239	33	NA	-	76,172	80,002	32
Delaware	NA	-	NA	-	NA	-	NA	NA	-
Florida	92,832	15	94,884	17	110,782	5	87,362	110,915	5
Georgia	96,578	8	105,238	7	102,583	11	79,931	104,556	9
Hawaii	NA	-	NA	-	NA	-	73,500	NA	-
Idaho	67,363	35	86,664	24	NA	-	61,738	86,620	28
Illinois	96,012	7	114,615	2	120,576	1	87,780	110,903	6
Indiana	81,878	28	78,879	34	86,671	28	61,000	81,354	30
Iowa	87,006	22	83,065	30	87,313	27	69,800	92,804	20
Kansas	82,191	27	85,962	26	89,737	25	67,638	93,381	17
Kentucky	82,865	26	83,700	28	90,675	23	64,213	87,440	27
Louisiana	89,179	20	99,264	12	101,662	12	71,767	93,312	19
Maine	NA	-	NA	-	NA	-	NA	NA	-
Maryland	90,559	19	92,802	21	97,892	15	83,800	104,247	11
Massachusetts	86,417	23	96,160	16	74,664	34	83,708	77,931	34
Michigan	104,716	4	105,249	6	119,502	2	96,000	121,406	2
Minnesota	90,856	16	93,917	18	92,535	22	70,296	90,671	25
Mississippi	NA	-	NA	-	NA	-	NA	NA	-
Missouri	103,046	5	108,920	5	107,266	7	75,447	107,485	8
Montana	NA	-	NA	-	NA	-	NA	NA	-
Nebraska	NA	-	NA	-	NA	-	NA	NA	-
Nevada	NA	-	NA	-	NA	-	NA	NA	-
New Hampshire	NA	-	NA	-	NA	-	NA	NA	-
New Jersey	89,047	21	83,640	29	96,434	18	90,000	NA	-
New Mexico	73,052	32	77,515	35	77,578	32	59,052	77,089	35
New York	120,198	1	114,638	1	108,107	6	102,500	121,778	1
North Carolina	90,769	17	93,608	20	94,624	19	75,432	97,978	15
North Dakota	NA	-	NA	-	NA	-	NA	NA	-
Ohio	93,142	14	98,230	13	105,139	10	77,500	103,466	12
Oklahoma	77,276	30	87,649	23	89,010	26	66,944	92,030	22
Oregon	72,636	34	92,249	22	94,116	21	70,639	91,661	24
Pennsylvania	105,084	3	101,717	10	97,056	16	89,500	113,853	3
Rhode Island	NA	-	NA	-	NA	-	NA	NA	-
South Carolina	99,632	6	103,430	8	105,893	8	79,690	107,723	7
South Dakota	NA	-	NA	-	NA	-	NA	NA	-
Tennessee	95,410	10	93,913	19	90,065	24	63,125	86,049	29
Texas	95,647	9	97,300	14	98,402	14	70,916	93,329	18
Utah	NA	-	NA	-	76,069	33	60,800	80,098	31
Vermont	NA	-	NA	-	NA	-	NA	NA	-
Virginia	93,304	12	102,777	9	105,313	9	83,872	104,437	10
Washington	86,351	24	86,184	25	86,018	29	78,600	102,505	14
West Virginia	NA	-	NA	-	NA	-	NA	NA	-
Wisconsin	94,986	11	100,896	11	100,396	13	72,366	96,812	16
Wyoming	NA	-	NA	-	NA	-	NA	NA	-

COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
SUPERIOR COURT

State	----1979----		----1980----		----1981----		----1982----		----1983----		----1984----	
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank
Alabama	37,786	42	47,145	35	49,310	35	50,794	39	67,130	20	67,299	27
Alaska	48,576	29	48,576	30	66,900	9	66,900	14	70,116	16	73,620	16
Arizona	54,174	21	59,318	13	55,323	31	55,875	35	68,469	19	69,209	22
Arkansas	NA	-	51,386	26	56,329	28	60,646	27	66,731	22	67,701	26
California	64,021	3	67,433	3	73,197	5	78,391	5	79,649	6	83,959	5
Colorado	54,520	20	51,159	27	57,226	25	63,263	18	64,225	25	63,343	34
Connecticut	42,102	39	36,060	42	43,170	43	NA	-	56,986	39	59,207	39
Delaware	NA	-	NA	-	NA	-	NA	-	NA	-	NA	49
Florida	55,226	19	56,675	19	61,587	17	69,064	10	74,728	11	76,528	11
Georgia	53,790	22	56,398	20	57,737	23	61,041	25	63,537	27	66,054	30
Hawaii	NA	-	NA	-	NA	-	NA	-	NA	-	NA	-
Idaho	47,751	31	48,018	32	54,053	32	56,653	34	NA	-	NA	-
Illinois	60,149	7	60,629	8	59,874	21	61,224	24	71,253	15	81,245	7
Indiana	35,607	43	47,156	34	48,193	37	48,381	43	57,141	38	56,834	42
Iowa	55,670	17	59,842	11	61,268	19	65,525	16	71,620	14	70,707	20
Kansas	43,851	35	45,111	38	47,970	38	59,007	28	63,293	29	66,428	29
Kentucky	50,440	25	50,106	28	64,342	13	69,093	9	71,723	13	74,196	15
Louisiana	61,372	6	63,680	7	71,684	6	78,119	6	78,928	7	78,800	10
Maine	42,146	38	NA	-	43,277	42	50,218	40	NA	-	NA	-
Maryland	56,863	12	58,250	17	66,518	10	66,737	15	77,910	9	NA	-
Massachusetts	56,265	14	58,486	16	NA	49	67,667	12	80,778	5	79,586	9
Michigan	40,660	41	42,797	40	43,667	41	49,939	41	50,642	43	54,353	43
Minnesota	56,928	11	60,009	10	65,044	11	63,199	19	63,302	28	75,439	13
Mississippi	58,665	10	59,198	14	57,516	24	58,592	32	56,930	40	71,120	18
Missouri	62,640	4	63,939	6	64,481	12	63,331	17	66,341	24	68,070	25
Montana	47,945	30	50,100	29	52,572	33	57,606	33	61,476	31	62,494	35
Nebraska	56,643	13	55,799	21	62,440	15	62,190	22	63,729	26	72,343	17
Nevada	NA	-	52,965	24	NA	-	53,552	38	69,136	18	68,974	24
New Hampshire	NA	-	NA	-	61,621	16	62,778	20	NA	-	NA	-
New Jersey	59,450	9	58,829	15	61,527	18	86,459	2	88,816	1	84,667	4
New Mexico	51,768	24	47,630	33	55,625	30	60,994	26	59,676	37	66,911	28
New York	55,446	18	67,079	4	78,880	1	84,750	3	85,519	3	83,220	6
North Carolina	55,852	15	59,610	12	63,232	14	67,434	13	66,704	23	69,182	23
North Dakota	43,569	36	52,169	25	NA	-	NA	-	NA	-	NA	-
Ohio	43,928	34	44,735	39	44,114	40	54,093	37	61,155	34	75,161	14
Oklahoma	28,968	44	31,984	43	40,571	44	44,778	44	48,478	44	65,152	32
Oregon	49,820	27	NA	-	61,119	20	62,350	21	61,469	32	64,299	33
Pennsylvania	60,008	8	60,106	9	74,632	4	74,306	8	74,444	12	88,160	1
Rhode Island	NA	-	NA	-	NA	-	NA	-	56,789	41	65,733	31
South Carolina	67,797	1	71,173	1	75,783	2	81,867	4	83,225	4	87,896	2
South Dakota	45,351	33	46,238	37	55,785	29	58,834	30	61,205	33	61,941	36
Tennessee	61,569	5	69,738	2	75,555	3	86,465	1	86,002	2	85,158	3
Texas	50,184	26	55,227	22	56,404	27	61,979	23	66,883	21	70,535	21
Utah	45,475	32	48,095	31	48,551	36	54,152	36	63,281	30	60,738	37
Vermont	41,478	40	41,351	41	46,102	39	48,750	42	54,000	42	57,983	41
Virginia	64,510	2	65,911	5	68,975	8	76,831	7	78,281	8	75,507	12
Washington	53,398	23	NA	-	59,777	22	58,682	31	60,939	35	60,652	38
West Virginia	42,457	37	46,439	36	50,893	34	58,866	29	60,208	36	58,563	40
Wisconsin	49,419	28	58,118	18	70,438	7	68,127	11	69,256	17	71,116	19
Wyoming	55,704	16	54,852	23	56,999	26	NA	-	77,469	10	80,200	8

