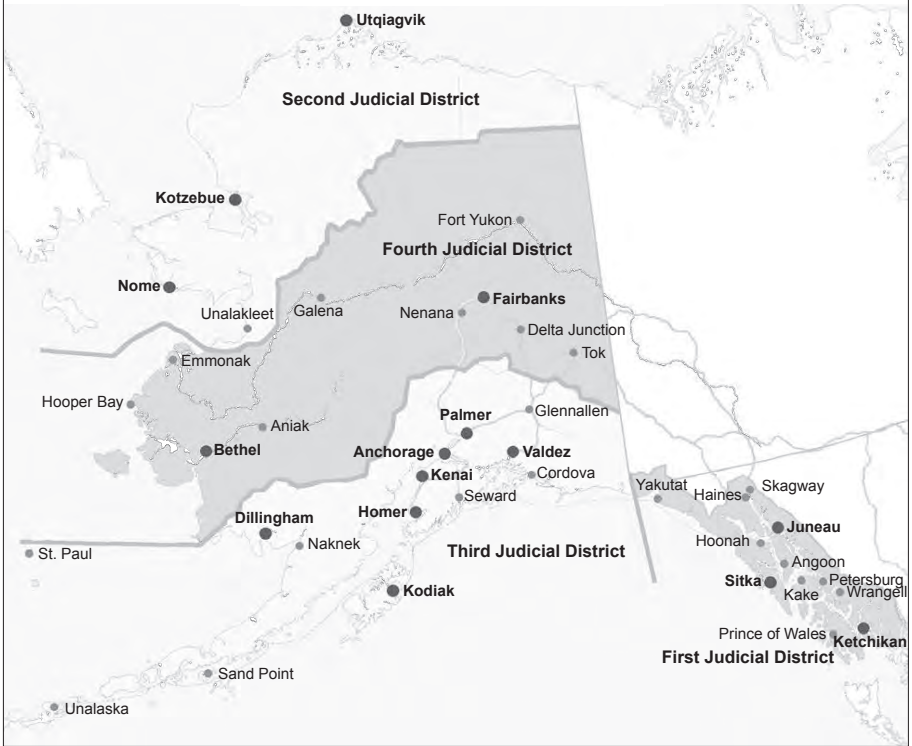


*Alaska Court System
Annual Report FY 2021*

July 1, 2020 – June 30, 2021



Alaska Court Locations, FY 2021



Alaska Court System Annual Report FY 2021

July 1, 2020 – June 30, 2021



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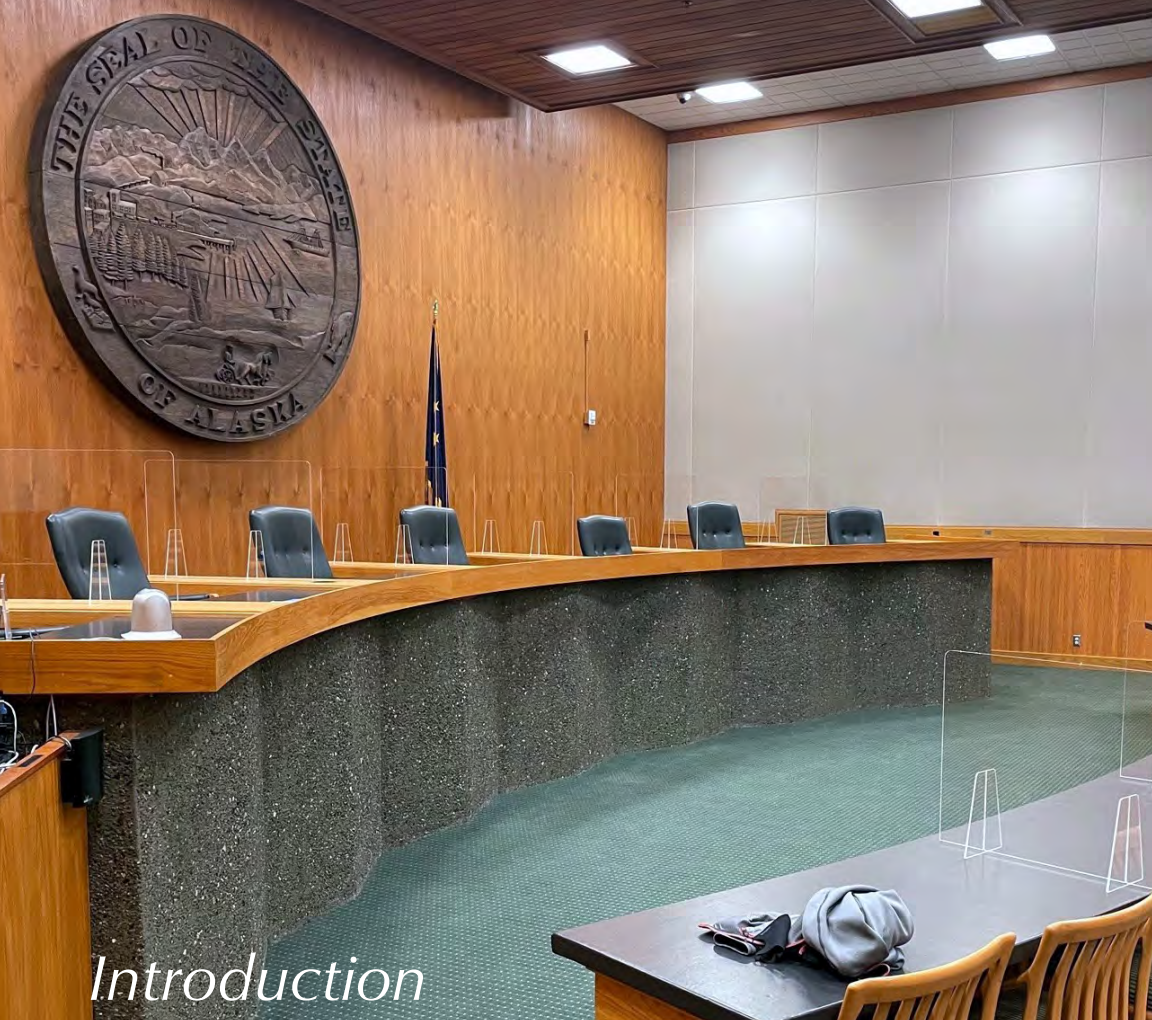
A bookmarked PDF version of this annual report is available on the Alaska Court System website at <https://courts.alaska.gov/admin/index.htm#annualrep>.



Aurora borealis, Juneau (First Judicial District)

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Introduction

Great Seal of the State of Alaska and dais, Alaska Supreme Court courtroom, Boney Courthouse, Anchorage

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.

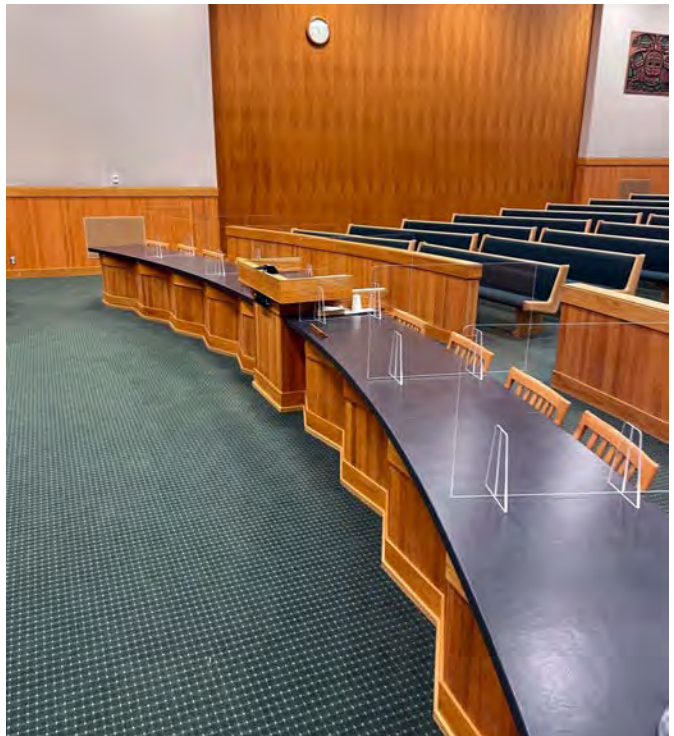
Although the terms *judicial branch* and *court system* are often used interchangeably, in fact, the Alaska judicial branch contains three separate entities: the *Alaska Court System*, the *Alaska Judicial Council*, and the *Alaska Commission on Judicial Conduct*, each with a function established in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



Attorney seating, Alaska Supreme Court courtroom, Boney Courthouse, Anchorage

How Alaskans Choose Their Judges

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.

