

# **Alaska Commission on Judicial Conduct**

**Meeting of April 24, 2026**

**Public Session**

**9:30 a.m. - 11:30 a.m.**

**Anchorage**

**AGENDA**  
**COMMISSION ON JUDICIAL CONDUCT**  
**April 24, 2026**  
**Public Session**  
**Anchorage**

		<b>TAB</b>
<b>9:30-9:40</b>	Determine Quorum/Review Agenda/Approve Prior Minutes	<b>A</b>
<b>9:40-10:00</b>	Director's Report <ul style="list-style-type: none"><li>• FY26 Current/FY26 Projected/FY27 Request</li><li>• Status of Complaint Processing/Advisory Opinions</li><li>• Professional Activities/Travel Report</li><li>• Commission Member Status</li></ul>	<b>B</b>
<b>10:00-10:20</b>	Advisory Opinion Request	<b>C</b>
<b>10:20-10:30</b>	Executive Director Hiring Process	
<b>10:30-11:00</b>	Public Comments/New Business	

# Meeting of April 24, 2026

## PUBLIC SESSION

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# **Public Session**

# **Tab A**

Draft Public Session Minutes

# DRAFT

## COMMISSION ON JUDICIAL CONDUCT

January 30, 2026

Anchorage & Zoom

Public Session

Chair Mead called the public session to order at 9:38 a.m. Present were judge members Temple and Wheelles, attorney members McClintock, Mores and Satterberg, and public members Fletcher, Kilbourn and Sheldon (by Zoom). Also present was the Commission's Executive Director, Marla Greenstein and Administrative Assistant Aleta Bartimmo.

There were no changes to the agenda. The Commission then reviewed the prior public session meeting minutes. Commissioner Temple moved approval of the November 14, 2025, public meeting minutes. Commissioner McClintock seconded the motion and the minutes were approved unanimously.

Executive Director Greenstein presented the director's report. Ms. Greenstein reported on the current year FY26 budget and the submitted FY 27 budget. Requested increments for travel were not appropriated for FY26 but through savings in other line items, there can be up to \$7000 that can be reallocated for necessary Commission travel.

Complaint processing is not current due to a dramatic increase in complaints and work on one formal matter. There are 17 complaints currently needing investigation after this meeting. The Commission will be considering action on 3 complaints at this meeting in Closed Session and 14 nonjurisdictional matters. With the Formal Hearing matter, 18 matters will be acted on at this meeting. Ms. Greenstein also reported on the informal advisory opinions she gave since the last meeting. There were a total of 37 since the November meeting: 28 of which were given to judges, 4 to magistrates, 1 to a pro tem judge, 1 to a law clerk, and 3 to lawyers. The issues concerned disqualification and disclosure, appearance of impropriety, and delay issues.

Ms. Greenstein next reported on her professional activities. She continues to do individual ethics orientations for newly appointed judges. The Code Revision Committee is completing their review. After extending the public comment deadline, the Committee will meet to incorporate the comments. In her national work with the American Bar Association, Ms. Greenstein continues to work as vice-chair of the ABA Judicial Conduct and Professionalism Committee. She also continues her ethics column for the Judges' Journal. She presented as part of an Alaska Bar CLE on how to successfully apply to become a judge and at the Anchorage Women Lawyers annual ethics CLE on lawyers in crisis. Ms. Greenstein presented with former Commissioner Eric Smith at the League of Women Voters "Democracy Fair" earlier in the month on the topic of judicial selection and judicial ethics. Commissioner Wheelles also joined Ms. Greenstein in presenting on Disclosure and Disqualification at the Newer Judge Conference.

Ms. Greenstein requested approval for travel expenses to cover the upcoming Association of Judicial Disciplinary Counsel meeting in Oklahoma City in March. Commissioner Temple moved to approve the travel. Commissioner Fletcher seconded the motion and it passed unanimously. Due to limited travel funds, Ms. Greenstein will attend the February ABA Mid-year meeting at her own expense.

All Commission members terms are full and current but newly reappointed members should be sure that their confirmation hearings are scheduled during the legislative session.

Commission members reviewed the Draft 2025 Annual Report. There was discussion around clarifying the description of the recusal chart. Commissioner Temple moved to approve the draft Annual Report with that clarification. Commissioner Sheldon seconded the motion and it passed unanimously.

Next, the Commission reviewed suggested improved language responding to “nonjurisdictional” complaints. Several wording improvements were suggested and will be incorporated into new letters.

As this meeting was an “Annual Meeting” under the Commission Rules of Procedure, the Commission needed to elect a Chair and Vice-Chair. Commissioner Kilbourn moved to re-elect Commissioner Mead as Chair. Commissioner Sheldon seconded the motion and it passed unanimously. Commissioner Kilbourn then moved to re-elect Commissioner McClintock as Vice-Chair. Commissioner Sheldon seconded the motion and it passed unanimously.

The Commission discussed possible dates for future Commission meetings. The Commission will attempt to schedule a spring meeting in addition to the next scheduled meeting on June 18<sup>th</sup>. Future quarterly meetings will be held on September 21<sup>st</sup> and December 4<sup>th</sup>.

Speakers from the public addressed the meeting. The speakers were Mr. Ed Martin and Ms. Sue Ellen Montes. Commissioner Sheldon noted that Mr. Martin sent inappropriate messages to him and asked that the record reflect that inappropriate conduct.

After the public remarks, as new business, Commissioner Sheldon raised concern over AI biases and how those biases could affect judicial decision-making and the courts. There was brief discussion about future policy needs and potential ethics issues and training.

Public Session adjourned at 12:05 p.m. The Commission reconvened in Closed Session at 12:48 after a lunch break.

# Tab B

Director's Report

# Budget

## FY26 Budget: Current Status

(as of 04/01/2026)

- ALDER Summary Report
- Office Expenses Report
- Special Counsel  
Appropriation Use



## FY2026 Current Status: ACJC Appropriation Summary

<b>Report Date</b>	4/1/2026
<b>Budget Fiscal Years</b>	2026
<b>Fiscal Year</b>	2026

Expense Category	Category Budget	Current Monthly Expenditures	Encumbrances	Current Total Expenditures	Remaining Budget
1000 - Personal Services	467,900.00	0.00	0.00	324,116.76	143,783.24
2000 - Travel	22,000.00	0.00	0.00	25,597.12	-3,597.12
3000 - Services	151,000.00	15.99	7,273.80	57,389.92	86,336.28
4000 - Commodities	7,000.00	0.00	0.00	2,029.75	4,970.25
5000 - Capital Outlay	5,000.00	0.00	0.00	0.00	5,000.00
<b>Total</b>	<b>652,900.00</b>	<b>15.99</b>	<b>7,273.80</b>	<b>409,133.55</b>	<b>236,492.65</b>

### Current Cumulative Totals FY 2025 (Expense Report)

Object Code	Description	July FY25	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	Jun-Aug	Total	Current Totals	Budget	Remaining
	<b>TRAVEL</b>	\$ -	\$ 2,737.70	\$ 3,338.35	\$ 12,426.35	\$ 2,272.69	\$ 348.45	\$ 1,080.36	\$ 2,711.92	\$ 2,609.26	\$ 354.73	\$ -	\$ -	\$ 27,879.81	\$ 27,879.81	\$ 22,000.00	\$ (5,879.81)
2000-2004	Employee Instate	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6.00			
2005-2011	Non Employee Instate	\$ -	\$ -	\$ -	\$ 1,233.11	\$ 1,119.20	\$ 342.45	\$ 1,080.36	\$ 1,960.62	\$ 1,743.47	\$ -	\$ -	\$ -	\$ 7,479.21			
2012-2016	Emp. Out of State	\$ -	\$ 2,737.70	\$ -	\$ 192.96	\$ 345.25	\$ -	\$ -	\$ 751.30	\$ 865.79	\$ 354.73	\$ -	\$ -	\$ 5,247.73			
2017-2022	Non Emp. Out of State	\$ -	\$ -	\$ 3,338.35	\$ 11,000.28	\$ 808.24	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,146.87			
	<b>SERVICES</b>	\$ 8,590.75	\$ 4,546.82	\$ 7,478.55	\$ 5,847.27	\$ 4,135.15	\$ 5,631.77	\$ 3,882.02	\$ 4,182.23	\$ 5,660.27	\$ 439.56	\$ -	\$ -	\$ 50,394.39	\$ 50,394.39	\$ 76,000.00	\$ 25,605.61
3000	Training/Conferences	\$ -	\$ -	\$ 3,500.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ 360.50	\$ -	\$ -	\$ -	\$ 4,360.50			
3002	Membership Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
3032	Software Licenses	\$ 78.96	\$ 298.73	\$ 221.46	\$ 81.96	\$ 35.98	\$ 58.97	\$ 58.97	\$ 73.30	\$ 58.97	\$ 38.98	\$ -	\$ -	\$ 1,006.28			
3035-3037	Phone & Internet	\$ -	\$ 319.46	\$ -	\$ 323.67	\$ 320.90	\$ 644.39	\$ 0.18	\$ 319.57	\$ 321.37	\$ 321.36	\$ -	\$ -	\$ 2,570.90			
3045	Postage & Shipping	\$ 20.99	\$ 41.98	\$ 20.99	\$ 20.99	\$ 20.99	\$ 20.99	\$ -	\$ 20.99	\$ 20.99	\$ 55.79	\$ -	\$ -	\$ 244.70			
3057	Office, Storage, Parking	\$ 8,490.80	\$ 3,853.44	\$ 3,736.10	\$ 4,920.65	\$ 3,732.82	\$ 4,875.65	\$ 3,703.65	\$ 3,762.91	\$ 4,877.89	\$ -	\$ -	\$ -	\$ 41,953.91			
3066	Printing & Binding	\$ -	\$ 33.21	\$ -	\$ -	\$ 24.46	\$ 31.77	\$ 119.22	\$ 5.46	\$ 20.55	\$ 23.43	\$ -	\$ -	\$ 258.10			
	<b>COMMODITIES</b>	\$ 17.67	\$ 56.23	\$ 139.26	\$ 298.07	\$ 432.93	\$ 416.50	\$ 20.28	\$ 352.65	\$ 363.91	\$ 20.28	\$ -	\$ -	\$ 2,117.78	\$ 2,117.78	\$ 7,000.00	\$ 4,882.22
4000	Rules & Law Books	\$ -	\$ -	\$ -	\$ 280.40	\$ -	\$ 132.43	\$ -	\$ -	\$ 40.00	\$ -	\$ -	\$ -	\$ 452.83			
4002	Office Supplies	\$ -	\$ 20.89	\$ 121.59	\$ -	\$ 152.93	\$ 174.95	\$ -	\$ -	\$ 283.35	\$ -	\$ -	\$ -	\$ 753.71			
4005	Subscriptions	\$ 17.67	\$ 35.34	\$ 17.67	\$ 17.67	\$ -	\$ 80.27	\$ 20.28	\$ -	\$ 40.56	\$ 20.28	\$ -	\$ -	\$ 249.74			
4009	Food Supplies	\$ -	\$ -	\$ -	\$ -	\$ 280.00	\$ 28.85	\$ -	\$ 352.65	\$ -	\$ -	\$ -	\$ -	\$ 661.50			
	<b>CAPITAL OUTLAY</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00
	Monthly Totals	\$ 8,608.42	\$ 7,340.75	\$ 10,956.16	\$ 18,571.69	\$ 6,840.77	\$ 6,396.72	\$ 4,982.66	\$ 7,246.80	\$ 8,633.44	\$ 814.57	\$ -	\$ -				
	Cumulative Totals	\$ 8,608.42	\$ 15,949.17	\$ 26,905.33	\$ 45,477.02	\$ 52,317.79	\$ 58,714.51	\$ 63,697.17	\$ 70,943.97	\$ 79,577.41	\$ 80,391.98	\$ 80,391.98	\$ 80,391.98		\$ 80,391.98	\$ 110,000.00	\$ 29,608.02
3022	Special Counsel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,245.16	\$ 3,475.27	\$ -	\$ -	\$ -	\$ -	\$ 6,720.43	\$ 6,720.43	\$ 75,000.00	\$ 68,279.57
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,245.16	\$ 3,475.27	\$ -	\$ -	\$ -	\$ -	\$ 6,720.43			
1000	Personnel Services													\$ 324,116.76	\$ 324,116.76	\$ 467,900.00	\$ 143,783.24
	<b>TOTALS</b>													\$ 404,508.74	\$ 577,900.00		
																	\$ 173,391.26

VENDOR NAME	INVOICE #	DATE OF INVOICE	DATE IN IRIS	EXPLANATION	AMOUNT OF PAYMENT
					3022 - ACTIVITY: 2252
<b>TOTALS:</b>					<b>\$6,720.43</b>
FY2026 Special Counsel - Jessica Dillon					
Dillon Findley & Simonian PC	#14080	1/23/26	1/26/26	Special Counsel Fees - December 2025 Charges	\$3,245.16
Dillon Findley & Simonian PC	#14149	2/18/26	2/20/26	Special Counsel Fees - January 2026 Charges	\$3,475.27

<b>GRAND TOTAL</b>
<b>\$6,720.43</b>

FY26 Budget: Forecast  
(as of 04/02/2026)

