

The Judicial Branch

Although the terms judicial branch and court system are often used interchangeably, in fact, the third branch of government, the judiciary, contains three separate entities: The Alaska Court System, the Alaska Judicial Council, and the Alaska Commission on Judicial Conduct. Article IV of the Alaska Constitution and Title 22 of the Alaska Statutes describe the powers and responsibilities of the judicial branch in Alaska.

The **Alaska Court System** is the largest of the three state agencies in the judicial branch of government. The court system is responsible for processing cases filed by litigants to resolve disputes. Judges work for the court system and hear cases. They decide facts and interpret and apply the laws in the cases brought before them. In criminal cases, they determine which penalty or punishment should be applied.

The **Alaska Judicial Council** is an independent agency that is in charge of selecting qualified applicants who want to be judges and forwarding their names to the governor who decides which candidate should be appointed. The judicial council also evaluates judges and recommends whether they should be retained by the voters who vote on all sitting judges at regular intervals. The council has seven members. Three members must be attorneys appointed by the Alaska Bar Association. Three members cannot be attorneys and are appointed by the governor subject to confirmation by the legislature. The chief justice of the supreme court is the Council's seventh member and chairperson.

The **Alaska Commission on Judicial Conduct** addresses problems of judicial conduct and disability. The Commission is composed of three state court judges, three attorneys who have practiced law in the state for at least ten years, and three members of the public.

Tribal courts, which also exist in Alaska, are not part of state government and are not discussed in this orientation.