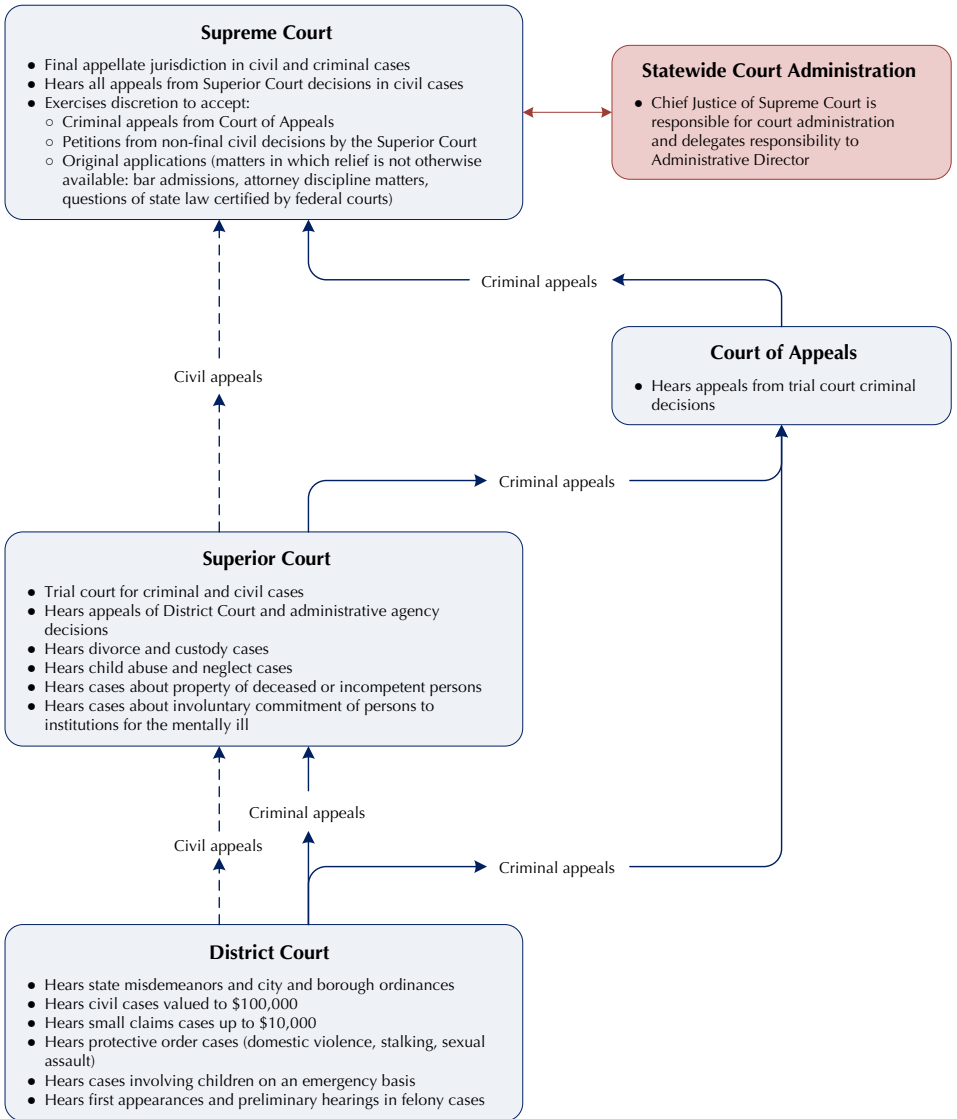
The Alaska Judicial Council, an independent citizens' commission, investigates and evaluates applicants for judicial positions for all courts except magistrate judge courts. The council sends the names of the most qualified applicants to the governor. The governor must make an appointment from this list.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



Brown bears fishing, Anan Wildlife Observatory, Tongass National Forest (First Judicial District)

Alaska Court System Structure





Year in Review

Introduction

The Alaska Court System serves all Alaskans, of all racial, ethnic, religious, socioeconomic, and educational backgrounds. Throughout the ongoing Covid-19 pandemic, the court system has continued to fulfill its role as the independent third branch of state government. It provides Alaskans with a forum for resolving disagreements within the legal framework established by the state constitution.

This annual report provides an overview of court operations in FY 2021, including details on adaptations necessitated by the Covid-19 public health emergency as well as on its response to a major cyber-attack. It also offers summary budget information; a list of judicial officers and senior administrators who served during FY21; and case data highlights.

The report illuminates the court system's resiliency and flexibility as it met its responsibilities in the wake of unprecedented crises. Neither the pandemic nor the cyber-attack resulted in court closure of operations for even one day.

Challenges

Covid-19

In FY 2021, the Covid-19 pandemic continued to necessitate changes in the court system's approach to its work. Needing to limit public physical access to courthouses, the court system put in place alternate means for accessing court services.



Panorama, Admiralty Island to Mendenhall Glacier (First Judicial District)

Prior to the pandemic, the Alaska Court System was already adapting emerging technology as a way of overcoming the challenges posed by the state's geography and climate. It had received national recognition as a leader in using virtual and remote technology for meeting the state's judicial needs. This experience helped judicial officers and court personnel to find ways of overcoming the disruptions of the pandemic.

Judicial orders from the Supreme Court, the chief justice, and the presiding judges of the four districts established a flexible framework for conducting many proceedings virtually, including some types of trials. The orders also authorized online case filings and fee payments. While jury trials remained almost completely suspended throughout the state, other types of trials did take place, including some criminal jury trials and many civil bench trials.

The quantitative data available on FY21 operations (<https://courts.alaska.gov/admin/index.htm#annualrep>) indicate that while the pandemic limited some court proceedings such as jury trials, the judiciary and other court personnel working together have succeeded in continuing to provide the major portion of regular court services. Some of the details of the modifications and innovations which pandemic conditions necessitated are discussed in the following segments of this report.

It has also become clear that some of the emergency modifications adopted hold value for court work beyond the pandemic, making the court system more effective and accessible to all state residents.

Cyber-attack

In late April 2021, the court system's computer and information system became the target of a major malware attack. This caused the court to disconnect its operations from the internet for several weeks as it investigated the extent and severity of the attack, conducted a forensic analysis, and restored all security functions.

Again, court system personnel quickly found ways to continue operations. A temporary website was established for the court's calendar, and court social media accounts on Facebook and Twitter permitted communication with the public. In addition, in the aftermath of the attack, the state's executive branch shared knowledge and expertise. In particular, the Legislative Information Office gave the court system's fiscal and human resources departments access to its computer system for handling payroll, budgetary, and personnel matters in a timely fashion.

While some operations slowed and required complex workarounds, the court system was able to continue to operate without any closure or suspension of operations.

The attack has brought into sharper focus the need for constant security monitoring, planning, and upgrading. Ensuring cyber security is an ongoing responsibility. This will involve personnel positions, equipment, and software, and it will need to be factored into the court system budget.

Continuity of Operations

With the experience gained from the lengthy pandemic, the cyber-attack, and the earthquake in autumn 2018, the court system is revising and expanding its Continuity of Operations plan and providing training for all court employees in security best practices. In addition, the court system has created a new position beginning in FY22 — Director of Court Security — that will oversee physical security and emergency preparedness for judicial officers and staff across all court locations.

Communication with Alaskans

The court system website has continued to be the main channel for communicating with Alaskans throughout the pandemic. The site with its extensive content has made it possible for justice system professionals as well as the public to continue to access court services and information. Throughout FY21, the court also increasingly used social media to give the public timely updates on points of immediate importance. Information on all court accounts has been revised and amplified as needed in response to the public health situation.

