

Summary of Programs and Recommendations of the Alaska Judicial Council Since Statehood: 1959-2008

Article 4, Section 9 of Alaska's Constitution states:

The judicial council shall conduct studies for the improvement of the administration of justice, and make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years.

The topics studied by the Judicial Council at the request of the legislature and supreme court cover as wide a range as the constitutional language mandating these studies. The following list summarizes some of the more important contributions in the years since statehood.

A. Recommendations Relating to the Judiciary and the Courts

1. Evaluation of judges standing for retention elections and recommendations to the public (1975).
2. Establishment of the Commission on Judicial Qualifications (1968). (Name changed in 1982 to Commission on Judicial Conduct.)
3. Legislation relating to judicial salaries and retirement plans.
4. Increased jurisdictions of district court judges.
5. Court facilities and court management programs.
6. Jury size and length of service.
7. Authority of magistrates.
8. Supervision of the procedure of revising rules of court (1959-1961).
9. Waiver of juvenile jurisdiction in minor traffic cases (Ch. 76, SLA 1961).
10. Establishment of Family Court (Ch. 100, SLA 1967).
11. Appellate review of sentences (CH. 117, SLA 1969).
12. Coroner-Public Administrator office (Ch. 216, SLA 1970).
13. Constitutional amendment rotating the office of Chief Justice (approved by electorate in 1970).
14. Recommendation for presentence reports in all felony convictions (enacted by court rule in 1974).
15. Revised criteria for judges serving *pro tem* (court, Administrative Rule 23).
16. Guidelines for evaluation of *pro tem* judges (court, Administrative Rule 23).

17. Use of television for arraignments and other court proceedings on a permanent basis (experimental rule made permanent by supreme court in August, 1986).
18. Adoption of a court rule to provide guidelines for judicial review and dissemination of grand jury reports (Criminal Rule 6.1 adopted by supreme court, 1989).
19. Revised media plan and judicial canons to permit use of cameras in court proceedings (Administrative Rule 50, 1990).
20. Extension of district court judge's "probationary" period for retention elections to two years rather than one year (approved by legislature, 1990).
21. Court should work with voluntary local dispute resolution organizations, including tribal courts and councils, to provide better justice services in rural areas (1993).
22. Retain Civil Rule 82 (attorney fee shifting) with some modifications (1995).
23. Court emphasis on the child's best interest in child in need of aid cases. Court should reduce delay, provide training, and take other steps to more actively participate in child in need of aid cases (1996).
24. Revise court rules and establish pilot projects to increase voluntary use of alternative dispute resolution (1997).
25. Establish an implementation committee to review and carry out, as appropriate, recommendations of the Supreme Court Advisory Committee on Fairness and Access (1997). (Implementation Committee established, 1998.)
26. Revise court procedures for selecting juries to improve process (Advisory Committee to the Supreme Court on Fairness and Access) (1997).
27. Consider ways to improve judicial writing skills (1999).
28. Compile objective data on judicial performance and use in evaluation (1999).
29. Improve existing video links and expand use of video links to other court proceedings (1999).
30. Define purposes of civil case data collection more precisely (2000).
31. Eliminate legislative requirement for reporting civil case data in every case; require reporting only when Judicial Council is asked to study civil case processing (2001).
32. Amend court rules related to civil case data collection to be internally consistent and consistent with the statutes; clarify submission of data on appellate cases (2001).
33. Use civil case data to assist court assessment of time standards (2001).
34. Encourage use of alternative dispute resolution in civil cases (2001).
35. Expand use of therapeutic justice principles statewide (2003).
36. Expand eligibility standards to include more defendants in the felony drug court (2003).
37. Court should encourage criminal justice agencies in working together to eliminate unwanted disparities in justice system (2004).

