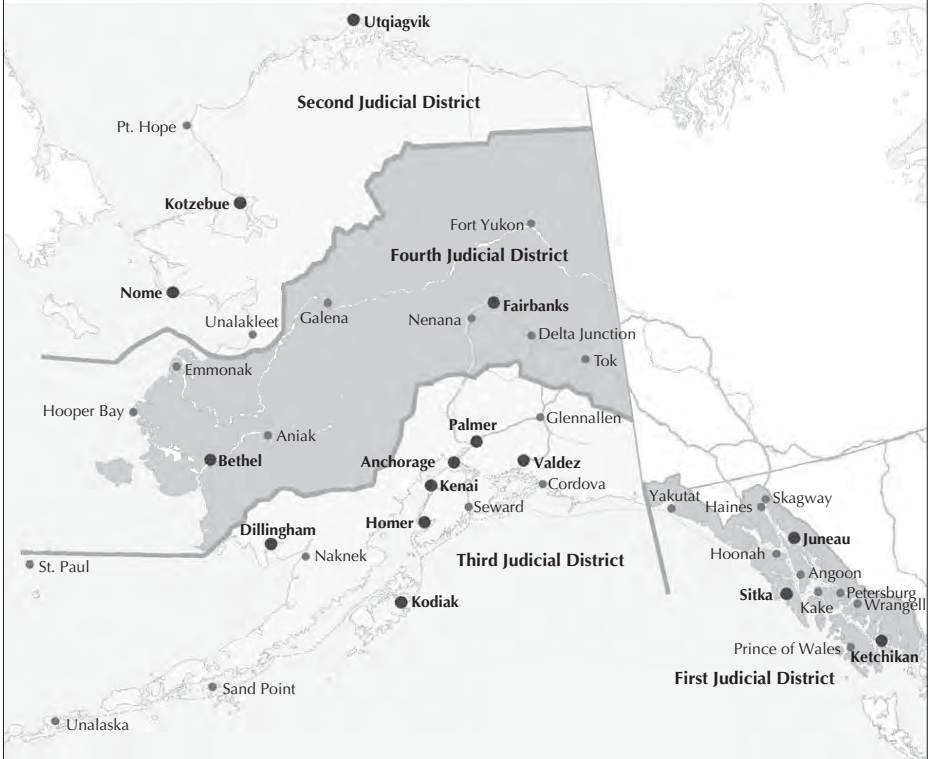


# *Alaska Court System Annual Report FY 2020*

*July 1, 2019 – June 30, 2020*



Alaska Court Locations, FY 2020



# *Alaska Court System Annual Report FY 2020*

*July 1, 2019 – June 30, 2020*



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*Osprey, Andreafsky Wilderness, Yukon Delta National Wildlife Refuge (4th Judicial District)*

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Great Seal of the State of Alaska, Boney Courthouse lobby, Anchorage (Third Judicial District)

## Introduction

### The Alaska Court System

The government of the State of Alaska is divided into three separate but equal branches: the *executive*, the *legislative*, and the *judicial*. By providing for checks and balances, this division prevents the concentration of governmental power in one or another function. The federal government and the governments of most other states are also structured in this way.

Although the terms *judicial branch* and *court system* are often used interchangeably, in fact, the Alaska judicial branch contains three separate

entities: the *Alaska Court System*, the *Alaska Judicial Council*, and the *Alaska Commission on Judicial Conduct*, each with a function established in the state constitution.

Alaska has a unified, centrally-administered court system, totally funded by the state. Municipal governments do not maintain separate court systems. There are four levels of courts in the Alaska Court System, each with different powers, duties, and responsibilities. The *Superior Court* and *District Court* are *trial courts*, which initially hear and decide court cases. The *Supreme Court* and *Court of Appeals* are *appellate courts*, which review and decide appeals from decisions made by the trial courts. Title 22 of the Alaska Statutes sets out the jurisdiction and responsibilities of each court.

The Supreme Court and the Superior Court were established in the state constitution. In 1959, the legislature created a District Court for each judicial district and granted power to the Supreme Court to increase or decrease the number of District Court judges. In 1980, the legislature created the Court of Appeals.

The Chief Justice of the Alaska Supreme Court is the administrative head of the Alaska Court System. An administrative director is appointed by the chief justice with concurrence of the Supreme Court. The director supervises the administration of all courts in the state.

The Supreme Court sets out the rules governing the administration of all courts and the rules of practice and procedure for civil and criminal cases.



*Detail, Great Seal of the State of Alaska*

# How Alaskans Choose Their Judges

The Alaska constitution provides for the selection of judges by merit; that is, judges are selected on the basis of their qualifications, rather than on their political or social connections. Alaska was one of the first states to adopt merit selection of judges. Today, over thirty other states select some or all of their judges in this way.

The Alaska Judicial Council, an independent citizens' commission, investigates and evaluates applicants for judicial positions for all courts except magistrate judge courts. The council sends the names of the most qualified applicants to the governor. The governor must make an appointment from this list. (Magistrate judges are selected according to a different process.)

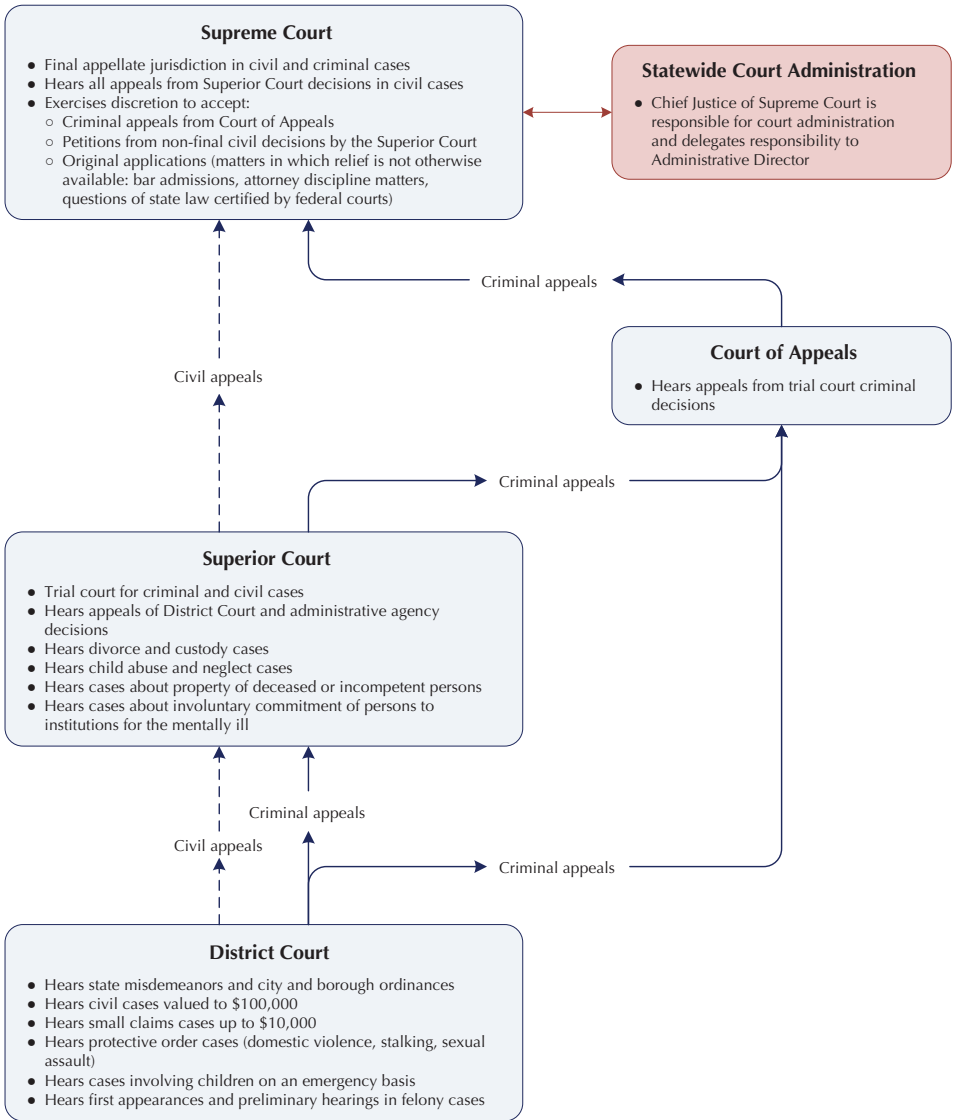
After serving for a specified period of time, all justices and judges in Alaska must stand regularly for approval by voters on a non-partisan ballot in a general election. This is called *retention*. The Judicial Council evaluates the performance of judicial officers standing for retention election. The evaluation includes a survey of attorneys, peace and probation officers, court employees, and others regarding the conduct of individual judges. Prior to the election date, the council provides detailed information from this evaluation to the public and makes recommendations regarding the retention of individual judges.



Hoonah (First Judicial District)



# Alaska Court System Structure





# *Year in Review*

## Introduction

This annual report provides a picture of Alaska Court System operations in FY 2020. The courts serve Alaskans, of all racial, ethnic, socioeconomic, religious, and educational backgrounds, from both rural and urban communities. As established by the state constitution, the court system provides Alaskans with a forum for resolving our disagreements.

When the Covid-19 pandemic erupted midway through the fiscal year, the court system faced an unprecedented challenge to its operations. This report details how the court system has adapted its operations to meet the pandemic challenges and continues to provide access to justice services for all Alaskans.

The report also offers summary information on the FY20 budget; a list of all judicial officers and senior administrators who served during FY20; and case data highlights.

## Adapting

Since the courts must function even during extreme emergencies, the Alaska Court System quickly found ways to adapt its operations. It remained open. After a brief pause in some services at the beginning of the pandemic, the courts continued to hold hearings, conduct bench trials, and perform other judicial functions.

Justices, judges, and administrative and clerical staff together grappled with the challenges posed by the pandemic in both their professional and personal lives. Their steady diligence and commitment enabled the Alaska Court System to continue to meet the needs of the public.



*Humpback whales bubble feeding, Chatham Strait (First Judicial District)*

The pandemic has necessitated new safety protocols for the public and court employees. It has required modification of physical facilities and increased reliance on technology to allow for some services to be provided online or remotely.

Beginning in March 2020, the Alaska Supreme Court, the Chief Justice of the Alaska Supreme Court, and the presiding judges of the four judicial districts issued a series of statewide special orders to address the safety issues posed by the pandemic. Initially, some court proceedings, including jury trials and grand jury hearings, were temporarily suspended. Other emergency and essential proceedings continued with new safety precautions in place to reduce the likelihood of exposure to the virus. These included bail hearings, arraignments, CINA cases, domestic violence hearings, commitment proceedings, mental health hearings, and sentencings. Over time, hearings in all case types resumed, with the exception of most in-person jury trials. These continued to be suspended.

The orders authorized case filings by email and fax and the payment of filing fees, fines, and bail online. They also provided for the relaxation or suspension of other court rules. Judges were advised to grant extensions and continuances liberally and to conduct hearings by telephone or videoconference, whenever feasible.

Special orders also covered procedural issues presented by petitions from governmental entities for orders requiring quarantine, isolation, testing, and screening for Covid-19.

The presiding judges of the four judicial districts issued orders detailing procedures statewide and for the individual districts. The orders also

specified safety precautions for the districts, such as the wearing of masks in court facilities and the practice of social distancing.

In light of the suspension of in-person jury trials and the need to reduce in-person contacts in both the courthouses and Department of Corrections facilities, the presiding judges established a statewide temporary bail schedule to forestall prolonged pretrial detention for those charged with less serious offenses. Under the temporary schedule, people charged with most misdemeanor offenses are released under their own recognizance. The order does not apply to felonies or misdemeanor charges involving domestic violence or stalking.

The public health emergency has also led to the implementation of other court programs that help to reduce in-person contacts and lessen the foot traffic in court facilities. Some of these programs, which had been in development before the emergency, are discussed below.

It is becoming clear that some of the modifications and innovations which the court has adopted in reaction to the pandemic also hold long-term value for improved, effective operation of the courts and access to justice for the public.

## Uses of Technology

The Alaska Court System's experience and flexibility in using technology made it possible to adapt quickly and effectively to some of the challenges posed by the Covid-19 pandemic.

### Online Bail Payment

In March, to forestall the spread of the virus, the DOC stopped accepting bail payments by visitors on behalf of inmates at its facilities. The court system then developed an electronic bail posting system as an alternative. A family member or friend of someone being held in jail can post bail via email, using a credit card.

Someone using this method must first check with DOC to see if it is applicable in the defendant's case. Through email, the court system tells the payor the amount of bail required and collects information on the payee. Payment is completed through CourtView, the court system's case management system, using the defendant's case number. Multiple credit cards are accepted. Once payment is confirmed, DOC begins the process for releasing the defendant.

Instructions for the process are posted on the court’s website. It is still possible to post bail in person at a courthouse if necessary, but to avoid community transmission of the virus, use of the online option is encouraged.

## Other Online Payments

As with online bail posting, it is now also possible to make other case-related payments through CourtView, using the case number. In addition to paying fines, surcharges, and restitution with a credit card, it is now also possible to pay filing and copy fees in this way.

## E-filing

The Covid-19 pandemic has accelerated the implementation of the court system’s e-filing project. The transition to electronic filing case management will significantly reduce the amount of paper handled by the court system. When the transition is complete, paper files will no longer be generated; filings and exchange of documents will occur electronically.

The courts in Kenai, Homer, and Seward have been using the e-filing software programs True-filing and OnBase for document management of minor offense cases, including traffic violations, since 2017. In FY20 these courts also began handling both felony and misdemeanor criminal offenses through e-filing. Criminal cases and minor offense cases constitute approximately seventy percent of all cases filed. Beginning in FY21, most case filings in these courts will be handled through e-filing. It is anticipated that a majority of courts statewide will incorporate e-filing in some case types by the end of FY21.