WHAT TO EXPECT... COMING TO COURT IN PERSON

KEEP 6 FEET APART
MAINTAIN 6 FEET OF DISTANCE
BETWEEN YOU AND ANYONE NOT IN
YOUR HOUSEHOLD

WEAR A MASK
ALL VISITORS MUST WEAR A
MASK (UNLESS UNDER 2
YEARS OLD OR EXEMPTED
FOR MEDICAL REASONS).

**DO NOT ENTER THE
COURTHOUSE IF YOU:**

- HAVE FLU-LIKE SYMPTOMS, OR
- HAVE BEEN DIRECTED TO QUARANTINE,
ISOLATE OR SELF-MONITOR AT HOME FOR THE
CORONAVIRUS BY A MEDICAL PROVIDER, OR
- HAVE HAD CLOSE CONTACT WITH
ANYONE DIAGNOSED WITH COVID-19, OR
- HAVE A CURRENT COVID-19 DIAGNOSIS OR
WAITING FOR A COVID-19 TEST RESULT.

INSTEAD, PLEASE CALL YOUR LOCAL COURT,
LET THEM KNOW YOUR SITUATION,
AND FIND OUT NEXT STEPS.

HEALTH SCREENINGS
EVERYONE WILL ANSWER HEALTH QUESTIONS EACH DAY

UPDATED 1/14/21

*** Court Contact Information ***

Visit the [COVID-19 Response webpage](#) or follow us on [Facebook](#) or [Twitter](#) for the latest updates.

[continue to the homepage](#)

Website

The landing page for the website displays a general covid advisory related to court issues. Links from that page lead to a detailed covid response page; Facebook and Twitter accounts; and the main court homepage.

The Covid-19 response page provides the most recent information on:

- Jury and trial suspensions;
- Jury planning;
- Current safety precautions;
- Special judicial orders from the Supreme Court, chief justice, and presiding judges;
- FAQs on participation in remote hearings and on changes to filing procedures.

Website administrators are also now working with the Stanford University Legal Design Lab in a national project that focuses on making the general website and the self-help sections as user-friendly and accessible as possible.

Social Media

Various forms of social media have become increasingly important in the court system's communication with professionals involved in justice work, the general public, and other media. Used in conjunction with postings on the court website, the different social media formats have an amplifying effect that expands the audience the court system can reach effectively.

Their immediacy has made them valuable tools in dealing with the disruptions precipitated by the pandemic as well as the cyber-attack. Platforms such as Facebook and Twitter made it possible to notify the public quickly of unforeseen events, such as suspension of trials or other changes to court calendars precipitated by the Covid-19 pandemic. Some hearings and trials were made available through YouTube for the public to observe. Twitter was particularly useful in reaching Alaska journalists with press releases and links to high-profile cases and decisions, as well as providing guidance on observing proceedings remotely.

The court also uses Facebook and LinkedIn for recruitment.

Alaska court administrators have shared their experience with other state court professionals in “tiny chats” sponsored by the National Center for State Courts.

Uses of Technology

Online Dispute Resolution

The court system is developing an online dispute resolution platform that will become available in 2022. It will resolve many civil matters. The program will offer three main case resolution options: parties may be able to negotiate their legal conflict in online space without formally filing a case; they may also work online with a mediator; or for some case types, they may choose an online trial in which a judge will decide the case. (Alaska would be the first state in the country to conduct such trials.) Parties can also use the program after filing a case. Parties who have reached agreement through online dispute resolution without filing a case but wish to obtain an enforceable court order will need formally to file a case. The court plans for online dispute resolution to become an option in small claims, debt collection, housing, and some family law matters.

E-filing

Partially in response to the conditions presented by the Covid-19 pandemic, the court system has hastened the adoption of electronic filing. By the end of 2021, various courts in the Second, Third, and Fourth District had implemented e-filing in some criminal and civil cases. E-filing significantly reduces the amount of paper generated in case management and eliminates the need for some in-person transactions. The majority of courts will be using some form of e-filing by the end of 2022.

Online Payment Options

In dealing with pandemic conditions, the court system facilitated electronic bail posting as an alternative to in-person payments at the jail. A family member or acquaintance of someone held at the jail can post bail via email, with a credit card. Payment is completed through the case management system CourtView, using the defendant's case number.

It is also possible to make other case-related payments through CourtView: fines, surcharges, and restitution payments. Filing and copying fees can also now be paid online. These electronic payment options will continue to be available after the end of the public health emergency.

Jurors and Juries

Among the court functions affected by the Covid-19 pandemic, jury trials have been among the most disrupted. This is true for court systems throughout the country. Jury trials present a particularly difficult challenge because they usually involve many people working in close physical proximity: jurors, judge, court clerk, attorneys, parties, witnesses, victims, and often law enforcement officers and interpreters. In addition, most trials must remain open to the general public and the media. The ordinary design of courtrooms does not allow for social distancing necessary to mitigate transmission of the virus.

Both the U.S. Constitution and the Alaska Constitution guarantee the right to trial by jury. Since the beginning of the pandemic in 2020, the Alaska



Felony case information display, Nesbett Courthouse (Third Judicial District)

Court System has been working to build a framework for trials that meets this right yet protects the health of all involved. Initially, it was necessary to suspend all jury trials as well as grand jury proceedings as the court system established new parameters for conducting hearings and other operations safely. This work involved working with other entities involved in court processes, including the Departments of Law, Corrections, and Public Safety, and the Public Defender Agency and Office of Public Advocacy.

A series of orders from the Alaska Supreme Court, the chief justice, and the presiding judges of the four judicial districts has provided direction on jury operations during the pandemic. By the beginning of FY21, the court system was able to resume some grand jury proceedings, subject to restrictions imposed by the presiding judge for the district. The presiding judges could allow witness testimony by teleconference or videoconference. The Second District initiated a pilot program using the Zoom platform to conduct grand jury proceedings. To maintain safe distancing, presiding judges could also choose to use alternative sites for hearings. Throughout the course of FY21, grand juries sat in all four districts, but their work was occasionally suspended in various locations due to local Covid-19 conditions.

FY21 Jury Figures

Just over 5000 individuals appeared for jury duty in Alaska state courts in FY21 — 2190 for trial juries and 2811 for grand juries. Because most trial activity was suspended due to the pandemic, these figures are much lower than usual. In FY20, over 17,000 people appeared for jury duty, and in FY19, the last full pre-pandemic year, over 23,000 appeared.

Despite the suspension of most trials, the court system did continue to send out summons to potential jurors throughout the fiscal year. Jurors were summoned for 89 trials across the four judicial districts. A majority of these occurred during the fourth quarter of the year. Of the 89, 76 proceeded to trial. There were 664 sworn trial jurors. In FY19, in contrast, 336 cases went to trial; and in FY20, 238.

Of the 76 cases that proceeded to trial, 56 were criminal trials; 17 were presumptive death trials. There was one each of probate, delinquency, and civil jury trials.

Grand juries continued to sit in the twelve designated sites throughout the year.

Juror expenses totaled just under \$310 thousand in FY21 — significantly lower than the FY20 figure of slightly under \$1 million and the FY19 figure of \$1.3 million. FY21 travel expenses totaled slightly over \$40,000 — again much lower than in either of the previous two years. Trials in the Bethel region accounted for over half this travel figure. (The court redirected unused jury funds to address pandemic-related expenses, including costs for additional cleaning and decontamination.)

In summoning potential jurors, the court system uses a numerically random system designed in accordance with state statutes and Alaska Rules of Court. The Permanent Fund Dividend list serves as the basis for identifying state residents. By law, an Alaska juror must be a state resident and a U.S. citizen, at least eighteen years old, of sound mind and in possession of natural faculties, and able to speak or read English.

Presumptive death jury trials, which are held to determine if a missing person should be legally presumed dead, were also able to resume in early FY21, through videoconferencing.

Civil jury trials remained suspended throughout FY21, although civil bench trials took place.

Despite continued suspensions, some criminal trials, including both felony and misdemeanor cases, did take place in FY21 — the majority in the fourth quarter of the year. These trials, with their many participants, have presented the greatest challenge to organize in a manner that protects the health of all while still ensuring the integrity of the trial process.