COMPARISON OF COLA ADJUSTED JUDICIAL SALARIES
SUPERIOR COURT

State	----1985----		----1986----		----1987----		-----1988-----		
	COLA Salary	Rank	COLA Salary	Rank	COLA Salary	Rank	Actual Salary	COLA Salary	Rank
Alabama	78,488	25	79,405	27	78,441	33	52,800	69,629	41
Alaska	73,620	32	77,304	34	77,304	36	77,304	77,304	33
Arizona	86,417	13	80,896	25	93,608	13	70,000	87,247	19
Arkansas	75,868	27	93,003	10	90,805	16	61,513	88,609	16
California	94,905	4	98,192	5	100,336	7	84,765	98,982	9
Colorado	77,130	26	74,901	38	76,327	37	63,000	86,060	22
Connecticut	69,244	37	75,002	37	NA	-	72,766	76,425	34
Delaware	NA	-	93,181	9	102,564	5	79,900	96,792	11
Florida	88,652	9	90,611	13	103,858	2	81,902	103,983	4
Georgia	80,068	23	87,254	18	85,058	2	67,158	87,848	17
Hawaii	NA	-	NA	-	NA	-	69,500	NA	-
Idaho	65,908	42	82,607	23	NA	-	58,800	82,498	31
Illinois	84,710	14	97,422	6	103,176	3	75,113	94,899	12
Indiana	69,969	35	67,405	46	79,567	31	56,000	74,686	37
Iowa	81,286	20	77,604	32	81,530	29	66,000	87,752	18
Kansas	74,099	30	77,498	33	80,902	30	60,978	84,186	26
Kentucky	79,339	24	80,138	26	86,916	19	61,481	83,720	28
Louisiana	84,678	15	94,765	7	97,206	10	68,569	89,153	15
Maine	NA	-	92,197	12	99,393	8	73,100	NA	-
Maryland	87,651	11	89,906	16	95,947	11	82,200	102,256	5
Massachusetts	87,938	10	92,314	11	71,678	43	80,360	74,814	36
Michigan	59,994	44	77,040	35	92,394	14	84,600	106,989	3
Minnesota	87,112	12	90,047	15	83,722	17	67,400	86,935	21
Mississippi	NA	-	71,451	42	72,614	41	61,200	85,403	23
Missouri	95,413	3	100,852	3	99,320	9	69,885	99,561	8
Montana	68,662	40	68,623	45	68,518	44	49,178	67,823	45
Nebraska	81,692	19	83,520	21	83,031	27	58,750	83,058	29
Nevada	74,387	29	73,025	40	83,996	26	67,000	83,750	27
New Hampshire	NA	-	NA	-	NA	-	66,281	69,445	43
New Jersey	83,110	17	78,064	30	91,076	15	85,000	NA	-
New Mexico	69,258	36	73,486	39	73,545	40	55,980	73,079	40
New York	112,642	1	107,432	1	101,312	6	95,000	112,867	1
North Carolina	80,602	22	83,125	22	84,020	25	66,972	86,990	20
North Dakota	NA	-	NA	-	NA	-	55,519	NA	-
Ohio	80,772	21	72,950	41	85,162	22	63,250	84,442	25
Oklahoma	68,690	39	77,910	31	77,120	32	59,506	81,805	32
Oregon	67,496	41	85,727	19	81,462	18	65,645	85,181	24
Pennsylvania	91,684	5	88,746	17	84,680	24	80,000	101,768	7
Rhode Island	71,465	34	NA	-	NA	-	74,317	NA	-
South Carolina	99,632	2	103,430	2	105,893	1	79,690	107,723	2
South Dakota	73,918	31	78,409	29	77,874	35	54,808	74,633	38
Tennessee	91,593	6	90,156	14	86,463	20	60,600	82,607	30
Texas	75,712	28	77,020	36	77,892	34	56,135	73,877	39
Utah	68,918	38	78,658	28	74,551	38	57,600	75,882	35
Vermont	64,938	43	71,327	43	74,435	39	60,700	69,625	42
Virginia	91,177	7	100,433	4	102,911	4	81,959	102,055	6
Washington	82,239	18	82,080	24	81,922	28	74,600	97,288	10
West Virginia	71,790	33	69,980	44	71,941	42	50,000	68,374	44
Wisconsin	89,050	8	94,589	8	94,120	12	67,842	90,760	14
Wyoming	83,691	16	84,864	20	85,866	21	63,500	93,234	13

IV. COMPARISON WITH ATTORNEY SALARIES

One of the most practical ways to evaluate levels of judicial salaries is to employ comparisons with attorney salaries. Judges are drawn from the ranks of attorneys. Thus, a valid comparison of salary can be made between that which a judge now earns, and what he or she could reasonably have expected to earn had the judge not chosen to leave active practice for the bench.

Some parity of attorney and judicial salaries is important for both the acquisition of talented new judges and the retention of seasoned judges. Seldom is salary the only consideration an individual will take into account when deciding whether to seek a judicial appointment. However, numerous articles and studies have asserted that inadequate judicial salaries may dissuade well-qualified, experienced attorneys from seeking or accepting judicial positions.³⁻¹ Since such attorneys are precisely the type of individuals it is necessary to recruit for the maintenance of a high quality judicial system, it is important that salary levels be set high enough to provide income reasonably comparable that which the attorney could earn in active practice. In a similar vein, inadequate judicial salaries may cause experienced judges to resign and return to practice. As their families expand, their children reach college age, and their other expenses increase, judges may find that they have no choice but to return to the private sector, if judicial salaries are inadequate. In an article published in January 1985, then Chief Justice Warren Burger reported that of the 43 judges to leave the federal bench during his tenure, about 30 of those resignations were in a large part a result of economic considerations.³⁻²

To summarize: It is important to recruit the brightest and the best attorneys, and to retain experienced jurists, to guarantee a competent bench and a high quality justice system. In order to recruit and retain appropriately, it is absolutely necessary to provide adequate compensation. One way to measure judicial compensation for adequacy is to compare jurists' salaries with their counterparts in the private sector, since this comparison is an accurate reflection of what they might expect to earn had they not become judges.

Unfortunately, no data is available about the salaries of Alaskan attorneys. However, a number of studies have reported about attorney salaries on a national basis, using statistics gathered from key cities in the country.

When examining these national statistics, it is important to keep in mind that the cost of living index and per capita income in Alaska are both high. Thus, comparable attorney salaries in Alaska may be expected to be higher in some cases than those listed for other parts of the country.

It is also important to note that many of these national studies give ranges of salaries, based on such factors as the years of experience of the attorney, whether or not the attorney is a partner in the firm, and other such factors. The American Bar Association's publication A Handbook on State Judicial Salaries indicates that an appropriate comparison is to salaries of partners whose incomes are above-average, since judges are expected to possess above-average levels of legal proficiency and experience.³⁻³

As a basis for comparison, the results of two studies published at the end of 1985 are reported below:

Study 1³⁻⁴

ATTORNEYS' LAW PRACTICE INCOMES IN SELECT CITIES

City	Average Income of Partners in Law Firms (nonpatent)	Highest Incomes of Partners in Law Firms (nonpatent)
Atlanta	\$130,000	\$250,000
Boston	\$110,000	\$135,000
Chicago	\$140,000	\$270,000
Cincinnati/Dayton	\$195,000	\$300,000
Cleveland	\$165,000	\$290,000
Dallas/Fort Worth	\$180,000	\$260,000
Denver	\$110,000	\$190,000
Detroit	\$100,000	\$135,000
Houston	\$200,000	\$350,000
Kansas City/St. Louis	\$155,000	\$280,000
Los Angeles	\$145,000	\$210,000
Milwaukee	\$ 99,000	\$200,000
Minneapolis/St. Paul	\$130,000	\$210,000
New York City	\$220,000	\$390,000
Philadelphia	\$195,000	\$300,000
Pittsburgh	\$130,000	\$225,000
San Francisco	\$ 87,000	\$130,000
Washington, D.C.	\$190,000	\$250,000

Source: The Student Lawyer (American Bar Association, November 1985)

Study 2³⁻⁵

PRIVATE LAW FIRM COMPENSATION (SELECTED POSITIONS)

Partners	1985
1st Year	\$ 62,800
3rd Year	\$ 73,700
Aged 40	\$113,300
Aged 50	\$150,000
Aged 60	\$159,300

Source: Survey of approximately 150 law firms employing about 5,000 lawyers, conducted by Cantor & Co., as reported in the ABA Journal, December 1985.