**Projected Totals FY 2026  
(Expense Report)**

Object Code	Description	Current	Additional	Total	Current Totals	Budget	Remaining
	<b>TRAVEL</b>	<b>\$ 27,879.81</b>	<b>\$ 8,211.00</b>	<b>\$ 36,090.81</b>	<b>\$ 36,090.81</b>	<b>\$ 22,000.00</b>	<b>\$ (14,090.81)</b>
2000-2004	Employee Instate	\$ 6.00	\$ 1,970.00	\$ 1,976.00			
2005-2011	Non Employee Instate	\$ 7,479.21	\$ 4,241.00	\$ 11,720.21			
2012-2016	Emp. Out of State	\$ 5,247.73	\$ 2,000.00	\$ 7,247.73			
2017-2022	Non Emp. Out of State	\$ 15,146.87	\$ -	\$ 15,146.87			
	<b>SERVICES</b>	<b>\$ 50,394.39</b>	<b>\$ 12,975.79</b>	<b>\$ 63,370.18</b>	<b>\$ 63,370.18</b>	<b>\$ 76,000.00</b>	<b>\$ 12,629.82</b>
3000	Training/Conferences	\$ 4,360.50	\$ 1,000.00	\$ 5,360.50			
3002	Membership Fees	\$ -	\$ -	\$ -			
3032	Software Licenses	\$ 1,006.28	\$ 341.99	\$ 1,348.27			
3035-3037	Phone & Internet	\$ 2,570.90	\$ 1,525.00	\$ 4,095.90			
3045	Postage & Shipping	\$ 244.70	\$ 385.00	\$ 629.70			
3046	Advertising	\$ -	\$ 500.00	\$ 500.00			
3047	Promotions	\$ -	\$ 250.00	\$ 250.00			
3057	Office, Storage, Parking	\$ 41,953.91	\$ 7,873.80	\$ 49,827.71			
3066	Printing & Binding	\$ 258.10	\$ 1,100.00	\$ 1,358.10			
	<b>COMMODITIES</b>	<b>\$ 2,117.78</b>	<b>\$ 1,405.00</b>	<b>\$ 3,522.78</b>	<b>\$ 3,522.78</b>	<b>\$ 7,000.00</b>	<b>\$ 3,477.22</b>
4000	Rules & Law Books	\$ 452.83	\$ 50.00	\$ 502.83			
4002	Office Supplies	\$ 753.71	\$ 300.00	\$ 1,053.71			
4005	Subscriptions	\$ 249.74	\$ 225.00	\$ 474.74			
4009	Food Supplies	\$ 661.50	\$ 830.00	\$ 1,491.50			
	<b>CAPITAL OUTLAY</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,000.00</b>	<b>\$ 5,000.00</b>
5025	Data Process. Equipment	\$ -	\$ -	\$ -			
5030	Equipment Purchase	\$ -	\$ -	\$ -			
	Monthly Totals	\$ -	\$ 22,591.79				
	Cumulative Totals	\$ -	\$ 22,591.79		\$ 102,983.77	\$ 110,000.00	\$ 7,016.23
3022	Special Counsel	\$ 6,720.43	\$ -	\$ 6,720.43	\$ -	\$ 75,000.00	\$ 75,000.00
		\$ 6,720.43	\$ -				
1000	Personnel Services			\$ 467,900.00	\$ 467,900.00	\$ 467,900.00	\$ -
	<b>TOTALS</b>				<b>\$ 570,883.77</b>	<b>\$ 577,900.00</b>	
					<b>Minimum Remaining</b>		<b>\$ 7,016.23</b>
					<b>Maximum Remaining</b>		<b>\$ 8,916.23</b>

# FY27 Budget Request: Current Status

FY27 Budget Request as Submitted  
(highlighted)

This document represents this agency's operating budget proposal for the forthcoming fiscal year. It identifies all receipts and expenditures that could be anticipated at the time this budget was prepared.



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Maria N. Greenstein, Executive Director



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Date

**Agency Cover Page  
Form A1**

**FY 2027**

**Agency** Commission on Judicial Conduct #770

The Commission on Judicial Conduct has the constitutional and statutory obligations to investigate and address allegations of judicial misconduct or disability concerning any state court judge. While a vast majority of Commission complaints are dismissed by the Commission after investigation into the facts, a few complaints may evolve into formal investigations and hearings before the Commission. The hearing process involves full pre-trial preparation and can be both time-consuming and expensive. Due to the Commission's fluctuating caseload, it is unable to anticipate the number of complaints that may go to formal hearing in any given year.

Staff continues to fully process an average incoming complaint within ninety days. If unusual situations arise (such as formal disciplinary hearings) the Commission adjusts its contractual expenses, when possible, to hire an investigator on contract for a very limited time and purpose; or hires a special counsel.

The Commission responds promptly to inquiries by the public. In addition, the Commission's Formal Ethics Opinions are routinely distributed with Commission informational brochures and complaint forms. Continuing educational activities includes: individualized ethics orientation sessions for new judges; ongoing educational ethics programs for state judicial officers and court staff; and, providing formal advisory opinions to judges. In addition, the Commission will continue to respond to public needs in the coming year by improving its public outreach.

Beginning in FY24, funding for special counsel and related formal hearing costs was transferred out of our general request and put in as a language appropriation not to exceed \$75,000 for that purpose. This change more accurately reflects the need to respond quickly when there is a need for special counsel while also acknowledging that that need is unpredictable.

**Agency Overview  
Form A4**

**Agency** Judiciary

**RDU** Commission on Judicial Conduct #770

**Component** Commission on Judicial Conduct #770

**FY 2027**

**CONTACT:**

**Marla N. Greenstein, Executive Director, 272-1033**

**Description of BRU Services and Responsibilities:**

Created in the state constitution, the Commission on Judicial Conduct consists of nine members: three judges, three lawyers and three public members who are not lawyers or judges. By statute, the Commission is empowered to (1) inquire into allegations of judicial misconduct or disability; (2) hold hearings; (3) informally sanction judges; and (4) recommend formal sanctions to the supreme court. In addition, the Commission approved a procedure for issuing advisory ethics opinions to state judges. The opinions give ethical guidance to judges in response to their requests.

**BRU Overview  
Form B1**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

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**FY 2027**

**CONTACT:**

Marla N. Greenstein, Executive Director, 272-1033

**COMPONENT GOALS:**

<b>EXPENDITURE:</b>	<b>FY 2025 Actual</b>	<b>FY 2026 Authorized</b>	<b>FY 2027 Request</b>
Personal Services	442.7	467.9	487.2
Other Program Costs	88.5	110.0	116.0
<b>TOTAL</b>	<b>531.2</b>	<b>577.9</b>	<b>603.2</b>
<b>FUNDING SOURCES:</b>			
Constit. Bdgt. Reserve			
General Fund Match			
General Fund	531.2	577.9	603.2
GF Program Receipts			
GF Mental Health			
Other Funds	-	-	-
<b>TOTAL</b>	<b>531.2</b>	<b>577.9</b>	<b>603.2</b>
<b>STAFFING:</b>			
Permanent Full-Time	2	2	2
Permanent Part-Time	-	-	-
Non Permanent	-	-	-

**DESCRIPTION OF COMPONENT SERVICES:**

Our full-time staff of two employees maintains a full-time office responding to public inquiries concerning judicial conduct matters and investigating ethical complaints against state court judges. We support a nine-member commission, providing constant information and seeking policy direction from its members. The commission holds quarterly in-person meetings and teleconferences as needed. Our office can be reached statewide by a toll-free number and our investigations entail research involving court locations throughout Alaska. Public portions of the quarterly meetings are held on Zoom to allow statewide participation.

**Component  
Goals and Services  
Form CF1**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

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FY 2027

ITEM AND EXPLANATION	ITEM AMOUNT	FUNDING		POSITIONS		C100	C200	C300	C400	C500	C700	C800
		CODE	AMOUNT			PERSONAL SERVICES	TRAVEL	SERVICES	COM-MODITIES	CAPITAL OUTLAY	BUILDINGS	MISCEL-LANEOUS
1. FY 2026 Conference Committee Report	577.9	1004	577.9	PFT	2							
				PPT		467.9	22.0	76.0	7.0	5.0		
2. Fiscal Notes/Other Appropriation Bills				PFT								
				PPT								
3. Vetoes				PFT								
				PPT								
4. COLA & Other Adjustment				PFT								
				PPT								
5. FY 2026 Authorized	577.9	1004	577.9	PFT	2							
				PPT		467.9	22.0	76.0	7.0	5.0		
6. One-Time Items				PFT								
				PPT								
7. FY 2026 Adjusted Base	577.9	1004	577.9	PFT	2							
				PPT		467.9	22.0	76.0	7.0	5.0		
8. HB259 Adjustment				PFT								
				PPT								
9. FY 2027 Base	577.9	1004	577.9	PFT	2							
				PPT		467.9	22.0	76.0	7.0	5.0		
10. Transfers/Salary Adj. (see C2 Continuation)	19.3	1004	19.3	PFT								
				PPT		19.3						
11. FY 2027 Adjusted Base	597.2	1004	597.2	PFT	2							
				PPT		487.2	22.0	76.0	7.0	5.0		

**Adjusted Base Calculation Form C2**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

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**FY 2027**

**Explanation of C2 Line 10 (Transfers & Salary Adjustments):**

FY2027 PERS Increase from 28.33% to 29.84%	4.5
FY2027 SBS Max Increase from \$176,100 to \$184,500	0.5
FY2027 Health Insurance Increase from \$2,030.11/mo to \$2,160	3.1
FY2027 2.5% Salary Increase	<u>11.2</u>
 Total Line 10 Adjustments	 <u><u>19.3</u></u>

**Adjusted Base  
Continuation  
Form C2**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

**FY 2027**

**TITLE:**

**Increased In-State Travel Expenses**

**DESCRIPTION:**

Travel costs have increased over the years, especially since coming after the pandemic travel limitations. The Commission has nine members representing various areas of the state.

The Commission's current in-state travel budget will only fully fund three of the planned four in-person meetings in FY2027. An additional \$6,000 for in-state travel will provide for four in-person quarterly Commission meetings.

CODE	EXPENDITURE	AMOUNT
100	Personal Services	
200	Travel and Moving	6.0
300	Contractual Services	
400	Supplies and Materials	
500	Capital Outlay	
<b>Total</b>		<b>6.0</b>
<b>FUNDING SOURCES</b>		
1002	Federal Receipts	
1003	General Fund Match	
1004	General Fund	6.0
1005	GF Program Receipts	
1007	Interagency Receipts	
1037	GF Mental Health	
1092	MHTAAR	
1108	Statutory Designated Program Receipts	
<b>Total</b>		<b>6.0</b>
<b>STAFFING</b>		
Permanent Full-Time		
Permanent Part-Time		
Non-Permanent		

**Increment/Decrement**

**Request**

**Form C5**

**Agency** Judiciary

**RDU** Commission on Judicial Conduct #770

**Component** Commission on Judicial Conduct #770

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**FY 2027**

CODE	PERSONAL SERVICES CLASSIFICATION	FY 2025 ACTUAL	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	CHANGE	FY 2027 REQUEST
1000	TOTAL PERSONAL SERVICES	442.7	467.9	487.2		487.2
	INTERAGENCY TRANSFERS (NON-ADD)					

1001	Constitutional Budget Reserve					
1002	Federal Receipts					
1003	General Fund Match					
1004	General Fund	442.7	467.9	487.2	-	487.2
1005	GF/Program Receipts					
1053	Investment Loss Trust Fund					
1007	I-A Receipts					

Permanent full-time positions	2	2	2	-	2
Permanent part-time positions	-	-	-	-	-
Total permanent positions	2	2	2	-	2
Permanent full-time staff months	24	24	24	-	24
Permanent part-time staff months	-	-	-	-	-
Total permanent staff months	24	24	24	-	24
Non-permanent positions	-	-	-	-	-
Non-permanent staff months	-	-	-	-	-

**Personal  
Services  
Form C100**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 1

**FY 2027**

Type	Permanent Positions							Non-Permanent Positions					
	PFT	PPT	Mo.	Salary	Benefits	FY 2026 Total	FY 2027 Total	NPP	Mo.	Salary	Benefits	FY 2026 Total	FY 2027 Total
Classified Positions	2	-	24	299,971	167,886	467,857	487,192						
Total Salary and Benefits (Permanent & Non-Permanent Positions)						467,857	487,192						
Authorized Funding						467,900	487,200						
Balance						43	8						

**Personal Services  
Cost Summary  
Form C110**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 1

FY 2027

PCN	BU	Title	Type	COLA Step	Range / Step	Bi-Weekly Salary	Months	FY 2026			FY 2027
								Salary	Benefits	Total	Salary & Benefits
410021	XJ	Executive Director	PFT	0	27R	8,908.50	12	231,621	115,598	347,219	360,680
410022	XJ	Administrative Assistant	PFT	0	12G	2,568.00	12	68,350	52,288	120,638	126,513
<b><u>Classified positions</u></b>											
		Permanent full-time		2			24	299,971	167,886	467,857	487,192
		Permanent part-time		-			-	-	-	-	-
		<b>Total</b>		<u>2</u>			<u>24</u>	<u>299,971</u>	<u>167,886</u>	<u>467,857</u>	<u>487,192</u>

**Personal Services  
Authorized Positions  
Form C130**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 1

**FY 2027**

CODE	TRAVEL CLASSIFICATION	FY 2025 ACTUAL	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	CHANGE	FY 2027 REQUEST
2000	TOTAL TRAVEL	17.1	22.0	22.0	6.0	28.0
	INTERAGENCY TRANSFERS (NON ADD)					

1001	Constitutional Budget Reserve					
1002	Federal Receipts					
1003	General Fund Match					
1004	General Fund	17.1	22.0	22.0	6.0	28.0
1005	GF/Program Receipts					
1037	GF/Mental Health Trust					
1007	I-A Receipts					

2000	In-State Travel	9.1	14.0	14.0	6.0	20.0
2001	Out-of-State Travel	8.0	8.0	8.0	-	8.0

**Travel  
Form C200**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 2

FY 2027

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
2000	<p><b>In-State Travel</b></p> <p>This expenditure classification consists primarily of transportation and per diem costs of Commission members and staff to attend commission meetings and commission-related in-state travel.</p> <p>FY 2026 Authorized <span style="float: right;"><u>14,000</u></span></p> <p><b>Increment:</b></p> <p>Travel costs have increased over the years, especially since coming after the pandemic travel limitations. The Commission has nine members representing various areas of the state. The Commission's current in-state travel budget will only fully fund three of the planned four in-person meetings in FY2027. An additional \$6,000 for in-state travel will provide for four in-person quarterly Commission meetings. <span style="float: right;"><u>6,000</u></span></p>	14.0	14.0	20.0
2001	<p><b>Out-of-State Travel</b></p> <p>This expenditure classification includes the transportation and per diem costs of Commission members and staff to attend out-of-state meetings.</p> <p>FY 2026 Authorized <span style="float: right;"><u>8,000</u></span></p>	8.0	8.0	8.0

