

A black and white photograph of a reindeer running through a snowy field in front of a large, snow-covered mountain range. The reindeer is in the lower right foreground, captured in motion. The middle ground is a dense forest of evergreen trees. The background is dominated by a massive, rugged mountain peak covered in snow, with some rocky outcrops visible. The sky is a uniform, light gray, suggesting an overcast day.

**Profile of the
Alaska Court System
2020**

Alaska Court Locations, 2020



Profile of the Alaska Court System 2020



© Copyright 2020 by the Alaska Court System.

Layout and compositing by Melissa S. Green, Field of Words, Anchorage, AK.

Printed by Northern Printing, Inc., Anchorage, AK.

Cover photograph: Caribou, Tetlin National Wildlife Refuge, 18 Feb 2018. Photo by Chelsea Arnold, U.S. Fish & Wildlife Service, Alaska Region. (Public domain.)

Contents

The Alaska Court System	1
What is a Court Case?	2
How are Judges Chosen?	3
Alaska Court System Structure and Flow of Civil and Criminal Appeals	4
The Judiciary	5
Alaska Supreme Court	5
Court of Appeals	10
Trial Courts	11
First Judicial District.....	11
Superior Court, First Judicial District	11
District Court, First Judicial District.....	13
Magistrate Judges, First Judicial District.....	14
Second Judicial District.....	16
Superior Court, Second Judicial District	16
Magistrate Judges, Second Judicial District	17
Third Judicial District.....	19
Superior Court, Third Judicial District	19
District Court, Third Judicial District.....	26
Magistrate Judges, Third Judicial District.....	30
Fourth Judicial District.....	35
Superior Court, Fourth Judicial District.....	35
District Court, Fourth Judicial District.....	38
Magistrate Judges, Fourth Judicial District.....	39
Active Pro Tem Judges.....	41
Glossary of Common Terms	
Used in Court	42

The Alaska Court System

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

Although the terms *judicial branch* and *court system* are often used interchangeably, in fact, the Alaska judicial branch contains three separate entities: the *Alaska Court System*, the *Alaska Judicial Council*, and the *Alaska Commission on Judicial Conduct*, each with a function established in the state constitution.

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

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

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

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

What is a Court Case?

A court case is a dispute that goes to court. The court is asked to decide (1) what the facts are and (2) how the laws of Alaska apply to the facts. There are two main kinds of cases: civil cases and criminal cases.

Civil law deals with relationships between *individuals*. (A corporation is an “individual” under the law.) The word *suit* simply refers to a civil court case and *to sue* means to start a civil lawsuit. The State of Alaska, just like an individual, can bring a civil action. An example of a civil case is a suit resulting from an automobile accident. One person sues another person for damages to the car or for personal injury due to the accident. Other examples of civil cases are suits to collect money, suits for divorce, and suits to recover property.

Criminal law deals with cases brought by the federal, state, city, or borough government against a person who has done something against the interest of all people in the community. The government charges an individual with violating a criminal law and brings a court action to decide guilt and impose a punishment. Charging a person with a crime and bringing that person to trial is called a *prosecution*. The prosecution for all cases under criminal law must be brought in the name of the federal, state, city, or borough government, even though the case may be started by the complaint of a private person — called the *complainant*. Some examples of crimes are murder, assault, disorderly conduct, and driving under the influence.

An event or action can result in both criminal and civil cases. For example, a person who steals and wrecks a snowmachine could be prosecuted by the state for the crime of theft and also sued for damages in a civil action by the owner. The criminal case might result in punishment through a fine or a term of imprisonment. The civil case might result in money being awarded to the owner as compensation for the loss of the machine.

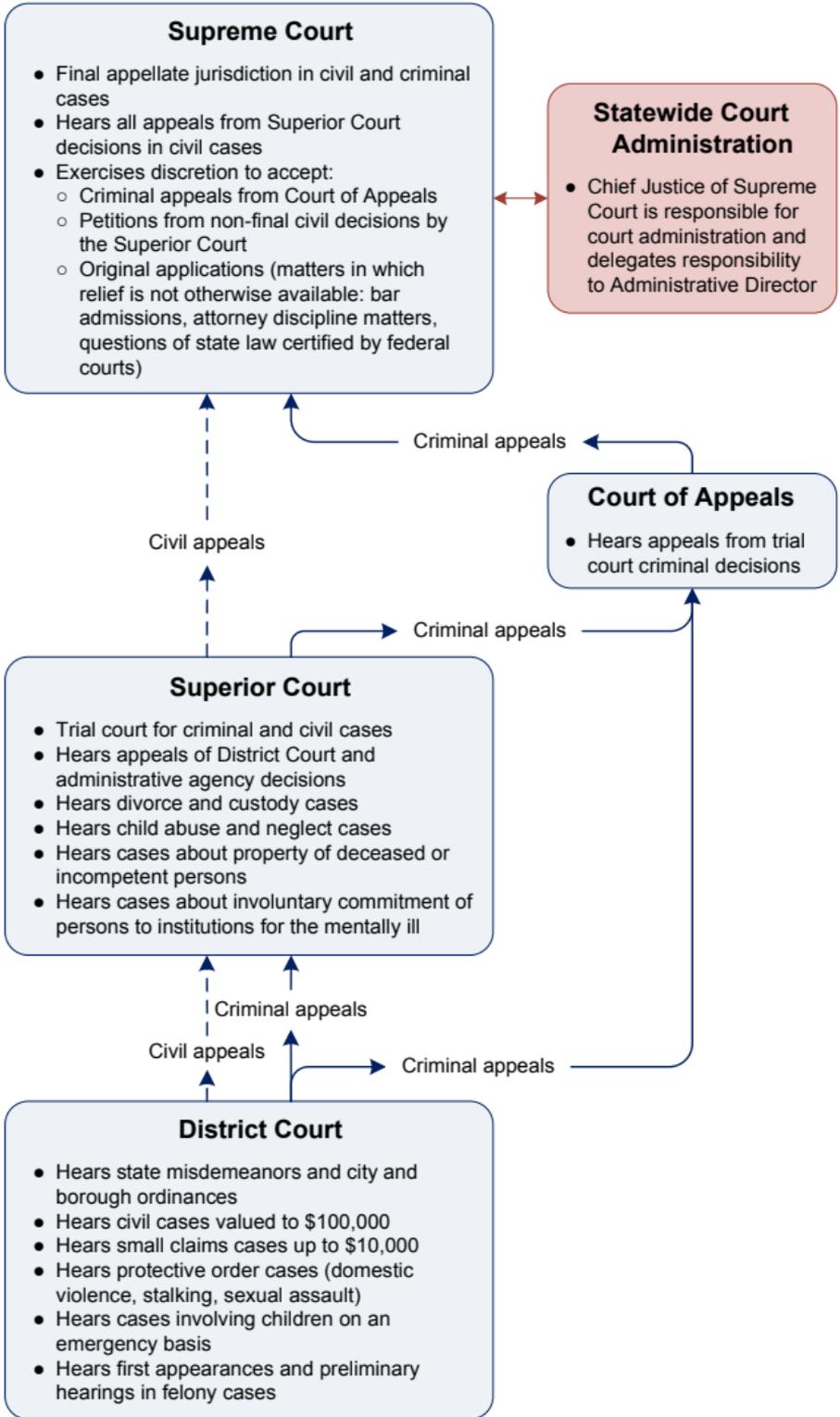
How are Judges Chosen?