Note: Since Study 2 is organized by age of attorney, the following may be relevant for comparison. Average ages of judges in 1986: supreme court justice - 52, court of appeals judge - 44, superior court judge - 48, district court judge - 44.

One should remember, as comparisons are made, that these attorney compensation figures reflect salary only. It is common practice for attorneys in the private sector to have access to employment perquisites, such as firm automobiles, club and other memberships, tax plans, etc., which are not afforded to those in the public sector. Thus, the salary figures quoted may significantly underestimate the total compensation package values.

It is also important to note (as discussed elsewhere in the paper) that while judges' abilities to avail themselves of investment opportunities are limited by the constraints imposed upon them by the Code of Judicial Conduct, attorneys in active practice are not so curtailed. Thus, attorneys can augment their income through investment strategies and involvement in other businesses much more readily than can members of the judiciary.

V. JUDICIAL RETIREMENT PROGRAM

The retirement program currently in effect for Alaska's judiciary provides a secure retirement for any judge reaching the age of 60. A good retirement program is necessary to offset somewhat the loss of earning potential, particularly in investment opportunities, as discussed above. Since a judge is not likely to develop significant personal resources while performing public service, a liberal retirement program is necessary to assure a satisfactory means of support beyond retirement age.

Regardless of the benefits paid from a retirement program at the end of a 15 or 20 year career, retirement benefits do not affect a judge's ability to pay bills while the judge is working. If judicial salaries are insufficient to allow an attorney to maintain a comparable lifestyle to that which the attorney was maintaining while in active practice, it is unlikely that an attorney will apply for judicial positions just for the prospect of a good retirement plan at the end of his or her career. The retirement program is a definite benefit for appointed judges, but it does not help a new judge make monthly payments, feed and clothe his or her family, send children to college, or meet the other current material needs associated with day-to-day living.

Another public benefit stemming from an adequate judicial retirement system is that such a system provides a pool of retired judges who can return to the bench on a pro tem basis to provide necessary, temporary judicial services at a fraction of the cost of full-salaried judges. Unless the retirement benefits are adequate to provide full support to a judge when he or she leaves the bench, the retired judge may be required to return to the active practice of law, thus rendering the individual unavailable for temporary judicial service.

Alaska's judicial retirement program, while a positive factor in the overall judicial compensation package, is by no means unique. Many states have recognized that the unique nature of a judicial position mandates a strong judicial retirement program. Other states with strong judicial retirement plans include Alabama, Maine, Massachusetts, Tennessee and West Virginia, Connecticut, Maryland, South Carolina, New Mexico, Arizona, and Delaware.⁵⁻¹

VI. DETERMINING AN APPROPRIATE LEVEL OF JUDICIAL COMPENSATION

What is an appropriate level of compensation for Alaska's judges? The materials compiled by the Alaska Court System suggest that current salary levels are inadequate to insure that the bench draws the most qualified lawyers and retains experienced jurists. If a modification of current salary levels is thus justified, what should that modification be?

In December 1986, a federal commission (the Commission on Executive, Legislative and Judicial Salaries) was faced with a similar question concerning the compensation of federal judges, as well as other high-ranking federal officials. (The court system has submitted a copy of the federal commission's report to the State Officers' Compensation Commission.) The federal commission carefully examined many aspects of the judicial compensation question. The commission considered the need to attract qualified candidates to the federal bench and the need to provide those chosen to serve on the bench with a salary sufficient to encourage them to remain. Extensive salary comparisons were made between the salaries of federal court judges and other categories of wage earners, both private and public. Based on the commission's careful review, the commission recommended that federal district court judges be compensated at the salary of \$130,000 per year. However, this recommendation was proffered during a period of time when budgetary restraint was considered an absolute necessity (not unlike the current Alaska climate). Therefore, the proposed salary increase was pared down significantly, to its current level of \$89,500 per annum for federal district court judges. (Other levels of judges were given comparable salary increases.)

The work of the federal salary commission, and the resulting change in the federal judicial pay scale, has considerable significance for the work

of the State Officers' Compensation Commission. The analytical process and the comparisons made by the federal commission can provide a valuable framework for the work of the State Officers' Compensation Commission.

It is useful to focus specifically on the compensation found reasonable for federal district court judges. The responsibilities and jurisdiction of federal district court judges are closely analogous to the responsibilities and duties of Alaska superior court judges. Both courts are trial courts of general jurisdiction, which means that both courts handle a wide variety of both civil and criminal work.* Therefore, the "job descriptions" of a superior court judge and a federal district court judge are remarkably similar.

The District of Columbia recently raised the salaries of its general jurisdiction judges to equal the salaries of judges of federal district court judges. The District of Columbia courts presented the "equivalent job" rationale in support of this change. The District of Columbia courts argued that the same factors and considerations were relevant to the setting of salaries for both types of judges, and the salary statute was amended to make these salary levels identical.

The same rationale and analysis exist for setting Alaska superior court judge salaries equal to federal district court judge salaries. The materials widely available in the literature on this subject would support a higher level of compensation than the current federal levels, based on reasonable compensation for the demands of the job, and the need to acquire and retain experienced, talented jurists. However, the State of Alaska is experiencing the same type of restrained budgetary climate as

*See AS 22.10.020 (state) and 28 USCS § 1330-1362 (federal)

did the federal system at the time the federal commission finished its work. Therefore, in light of all the factors (including the economic position of the State of Alaska at this time), it would seem appropriate to set the minimum salary level for superior court judges at the same level as federal court judges currently earn: \$89,500 per annum.

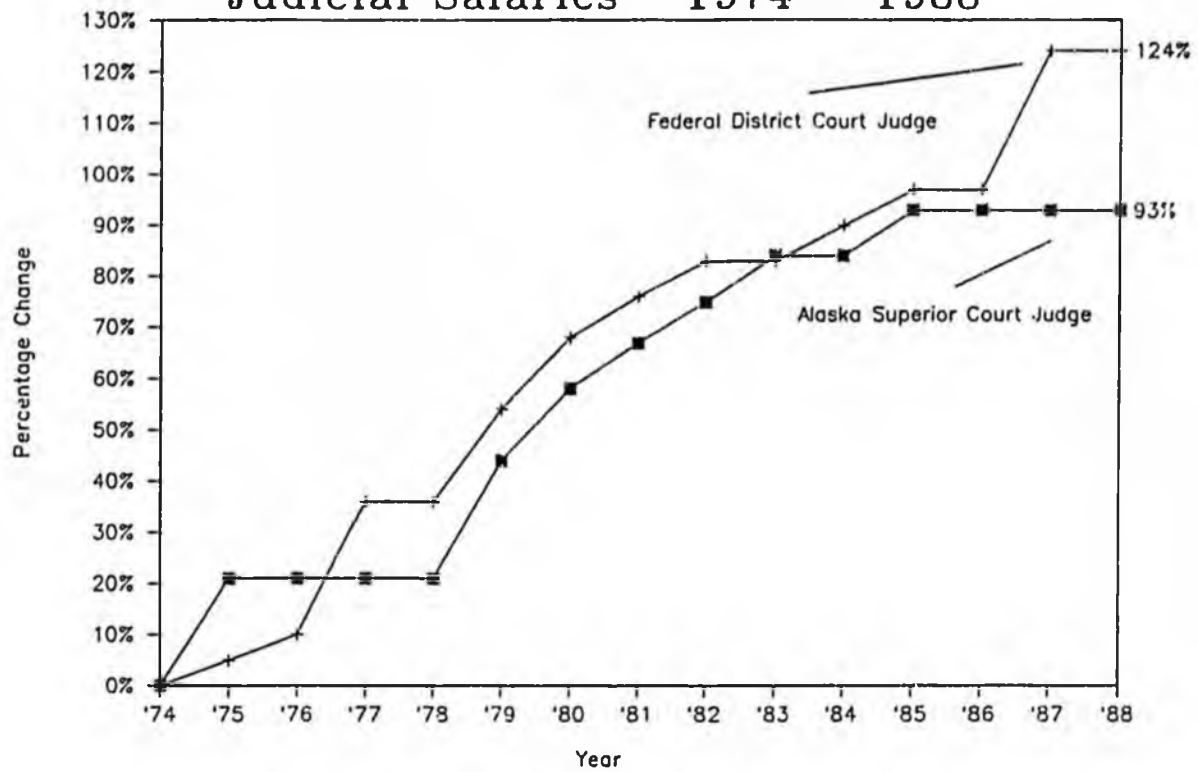
It is not easy to find such close parallels for the other levels of state courts within the federal system. Once one departs from the general jurisdiction trial bench, significant differences in jurisdiction and responsibilities appear. Therefore, an alternative method of setting salaries for the remaining level of state courts would appear to be appropriate.

