

Alaska Judicial Council
Application for Judicial Appointment

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ALASKA
JUDICIAL COUNCIL

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

Anchorage Superior Court

Date: June 26, 2006

Palmer Superior Court

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Kari Cecilie Kristiansen
Name as it should appear on bar survey: Kari Kristiansen
* 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
Kari Kristiansen-Ayau
2. How long have you been a resident of the State of Alaska immediately preceding the date of this application?***
 9 years 11 months
Total 34 years 1 months
3. How long have you been engaged in the active practice of law immediately preceding the date of this application?***
 9 years 0 months
Total 15 years 10 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.

Northwestern University (Evanston, Illinois) 1982-1986
B.S. Electrical Engineering
Member Eta Kappa Nu - Electrical Engineering Honor Society

*** 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.

Willamette University College of Law (Salem, Oregon) 1986-1989 J.D.
University of Colorado School of Law (Boulder, Colorado) 1988

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.

High Paper Awards - Land Use Planning, Conflict of Laws, Environmental Law
Who's Who Among American Law Students

- (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.

2001: U.S. Department of Housing and Urban Development Fair Housing Seminar
2002: Alaska Construction Issues, Scientific Evidence with Edward Imwinkelreid, Ethics Issues for Public Attorneys, Advanced Legal Writing with Timothy Terrell, Practical Construction Law Seminar
(continued on next page)

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.

6. (b) (continued)

2003: Housing and Development Law Institute Conference in Washington, D.C.

2004: Effective Brief Writing, Power Communication Inside the Courtroom and Out,
Legal Issues in Supportive Housing, Fair Housing Law & Section 504 seminars

2005: 404B Evidence: The Issue in Criminal Cases and the Coming Issue in Civil Cases
with Edward Imwinkelreid, Evidence Cranium

2006: U.S. Department of HUD Fair Housing seminar, Cybersleuthing: A Guide to the
Essentials of Computer Discovery.

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: State of Alaska, Department of Law
Supervisor or name of contact person who can verify employment: Signe Andersen
Current address of this person: 1031 W. 4th Avenue, Suite 200
City Anchorage State AK Zip 99501
Dates of Employment: From August 1999 To Present
Description: Construction law, public housing law, contracts, tort defense, collections, child in need of aid law.

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

Employer: Guess & Rudd P.C.
Supervisor or name of contact person who can verify employment: Gary Zipkin
Current address of this person: 510 L Street, Suite 700
City Anchorage State AK Zip 99501
Dates of Employment: From March 1997 To August 1999
Description: Insurance defense, real estate and construction law, personal injury, nonprofit corporations.

Reason for Leaving: Left position to work for the Attorney General's Office

Employer: City and County of Honolulu, Department of the Prosecuting Attorney
Supervisor or name of contact person who can verify employment: Lahoma Fernandes-Nakata
Current address of this person: 1060 Richards Street
City Honolulu State HI Zip 96813
Dates of Employment: From October 1989 To July 1996
Description: Criminal law before the trial and appellate courts.

Reason for Leaving: Left position to relocate to Alaska

Previous Employers (continued)

Employer: Krassa, Lindholm, Madsen and Kumli
Supervisor or name of contact person who can verify employment: Karl Kumli
Current address of this person: Dietz and Davis, P.C., 2060 Broadway, Suite 400
City Boulder State CO Zip 80302
Dates of Employment: From June 1988 To August 1988
Description: Law clerk - Water and environmental law, real estate and construction law.
Reason for Leaving: Left position to return to law school

Employer: Bonneville Power Administration
Supervisor or name of contact person who can verify employment: Randy Roach
Current address of this person: BPA, P.O. Box 3621
City Portland State OR Zip 97208-3621
Dates of Employment: From June 1987 To August 1987
Description: Law clerk - natural resources, public utility and regulatory law.
Reason for Leaving: Left position to return to law school

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: _____

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.

Hawaii State Courts (10-89), U.S. District Court, District of Hawaii (10-89), Alaska State Courts (6-97), U.S. District Court, District of Alaska (6-97), U.S. Court of Appeals for the Ninth Circuit (7-99), Supreme Court of the United States (3-03)

Public Service

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

Current membership: Alaska Bar Association, Hawaii Bar Association, and the Alaska Bar Association Fee Arbitration Committee
Former membership: Anchorage Bar Association, American Bar Association

13. List legal publications, if any (give title, subject and date of publications).

N/A

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	12/5/04	Y	N
Anchorage District Court	2/27/05	Y	N
Anchorage Superior Court	5/27/05	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.

Central Lutheran Church (membership)
Sons of Norway (membership)
Rogers Park Elementary School (membership)

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.

I received a red light violation in 2004. I paid the ticket and did not contest the matter in any legal proceeding.

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).

1. Non-contested divorce and custody case (Hawaii) - 7/96.
2. In February of 2005, I was a named defendant in an action brought by an individual that had previously sued my client agency AHFC. The Department of Law represented me and obtained a dismissal and final judgment in my favor on May 5, 2005. (Case No. 3AN-05-4912 CI)

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: Honorable Charles Huguelet
Address: _____
City/State/Zip: Kenai, Alaska Phone: _____

Name: Lisa Nelson, Esq.
Address: _____
City/State/Zip: Anchorage, Alaska Phone: _____

- (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: Signe Andersen, Esq.
Address: Attorney General's Office, 1031 W. 4th Avenue, Suite 200
City/State/Zip: Anchorage, Alaska 99501 Phone: _____

Name: Wes Weir, Director, Public Housing, AHFC
Address: AHFC, P.O. Box 101020
City/State/Zip: Anchorage, Alaska 99510 Phone: _____

