

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1616

Amending Administrative Rule 28
concerning judicial leave accrual.

IT IS ORDERED:

Administrative Rule 28 is amended to read as follows:

Rule 28. Judicial Vacations and Judicial Leave.

(a) **Vacation Leave.** Each supreme court justice, court of appeals judge, and superior court judge shall be entitled to an annual vacation of not more than 30 working days. It shall be taken at such time or times as may be prescribed by the chief justice of the supreme court, the chief judge of the court of appeals, or the presiding judge of the appropriate judicial district.

(1) *Accrual of Leave.* Vacation time not taken in any calendar year may be accumulated. However, subject to the exception in paragraph (a)(2) of this rule, no more than 15 working days' vacation time may be accumulated in any one year, and no judge may carry over more than 30 working days' unused vacation time in the aggregate. Annual vacation time accrues as of January 1st of each year except for the year during which a justice or judge is appointed or retires. During the year of appointment, resignation, or retirement, annual vacation leave accrues at the rate of 2.5 days per month of service. Annual vacation time accrued but not taken at the time of resignation, retirement, or death is forfeited.

(2) *Extraordinary Hardship Exception.* Subject to the written approval of the administrative director, a justice or judge may

accumulate up to 30 working days' vacation time in any one year, and may carry over up to 60 working days' unused vacation time in the aggregate, if the justice or judge (A) establishes a case of extraordinary hardship that prevented the justice or judge from taking at least 15 annual vacation days in a particular year, and (B) presents a plan for using the accumulated leave during the upcoming year to the administrative director. The administrative director may approve a case of extraordinary hardship for a particular justice or judge no more often than once every three years.

* * * *

DATED: June 1, 2006

EFFECTIVE DATE: October 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti