

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 690

Amending Administrative Rule 23
Relating to Retired Judge Pro Tem
Appointment and Evaluation

IT IS ORDERED:

Administrative Rule 23 is amended to read as follows with former subsection (b) relettered (c) and former subsection (c) relettered (d):

(a) APPOINTMENT PRO TEMPORE. The chief justice may by special assignment appoint a retired justice or a retired judge of the court of appeals or the superior court to sit pro tempore as a senior justice or judge of any court of this state, and a retired judge of the district court to sit as a judge of the district court pro tempore where such assignment is deemed necessary for the efficient administration of justice.

Pro tempore appointments may be made for one or more cases or for a specified period of time up to two years, except that a pro tempore judge or justice may complete a trial or appeal in progress at the conclusion of the appointment. Appointments may be renewed. Any judge who has reached mandatory retirement age or who has otherwise voluntarily retired is eligible for pro tempore appointment, with such judge's consent, subject to the provisions of the Judicial Canons, Part II(1)(C). A judge or justice voluntarily retired for incapacity remains ineligible unless or until a licensed physician finds that he or she is able to efficiently perform judicial duties during such period of incapacity. Any judge rejected on retention or removed from office by the supreme court pursuant to an investigation and recommendation of the Judicial Conduct Commission is ineligible for pro tempore appointment until such time as and if such judge is subsequently nominated and re-appointed to the bench.

(b) JUDICIAL PERFORMANCE EVALUATION. Every two years, the chief justice shall review the performance during the prior two-year period of all retired judges and justices who have served pro tempore. Such review shall be based upon (1) an evaluation of the performance of such justices and judges, to be conducted by the Alaska Judicial Council, which evaluation shall include a survey of the members of the bar in those judicial districts where such justices and judges have served pro tempore during the evaluation period; and (2) formal performance evaluations conducted by the presiding judges under

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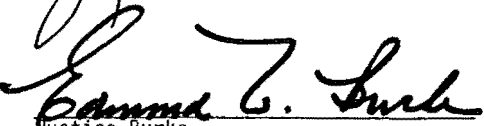
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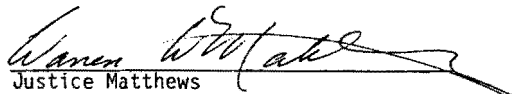
whom such retired justices or judges have served. At the conclusion of such review, the chief justice shall determine the eligibility of such justices and judges to continue to serve pro tempore.

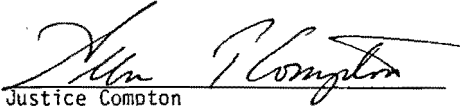
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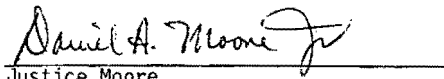
EFFECTIVE DATE: September 15, 1986


Chief Justice Rabinowitz


Justice Burke


Justice Matthews


Justice Compton


Justice Moore