

SUPREME COURT LIVE

III. COURTS IN ALASKA

B. State Courts: The Alaska Court System

1. History

The 50th anniversary of Alaska Statehood also marks the 50th Anniversary of the Alaska Court System. Prior to statehood, courts in Alaska were part of the territorial justice system run by the federal government. With statehood, a new state justice system was created under the terms of the Judiciary Article of Alaska's Constitution. The first official session of the new court system occurred in November 1959, when our state's first superior court judges were sworn in during a Juneau ceremony. However, the new state courts did not achieve jurisdiction and begin handling cases until February 20, 1960, when former President Dwight Eisenhower formally terminated the jurisdiction of the territorial courts.

2. Introduction

The government of the State of Alaska is divided into three separate yet equal entities: the **executive branch**, the **legislative branch**, and the **judicial branch**. The purpose of this division is to prevent the concentration of governmental power and to provide for checks and balances. The U.S. Constitution and the constitutions of 39 other states also expressly require that governmental power be divided among three separate branches.

The **judicial branch** in Alaska is a tiny branch, making up less than 1% of state government. It consists of three separate entities: the [Alaska Court System](#), the [Alaska Judicial Council](#) and the [Alaska Commission on Judicial Conduct](#), although the terms "judicial branch" and "court system" are often used interchangeably. Notwithstanding its small size, the judicial branch has more private citizens walk through its doors each day than virtually any agency in the executive branch.

Alaska has a unified, centrally administered, and totally state funded judicial system. 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 [supreme court](#) and [court of appeals](#) are **appellate courts**, which review and decide appeals from decisions made by the trial courts. The [superior court](#) and [district court](#) are **trial courts**, which initially hear and decide court cases. Jurisdiction and responsibilities of each level of court are set out in Title 22 of the Alaska Statutes.

The supreme court and the superior court were established in the Alaska Constitution. In 1959, the legislature created a district court for each judicial district and granted

SUPREME COURT LIVE

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.

Rules governing the administration of all courts and the rules of practice and procedure for civil and criminal cases are promulgated by the supreme court.