## Online Dispute Resolution

The court system is continuing to develop a dispute resolution program that will permit online handling of certain types of cases. The program design was originally focused on minor offense cases, but in the wake of the public health emergency, background research for the program was broadened to look at the possibility of also handling many civil case types through online dispute resolution. Through this process, individuals can negotiate or mediate through an online platform. They may file for review by a judicial officer to ensure that any agreement meets the legal requirements. The envisioned platform may contain educational information, resolution options, and agreement forms. It may be possible to handle such cases online from the pre-filing stage through disposition, including trials for some case types. The court system is issuing a request for proposals to develop the necessary software.

## Alaska Court System

**DO NOT ENTER A COURTHOUSE IF YOU HAVE:**

- flu-like symptoms,
- traveled from the lower 48 in the last 14 days, unless you received 2 negative COVID-19 tests,
- been told to quarantine, isolate or self-monitor at home for COVID-19 by a medical provider, or
- been diagnosed with or had close contact with anyone diagnosed with COVID-19.

Call the court to let them know your situation ([link below](#)).

**COME IN** only if you can't take care of things remotely, and

- Wear a face covering (unless under 2 years old or exempted for medical reasons), and
- Keep a 6 foot distance from others

Thank you for helping to prevent the spread of COVID-19.

\*\*\* Court Contact Information \*\*\*

Visit the COVID-19 Response webpage or follow us on Facebook or Twitter for the latest updates.

[continue to the homepage](#)

## Public Communication

The Alaska Court System website, which has been a well-established information source on the work of the courts for many years, became even more vital to court communication during the Covid-19 pandemic. The website has been the channel for providing detailed, timely information about the safety adaptations the court system is making to its operations. This information has included the ways in which federal and state legislation related to the pandemic affects court operations — such as the various rules related to evictions.

The main landing page for the site provides a safety advisory regarding in-person visits to a courthouse. In addition, a Covid-19 response page provides links to detailed information through plain language FAQs on changes in hearings and filings; new procedures; ways to participate remotely in hearings and access customer service; and explanations of special orders. Also included on this page are links to instructions for posting bail and paying filing fees online.

The court also began to use social media more broadly in FY20. Facebook and Twitter have become tools for keeping the public up to date on the changes precipitated by the pandemic as well as providing coverage and photographs related to regular court matters. Among the areas covered by social media posts were court services and processes, court staff and judges, legal aid opportunities, and judicial selection and retention.

Alaska judges and court administrators have also continued a long-established practice of providing civic education on the judicial system by talking to community groups, hosting mock trials, and participating in panel discussions at various events. Throughout FY20, Alaska Court System representatives have participated on the monthly public radio program Justice Alaska, where they have discussed such topics as the reorganization of rural court sites, the work of magistrate judges, therapeutic courts, and the work of the Court of Appeals. A retired Superior Court judge serves as a co-host of the program. Other judges have contributed opinion pieces to local newspapers and participated in talk radio programs on judicial topics.

Judicial officers also co-chair the state’s Fairness and Access Commission. The goal of the commission is to increase access to the courts, particularly for Alaskans who represent themselves, have limited means, or are Alaska Native or members of minority communities. In the past fiscal year, the commission has provided educational information for the New Americans class sponsored by Catholic Charities Refugee Assistance and Immigration Services. Judicial officers provide an overview of the court system, with a focus on civil access topics such as probate, domestic relations, and domestic violence protective orders.

## Juries and Jurors

The right to a trial by jury is guaranteed in both the U.S. and Alaska constitutions. Since the emergence of the coronavirus in late winter 2020, the court system has been working to establish a framework for holding both grand and trial juries in a way that fulfills the constitutional right while protecting the health of all involved. Jury trials pose a particular challenge because so many people must be convened together — jurors, judge, court clerk, attorneys, parties, witnesses, and possibly law enforcement officers and interpreters. The public and the media must have access to the trial as well.

In March 2020, under a Special Order of the Chief Justice, the court system temporarily suspended both jury trials



*Juror packet*

and grand jury proceedings. A series of additional judicial orders from the chief justice and the presiding judges for the four judicial districts established new parameters for conducting hearings and other court operations. Court administrators communicated with other state entities involved in court processes, including the Departments of Corrections, Law, and Public Safety, and the Public Defender Agency and the Office of Public Advocacy, to discuss concerns about safety and security and establish protocols.

The court system has used its website and social media to communicate regularly with the public about the necessary adaptations.

Because the Alaska Court System had already been expanding its use of online technology, including the use of video conferencing, it was able to adapt some tools already at hand to meet the challenges posed by the pandemic for jury management.

Trials were suspended through the last quarter of FY20, but the court system continued to issue jury summonses for defined time periods. The notices informed prospective jurors that since most trials had been suspended, it was unlikely they would be asked to appear.

The court now issues the initial jury summons by email. A prospective juror can fill out the pre-trial questionnaire, request a deferral or excusal, and upload any required documents online through the jury dashboard on the court's website. Criteria for deferrals and excusals now take into account a prospective juror's Covid-19 risk level, and more pre-courthouse screening is being done to avoid having people appear unnecessarily.

After allowing for use of alternative spaces to ensure safety and incorporating the use of video, the court system was able to resume

## FY20 Jury Figures

Over 17,000 Alaskans appeared for jury duty in FY20 — 14,364 for trial juries and 3,085 for grand juries.

Jurors were summoned for 326 trials. Of these, 238 proceeded to trial. These figures included trials of all types: criminal, civil, presumptive death, delinquency, and probate. Trials were held in all four judicial districts.

Juror costs totaled slightly under \$1 million in FY20 — over \$300,000 less than in FY19. The decrease is due to the suspension of trials during the last quarter of the fiscal year because of the pandemic. Travel costs totaled approximately \$294,000. Costs for juror travel in the Bethel and Dillingham areas were a significant portion of this total.

In summoning potential jurors, the court uses a numerically random system designed in accordance with state statutes and Alaska Rules of Court. The Permanent Fund Dividend list serves as the basis for identifying state residents. By law, an Alaska juror must be a state resident, at least eighteen years old, of sound mind, and able to speak or read English.



empaneling grand juries throughout the state in June 2020. In addition, a pilot project for conducting grand juries remotely, via the Zoom videoconference platform, has been undertaken in the Second District, out of Kotzebue.



*Historic post office, Wiseman (Fourth Judicial District)*

Presumptive death trials, which are held to determine if a missing person should be legally presumed dead, have also resumed. Zoom has been used for these trials.

Misdemeanor jury trials were scheduled to resume in late 2020, but the court will not hold felony or civil trials again until early 2021, due to the increase in Covid-19 cases throughout the state.

To protect the health and safety of all participants in a trial, it will be necessary to allocate more space for jury trials when they do resume. Courtrooms are being modified, with plexiglass shields installed to protect judges, attorneys, clerks, witnesses, and jurors. Jurors will be spread throughout the courtroom because the usual jury box does not permit adequate social distancing.

