

# Jay Rabinowitz Asks Bush Court Facilities

JUNEAU Chief Justice Jay Rabinowitz of the Alaska Supreme Court has asked legislative approval of one million dollars for improved court facilities at Barrow and Bethel.

"The court system's capital budget requests for the next fiscal year include two capital improvement projects which are very important," Rabinowitz told a joint session of the legislature Thursday in his "State of the Judiciary Address."

"These will build court facilities at Bethel and Barrow. . . (where) new and needed services "will be crowded into space which is already extremely inadequate," he said.

Rabinowitz told the legislators that facilities at Barrow, which is being considered as the center of another judicial service area, are very inadequate.

He also cited observations by Judge Mary Alice Miller and Justice James Fitzgerald, two members of the governor's Commission on the Administration of Criminal Justice, who participated in recent commission hearings at Bethel.

They found the 16 by 24 foot courtroom barely able to seat six jurors for a trial. In addition, there are no witness, attorney, or jury rooms, no clerk's office nor chambers for the judge. Working space for the administrative staff is also located in the courtroom, for lack of adequate space elsewhere.

"In this courtroom there is no possibility of creating an atmosphere of quiet dignity. Indispensable to a court," Miller and Fitzgerald wrote. "There is instead incredible crowding and confusion from the lack of essential space."

Rabinowitz meanwhile called creation of a judicial service area for Bethel "one of the most interesting accomplishments of the past year" (for the court system).

"Before this service area was created, responsibility for judicial matters in the Kuskokwim-Lower Yukon region was divided among the Second, Third and Fourth Judicial District," he said. "Major trials were held in Fairbanks or Anchorage, far from the citizens most concerned with the proceedings.

"Trials held in Bethel required two days of travel by Judge Sanders of Nome just to reach the community. Because grand juries were convened in Anchorage or Fairbanks, witnesses from villages in the region traveled long distances from their homes. Police protection was reduced because troopers in Bethel spent long periods of time waiting to testify before the grand juries in Fairbanks or

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# Rabinowitz . . .

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Anchorage.

"Now the Kuskokwim-Lower Yukon region will be regularly visited by Superior Court Judge Eben Lewis of Anchorage. Trials and grand juries will be held in Bethel. Grand juries will be chosen from the area and witnesses will have to travel only to Bethel," he said.

The state court has assigned an additional administrative clerk to Bethel and Judge Lewis has been given an operating budget and complete control over civil, criminal and children's matters, as well as the calling of grand juries for that area.

Results from the Bethel service area experiment have been so favorable "that we are considering establishing a second service area for Barrow," Rabinowitz

told the legislators. "In April, members of the court system and interested executive agencies will meet at Barrow to discuss whether the concept can be successfully applied to this region.

"My own view is that the need for service areas following lines of population, transportation, and commerce but cutting across judicial district boundaries reflects the lessening importance of judicial districts in the day-to-day functioning of our courts," he said.

The chief justice also noted that funds from the Indian Desk of the Law Enforcement Assistance Administration (LEAA) had provided modular judicial facilities now in operation and owned by the communities of Emmonak, St. Mary's, Kiana and Selawik.

"One has to see these facilities on location to appreciate the tremendous improvement they are over what earlier served as jails, police offices and courts in these villages," he said.

The state court system pays \$75 per month rent for magistrate offices in each of these buildings. In addition, the 840 square foot units provide jail facilities, offices for village constables, and meeting areas for village councils.

The Alaska court system is now coordinating additional grant applications totaling 350,000 dollars to gain nine more of these court facility units from the LEAA Indian Desk. They are to be installed at Point Hope, Noorvik, Gambell, Savoonga, Hooper Bay, Mekoryuk, Aniak, Galena and Angoon.

Rabinowitz emphasized that the funds from the Indian Desk are "discretionary grants which do not diminish the LEAA funds available to other opponents of the criminal justice system."