**Travel (Continued)**  
**Form C200**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

CODE	SERVICES CLASSIFICATION	FY 2025 ACTUAL	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	CHANGE	FY 2027 REQUEST
3000	TOTAL SERVICES	61.0	76.0	76.0	-	76.0
	INTERAGENCY TRANSFERS (NON-ADD)					

1001	Constitutional Budget Reserve					
1002	Federal Receipts					
1003	General Fund Match					
1004	General Fund	61.0	76.0	76.0	-	76.0
1005	GF/Program Receipts					
1037	GF/Mental Health Trust					
1007	I-A Receipts					

3000	Education Services	4.2	4.0	4.0	-	4.0
3002	Legal & Judicial Services	-	-	-	-	-
3004	Telecommunications	3.8	5.2	5.2	-	5.2
3006	Delivery Services	0.9	1.9	1.9	-	1.9
3007	Advertising and Promotions	-	2.0	2.0	-	2.0
3009	Building Rentals / Leases	49.1	56.0	56.0	-	56.0
3010	Equipment Repairs / Maintenance	0.3	3.2	3.2	-	3.2
3011	Other Services	2.7	3.7	3.7	-	3.7

**Services  
Form C300**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 4

**FY 2027**

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
3000	<b>Educational Services</b> This classification provides for fees for training and conferences, agency memberships and employee tuition.  FY 2026 Authorized <span style="float: right;"><u>4,000</u></span>	4.0	4.0	4.0
3002	<b>Legal &amp; Judicial Services</b> This classification provides for retaining special counsel to present formal charges in a Commission case and provides for contracting secretarial support and investigator services on an as-needed basis. Beginning in FY24, funding for special counsel and related formal hearing costs was transferred out of our general request and put in as a language appropriation not to exceed \$75,000 for that purpose. This change more accurately reflects the need to respond quickly when there is a need for special counsel while also acknowledging that that need is unpredictable.  FY 2026 Authorized <span style="float: right;"><u>-</u></span>	-	-	-
3004	<b>Telecommunications</b> This category includes long distance charges, teleconference services, data transmissions, and facsimile charges. Regular service includes charges for communication system maintenance and access fees.  FY 2026 Authorized <span style="float: right;"><u>5,200</u></span>	5.2	5.2	5.2

**Services (continued)  
Form C300**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 2 of 4

FY 2027

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
<b>3006</b>	<b>Delivery Services</b>  This category includes expenditures for mailing fees and postage. The cost of postage and shipping continues to increase yearly.  FY 2026 Authorized <span style="float: right;"><u>1,900</u></span>	1.9	1.9	1.9
<b>3007</b>	<b>Advertising and Promotions</b>  This classification provides for publication of public notices for Commission meetings and hearings in various statewide newspapers, printing and binding of the Commission's annual report, Alaska Statutes, Alaska Rules, law books and official publication subscriptions.  FY 2026 Authorized <span style="float: right;"><u>2,000</u></span>	2.0	2.0	2.0
<b>3009</b>	<b>Rentals / Leases</b>  This classification provides for lease of Commission office space. A new rental agreement was negotiated for September 2025 - August 2030.  FY 2026 Authorized <span style="float: right;"><u>56,000</u></span>	56.0	56.0	56.0

**Services (continued)  
Form C300**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 3 of 4

FY 2027

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
3010	<b>Equipment Repairs / Maintenance</b>  This classification provides for office machine maintenance agreements, i.e., fax and copier, and minor machine repairs. The cost of equipment repairs is increasing yearly.  FY 2026 Authorized <span style="float: right;"><u>3,200</u></span>	3.2	3.2	3.2
3011	<b>Other Services</b>  This classification provides for various miscellaneous charges not budgeted elsewhere and occasional miscellaneous charges on vendor accounts.  FY 2026 Authorized <span style="float: right;"><u>3,700</u></span>	3.7	3.7	3.7

**Services (continued)  
Form C300**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 4 of 4

FY 2027

CODE	COMMODITIES CLASSIFICATION	FY 2025 ACTUAL	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	CHANGE	FY 2027 REQUEST
4000	TOTAL COMMODITIES	10.4	7.0	7.0	-	7.0
	INTERAGENCY TRANSFERS (NON-ADD)					

1001	Constitutional Budget Reserve					
1002	Federal Receipts					
1003	General Fund Match					
1004	General Fund	10.4	7.0	7.0	-	7.0
1005	GF/Program Receipts					
1037	GF/Mental Health Trust					
1007	I-A Receipts					

4000	Office and Library Supplies	10.4	7.0	7.0	-	7.0

**Commodities  
Form C400**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 1 of 2

**FY 2027**

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
4000	<p><b>Office and Library Supplies</b></p> <p>This expenditure classification provides for general office supplies, stationery, educational books, directories, manuals and state forms.</p> <p>FY 2026 Authorized <span style="float: right;"><u>7,000</u></span></p>	7.0	7.0	7.0

**Commodities**  
*(continued)*  
**Form C400**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 2 of 2

**FY 2027**

CODE	CAPTIAL OUTLAY CLASSIFICATION	FY 2026 ACTUAL	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	CHANGE	FY 2027 REQUEST
5000	TOTAL CAPITAL OUTLAY	-	5.0	5.0		5.0
	INTERAGENCY TRANSFERS (NON ADD)					

1001	Constitutional Budget Reserve					
1002	Federal Receipts					
1003	General Fund Match					
1004	General Fund	-	5.0	5.0	-	5.0
1005	General Fund Program Receipts					
1037	General Fund Mental Health Trust					
1007	Interagency Receipts					

5002	Infrastructure and Equipment > \$5,000	-	5.0	5.0	-	5.0

**Capital Outlay  
Form C500**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

**Page 1 of 2**

**FY 2027**

CODE	DESCRIPTION	FY 2026 AUTHORIZED	FY 2027 ADJUSTED BASE	FY 2027 REQUEST
5002	<p><b>Infrastructure and Equipment over \$5,000</b></p> <p>This expenditure classification provides for replacement office equipment.</p> <p>FY 2026 Authorized <span style="float: right;"><u>5,000</u></span></p>	5.0	5.0	5.0

**Capital Outlay**  
*(continued)*  
**Form C500**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

Page 2 of 2

**FY 2027**

December 11, 2025

## OMB Change Record & Component Detail

**Change Record Detail - Multiple Scenarios with Descriptions (294)**  
**Judiciary**

**Component:** Commission on Judicial Conduct (770)  
**RDU:** Commission on Judicial Conduct (245)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		
										PFT	PPT	NP
***** Changes From FY2026 Enrolled To FY2026 Authorized *****												
<b>FY2026 Enrolled</b>												
1004 Gen Fund	Enrolled	577.9	467.9	22.0	76.0	7.0	5.0	0.0	0.0	2	0	0
		577.9										
<b>FY2026 Special Counsel Costs Sec22 Ch10 SLA2025 P85 L1 (HB53)</b>												
(Language)	Enrol(L)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
* Sec. 22. ALASKA COURT SYSTEM. The amount necessary, estimated to be \$0, not to exceed \$75,000, is appropriated from the general fund to the Judiciary, Commission on Judicial Conduct, for special counsel costs for the fiscal year ending June 30, 2026.												
<b>Subtotal</b>		<b>577.9</b>	<b>467.9</b>	<b>22.0</b>	<b>76.0</b>	<b>7.0</b>	<b>5.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2</b>	<b>0</b>	<b>0</b>
***** Changes From FY2026 Management Plan To FY2027 Governor Adjusted Base *****												
<b>Reverse FY2026 Special Counsel Costs Sec22 Ch10 SLA2025 P85 L1 (HB53)</b>												
(Language)	OTI	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
* Sec. 22. Alaska Court System. The amount necessary, estimated to be \$0, not to exceed \$75,000, is appropriated from the general fund to the Judiciary, Commission on Judicial Conduct, for special counsel costs for the fiscal year ending June 30, 2026.												
<b>FY2027 Special Counsel Costs</b>												
(Language)	IncM	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
* Sec. XX. ALASKA COURT SYSTEM. The amount necessary, estimated to be \$0, not to exceed \$75,000, is appropriated from the general fund to the Judiciary, Commission on Judicial Conduct, for special counsel costs for the fiscal year ending June 30, 2027.												
<b>FY2027 Transfers and Salary Adjustments</b>												
1004 Gen Fund	SalAdj	19.3	19.3	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
		19.3										
PERS Increase from 28.33% to 29.84%: \$4.5 SBS Max Increase from \$176,100 to \$184,500: \$.5 Health Insurance Increase from \$2,030.11/mo to \$2,160/mo: \$3.1 \$2.5% Salary Increase: \$11.2												
<b>Subtotal</b>		<b>597.2</b>	<b>487.2</b>	<b>22.0</b>	<b>76.0</b>	<b>7.0</b>	<b>5.0</b>	<b>0.0</b>	<b>0.0</b>	<b>2</b>	<b>0</b>	<b>0</b>
***** Changes From FY2027 Governor Adjusted Base To FY2027 Governor *****												

**Change Record Detail - Multiple Scenarios with Descriptions (294)**

**Judiciary**

**Component:** Commission on Judicial Conduct (770)

**RDU:** Commission on Judicial Conduct (245)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		
										PFT	PPT	NP
	Totals	597.2	487.2	22.0	76.0	7.0	5.0	0.0	0.0	2	0	0

## Component Detail (1077)

### Judiciary

**Component:** Commission on Judicial Conduct (770)

Non-Formula Component

**RDU:** Commission on Judicial Conduct (245)

IRIS AP Type: C800

	FY2025 Actuals (23426)	FY2026 Enrolled (23166)	FY2026 Authorized (23196)	FY2026 Management Plan (23225)	FY2027 Governor Adjusted Base (23490)	FY2027 Governor (23629)	FY2026 Management Plan vs FY2027 Governor	
1000 Personal Services	442.7	467.9	467.9	467.9	487.2	487.2	19.3	4.1%
2000 Travel	17.1	22.0	22.0	22.0	22.0	22.0	0.0	0.0%
3000 Services	61.0	76.0	76.0	76.0	76.0	76.0	0.0	0.0%
4000 Commodities	10.3	7.0	7.0	7.0	7.0	7.0	0.0	0.0%
5000 Capital Outlay	0.0	5.0	5.0	5.0	5.0	5.0	0.0	0.0%
7000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
8000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
<b>Totals</b>	<b>531.1</b>	<b>577.9</b>	<b>577.9</b>	<b>577.9</b>	<b>597.2</b>	<b>597.2</b>	<b>19.3</b>	<b>3.3%</b>
<b>Funding Sources:</b>								
1004 Gen Fund (UGF)	531.1	577.9	577.9	577.9	597.2	597.2	19.3	3.3%
<b>Funding Totals:</b>								
Unrestricted General (UGF)	531.1	577.9	577.9	577.9	597.2	597.2	19.3	3.3%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Federal	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
<b>Positions:</b>								
Permanent Full Time	2	2	2	2	2	2	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0	0.0%

February 23, 2026

House Judiciary Subcommittee  
Closeout Meeting Information

**From:** Noah Klein

**Date:** February 23, 2026 at 9:59:34 AM AKST

**To:** Susanne DiPietro, Marla Greenstein

**Subject: FW: Judiciary Subcommittee Closeout Meeting (02/27/26) - Chair's Budget Proposal, Amendment Deadline, & Other Info**

FYI

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**From:** Keenan Miller

**Sent:** Sunday, February 22, 2026 5:18 PM

**To:** Rep. Andrew Gray; Rep. Chuck Kopp; Rep. Ted Eischeid; Rep. Genevieve Mina; Rep. Sarah Vance; Rep. Mia Costello; Rep. Jubilee Underwood; Rep. Will Stapp

**Cc:** Nathan Teal; Rep. Nellie Jimmie; Noah Klein; Rachael Gunn

**Subject:** Judiciary Subcommittee Closeout Meeting (02/27/26) - Chair's Budget Proposal, Amendment Deadline, & Other Info

Dear Representatives,

Thank you for your participation in the House Finance Judiciary (Courts) Subcommittee.

**The Judiciary (Courts) budget subcommittee will have its closeout meeting on Friday, February 27<sup>th</sup>, at 12:00 PM.**

I have attached the first draft Budget Action Report to this email. Chair Jimmie's **amended Budget Action Report** is expected to be finalized by LFD tomorrow (Monday, 02/23) and **will be sent to you in a follow-up email**. For your awareness, the requested changes are as follows:

1. 6.0 UGF for travel expenses, **Commission on Judicial Conduct. INC.**
2. 600.3 UGF for operations and maintenance cost increases, **Trial Courts. INC.**
3. 115.5 GF/Mental Health for **Therapeutic Courts** Competency Calendaring Staff. IncT, FY27-28.

These modifications simply restore the Court System's original FY27 budget request. Item 1 is explained in the attached document titled "CommissionOnJudicialConduct\_BudgetRequest." Items 2 and 3 are explained in the FY27 Subcommittee Book's blue sheets and in the Court system's presentation from earlier this month.

Members may propose amendments to the amended Budget Action Report. Amendments should be drafted with the support of LFD (Nathan Teal) and the Court System (Noah Klein) to ensure their technical accuracy.

**Amendments are due in an email to Chair Jimmie and myself by Tuesday, February 24<sup>th</sup>, at midnight.** Amendments must be submitted using the attached amendment form, which is also available to download on the LFD website. We will consider proposed amendments on Friday during our closeout meeting.

If you or your staff have questions regarding the proposed changes, drafting amendments, or the closeout process, please let me know.

Quyana cakneq,  
Keenan Miller

**TITLE:**  
Increased In-State Travel Expenses

**DESCRIPTION:**

Travel costs have increased over the years, especially since coming after the pandemic travel limitations. The Commission has nine members representing various areas of the state.

The Commission's current in-state travel budget will only fully fund three of the planned four in-person meetings in FY2027. An additional \$6,000 for in-state travel will provide for four in-person quarterly Commission meetings.