To allow for safe distancing during the jury selection process, trials, and grand jury proceedings, the court system has adapted the jury selection process and physical arrangements in various courtrooms throughout the state in different ways. Plexiglass barriers have been installed. Jurors are scattered in seats around the courtroom rather than confined solely to the usual jury box. Video has also been used to permit public access to a trial.

The court has also modified the jury selection process to ensure safety, with smaller groups appearing at staggered times. More screening is handled before potential jurors need to appear at the courthouse. A prospective juror can fill out the pre-trial questionnaire, request a deferral or excusal, and upload any required documents through the jury dashboard on the court's website. Criteria for deferrals and excusals now also reflect a prospective juror's Covid-19 risk level.

The court system has used its website and its social media accounts, particularly on Facebook and Twitter, to keep the public informed of changes that might affect jurors, such as jury trial suspensions.

The Jury Improvement Committee and the Pandemic Plan Response Working Group have continued to address the ongoing challenges posed by the pandemic. In addition, Alaska court administrators and those from state court systems throughout the country have continued to work together through the National Center for State Courts (NCSC) to share their experiences and ideas in handling jury issues.

Jury administration is now part of the Access to Justice Services section of the court system.

Alaska State Court Law Library

Throughout FY 2021, the Alaska State Court Law Library continued to expand its electronic holdings in general and to adapt ways for the public to access its holdings. The library serves the legal information needs of professionals and the general public throughout the state. With three staffed branches in Anchorage, Juneau, and Fairbanks as well as thirteen library computer work stations in smaller communities, it is the primary law library system open to general use in Alaska.

Although the library's physical spaces were open to the public throughout FY21 with regular hours, pandemic restrictions resulted in greatly decreased foot traffic and much greater use of various virtual services. The

library added an additional toll-free line to handle inquiries and requests for assistance. Staff assist researchers via phone, email, fax, and regular mail. Access to the expanded virtual services will continue to be available.

With most legal research now occurring online, statutes, law reviews and journals, opinions, and other tools are available in electronic format. Library patrons throughout the state have access to all electronic resources via computers at all the sites. Also, books and other hard-copy resources are still available for court personnel and Alaska Bar Association members to borrow, and for everyone to use on-site in staffed locations.

The library's web pages (<https://courts.alaska.gov/library/index.htm>) are a major tool in its delivery of statewide

services. They offer an overview of holdings, including regular updates on new acquisitions; a catalog search function for library holdings; and links to government and other research sites throughout the country and in other countries.



*Humpback whale diving, Icy Strait
(First Judicial District)*

Rural Court Reorganization

In FY21, the court system completed the three-year implementation of the new model for staffing rural court locations. The restructuring plan was adopted by the Alaska Supreme Court in 2018. It affected the twenty-three rural courts — defined as court sites without either a resident Superior Court or District Court judge.

The goal of this new framework was for the court system to maintain a presence in small, sometimes isolated rural communities. Improved delivery of court services was also important. Balanced with these considerations were the reality of decreasing financial resources, and also the expanding ways for effective communication and remote access to court functions.

Under the new model not all rural court locations have a local magistrate judge; instead, some courts in smaller communities are served by a circuit magistrate judge who may reside in a nearby community, along with a resident deputy magistrate or a clerk. (A deputy magistrate (DM) in a rural court location — is a newly-created position that combines clerical and limited judicial duties. This permits certain proceedings to be handled locally. Deputy magistrate candidates receive magistrate judge training under the supervision of a training judge.) In addition, each rural court has a designated Superior Court judge to handle matters arising at the location.

Since the new staffing model was fully implemented in the beginning of 2021, the rural courts across the state are now staffed with twelve magistrate judges and six deputy magistrates.

Therapeutic Courts

The Alaska therapeutic courts have continued to operate throughout the Covid-19 pandemic. While participation numbers dropped somewhat at the beginning of the pandemic and some courts needed to suspend new referrals, by September 2020, the courts were again accepting referrals. The number of participants in the majority of the therapeutic courts at the end of FY21 was close to the number recorded in August 2019, several months before the pandemic began.

Alaska's therapeutic courts provide an alternative to the ordinary criminal court trial process for certain defendants exhibiting mental health or drug

or alcohol problems. The courts combine adjudication with treatment and intensive supervision of the offender. This approach helps offenders deal with the behavioral and addiction problems underlying their offenses while still providing protection for the community.

Offenders who meet certain criteria may choose to have their cases handled by a therapeutic court. The courts de-emphasize the adversarial nature of the usual court process by structuring an extended, individualized treatment plan as part of a plea agreement. A more favorable legal resolution results if the offender completes the program. The offender works with a team — judge, prosecutor, defense attorney, probation officer, treatment provider, and others — to address the behavior or substance abuse underlying the criminal offense. Completing the individualized plan usually takes at least a year or longer, depending on the type of court.

Alaska now has twelve therapeutic courts operating in five communities throughout the state, with three more courts being planned in two more communities. The courts serve different types of offenders, with different types of problems. One of these — the Henu' Community Wellness Court in Kenai — is a joint state-tribal court established with the Kenaitze tribe. Another state-tribal therapeutic court with the Sitka Tribe is in the last stage of the planning process.

Because of the therapeutic courts' reliance on regular, frequent interaction among participants, judges, counselors, probation officers, attorneys, and other team members, the pandemic continues to pose challenges for their safe operation.

While teleconferencing and videoconferencing have replaced in-person hearings and meetings in most situations, access to the internet can be difficult for some participants. Phone access can also be problematic, especially for in-custody offenders.



Lake in Arrigetch Valley, Gates of the Arctic National Park and Preserve (Second Judicial District)

Attorney-offender communications for in-custody offenders were also disrupted for some months by the restricted visitation policies put in place by the Department of Corrections.

The courts that focus heavily on the family as part of the treatment program, such as the Anchorage CINA Court and the Palmer FIT Court, have worked to continue regular contact for parents and other family members, using videoconferencing when in-person contact is not possible.

To ensure safety, it was necessary to adapt protocols for administering the regular drug or alcohol tests required by some courts.

The cyber-attack on the state court system in spring 2021 disrupted online functions throughout the state, making it impossible for the therapeutic courts to use videoconference platforms for several weeks.

Despite the difficulties posed by the pandemic, the court system is continuing to develop the therapeutic court program. It is working with a newly established legislative task force that includes court representatives, legislators, and representatives from the Departments of Law and Corrections, the Public Defender Agency, the Division of Behavioral Health, the Mental Health Trust, and Alaska therapeutic court alumni. The task force will focus on enhancing the effectiveness of the courts and possibly expanding services to additional communities.

Children's Issues

In FY21, the Department of Law, with the Office of Children's Services, filed 2530 new CINA (Child-in-Need-of-Aid) cases with the Alaska Court System. Of these, 1681 were filed to determine whether a child should be adjudicated formally as a child in need of aid — that is, whether the state should assume custody to ensure the child's well-being. Another 632 filings were petitions to terminate parental rights. The total CINA case filings are two percent lower than in FY19 and seven percent lower than in FY20.

CINA cases tend to be very complex, with many hearings and many participants over the length of the case — the children themselves, parents, guardians, other family members, tribes, attorneys, guardians ad litem, and caseworkers from the Office of Children's Services.

To facilitate the handling of CINA cases under pandemic conditions, the court has permitted case hearings to be conducted through Zoom on a HIPAA-compliant platform. (The Office of Children's Services must comply with HIPAA.)

To improve the handling of these cases throughout the state, with better results for the care of children, the court system and representatives from executive branch departments and other agencies work together through the federally-funded Court Improvement Program (CIP). The FY21 CIP work included:

- Continuation of a pilot program in Fairbanks. The program’s goal is to improve permanency outcomes — that is, finding permanent home situations for children — by focusing on case progress at regularly scheduled and more frequent intervals. Improved hearing quality and the timely filing of petitions, reports, and orders should lead to fewer continuances and reduce the overall number of hearings.
- Improved data sharing among agencies involved in CINA cases.
- Development of a handbook for older youth in foster care that provides guidance on topics relevant to older children, such as health concerns, finances, tribal matters; and independent living.
- Bench-bar sessions to facilitate and provide feedback on case handling, especially with issues arising as a result of the Covid-19 pandemic.
- Zoom training for judges and magistrate judges on youth in the courtroom: why youth participation is important; how to interview youth; how to ensure a more positive courtroom experience.
- Participation for judicial officers and attorneys involved in CINA cases at virtual conferences conducted by the NACC (National Association of Counsel for Children).