Social distancing will be maintained at all stages of the trial process, from the assembly of juror pools through trial and deliberations. It may be necessary to schedule fewer trials to allow for sufficient courtroom space and fewer people in the courthouse at one time. Video feed can be used to connect participants from courtroom to courtroom and also to facilitate public access. At some court sites alternative spaces in the community may be used to facilitate safe distancing.

To continue to address problems posed by the pandemic, the Jury Improvement Committee has expanded its scope. Administrators, facilities personnel, and information services staff from throughout the state have joined the presiding judges and others in planning sessions. In addition, the court system has been able to draw upon resources and information provided by the National Center for State Courts. As state court systems throughout the country share ideas and experience, Alaska court administrators are also contributing to the national effort from their experiences in adapting operations.

# Alaska State Court Law Library

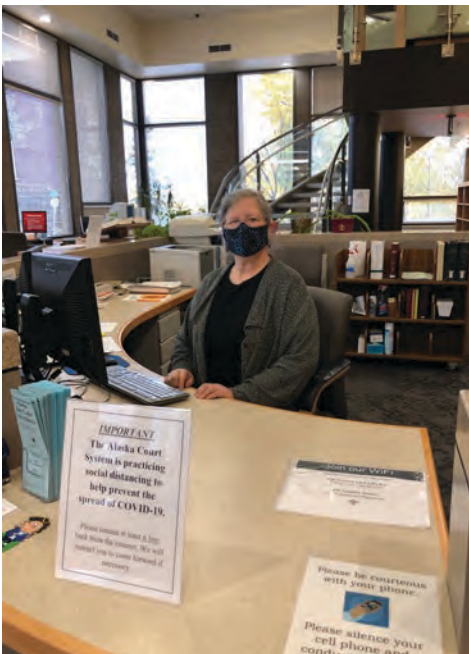
The Alaska State Court Law Library is the primary law library in the state open to general use, providing legal research resources statewide to attorneys, judges, court staff, other government employees, and the general public. There are fully-staffed libraries in the Anchorage, Fairbanks, and Juneau courthouses and thirteen library computer research sites located in smaller courthouses across the state. The system has continued operations throughout the Covid-19 pandemic by expanding its already-established system for virtual and telephonic access.

The library closed its doors to public access on March 24, but research and reference assistance continued to be available via email and telephone

throughout ordinary work hours.

The system reopened facilities to public access on June 15, with reduced hours. During April and May phone and email reference requests were approximately triple the number from April and May 2019.

Most legal research now occurs online, with statutes, journals, opinions, and other tools available in electronic format. Library patrons at all sites across the state have access to all electronic resources. Books and other hard-copy resources are available for court staff and Alaska Bar Association members to borrow.



*Reference desk, Alaska State Court Law Library*

The library's web pages are an important component of its statewide services. They provide a comprehensive overview of library holdings as well as a catalog search tool with links to electronic resources. The website also provides links to government and other research sites throughout the country as well as to selected sites in other countries.

The library administration is encouraging patrons to access its resources virtually as much as possible. Library staff members are continuing to provide expanded distance-delivery options.

# Therapeutic Courts

Alaska's therapeutic courts serve as an alternative to the regular criminal court trial process for some defendants with mental health or drug or alcohol problems. The approach used in these courts assists offenders in dealing with the behavioral and addiction problems underlying their offenses, while also providing protection for the community. Therapeutic courts de-emphasize the adversarial nature of the regular court process and instead combine adjudication with treatment and intensive supervision of the offender.

The arrangement usually involves an extended treatment plan as part of a plea agreement, with a more favorable legal resolution offered in exchange for adherence to the plan. Under an individualized plan, an offender works with a team — judge, prosecutor, defense attorney, probation officer, treatment provider, and others — to address the behavioral problem or substance abuse underlying the criminal offense. Participation in the courts is voluntary; offenders who meet certain criteria may choose to have their cases handled by a therapeutic court. Completing the treatment plan usually involves at least a year or more.

Alaska now has fourteen therapeutic courts in six communities across the state. They are tailored for different problems and different types of defendants. Two new courts are in the planning stage: the Fairbanks Veterans Court and the Sitka Tribal Wellness to Healing Court.

In spring 2020, the Covid-19 pandemic immediately presented challenges to the wrap-around nature of these therapeutic programs and their reliance on regular, frequent in-person interaction among participants, judges, counselors, probation officers, attorneys and other team members:

- The emergence of the coronavirus, with shelter-in-place restrictions in many communities, necessitated suspending many therapeutic court operations for several weeks in March and



*Matanuska Valley farm, Palmer (Third Judicial District)*

April. Drug and alcohol testing was severely impacted, resulting in changes in testing frequency and in operational processes. All treatment providers changed to telephonic or videoconference services for participants. Emergency court hearings were held telephonically.

- By the end of April, regular hearings had resumed telephonically and through videoconferencing. Peer support groups resumed meeting via Zoom. In May, on-site drug and alcohol testing became available again.
- By June, the courts were again accepting new referrals for admission to the programs.
- Although the courts' utilization rates have dropped somewhat due to the suspension of new admission in March and April, in general the rate of graduations from the various courts continues to be high.
- The Department of Corrections, the Alaska Coalition for Veterans and Military Families, and other volunteer groups have donated masks for court participants.
- The National Association of Drug Court Participants turned its annual conference into an online event in May and cut the registration cost, with registered participants able to access all conference webinar sessions for seven months. The ACS Therapeutic Court Office was able to register thirty-two participants for the conference, using funds from the Alaska Mental Health Trust and a federal grant. Alaska participants included judges, prosecuting and defense attorneys, program coordinators and administrators, probation officers, a child protective services specialist, and a veterans specialist. Alaska treatment providers also participated.



*Anaktuvuk Pass, Brooks Range (Second Judicial District)*

## Children's Issues

In FY 2020, the Department of Law, with the Office of Children's Services, filed 2714 new CINA (Child-in-Need-of-Aid) cases with the Alaska Court System. Of these, 1801 were filed to determine whether a child should be adjudicated formally as a child in need of aid — that is, whether the court should assume custody to ensure the child's welfare. An additional 913 cases were petitions to terminate parental rights. The total CINA case number represents a five percent increase over FY19 and a nine percent increase over FY18.

These cases tend to be complex, with many hearings and many participants — parents or guardians, other family members, tribes, the children themselves, guardians ad litem, attorneys, and caseworkers from the Office of Children's Services. In adapting to the pandemic, the court system has permitted CINA hearings to be conducted through a HIPAA-compliant Zoom platform.

Through the federally funded Court Improvement Program (CIP), the court system works together with executive branch departments and other agencies to improve the handling of these cases. A committee with representatives from the court system, the Department of Law, the Office of Children's Services, the Public Defender Agency, the Office of Public Advocacy, social service agencies, and Alaska Native groups meets several times a year. Since the beginning of the pandemic, they have conducted their regular meetings through Zoom and phone conferencing.

