



Superior Court
State of Alaska

THIRD JUDICIAL DISTRICT

SHARON L. GLEASON
Presiding Superior Court Judge

825 W. FOURTH AVENUE
ANCHORAGE, ALASKA 99501-2004

(907) 264-0772

REC'D SEP 21 2010

September 20, 2010

James B. Gottstein
406 G Street, Suite 206
Anchorage, AK 99501

Dear Mr. Gottstein:

I am in receipt of your letters of August 30, 2010 and September 2, 2010. With respect to your letter of September 2, 2010, which you sent to all of the judges that submitted comments on the proposed changes to the Probate Rules, I appreciate you sharing your perspective on those changes, and providing me with a copy of your minority report. We discussed these issues at our most recent superior court civil judges meeting on September 10, 2010, and two of the judges volunteered to further explore the points that you raised in your letter and report back to the rest of us.

With respect to your August 30, 2010 letter to me, the basis for the authority to act upon ex parte orders signed by the committing magistrate is set out in Probate Rule 2(b)(3). Each of the committing magistrates has a limited master's appointment that accords to the magistrate the authority to consider emergency petitions for involuntary commitment. As I read that Rule, a master's recommendation for the entry of an ex parte order for temporary custody for emergency examination/treatment is effective pending superior court review.

I also appreciate you noting that a case number was not on the copy of the order that you sent to me. I am following up on that point with the magistrates and other court staff.

Sincerely,

Sharon Gleason
Presiding Judge, Third Judicial District