CODE	EXPENDITURE	AMOUNT
100	Personal Services	
200	Travel and Moving	6.0
300	Contractual Services	
400	Supplies and Materials	
500	Capital Outlay	
Total		6.0
<b>FUNDING SOURCES</b>		
1002	Federal Receipts	
1003	General Fund Match	
1004	General Fund	6.0
1005	GF Program Receipts	
1007	Interagency Receipts	
1037	GF Mental Health	
1092	MHTAAR	
1108	Statutory Designated Program Receipts	
Total		6.0
<b>STAFFING</b>		
Permanent Full-Time		
Permanent Part-Time		
Non-Permanent		

**Increment/Decrement  
Request  
Form C5**

**Agency** Judiciary  
**RDU** Commission on Judicial Conduct #770  
**Component** Commission on Judicial Conduct #770

**Page 1 of 1**

**FY 2027**

**2026 Legislature - Operating Budget  
Subcommittee Report - House Finance Structure**

**Judiciary**

**DRAFT - DOES NOT INCLUDE DECISIONS**

(\$ thousands)

Numbers Agencies: Judiciary
--------------------------------

	26MgtPln	HCS1	GovAmd	HSubcom
<b>Unrestricted GF</b>	154,357.6	158,506.3	158,506.3	158,506.3
<b>Designated GF</b>	0.0	0.0	0.0	0.0
<b>Other</b>	2,710.0	2,710.0	2,812.0	2,710.0
<b>Federal</b>	1,805.3	1,805.3	1,805.3	1,805.3
<b>Total</b>	158,872.9	163,021.6	163,123.6	163,021.6

26MgtPln to HSubcom		HCS1 to HSubcom		GovAmd to HSubcom	
4,148.7	2.7%	0.0	0.0%	0.0	0.0%
0.0	0.0%	0.0	0.0%	0.0	0.0%
0.0	0.0%	0.0	0.0%	-102.0	-3.6%
0.0	0.0%	0.0	0.0%	0.0	0.0%
4,148.7	2.6%	0.0	0.0%	-102.0	-0.1%

<b>PFTs</b>	755	755	755	755
<b>PPTs</b>	38	38	38	38
<b>Temps</b>	6	6	6	6
<b>Total</b>	799	799	799	799

0	0.0%	0	0.0%	0	0.0%
0	0.0%	0	0.0%	0	0.0%
0	0.0%	0	0.0%	0	0.0%
0	0.0%	0	0.0%	0	0.0%

Differing items are highlighted and displayed in blue.

# Professional Activities

# **Alaska Court System: Supervisor Training**

- Agenda



## **SUPERVISOR TRAINING**

**Offered May 6, May 20, June 3, & June 24, 2026**

**1:00 P.M. - 4:30 P.M.**

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### **SUPERVISOR RESPONSIBILITIES & SUPPORT**

**Mentorship Program for Judges** **1:00 PM**  
Rachel Ahrens, Superior Court Judge & Mentorship Coordinator

**Training Judges for Magistrates**  
Training Judge

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### **SUPERVISOR TRAINING FOR JUDGES OVERVIEW & RESOURCES**

Elizabeth Moss, HR Director **1:30 PM**  
Samantha Cherot, Deputy HR Director

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**BREAK** **2:30 PM**  
**(15 Minutes)**

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### **CRUCIAL CONVERSATIONS FOR JUDGES WITH PRACTICAL EXERCISES**

Elizabeth Moss, HR Director  
Samantha Cherot, Deputy HR Director **2:45 PM**

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### **BEST PRACTICES TO AVOID JUDICIAL CONDUCT CONCERNS**

Marla Greenstein, Executive Director  
Alaska Commission on Judicial Conduct **4:00 PM**

# **Alaska Court System 2026 Magistrate Judges Conference**

- Agenda
- PowerPoint Presentation











A brief overview of the Proposed Revised Code

▶ **Alaska Code of  
Judicial Conduct  
2026**

# New Code Organization

- Structure: Articles (in place of Canons) followed by Rules
- Article 1 Uphold the Independence , Integrity and Impartiality of the Judiciary
- Article 2 Perform the Duties of Judicial Office Impartially, Competently, and Diligently
- Article 3 Conduct Extrajudicial Activities to Minimize Conflict with Judicial Obligations
- Article 4 Political and Campaign Activity

# New Code of Judicial Conduct Provisions

- Rule 1.3 Abuse of Judicial Office
- Rule 2.12 Supervisory Duties
- Rule 2.15 Responding to Judicial Misconduct



# Commitment to Civility

- The Alaska Court System, in keeping with its mission to “provide an accessible and impartial forum for the just resolution of all cases that come before it,” is committed to promoting and maintaining a healthy workplace where all people are treated fairly and with respect.



# Rule 2.11 Disqualification

- Organization of the Rule
- Mandatory Disqualification Not Waivable
- Waivable Disqualification
- Procedures

# Travel Report



# Alaska Commission on Judicial Conduct

510 L Street, Suite 585, Anchorage, Alaska 99501-1959  
(907) 272-1033 In Alaska 800-478-1033 FAX (907) 272-9309

Marla N. Greenstein  
Executive Director  
E-Mail: mgreenstein@acjc.state.ak.us

April 3, 2026

## MEMORANDUM

**TO:** Commission Members

**FROM:** Marla N. Greenstein  
Executive Director 

**RE:** Trip Report

In February and March of this year I attended the ABA Mid-year meeting and the AJDC Mid-year board meeting. Both meetings were extremely valuable. At the ABA Mid-year meeting I attended a program on ethics issues for judges when AI is used in court proceedings and I co-chaired a meeting of the ABE Judicial Ethics and Professionalism Committee where we discussed current issues and planned future programs and webinars. I also attended the ABA Judges Journal editorial board meeting where we planned future issues.

The AJDC meeting focused on discussing current issues facing judicial conduct commissions, resources for commissions, and programs and speakers for the annual meeting. Issues that were identified included adopting AI policies for Commissions, maintaining public confidence in the current political climate, and technology use in Commission investigations.

# Commission Member Status

**ALASKA COMMISSION ON  
JUDICIAL CONDUCT  
2026 Roster**

**Public Members**

**Todd Fletcher**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2027)*

**Aldean Kilbourn**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2029)*

**Robert Sheldon**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2028)*

**Attorney Members**

**Donald W. McClintock**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2029)*  
*(Vice-Chair)*

**Jane Mores**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2028)*

**Bill Satterberg**  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
*(Term expires March 1, 2028)*

**Judge Members**

**Judge Amy G. Mead**  
Alaska Superior Court  
PO BOX 114100  
Juneau, Alaska 99881  
*(Term expires February 1, 2027)*  
*(Chairperson)*

**Judge Thomas I. Temple**  
Alaska Superior Court  
101 Lacey Street  
Fairbanks, Alaska 99701  
*(Term expires February 1, 2027)*

**Judge Ian Wheelles**  
Alaska Superior Court  
825 W. 4<sup>th</sup> Avenue  
Anchorage, Alaska 99501  
*(Term expires February 1, 2028)*

# Commission Members' Terms

## Attorney Members (confirmation pending)

Jane Mores

House Judiciary Subcommittee  
Confirmation Hearing: 02/16/2026

Donald McClintock

House Judiciary Subcommittee  
Confirmation Hearing: 03/23/2026

## Public Members (confirmation pending)

Aldean Kilbourn

House Judiciary Subcommittee  
Confirmation Hearing: 02/16/2026

# Tab C

Advisory Opinion Request



# Alaska Commission on Judicial Conduct


510 L Street, Suite 585, Anchorage, Alaska 99501-1959  
(907) 272-1033 In Alaska 800-478-1033 FAX (907) 272-9309

Marla N. Greenstein  
Executive Director  
E-Mail: [mgreenstein@acjc.state.ak.us](mailto:mgreenstein@acjc.state.ak.us)

April 2, 2026

## MEMORANDUM

**TO:** Commission Members

**FROM:** Marla N. Greenstein  
Executive Director 

**RE:** Referral for Ethics Advisory Opinion

One of the lawyer comments to the proposed new Alaska Code of Judicial Conduct suggested that the Code address “ex parte” communication problems when a lawyer’s supervisor contacts a judge for a performance evaluation based on the lawyer’s work observed by the judge in various matters. I often get inquiries by judges when faced with those and similar requests (by the Judicial Council for applicants for judgeships or when a lawyer is nominated for an award or a professional rating). I do not view those as ex parte communications as they do not concern any issues in any specific court matter and often advise that the judge not provide any statement that could be tied to a particular court matter.

The drafting committee thought that rather than address this particular issue in the Code or in a Comment to the Code, it is best suited for an Advisory Opinion by the Commission. If the Commission believes that an opinion addressing this topic would be helpful to judges, a Committee to assist in drafting an opinion should be formed with a draft opinion to be considered at a later Commission meeting.

# **Public Session Informational**

# 2026 State of the Judiciary

February 11, 2026

**‘Our work isn’t done’: Alaska’s chief justice says trial delays remain an issue but points to progress**

**CRIME & COURTS**

**Mari Kanagy**

Anchorage Daily News

JUNEAU — Alaska’s chief justice told lawmakers that the number of criminal cases that go long periods without going to trial has decreased, but acknowledged that the lengthiest delays are still a problem within the judicial system.

During Alaska Supreme Court Chief Justice Susan Carney’s State of the Judiciary address Wednesday at the Capitol, she told the Legislature the court system is “still not satisfied” with where the situation stands.

“I know that the cases with extreme delay are outliers compared to the vast majority of criminal cases and the time it takes to resolve them, but it’s still heartbreaking to think of the anguish that victims suffer and and the problems that delays cause to everybody involved in criminal cases,” Carney said.

Carney shared a similar message at last year’s State of the Judiciary address, that the court system must improve processing times for criminal cases.

“I told you last year, and I’ll reiterate to you today that our work isn’t done,” Carney said.

Reporting from the Daily News and ProPublica last year found that the longest delays occurred for unclassified felonies, some of the most serious crimes that carry the longest sentences. The report found that trials for these felonies in some cases have been delayed up to 10 years.

Alaska criminal rules grant defendants the right to a trial within 120 days of being charged.

“The cases that the media has focused on last year and again this year remind us that the court system must remain

to reach a resolution, Carney said during the address. She noted that Class C felonies — the most common and least serious of felony charges — take a median of six months to resolve.

Felonies pending for long stretches have fallen in the past several years, Carney said. On Jan. 1 there were fewer than 750 felony cases pending for more than two years, down from roughly 1,600 in 2023, Carney said.

Overall pending cases have fallen too, Carney said. There are currently fewer than 11,000 open criminal cases, below the 14,000 backlogged cases pre-pandemic in 2020, and down from a peak of 20,000 in 2022, she said.

But those advocating for speedier trials had warned of increasing delays long before the pandemic began. Based on data provided by the Alaska Court System, the most serious category of felonies took a median of 1,124 days to resolve in 2025. That’s more than twice as long as in 2015.

Carney said new rules and policies in the judiciary have helped address these backlogs in the past year.

Last March, the Alaska Supreme Court issued an order aimed at resolving the oldest cases. It took effect in May, directing state judges to allow no more than 270 days of additional delays for criminal cases filed before 2023.

Carney noted that delays happen when an attorney, either for the defense or prosecution, asks for more time, and the judge grants that request.

Last year’s Supreme Court order requires that any request for a delay, as well as the judge’s decision to grant or deny it, must be made on the record.

Carney told lawmakers the Supreme Court has also issued a new policy to judges for present and future cases that limits the number and the length of pretrial delays. She said the policy also provides examples to help guide judges on determining whether the request should or should not be issued.



Justice Susan Carney asks a question during oral arguments on June 27, 2023 in Anchorage. **LOREN HOLMES / ADN archive June 2023**

are becoming more and more urgent. We appreciate the funding you’ve given us in the past and your consideration of our current request,” Carney said.

Gov. Mike Dunleavy’s draft budget this year did not include the courts’ full budget request, as approved by the Supreme Court, omitting funding items related to deferred maintenance.

Legislation filed concurrently in the House and Senate at the request of the court system would amend state statute to allow one additional judge in the Third Judicial District, where Palmer is located.

The new judge would serve for the Palmer Courthouse, located in the Mat-Su, where judges are the busiest in the state due to the region’s growing population, Carney said.

Daily News reporter Iris Samuels contributed to this report from Anchorage.

committed to our mission to justly resolve cases with integrity and with speed,” Carney said.

It takes a median of three years for unclassified felonies

“If, as happens in most criminal cases, the defense and the prosecution are just trying to negotiate resolving the case, that’s not a reason to put off the trial,” Carney said in an interview following the address.

Carney closed her address with two requests for lawmakers: adding a judge for Palmer and funding for deferred maintenance on courthouses.

“We’re doing what we can to keep our aging facilities operational and to prevent large-scale failures, but our buildings are aging and some of the maintenance needs

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Thursday, 02/12/2026 Page .A02

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February 11, 2026

State of the Judiciary

(Transcript)

**2026 State of the Judiciary**  
**February 11, 2026**

Good morning, President Stevens and Speaker Edgmon. It is good to see you again. And good morning to all the members of the 34th Legislature. Thank you all for the invitation to speak to you about our branch of government and to update you on the current state of Alaska's judiciary.

Before I move into my speech, I want to take a moment to thank the hundreds of Alaskans who work hard for the court system every day. They range from front counter clerks in large communities like Anchorage to single person magistrate courts in places like Yakutat to judges all over the state. Without them and their dedication, we would not be able to continue to serve Alaskans.

Let me first introduce my fellow justices and other important members of today's audience before I move into the rest of my talk this morning. First is Justice Dario Borghesan. He came to Alaska from New England, as I did, to be an Alaska Supreme Court law clerk—also as I did. And he clerked in Fairbanks, again as I did, but he fled our extreme weather for Anchorage. Among his many duties, he leads our very active Access to Justice Committee, along with Justice Jennifer Henderson.