The court system suggests that the same salary adjustment be made for each level of court to retain the organizational parity which currently exists among the levels of court. A change to \$89,500 per annum for a superior court judge would represent an increase of \$12,196 per annum above the current salary level. Increasing the other levels of court by the same amount (\$12,196) would result in the following salary structure: District court - \$79,012 per annum; Court of Appeals - \$92,188 per annum; Supreme court - \$97,024 per annum.

It should be noted that these proposed increases would by no means make Alaska state salaries extraordinarily high as compared with the judicial salaries in other states. The proposed increase in supreme court salary would only raise the supreme court's salary to the 23rd rank among the ranked states, from its current ranking of 37th, when salaries are adjusted for COLA. The proposed changes in other levels of court would result in the following rankings: Court of Appeals 22nd, Superior 15th.

The chart on page 28 compares superior court salaries and federal district court salaries from 1974 to 1988. Historically, there has been a close relationship between the two categories of salaries. A significant departure from this pattern occurred in 1987, with the increase in federal salaries.

Comparison of Alaska & Federal Judicial Salaries 1974 - 1988



ALASKA COURT SYSTEM Comparison of Judicial Salaries Alaska Superior Court and Federal District Court

<u>Alaska Superior Court Judge</u>		<u>Federal District Court Judge</u>	
Effective Date	Annual Salary	Effective Date	Annual Salary
01/01/74	\$40,000	01/01/74	\$40,000
07/01/75	48,576	10/01/75	42,000
01/01/76	48,576	10/01/76	44,000
01/01/77	48,576	03/01/77	54,500
01/01/78	48,576	01/01/78	54,500
01/01/79	57,500	10/01/79	61,500
01/01/80	63,120	10/01/80	67,100
01/01/81	66,900	10/01/81	70,300
03/16/82	70,116	12/18/82	73,100
01/01/83	73,620	01/01/83	73,100
01/01/84	73,620	01/01/84	76,000
07/15/85	77,304	01/01/85	78,700
01/01/86	77,304	01/01/86	78,700
01/01/87	77,304	01/04/87	89,500
01/01/88	77,304	01/01/88	89,500

ALASKA COURT SYSTEM
Recommendation on Judicial Salaries

<u>Level</u>	<u>Present Salary</u>	<u>Recommended Salary</u>
Supreme Court	\$85,728	\$97,924
Appeals Court	79,992	92,188
Superior Court	77,304	89,500
District Court	66,816	79,012

- 1-1 Commission of Judicial Salaries, Report of the Commission on Judicial Salaries, (November 1984). The 5-member commission was jointly established by the Hawaii Chief Justice, the Governor, the Senate President and the House Speaker.
- 2-1 Unadjusted salary comparisons and rankings are compiled on a regular basis by the National Center for State Courts, and are available from that organization.
- 2-2 Cost of living index was based on American Chamber of Commerce Researchers Association first quarter Inter-City Cost of Living Index, All-Cities Index. A cost of living index was computed for each state based on the average of all reporting cities. Cost-of-living-adjusted salaries were calculated as follows:
- $$\frac{\text{Alaska Average Cost of Living}}{\text{State Average Cost of Living}} \times \text{Actual Salary} = \text{COLA Adjusted Salary}$$
- 3-1 See generally, American Bar Association/Judicial Administration Division, Committee on State Judicial Salaries, A Handbook on State Judicial Salaries, June 1986, with specific attention directed to articles cited in footnotes 1, pg. 1, and footnote 6, pg. 2.
- 3-2 "Q&A with the Chief Justice" 71 A.B.A.J. 91,94 (1985).
- 3-3 Handbook on State Judicial Salaries, supra, pg. 7.
- 3-4 Handbook on State Judicial Salaries, supra, pg. 31.
- 3-5 D. Weston Darby, Jr., "Are You Keeping up Financially?", ABA Journal, The Lawyer's Magazine, Vol 71, 66, December 1985.
- 5-1 Timothy Pyne, Judicial Retirement Plan, American Judicature Society, Chicago 1980.

TABLE I

alaska judicial council

NON-ATTORNEY MEMBERS
Mary Jane Fate
Hilbert J. Henrickson, M.D.
Renee Murray

ATTORNEY MEMBERS
James B. Bradley
James D. Gilmore
Barbara L. Schuhmann

CHAIRMAN, EX OFFICIO
Jay A. Rabinowitz
Chief Justice
Supreme Court

SURVEY OF ALASKA BAR ASSOCIATION MEMBERS for EVALUATION OF JUDICIAL CANDIDATES

This survey for evaluation of candidates for the vacancy on the Superior Court, Fourth Judicial District (Bethel) is conducted by Policy Analysts, Ltd., on behalf of the Alaska Judicial Council. The candidates are:

Gail Roy Fraties
James D. Ginotti
L. Ben Hancock

Laurie H. Otto
Bryan Schuler
Timothy H. Stearns

Validation of Responses: A self-addressed, stamped envelope is enclosed for the return of your completed evaluation. Place the completed survey inside the envelope marked "Confidential" and seal the envelope. Then use the self-addressed, stamped envelope, being sure to sign in the space provided. The return envelope **MUST BE SIGNED** in order for your survey to be counted. [In the last bar survey, 12 unsigned surveys were excluded from the tabulation.]

Confidentiality: All responses will be aggregated solely for statistical analysis. The identity of individual respondents will remain strictly confidential. Responses to the demographic questions are also confidential. Demographic data is critical to our analysis; strict guidelines are followed to protect the identities of all respondents.

Return Date: Please complete and return this survey no later than February 28, 1986, to Policy Analysts, Ltd., 20C1 Banbury Circle, Anchorage, Alaska, 99504.

DEMOGRAPHIC QUESTIONS

- Type of Practice (Circle the box that best describes your practice)
Private: 1 Solo 2 Office of 2-5 attorneys 3 Office of 6 or more attorneys
Other: 4 Government 5 Private corporate employee 6 Judge, judicial officer
 - Length of Practice: How many years have you been practicing law? _____ years
 - Length of Residence: How many years have you lived in Alaska? _____ years
 - Cases Handled: The majority of your practice consists of (circle one):
 1 Mainly civil 2 Mainly criminal 3 Mixed civil/criminal 4 Prosecution
 5 Other _____
- Location of Practice: In which judicial district is most of your work conducted?
 1 First District 2 Second District 3 Third District 4 Fourth District

Please consider each of the following candidates. If you do not have sufficient knowledge to evaluate a candidate, please go on to the next candidate.

Basis for Evaluation

Which of the following best describes the basis for your evaluation of this candidate? (Check One)

- Direct Professional Experience
- Other Persons; Contacts
- Reputation
- Insufficient knowledge to evaluate this candidate (go on to next candidate)

PART I: GENERAL CRITERIA

Please rate the candidate on each of the following qualities by circling the number that best represents your evaluation. Candidates should be evaluated on each quality separately. Use the ends of the scale as well as the middle. The tendency to rate an applicant "excellent" or "poor" on every trait should be avoided since each person has strengths and weaknesses. If you cannot rate the candidate on any one quality, leave that one blank.