A major focus of this group is to provide continued training for judges, attorneys, and others involved in CINA cases. The FY20 work of the group included:

- Participation by an interdisciplinary team of Alaska judges, parents' attorneys, guardians ad litem, and others in the August 2019 conference of the National Association of Counsel for Children (NACC).
- Participation in the National Evaluation and Adoption Summit.
- Two bench-bar sessions — one in Juneau, on best practices in CINA cases; another in Fairbanks, on permanency.
- Training by the National Council of Juvenile and Family Court Judges (NCJFCJ) for judges statewide on best practices in CINA cases. All

judges received copies of NCJFCJ Enhanced Resources Guidelines, bench cards, and an Indian Child Welfare Act Judicial Bench Book.

- Interdisciplinary training on the basics of CINA cases in Bethel, Juneau, and Kenai.
- Training for Superior Court judges at the 2019 Alaska Court System Judicial Conference on making active and reasonable efforts for the reunification of families; judicial engagement of parents; and children’s right to be present in CINA hearings.
- A multi-agency panel discussion on CINA cases at the January 2020 Newer Judges Conference.
- Production of a video on the CINA court process for parents in CINA cases.
- Planning for a video to supplement the Indian Child Welfare Act (ICWA) history component of the CIP training curriculum.
- Participation by a group of judges in a training on the relationship between judicial findings of reasonable efforts and agency eligibility for federal IV-E funding.



*Klawock on Prince of Wales Island (First Judicial District)*

## Self-Help Services

To meet the new legal needs precipitated by the pandemic, the court system has expanded and modified its self-help services for the general public. The Self-Help and Language Access Services section, which includes the Family Law Self-Help Center, has built content for the website to make certain all Alaska residents continue to have access to the justice system.

- The department developed lists of frequently asked questions — FAQs — as well as summaries of the statewide court orders related to the pandemic. These summaries have covered remote participation in court proceedings, remote filing, and remote customer service.
- Telephone access was expanded, and for two months the staff of the Family Law Self-Help Center helped answer customer service calls for all courts on any topic, not just family law.
- The department has developed materials both for the judges and the general public on holding and participating in remote hearings.
- Since the courts were hearing fewer cases in person, the Family Law Self-Help Center temporarily offered mediation services in domestic relations cases without the court order required pre-pandemic.
- Self-Help Services and Alaska judicial officers developed information for the public on the federal CARES Act and on state restrictions on evictions during the pandemic.
- Provided translations in several languages on pandemic-related matters for the website.

In addition, the Self-Help section continued its established programs for those representing themselves. The court system does not provide legal advice; rather, it provides education about court processes so that those representing themselves can participate more easily in their cases in an informed matter. In particular, the Family Law Self-Help Center (<http://courts.alaska.gov/shc/family/selfhelp.htm>) provides information on issues involved in family law cases, such as divorce and dissolution, child support, custody, paternity, property and debt division, and domestic violence.

The Self-Help section also provides information on other issues, including probate, guardianship and conservatorship, housing cases, minor offense

traffic cases, juvenile delinquency, and civil appeals. Most recently, it has developed extensive resources related to debt collection issues, as described below.

## Debt Collection Issues

One of the greatest needs for legal information and services for Alaska residents lies in the area of debt collection. With debt collection there has been a strong imbalance in legal representation. While almost everyone seeking to collect a debt has legal representation, most defendants in these cases represent themselves.

In FY 2020, the court system continued to develop the resources available on its Self-Help Services web pages (<http://courts.alaska.gov/shc/debt/index.htm>). These resources chart, step by step, the court process for a debt collection case both for those seeking to collect a debt and those responding to a complaint to collect a debt. New forms have been developed for use by those representing themselves as either a creditor or debtor.

The court system held a bench and bar meeting to introduce attorneys to the newly available material. In addition, it is providing guidance to the Institute for the Advancement of American Legal System on building a debt collection toolbox for other states. This collaboration has been undertaken as part of the national Justice for All initiative.

## Language Interpretation Needs

Because the Alaska Court System has been using telephonic and video-remote technology to provide language interpreting services throughout the state for several years, it was well positioned to provide interpreting services without interruption when Covid-19 disrupted ordinary operations.

Since the onset of the pandemic, the court has continued to improve interpreting services by:

- Implementing two video-remote software programs for providing interpreting services — Zoom, in addition to V-See, which was already in use for in-person proceedings.
- Creating online interactive instructions for interpreters on downloading V-See software to prepare for video remote interpreting.
- Adding qualified Spanish, Arabic, Russian, Somali, and Nuer video-remote interpreters to the roster.
- Adding on-demand qualified ASL interpreters capable of delivering services using iPads and Surface Pro tablets.
- Adding an additional telephonic service provider to make more languages available.





*St. Paul with seals on beach, Pribilof Islands (Third Judicial District)*

In addition to video-remote interpreting, translations of Covid-19 related documents were provided for frequently requested languages — Spanish, Tagalog, Korean, Vietnamese, Arabic, Russian, and Yup'ik.

The court system has issued guidelines to protect the safety of the interpreter and court staff for in-person courtroom interpretation. These recommendations require the interpreter to wear a face mask or sit behind plexiglass while interpreting, to adhere to social distancing practices, and to disinfect the interpreting equipment and workstation (<https://public.courts.alaska.gov/web/covid19/docs/interpreting-recommendations.pdf>).

During FY20, the ACS handled just over one thousand interpreter requests, in forty-three languages. Spanish was the language requested most frequently, followed by Tagalog, Hmong, Russian, Samoan, and Korean. There were also many requests for Yup'ik. Interpreters were required in cases in all four judicial districts, in all types of cases, with criminal, civil, and CINA cases needing interpreters most frequently.

Most situations needing an interpreter involve relatively short amounts of time and the service is provided telephonically through a contract vendor. For longer proceedings, such as trials or evidentiary hearings, the court system provides interpretation either on-site or by video remote using certified or qualified interpreters.

## Tribes and Tribal Courts

The Alaska Court System recognizes the value of traditional Alaska Native approaches to resolving conflicts, particularly at the local level, and is continuing to develop its working relationships with tribal courts. In recent years, tribes and tribal courts have increasingly assumed responsibility for resolving certain types of cases.

The court system now has Memoranda of Understanding with twenty tribes to structure case referrals to tribal restorative justice programs under Criminal Rule 11(i) and Delinquency Rule 23(f). The restorative justice page on the court's website lists the tribes and provides links to the texts of the individual agreements. (There are also restorative justice diversion programs that do not involve specific tribes.) In addition, in FY20, an order from the Second Judicial District established a procedure for all tribes in the district to petition for jurisdiction over certain types of cases. Eight cases were transferred to restorative justice programs during FY20. In four additional cases, the tribes requested documents on the case.

Also in FY20, state court judicial officers and administrators in Sitka continued to work with the Sitka Tribe of Alaska to structure a therapeutic healing-to-wellness court. In addition, the Henu' Community Wellness Court in Kenai, which is a joint state-tribal jurisdiction court, completed its second full year of operation in the Kenaitze Tribe's service area. The Henu' Community Wellness Court is a therapeutic court targeting offenders with drug and alcohol problems. A state court judge and a tribal court judge preside together in hearings.

