



Alaska State Legislature

1975

Source:

HCR 53 am

HOUSE CONCURRENT RESOLUTION NO. 53

Requesting a study of the method of judicial selection and retention.

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

WHEREAS, as an alternative to either executive appointment or direct election of judges, the delegates to the 1955-56 Alaska State Constitutional Convention proposed, and the people of the 49th State ratified, a constitution incorporating the "Missouri Plan" for judicial selection and retention; and

WHEREAS under that procedure the governor fills vacancies in judicial offices from among a panel of nominees proposed by the Judicial Council, and following a minimum period of years on the bench, that gubernatorial appointee is subject to voter confirmation at an election where the question posed is: "Shall the judge be retained in office for the term prescribed by law?"; and

WHEREAS during the past year the Judicial Council has studied, held hearings and reported its findings and recommendations concerning the pattern of judicial districting in the state and that pattern's effect on the administration of justice; in addition to the redistricting plan propounded by the Judicial Council, different redistricting schemes have been submitted to the legislature for its consideration by the justices of the supreme court and the presiding judges of the superior court; and

WHEREAS the boundaries of the state's four judicial districts have remained unchanged since early in territorial days; and

WHEREAS it has been asserted that any change in the configuration of judicial district boundaries would have an impact on the conduct of judicial retention elections; and

WHEREAS the process of judicial selection and retention in Alaska has not been reviewed in the two decades since the Constitutional Convention, and, in light of the conflicting proposals that have been presented to the legislature, a legislative interim study of judicial selection and retention, as well as judicial districting, would be an appropriate means of resolving the differing views and considering whether there are more contemporary or innovative procedures that could be employed in the selection and retention of judges;

BE IT RESOLVED by the Alaska State Legislature that the Legislative Council is respectfully requested to appoint an interim committee and assign to it for study the subject of the system of judicial selection and retention; and

BE IT FURTHER RESOLVED that this interim committee is respectfully requested to report its findings and recommendations, including but not limited to possible constitutional amendments, to the legislature not later than the convening of the Ninth Alaska Legislature, Second Session.