Professional	1	2	3	4	5
1. <u>Competence</u>	POOR Lacking in knowledge and/or effectiveness.	DEFICIENT Below-average performance occasionally.	ACCEPTABLE Possesses sufficient knowledge and required skills.	GOOD Unusually knowledgeable and effective.	EXCELLENT Meets the highest standards for the profession in knowledge and effectiveness.
2. <u>Integrity</u>	POOR Unconcerned with propriety and/or appearance; or acts in violation of Code of Professional Responsibility.	DEFICIENT Appears lacking in knowledge of Code of Professional Responsibility and/or unconcerned with propriety or appearance at times.	ACCEPTABLE Follows Code of Professional Responsibility; respects propriety and appearance of propriety at all times.	GOOD Above-average awareness of ethics; holds self to higher standards than most.	EXCELLENT Outstanding integrity and highest standards of conduct.
3. <u>Fairness</u>	POOR Often shows strong bias for or against some persons or groups.	DEFICIENT Displays, verbally or otherwise, some bias for or against groups or persons.	ACCEPTABLE Free of substantial bias or prejudice towards groups or persons.	GOOD Above-average ability to treat all persons and groups impartially.	EXCELLENT Unusually fair and impartial to all groups.
How Suitable Is This Candidate's Experience For This Particular					
4. <u>Vacancy?</u>	POOR Has little or no suitable experience.	DEFICIENT Has less than suitable experience.	ACCEPTABLE Has suitable experience.	GOOD Has highly suitable experience.	EXCELLENT Has the most suitable experience possible.

Supr
ourt, Fourth Judicial District (Bethel)

Gall Roy Fratlos

COMMENTS: The Council is particularly interested in your assessment of the candidate's:

- Professional Skills (legal reasoning, knowledge of the law, legal experience, writing and speaking skills);
- Temperament (courtesy, compassion, freedom from arrogance, humility, self-control, sense of humor, tolerance);
- Diligence (conscientiousness, promptness, effective management skills).

Please be candid. All comments are confidential.

Thank you. Please continue to the next candidate.



alaska judicial council

1031 W. Fourth Avenue, Suite 301, Anchorage, Alaska 99501 (907) 279-2526

EXECUTIVE DIRECTOR
Francis L. Bremson

NON-ATTORNEY MEMBERS
Mary Jana Fata
Hilbert J. Henrickson, M.D.
Renee Murray

ATTORNEY MEMBERS
William T. Council
James D. Gimore
Barbara L. Schuhmann

April 18, 1986

CHAIRMAN, EX OFFICIO
Jay A. Rabinowitz
Chief Justice
Supreme Court

Dear Peace Officer:

The Constitution and laws of the State of Alaska require that each justice and judge periodically "be subject to approval or rejection on a non-partisan ballot". Justices and judges stand for retention at the time of the general election, November 4, 1986.

Pursuant to law, the Alaska Judicial Council evaluates each justice and judge and makes its evaluations and recommendations public prior to the election. Components of this evaluation in 1986 include surveys of Alaska's peace and probation officers and members of the Alaska Bar Association, a review of matters of record concerning each judge's performance, and solicitation of public comment regarding judicial performance. Because the Council seeks information from experienced persons who will be capable of adequately evaluating the complex aspects of judicial performance, it is vital that each peace officer and probation officer respond as completely as possible to these surveys.

The enclosed evaluation questionnaire has been designed in cooperation with the Alaska Peace Officers Association. All phases of the survey administration and analysis will be carried out by the Center for Political Studies at the Institute for Social Research, University of Michigan at Ann Arbor. It is important that each respondent complete all parts of the questionnaire and return it directly to the Institute for Social Research in the enclosed self-addressed stamped envelope. All responses will be aggregated for the sole purpose of statistical analysis; the identities of individual respondents will remain strictly confidential.

On behalf of the Alaska Judicial Council, I wish to thank you for your contribution to the judicial evaluation process. If you have any questions concerning this questionnaire or the other activities of the Judicial Council, please call me collect at 279-2526.

Sincerely,

A handwritten signature in cursive script that reads "Francis L. Bremson".

FRANCIS L. BREMSON
EXECUTIVE DIRECTOR

ALASKA JUDICIAL COUNCIL
EVALUATION OF THE JUDICIARY
SURVEY OF ALASKA PEACE OFFICERS AND PROBATION OFFICERS
P.O. BOX 1248
Ann Arbor, MI 48106

In cooperation with the Alaska Peace Officers Association, the Alaska Judicial Council is sponsoring this survey to obtain information for use in its evaluation of judges facing retention election in November, 1986. Information is also being obtained from members of the Alaska Bar Association.

All responses to this survey will be aggregated for the sole purpose of statistical analysis. The identity of individual respondents will remain strictly confidential. A self-addressed stamped envelope is provided for return of your completed questionnaire. DO NOT sign either the completed questionnaire or the envelope.

IMPORTANT: PLEASE COMPLETE AND RETURN THIS QUESTIONNAIRE NO LATER THAN APRIL 30. It is necessary for you to return the form even if you cannot rate any judge.

SECTION I: Please check the appropriate box or supply the indicated information.

1. My current position in law enforcement is:

1. Correctional officer 4. Federal officer
2. Alaska police officer 5. Other than above
3. Probation/parole officer

2. I have been a peace officer or probation officer in Alaska for ___ years.

3. The majority of my work is conducted in the:

1. First 2. Second 3. Third 4. Fourth Judicial District

SECTION II: In the following pages, please rate only those judges for whom you have a sufficient basis for evaluation. YOUR EVALUATION MAY BE BASED UPON GENERAL REPUTATION AND/OR FIRST-HAND EXPERIENCE. If you believe you have an insufficient basis to make an evaluation, mark the appropriate box.

All questions relate only to the qualities of the judge in the performance of judicial duties. The first set of items on each page asks for your experience before each judge. Please check the appropriate lines beneath the judge's name. For the remaining items which are evaluative criteria, please use the following scale:

1. Unacceptable: Lacking in this quality
2. Deficient: Does not always meet minimum standards of performance for this court
3. Acceptable: Meets minimum standards of performance for this court
4. Good: Often exceeds minimum standards of performance for this court
5. Excellent: Consistently exceeds the minimum standards for this court

SECTION III: For your convenience in locating individual judges whom you can evaluate, the questionnaire has been organized by judicial district as follows:

- Page 3: First Judicial District: Judges Craske & Asper
Page 4: Second Judicial District: Judge Jeffery
Page 5: Third Judicial District: Judges Cutler, Rowland, Andrews & Beckwith
Page 6: Third Judicial District: Judges Hornaday, Stemp, Stewart & White
Page 7: Fourth Judicial District: Judges Hodges, Van Hoomissen, Connelly
Page 8: Fourth Judicial District: Judges Crutchfield, Kauvar & Zimmerman

FIRST JUDICIAL DISTRICT

	SUPERIOR COURT		DISTRICT COURT	
	Judge Duane C. Craske		Judge Linn Asper	
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials ___ Motions ___ Other ___ None ___		Trials ___ Motions ___ Other ___ None ___	
2. Nature of your experience with this judge?	Criminal ___ Civil ___ Mixture ___ None ___		Criminal ___ Civil ___ Mixture ___ None ___	
3. Amount of your experience with this judge?	Substantial ___ Limited ___ None ___		Substantial ___ Limited ___ None ___	
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation: 1. <u>Unacceptable</u> Lacking in this quality 2. <u>Deficient</u> Does not always meet minimum standards of performance for this court 3. <u>Acceptable</u> Meets minimum standards of performance for this court 4. <u>Good</u> Often exceeds minimum standards of performance for this court. 5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court	Judge Duane C. Craske	Judge Linn Asper		
	Rating	Can't Rate	Rating	Can't Rate
IMPARTIALITY				
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism				
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like				
6. Restraint from favoritism toward either side in any dispute				
7. Restraint from prejudging outcome of the case				
JUDICIAL TEMPERAMENT				
8. Sense of basic fairness and justice				
9. Human understanding and compassion				
10. Freedom from arrogance				
11. Courtesy				
12. Dignity of demeanor on the bench				
13. Conducts self in a manner free from impropriety or the appearance of impropriety				
14. Integrity				
15. Consideration of all relevant factors in sentencing				
16. Talent and ability for cases involving children and families				
ADMINISTRATIVE SKILLS				
17. Ability to maintain proper control over courtroom				
18. Punctuality in opening court and keeping appointments				
19. Willingness to work diligently				
20. Reasonable promptness in making rulings and rendering decisions				
OVERALL JUDICIAL PERFORMANCE				
21. Overall judicial performance				

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

SECOND JUDICIAL DISTRICT

SUPERIOR COURT

Judge
Michael I.
Jeffery

1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials _____ Motions _____ Other _____ None _____
2. Nature of your experience with this judge?	Criminal _____ Civil _____ Mixture _____ None _____
3. Amount of your experience with this judge?	Substantial _____ Limited _____ None _____