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

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

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

Alaska Court System Structure and Flow of Civil and Criminal Appeals



The Judiciary

Alaska Supreme Court

Chief Justice Joel H. Bolger was appointed to the Alaska Supreme Court in January 2013. He began serving as chief justice in July 2018. Born and raised in Iowa, he received a B.S. in Economics from the University of Iowa in 1976 and a J.D. in 1978. He came to Alaska as a VISTA attorney with Alaska Legal Services Corporation in Dillingham and later became the supervising attorney for ALSC in Kodiak. Justice Bolger served as an assistant public defender in Barrow and

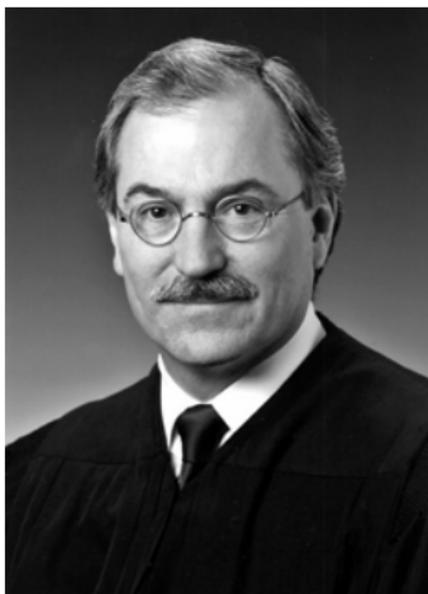


Chief Justice Joel H. Bolger
Appointed 2013

then returned to Kodiak to join the firm of Jamin Ebell Bolger & Gentry. He worked as a private attorney from 1982–1997. He served on the Board of Directors for ALSC from 1984–1987. Chief Justice Bolger was appointed to the District Court in Valdez in 1997, to the Superior Court in Kodiak in 2003, and to the Alaska Court of Appeals in 2008. He serves as second vice president of the Conference of Chief Justices, as co-chair of the Criminal Justice Working Group, and as a member of the Alaska Criminal Justice Commission. He has also served on the Judicial Conference Planning Committee, the Appellate Rules Committee, the Criminal Pattern Jury Instructions Committee, the Fairness Diversity and Equality Committee, the Family Law Rules Committee, the Child Support Review Committee, the Alaska Bar Association CLE and Convention Steering Committees, as a magistrate training judge, and as an alternate on the three-judge sentencing panel.

Justice Craig Stowers

was appointed to the Alaska Supreme Court in 2009. He served as chief justice from July 2015 through June 2018. He was a Superior Court judge in Anchorage from 2004 until his appointment to the Supreme Court. Justice Stowers was raised in Yorktown, Virginia. He majored in biology and received a bachelor's degree with honors from Blackburn College in 1975. He was a park ranger at Colonial National Historical Park and transferred to Mount McKinley National



Justice Craig Stowers
Appointed 2009

Park in 1977, where he worked first as the East District Naturalist and later as the West District Ranger. Justice Stowers earned his J.D. in 1985 from the University of California Davis School of Law (Order of the Coif). While in law school, he was employed for two years by Professor Daniel Fessler and the Alaska Code Revision Commission to research and draft what became the Alaska Corporations Code, the Alaska Nonprofit Corporation Act, and the official commentary to those acts. He served as a judicial law clerk in Juneau for Judge Robert Boochever of the United States Court of Appeals for the Ninth Circuit and then as a law clerk for Justice Warren Matthews of the Alaska Supreme Court in Anchorage. He was a partner with Atkinson, Conway & Gagnon and subsequently co-founded the Anchorage-Fairbanks law firm Clapp, Peterson & Stowers. During his legal and judicial career, he has served on various Alaska Bar Association committees, including the Law Examiners Committee. He has also served on a number of Alaska Supreme Court committees, including current chair of the Alaska Court System Security and Emergency Preparedness Committee, two terms as a member and current chair of the Judicial Education Committee, past chair of the Child-in-Need-of-Aid Rules Committee, past member of the CINA Court Improvement Project Committee, and past member of the Appellate Rules Committee. During his term as chief justice he served as chair of the Alaska Judicial Council. He is a

Commissioner on the National Conference of Commissioners on Uniform State Laws, a past member of the Conference of Chief Justices, and a Fellow of the American Bar Foundation. He also served on several nonprofit corporation boards, including terms as board president of the Alaska National History Association (now known as Alaska Geographic) and board president of Christian Health Associates. He is married to Monique Stowers.

Justice Daniel E.

Winfree joined the Alaska Supreme Court in January 2008. Born in the Alaska Territory in Fairbanks in 1953, he is the grandson of turn-of-the-century Yukon and Alaska gold rushers. From 1975 to 1978 he was a truck driver and warehouseman in pipeline construction camps and at Prudhoe Bay, working on the Trans-Alaska Pipeline. Justice Winfree earned a B.S. in Finance from the University of Oregon in 1977 and in 1981 earned M.B.A.