Justice Henderson also came to Alaska as a supreme court law clerk. After that year in Anchorage, she returned to southern California where she had grown up. But she quickly realized she had become an Alaskan and returned to Anchorage after a year away. She leads the Access to Justice Committee with Justice Borghesan. She has also been very busy in the last year, working with court staff, committees, and judges throughout our state to move the oldest cases through the justice system, and to prevent them lingering in the future.

Next to Justice Henderson is Justice Jude Pate. Many of you have probably seen him as you go about your busy days here because he is the justice who lives in Juneau. He moved here when he was appointed to the supreme court, after 30 years in Sitka, where he held a variety of positions as an attorney before he was appointed to the superior court bench there.

The fifth member of the supreme court is Justice Aimee Oravec, the other Fairbanks justice with me. You may recall that she had been on this court less than 2 weeks when we spoke last year. She is now a veteran with one year plus 2 weeks on the job. Like the rest of us, in addition to hearing appeals, Justice Oravec has a number of duties. Among them is leading the Civil Rules Committee.

There are also several vital members of the court system's staff with us this morning. Stacey Marz is our administrative director. She and her staff are the ones that keep all of our 38 court locations open to the public. She is in the forefront nationally of efforts to increase access to justice, because of our many court locations, most of which are not on the road system, and her innovative ideas about how to bridge those distances.

Of course, you know Nancy Meade. She has been the court system's representative in Juneau for 15 years. She enjoys being here during session and providing you the court system's perspective on issues that may affect us. Nancy is always available to share information or talk about anything related to the court system.

And next to her is Noah Klein—who is also familiar to you. He is our associate general counsel and is our administrative office's year-round presence here. Noah works closely with Nancy and is available to discuss the court system's budget or any other issues, throughout the year.

Finally, Susanne DiPietro does not work for the Alaska Court System. She is the Executive Director of the Alaska Judicial Council. The Council is a

constitutional creation, entrusted with ensuring that Alaska state judges are selected based solely on their merit. Alaska state judges are not appointed for life. They must retire at age 70, and between their appointment and retirement, their performance is evaluated periodically by the voters in retention elections and by the Judicial Council. Because I am the Chief Justice, I sit as ex officio chair of the Council. And in the each of meetings the Council has held since we were last here in Juneau, I have been deeply impressed at the work these volunteer Council members devote to their task.

Last but definitely not least, my husband, Pete Braveman. He is able to travel with me because he retired from decades of serving Alaskan children and families.

By the way, I regret that we were unable to host the traditional breakfast for legislators that we normally hold on the morning of this speech. I understand that the hotel where we have held the breakfast only opened at the end of last week, which left us suddenly without a venue for the annual event. My colleagues and I enjoy the breakfast and the opportunity it gives us to meet and talk informally with you. We were disappointed, but I promise that we'll do our best to resurrect the tradition next year.

Now to the state of Alaska's judiciary.

To begin, I want to thank the media for once again providing my first topic to talk to you about. I say this partially in jest. But I also am serious.

I will not pretend that it is comfortable to have the press focus on a few extremely sad but unusual cases. But it is valuable. And it is what a free press is supposed to do.

The cases that the media has focused on remind us that the court system must remain committed to our mission to justly resolve cases with integrity and speed. And even though I know that cases with extreme delays are outliers when

compared to typical criminal case resolution times, it is still heartbreaking for me to imagine the anguish felt by victims and defendants involved in some of our oldest cases.

Before I dive into our current efforts to avoid extreme delays and resolve our oldest cases, let me briefly recap some of our past criminal justice discussion. During the pandemic we held very few criminal jury trials, even though we were prepared to do so in the most pressing cases if the attorneys had requested trial. Without the pressure of upcoming trials, lawyers at the criminal justice agencies had less incentive to resolve the vast majority --97%-- of criminal cases that never go to trial. Coupled with personnel shortages at both the criminal justice agencies and the court system, the pandemic caused a backlog of criminal cases. Between January 2020 and January 2022, the number of pending criminal cases jumped from around 14,000 to almost 20,000. Such a severe jump in pending criminal cases in such a short time was unprecedented.

Two chief justices before me described to you our efforts to eliminate this backlog. Chief Justice Winfree told you that we would clear the backlog. Chief Justice Maassen described using trailing calendars, orders limiting continuances, and he lauded the criminal justice agencies' commitment to get cases cleared. And you, the legislature, helped alleviate agency attorney shortages by providing raises to lawyers employed in the executive and legislative branches.

The justice system has eliminated the pandemic backlog. There are now fewer than 11,000 open criminal cases. We have reached and are improving upon the January 2020, pre-pandemic level of total pending criminal cases.

We have addressed the backlog. But I told you last year and I reiterate today that our work is not done. It is no secret that we have outlier cases that have taken longer than we would like. These are the cases pending far longer than the median times to disposition.

As a reminder, median times to disposition increase with case complexity. So for class C felonies, the largest category of felonies, the median time to disposition is less than six months. For unclassified felonies, the most serious sex crime and murder cases, that median is a little over three years from case filing to the final resolution. The difference comes not only from the seriousness of the charges, but also from the complex nature of the evidence involved-- everything from audio and video recordings to DNA evidence. But we are still working to shorten the time as much as possible.

Shortly after I spoke to you last year, we took an important step in this work. We issued an order—Supreme Court Order 2038—to prioritize resolution of the oldest criminal cases. Our order focused on resolving the outlier cases, those that were filed before January 1, 2023 and thus more than two years old, as quickly as we could. The order limited the number of continuances either side could receive, and it limited the length of any continuance.

Our order addressed continuance requests because judges do not decide to delay cases. Delays happen when an attorney, whether defense or prosecution, asks for more time to prepare for a hearing or to prepare a document, and the judge grants the lawyer's request for more time. Our order requires any request for a continuance in these oldest cases must be made on the record, either in writing or in a hearing. And the order requires that a judge must make the decision whether to grant or deny a continuance on the record.

As the year went on, and courts became used to these requirements, momentum built. Some cases resolved because of our order, and the trial courts that have carried that momentum forward. I applaud them for their work. In the 4th Judicial District, the presiding judge just issued an order setting the cases that were filed before 2024 as the priority—because they have cleared just about all of the pre-2023 cases. Although I live in Fairbanks, in that district, I don't claim any credit for

this—for the hard work that the judges and the parties in these cases have put in. But I have to tell you that when I dropped into the Martin Luther King Day free legal clinic to thank the volunteers, one lawyer told me his request for a continuance had recently been denied. He told me that the judge said, “No, because I do not want to deal with Sue Carney coming down to my office tomorrow!”

I am in a different position than most previous chief justices when it comes to working with the judges. In my previous job, I worked with many of our current judges as coworkers, opponents in court, and I even appeared in front of some of them. The relationships I have and the fact that I spent so many years doing trials give me a little more leeway to talk to them and to encourage them to continue to decrease the time it takes to resolve cases. But I am wearing out my welcome—they are no longer happy to see me.

We are seeing results from these efforts. On January 1, 2023 we had 1,677 pending felonies that were more than two years old. That was almost one out of every four pending felonies. That number has steadily dropped each year since, and this year, on January 1, 2026 we had fewer than 750 pending felonies that were more than two years old. This is wonderful progress, but we are not satisfied. Hopefully that number will continue to drop and we continue to reduce the number of criminal cases with excessive delays.

To continue this momentum resolving our oldest cases, and to limit future outliers, my colleagues and I just circulated a new continuance policy to all of our judges. Like our supreme court order, the policy limits the number and length of continuances. And it includes examples to help judges determine whether a party has good cause to request one. For example, a medical emergency will likely always be good cause for a continuance, but negotiations with opposing counsel will almost never meet the standard. We hope that the policy provides clear guidance to trial judges. And we anticipate that the presiding judges in each of the judicial districts

will incorporate it into a presiding judge order applying the policy to the particular circumstances of that area.

Despite our best efforts, the court system alone cannot resolve criminal cases more quickly and reduce future delays. Others have a critical role in the criminal justice system. Many agencies and individuals are involved, from victims and witnesses to defendants, their lawyers, and prosecutors. Sustained efforts from the entire system are essential.

I recognize the difficulties facing the criminal justice agencies. Yes, they have finally been able to fill many of their vacancies. But you have heard them describe how many of these recently hired lawyers are brand new—not only to Alaska, but to being a lawyer. This limits the types of cases they are able to handle. Extreme delays are almost always in the most difficult cases types, the unclassified or class A felonies, and these newest lawyers are rarely equipped to handle these cases.

Recognizing their challenges, we will continue to work with the prosecution and defense agencies so that we all can continue to cut down the time it takes to move cases through the criminal justice system. Judges and lawyers have extremely stressful and demanding jobs, and I applaud them all for the hard work they are doing and the hard work ahead.

So far, I have focused my remarks on criminal cases, and those cases are incredibly important because they impact public safety and are often high-profile. But criminal cases last year accounted for about 29% of the cases filed in the superior courts. That was just about tied with probate cases for the biggest slice of the pie in terms of case filings. Probate is a broad subject area, and you probably recognize that it includes estate issues such as validating and contesting wills and trusts, but the biggest subset of probate is involuntary hospitalizations and commitments for those in mental health crises. These difficult cases are often

brought as emergency matters that involve peoples' fundamental rights, like freedom and autonomy. Last year, the courts handled almost 2500 of these commitment cases, which I suspect is far more than you might have thought. Probate cases also include guardianships and conservatorships, when someone needs to be appointed to help a vulnerable person with decision-making or everyday tasks. With our aging population, this is a growing case type, and one that demands a great deal of the court's time, in part because these cases typically last for years and years, as long as the protected person continues to need the help.

And of course, courts also handle domestic relations cases, or family-related disputes, as you know. These accounted for about 17% of the case filings last year, but any judge would probably agree that they take much more than 17% of a judge's time to handle. These can be very challenging, particularly if child custody is involved, because it's almost always one of the most important and consequential things the parties have ever had to go through. Emotions often run high, and the judge needs to be constantly aware of changing intra-personal dynamics in order to make sure the decisions are fair and well-understood by all the parties. And over 70 percent of these family law cases have one or both parties representing themselves without an attorney. This means that the judge needs to explain the legal rules and requirements and the decisions that the court makes carefully and thoroughly to minimize any misunderstandings. So these family disputes are a major part of a superior court's everyday workload.

The last case type I'll mention, because it also is a major part of a superior court judge's caseload, are the child in need of aid cases. These are just under 10% of case filings, but that means there were over 1900 of them filed last year. Of course, every single one of those 1900 cases is tragic for the children and the families involved. In each of these cases, the state has stepped in to protect a child from neglect or abuse, and the families, like in other court cases, are going

through one of the hardest things they've ever dealt with. Emotions in these cases too, are often elevated, there may be very strong but competing beliefs on all sides, and it goes without saying that the stakes for the children and parents are incredibly high.

I have described these various case types the courts handle – and these are just a few of them – to make clearer that, though criminal cases receive most of the attention, the other types of cases are also terribly important to those involved in them. Most people coming into a courthouse are having their worst days, and are going through very challenging and often life-changing circumstances. We strive to provide not only fair and reasonable decisions, but also to recognize the difficulties that people are having, and to explain and help Alaskans who are in these tough circumstances feel heard and understood. Our internal training and messaging to judges and staff alike is to always provide procedural fairness, so that people can walk out of our courtrooms and at least feel that the court heard and understood them, even if they disagree with the decision.

And now, I also want to share with you a couple of events that gave us cause to celebrate this year.

First, I want to celebrate the rededication of the Utqiagvik courthouse as the Sadie Brower Neakok Courthouse. Sadie Neakok was a trail blazer. She was a magistrate in Barrow before and after Alaska became a state. She regularly held court at her kitchen table and did it in Inupiaq when the person appearing before her could not understand English. And when she became a state court magistrate, she and magistrate Nora Guinn from Bethel insisted that they be able to hold court proceedings in the language that their community members spoke and understood.

I used to spend many hours in the courthouse which is now the Sadie Brower Neakok Courthouse representing Alaskans from all over the North Slope. And I was thrilled to be able to join many local leaders, including Representative

Frier, the Neakok family, and many young people from Utqiagvik at the dedication. Thank you to the community of Utqiagvik, and to everyone who participated, for hosting such a special event and allowing the court system to continue our dialogue with Alaskans.

And we received a second cause for celebration this summer. At the Conference of Chief Justices one of our civics outreach programs received the prestigious Sandra Day O'Connor Award for the Advancement of Civics Education from the National Center for State Courts. The program was originally focused on persuading students from all backgrounds to go to law school and eventually become judges. Here in Alaska, it has evolved into one where court staff and judges, members of the Bar Association, and others gather with high school students for two days of workshops, classes, and mentorships aimed at enhancing their understanding of civics and the justice system. At the same time it encourages our youth to think about careers that are involved with the justice system in any way: certainly lawyers and judges, but also police officers, social workers, even bookkeepers or accountants to help courts keep track of fines or bail money.

The award committee was most impressed by how collaborative our program is. We work with the Alaska Native Justice Center, which handles much of the logistical part of holding the program in both Anchorage and closer to here at Mt. Edgecumbe; high schools; law schools; and tribes. And we know that the program is reaching kids who would not otherwise even think of a career in the law or justice system.

Magistrate Judge Pam Hess, who sits in Nome, participated in the program while she was in high school. And she then went to law school at Gonzaga—one of the law schools that supports the program—and became a lawyer and now a judge. Judge Hess reports that she had never thought of being a lawyer before she participated in the Color of Justice program. I guess mock trial, games

like Constitutional Cranium, and general civics education can go a long way towards encouraging Alaska's youth to consider active participation in the justice system. I hope that the program continues to produce engaged citizens who may someday be part of the very conversation we are having today, serving as legislators or even Chief Justice.

In addition to civics education, the court system has a long history of collaborating with tribes throughout Alaska in other ways. Our court procedural rules have long recognized that tribal courts issue binding orders and Civil Rule 5.4 lays out how those orders can be registered and recognized by state courts, and ultimately enforced.

Many of our child in need of aid cases involve Native children, which means that the federal Indian Child Welfare Act controls portions of those cases and dictates how and when certain decisions about those children are made. We have long had an open relationship with the Alaska Native Justice Center that helps ensure that our judges receive ongoing and current information about that law's impacts on Alaska Native families, and helps give judges and others involved with child welfare cases a complete picture of the real-life effects that these cases have on our communities.

