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March 22, 2012

Honorable Alex Kozinski
Chief Judge
Ninth Circuit, US Court of Appeals
125 South Grand Avenue, Room 200
Pasadena, California 91105

Honorable Ralph Beistline
Chief Judge
US District Court for Alaska
222 West Seventh Avenue Box 49
Anchorage, Alaska 99513

Gentlemen:

This afternoon the Associated Press carried an article reporting that the federal government is considering closing up to 60 court sites in 29 states. I learned from that article that three of these court sites are in Alaska – in Fairbanks, Juneau and Ketchikan. My staff contacted the Administrative Office of the US Courts to learn more about the process by which court sites are closed. We were told that the decision rests with the Circuit and its Judicial Conference. The Administrative Office suggested that I share my comments with you.

I am deeply concerned about the proposal and question whether the cost-savings outweigh the benefits of these courts. Alaska's federal courts are collocated with federal office buildings, and I would be surprised if the real estate costs that would be saved by closing the courtrooms in Fairbanks, Juneau and Ketchikan would be substantial.

Additionally, Alaska is by far the largest state in the nation. This proposal would close the majority of the federal courts in a state that is more than twice the size of Texas, leaving one fully functioning federal court in a state that is one-fifth the size of the continental United States. It must also be noted that eighty percent of Alaska communities are off the road system, and if the Fairbanks, Juneau and Ketchikan court spaces were closed, pro se litigants would have to travel to Anchorage to file their papers and review court files at significant cost and inconvenience. Further, since the federal government owns more than sixty percent of the land in the state, many of Alaskans' disputes must be filed in federal courts. More than one federal courthouse is clearly needed.

Closing the Fairbanks, Juneau and Ketchikan court spaces would also foreclose the possibility of judges conducting federal trials outside of Anchorage and would prevent Alaska's federal judges from maintaining chambers in one or more of these cities. The Fairbanks community remains proud of Judge Kleinfeld's decision to locate his chambers in Interior Alaska. I would also note that legislation is in the works to name the Juneau courthouse in memory of late Judge Robert Boochever. Discussion about the closure of the Juneau court space could adversely affect consideration of this legislation.

Thank you for your prompt attention to this inquiry and for all that you and your colleagues do in the cause of justice.

Respectfully,



Lisa Murkowski
United States Senator

CC: Cathy Catterson, Circuit Executive

Marvel Hansbraugh, Clerk of the US District Court

Deborah O'Regan, Executive Director, Alaska Bar Association