Arnica flowers, Nenana River gorge (Fourth Judicial District)

Statewide, more than sixty percent of the children in CINA cases are Alaska Native. These cases fall under provisions established by the federal Indian Child Welfare Act (ICWA). The act provides for tribal representatives to participate in these cases and for cases to be transferred to tribal court if requested. In FY21, eighty-eight CINA cases from communities throughout the state transferred to tribal court jurisdiction. In addition, at least 342 cases that reached disposition in FY21 in the state court system had tribal representatives as parties to the case.

Several Alaska Court System efforts in FY21 focused on providing training on ICWA-related issues to judges, attorneys, and others involved with these cases:

- Statewide Zoom presentations covering ICWA in November 2020, March 2021, and May 2021.
- Development of an e-learning course covering ICWA and CINA cases. The online course will present three options for participation: reading course materials; listening to an audio presentation; or watching a video presentation.
- Production of a series of short video vignettes focused on Alaska Native history that will be used in in the e-learning course and in other trainings on ICWA.

Access to Justice Services

The court system has now gathered its many programs offering guidance and resources for the general public on legal and justice issues into its Access to Justice Services section. Some of these programs provide guidance to those representing themselves in court cases. Others provide access to services such as language interpretation and assistance with dispute resolution, as well as instructions for jury service. Information and guidance are available on areas such as family law, probate, guardianship and conservatorship, minor offense traffic cases, juvenile delinquency, adult criminal cases, civil appeals, housing, and debt collection.

In FY21, Access to Justice Services:

- Continued to update answers to the list of frequently asked questions — FAQs — for public guidance on the court system’s covid-response web page.
- Using Zoom, made available statewide two self-help classes previously taught in person: the trial-and-hearing preparation class

and the family law education class.

- Updated the self-help housing web page to include more information for self-represented litigants.
- With funding from an Elder Justice Innovation Grant, planned an expansion of services for people in guardianship cases, including providing two phonenumber facilitators.
- Through the Parenting Plan Resolution Office began offering a new option for parents in high-conflict divorce or custody cases. Under court order, parents can complete an on-line course focused on parenting tools and skills. Court Parenting Plan Facilitators work with the parents in practicing the techniques learned in the course.
- Continued to work with the Legal Services Corporation, Alaska Legal Services, and the Legal Aid Society of Hawaii to develop the civil Legal Navigator Internet Portal. This program, which will debut statewide in early 2022, will function as an online portal for information on civil legal issues. It will provide individually tailored guidance. A similar program is in development in Hawaii; the two will serve as models for other states.
- Received the Irwin Cantor Innovative Program Award from the Association of Family and Conciliation Courts for the Alaska Court System's many dispute resolution programs and offerings for families in family law cases.

The web pages of the Access to Justice Services section on the court's website provide extensive information on the various programs, as well as links to instructional videos and online courses.

Language Interpretation Needs

Despite the Covid-19 pandemic, there has been little change in the need for language interpretation in court proceedings. In FY21, there were close to 1100 total requests for interpreters in court affairs in which one or more parties did have an adequate grasp of English. This total is comparable to the number of requests in the previous three years.

The court provided interpreters in over forty languages as well as in American Sign Language. The languages most commonly needed in FY21 were Spanish, Tagalog, Samoan, Yup'ik, and Arabic. In addition, there were over 130 requests for interpreters in American Sign Language. There were requests for interpreters in proceedings in all four judicial districts.



Shungnak River (Second Judicial District)

Because the court system has provided interpreters using telephonic and video technology for many years, it was already prepared to adapt to the restrictions imposed by the pandemic, and in fact, it has continued to refine its ability to provide needed interpretation through the use of Zoom and other video remote means.

Most interpretation in FY21 was handled telephonically or by video remote. Because of the pandemic, there was only one proceeding with an on-site interpreter. ASL interpreters worked either on-site or through video remote.

Criminal, civil, and CINA (Child in Need of Aid) cases required interpretation services most often, but interpreters were also necessary in delinquency, small claims, minor offense, and probate cases. In addition, there were requests for interpretation in jury proceedings and in customer service.

The court system also continued to add translations in several languages for pandemic-related information on its website.

In addition, in FY21, the court system:

- Began to offer Online Orientation for Court Interpreters in January 2021. Nine interpreters have completed the training, including one Yup'ik interpreter;

- Initiated a pilot project in Anchorage using tablets to provide immediate access to online ASL services at the domestic violence counter;
- Offered the National Center for State Courts written examination for interpreters online for the first time;
- Expanded training resources for those interested in becoming court interpreters.

Language access services are now part of the Access to Justice section of court system administration.

Tribes and Tribal Courts

Recognizing the value of traditional Alaska Native approaches to resolving conflicts, particularly at the local level, the Alaska Court System is continuing to develop working relationships with tribes and tribal courts.

A very important area of court interaction with tribes involves CINA (Child-in-Need-of-Aid) cases. Under the federal Indian Child Welfare Act (ICWA), the state court must notify a tribe of a case when the child is a tribal member (or is eligible for membership). A tribal representative can participate in the case, or the tribe can petition to take jurisdiction. In FY21, tribes participated in at least 342 CINA cases, and tribes took jurisdiction in 88 cases. The court system conducts regular training for judges and case stakeholders on ICWA provisions.

In another area of cooperation, under Criminal Rule 11(i) and Delinquency Rule 23(f), the court system now has Memoranda of Understanding with twenty-three tribes, structuring referrals to tribal restorative justice programs in certain types of criminal and juvenile delinquency cases. In the Second Judicial District, a judicial order has established a procedure for all tribes in that district to petition for jurisdiction under the same rules. In FY21, fourteen cases were transferred to restorative justice programs. In three additional cases, the tribes requested documents on the cases.

The court system also conducts a joint-jurisdiction therapeutic court with the Kenaitze Tribe: the Henu' Community Wellness Court in Kenai. This court targets offenders with drug and alcohol problems. A state judge and a tribal court judge preside together. Another state-tribal therapeutic court, with the Sitka Tribe of Alaska, was in the last stages of the planning process at the end of FY21.

In October 2020, an Alaska Supreme Court Justice was a guest speaker at the annual Alaska Federation of Natives Conference. The conference was held virtually because of the Covid-19 pandemic.

Professional Development

Despite the difficulties posed by the Covid-19 pandemic, the Alaska Court System has continued to emphasize the professional development of its judicial officers. It has also provided for training for its clerks of court.

Appellate and trial court justices and judges across the state participated virtually in the 2020 Judicial Conference over several days in October and November. Some programs from outside speakers were pre-recorded so judges could watch at their convenience. Participants saw a review of U.S. Supreme Court civil and criminal cases. Various session options focused on racism as well as other issues involving possible discrimination. Judicial officers also participated in smaller groups in an interactive ethics program. There were also several shorter “mini-sessions” on a variety of topics: youth in court in CINA cases; the importance of being a trauma-informed court; child support; search warrants and cell phones; and conducting virtual trials.

In January 2021, the court system conducted its annual Newer Judge Conference for judges who have moved to the bench within the last three years. During this three-day online conference, more experienced judges led training sessions for their colleagues who are newer to the bench. One program covered the ethics of maintaining a judicial presence in the community; another focused on the very practical subjects of calendar, courtroom, and caseload management, as well as chambers management. The conference included several sessions on substantive areas of law: evidence; criminal law; and domestic relations. Other programs used the pandemic specifically as a touchpoint for discussion on different topics, including eviction proceedings, remote hearing practices, and virtual jury management. The conference ended with a perennial favorite — advice from experienced judges.