And as I mentioned last year, two of our therapeutic courts—here in Southeast and in Kenai—run as dual jurisdiction courts with the local tribal court.

Now that I have reported to you about our efforts and our successes, I must ask for your help for things that we want to be able to do. Our first and frankly, most unusual, request is for a new judge in Palmer. You have heard or will hear more about the details of this request. The Palmer courthouse serves the entire Mat-Su, the fastest growing region in the state. Unlike the rest of Alaska, Mat-Su's population is projected to continue to grow significantly over the coming decades. And the superior court judges in that courthouse have a workload that reflects that

growth. They are the busiest in the state and have been the busiest for each of the last five years.

To ease their burden, we have cobbled together coverage for the most time-sensitive cases in Palmer by bringing in judges from Anchorage and Valdez as well as retired pro tem judges—mostly for criminal and child in need of aid cases. That, however, leaves other kinds of cases—divorces, custody, business matters—waiting. We do not want to clear out the oldest criminal cases only to have a similarly problematic group of old civil cases that create a crisis. To avoid this, we hope you will seriously consider this request for an additional Palmer superior court judge.

We are renovating and reconfiguring existing space in the Palmer courthouse, and leasing basement space from the executive branch to accommodate the new judge request. We are doing as much as we can to meet the needs with our existing resources.

On the capital side our most urgent request of you is continued funding for deferred maintenance. We know that deferred maintenance of public facilities is a concern across the state. But we have to provide safe and healthy spaces for the public and for our staff. And we too have a running list of projects that are necessary to keep our facilities habitable and extend their useful lives as government buildings. Take, for example, the Snowden Administrative building, which houses the majority of our central administrative staff. The building used to be the Anchorage Times building many years ago. And the building has a crumbling failing facade, barely keeping out the elements and the occasional vermin.

On the façade, where people passing by can see it up close, is a great big metal map of Alaska. Well, I'm sorry to tell you that Kodiak is no longer part of Alaska. Fortunately, our largest island did not land on anyone when it fell.

In all seriousness, we are doing all we can to keep our aging facilities operational and to prevent large scale failures. But our buildings are aging and some of the maintenance needs are becoming more urgent. We appreciate the funding we have received in the past and your consideration of current request.

Once again, I want to thank you for your invitation and attention. I assure you that the court system remains committed to ensuring that all Alaskans, wherever they live, have access to our justice system. And we are grateful for your continued support of our mission.

Thank you.

## Community Justice Workers Expand Legal Access in Alaska

By Joy Anderson

For many people, “the legal system has been a ‘black box’ – complex, expensive, and physically removed from the people who need it most.” That’s how Lauren Custer describes her previous experiences with the legal system, which included several years working as the lead paralegal for a legal program embedded in a shelter for victims of domestic violence in Fairbanks. Lauren now works for Alaska Legal Services Corporation (ALSC) as one of the five newly approved Community Justice Workers (CJW) in Alaska.

On January 23, 2026, the Alaska Bar Association Board of Governors approved five ALSC Community Justice Workers to practice under Alaska Bar Rule 43.5. The rule allows them to provide limited legal representation in certain civil matters under ALSC supervision. The newly authorized CJWs, Lauren Custer, Yonna Pereyra, Abbigale Skonberg, Cheryl Thompson, and Ashley Vincent, can now assist clients in domestic violence protective order (DVPO) proceedings who might otherwise face court alone.

The Alaska Supreme Court approved Rule 43.5 in 2022. It permits non-lawyers trained and supervised by ALSC to engage in limited practice if they: 1) are trained by ALSC; 2) are supervised by ALSC; 3) engage in limited practice exclusively for ALSC; and 4) obtain informed consent from clients. The rule is the first of its kind in Alaska

and part of a movement gaining traction nationwide.

The CJW program was developed in response to a persistent access-to-justice crisis in Alaska and across the United States.

The Legal Services Corporation, the largest national funder of civil legal aid for low-income Americans, published its most recent Justice Gap study in 2022. The study found that of the 50 million Americans with household incomes below 125% of the federal poverty level, legal help was sought for only one out of every four civil legal problems that had a substantial impact on their lives. The study also found that 46% of those who did not seek legal help cited concerns about cost, and 53% of low-income Americans did not know if they could find and afford a lawyer if they needed one.

As reported in the 2020 American Bar Association’s Profile of the Legal Profession, 40% of all U.S. counties and county-equivalents have fewer than one lawyer per 1,000 residents, often referred to as legal deserts. These and other factors contribute to the large-scale access to justice crisis in the United States.

In Alaska, more than 17% of the population lives in households below 125% of the federal poverty guidelines and is eligible for ALSC’s services. However, ALSC has only 21 full-time staff attorneys available to meet the need for legal assistance. Pro bono attorneys have always been an important part of ALSC’s program, helping to handle



Left to right: Community Justice Workers Abbigale Skonberg, Yonna Pereyra, Lauren Custer, Cheryl Thompson, Ashley Vincent, and instructor Teryn Bird at the conclusion of a mock hearing exercise on December 10, 2025. Photo courtesy of Joy Anderson.

cases where staff attorneys are unavailable, but the unmet need for legal assistance remains.

According to the 2022 Justice Gap study, legal aid organizations across the nation receive 1.9 million requests for help each year but turn away one out of every two requests due to limited resources.

“Communities have needed access to basic legal aid for so long, that many people do not know the problems they face are legal problems. Often, these issues are relatively simple to resolve; someone just needs to take the time to help,” says Ashley Vincent, a CJW in

ALSC’s Kenai office who has seen what the numbers show play out in everyday life.

Ashley was an assistant manager of a large retail store in Kenai before coming to work for ALSC. She managed several employees and often found herself helping people navigate problems that were not work related. When she saw the posting for the CJW position, it seemed like the perfect opportunity for someone who always “wanted to be one of the helpers in the world.”

The search for solutions to the

*Continued on page 3*

## The Unsung Heroes of Pro Bono in Alaska: Alaska Free Legal Answers Volunteers

By Lea McKenna

In 2025, Alaska Bar Association members continued to show a strong commitment to pro bono service through both Bar-hosted clinics and Alaska Free Legal Answers (AKFLA). Together, these efforts reached 685 Alaskans facing a wide range of civil legal issues, from disaster assistance and housing to family law and estate planning matters. While in-person clinics remain a vital part of this work, AKFLA stands out as an example of how a relatively small group of volunteers can have an outsized impact.

### Big Reach With a Small Team

AKFLA is a free, web-based legal advice platform available statewide at Alaska.FreeLegalAnswers.org. Eligible users can ask up to three civil legal questions per year and receive answers directly from volunteer attor-

Clinic	Volunteers	Volunteer Hours	Clients Served
Alaska Free Legal Answers	29	855	312
Five In-Person Clinics	204	897	373
<b>TOTALS:</b>	<b>233</b>	<b>1752</b>	<b>685</b>

neys. For many Alaskans, especially those in rural communities, without reliable transportation, or juggling work and caregiving responsibilities, this platform is the most accessible way to get legal help.

In 2025, just 29 Alaska Free Legal Answers volunteers served 312 clients, which is nearly half the total number served by all five Bar-sponsored in-person clinics combined. This underscores the efficiency and reach of the online model and the outsized impact a small group of vol-

unteers can have when participation barriers are low.

That success does not diminish the value of in-person clinics. The MLK Day clinics in Anchorage, Bethel, Fairbanks, and Juneau, along with the Elizabeth Peratrovich, May Legal Clinic, Elder Appreciation and Wills Clinic, and Disaster Legal Clinics, served 373 Alaskans with the help of more than 200 volunteers, providing face-to-face support many clients need.

*Continued on page 5*

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# Community Justice Workers Expand Legal Access in Alaska



Community Justice Workers, ALSC/CJWRC staff, DVPO instructor, and mock trial participants shown during December 9, 2025, courthouse tour with Justice Jennifer Henderson. Photo courtesy of Rebecca Koford.

*Continued from page 1*

access to justice gap in Alaska led ALSC to develop the CJW program. Community Justice Workers are not attorneys and can be community members, healthcare workers, Tribe and Tribal organization employees, social services employees, or law students.

In partnership with the Alaska Native Tribal Health Consortium's Distance Learning Network and Alaska Pacific University, ALSC developed trainings that enable CJWs to identify, educate on, and address routine legal issues, such as helping an individual write a will or file a fair hearing request for a Supplemental Nutrition Assistance Program (SNAP) application delay.

Sarah Carver, one of the co-directors of ALSC's Community Justice Worker Resource Center (CJWRC), has been with the CJW program from the very beginning.

"The Alaska CJW program was directly inspired by the Community Health Aide/Practitioner Program, a decades-old Alaska Native Tribal healthcare model," Carver said. "The CJW program is the legal analogy to a health aide in every village. CJWs are the legal solution to legal deserts in the same way Community Health Aide/Practitioners are a solution to healthcare deserts."

Since beginning to provide CJW trainings in 2019, over 200 individuals in more than 40 communities have taken the trainings. Many have volunteered through ALSC's pro bono program, while others infuse the knowledge they have learned back into their communities.

The model has proven so successful that in 2024, ALSC obtained funding to hire seven full-time CJWs who work out of its Bethel, Fairbanks, Kenai, Kodiak, Nome, and Palmer offices.

Cheryl Thompson, a CJW in the Bethel office who comes from an accounting background, calls her current position "one of the best jobs I've ever done. It's been challenging and super rewarding."

While CJWs providing routine

brief legal services is making a significant difference in the number of clients ALSC is able to help, there are still situations where in-court representation is needed to help an individual be more confident or achieve a better outcome.

In fall 2025, ALSC piloted its first Rule 43.5 waiver training with five staff CJWs: Lauren Custer, Yonna Pereyra, Abbigale Skonberg, Cheryl Thompson, and Ashley Vincent. The

waiver training consisted of a 10-week course on representing clients in DVPO proceedings.

The CJWs attended live virtual training sessions where they learned the

basics of crimes of domestic violence, interviewing clients, writing petitions, crafting case timelines and witness questions, introducing evidence, cross-examination, and more. They completed written assignments, an ethics course, observed DVPO hearings, and completed two mock trial exercises, one virtually and one in person at the Boney Courthouse in Anchorage.

Abbigale Skonberg, a CJW in ALSC's Kodiak office who worked in healthcare for 10 years before earning a paralegal studies degree and making a career change, said, "I am very nervous and excited to be able to represent clients in DVPO hearings. The training definitely prepared me. The structure, duration, and thoroughness of the training has set us up for success in my opinion."

The CJWRC team and other ALSC staff members agree. The CJWs are fully integrated into ALSC's offices and pro bono program, and there is a definite undercurrent of excitement for what CJWs have already accomplished and what is possible as the program continues to grow.

The excitement is not limited to ALSC. Currently, 14 states and the District of Columbia have passed or proposed rules authorizing justice worker programs, and 20 more states are actively developing them.

Yonna Pereyra, a CJW in the Bethel office who previously spent 18 years as a child protective services social worker and eight years

managing a patient advocacy program at a Tribal hospital in Alaska, believes there is good reason for the momentum.

"We help close that gap so those who may otherwise go unrepresented in legal matters now have repre-

sentation and an advocate," Pereyra said.

*Joy Anderson is the Co-Director of the Community Justice Worker Resource Center at Alaska Legal Services Corporation.*



If you are aware of anyone within the Alaska legal community (lawyers, law office personnel, judges or courthouse employees) who suffers a sudden catastrophic loss due to an unexpected event, illness or injury, the Alaska Bar Association's SOLACE Program can likely assist that person in some meaningful way.

Contact the Alaska Bar Association or one of the following coordinators when you learn of a tragedy occurring to someone in your local legal community:

Mat-Su: Greg Parvin, [gparvin@parvinlaw.com](mailto:gparvin@parvinlaw.com)

Anchorage: Stephanie Joannides, [joannidesdisputeresolution@gmail.com](mailto:joannidesdisputeresolution@gmail.com)

Through working with you and close friends of the family, the coordinator will help determine what would be the most appropriate expression of support. We do not solicit cash, but can assist with contributions of clothing, transportation, medical community contacts and referrals, and other possible solutions through the contacts of the Alaska Bar Association and its membership.



# Judicial Appointment Letters

STATE CAPITOL  
P.O. Box 110001  
Juneau, AK 99811-0001  
907-465-3500



550 West Seventh Avenue, Suite 1700  
Anchorage, AK 99501  
907-269-7450

Governor Mike Dunleavy  
STATE OF ALASKA

April 7, 2026

Mr. Ronald Dupuis  
10930 Baronik Street  
Anchorage, AK 99516

Dear Mr. Dupuis:

I am pleased you have accepted an appointment to the Anchorage District Court.

Your outstanding qualifications and your record of public service are a positive testament to your ability to serve the people of the State of Alaska as a member of Alaska's Judiciary.

Best wishes in your new endeavor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Dunleavy".

Mike Dunleavy  
Governor

cc: The Honorable Susan M. Carney, Chief Justice, Alaska Supreme Court  
Susanne DiPietro, Executive Director, Alaska Judicial Council  
Stacy Marz, Administrative Director, Alaska Court System

STATE CAPITOL  
P.O. Box 110001  
Juneau, AK 99811-0001  
907-465-3500



550 West Seventh Avenue, Suite 1700  
Anchorage, AK 99501  
907-269-7450

Governor Mike Dunleavy  
STATE OF ALASKA

April 7, 2026

Mr. David Boyer  
P.O. Box 2694  
Bethel, AK 99559

Dear Mr. Boyer:

I am pleased you have accepted an appointment to the Bethel District Court.

Your outstanding qualifications and your record of public service are a positive testament to your ability to serve the people of the State of Alaska as a member of Alaska's Judiciary.

Best wishes in your new endeavor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Dunleavy".