The state court system also regularly interacts with tribes in Child-in-Need-of-Aid (CINA) cases. Under the federal Indian Child Welfare Act (ICWA), the state court must notify a tribe of a case when the child is a tribal member (or is eligible for membership). A tribal representative can participate in the case or the tribe can petition to take jurisdiction. In FY20, tribal courts took jurisdiction in seventy-eight cases.

The court system conducts regular training for judges and case stakeholders on ICWA provisions. In addition, a toolbox for tribal court use in interacting with the state courts is now available on the state court website: <https://public.courts.alaska.gov/web/forms/docs/tribal-court-toolbox.pdf>. It details procedures for transferring cases to tribal court, registering DV and other protective orders issued by a tribe, registering tribal support orders, and registering tribal adoption orders.

# Judicial Development

Education for judicial officers in substantive and procedural areas of law related to Covid-19 became an important focus for the court system in FY20. Legal questions related to public health, including quarantine and isolation procedures, emerged early in the pandemic. Subsequent legislative measures, including state law changes and the federal CARES Act, affected evictions. And all judicial officers had to learn new processes for doing court business remotely. The court system developed internal education resources to address these issues and also connected judicial officers with national resources.

With travel restricted by the pandemic, the court has relied on virtual educational opportunities for judicial officers. Organizations such as the National Center for State Courts and the National Judicial College have presented many webinars, and other entities have hosted nationwide video- or teleconferences for judges to learn from each other.

Training for new judicial officers continued in FY20, though again with more virtual interactions due to the Covid-19 pandemic. The mentor judge program for new judges continued in FY20, as did the initial training process and training judge pairing for new magistrate judges. Some newer judges and magistrate judges were able to attend a multi-week online course from the National Judicial College.

The court system was able to hold the regular annual Judicial Conference in October 2019 and the Newer Judge Conference in January 2020.

At the October annual judicial conference, judges attended presentations on different aspects of judicial public outreach, including the ethics associated with outreach. Among the other sessions were presentations and discussions on substance addiction, cyber-security, settlement conferences, and CINA cases.

The three-day January conference for recently-appointed judges offered guidance and training in areas of concern for newer judges. Experienced active and senior judges and justices conducted practically-oriented presentations on DUI cases, CINA cases, working with self-represented litigants, evidence, technology, and security.

The annual conference for magistrate judges scheduled for April 2020 had to be cancelled due to the pandemic.



*Courtroom, Nora Guinn Courthouse, Bethel (Fourth Judicial District)*

## Court Facilities

The work of the court system Facilities Department, which manages buildings at over forty locations around the state, took on added importance in FY20 when it became necessary to modify court buildings and patterns of facility usage to prevent the spread of the coronavirus.

To protect the public and court staff, plexiglass guards were distributed to court buildings in all four districts for use at public counters. Acrylic shields were installed in courtrooms at judges' benches, court clerk stations, witness stands, and litigant tables. In addition, the Facilities Department assisted in modifying the layout of courtrooms to allow for social distancing during trials and hearings.

Following CDC guidelines, Facilities also revamped cleaning routines to provide more frequent disinfection of commonly trafficked areas throughout the day, including elevators, bathrooms, stairways, breakrooms, and courtrooms, and to address incidents of possible Covid-19 contamination. Additional janitorial personnel were hired for the larger courthouses with funding from the federal CARES Act. The Facilities Department also reviewed court building HVAC systems to ensure they are providing proper air exchange and upgraded air filtration systems with

maximum efficiency air filters wherever possible.

The court system owns seven buildings — the Nesbett Courthouse and two smaller buildings in Anchorage; the Rabinowitz Courthouse in Fairbanks; and the courthouses in Kenai and Palmer. It leases facilities from municipal governments, Native organizations, and private landlords at twenty-seven locations and uses space in buildings owned by other government entities at eleven other locations. The Facilities Department oversees routine and deferred maintenance, security evaluations and upgrades, and renovations at all court sites.



*Witness stand, Nora Guinn Courthouse, Bethel (Fourth Judicial District)*

The restrictions on travel and other activities imposed by the pandemic have affected the schedules of various deferred maintenance and security projects at these sites. Work on the new courthouse in Nome, however, continued on schedule, with the building completed in summer 2020. Work on the new Glenallen courthouse also continued, with completion scheduled for spring 2021.



*Security station, Boney Courthouse, Anchorage (Third Judicial District)*



*Alaska from MODIS instrument aboard NASA's Terra satellite, 30 Mar 2018*



# *Justices, Judges, and Senior Court Administrators*

*Icebergs in Tracy Arm (First Judicial District)*

July 1, 2019 – June 30, 2020

## *Justices — Alaska Supreme Court*

Joel H. Bolger (2013), Chief Justice  
Daniel E. Winfree (2007)  
Craig Stowers (2009)  
Peter J. Maassen (2012)  
Susan M. Carney (2016)

## *Statewide Court Administration*

Christine Johnson, Administrative Director (retired 2019)  
Stacey Marz, Administrative Director  
Doug Wooliver, Deputy Administrative Director

## *Judges — Court of Appeals*

Marjorie K. Allard (2012), Chief Judge  
Tracey Wollenberg (2017)  
Bethany Harbison (2018)

## *Clerk of the Appellate Courts*

Meredith Montgomery

## *First Judicial District*

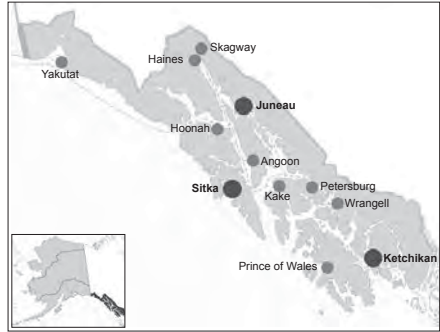
Trevor N. Stephens, Ketchikan (2000),  
Presiding Judge  
Neil Nesheim, Area Court Administrator

### *Judges — Superior Court*

William B. Carey, Ketchikan (2008)  
Amy G. Mead, Juneau (2018)  
Philip M. Pallenberg, Juneau (2007)  
M. Jude Pate, Sitka (2018)  
Daniel Schally, Juneau (2018)

### *Judges — District Court*

Kevin G. Miller, Ketchikan (1999)  
Kirsten L. Swanson, Juneau (2016)



### *Magistrate Judges*

Kay Clark, Prince of Wales (2004)  
James Curtain, Juneau (2012)  
Mary Kay Germain, Yakutat/Haines/Hoonah/Skagway (2010)  
Debra O’Gara, Petersburg/Wrangell/Kake (2019; resigned 2020)  
Rachel Newport, Petersburg/Wrangell (2020)  
Amanda Schulz, Ketchikan (2010)  
Pamela Stahla-Kernin, Sitka/Angoon (2020)