For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:

- 1. Unacceptable Lacking in this quality
- 2. Deficient Does not always meet minimum standards of performance for this court
- 3. Acceptable Meets minimum standards of performance for this court
- 4. Good Often exceeds minimum standards of performance for this court
- 5. Excellent Consistently exceeds the minimum standards minimum standards for this court

Judge
Michael I.
Jeffery

	Rating	Can't Rate
IMPARTIALITY		
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism		
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like		
6. Restraint from favoritism toward either side in any dispute		
7. Restraint from prejudging outcome of the case		
JUDICIAL TEMPERAMENT		
8. Sense of basic fairness and justice		
9. Human understanding and compassion		
10. Freedom from arrogance		
11. Courtesy		
12. Dignity of demeanor on the bench		
13. Conducts self in a manner free from impropriety or the appearance of impropriety		
14. Integrity		
15. Consideration of all relevant factors in sentencing		
16. Talent and ability for cases involving children and families		
ADMINISTRATIVE SKILLS		
17. Ability to maintain proper control over courtroom		
18. Punctuality in opening court and keeping appointments		
19. Willingness to work diligently		
20. Reasonable promptness in making rulings and rendering decisions		
OVERALL JUDICIAL PERFORMANCE		
21. Overall judicial performance		

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

THIRD JUDICIAL DISTRICT

	SUPERIOR COURT				DISTRICT COURT			
	Judge Beverly W. Cutler		Judge Mark C. Rowland		Judge Elaine Andrews		Judge Martha Beckwith	
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trial	_____	Trial	_____	Trial	_____	Trial	_____
	Motions	_____	Motions	_____	Motions	_____	Motions	_____
	Other	_____	Other	_____	Other	_____	Other	_____
	None	_____	None	_____	None	_____	None	_____
2. Nature of your experience with this judge?	Criminal	_____	Criminal	_____	Criminal	_____	Criminal	_____
	Civil	_____	Civil	_____	Civil	_____	Civil	_____
	Mixture	_____	Mixture	_____	Mixture	_____	Mixture	_____
	None	_____	None	_____	None	_____	None	_____
3. Amount of your experience with this judge?	Substantial	_____	Substantial	_____	Substantial	_____	Substantial	_____
	Limited	_____	Limited	_____	Limited	_____	Limited	_____
	None	_____	None	_____	None	_____	None	_____
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:								
1. <u>Unacceptable</u>	Lacking in this quality							
2. <u>Deficient</u>	Does not always meet minimum standards of performance for this court							
3. <u>Acceptable</u>	Meets minimum standards of performance for this court							
4. <u>Good</u>	Often exceeds minimum standards of performance for this court							
5. <u>Excellent</u>	Consistently exceeds the minimum standards minimum standards for this court							
	Judge Beverly W. Cutler		Judge Mark C. Rowland		Judge Elaine Andrews		Judge Martha Beckwith	
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
IMPARTIALITY								
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism								
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like								
6. Restraint from favoritism toward either side in any dispute								
7. Restraint from prejudging outcome of the case								
JUDICIAL TEMPERAMENT								
8. Sense of basic fairness and justice								
9. Human understanding and compassion								
10. Freedom from arrogance								
11. Courtesy								
12. Dignity of demeanor on the bench								
13. Conducts self in a manner free from impropriety or the appearance of impropriety								
14. Integrity								
15. Consideration of all relevant factors in sentencing								
16. Talent and ability for cases involving children and families								
ADMINISTRATIVE SKILLS								
17. Ability to maintain proper control over courtroom								
18. Punctuality in opening court and keeping appointments								
19. Willingness to work diligently								
20. Reasonable promptness in making rulings and rendering decisions								
OVERALL JUDICIAL PERFORMANCE								
21. Overall judicial performance								

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

THIRD JUDICIAL DISTRICT

DISTRICT COURT

	JUDGE JAMES C. HORNADAY				JUDGE RALPH STAMP				JUDGE DAVID STEVART				JUDGE MICHAEL WHITE			
	Trial	Motion	Other	None	Trial	Motion	Other	None	Trial	Motion	Other	None	Trial	Motion	Other	None
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Nature of your experience with this judge?	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>
3. Amount of your experience with this judge?	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>
<p>For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:</p> <p>1. <u>Unacceptable</u> Lacking in this quality 2. <u>Deficient</u> Does not always meet minimum standards of performance for this court</p> <p>3. <u>Acceptable</u> Meets minimum standards of performance for this court</p> <p>4. <u>Good</u> Often exceeds minimum standards of performance for this court</p> <p>5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court</p>																
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
IMPARTIALITY																
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism																
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like																
6. Restraint from favoritism toward either side in any dispute																
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8. Sense of basic fairness and justice																
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19. Willingness to work diligently																
20. Reasonable promptness in making rulings and rendering decisions																
OVERALL JUDICIAL PERFORMANCE																
21. Overall judicial performance																

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

FOURTH JUDICIAL DISTRICT

	SUPERIOR COURT				DISTRICT COURT	
	Judge Jay Hodges		Judge Gerald J. Van Hoomissen		Judge Hugh M. Connolly	
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials Motions Other None	___ ___ ___ ___	Trials Motions Other None	___ ___ ___ ___	Trials Motions Other None	___ ___ ___ ___
2. Nature of your experience with this judge?	Criminal Civil Mixture None	___ ___ ___ ___	Criminal Civil Mixture None	___ ___ ___ ___	Criminal Civil Mixture None	___ ___ ___ ___
3. Amount of your experience with this judge?	Substantial Limited None	___ ___ ___	Substantial Limited None	___ ___ ___	Substantial Limited None	___ ___ ___
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:						
1. <u>Unacceptable</u> Lacking in this quality	Judge Jay Hodges		Judge Gerald J. Van Hoomissen	Judge Hugh M. Connolly		
2. <u>Deficient</u> Does not always meet minimum standards of performance for this court						
3. <u>Acceptable</u> Meets minimum standards of performance for this court						
4. <u>Good</u> Often exceeds minimum standards of performance for this court						
5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court						
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
IMPARTIALITY						
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism						
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like						
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JUDICIAL TEMPERAMENT						
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FOURTH JUDICIAL DISTRICT

DISTRICT COURT

	Judge H. Ed Crutchfield		Judge Jane F. Kauvar		Judge Christopher Zimmerman	
	Trials Motions Other None	___ ___ ___ ___	Trials Motions Other None	___ ___ ___ ___	Trials Motions Other None	___ ___ ___ ___
1. Have you had trials, motions or other experience with this judge? (Check all that apply)						
2. Nature of your experience with this judge?	Criminal Civil Mixture None	___ ___ ___ ___	Criminal Civil Mixture None	___ ___ ___ ___	Criminal Civil Mixture None	___ ___ ___ ___
3. Amount of your experience with this judge?	Substantial Limited None	___ ___ ___	Substantial Limited None	___ ___ ___	Substantial Limited None	___ ___ ___
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	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
IMPARTIALITY						
4. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism						
5. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like						
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alaska judicial council

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William T. Council
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Barbara L. Schuhmann

CHAIRMAN, EX OFFICIO
Jay A. Rebinowitz
Chief Justice
Supreme Court

April 18, 1986

Dear Member of the Alaska Bar Association:

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Pursuant to law, the Alaska Judicial Council evaluates each justice and judge and makes its evaluations and recommendations public prior to the election. Components of this evaluation in 1986 include surveys of Alaska's peace and probation officers and members of the Alaska Bar Association, a review of matters of record concerning each judge's performance, and solicitation of public comment regarding judicial performance. Because the Council seeks information from experienced persons who will be capable of adequately evaluating the complex aspects of judicial performance, it is vital that each attorney respond as completely as possible to these surveys.

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On behalf of the Alaska Judicial Council, I wish to thank you for your contribution to the judicial evaluation process. If you have any questions concerning this questionnaire or the other activities of the Judicial Council, please call me collect at 279-2526.

Sincerely,

A handwritten signature in cursive script that reads "Francis L. Bremson".