The virtual Magistrate Judge Conference took place in April 2021. The conference began with an update on important state appellate cases from the previous year and also included an interactive program discussing judicial ethics in stressful times. Outside speakers conducted a full-day workshop on understanding and addressing cyber violence as it relates to domestic violence matters. In addition, the magistrate judges participated in the Red Door Project’s Evolve Experience — a program designed for criminal justice professionals that uses dramatic storytelling as a tool for

developing skills in listening and self-reflection on critical social issues. Finally, participants chose from a handful of shorter “mini-sessions” to end the conference: topics included the parenting coordinator program; guardianship annual report monitoring; search warrant issues involving phones, cars, and dogs. Another session focused on the presence of youth in court during CINA cases.

Throughout the year, judicial officers also had opportunities to attend virtual courses and seminars offered by national organizations focused on judicial matters — the National Judicial College, the National Center for State Courts, and the American Judges Association, among others.

Clerks of Court

The Alaska Clerks of Court also participated in a virtual conference over several weeks in spring 2021. The clerks attended sessions on various court administration topics, including cyber security, as well as on topics addressing racism and other areas of possible discrimination. They received updates on court-related legislative matters and the work of the Fairness and Access Commission. Another session focused on building public trust and confidence in the courts.

Court Facilities

Throughout FY 2021, the Facilities Department continued to modify court buildings throughout the state in response to the Covid-19 pandemic. In addition, the department, which manages court facilities at over forty locations across the state, oversaw the completion of a new courthouse in Glennallen and continued its regular maintenance, renovations, and upgrades at other facilities.

The court system owns seven buildings — the Nesbett Courthouse, the Snowden Administrative Office Building, and two smaller administration buildings in Anchorage; the Rabinowitz Courthouse in Fairbanks; and the courthouses in Palmer and Kenai. It uses space in buildings owned by other state government entities at eleven locations and leases facilities from municipalities, Native organizations, and private owners at twenty-seven locations. The Facilities Department oversees routine and deferred maintenance, security review and upgrades, and renovations at all court sites.

In response to safety issues presented by Covid-19, the Facilities Department arranged for placement of multiple plexiglass barriers in all courtrooms and customer service counters. In addition, following



TVs in the courtroom, Kenai Courthouse (Third Judicial District)

guidelines issued by the CDC, it has changed the filters used in HVAC equipment throughout the state to improve the inside air quality. Where possible, it has also modified systems to permit refreshing air intake from outside more frequently.

The department also arranged special cleaning for spaces in which individuals who tested positive for the Covid virus or were symptomatic had spent time. In the early stages of the pandemic, when less was known about how the virus spreads, high-touch areas in larger court locations also received extra attention.

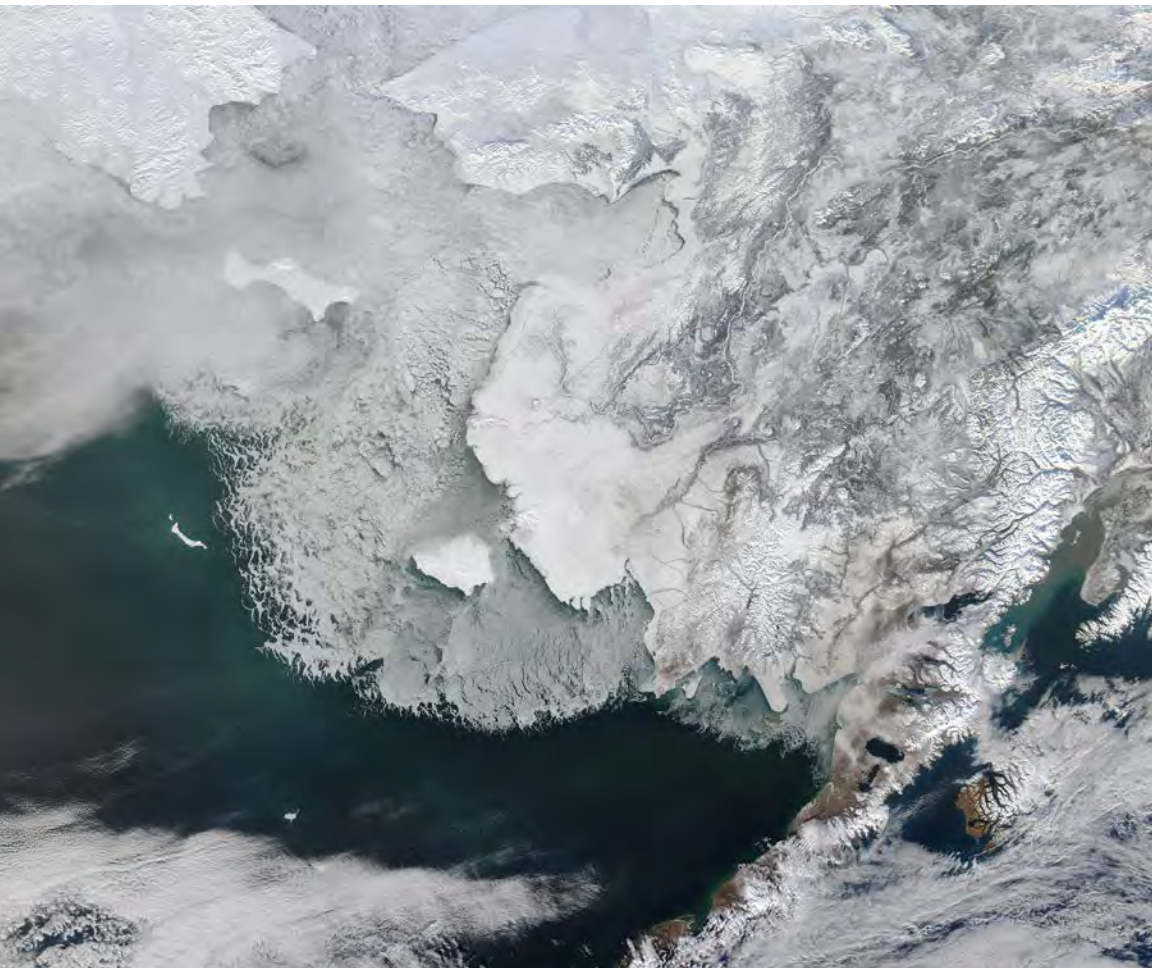
In addition to overseeing construction of the new courthouse in Glennallen, which opened in May 2021, the court system also finished an extensive renovation of a facility in Nome in September 2020. In the Boney Courthouse in Anchorage, FEMA funds are enabling repairs to the fan system damaged in the 2018 earthquake. In Skagway, the court began the move into a different building late in FY21.

Other renovations in FY21 included upgrades to the clerk’s counters in Kotzebue, Seward, and Palmer. These modifications incorporate new security features, including physical barriers between the public and court staff that still allow for ease in communication. Other security upgrades implemented in various buildings involved lighting, windows and doors, fencing, access control, duress alarms, and CCTV systems.

The court system is also working with the City of Wrangell over planned changes to the building where court facilities are currently housed. In both Bethel and Unalakleet, there has been discussion on establishing justice centers. For Bethel, the court system is now in contact with state executive branch agencies that may wish to use the same location.



Glennallen Courthouse (Third Judicial District)



Sea ice off western Alaska from MODIS instrument aboard NASA's Aqua satellite, 4 Feb 2014



Justices, Judges, and Senior Court Administrators

Ice crystals during thaw, Phelan Creek, Fielding Lake State Recreational Site (Fourth Judicial District)

July 1, 2020 – June 30, 2021

Justices — Alaska Supreme Court

Joel H. Bolger (2013), Chief Justice
Daniel E. Winfree (2007)
Peter J. Maassen (2012)
Susan M. Carney (2016)
Dario Borghesan (2020)

Statewide Court Administration

Stacey Marz, Administrative Director
Doug Wooliver, Deputy Administrative Director

Judges — Court of Appeals

Marjorie K. Allard (2012), Chief Judge
Tracey Wollenberg (2017)
Bethany Harbison (2018)
Timothy W. Terrell (2020)

Clerk of the Appellate Courts

Meredith Montgomery

First Judicial District

Trevor N. Stephens, Ketchikan (2000),
Presiding Judge (2020)
Amy G. Mead, Juneau (2018), Presiding
Judge (2021)
James Kwon, Area Court Administrator