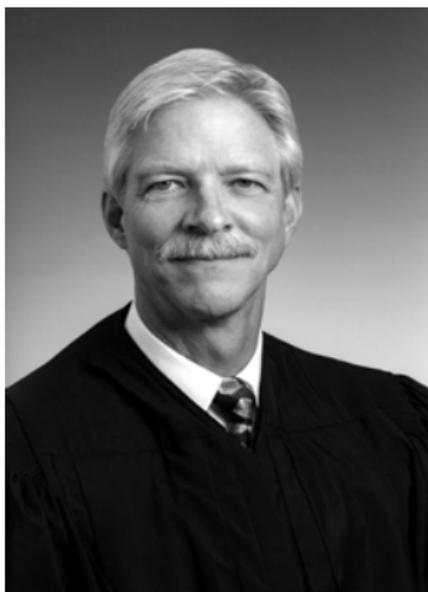
and J.D. degrees from the University of California Berkeley. Admitted to the Alaska Bar in 1982, he spent twenty-five years in private practice in Anchorage, Valdez, and Fairbanks, working with large firms, small firms, and as a sole practitioner. He served nine years on the Alaska Bar Association Board of Governors and was President of the Bar Association 1994–1995. He also served a term on the Alaska Bar Association’s Ethics Committee and several terms on its Fee Arbitration Committee. The Alaska Bar Association presented him with its Distinguished Service Award in 2007. After his final term on the Board of Governors, he joined the Board of Trustees of the Alaska Bar Foundation and served as its president for two years. Justice Winfree is married to another Fairbanks-born, third-generation Alaskan, Cathleen Ringstad Winfree. They have two children.



Justice Daniel E. Winfree
Appointed 2007

Justice Peter J. Maassen

was appointed to the Alaska Supreme Court in August 2012. Born and raised in Michigan, Justice Maassen received a B.A. from Hope College in 1977 and a J.D. from the University of Michigan in 1980. Other than a two-year stint in Washington, D.C., where he worked in the General Counsel's Office of the U.S. Department of Commerce and then for a private firm with a federal administrative practice, Justice Maassen spent most of his 30-year career in private practice in Anchorage. He was



Justice Peter J. Maassen
Appointed 2012

a partner of Burr, Pease & Kurtz, P.C. In 1994 he became a founding member of Ingaldson, Maassen & Fitzgerald, P.C. His civil litigation practice was varied and included many appeals. From 1994-2000 he served as editor-in-chief of the Alaska Bar Rag, the official publication of the Alaska Bar Association, and he was Alaska editor of the American Bar Association's Survey of State Class Action Law in 2003 and 2004. In 2006 he received the Professionalism Award from the Alaska Bar Association's Board of Governors. He was a member of the Board of Governors from 2009-2012, serving as treasurer, president-elect, and discipline liaison. He served for ten years on the board of the Anchorage Youth Court, an alternative, peer-driven justice system for young offenders. He is a Fellow of the American Bar Foundation. He was a long-time member of the Supreme Court's Civil Pattern Jury Instruction Committee, now chairs the Access to Justice Committee, and also serves on the Security Committee. He is married to Kay Gouwens; the couple has a daughter, Lillian.

Justice Susan M. Carney

was appointed to the Alaska Supreme Court in May 2016. She was born and raised in Massachusetts, and attended Harvard-Radcliffe College and Harvard Law School. After graduation from law school in 1987, she worked as a law clerk for Justice Jay Rabinowitz of the Alaska Supreme Court. At the end of her clerkship, then-Public Defender Dana Fabe hired her as an assistant public defender. Justice Carney worked as an assistant public defender in Anchorage



Justice Susan M. Carney
Appointed 2016

and then Fairbanks for ten years before moving to the Office of Public Advocacy. From 1998 until her appointment to the Supreme Court, she served as an assistant public advocate, based in Fairbanks and representing clients throughout the Interior and North Slope. Justice Carney served on the Alaska Bar Association's Board of Governors from 2015–2016, and she was a member of the Supreme Court's Criminal Pattern Jury Instruction Committee 2006–2016. She currently chairs the Supreme Court's Child-in-Need-of-Aid Rules and Fairness, Diversity, & Equality committees, and serves as a presenter and mentor for the Color of Justice youth program and We the People high school civics competition. She is married to Peter Braveman and has two grown children.