FRANCIS L. BREMSON
EXECUTIVE DIRECTOR

ALASKA JUDICIAL COUNCIL
EVALUATION OF THE JUDICIARY
SURVEY OF THE ALASKA BAR ASSOCIATION
P.O. BOX 1248
Ann Arbor, MI 48106

In cooperation with the Alaska Bar Association, the Alaska Judicial Council is sponsoring this survey to obtain information for use in its evaluation of judges facing retention election in November, 1986. Information is also being obtained from Alaska Peace Officers and Probation Officers.

All responses to this survey will be aggregated for the sole purpose of statistical analysis. The identity of individual respondents will remain strictly confidential. A self-addressed stamped envelope is provided for return of your completed questionnaire. DO NOT sign either the completed questionnaire or the envelope.

IMPORTANT: PLEASE COMPLETE AND RETURN THIS QUESTIONNAIRE NO LATER THAN APRIL 30. It is necessary for you to return the form even if you cannot rate any judge.

SECTION I: Please check the appropriate box or supply the indicated information.

1. I have been a member of the Alaska Bar Association for ___ years.
2. My practice is composed of:
 ___% civil work
 ___% criminal work

 100%
3. My practice is composed of ___% litigation and trial work, including preparation for case settlement or trial.
4. The majority of my work is conducted in the

1. First 2. Second 3. Third 4. Fourth Judicial District
5. I am
1. A private practitioner 4. A state court judge
2. An employee of a private business corporation 5. Other than above
3. An employee of a government branch or agency

SECTION II: In the following pages, please rate only those judges for whom you have a sufficient basis for evaluation. YOUR EVALUATION MAY BE BASED UPON GENERAL REPUTATION AND/OR FIRST-HAND EXPERIENCE. If you believe you have an insufficient basis to make an evaluation, mark the appropriate box.

All questions relate only to the qualities of the judge or justice in the performance of judicial duties. The first set of items on each page asks for your experience before each judge. Please check the appropriate lines beneath the judge's name. For the remaining items which are evaluative criteria, please use the following rating scale:

1. Unacceptable: Lacking in this quality
2. Deficient: Does not always meet minimum standards of performance for this court
3. Acceptable: Meets minimum standards of performance for this court
4. Good: Often exceeds minimum standards of performance for this court
5. Excellent: Consistently exceeds the minimum standards for this court

SECTION III: For your convenience in locating individual judges whom you can evaluate, the questionnaire has been organized by judicial district as follows:

Page 3: Supreme Court Justice Moore
Page 4: First Judicial District: Judges Craske & Asper
Page 5: Second Judicial District: Judge Jeffery
Page 6: Third Judicial District: Judges Cutler, Rowland, Andrews & Beckwith
Page 7: Third Judicial District: Judges Hornaday, Stemp, Stewart & White
Page 8: Fourth Judicial District: Judges Hodges, Van Hoomissen, & Connelly
Page 9: Fourth Judicial District: Judges Crutchfield, Kauvar, & Zimmerman

APPELLATE JUDGE	SUPREME COURT	
1. Amount of your experience with this justice?	Justice Daniel A. Moore, Jr.	
2. How many of this justice's opinions have you read?	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	
<p>For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:</p> <p>1. <u>Unacceptable</u> Lacking in this quality</p> <p>2. <u>Deficient</u> Does not always meet minimum standards of performance for this court</p> <p>3. <u>Acceptable</u> Meets minimum standards of performance for this court</p> <p>4. <u>Good</u> Often exceeds minimum standards of performance for this court</p> <p>5. <u>Excellent</u> Consistently exceeds the minimum standards for this court</p>	Justice Daniel A. Moore, Jr.	
	Rating	Can't Rate
QUALITY OF WRITTEN OPINIONS		
3. Legal analysis and scholarship		
4. Clarity and precision		
5. Writing style		
6. Restraint from favoritism		
7. Conscientiousness in rendering legal opinions without regard to possible public criticism		
GENERAL CHARACTERISTICS		
8. Dignity of demeanor on the bench		
9. Conducts self in a manner free from impropriety or the appearance of impropriety		
10. Preparation for, and attentiveness to counsel's oral arguments		
11. Integrity		

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

FIRST JUDICIAL DISTRICT

	SUPERIOR COURT		DISTRICT COURT	
	Judge Duane C. Craske		Judge Lynn Asper	
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials Motions Other None	___ ___ ___ ___	Trials Motions Other None	___ ___ ___ ___
2. Nature of your experience with this judge?	Criminal Civil Mixture None	___ ___ ___ ___	Criminal Civil Mixture None	___ ___ ___ ___
3. Amount of your experience with this judge?	Substantial Limited None	___ ___ ___	Substantial Limited None	___ ___ ___
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:				
1. <u>Unacceptable</u> Lacking in this quality 2. <u>Deficient</u> Does not always meet minimum standards of performance for this court	Judge Duane C. Craske		Judge Lynn Asper	
2. <u>Acceptable</u> Meets minimum standards of performance for this court				
4. <u>Good</u> Often exceeds minimum standards of performance for this court				
5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court				
	Rating	Can't Rate	Rating	Can't Rate
LEGAL ABILITY				
4. Legal reasoning ability and comprehension				
5. Knowledge of substantive law, evidence, and procedure				
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)				
7. Settlement skills				
IMPARTIALITY				
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism				
9. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like				
10. Restraint from favoritism toward either side in any dispute				
11. Restraint from prejudging outcome of the case				
JUDICIAL TEMPERAMENT				
12. Sense of basic fairness and justice				
12. Human understanding and compassion				
14. Freedom from arrogance				
15. Courtesy				
16. Dignity of demeanor on the bench				
17. Conducts self in a manner free from impropriety or the appearance of impropriety				
18. Integrity				
19. Consideration of all relevant factors in sentencing				
20. Talent and ability for cases involving children and families				
ADMINISTRATIVE SKILLS				
21. Ability to maintain proper control over courtroom				
22. Punctuality in opening court and keeping appointments				
23. Willingness to work diligently				
24. Reasonable promptness in making rulings and rendering decisions				
OVERALL JUDICIAL PERFORMANCE				
25. Overall judicial performance				

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

SECOND JUDICIAL DISTRICT

SUPERIOR COURT

Judge
Michael I.
Jeffery

1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials _____ Motions _____ Other _____ None _____
2. Nature of your experience with this judge?	Criminal _____ Civil _____ Mixture _____ None _____
3. Amount of your experience with this judge?	Substantial _____ Limited _____ None _____
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation: 1. <u>Unacceptable</u> Lacking in this quality 2. <u>Deficient</u> Does not always meet minimum standards of performance for this court 3. <u>Acceptable</u> Meets minimum standards of performance for this court 4. <u>Good</u> Often exceeds minimum standards of performance for this court 5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court	Judge Michael I. Jeffery

	Rating	Can't Rate
LEGAL ABILITY		
4. Legal reasoning ability and comprehension		
5. Knowledge of substantive law, evidence, and procedure		
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)		
7. Settlement skills		
IMPARTIALITY		
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism		
9. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like		
10. Restraint from favoritism toward either side in any dispute		
11. Restraint from prejudging outcome of the case		
JUDICIAL TEMPERAMENT		
12. Sense of basic fairness and justice		
13. Human understanding and compassion		
14. Freedom from arrogance		
15. Courtesy		
16. Dignity of demeanor on the bench		
17. Conducts self in a manner free from impropriety or the appearance of impropriety		
18. Integrity		
19. Consideration of all relevant factors in sentencing		
20. Talent and ability for cases involving children and families		
ADMINISTRATIVE SKILLS		
21. Ability to maintain proper control over courtroom		
22. Punctuality in opening court and keeping appointments		
23. Willingness to work diligently		
24. Reasonable promptness in making rulings and rendering decisions		
OVERALL JUDICIAL PERFORMANCE		
25. Overall judicial performance		