Mike Dunleavy  
Governor

cc: The Honorable Susan M. Carney, Chief Justice, Alaska Supreme Court  
Susanne DiPietro, Executive Director, Alaska Judicial Council  
Stacy Marz, Administrative Director, Alaska Court System

# Publications



NEUTRALS IN  
INSTITUTIONAL  
SEXUAL ABUSE CASES

COLLABORATION  
WITH NEUTRALS  
ELEVATES JUSTICE

TIPS FOR  
SUCCESS ON THE  
ADR PATH

VOL. 65, NO. 1  
WINTER 2026

# THE JUDGES' JOURNAL

A PUBLICATION OF THE AMERICAN BAR ASSOCIATION | JUDICIAL DIVISION

## Court-Appointed Neutrals



# The Code of Judicial Conduct and Court-Appointed Neutrals

By Marla N. Greenstein



Judicial adjuncts have many of the same ethical duties that judges do. However, where they are appointed for a limited time or a limited purpose, the ethical duties cannot be so restrictive as to make the appointment unworkable. The challenge is to require the essential provisions of the Code of Judicial Conduct that directly affect impartiality, fairness, and avoidance of bias while permitting activities outside the specific appointment that are reasonable and necessary for the other professional responsibilities and personal life of the court-appointed neutral.

Some state codes may specify which provisions apply to court-appointed neutrals during their scope of appointment. Typically, the provisions that are said to apply are a duty to uphold the integrity and impartiality of the judiciary, avoid impropriety and the appearance of impropriety, and not abuse the power of the judicial position. The American Bar Association Model Code treats court-appointed neutrals as judges under the code, and,

depending on the nature of the appointment, most likely comes under the category of “Pro Tempore Part-Time Judge.” Under that broad category, the court-appointed neutral is exempt from the provisions that prohibit or restrict other appointments and remunerative activities (Rules 3.4, 3.8(A), 3.9, 3.10, 3.11(B)). Additionally, except while serving, they are exempt from Rules 2.4, 3.2, and 4.1.

Reliance on the Code applicability section is likely more confusing than enlightening. It is likely much more helpful for the neutral to focus on the guiding principles of impartiality and avoidance of the appearance of impropriety. These broad concepts can help inform what financial or other relationship conflicts must be disclosed, the importance of defining the scope of the neutral’s role in the proceeding, and expressly prohibiting the use of the information for personal gain. Because these concepts are broad and encompassing, the appointment order assigning the neutral should address these

expectations explicitly and create a mechanism for addressing any questions regarding their application.

Some of the questions that may arise and can be avoided if addressed in advance are:

- What outside activities are restricted due to the appointment?
- If acting as a settlement facilitator, what are the expectations of confidentiality? Are ex parte conversations permitted to facilitate an agreement?
- If there is a need for financial disclosure or other potential conflict, what is the waiver procedure?
- How should the neutral communicate with the assigned judge overseeing the matter?

As with all judicial ethics concerns, the overarching principles governing the conduct of neutrals serve fundamental justice concerns. The neutral must act in a way that promotes confidence in the judiciary and the judicial process, must perform all duties fairly and impartially, and must ensure the right of all interested persons to be heard. The variety of roles that court-appointed neutrals fill is illustrated by the various articles in this issue. Neutrals can be beneficial adjuncts to the courts by providing needed expertise in specific areas of concern and skills that judges may not possess. By outlining their ethical responsibilities and the expectations of the court, the neutral can confidently proceed knowing that the integrity of the court is guiding their actions. ■



**Marla N. Greenstein** is the executive director of the Alaska Commission on Judicial Conduct. She is also a former chair of

the ABA Judicial Division’s Lawyers Conference. She can be reached at [mgreenstein@acjc.state.ak.us](mailto:mgreenstein@acjc.state.ak.us).

ADOBE STOCK

**CONSTITUTIONAL  
STATUTORY PROVISIONS  
GOVERNING COMMISSION**

**Alaska Constitution.  
Article 4, Sections 10-14**

# CONSTITUTION OF ALASKA

## Art. IV, § 10

**Section 10. Commission on Judicial Conduct.** The Commission on Judicial Conduct shall consist of nine members, as follows: three persons who are justices or judges of state courts, elected by the Justices and judges of state courts; three members who have practiced law in this state for ten years, appointed by the governor from nominations made by the governing body of the organized bar and subject to confirmation by a majority of the members of the legislature in joint session; and three persons who are not judges, retired judges, or members of the state bar, appointed by the governor and subject to confirmation by a majority of the members of the legislature in joint session. In addition to being subject to impeachment under Section 12 of this article, a justice or judge may be disqualified from acting as such and may be suspended, removed from office, retired, or censured by the supreme court upon the recommendation of the commission. The powers and duties of the commission and the bases for judicial disqualification shall be established by law. [Amendment approved November 2, 1982]

**Cross references.** — For provisions on the powers and duties of the Commission on Judicial Conduct, see AS 22.30.11. For proceedings when a successful candidate for judicial retention or the campaign treasurer or deputy campaign treasurer of such a candidate has been convicted of a violation of the state elections campaign laws, see AS 15.13.120(f)(8).

**Effect of amendments.** — The amendment, effective November 2, 1982 (12th Legislature's LR 36), substituted "Conduct" for "Qualifications" following "Commission on Judicial," substituted "three persons who are justices or judges of the state courts" for "one justice of the supreme court" preceding "elected by the justices," substituted "and judges of the state courts" for "of the supreme court; three judges of the superior court; one judge of the district court, elected by the judges of the district court" following "elected by the justices," substituted "three" for "two" preceding "members who have practiced law," added "governor from nominations made by the" preceding "governing body of the organized bar," added "and subject to confirmation by a majority of the members of the legislature in joint session" following "governing body of the organized bar" and substituted "three for "two" preceding "persons who are not judges."

### NOTES TO DECISIONS

**Scope of commission's powers.** — This section only empowers the commission to recommend sanctions to the Alaska Supreme Court. Granting the commission the authority to impose sanctions is not permitted. In re Inquiry Concerning a Judge, 762 P.2d 1292 (Alaska 1988) **Cited** in Abood v. Gorsuch, 703 P.2d 1158 (Alaska 1985)

**Cross reference.** — For statutory provisions regarding Commission on Judicial Qualifications, see AS 22.30.010 — 22.30.080.

**Effect of amendment.** — The amendment approved August 27, 1968 (5th Legislature's 2d FCCS SCS CSHJR 74) rewrote this section to establish the commission and provide for "disqualification" of judges. Formerly, this section dealt only with incapacity and retirement of judges.

**Basis of 1968 amendment.** — The Alaska Commission on Judicial Qualifications was created by a constitutional amendment, which became effective in 1968. This amendment is based on a 1966 revision of the judicial article of the California Constitution. In re Hanson, Sup. Ct. Op. No. 1117 (File No. 2311), 532 P.2d 303 (1975). This section vests in the supreme court the ultimate authority in disciplinary matters affecting the judiciary. In re Hanson, Sup. Ct. Op. No. 1117 (File No. 2311), 532 P.2d 303 (1975). This section and AS 22.30.070(c) unambiguously establish the supreme court of Alaska as the body entrusted with the ultimate dispositive decision in a judicial qualifications matter. In re Hanson, Sup. Ct. Op. No. 1117 (File No. 2311), 532 P.2d 303 (1975).

## CONSTITUTION OF ALASKA

### Art. IV, § 10

**Power of supreme court to sanction judge under this section.** — Concerning the subject of sanctions this section and AS 22.30.070(c)(2) provide that upon recommendation of the Commission on Judicial Qualifications the supreme court of Alaska may suspend, remove, retire or censure a judge. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Supreme court is to exercise independent judgment.** — Normally considerable weight will be accorded to a given recommendation from the Commission on Judicial Qualifications, if supported by an adequate factual basis. Nevertheless, both this section and AS 22.30.070(c)(2) clearly establish that the supreme court of Alaska is to exercise its independent judgment in determining an appropriate sanction, if any, as to any recommendation made by the commission. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972). The supreme court's scope of review in a judicial qualifications proceeding should be that of an independent evaluation of the evidence. In re Hanson, Sup. Ct. Op. No. 1117 (File No. 2311), 532 P.2d 303 (1975).

**And cannot adopt commission's sanction recommendations automatically.** — It would be tantamount to an abdication of its constitutional and statutory obligations if the supreme court were to adopt the sanction recommendations of the Commission on Judicial Qualifications automatically. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Substantial evidence test employed in reviewing commission's findings of fact.** — Regarding the scope of review which the supreme court should exercise in reviewing findings of fact of the Commission on Judicial Qualifications, there is no reason to depart from the substantial evidence test which has heretofore been employed in reviewing matters coming to the supreme court from administrative agencies and other governmental bodies. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**But review of commission's recommendation is broader than substantial evidence criterion.** — Under the discretionary grant of power to the supreme court under this section and AS 22.30.070(c)(2), supreme court review of a particular recommendation by the commission is necessarily broader than the substantial evidence criterion adopted for review of findings of fact made by the commission. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Duties of supreme court in cases concerning suspension, etc., of judge.** — In every case concerning the suspension, removal, retirement or censorship of a judge, the supreme court must insure that procedural due process has been accorded the judicial officer proceeded against and that requisite findings of fact have been made and are supported by substantial evidence. The supreme court is further obligated to decide whether the commission's recommended sanction is justified by the record and is in accord with the objectives of the commission as reflected in the relevant constitutional and statutory provisions. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Imposition of more serious sanction than censure held inappropriate.** — Where judicial conduct which had been prejudicial to the administration of justice and had brought the judicial office into disrepute, was weighed against the relative judicial inexperience of petitioner at the time, the supreme court concluded that imposition of a more serious sanction than censure would be inappropriate. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Supreme court sanction decision made part of public record.** — Where the actions of a judge were serious enough infractions to justify its following the censure recommendation of the Commission on Judicial Qualifications, the supreme court was of the opinion that given the necessity for the creation of such a commission and the need for enforcement of standards of judicial conduct and canons of judicial ethics, these ends were more fully served by making of record its sanction decision. By making its sanction part of the public record, the supreme court believed that the public's confidence would be maintained, both in the workings of the commission and in the ability of the judicial branch of government to insure its continued integrity. Inquiry Concerning Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Applied** in Buckalew v. Holloway, Sup. Ct. Op. No. 1988 (File No. 4058), 604 P.2d 240 (1979).

**Quoted** in Delahay v. State, Sup. Ct. Op. No. 648 (File No. 1252), 476 P.2d 908 (1970).

## Art. IV, § 11 CONSTITUTION OF ALASKA Art. IV, §13

**Section 11. Retirement.** Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.

**Cross reference.** For provisions relating to judicial retirement, see AS 22.25.

**Quoted** in *Delahay v. State*, Sup. Ct. Op. No. 648 (File No. 1252), 476 P.2d 908 (1970).

### NOTES TO DECISIONS

**Applied** in *Native Village v. GC Contractors*, 658 P.2d 756 (Alaska 1983); *Bentley Family Trust v. Lynx Enters., Inc.*, 658 P.2d 761 (Alaska 1983); *Sharrow v. Archer*, 658 P.2d 1331 (Alaska 1983).

**Cited** in *Sterud v. Chugach Elec. Ass'n*, 640 P.2d 823 (Alaska 1982); *Hillard T. Roach & Equestrian Acres Dev. Corp. v. First Nat'l Bank*, 643 P.2d 690 (Alaska 1982); *Moloso v. State*, 644 P.2d 205 (Alaska 1982); *Newell v. National Bank*, 646 P.2d 224 (Alaska 1982); *Fedpac Int'l, Inc. v. State*, 646 P.2d 240 (Alaska 1982); *McMillan v. Anchorage Community Hosp.*, 646 P.2d 857 (Alaska 1982); *Robbins v. Robbins*, 647 P.2d 589 (Alaska 1982); *Wien Air Alaska, Inc. v. Department of Revenue*, 647 P.2d 1087 (Alaska 1982); *Peter Pan Seafoods, Inc. v. Stepanoff*, 650 P.2d 375 (Alaska 1982); *A.B.M. v. M.H.*, 651 P.2d 1170 (Alaska 1982); *Curran v. Mount*, 657 P.2d 389 (Alaska 1982).

**Section 12. Impeachment.** Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

**Quoted** in *Delahay v. State*, Sup. Ct. Op. No. 648 (File No. 1252), 476 P.2d 908 (1970).

**Section 13. Compensation.** Justices, judges, and members of the judicial council and the Commission on Judicial Conduct shall receive compensation as prescribed by law. Compensation of justices and judges shall not be diminished during their terms of office, unless by general law applying to all salaried officers of the State. [Amendment approved August 27, 1968]

**Effect of amendment.** — The amendment, approved August 27, 1968 (5th Legislature's 2d FCCS SCS CSHJR 74), inserted "and the Commission on Judicial Qualifications" in the first sentence.

**"Term".**—With the exception of this article, wherever "term" or "service at the pleasure of" appears in the constitutional text originally adopted, the reference is to a period of service for a particular office, thus allowing the drafters to be precise in their terminology. The language of this section and § 4 of this article, on the other hand, applies to any judge of any court the legislature might create, and "term" in that context may intend only the more general, though equally valid connotation of any limitation on a period of service. *Buckalew v. Holloway*, Sup. Ct. Op. No. 1988 (File No. 4058), 604 P.2d 240 (1979).

### NOTES TO DECISIONS

**"Term".** "Term of Office" as used in this section means the time to which a justice or judge is entitled to hold office and does not relate to the 10-year or six-year intervals between retention elections for justices and judges. *Hudson v. Johnstone*, 660 P.2d 1180 (Alaska 1983).

**CONSTITUTION OF ALASKA**  
**Art. IV, § 14**

**Section 14. Restrictions.** Supreme court justices and superior court judges while holding office may not practice law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions. Any supreme court justice or superior court judge filing for another elective public office forfeits his judicial position.

**Meaning of phrase "position of profit".** — See *Begich v. Jefferson*, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

**And its intent.** — The term "position of profit" was intended to prohibit all other salaried non-temporary employment under the United States or the State of Alaska. *Begich v. Jefferson*, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

**The prohibition against dual office holding is literally enforced** in Alaska. December 27, 1976, Op. Att'y Gen.

**The purpose of the prohibition** against dual office holding is to guard against conflicts of interest, self-aggrandizement, concentration of power, and dilution of separation of powers in regard to the exercise of the executive, judicial, and legislative functions of the state government. December 27, 1976, Op. Att'y Gen.