Court of Appeals



Chief Judge Marjorie K. Allard
Appointed 2012



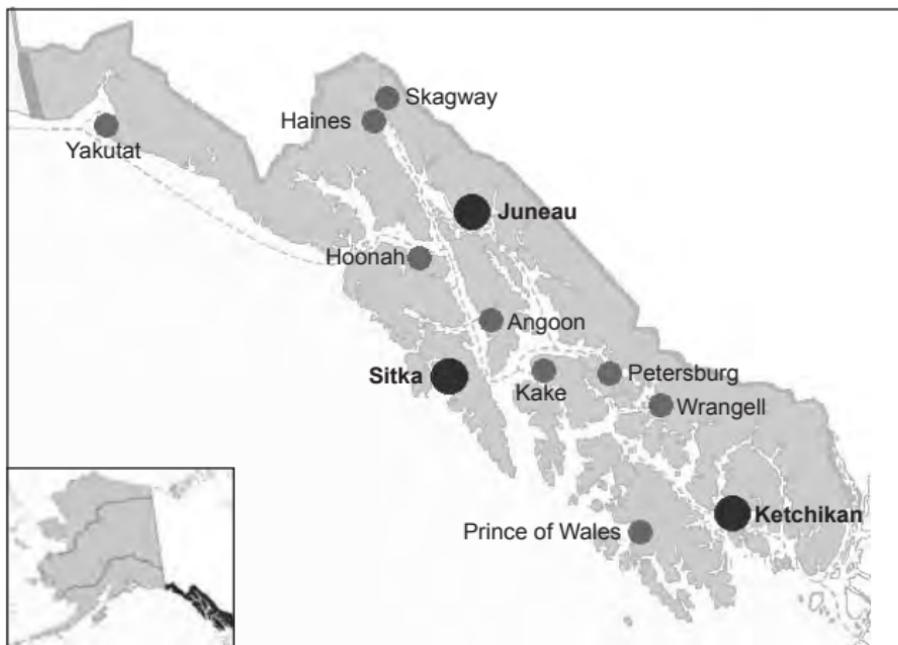
Judge Tracey Wollenberg
Appointed 2017



Judge Bethany Harbison
Appointed 2018

Trial Courts

First Judicial District



Superior Court, First Judicial District



**Presiding Judge
Trevor N. Stephens**
Ketchikan Superior Court
Appointed 2000

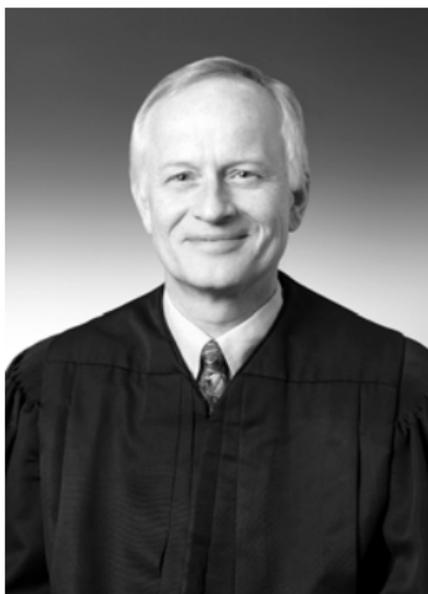


Judge William B. Carey
Ketchikan Superior Court
Appointed 2008

*Superior Court, First Judicial District
(continued)*



Judge Amy G. Mead
Juneau Superior Court
Appointed 2018



Judge Philip M. Pallenberg
Juneau Superior Court
Appointed 2007



Judge M. Jude Pate
Sitka Superior Court
Appointed 2018



Judge Daniel Schally
Juneau Superior Court
Appointed 2018

District Court, First Judicial District



Judge Kevin G. Miller
Ketchikan District Court
Appointed 1999



Judge Kirsten L. Swanson
Juneau District Court
Appointed 2016

Magistrate Judges, First Judicial District



**Magistrate Judge
Amanda Browning**
Sitka / Angoon
Appointed 2018



**Magistrate Judge
Kay Clark**
Prince of Wales
Appointed 2004



**Magistrate Judge
James Curtain**
Juneau
Appointed 2012



**Magistrate Judge
Mary Kay Germain**
Yakutat / Haines / Hoonah / Skagway
Appointed 2010, 2013

*Magistrate Judges, First Judicial District
(continued)*

**Photo not
available**

**Magistrate Judge
Debra O’Gara**
Petersburg / Wrangell / Kake
Appointed 2019



**Magistrate Judge
Amanda Schulz**
Ketchikan
Appointed 2010

Second Judicial District



Superior Court, Second Judicial District



Presiding Judge
Judge Paul A. Roetman
Kotzebue Superior Court
Appointed 2010



Judge Romano D. DiBenedetto
Nome Superior Court
Appointed 2017

*Superior Court, Second Judicial District
(continued)*

**Photo not
available**

Judge Nelson Traverso
Utqiagvik Superior Court
Appointed 2019

Magistrate Judges, Second Judicial District



**Magistrate Judge
Heidi Ivanoff**
Unalakleet
Appointed 1998



**Magistrate Judge
Aaron Michels**
Kotzebue
Appointed 2016

*Magistrate Judges, Second Judicial District
(continued)*

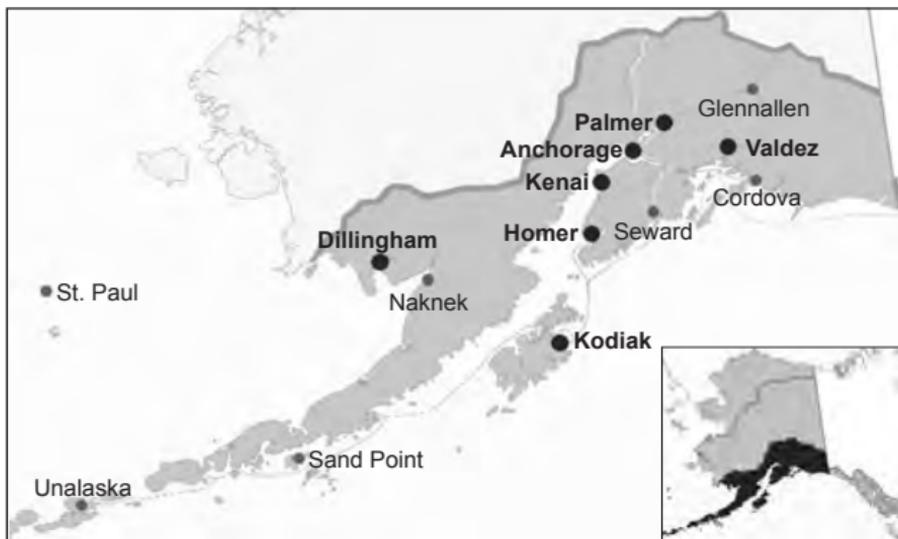


**Magistrate Judge
David Roghair**
Utqiagvik
Appointed 2010



**Magistrate Judge
Pamela Smith**
Nome
Appointed 2019

Third Judicial District



Superior Court, Third Judicial District



**Presiding Judge
William F. Morse**
Anchorage Superior Court
Appointed 2002



Judge Eric A. Aarseth
Anchorage Superior Court
Appointed 2005

*Superior Court, Third Judicial District
(continued)*

**Photo not
available**

Judge Rachel Ahrens
Valdez Superior Court
Appointed 2019



Judge John C. Cagle
Palmer Superior Court
Appointed 2019



Judge Dani Crosby
Anchorage Superior Court
Appointed 2015



Judge Catherine M. Easter
Anchorage Superior Court
Appointed 2012

*Superior Court, Third Judicial District
(continued)*



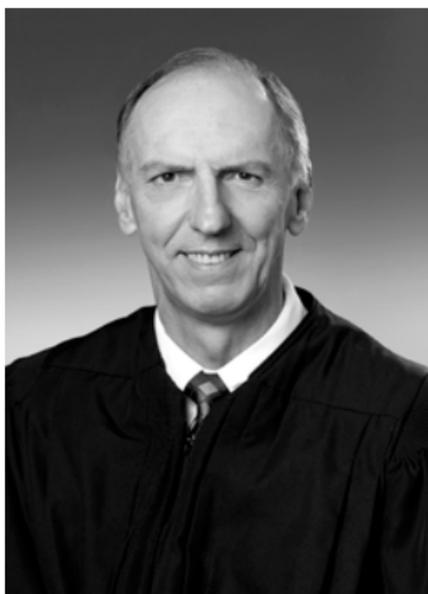
Judge Una S. Gandbhir
Anchorage Superior Court
Appointed 2018



