

Alaska Judicial Council
Application for Judicial Appointment

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DEC 14 2007
ALASKA
JUDICIAL COUNCIL

Position(s) for which you wish to be considered:
Anchorage District Court

Date: December 13, 2007

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Catherine Marie Easter
Name as it should appear on bar survey: Catherine M. Easter
* Unless otherwise specified, this is how your name will appear on the bar survey.
- (b) Have you ever used or been known by any other name? If so, please identify.
no
2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>22</u> years | <u>4</u> months |
| Total | <u>22</u> years | <u>4</u> months |
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>21</u> years | <u>2</u> months |
| Total | <u>21</u> years | <u>2</u> months |

Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.

Seattle University, BA in French, 1976 to 1981.

** See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

University of San Diego, 8/82-5/85, JD

6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?
 Yes No If yes, please give details.

Member of the California Regulatory Law Committee overseeing the California Coastal Commission and the Bureau of Home Furnishings.

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?
 Yes No

Please describe or list. Please do not attach individual certificates of attendance.

I have attended the annual Public Defender training conference as well as drug court training conferences in Lafayette, LA, San Bernardino, CA, San Francisco, CA, Washington, D.C. and Seattle, WA. I also attended a week long conference for defenders involved in drug courts in Williamsburg, Virginia.

Military

7. Have you served in the armed forces (reserves or otherwise)? Yes No

If so, please provide the following information:

- (a) Dates of service: _____
- (b) Branch of service: _____
- (c) Rank at time of discharge: _____
- (d) Type of military discharge: _____
- (e) Awards or citations:

- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge? Yes No If so, state the details.

Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation.

N/A

Legal Experience

- 9. Describe chronologically your legal employment since admission to law school. Please provide dates, name of employer, name of supervisor or person who can verify employment, addresses, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) *for each position listed below.*

The Council will ask for comments from your current and former employers about your employment and your judicial qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

Current Employer: Office of Public Advocacy

Supervisor or name of contact person who can verify employment: Joshua P. Fink

Current address of this person: 900 W. 5th Ave., Suite 525

City Anchorage State AK Zip 99501

Dates of Employment: From 7/07 To Present

Description: Criminal defense practice

Previous Employers: *(In chronological order, most recent first)*

Employer: Alaska Public Defender Agency

Supervisor or name of contact person who can verify employment: Quinlan Steiner

Current address of this person: 900 W. 5th Ave, Suite 200

City Anchorage State AK Zip 99501

Dates of Employment: From 10/86 To 7/07

Description: Criminal defense practice

Reason for Leaving: Opportunity for a more diverse caseload.

Employer: Judge Brian Shortell, State of Alaska

Supervisor or name of contact person who can verify employment: Retired Judge Brian Shortell

Current address of this person: 1328 W. 13th Ave.

City Anchorage State AK Zip 99501

Dates of Employment: From 9/85 To 9/86

Description: Clerkship assisting Judge Shortell with the handling of slow track civil cases. I also served as a small claims and traffic court judge pro tempore.

Reason for Leaving: It was a one year clerkship.

Previous Employers (continued)

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From _____ To _____

Description:

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Reason for Leaving: _____

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From _____ To _____

Description:

--

Reason for Leaving: _____

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From _____ To _____

Description:

--

Reason for Leaving: _____

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From _____ To _____

Description:

--

Reason for Leaving: _____

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From _____ To _____

Description:

--

Reason for Leaving: _____

10. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil _____
Criminal 100
Other _____
= 100%

Comment: _____

(b) Percent: State 100
Federal _____
Other _____
= 100%

Comment: _____

(c) Of practice in state courts, percent: Supreme Court _____
Court of Appeals _____
Superior Court 50
District Court 50
= 100%

Comment: _____

(d) Frequency of appearance in court:
 Regularly Occasionally Infrequently Not at All

Comment: _____

(e) Number of trials (by court or jury) you conducted in the past 5 years:

None 1-5 6-15 16-30 31 or more

Comment: For the past five years, I have been doing felony intake.

(f) Percent of these trials which were: Jury _____ Non-Jury _____

Comment: N/A

(g) Approximate number of appellate matters handled: _____

Comment: N/A

(h) Approximate number of arbitrations or administrative hearings:

None 1-5 6-15 16-30 31 or more

Briefly describe type of matters heard:

(i) Have you undertaken any *pro bono* work through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.) during this period? Yes No

Describe:

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.

California Supreme Court, 12/85
 Alaska Supreme Court, 5/86
 Washington Supreme Court, 11/86

Public Service

12. List bar associations, and sections and committees of which you are or have been a member or officer.

Alaska Bar Association
 California Bar Association
 Washington Bar Association

13. List legal publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).

Co-authored an article on the California Coastal Commission for the California Regulatory Law Reporter, 1983.

14. Have you ever applied for a judgeship? Yes No

Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed.

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
Anchorage District Court	10/18/00	N	N
Anchorage District Court	9/11/02	Y	N
Anchorage District Court	12/26/6	Y	N

15. Have you ever held public or political office, elective or appointive? Yes No
If so, state office, manner selected, and when and where held.

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

Holy Family Catholic Parish- member

Anchorage West Little League- T-Ball coach

Cook Inlet Soccer Club- assistant coach

Girl Scouts Susitna Council -Troop Committee member

Nordic Skiing Association- member

Chugach Optional Elementary School- parent coordinator

17. Indicate (Yes or No) whether you have ever:
- (a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions?
 Yes No
 - (b) failed to answer any summons or other legal process served upon you personally at any time? Yes No
 - (c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial? Yes No

- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? Yes No

If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? Yes No

In particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office? Yes No

If so, give particulars, including case numbers.

