



ALASKA FEDERATION OF NATIVES
2015 ANNUAL CONVENTION
RESOLUTION 15-36

TITLE: SUPPORTING ALASKA'S CURRENT SYSTEM OF SELECTION AND RETENTION OF STATE COURT JUDGES

WHEREAS the Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 165 federally-recognized tribes, 146 village corporations, 12 regional corporations, and 12 regional nonprofit and tribal consortiums that contract and compact to run federal and state programs; and

WHEREAS the mission of AFN is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community; and

WHEREAS the Alaska Judicial Council (AJC) is an independent citizens' commission established by the Alaska Constitution that screens judicial applicants for judicial vacancies; nominates the most qualified applicants to the governor, who makes the final appointment, evaluates the performance of sitting judges and makes evaluation information and recommendations available to the voters; and conducts studies and makes recommendations to improve the administration of justice in Alaska; and

WHEREAS the Alaska Constitution Article IV, Section 8 provides that the AJC shall have seven members, comprised of three attorneys appointed by the board of governors of the Alaska Bar Association, three non-attorneys appointed by the governor and confirmed by the legislature with due consideration to area representation and without regard to political affiliation, and the chief justice of the Alaska Supreme Court, who is ex-officio the seventh member and chairperson; and

WHEREAS Alaska's system of selecting judges is a merit selection system intended to limit judicial appointments to what one framer of the Alaska constitution termed "the best available timber"; to avoid a system of selection which would award judicial offices based on partisan politics, political fundraising ability, or special interests; to require that the list of appointees submitted by the AJC undergo a rigorous screening; and that judges shall periodically appear on the ballot (stand for retention) to allow voters to decide whether they should be retained in office; and

WHEREAS any amendment that upsets the balance of three governor-selected public members and three members of the Alaska Bar Association by weighting the AJC toward political appointees over subject-matter practitioners contravenes the point of equally weighted membership, and would result in politics and partisanship playing a larger role in judicial selection, undermining the constitutional commitment to merit-based judicial selection; and

WHEREAS Alaska's system is widely considered to be one of the best state judicial selection processes in the United States, as preferential to other systems in which judges are either elected or directly appointed; and

WHEREAS AFN does not support any constitutional amendments that would change Alaska's merit-based system for selecting judges, which would in the long term inevitably diminish the quality and fairness of the state judiciary; and

WHEREAS Alaska Native tribes, tribal organizations and individual Alaska Natives subjected to Alaska's civil or criminal judicial system are best served by an independent state judiciary, selected on merit.

NOW THEREFORE BE IT RESOLVED by the delegates of the 2015 AFN Annual Convention that AFN supports Alaska's current system of selection and retention of state court judges.

BE IT FURTHER RESOLVED that AFN opposes any attempts to amend the Alaska Constitution to alter the composition of the Alaska Judicial Council.

BE IT FURTHER RESOLVED that this resolution shall be the policy of AFN until it is withdrawn or modified by subsequent resolution.

SUBMITTED BY:	BRISTOL BAY NATIVE CORPORATION, CIRI
COMMITTEE ACTION:	PASSED
CONVENTION ACTION:	PASSED AS AMENDED



Julie Kitka
President