**Judge may not sit as regent while holding office.** — Since the Board of Regents of the University of Alaska is not an inter branch commission, a judge may not sit as a regent while holding office. December 27, 1976, Op. Att'y Gen. A judge does not sit on the Board of Regents in a representative capacity of the judicial branch. When he sits as a regent he is not exercising judicial power but rather certain executive powers of control vested in the regents over the state's sole institution of higher learning. This he may not do. December 27, 1976, Op. Att'y Gen. The University of Alaska is an instrumentality of the state, and membership on its Board of Regents is necessarily an office under the state. December 27, 1976, Op. Att'y Gen.

**NOTES TO DECISIONS**

**Applied** in *Acevedo v. City of North Pole*, 672 P.2d 130 (Alaska 1983).

**Alaska Statutes**  
**AS 22.30.010 - AS 22.30.080**

## Chapter 30. Judicial Conduct.

Section	Section
10. Commission on Judicial Conduct	60. Rules and confidentiality
11. Powers and duties of the commission	66. Inquiry
15. Term of office	68. Minority Reports
20. Employment and compensation generally	70. Disqualification, suspension, removal, retirement and censure of judges
30. Travel expenses and per diem	80. Definitions
40. Preparation of budget	
50. Validity of acts of the commission	

**Sec. 22.30.010. Commission on Judicial Conduct.** The Commission on Judicial Conduct shall consist of nine members as follows: three persons who are justices or judges of state courts, elected by the justices and judges of the state courts; three members who have practiced law in this state for 10 years, appointed by the governor from nominations made by the governing body of the organized bar and subject to confirmation by a majority of the members of the legislature in joint session; and three citizens who are not judges, retired judges, or members of the state bar, appointed by the governor and subject to confirmation by a majority of the members of the legislature in joint session. Commission membership terminates if a member ceases to hold the position that qualified that person for appointment. A person may not serve on the commission and on the judicial council simultaneously. A quorum of the commission must include at least one person who is a justice or judge, at least one person appointed by the governor who has practiced law in the state for 10 years, and at least one citizen member who is not a justice, judge, or member of the state bar. The commission shall elect one of its members to serve as chairman for a term prescribed by the commission. A vacancy shall be filled by the appointing power for the remainder of the term. (§ 1 ch 213 SLA 1968; am § 23 ch 71 SLA 1972; am § 1 ch 160 SLA 1984; am § 2 ch 135 SLA 1990)

**Effect of amendments.** — The 1990 amendment added the fourth sentence, relating to a quorum of the commission.

**Sec. 22.30.011. Powers and duties of the commission.** (a) The commission shall on its own motion or on receipt of a written complaint inquire into an allegation that a judge

- (1) has been convicted of a crime punishable as a felony under state or federal law or convicted of a crime that involves moral turpitude under state or federal law;
- (2) suffers from a disability that seriously interferes with the performance of judicial duties and that is or may become permanent;
- (3) within a period of not more than six years before the filing of the complaint or before the beginning of the commission's inquiry based on its own motion, committed an act or acts that constitute
  - (A) willful misconduct in office;
  - (B) willful and persistent failure to perform judicial duties;
  - (C) conduct prejudicial to the administration of justice;
  - (D) conduct that brings the judicial office into disrepute; or
  - (E) conduct in violation of the code of judicial conduct; or
- (4) is habitually intemperate.

(b) After preliminary informal consideration of an allegation, the commission may exonerate the judge, informally and privately admonish the judge, or recommend counseling. Upon a finding of probable cause, the commission shall hold a formal hearing on the allegation. A hearing under this subsection is public. Proceedings and records pertaining to proceedings that occur before the commission holds a public hearing on an allegation are confidential, subject to the provisions of AS 22.30.060(b).

(c) A judge appearing before the commission at the hearing is entitled to counsel, may present evidence, and may cross-examine witnesses.

(d) The commission shall, after a hearing held under (b) of this section,

(1) exonerate the judge of the charges; or

(2) refer the matter to the supreme court with a recommendation that the judge be reprimanded, suspended, removed, or retired from office or publicly or privately censured by the supreme court.

(e), (f) [*Repealed, § 3 ch 135 SLA 1990.*]

(g) If the commission exonerates a judge, a copy of the proceedings and report of the commission may be made public on the request of the judge.

(h) If a judge has been publicly reprimanded, suspended, or publicly censured under this section and the judge has filed a declaration of candidacy for retention in office, the commission shall report to the judicial council for inclusion in the statement filed by the judicial council under AS 15.58.050 each public reprimand, suspension, or public censure received by the judge

(1) since appointment; or

(2) if the judge has been retained by election, since the last retention election of the judge. (§ 1 ch 58 SLA 1981; am §§ 2—4 ch 160 SLA 1984; am § 13 ch 38 SLA 1987; am §§ 3—5, 11 ch 135 SLA 1990)

**Effect of amendments.** — The 1990 amendment, in subsection (a), substituted "filing of the complaint or before the beginning of the commission's inquiry based on its own motion" for "start of the current term" in paragraph (3); rewrote subsection (b); in subsection (d), substituted "shall" for "may" in the introductory language, deleted former paragraphs (2) and (3), renumbering former paragraph (4) as present paragraph (2) and making a related grammatical change, and inserted "reprimanded" in present paragraph (2); and repealed subsections (e) and (f).

#### NOTES TO DECISIONS

**Former paragraph (d)(3) unconstitutional.** — Alaska Const., Art. IV, § 10 only empowers the commission to recommend sanctions to the Alaska Supreme Court, not to impose them; and therefore former paragraph (d)(3) of this section, repealed in 1990, which empowered the commission to reprimand a judge publicly, was in conflict with the constitution. In re Inquiry Concerning a Judge, 762 P.2d 1292 (Alaska 1988).

**Private reprimand.** — Judge's self validation of reduced fare tickets through a defunct airline created an appearance of impropriety which warranted the sanction of a private reprimand. In re Inquiry Concerning a Judge, 788 P.2d 716 (Alaska 1990).

**Sec. 22.30.015. Term of office.** The term of office for a commission member is four years. (§ 1 ch 312 SLA 1968; am § 56 ch 59 SLA 1982)

**Cross references.** — For terms of members appointed or elected after July 1, 1984, see § 10, ch. 160, SLA 1984 in the Temporary and Special Acts.

**Sec. 22.30.020. Employment and compensation generally.** The commission may employ officers, assistants, and other employees that it considers necessary for the performance of the duties and exercise of the powers conferred upon the commission; it may arrange for and compensate medical and other experts and reporters, may arrange for the attendance of witnesses, including witnesses not subject to subpoena, and may pay from funds available to it all expenses reasonably necessary for effectuating the purposes of § 10, art. IV, Constitution of the State of Alaska. The attorney general shall, if requested by the commission, act as its counsel generally or in any particular investigation or proceeding. The commission may employ special counsel from time to time when it considers it necessary. (§ 1 ch 213 SLA 1968)

#### NOTES TO DECISIONS

**Attorney's fees not directly provided for.** — The statutory scheme implementing the constitutional provision mandating a Commission on Judicial Qualifications does not directly provide for attorney's fees. In re Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**But arguably they might be treated as expense under this section.** — Arguably attorney's fees might be treated as an expense "reasonably necessary for effectuating the purpose of the judicial qualifications section of the Alaska Constitution." In re Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Prevailing judge may be allowed reasonable attorney's fees.** — In order to effectuate a judge's right of counsel and not to be forced to appear as his or her own attorney, a judge prevailing in a proceeding before the Commission on Judicial Qualifications may, in the discretion of the commission, be allowed reasonable attorney's fees. In re Robson, Sup. Ct. Op. No. 825 (File No. 1552), 500 P.2d 657 (1972).

**Sec. 22.30.030. Travel expenses and per diem.** Each member of the commission shall be allowed travel expenses and per diem as provided by AS 39.20.180, but may not receive compensation for services. (§ 1 ch 213 SLA 1968)

**Sec. 22.30.040. Preparation of budget.** The commission shall be responsible for preparing and presenting to the legislature its proposed annual budgets. (§ 1 ch 213 SLA 1968; am § 5 ch 160 SLA 1984)

**Effect of amendments.** — The 1984 amendment rewrote this section, which formerly read "The Alaska court system shall be responsible for preparing and presenting to the legislature proposed annual budgets for the commission."

**Sec. 22.30.050. Validity of acts of the commission.** An act of the commission is not valid unless concurred in by a majority of the members serving on the commission at the time the act is taken. (§ 1 ch 213 SLA 1968; am § 6 ch 160 SLA 1984)

**Effect of amendments.** — The 1984 serving on the commission at the time the amendment substituted "the members act is taken" for "its members."

#### NOTES TO DECISIONS

**The appropriate standard to be applied in regard to commission proceedings** is that of clear and convincing evidence. In re Hanson, Sup. Ct. Op. No. 1117 (File No. 2311), 532 P.2d 303 (1975).

**Sec. 22.30.060. Rules and confidentiality.** (a) The commission shall adopt rules implementing this chapter and providing for confidentiality of proceedings.

(b) All proceedings, records, files, and reports of the commission are confidential and disclosure may not be made except

(1) upon waiver in writing by the judge at any stage of the proceedings;

(2) if the subject matter or the fact of the filing of charges has become public, in which case the commission may issue a statement in order to confirm the pendency of the investigation, to clarify the procedural aspects of the proceedings, to explain the right of the judge to a fair hearing, or to state that the judge denies the allegations; or

(3) upon filing of formal charges, in which case only the charges, the subsequent formal hearing, and the commission's ultimate decision and minority report, if any, are public; even after formal charges are filed, the deliberations of the commission concerning the case are confidential. (§ 1 ch 213 SLA 1968; am § 7 ch 160 SLA 1984; am § 6 ch 135 SLA 1990)

**Effect of amendments.** — The 1990 amendment rewrote paragraph (b)(3).

**Sec. 22.30.066. Inquiry.** (a) The commission may subpoena witnesses, administer oaths, take the testimony of any person under oath, and require the production for examination of documents or records relating to its inquiry under AS 22.30.011.

(b) In the course of an inquiry under AS 22.30.011 into judicial misconduct or the disability of a judge, the commission may request the judge to submit to a physical or mental examination. If the judge refuses to submit to the examination, the commission shall determine the issue for which the examination was required adversely to the judge. (§ 2 ch 58 SLA 1981; am § 8 ch 160 SLA 1984)

**Effect of amendment.** — The 1984 amendment added subsection (b).

**Collateral references.** — Confidentiality of proceedings or reports of judicial board or commission. 5 ALR 4th 730.

**Sec. 22.30.068. Minority reports.** A member of the commission who believes that the commission failed to impose an appropriate disciplinary measure after a hearing under AS 22.30.011(b) may submit a report recommending a different disciplinary measure. The report shall accompany the majority report and may be submitted by the member to the chief justice of the supreme court, the attorney general, and the chair of the senate and house judiciary committees. (§ 7 ch 135 SLA 1990)

**Effective dates.**—Section 7, ch. 135, SLA 1990, which enacted this section, took effect on September 12, 1990.

**Sec. 22.30.070. Disqualification, suspension, removal, retirement and censure of judges.** (a) A judge is disqualified from acting as a judge, without loss of salary, while there is pending (1) an indictment or an information charging the judge in the United States with a crime punishable as a felony under Alaska or federal law, or (2) a recommendation to the supreme court by the commission for the removal or retirement of the judge.

(b) On recommendation of the commission, the supreme court may reprimand, publicly or privately censure, or suspend a judge from office without salary when in the United States the judge pleads guilty or no contest or is found guilty of a crime punishable as a felony under state or federal law or of a crime that involves moral turpitude under state or federal law. If the conviction is reversed, suspension terminates, and the judge shall be paid the judge's salary for the period of suspension. If the judge is suspended and the conviction becomes final, the supreme court shall remove the judge from office.

(c) On recommendation of the commission, the supreme court may (1) retire a judge for disability that seriously interferes with the performance of duties and that is or may become permanent, and (2) reprimand, publicly or privately censure, or remove a judge for action occurring not more than six years before the commencement of the judge's current term which constitutes willful misconduct in the office, willful and persistent failure to perform duties, habitual intemperance, conduct prejudicial to the administration of justice, or conduct that brings the judicial office into disrepute. The effective date of retirement under (1) of this subsection is the first day of the month coinciding with or after the date that the supreme court files written notice with the commissioner of administration that the judge was retired for disability. A duplicate copy of the notice shall be filed with the judicial council.

(d) A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office for a period of three years.

(e) A supreme court justice who has participated in proceedings involving a judge or justice of any court may not participate in an appeal involving that judge or justice in that particular matter. (§ 1 ch 213 SLA 1968; am §§ 3, 4 ch 58 SLA 1981; am § 14 ch 38 SLA 1987; am §§ 8, 9 ch 135 SLA 1990)

**Effect of amendments.** — The 1990 amendment deleted "or after an appeal under AS 22.30.011(e)" after "recommendation of the commission" and inserted "reprimand" before "publicly" and made punctuation changes in the first sentences of subsections (b) and (c).

**Sec. 22.30.080. Definitions.** In this chapter

(1) "commission" means the Commission on Judicial Conduct provided for in § 10, art. IV, Constitution of the State of Alaska and this chapter;

(2) "judge" means a justice of the supreme court, a judge of the court of appeals, a judge of the superior court, or a judge of the district court who is the subject of an investigation or proceeding under § 10, art. IV, Constitution of the State of Alaska and this chapter, including a justice or judge who is serving in a full-time, part-time, permanent, or temporary position. (§ 1 ch 213 SLA 1968; am § 19 ch 12 SLA 1980; am § 9 ch 160 SLA 1984; am § 10 ch 135 SLA 1990)

**Effect of amendments.** — The 1990 amendment added the phrase beginning "including a justice" to the end of paragraph (2).