- (b) Have you ever been sued by a client? Yes No

If so, give particulars, including case numbers.

- (c) Have you ever been a party in any other legal proceeding? Yes No

If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

Brandon Condit v. Craig Howard & Catherine Easter, 3AN-06-13870 CI
Filed 12/29/06, voluntary dismissal filed 1/24/07 prior to an answer
being filed.

19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you? Yes No
Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree?

Yes No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

- (b) Have you ever made an assignment for the benefit of creditors? Yes No

Have you ever filed any petition in bankruptcy? Yes No

If so, state the circumstances, case number, and the outcome.

References and Counsel Questionnaires*

- * **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You should not list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your general character and background.

Name: Brian Doherty
Address: 1029 West 3rd Avenue, Suite 500
City/State/Zip: Anchorage, Alaska 99501 Phone: 279-4506

Name: Fr. Leonard Sitter
Address: Gonzaga University, Jesuit House
City/State/Zip: Spokane, WA 99258 Phone: (509) 323-4063

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your professional competence and qualifications for a judicial position.

Name: Barbara Brink
Address: 601 W. 5th Avenue, Suite 800
City/State/Zip: Anchorage, Alaska 99501 Phone: 646-3400

Name: Retired Judge Elaine Andrews
Address: 2131 Belair Drive
City/State/Zip: Anchorage, Alaska 99517 Phone: 222-7648

Name: Sharon Marshall
Address: District Attorney's Office, 310 K Street, Suite 520
City/State/Zip: Anchorage, Alaska 99501 Phone: 269-6300

References and Counsel Questionnaires (continued)

(c) List the names, addresses, including zip codes, and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases that have gone to trial within the past three years. Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

Case Number 1

Case Name: _____ **Case Number:** _____
v. _____ **Judge Name:** Anchorage District Court

Attorneys Involved:

Name: _____	Name: December 13, 2007
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: _____ **Case Number:** _____
v. _____ **Judge Name:** _____

Attorneys Involved:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: _____ **Case Number:** _____
v. _____ **Judge Name:** _____

Attorneys Involved:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

References and Counsel Questionnaires (continued)

(d) List the names, addresses, including zip codes, and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

Case Number 1

Case Name: State of Alaska **Case Number:** 3AN-S07-6502 Cr.
v. Mistini Asi **Judge Name:** Patrick Hanley

Attorneys Involved:

Name: <u>Robert Henderson 269-6300</u>	Name: _____
Address: <u>310 K Street, Suite 520</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: State of Alaska **Case Number:** 3AN-S07-5565 Cr.
v. Carla Tetzloff **Judge Name:** John Suddock

Attorneys Involved:

Name: <u>Benjamin Hofmeister 269-6300</u>	Name: _____
Address: <u>310 K Street, Suite 520</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska **Case Number:** 3AN-S05-10391
v. Quentin Myers **Judge Name:** William Morse

Attorneys Involved:

Name: <u>Phil Moberly 269-6300</u>	Name: _____
Address: <u>310 K Street, Suite 520</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length; 15-25 pages for appellate positions) prepared solely by you within the last five years. Please choose a sample that reflects your ability to do legal research and analysis. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable. (Some reply briefs may not meet these requirements.)

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge? Yes No

Have formal grievance procedures been brought against you? Yes No

See Bar Rule 22(b) & (e) concerning public grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public grievance procedures against judges.

Have you ever been held in contempt of court? Yes No

In each case, state in detail the circumstances and the outcome.

Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this judgeship.

Currently, I am an assistant public advocate. Prior to that I was an assistant public defender for over 20 years. During that time, I was a misdemeanor and felony trial attorney, trying more than 25 cases. I also handled felony petitions to revoke probation and was a felony intake attorney. My experience has required my presence in the courtroom regularly, which I believe is a valuable asset for a district court judge to possess. In my present position, it has been imperative that I establish a good working relationship with opposing counsel and the court. I have had to hone my negotiation skills and maintain a temperament that would be appropriate and expected for a judge.

Since 1999, I have been involved in establishing a drug court in Anchorage. It has been a very challenging and rewarding experience. It is very satisfying to help clients get clean and sober and thus become law-abiding citizens, attentive parents and empowered individuals able to get out of abusive relationships.

Additional Comments (Continued)

I have dedicated my legal career to public service. I enjoy working with the public and understand that working with the public demands a certain amount of patience and understanding. Both are qualities I believe I have had while working at the Public Defender Agency and the Office of Public Advocacy and are qualities I would bring with me if selected. I would like to pursue public service at a higher level and hope I am given that opportunity.

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview has no bearing on the Council's determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview

Private Interview

25. Please prepare a brief biographical statement (*limited to 150 words*) about your background, legal education, and legal experience. Please do not list personal information about minor children. Your picture and a copy of this statement will be scanned and posted on the Council's website after the application deadline. In its Bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty. The Council will use this space for your scanned picture. *To be fair to all applicants, the Council will strictly enforce the 150 word limit.*

If you object to the posting of your picture on the Council's website, please indicate your objection below. If you object, we will not post your picture, although you still must submit twelve photographs of yourself with your application.

- If you check this box we will not post your picture on the website.

Biographical Statement

Name Catherine M. Easter

Position(s) for which you wish to be considered:

Anchorage District Court

Date: 12/13/07

I was born in Pasadena, California and raised in Seattle, Washington. I attended Seattle University where I received a BA in French. I received my law degree at the University of San Diego. After law school, I moved to Alaska and clerked with Superior Court Judge Brian Shortell for a year in Anchorage. After my clerkship, I worked for the Public Defender Agency in Anchorage. Currently, I am an Assistant Public Advocate. I am married and have two children.