

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 140

Adopting Rule 43A
Rules of the Supreme Court

IT IS ORDERED:

Rule 43A, Rules of the Supreme Court, is adopted to read as follows:

Rule 43A. Review of Proceedings of Judicial Qualifications Commission.

(a) A petition to the supreme court to modify or reject a recommendation of the Judicial Qualifications Commission for censure, removal or retirement of a judge may be filed within 30 days after the filing with the clerk of the supreme court and service upon the judge of a certified copy of the recommendation. The petition shall specify the grounds relied on and shall be accompanied by petitioner's brief and proof of service on the chairman of the Commission. Within 30 days after receipt of the petition the Commission may serve and file a respondent's brief. Within 20 days after service of such brief, the petitioner may file a reply brief which shall be served on the Commission.

(b) If no petition is filed the matter may be considered on the merits based upon the record filed by the Commission.

(c) Upon recommendation of the Commission that a judge be suspended pursuant to AS 22.30.070(b) or on this court's own motion for a suspension, a judge, prior to being suspended by this court, shall be provided a hearing before the supreme court and be required to file such briefs as the court may direct.

(d) The rules governing appeals from the superior court in civil cases shall apply to proceedings in the supreme court for review of a recommendation of the Commission except where express provision is made to the contrary or where the application of a particular rule would be clearly impracticable, inappropriate, or inconsistent.

(e) The records of all proceedings in the supreme court shall be confidential until such time as a final order is issued by the court.

DATED: September 13, 1971.

George F. Borley
Chief Justice

John H. Dimmick
Associate Justice

Jay A. Rabinowitz
Associate Justice

Roger W. Connor
Associate Justice

Robert C. Ewerin
Associate Justice

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Filed and entered SEP 13 1971
SOUTHERN DISTRICT of the State of Alaska
Ann M. O'Connell Clerk
By _____ Deputy