B. Recommendations Relating to Other Aspects of the Administration of Justice

1. Compilation of the records of the constitutional convention.
2. Adoption of Rule 40(e) of the uniform rules of the legislature (requiring 2/3 vote of the legislature to change rules of court).
3. Establishment of Public Defender Agency (Ch. 109, SLA 1969).
4. Parole Board autonomy (granted in 1972).
5. Modernization of the state recording system (1966).
6. Various recommendations regarding probation and parole services, including administration of probation by courts.
7. Recommendations regarding juvenile services.
8. Extensive analysis of Bush Justice needs and recommendations.
9. Monthly statistical reporting system on sentences (established by courts and corrections in 1962).
10. Reclassification of minor traffic offenses as noncriminal.
11. Presumptive sentencing for repeat felony offenders and others (adopted by legislature, 1978).
12. Revision of presentence reports to meet requirements of new criminal code and reduce disparities in sentencing (1981).
13. Establishment of diversion program for some defendants (undertaken by Department of Law, 1980-81).
14. Annual monitoring of felony and misdemeanor sentencing patterns (authorized by legislature, 1980).
15. Development of mail-in bail schedule for minor Fish and Game offenses (authorized by legislature, 1984; adopted by supreme court 1985).
16. Establishment of Code Revision Commission to revise laws and regulations governing fish and game offenses.
17. Focus of justice system resources on efforts to encourage completion of alcohol treatment programs and monitoring of compliance with treatment requirements (similar recommendation adopted by Governor's Task Force on Drunk Driving, 1984).
18. Development of sentencing guidelines for drug offenses (used in 1981 and 1982 until drug law revisions took effect January 1, 1983).
19. Establishment of alternative jail facilities for persons convicted of Driving While Intoxicated and other alcohol-related offenses (recommended by Department of Corrections and considered by legislature).
20. Establishment of a Sentencing Commission to review existing sentencing laws and practices in context of state's needs and resources (Commission established June 1990 through June 1993).

21. Creation of a pilot program to mediate disputes in child visitation cases (program established October 1990); establish permanent mediation program for mediation of custody and visitation issues.
22. Maintenance of high screening standards by Attorney General's office for criminal cases (1991).
23. Coordination of Attorney General's charge bargaining policies with actual charge bargaining practices (1991).
24. Examination of appellate court sentencing benchmarks and guidelines, to determine whether some case law should be statutory (1991).
25. Summarize appellate court benchmarks and sentencing criteria to make them accessible to judges, attorneys and public (1991).
26. Cooperate with the legitimate voluntary dispute resolution work done by tribal courts (the Council takes no position on the resolution of sovereignty issues) and other rural dispute resolution organizations (1993).
27. Coordinate activities and share data among all criminal justice information systems (1993).
28. Review of computerized document imaging systems (1993).
29. Preparation of appellate case management and document imaging software for the Alaska Appellate Courts (1993-94).
30. Various recommendations for the legislature and agencies regarding child in need of aid cases (1996).
31. Recommendations for improving fairness and access throughout the justice system (Supreme Court Advisory Committee on Fairness and Access, 1997).
32. Consider new models for monitoring offenders (1999).
33. Make more resources and information available to victims of domestic violence (1999).
34. Continue research on domestic violence (1999).
35. Create an organization to implement recommendations of the Criminal Justice Assessment Commission (2000).
36. Various recommendations for criminal justice, including alcohol policy, decriminalizing mentally ill, analysis of criminal justice process, and better monitoring of pretrial defendants and post-conviction conditions imposed on misdemeanants (CJAC, 2000).
37. Further recommendations for criminal justice, following up after implementing CJAC recommendations (CJC, 2003).
38. Take steps to reduce unwarranted disparities throughout the criminal justice system; review charging and charge reduction practices; collect better data about ethnicity and socioeconomic characteristics of defendants (2004).
39. Explore reasons for good response to the therapeutic courts for Native participants, and reasons for differences in recidivism rates among ethnic groups (2007).

40. Provide additional data to policymakers about the costs and benefits of therapeutic courts (2007).