

ALASKA COURT SYSTEM REPORT
ALASKA FEDERATION OF NATIVES CONVENTION
October 17,2019

Good morning. I deeply appreciate the opportunity to be with you here this morning and to offer this report from the Alaska Court System. My report will be short and focused on three of the court system's longstanding interests: our continuing interest in Tribal Partnerships, the challenge of Justice Delayed, and our current concern about attacks on Judicial Independence.

Many of you already know about the Henu' Wellness Court in Kenai, where a state court judge and a tribal judge sit together in a therapeutic court for people struggling with substance abuse issues. And Senior Superior Court Judge Eric Smith has been working steadily over the past two years to reach agreements with tribal organizations that want to participate in state court sentencing proceedings. I'm pleased to report that this opportunity has recently been expanded for the 22 villages in our Second Judicial District, which includes the North Slope Borough, the Northwest Arctic Borough, and the area surrounding Nome and Unalakleet. Just last week Presiding Judge Paul Roetman from Kotzebue signed an administrative order that lays out a procedure for tribal organizations to get information about cases that arise in their area and to request referral to local peacemaking circles or other tribal restorative justice programs for sentencing recommendations. I want to thank Judge Roetman for his leadership on this issue. And I also want to

thank President Percy Ballot from the Native Village of Buckland for bringing this opportunity to our attention.

Our second interest is in addressing the longstanding problem of Justice Delayed. We have a huge backload of felony cases in Anchorage and significant challenges in bringing cases to trial in other parts of the state. We have been able to try the cases that are ready for trial by using our regular criminal bench, by bringing in retired judges who work on a temporary basis, and by assigning judges from other divisions. But in too many cases the agency attorneys are not ready to bring the cases to trial. In other cases, the police agencies do not develop or disclose investigation materials until late in the process. Both of these problems involve the application of adequate funding resources to bring these cases to trial on a timely basis. I applaud the decision of this Convention to examine these problems in a panel presentation later today.

Third I want to say a word about the urgent necessity of maintaining fair and impartial courts. We have a state with a great deal of diversity: political diversity, racial and ethnic diversity, and geographic diversity. Under these circumstances, it is essential that judges maintain the independence to make decisions based on the law and the facts and not on political or personal considerations. But we are facing a great deal of political pressure. Some people want to make the judicial selection system more political. Others would like to impose political consequences for the content of judicial decisions. I

respectfully ask this Convention to join me in resisting political influence on our courts.

Finally I want to invite you all to follow what we are doing on an ongoing basis. Most of our court proceedings are open to the public. On any business day you can walk into a courtroom in your local area and see how we deliver justice. But if that seems a little odd, please just take the time to take a look at the Alaska Court System Facebook page. There you can see what we are doing to promote justice in our courts and in the community.

Thank you again for the opportunity to report to you this morning.