## *Second Judicial District*

Paul A. Roetman, Kotzebue (2010),  
Presiding Judge  
Brodie Kimmel, Area Court Administrator

### *Judges — Superior Court*

Romano D. DiBenedetto, Nome (2017)  
Nelson Traverso, Utqiagvik (2019)

### *Magistrate Judges*

Heidi Ivanoff, Unalakleet (1998)  
Aaron Michels, Kotzebue (2016)  
David Roghair, Utqiagvik (2010)  
Pamela Smith, Nome (2019)



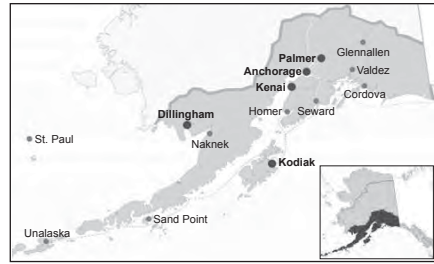


## *Third Judicial District*

William F. Morse, Anchorage (2002),  
Presiding Judge  
Carol McAllen, Area Court Administrator

## *Judges — Superior Court*

Eric A. Aarseth, Anchorage (2005)  
Rachel Ahrens, Valdez (2019)  
John C. Cagle, Palmer (2019)  
Dani Crosby, Anchorage (2015)  
Catherine M. Easter, Anchorage (2012)  
Una S. Gandbhir, Anchorage (2018)  
Josie W. Garton, Anchorage (2018)  
Jason Gist, Kenai (2018)  
Andrew Guidi, Anchorage (2010)  
Jennifer S. Henderson, Anchorage  
(2017)  
Lance E. Joanis, Kenai (2018)  
Kari Kristiansen, Palmer (2006)  
Yvonne Lamoureux, Anchorage (2017)  
Erin B. Marston, Anchorage (2012)  
Thomas A. Matthews, Anchorage (2018)  
Gregory A. Miller, Anchorage (2011)  
Andrew Peterson, Anchorage (2018)



Christina Reigh, Dillingham (2017)  
Peter Ramgren, Anchorage (2019)  
Kevin M. Saxby, Anchorage (2012)  
Bride Seifert, Homer (2019)  
Kristen C. Stohler, Palmer (2019)  
Stephen B. Wallace, Kodiak (2019)  
Herman G. Walker, Anchorage (2015)  
Jennifer K. Wells, Kenai (2017)  
Michael L. Wolverton, Anchorage (1996;  
retired 2020)  
Jonathan A. Woodman, Palmer (2016)  
Adolf Zeman, Anchorage (2020)

## *Judges — District Court*

Jo-Ann M. Chung, Anchorage (2011)  
Brian K. Clark, Anchorage (2003)  
Leslie Dickson, Anchorage (2012)  
William L. Estelle, Palmer (2003)  
Martin C. Fallon, Kenai (2019)  
Michael J. Franciosi, Anchorage (2017)  
J. Patrick Hanley, Anchorage (2005)  
Sharon A.S. Illsley, Kenai (2007; retired  
2019)  
Michael B. Logue, Anchorage (2018)

Kari L. McCrea, Anchorage (2017)  
David A. Nesbett, Anchorage (2019)  
Shawn D. Traini, Palmer (2019)  
David R. Wallace, Anchorage (2009)  
Pamela S. Washington, Anchorage  
(2010)  
John W. Wolfe, Palmer (2004; retired  
2019)  
David L. Zwink, Palmer (2010)

## *Magistrate Judges*

Judson Adams, Glennallen/Valdez  
(2018)  
Kay Adams, Cordova (1905)  
Michael Aiello, Dillingham/Naknek/  
Unalaska (2019)  
David Bauer, Anchorage (2011)  
Sidney Billingslea, Anchorage (2013)  
Amanda Browning, Kenai (2018)  
Suzanne Cole, Anchorage (1997)  
Craig Condie, Palmer (2010)  
Kathleen Doherty, Anchorage (2014)  
Tara Logsdon, Palmer (2014 (resigned  
2019 )

Jennifer Manculich, Anchorage (2018)  
Donna McCready, Anchorage (2013)  
Heather O'Brien, Anchorage (2018)  
George Peck, Seward (1976)  
Robert Polley, Anchorage (2017)  
Matthew Slodowy, Anchorage (2018)  
Michael Smith, Anchorage (2015)  
James Stanley, Anchorage (2011)  
Kimberley Sweet, Kenai (2018)  
Christina Teaford, Anchorage (2008)  
Dawson Williams, Kodiak (2007)  
Melissa Wininger-Howard, Palmer  
(2019; resigned 2020)

## *Fourth Judicial District*

Michael A. MacDonald, Fairbanks  
(2007), Presiding Judge  
Ronald J. Woods, Area Court  
Administrator

### *Judges — Superior Court*

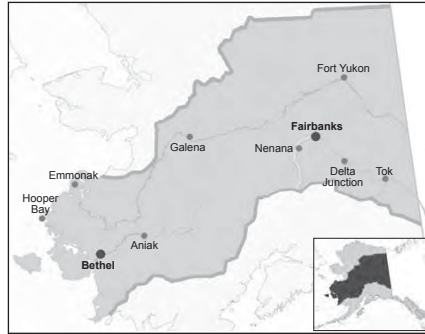
Brent Bennett, Fairbanks (2019)  
Terrence P. Haas, Bethel (2018)  
Paul R. Lyle, Fairbanks (2008)  
Michael P. McConahy, Fairbanks (2009)  
Nathaniel Peters, Bethel (2017)  
Earl A. Peterson, Fairbanks (2019)  
Thomas I. Temple, Fairbanks (2018)

### *Judges — District Court*

Matthew Christian, Fairbanks (2013)  
Patrick S. Hammers, Fairbanks (2009)  
William T. Montgomery, Bethel (2018)  
Benjamin A. Seekins, Fairbanks (2012)

### *Active Pro Tem Judges*

Elaine M. Andrews  
Linn Asper  
Robert G. Coats  
Dale O. Curda  
Leonard Devaney  
Robert L. Eastaugh  
Dana Fabe  
Natalie K. Finn  
Greg Heath  
Donald D. Hopwood  
Stephanie E. Joannides  
Jane Kauvar  
John R. Lohff



### *Magistrate Judges*

John Brainerd, Fairbanks (2019)  
Richard Garcia, Aniak/St. Mary's/Hooper  
Bay (2019)  
Darlene Johnson-Edwards, Emmonak  
(2000)  
Melony Lockwood, Fairbanks (2017)  
Jeffrey May, Nenana/Galena/Fort Yukon  
(2018)  
Bruce G. Ward, Bethel (2012)  
Yvette Young, Delta Junction/Tok (2018)

David Mannheimer  
Warren W. Matthews  
Dwayne McConnell  
Patrick McKay  
Anna Moran  
Gregory Motyka  
Nancy J. Nolan  
Frank Pfiffner  
Eric B. Smith  
Jack W. Smith  
John Suddock  
Michael R. Spaan  
Vanessa White