Name: Nola Cedergreen, Director, Administrative Services, AHFC
Address: AHFC, P.O. Box 101020
City/State/Zip: Anchorage, Alaska 99510 Phone: _____

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. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases which 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: ITMO K.N. and T.N. **Case Number:** 3AN-91-53C/95-51B CP
v. **Judge Name:** John Reese

Attorneys Involved:

Name	Herman Walker, Esq.	Name	
Address		Address	
City, State, Zip	Anchorage, Alaska	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. (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: CEI Case Number: AHFC Administrative Hearing
 v. AHFC Judge Name: Hearing Officer-Roger Holmes

Attorneys Involved:

Name	<u>Michael Kreger, Esq.</u>	Name	_____
Address	<u>1029 W. 3rd Avenue, Suite 300</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: AHFC Case Number: 1JU-01-1725
 v. Scott Stephens et al. Judge Name: Patricia Collins

Attorneys Involved:

Name	<u>Dan Wayne, Esq.</u>	Name	_____
Address	_____	Address	_____
City, State, Zip	<u>Juneau, Alaska</u>	City, State, Zip	_____
Name	_____	Name	_____
Address	_____	Address	_____
City, State, Zip	_____	City, State, Zip	_____

Case Number 3

Case Name: AHFC Case Number: JAN-00-3974 CI
 v. James Perkins, et al. Judge Name: S. Joannides/E. Sanders

Attorneys Involved:

Name	<u>Herbert Viergutz, Esq.</u>	Name	<u>Rebecca Copeland, Esq.</u>
Address	<u>1029 W. 3rd Avenue, St. 280</u>	Address	<u>601 W. 5th Avenue, St. 700</u>
City, State, Zip	<u>Anchorage, Alaska 99501</u>	City, State, Zip	<u>Anchorage, Alaska 99501</u>
Name	_____	Name	_____
Address	_____	Address	_____
City, State, Zip	_____	City, State, Zip	_____

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JUL 25 2006

ALASKA
JUDICIAL COUNCIL

Kari Kristiansen

July 21, 2006

Mr. Larry Cohn
Executive Director
Alaska Judicial Council
1029 W. Third Avenue
Suite 201
Anchorage, Alaska 99501

Dear Mr. Cohn:

Thank you for speaking with me today. You have asked for further information relating to questions 20(c) and 20(d) on my judicial application. The nature of my current practice does not involve significant trial work. My judicial application correctly represents the extent of trial cases within the past three years and three most recent cases with significant work. I can offer the following additional contacts that might assist the Council with their evaluation of my application.

Regarding question 20(c), I represented the Department of Health and Social Services in the following trials during 1999 and 2000:

1. Case Name: *ITMO J.A.*
Case No.: 3AN-92-534 CP
Judge Name: Eric Sanders
Attorneys involved: Cynthia Rabe, Esq., Alaska Public Defender Agency, 900 W. 5th Avenue, Suite 200, Anchorage, Alaska 99501.
2. Case Name: *ITMO J.S.*
Case No.: 3AN-95-326 CP
Judge Name: Rene Gonzalez
Attorneys involved: Frank Bettine, Esq.
Cynthia Rabe, Esq., Alaska Public Defender Agency, 900 W. 5th Avenue, Suite 200, Anchorage, Alaska 99501; Anita Alves, Office of Public Advocacy, 900 W. 5th Avenue, Suite 525, Anchorage, Alaska 99501.
3. Case Name: *ITMO E.O. and T.O.*
Case No.: 3AN-96-207/208 CP
Judge Name: Dan Hensley
Attorneys involved: Cynthia Rabe, Esq., Alaska Public Defender Agency, 900 W. 5th Avenue, Suite 200, Anchorage, Alaska 99501.

Regarding Question 20(d), I have had significant and recent pretrial dealings with attorney Andrew Guidi. Mr. Guidi and I settled the dispute short of trial. I did not previously provide information to Council regarding this case because there are other claims still pending as to other co-defendants. However, I do not have any issues with allowing Council to contact Mr. Guidi.

1. Case Name: *AHFC v. Christensen Builders et al.*
Case No. 3AN-04-06598 CIV
Judge Name: Morgan Christen
Opposing Counsel: Mr. Guidi, Esq., Delaney, Wiles, Hayes, Gerety, Ellis & Young, Inc., 1007 W. 3rd Avenue, Suite 400, Anchorage, Alaska 99501; Case is pending trial with other opposing counsel.

If you need further information or clarification, please feel free to contact me directly at

Sincerely,


Mari Kristiansen

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.

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.

Published opinions: State Matafeo, 787 P.2d 671 (Hawaii 1990);
Bennett v. Hedglin, 995 P.2d 668 (Alaska 2000);
C.W. v. State, 23 P.3d 52 (Alaska 2001)

Additional Comments (Continued)

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. 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.

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 Kari Kristiansen

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

Anchorage Superior Court

Palmer Superior Court

Date: June 26, 2006

My parents immigrated from Norway and moved to Alaska in 1964. I spoke Norwegian in the home and learned English in the Anchorage schools. I graduated from East Anchorage High School. I received a bachelor of science degree in Electrical Engineering from Northwestern University and my law degree from Willamette University.

In 1989 I was appointed Assistant Prosecuting Attorney for the City and County of Honolulu, representing the State of Hawaii in felony jury trials. In 1997 I joined the Alaska law firm of Guess & Rudd, practicing primarily in the areas of insurance defense and civil litigation. In 1999 I was appointed Assistant Attorney General, representing the Office of Children's Services in Child in Need of Aid proceedings. I currently represent the Alaska Housing Finance Corporation in construction and contract disputes, public housing cases, risk management issues and administrative appeals.

I reside in Anchorage with my husband and three children.