Judge Josie Garton
Anchorage Superior Court
Appointed 2018



Judge Jason Gist
Kenai Superior Court
Appointed 2018



Judge Andrew Guidi
Anchorage Superior Court
Appointed 2010

*Superior Court, Third Judicial District
(continued)*



Judge Jennifer S. Henderson
Anchorage Superior Court
Appointed 2017



Judge Lance E. Joanis
Kenai Superior Court
Appointed 2018

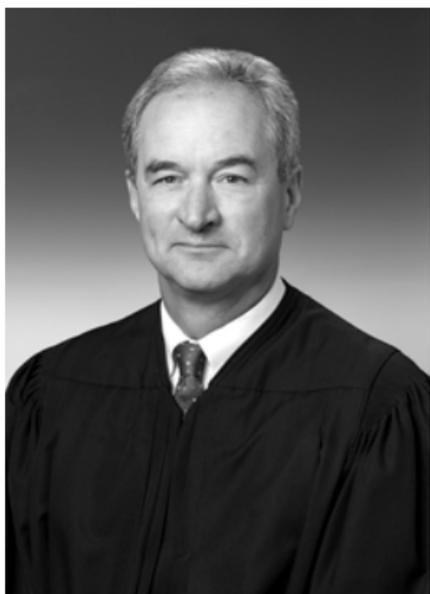


Judge Kari Kristiansen
Palmer Superior Court
Appointed 2006

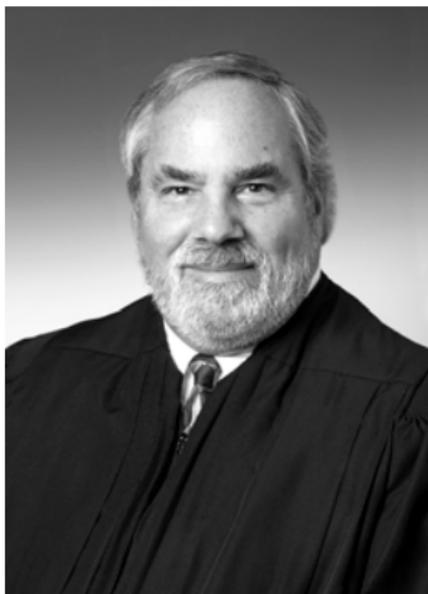


Judge Yvonne Lamoureux
Anchorage Superior Court
Appointed 2017

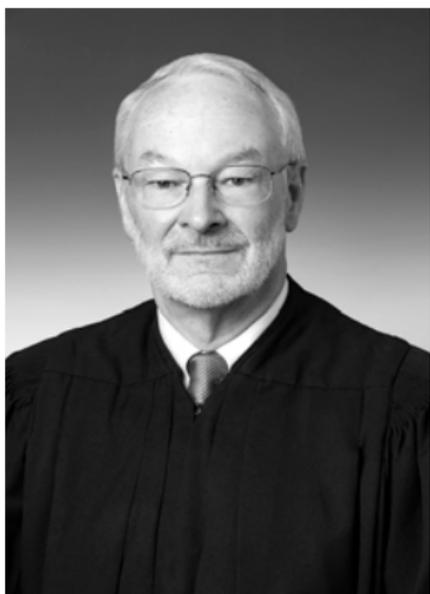
*Superior Court, Third Judicial District
(continued)*



Judge Erin B. Marston
Anchorage Superior Court
Appointed 2012



Judge Thomas A. Matthews
Anchorage Superior Court
Appointed 2018



Judge Gregory A. Miller
Anchorage Superior Court
Appointed 2011



Judge Andrew Peterson
Anchorage Superior Court
Appointed 2018

*Superior Court, Third Judicial District
(continued)*



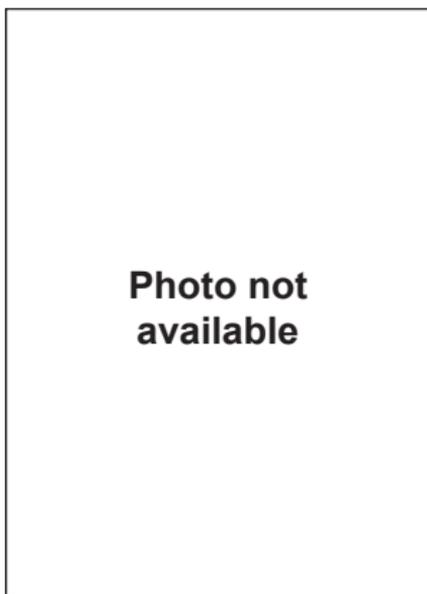
Judge Peter Ramgren
Anchorage Superior Court
Appointed 2019