## *Clerks of Court, Rural Court Training Assistants, and Deputy Magistrates*

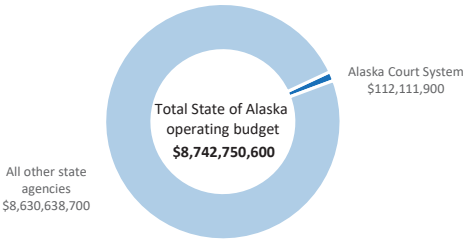
Natalie Alexie, Bethel  
Jennifer Benda, Valdez  
Cheryl Bird, Emmonak  
Lauren Burnham, Tok  
Raúl Calvillo, Fourth Judicial District  
Jonie Calhoun, Sitka  
Denice Chappell, Kenai  
Robert Colvin, Kotzebue  
Suzanne Cowley, Kodiak  
Annalisa DeLozier, Fourth Judicial  
District  
Rebecca Duffy, Unalaska  
Jean Ekemo, Aniak  
Stacey Hallstrom, Ketchikan  
Paul Harding II, Yakutat  
Bonnie Hedrick, Haines  
Sharon Heidersdorf, Juneau  
Clayton Jones, First Judicial District  
Natasha Kookesh, Angoon  
James Kwon, Palmer  
Lori Marvin, Third Judicial District  
Ruth Meier, Fairbanks  
Leanna Nash, Wrangell  
Rachel Newport, Petersburg

Tonya O'Connor, Dillingham  
Cynthia Percey, Anchorage  
Arlene Peter, Fort Yukon  
Pam Pitka, Galena  
Kimberly Rice, Prince of Wales (Craig)  
Susan Richmond, Third Judicial District  
Melissa Samuels, Second Judicial  
District  
Peggy Sherman, Glennallen  
Zachary Singleton-Havner, Utqiagvik  
Samantha Thompson, Nenana  
Crystal Toolie, Nome  
Lorraine Tomaganuk-Moses, Hooper Bay  
Jan Tronrud, Skagway  
Jolene Watkins, Hoonah  
Lasvan (Lucy) Weir, Delta Junction  
Billy Westlock, Emmonak

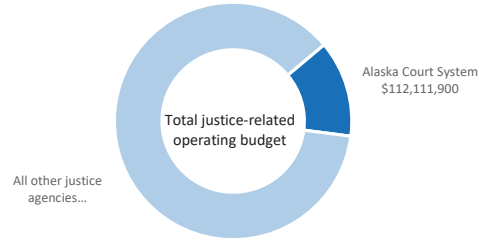
# Court Statistical Highlights

## Alaska Court System budget

State of Alaska Operating Budget, FY20



Justice-Related Operating Budget, FY20



## Filings and dispositions by case type, FY20

<b>Alaska Supreme Court</b>	<b>Filings</b>	<b>Dispositions</b>
Civil appeals	197	188
Petitions for hearing	70	88
Petitions for review	27	24
Bar / original applications	14	18
<b>Total</b>	<b>308</b>	<b>318</b>

<b>Alaska Court of Appeals</b>	<b>Filings</b>	<b>Dispositions</b>
Merit appeals	177	236
Sentence appeals	15	28
Petitions	25	25
Bail appeals / original applications	11	13
<b>Total</b>	<b>228</b>	<b>302</b>



*Boney and Nesbett Courthouses, Anchorage (Third Judicial District)*

Further FY 2020 Alaska Court System data are available at:

*Alaska Court System Statistical Report FY 2020*

<http://www.courts.alaska.gov/admin/index.htm#annualrep>

The online document includes data on case filings and dispositions for both trial and appellate courts for all case types for FY20, as well as comparative figures for previous fiscal years. It also includes summary analyses of the figures from both trial and appellate courts.

<b>Superior Court</b>	<b>Filings</b>	<b>Dispositions</b>
Felony	7,504	6,196
CINA	2,714	2,233
Delinquency	665	720
Domestic relations	3,994	3,685
General civil	2,407	2,223
Probate	5,604	4,666
<b>Total</b>	<b>22,888</b>	<b>19,723</b>

<b>District Court</b>	<b>Filings</b>	<b>Dispositions</b>
Misdemeanor	23,591	21,059
Minor offense	55,125	57,223
Small claims	5,303	5,185
Civil protective order	7,768	7,633
General civil	6,254	6,824
<b>Total</b>	<b>98,041</b>	<b>97,924</b>



Tununak (Fourth Judicial District)

Cover photograph: Homer Spit, 30 Jun 2018. © 2018 Melissa S. Green.

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*Photo by Lauren Dauphin, NASA:* page 26, Alaska from MODIS instrument aboard NASA's Terra satellite, 30 Mar 2018. (Public domain.)



Male willow ptarmigan, Andreafsky Wilderness, Yukon Delta National Wildlife Refuge (4th Judicial District)

*Photos by Melissa S. Green:* page 2, Great Seal of the State of Alaska, Boney Courthouse lobby, Anchorage (Third Judicial District), 20 Oct 2015; page 3, Detail, Great Seal of the State of Alaska (Third Judicial District), 20 Oct 2015; page 15, Matanuska Valley farm, Palmer, 14 Jun 2014; page 25, Security station, Boney Courthouse, Anchorage (Third Judicial District), 23 Sep 2020; pages 32–33, Boney and Nesbett Courthouses, Anchorage (Third Judicial District), 21 Jan 2017; *inside back cover:* Boney Courthouse lobby (Third Judicial District), 23 Sep 2020; Delta Junction Courthouse (Fourth Judicial District), 17 Jun 2014; Homer Courthouse (Third Judicial District), 26 Jun 2014; Palmer Courthouse (Third Judicial District), 11 Sep 2013. (Used by permission.)

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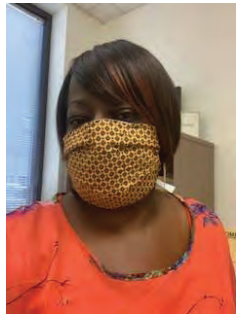
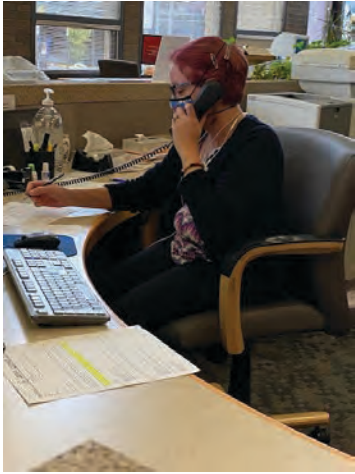
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*Photo by Araceli Valle:* page 13, Historic post office, Wiseman, 2 Jul 2017. (Used by permission.)

*Photo by Francesco Veronesi (francesco\_veronesi on Flickr):* page 21, St. Paul with seals on beach, Pribilof Islands, 1 Apr 2010. (Used in accordance with Creative Commons Attribution-NonCommercial-ShareAlike 2.0 Generic (CC BY-NC-SA 2.0) license.)

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