



alaska judicial council

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Salary Warrant Withholding

Alaska law states: “A salary disbursement may not be issued to a [justice or judge] until the [justice or judge] has filed with the state officer designated to issue salary disbursements an affidavit that no matter referred to the [justice or judge] for opinion or decision has been uncompleted or undecided by the judge for a period of more than six months.”

Among the twenty-four trial judges on the ballot in 2012, only two had pay withheld during their most recent term. Ketchikan Superior Court Judge William Carey and Anchorage Superior Court Judge John Suddock each had two salary warrants withheld. Judge Joel Bolger had no salary warrants withheld during his initial term on the Alaska Court of Appeals.

Alaska Supreme Court Justice Daniel Winfree’s paycheck has been withheld fifteen times since his appointment to the Alaska Supreme Court in 2007. Justice Winfree explained that two of the delays involved very complicated cases including one case that was timely decided but in which the opinion took more than six months to issue. The delay in drafting and publishing that opinion had no adverse impact on any party because the case had already been decided.

Although not all supreme court justices have had their pay withheld for late decision-making, it is not unusual for a justice to have pay withheld on occasion, particularly during an initial term of office. From 2006 to 2012, four justices other than Justice Winfree had pay withheld a combined total of 27 times. Some other justices had their pay withheld as often as Justice Winfree during their initial terms on the supreme court.