Judge Christina Reigh
Dillingham Superior Court
Appointed 2017



Judge Kevin M. Saxby
Anchorage Superior Court
Appointed 2012



**Photo not
available**

Judge Bride Seifert
Homer Superior Court
Appointed 2019

*Superior Court, Third Judicial District
(continued)*

**Photo not
available**

Judge Kristen C. Stohler
Palmer Superior Court
Appointed 2019

**Photo not
available**

Judge Stephen Wallace
Kodiak Superior Court
Appointed 2019



Judge Herman G. Walker
Anchorage Superior Court
Appointed 2015



Judge Jennifer K. Wells
Kenai Superior Court
Appointed 2017

*Superior Court, Third Judicial District
(continued)*



Judge Michael L. Wolverton
Anchorage Superior Court
Appointed 1996

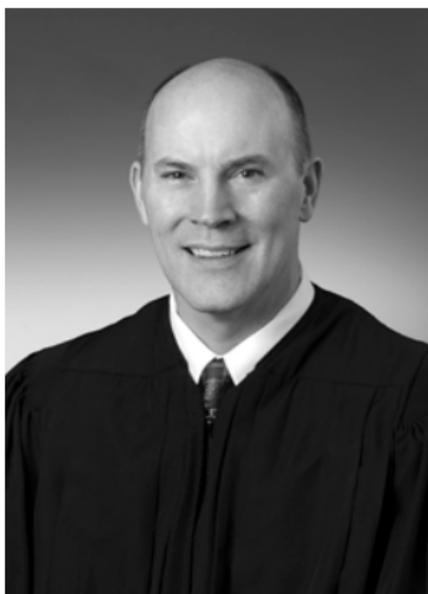


Judge Jonathan Woodman
Palmer Superior Court
Appointed 2016

District Court, Third Judicial District



Judge Jo-Ann M. Chung
Anchorage District Court
Appointed 2011



Judge Brian K. Clark
Anchorage District Court
Appointed 2003

*District Court, Third Judicial District
(continued)*



Judge Leslie Dickson
Anchorage District Court
Appointed 2012



Judge William L. Estelle
Palmer District Court
Appointed 2003



Judge Martin C. Fallon
Kenai District Court
Appointed 2019



Judge Michael J. Franciosi
Anchorage District Court
Appointed 2017

*District Court, Third Judicial District
(continued)*



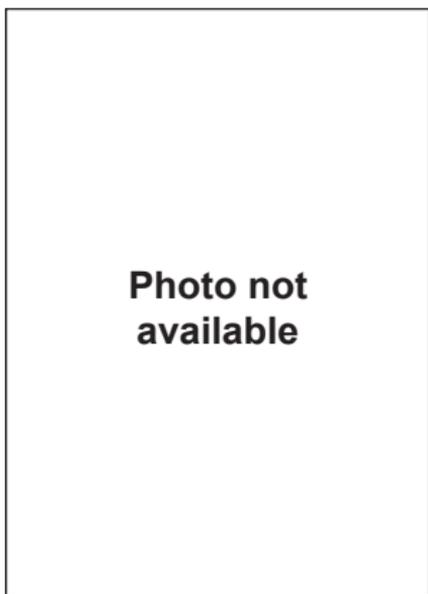
Judge J. Patrick Hanley
Anchorage District Court
Appointed 2005



Judge Michael B. Logue
Anchorage District Court
Appointed 2018



Judge Kari McCrea
Anchorage District Court
Appointed 2017



**Photo not
available**

Judge David Nesbett
Anchorage District Court
Appointed 2019

*District Court, Third Judicial District
(continued)*

**Photo not
available**

Judge Shawn Traini
Palmer District Court
Appointed 2019



Judge David R. Wallace
Anchorage District Court
Appointed 2009

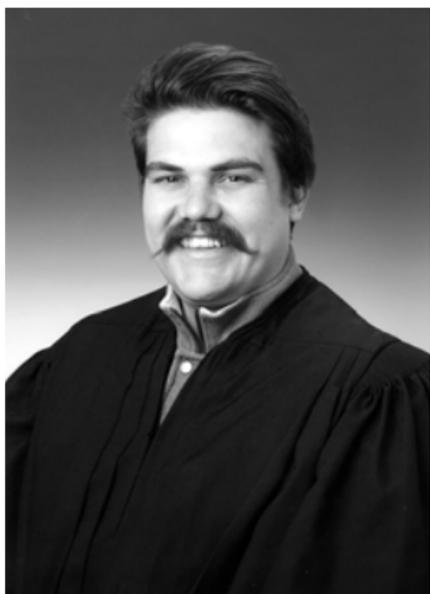


Judge Pamela S. Washington
Anchorage District Court
Appointed 2010



Judge David L. Zwink
Palmer District Court
Appointed 2010

Magistrate Judges, Third Judicial District



**Magistrate Judge
Judson Adams**
Glennallen / Valdez
Appointed 2018



**Magistrate Judge
Kay Adams**
Cordova
Appointed 2008

**Photo not
available**

**Magistrate Judge
Michael Aiello**
Dillingham / Naknek / Unalaska
Appointed 2019



**Magistrate Judge
David Bauer**
Anchorage
Appointed 2011

*Magistrate Judges, Third Judicial District
(continued)*



**Magistrate Judge
Sidney Billingslea**
Anchorage
Appointed 2013



**Magistrate Judge
Suzanne Cole**
Anchorage
Appointed 1997



**Magistrate Judge
Craig Condie**
Palmer
Appointed 2010



**Magistrate Judge
Kathleen Doherty**
Anchorage
Appointed 2014

*Magistrate Judges, Third Judicial District
(continued)*



**Magistrate Judge
Jennifer Manculich**
Anchorage
Appointed 2018



**Magistrate Judge
Donna McCreedy**
Anchorage
Appointed 2013

**Photo not
available**

**Magistrate Judge
Heather O'Brien**
Anchorage
Appointed 2018



**Magistrate Judge
George Peck**
Seward
Appointed 1976

*Magistrate Judges, Third Judicial District
(continued)*



**Magistrate Judge
Robert Polley**
Anchorage
Appointed 2017



**Magistrate Judge
Matthew Slodowy**
Anchorage
Appointed 2018



**Magistrate Judge
Michael Smith**
Anchorage
Appointed 2015



**Magistrate Judge
James Stanley**
Anchorage
Appointed 2011

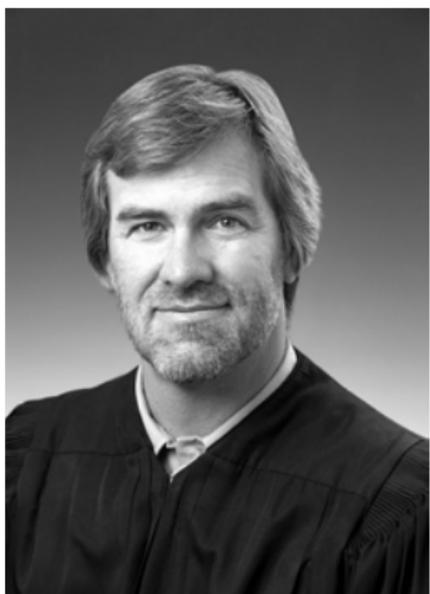
*Magistrate Judges, Third Judicial District
(continued)*



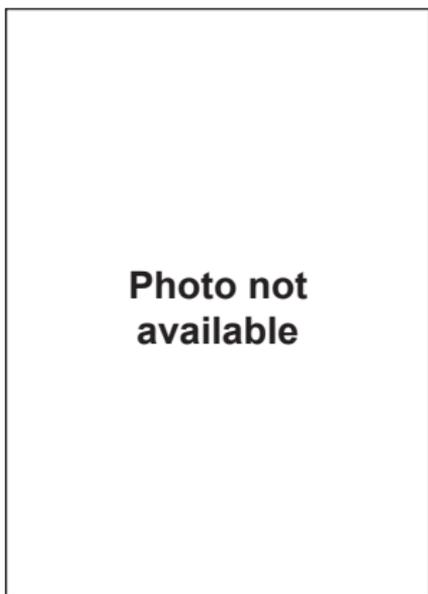
**Magistrate Judge
Kimberley Sweet**
Kenai
Appointed 2018



