

## NOTE FROM THE EDITOR

The *Alaska Law Review* is pleased to present the December 2011 issue. The five pieces that comprise this issue cover diverse areas of the law, and we hope that they will be thought provoking as well as useful to practitioners. All of the authors devoted a tremendous amount of effort to research, writing, and revising, and the student editors and production staff here at Duke worked diligently to ensure a polished, high quality final product.

Before delving into the substance of this issue, I would like to take this opportunity to remind our readers that the *Alaska Law Review* continues to publish its *Year in Review* annually. Beginning in 2004, the *Year in Review* was moved online, and *Year in Reviews* for the years 2004 to 2010 are available on the *Alaska Law Review* website at <http://www.law.duke.edu/journals/alr/year>. The staff editors and year-in-review editor are currently working diligently on the 2011 *Year in Review*, which will be available on the website in late April or early May 2012. We hope that the Alaska legal community continues to find these summaries interesting and useful.

The first article in this issue, *State of Alaska v. Native Village of Tanana: Enhancing Tribal Power by Affirming Concurrent Tribal Jurisdiction To Initiate ICWA-Defined Child Custody Proceedings, Both Inside and Outside of Indian Country*, is by Heather Kendall-Miller, a senior staff attorney at the Native American Rights Fund in Anchorage. Ms. Kendall-Miller discusses the history of confusion leading up to the Alaska Supreme Court's March 2011 landmark decision, *State of Alaska v. Native Village of Tanana*, which held that federally recognized Alaska Native tribes have jurisdiction over Indian Child Welfare Act child custody proceedings. The *Tanana* case was a hot topic on the *Alaska Law Review's* spring break trip last March, and Ms. Kendall-Miller does an excellent job of highlighting the importance of the decision, clarifying the current state of the law, and giving practitioners some insight into jurisdictional issues that may arise in future cases. The second article, *Alvarado Revisited: A Missing Element in Alaska's Quest To Provide Impartial Juries for Rural Alaskans*, by Professor Jeff D. May, argues that because of the vast difference between urban and rural life in Alaska, decisions of trial venue must be knowingly made or waived by rural criminal defendants in order to properly safeguard their constitutional right to an impartial jury. Professor May presents a simple idea for how the Alaska Court

System could ensure criminal defendants are informed of their right to request a change of trial venue under Criminal Rule 18.

Next, the *Alaska Law Review* is pleased to present a very useful practicum by Susan Falk, the Public Services Librarian at the Alaska State Court Law Library. Titled *Introduction to Researching Alaska Legislative History Materials*, the practicum provides an easy to read, authoritative guide on how to research Alaska legislative history. The staff editors of the *Alaska Law Review*, who are in the process of writing student notes, have found Ms. Falk's piece extremely helpful, and it is our hope that Alaska practitioners will find it similarly helpful when conducting legal research.

Finally, this issue contains two student notes. The first, *Fair Is Fair—Reshaping Alaska's Unfair Trade Practices and Consumer Protection Act*, by Ryan P. O'Quinn and Thomas Watterson, reviews the history of Alaska's consumer protection statute and makes the timely argument that the Alaska Legislature should revise the statute in order to curtail abuse of the Act by those other than wronged consumers. The second note, *No Room for Squatters: Alaska's Adverse Possession Law*, attempts to clarify Alaska's adverse possession law in light of the 2003 amendments to Alaska's adverse possession statutes. The note also explores some of the implications of the 2003 revisions.

We hope that you will enjoy reading these pieces as much as we have enjoyed working on them. As always, the staff of the *Alaska Law Review* would like to express its gratitude to the Alaska Bar Association and its members for allowing us the privilege of publishing the *Alaska Law Review*. In keeping with the tradition begun last year, in 2011 we sent two student groups on two separate trips to Alaska—one in the spring and one in the fall. On the spring trip, seven students traveled to Juneau, Anchorage, and Barrow. On the fall trip, four students, as well as Professor Thomas B. Metzloff, the *Alaska Law Review's* dedicated faculty advisor, traveled to Anchorage. We believe that doing two trips helps us better to stay apprised of legal developments, to build relationships with Bar members, and to serve our readers. We thank the Alaska legal community for being so welcoming—for opening your homes and offices, for giving us ideas and feedback, and for sharing your stories. If you are interested in meeting with students on a future trip, if you are interested in writing for the journal or suggesting a student note topic, or if you have any other feedback, please do not hesitate to contact us at [alr@law.duke.edu](mailto:alr@law.duke.edu).

We hope that you enjoy the latest issue of the *Alaska Law Review*.

Jennie Morawetz