Judges — Superior Court

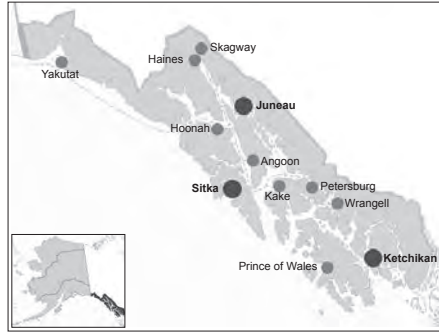
William B. Carey, Ketchikan (2008)
Philip M. Pallenberg, Juneau (2007)
M. Jude Pate, Sitka (2018)
Daniel Schally, Juneau (2018)

Judges — District Court

Kevin G. Miller, Ketchikan (1999)
Kirsten L. Swanson, Juneau (2016)

Magistrate Judges

Kay Clark, Prince of Wales (2004)
James Curtain, Juneau (2012; retired
2020)
Katherine Chung, Anchorage (2021)
Mary Kay Germain, Yakutat / Haines /
Hoonah / Skagway (2010; retired
2020)



Orion Hughes-Knowles, Haines / Yakutat
/ Hoonah / Skagway (2021)
Rachel Newport, Petersburg / Wrangell /
Kake (2020)
Amanda Schulz, Ketchikan (2010)
Pamela Stahla-Kernin, Sitka / Angoon
(2020)
Emily Wright, Juneau (2020)

Second Judicial District

Paul A. Roetman, Kotzebue (2010),
Presiding Judge
Brodie Kimmel, Area Court Administrator

Judges — Superior Court

Romano D. DiBenedetto, Nome (2017)
Nelson Traverso, Utqiagvik (2019)

Magistrate Judges

Heidi Ivanoff, Unalakleet (1998)
Aaron Michels, Kotzebue (2016)
David Roghair, Utqiagvik (2010)
Pamela Smith, Nome (2019)

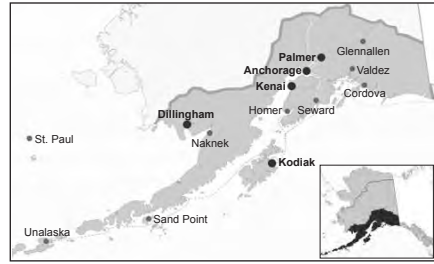


Third Judicial District

William F. Morse, Anchorage (2002),
Presiding Judge
Carol McAllen, Area Court Administrator

Judges — Superior Court

Eric A. Aarseth, Anchorage (2005)
Rachel Ahrens, Valdez (2019)
John C. Cagle, Palmer (2019)
Dani Crosby, Anchorage (2015)
Catherine M. Easter, Anchorage (2012)
Una S. Gandbhir, Anchorage (2018)
Josie W. Garton, Anchorage (2018)
Jason Gist, Kenai (2018)
Andrew Guidi, Anchorage (2010)
Jennifer S. Henderson, Anchorage
(2017)
Lance E. Joanis, Kenai (2018)
Kari Kristiansen, Palmer (2006)
Yvonne Lamoureux, Anchorage (2017)
Erin B. Marston, Anchorage (2012)
Thomas A. Matthews, Anchorage (2018)
Gregory A. Miller, Anchorage (2011)
Andrew Peterson, Anchorage (2018)



Peter Ramgren, Anchorage (2019)
Christina Reigh, Dillingham (2017)
Kevin M. Saxby, Anchorage (2012)
Bride Seifert, Homer (2019)
Kristen C. Stohler, Palmer (2019)
Stephen B. Wallace, Kodiak (2019)
Herman G. Walker, Anchorage (2015)
Jennifer K. Wells, Kenai (2017)
Michael L. Wolverton, Anchorage (1996;
retired 2020)
Jonathan A. Woodman, Palmer (2016)
Adolf Zeman, Anchorage (2020)

Judges — District Court

Jo-Ann M. Chung, Anchorage (2011)
Brian K. Clark, Anchorage (2003)
Leslie Dickson, Anchorage (2012)
William L. Estelle, Palmer (2003; retired
2021)
Martin C. Fallon, Kenai (2019)
Michael J. Franciosi, Anchorage (2017)
J. Patrick Hanley, Anchorage (2005)
Tom V. Jamgochian, Palmer (2020)

Michael B. Logue, Anchorage (2018)
Kari L. McCrea, Anchorage (2017)
David A. Nesbett, Anchorage (2019)
Shawn D. Traini, Palmer (2019)
David R. Wallace, Anchorage (2009)
Pamela S. Washington, Anchorage
(2010)
David L. Zwink, Palmer (2010; retired
2020)

Magistrate Judges

Judson Adams, Glennallen / Valdez
(2018)
Kay Adams, Cordova (2008)
Michael Aiello, Dillingham / Naknek /
Unalaska (2019)
David Bauer, Anchorage (2011)
Sidney Billingslea, Anchorage (2013)
Amanda Browning, Kenai (2018)
Katherine Chung, Anchorage (2021)
Suzanne Cole, Anchorage (1997)
Anna Cometa, Palmer (2020)
Craig Condie, Palmer (2010)
Kathleen Doherty, Anchorage (2014;

resigned 2021)
Jennifer Manculich, Anchorage (2018)
Donna McCready, Anchorage (2013)
Heather O'Brien, Anchorage (2018)
George Peck, Seward (1976)
Robert Polley, Anchorage (2017)
Matthew Slodowy, Anchorage (2018)
Michael Smith, Anchorage (2015)
James Stanley, Anchorage (2011)
Kimberley Sweet, Kenai (2018)
Christina Teaford, Anchorage (2008)
Dawson Williams, Kodiak (2007)

Fourth Judicial District

Michael A. MacDonald, Fairbanks (2007), Presiding Judge (2020)
Terrence P. Haas, Bethel (2018), Presiding Judge (2021)
Ronald J. Woods, Area Court Administrator

Judges — Superior Court

Brent Bennett, Fairbanks (2019)
Patricia L. Haines, Fairbanks (2021)
Paul R. Lyle, Fairbanks (2008)
Michael P. McConahy, Fairbanks (2009; retired 2021)
Nathaniel Peters, Bethel (2017)
Earl A. Peterson, Fairbanks (2019)
Thomas I. Temple, Fairbanks (2018)

Judges — District Court

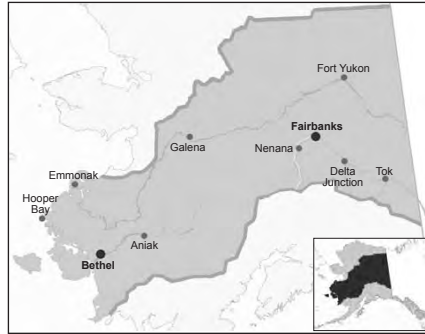
Maria Bahr, Fairbanks (2021)
Matthew Christian, Fairbanks (2013)
Patrick S. Hammers, Fairbanks (2009; retired 2020)
William T. Montgomery, Bethel (2018)
Benjamin A. Seekins, Fairbanks (2012)

Magistrate Judges

John Brainerd, Fairbanks (2019; resigned 2021)

Active Pro Tem Judges

Linn Asper
Robert G. Coats
Steve W. Cole
Dale O. Curda
Robert L. Eastaugh
Dana Fabe
Natalie K. Finn
Greg Heath
Donald D. Hopwood
Jane Kauvar
John R. Lohff
David Mannheimer



Richard Garcia, Aniak/ St. Mary's / Hooper Bay (2019; resigned 2021)
Darlene Johnson-Edwards, Emmonak (2000)
Paul Korchin, Aniak / St. Mary's / Hooper Bay (2021)
Risa C. Leonard, Fairbanks (2021)
Melony Lockwood, Fairbanks (2017; resigned 2021)
Jeffrey May, Nenana / Galena / Fort Yukon (2018)
Spenser J. Ruppert, Fairbanks (2021)
Bruce G. Ward, Bethel (2012)
Yvette Young, Delta Junction / Tok (2018)

Warren W. Matthews
Michael P. McConahy
Dwayne McConnell
Patrick McKay
Anna Moran
Gregory Motyka
Nancy J. Nolan
Frank Pfiffner
Eric B. Smith
Michael R. Spaan
John Suddock
Michael L. Wolverton