**Magistrate Judge
Christina Teaford**
Anchorage
Appointed 2014, 2019

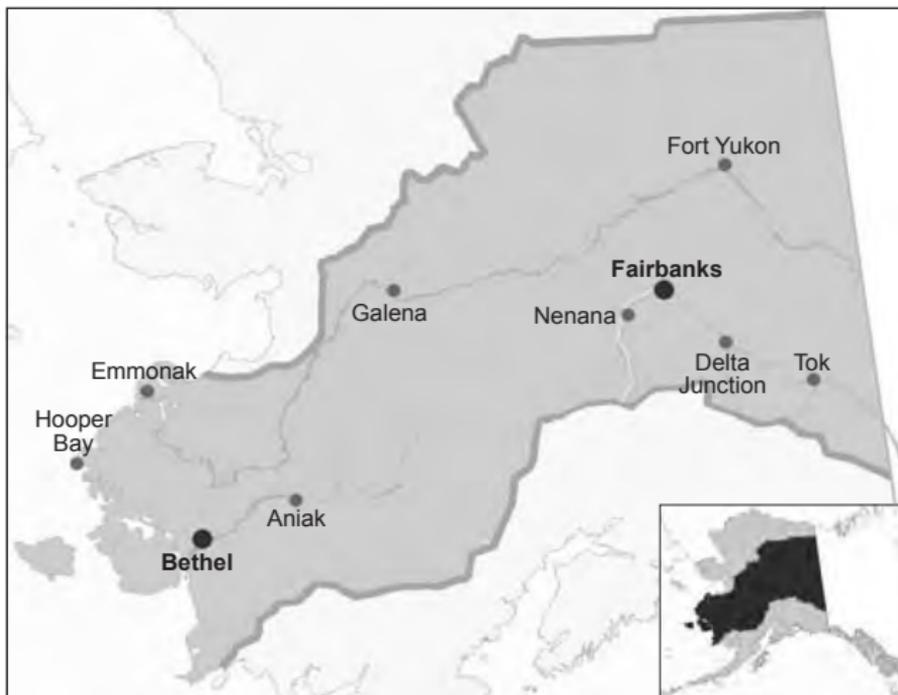


**Magistrate Judge
Dawson Williams**
Kodiak
Appointed 2007



**Magistrate Judge
Melissa Wininger-Howard**
Palmer
Appointed 2019

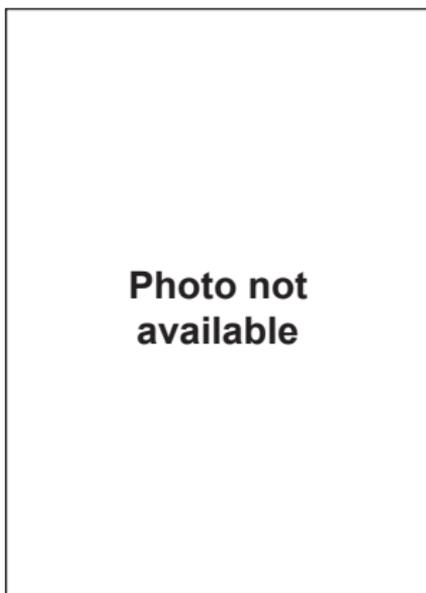
Fourth Judicial District



Superior Court, Fourth Judicial District



Presiding Judge
Michael A. MacDonald
Fairbanks Superior Court
Appointed 2007



Judge Brent Bennett
Fairbanks Superior Court
Appointed 2019

*Superior Court, Fourth Judicial District
(continued)*



Judge Terrence P. Haas
Bethel Superior Court
Appointed 2018



Judge Paul R. Lyle
Fairbanks Superior Court
Appointed 2008

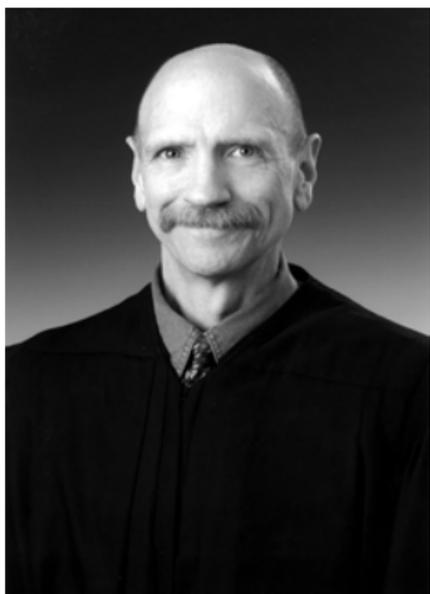


Judge Michael P. McConahy
Fairbanks Superior Court
Appointed 2009



Judge Nathaniel Peters
Bethel Superior Court
Appointed 2017

*Superior Court, Fourth Judicial District
(continued)*



Judge Earl A. Peterson
Fairbanks Superior Court
Appointed 2019

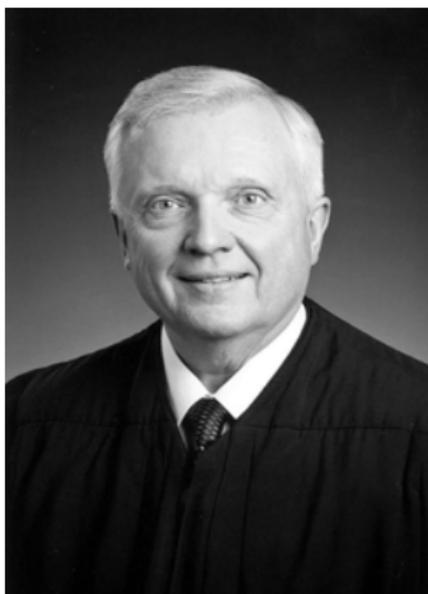


Judge Thomas I. Temple
Fairbanks Superior Court
Appointed 2018

District Court, Fourth Judicial District



Judge Matthew Christian
Fairbanks District Court
Appointed 2013



Judge Patrick S. Hammers
Fairbanks District Court
Appointed 2009



Judge William T. Montgomery
Bethel Superior Court
Appointed 2018



Judge Benjamin A. Seekins
Fairbanks District Court
Appointed 2012

Magistrate Judges, Fourth Judicial District

**Photo not
available**

**Magistrate Judge
John Brainerd**
Fairbanks
Appointed 2019

**Photo not
available**

**Magistrate Judge
Richard Garcia**
Aniak / St. Mary's / Hooper Bay
Appointed 2019



**Magistrate Judge
Darlene Johnson-Edwards**
Emmonak
Appointed 2000

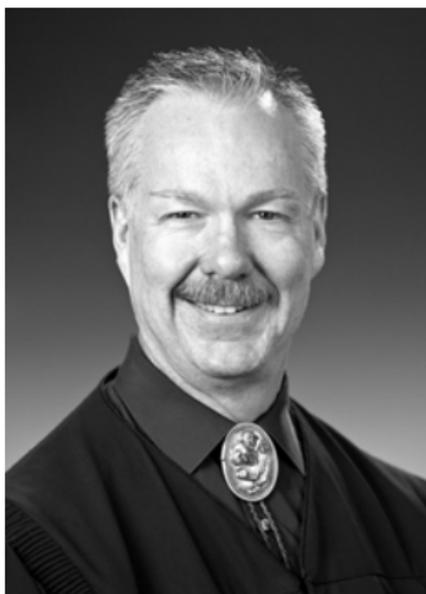


**Magistrate Judge
Melony Lockwood**
Fairbanks
Appointed 2017

*Magistrate Judges, Fourth Judicial District
(continued)*



**Magistrate Judge
Jeffrey May**
Nenana / Galena / Fort Yukon
Appointed 2018



**Magistrate Judge
Bruce G. Ward**
Bethel
Appointed 2012



**Magistrate Judge
Yvette Young**
Delta Junction / Tok
Appointed 2018

Active Pro Tem Judges

Elaine M. Andrews

Linn Asper

Douglas L. Blankenship

Robert G. Coats

Dale O. Curda

Leonard R. Devaney

Robert L. Eastaugh

Dana Fabe

Natalie K. Finn

Raymond M. Funk

Gregory L. Heath

Donald D. Hopwood

Jane F. Kauvar

John Lohff

David Mannheimer

Warren W. Matthews

Dwayne W. McConnell

Patrick J. McKay

Anna M. Moran

Gregory J. Motyka

Nancy J. Nolan

Frank A. Pfiffner

Eric Smith

Jack W. Smith

Michael R. Spaan

John Suddock

Glossary of Common Terms Used in Court

Affidavit — A written statement that is signed under the penalty of perjury and sworn to before a person who is officially permitted by law to administer an oath.

Appeal — A legal proceeding by which a case is brought before a higher court to review the decision of a lower court or administrative agency to determine if any mistakes of law happened and if the mistakes are significant enough to reverse or send the decision back to the lower court for further consideration.

Bail — Guarantee of money necessary to release a person under arrest from jail or prison until a trial is held.

Civil case — A legal case involving disputes between people or organizations using civil law. These cases may involve one party who wants to: get property back, force someone to complete a contract, end a marriage, get child custody, get money for damage done to their property or for an injury, protect their civil rights, among other issues. It does not involve the government charging someone with a crime; that is called a criminal case.

Child in need of aid (CINA) — A person under 18 years of age whom the court finds needs the help of the State of Alaska because the child is not receiving proper care or is in an unsafe situation.

Criminal case — A case dealing with a violation of Alaska's criminal laws.

