Supreme Court

LIVE

Monday, December 5, 2011
Lathrop High School
Fairbanks
Introduction to the Alaska Court System and the Appellate Process
THREE BRANCHES OF GOVERNMENT
Federal and State

Federal (United States)

LEGISLATIVE
- Congress
  - Senate (100 members; 2 per state)
  - House of Representatives (435 members based on state population)

EXECUTIVE
- President
  - Vice President
  - Cabinet
  - All Federal Agencies

JUDICIAL
- US Supreme Court
- Thirteenth Circuit Courts of Appeal
- Federal District Courts

State of Alaska

LEGISLATIVE
- Senate (20 members; four-year terms)
- House of Representatives (40 members two year terms)

EXECUTIVE
- Governor
  - Lt. Governor
  - Cabinet (Commissioners)
  - 14 state agencies (Department of Law, Fish and Game, Revenue, Natural Resources, Transportation and Public Facilities, etc.)

JUDICIAL
- Alaska Supreme Court
- Court of Appeals (criminal cases only)
- Superior Court (general jurisdiction)
- District Court (limited jurisdiction)
What is the difference between an appellate court and a trial court?

What do you see in a trial courtroom that you don’t see in an appellate courtroom?

How many judges or justices sit on an appellate bench? On a trial bench?
Judicial Districts in Alaska. In what district is Fairbanks located?
What is the difference between a civil and a criminal case?

What type of case is Yi v. Yang?
THE PATH OF AN APPELATE CASE

CIVIL CASES

1. District Court
2. Superior Court
3. Supreme Court

CRIMINAL CASES

1. District Court*
2. Superior Court
3. Court of Appeals
4. Supreme Court

→ APPEALS AS OF RIGHT:
Court required to accept appeal

→ DISCRETIONARY APPEALS:
Court may refuse to accept appeal

* CHOICE OF APPEAL ROUTE
Defendant may file direct appeal to superior court or court of appeals

Alaska Supreme Court

Judge Randy M. Olsen
Fairbanks Superior Court

Supreme Court LIVE--December 5, 2011
The Path of
Yong H. Yi v. Harris S. Yang, et al.
A Civil Case
Introducing the Alaska Supreme Court
Chief Justice Walter L. Carpeneti
Justice Dana Fabe
Justice Craig Stowers
A Supreme Court Appeal: The Process in a Nutshell

1. Notice of Appeal/Petition for Hearing
2. Brief of Appellant/Petitioner
3. Brief of Appellee/Respondent
4. Reply Brief of Appellant/Petitioner
5. Oral Argument: 20 Minutes Each
6. Court Deliberates
7. The Assigned Justice Prepares an Opinion
8. Dissenting or Concurring Justices Write Separate Opinions
9. Final Opinions Issued, Distributed & Published

http://www.courts.alaska.gov/appcts.htm#slips
Supreme Court LIVE TRIVIA

1. When was the first courthouse built in Fairbanks? Which judge sat on the Fairbanks bench at that time? Was he a federal or state judge?

2. Who was the first Alaska Supreme Court justice to sit in Fairbanks? When was he appointed?

3. Who was the third Alaska Supreme Court justice to sit in Fairbanks? What Fairbanks building is named in his honor?

4. Which current justice of the Alaska Supreme Court graduated from Lathrop High School and played basketball for the Lathrop Malemutes?
Answer #1: 1904, Judge James Wickersham, U.S. District Court Judge (federal) for the Territory of Alaska.
Answer #2: Justice Walter Hodge, L, was appointed at Statehood in 1959. With him in the front row are the two other members of the first Alaska Supreme Court, L-R: Chief Justice Buell Nesbett & Justice John Dimond. Standing behind the supreme court are the first eight judges of the Alaska Superior Court. Judge Harry Arend of Fairbanks is second from left. Arend was appointed to the Alaska Supreme Court in 1960 to replace Justice Hodge after Hodge joined the federal bench.
Answer #3: Justice Jay A. Rabinowitz. The Rabinowitz Courthouse downtown is named in his honor.
Answer #4: Justice Daniel Winfree, Lathrop Class of 1971, Senior Class President
Thank you!