Deputy Magistrates, Clerks of Court, and Rural Court Administrators

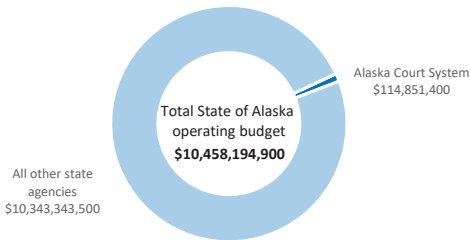
Susan Adams, Anchorage
Natalie Alexie, Bethel
Jennifer Benda, Valdez
Annmarie Bilzing, Yakutat
Cheryl Bird, Emmonak
Lauren Burnham, Tok
Raúl Calvillo, Fourth Judicial District
Denice Chappell, Kenai
Barbara Cloud, Palmer
Robert Colvin, Kotzebue
Jenny Cowley, Kodiak
Annalisa DeLozier, Fourth Judicial
District
Rebecca Duffy, Unalaska
Jenna Durst, Petersburg
Rae Ann Filla, Delta Junction
Jennifer Findley, Juneau
Bridgit Gillis, Kenai
Michelle Hall, Juneau
Bonnie Hedrick, Haines
Amy Jo Howard, Sitka
Nycol Jardine, Ketchikan
Regina Johnson, Bethel
Clayton Jones, First Judicial District
Taylor Kelso, Naknek
Caitlin Kirby, Haines
Albert Kookesh, Angoon

Lori Marvin, Third Judicial District
Ruth Meier, Fairbanks
Leanna Nash, Wrangell
Stacey Nemanic, Ketchikan
Jenny Nicoli, Aniak
Tonya O'Connor, Dillingham
Dawn Osenga, Seward
Cynthia Percy, Anchorage
Arlene Peter, Fort Yukon
Pamela Pitka, Galena
Kimberly Rice, Prince of Wales (Craig)
Susan Richmond, Third Judicial District
Sheri Ridgeway, Wrangell
Linda Rios, Anchorage
Melissa Samuels, Second Judicial
District
Rachel Schoonover, Palmer
Peggy Sherman, Glennallen
Leah Shockley, Kenai
Zachary Singleton-Havner, Utqiagvik
Tessa Tate, Fairbanks
Samantha Thompson, Nenana
Sarah Tipikin, Homer
Lorraine Tomaganuk-Moses, Hooper Bay
Crystal Toolie, Nome
Jan Tronrud, Skagway
Jolene Watkins, Hoonah

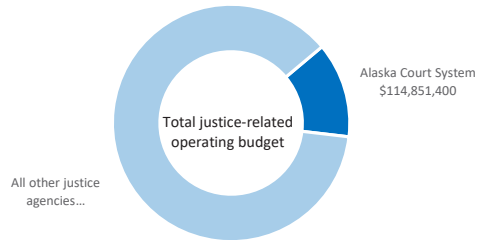
Court Statistical Highlights

Alaska Court System Budget

State of Alaska Operating Budget, FY21



Justice-Related Operating Budget, FY21



Filings and Dispositions by Case Type, FY21

Alaska Supreme Court	Filings	Dispositions
Civil appeals	171	186
Petitions for hearing	61	67
Petitions for review	58	50
Bar / original applications	11	11
Total	301	314

Alaska Court of Appeals	Filings	Dispositions
Merit appeals	109	189
Sentence appeals	12	27
Petitions	35	26
Bail appeals / original applications	12	11
Total	168	253



Early morning salmon opening, Bird Island (First Judicial District)

Further FY 2021 Alaska Court System data are available at:

Alaska Court System Statistical Report FY 2021

<https://courts.alaska.gov/admin/index.htm#annualrep>

The online document includes data on case filings and dispositions for both trial and appellate courts for all case types for FY21, as well as comparative figures for previous fiscal years. It also includes summary analyses of the figures from both trial and appellate courts.

Superior Court	Filings	Dispositions
Felony	6,854	5,579
CINA	2,530	2,352
Delinquency	473	465
Domestic relations	3,815	3,857
General civil	2,234	2,094
Probate	6,244	5,890
Total	22,150	20,237

District Court	Filings	Dispositions
Misdemeanor	20,994	19,359
Minor offense	42,940	45,533
Small claims	3,422	4,062
Civil protective order	6,642	6,479
General civil	5,620	5,750
Total	79,618	81,183



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Dog team at Moose Creek Cabin, White Mountains National Recreation Area (Fourth Judicial District)

Cover photograph: Cottongrass, Arctic National Wildlife Refuge, 2 Sep 2006. Photo by Hillebrand, U.S. Fish and Wildlife Service (usfws_alaska on Flickr). (Public domain.)

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Photos by Melissa S. Green: page 18, Arnica flowers, Nenana River gorge (Fourth Judicial District), 10 Jun 2021; page 25, Glennallen Courthouse (Third Judicial District), 5 Jun 2021; page 27, Ice crystals during thaw, Phelan Creek, Fielding Lake State Recreational Site, 7 Jun 2021. (Used by permission.)

Photo by Antonia Moras: page 11, Felony case information display, Nesbett Courthouse (Third Judicial District), 9 Nov 2020. (Used by permission.)

Photo by NASA/GSFC/Jeff Schmaltz/MODIS Land Rapid Response Team (nasa on Flickr): page 26, Sea ice off western Alaska from MODIS instrument aboard NASA's Aqua satellite, 4 Feb 2014, 14 Feb 2014. (Used in accordance with Creative Commons Attribution 2.0 Generic (CC BY 2.0) license.)

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Photo by Claire Dal Nogare, National Park Service (alaskanps on Flickr): page 16, Lake in Arrigetch Valley, Gates of the Arctic National Park and Preserve, 26 Aug 2020. (Used in accordance with Creative Commons Attribution 2.0 Generic (CC BY 2.0) license.)

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Photo by Bob Wick, Bureau of Land Management (blmalaska on Flickr): page 34, Dog team at Moose Creek Cabin, White Mountains National Recreation Area, 8 Mar 2016. (Used in accordance with Creative Commons Attribution 2.0 Generic (CC BY 2.0) license.)

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Sabine's gull, Yukon Delta National Wildlife Refuge (Fourth Judicial District)

ACCESS TO JUSTICE SERVICES



Family Law Self-Help Phone Line

- Legal information about family law cases, forms, etc.
- Help with e-file and Online Dispute Resolution
- Presents Family Law Education Class (now on Zoom)

Legal Navigator Internet Portal Project



Language Access Services

- The court's statewide interpreter coordinator assigns an interpreter
- Depending on the specifics of the case and the availability of a court-qualified interpreter, the interpreter will interpret:
 - over the telephone,
 - by video, or
 - in person

ABOUT REPRESENTING YOURSELF	ADULT CRIMINAL CASES	APPEALS - SELF-HELP
CHILD IN NEED OF AID (VIDEO)	CLASSES • CLINICS • RESOURCES	DEBT COLLECTION
DOMESTIC VIOLENCE	FAMILY LAW SELF-HELP	FILING FEES & FEE WAIVER
FINDING A LAWYER	GUARDIANSHIP	HOUSING ISSUES
JUVENILE DELINQUENCY	LANGUAGE ASSISTANCE	NAME CHANGE
PROBATE: ESTATES	SMALL CLAIMS	TRAFFIC CASES (MINOR OFFENSES)

Self-Help Webpages

- Early Resolution Program
- Parenting Plan Dispute Resolution
- CINA Mediation
- Minor Guardianship Mediation
- Adult Guardianship Mediation
- Co-Parenting Coaching Program
- Child Interviews
- Parenting Coordination

Dispute Resolution Services

Forms

- Oversee court forms and keep current
- Forms available publicly and through the intranet and case management applications for court staff and judges
- Used by self-represented litigants, lawyers, court staff, judges, & frequent participants like law enforcement or jails
- coordinate with programming staff to integrate forms into case management

State Jury Office

- Maintain and manage the court's jury management system
- Provide jury process training for local courts
- Create new ways to make jury service more efficient for both jurors and clerks

Adult Guardianship Phone Line

- Coming soon!
- Legal information about adult guardianship cases, forms, etc



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Alaska Court System
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Anchorage, Alaska 99501
(907) 264-0548