Custody — The rights and responsibilities between parents for their children. There are two aspects of custody: Legal custody covers the right and obligation to make major life decisions such as where the child goes to school, which doctors he or she sees, and how money relating to the child is handled; and physical custody refers to the right to have the children actually live with a parent.

Decree — A court decision, usually at the end of a case when all issues are decided.

Defendant — In a civil case, the person or company being sued. In a criminal or traffic case, the person accused of the crime.

Domestic relations — A civil case type that includes divorce, child custody, child support, legal separation, and paternity cases.

FED (forcible entry and detainer) — Ordinarily refers to a summary proceeding for restoring possession of land to one who has been wrongfully deprived of possession. Commonly called an eviction.

Felony — A serious crime that can be punished by more than one year in prison.

Hearing — A court proceeding at which *parties*, and perhaps *witnesses*, come to the court to speak. A hearing is different from a *trial* in a number of ways, including that it is typically shorter and sometimes less formal than a trial and usually deals with fewer issues.

Judgment — A final ruling in a *civil* or *criminal* case that can be appealed to the *appellate* courts. A judgment resolves the key questions in a lawsuit and determines the rights and obligations of the opposing parties.

Jurisdiction — The area and types of cases which a court has authority to hear and to decide.

Misdemeanor — A minor crime punishable by a fine or short-term imprisonment.

Motion — The name of the paper you must file to ask a judge to make a ruling or take some other action. A motion is the first step in the three-step process called *motion practice*, which is controlled by Civil Rule 77.

Order — A command or direction given by a judge orally or in writing.

Parole — Supervised release of a prisoner that allows the person to serve the rest of the sentence out of prison if all conditions of release are met.

Petition to revoke probation (PTRP) — Petition to the court asking that an offender be returned to prison due to a

violation of the conditions of probation.

Petitioner — The person who starts the type of case that begins with a petition rather than a complaint. The terms *petitioner* and *respondent* are used in domestic violence cases and in dissolutions.

Plaintiff — A person who brings a civil suit in a court of law.

Post-conviction relief (PCR) — A procedure by which a convicted defendant challenges the conviction and/or sentence on the basis of some alleged violation or error.

Probate — The judicial process to determine if a will of a dead person is genuine or not; lawful distribution of a decedent's estate.

Probation — A sentencing alternative to imprisonment in which the court releases a convicted defendant under supervision of a probation officer who makes certain that the defendant follows certain rules — for example, getting a job or getting drug counseling.

Prosecutor — Lawyer who asserts the interests and rights of the people of the state or a city against the defendant in a criminal trial.

Respondent — The person who responds to the *petitioner*. If you did not file the petition initiating a court case, and you are named in the case, you are the *respondent*. The terms *petitioner* and *respondent* are used in domestic violence cases and in dissolutions.

Small claims — A court that handles civil claims for \$10,000 or less. People often represent themselves rather than hire an attorney in small claims disputes.

Trial — Formal court proceeding at which evidence is heard and the case is decided.



**Office of the Administrative Director
Alaska Court System
303 K Street
Anchorage, Alaska 99501
(907) 264-0548**