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

THIRD JUDICIAL DISTRICT

	SUPERIOR COURT				DISTRICT COURT			
	Judge Beverly W. Cutler		Judge Mark C. Rowland		Judge Elaine Andrews		Judge Martha Beckwith	
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials	___	Trials	___	Trials	___	Trials	___
	Motions	___	Motions	___	Motions	___	Motions	___
	Other	___	Other	___	Other	___	Other	___
	None	___	None	___	None	___	None	___
2. Nature of your experience with this judge?	Criminal	___	Criminal	___	Criminal	___	Criminal	___
	Civil	___	Civil	___	Civil	___	Civil	___
	Mixture	___	Mixture	___	Mixture	___	Mixture	___
	None	___	None	___	None	___	None	___
3. Amount of your experience with this judge?	Substantial	___	Substantial	___	Substantial	___	Substantial	___
	Limited	___	Limited	___	Limited	___	Limited	___
	None	___	None	___	None	___	None	___
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:								
1. <u>Unacceptable</u>	Lacking in this quality							
2. <u>Deficient</u>	Does not always meet minimum standards of performance for this court			Judge Beverly W. Cutler	Judge Mark C. Rowland	Judge Elaine Andrews	Judge Martha Beckwith	
3. <u>Acceptable</u>	Meets minimum standards of performance for this court							
4. <u>Good</u>	Often exceeds minimum standards of performance for this court							
5. <u>Excellent</u>	Consistently exceeds the minimum standards of performance for this court							
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
LEGAL ABILITY								
4. Legal reasoning ability and comprehension								
5. Knowledge of substantive law, evidence, and procedure								
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)								
7. Settlement skills								
IMPARTIALITY								
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism								
9. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like								
10. Restraint from favoritism toward either side in any dispute								
11. Restraint from prejudging outcome of the case								
JUDICIAL TEMPERAMENT								
12. Sense of basic fairness and justice								
13. Human understanding and compassion								
14. Freedom from arrogance								
15. Courtesy								
16. Dignity of demeanor on the bench								
17. Conducts self in a manner free from impropriety or the appearance of impropriety								
18. Integrity								
19. Consideration of all relevant factors in sentencing								
20. Talent and ability for cases involving children and families								
ADMINISTRATIVE SKILLS								
21. Ability to maintain proper control over courtroom								
22. Punctuality in opening court and keeping appointments								
23. Willingness to work diligently								
24. Reasonable promptness in making rulings and rendering decisions								
OVERALL JUDICIAL PERFORMANCE								
25. Overall judicial performance								

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

THIRD JUDICIAL DISTRICT

DISTRICT COURT

	DISTRICT COURT							
	Judge James C. Hornaday	Judge Ralph Steep	Judge David Stewart	Judge Michael White				
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials <input type="checkbox"/> Motions <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/>	Trials <input type="checkbox"/> Motions <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/>	Trials <input type="checkbox"/> Motions <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/>	Trials <input type="checkbox"/> Motions <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/>				
2. Nature of your experience with this judge?	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>	Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Mixture <input type="checkbox"/> None <input type="checkbox"/>				
3. Amount of your experience with this judge?	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>	Substantial <input type="checkbox"/> Limited <input type="checkbox"/> None <input type="checkbox"/>				
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:								
1. <u>Unacceptable</u> Lacking in this quality	Judge James C. Hornaday	Judge Ralph Steep	Judge David Stewart	Judge Michael White				
2. <u>Deficient</u> Does not always meet minimum standards of performance for this court								
3. <u>Acceptable</u> Meets minimum standards of performance for this court								
4. <u>Good</u> Often exceeds minimum standards of performance for this court								
5. <u>Excellent</u> Consistently exceeds the minimum standards minimum standards for this court								
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
LEGAL ABILITY								
4. Legal reasoning ability and comprehension								
5. Knowledge of substantive law, evidence, and procedure								
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)								
7. Settlement skills								
IMPARTIALITY								
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism								
9. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like								
10. Restraint from favoritism toward either side in any dispute								
11. Restraint from prejudging outcome of the case								
JUDICIAL TEMPERAMENT								
12. Sense of basic fairness and justice								
13. Human understanding and compassion								
14. Freedom from arrogance								
15. Courtesy								
16. Dignity of demeanor on the bench								
17. Conducts self in a manner free from impropriety or the appearance of impropriety								
18. Integrity								
19. Consideration of all relevant factors in sentencing								
20. Talent and ability for cases involving children and families								
ADMINISTRATIVE SKILLS								
21. Ability to maintain proper control over courtroom								
22. Punctuality in opening court and keeping appointments								
23. Willingness to work diligently								
24. Reasonable promptness in making rulings and rendering decisions								
OVERALL JUDICIAL PERFORMANCE								
25. Overall judicial performance								

If you have any comments which you believe would assist the Judicial Council in its evaluations, please note them here. Please identify the judge to whom they refer. These statements are entirely optional and anonymous. If more space is needed, attach an additional sheet of paper.

FOURTH JUDICIAL DISTRICT

	SUPERIOR COURT		DISTRICT COURT			
	Judge Jay Hodges	Judge Gerald J. Van Hoosien	Judge Hugh M. Connelly			
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials Motions Other None	Trials Motions Other None	Trials Motions Other None			
2. Nature of your experience with this judge?	Criminal Civil Mixture None	Criminal Civil Mixture None	Criminal Civil Mixture None			
3. Amount of your experience with this judge?	Substantial Limited None	Substantial Limited None	Substantial Limited None			
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:						
1. <u>Unacceptable</u> Lacking in this quality 2. <u>Deficient</u> Does not always meet minimum standards of performance for this court	Judge Jay Hodges	Judge Gerald J. Van Hoosien	Judge Hugh M. Connelly			
3. <u>Acceptable</u> Meets minimum standards of performance for this court						
4. <u>Good</u> Often exceeds minimum standards of performance for this court						
5. <u>Excellent</u> Consistently exceeds the minimum standards of performance for this court						
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
LEGAL ABILITY						
4. Legal reasoning ability and comprehension						
5. Knowledge of substantive law, evidence, and procedure						
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)						
7. Settlement skills						
IMPARTIALITY						
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism						
9. Equal treatment of all parties regardless of race, ethnic background, sex, social or economic status, and the like						
10. Restraint from favoritism toward either side in any dispute						
11. Restraint from prejudging outcome of the case						
JUDICIAL TEMPERAMENT						
12. Sense of basic fairness and justice						
13. Human understanding and compassion						
14. Freedom from arrogance						
15. Courtesy						
16. Dignity of demeanor on the bench						
17. Conducts self in a manner free from impropriety or the appearance of impropriety						
18. Integrity						
19. Consideration of all relevant factors in sentencing						
20. Talent and ability for cases involving children and families						
ADMINISTRATIVE SKILLS						
21. Ability to maintain proper control over courtroom						
22. Punctuality in opening court and keeping appointments						
23. Willingness to work diligently						
24. Reasonable promptness in making rulings and rendering decisions						
OVERALL JUDICIAL PERFORMANCE						
25. Overall judicial performance						

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FOURTH JUDICIAL DISTRICT

DISTRICT COURT

	Judge M. Ed Crutchfield		Judge Jane F. Kauvar		Judge Christopher Zimmerman	
	Trials	Motions	Trials	Motions	Trials	Motions
1. Have you had trials, motions or other experience with this judge? (Check all that apply)	Trials	_____	Trials	_____	Trials	_____
	Motions	_____	Motions	_____	Motions	_____
	Other	_____	Other	_____	Other	_____
	None	_____	None	_____	None	_____
2. Nature of your experience with this judge?	Criminal	_____	Criminal	_____	Criminal	_____
	Civil	_____	Civil	_____	Civil	_____
	Mixture	_____	Mixture	_____	Mixture	_____
	None	_____	None	_____	None	_____
3. Amount of your experience with this judge?	Substantial	_____	Substantial	_____	Substantial	_____
	Limited	_____	Limited	_____	Limited	_____
	None	_____	None	_____	None	_____
For the following questions use this scale, or indicate by checking "Can't Rate" that you have an insufficient basis for evaluation:						
1. <u>Unacceptable</u>	Lacking in this quality					
2. <u>Deficient</u>	Does not always meet minimum standards of performance for this court					
3. <u>Acceptable</u>	Meets minimum standards of performance for this court					
4. <u>Good</u>	Often exceeds minimum standards of performance for this court					
5. <u>Excellent</u>	Consistently exceeds the minimum standards minimum standards for this court					
	Rating	Can't Rate	Rating	Can't Rate	Rating	Can't Rate
LEGAL ABILITY						
4. Legal reasoning ability and comprehension						
5. Knowledge of substantive law, evidence, and procedure						
6. Performance as a motions judge (discovery, suppression, summary judgement, and the like)						
7. Settlement skills						
IMPARTIALITY						
8. Conscientiousness in finding facts and/or interpreting the law without regard to possible public criticism						
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OVERALL JUDICIAL PERFORMANCE						
25. Overall judicial performance						

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