

JUN 28 2021

Alaska Judicial Council

## Alaska Judicial Council Application for Judicial Appointment

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

Utqiagvik Superior CourtDate: June 28, 2021

### I. Public Information (Questions 1-24)

#### Personal

1. (a) State full name\* David Lev Roghair  
Name as it should appear on bar survey: David L Roghair  
\* 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 names or pseudonyms? 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? \*\*  
   15 years    1 months  
   Total 25 years    6 months
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? \*\*  
   14 years    8 months  
   Total 14 years    8 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.

University of Alaska, Fairbanks, AK. 1990-94, 2010-14. Non-degree student at extension centers in Utqiagvik and Tok.

University of Kansas, Lawrence, KS. 1998-1999. Master of Arts, Russian and East European Studies, August 1999. Foreign Language Area Studies Fellowship, Study Abroad Scholarship. Saint Petersburg Russian Language Institute June-July 1999.

Stanford University, Stanford, CA. 1994-1998. Bachelor of Arts, Psychology and Slavic Languages and Literatures, June 1998. Moscow campus September 1996-March 1997.

\*\* 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.

Georgetown University Law Center, Washington, DC. 2020-present, Master of Laws in Securities & Financial Regulation, expected May 2022. One course taken for transfer credit through Texas A&M University School of Law, Fort Worth, TX, Spring Semester 2021.

Lewis & Clark Law School, Portland, OR. 2003-2006. Juris Doctor, May 2006.

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.

Georgetown: Georgetown Journal of International Law: LL.M. Advisor, 2020-2022; Pro Bono Pledge: Exceptional Recognition (completed); Law Library of Congress Scholar in Residence, Summer 2021.

Lewis & Clark: Public Interest Scholarship; Pro Bono Honors Award; Environmental Law Review: Ninth Circuit Review (selected as one of four best writers of my law review class) 2004-2005, Form & Style Editor 2005-2006.

- (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.

See attached pages.

## 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.

Business Services Associate, Stanford University Overseas Studies Program, Stanford, California, October 2000-May 2003: Coordinated personnel processes (hiring, termination, payroll, performance reviews) for employees in the United States and benefits administration for employees in 7 foreign countries. Reconciled foreign bank accounts and financial transactions to university's financial records. Processed reimbursements and purchase orders for home office. Maintained records of all capital assets at all locations. Performed on-site financial and property audits at foreign offices (Paris: April 2002, Moscow: November 2002). Prepared reports of finance and personnel data for department managers.

Account Executive, Commercial Bank of San Francisco, International Banking Group, San Francisco, California, July 1999-June 2000: Supervised the development and implementation of Internet cash management system for corporate clients: tested all aspects of system, worked with programmers to customize software to bank's needs, developed policies and procedures for the product, assisted clients using the system. Composed bank-wide network security policy and computer usage policy. Translated various documents from Russian to English. Assisted Russian-speaking clients.

Student Assistant, University of Kansas, Lawrence, Kansas August 1998-April 1999: Maintained website for University department, updated government documents in Federal Depository Library, assisted with miscellaneous errands and office tasks. School-year employment during graduate school.

Shelver, Lane Medical Library, Stanford University, Stanford, California, October 1995-August 1998: Shelved books and periodicals, assisted library patrons, retrieved interlibrary loan requests. Primarily school-year employment during my college years.

Mayor's Job Program, North Slope Borough, Utqiagvik, Alaska, June-September 1995, 1996, and 1997: Worked for the summer in various Borough agencies: Search and Rescue, Community Counseling Center, and Network Support Services. Summer employment during my college years.

## Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates and location of employment, name of employer, name AND CURRENT ADDRESS OF supervisor or person who can verify AND COMMENT ON YOUR employment, 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.** IF YOU ARE CURRENTLY A TRIAL COURT JUDGE, PLEASE LIST YOUR PRESIDING JUDGE. FOR PAST JUDGESHIPS, PLEASE LIST THE JUDGE WHO LAST PRESIDED DURING YOUR TIME ON THE BENCH.

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:** Alaska Court System

Supervisor or name of contact person who can verify employment: Presiding Judge Paul Roetman

Current address of this person: Kotzebue Superior Court, PO Box 317

City Kotzebue State AK Zip 99752

Dates and location of Employment: From 02/2015 To Present City Utqiagvik State AK

Job title and description:

Magistrate Judge IV: Serve Utqiagvik and North Slope, frequent coverage in other courts: district court criminal & civil cases; search warrants; standing master for domestic relations, probate, delinquency, child in need of aid (CINA), and landlord-tenant cases. Temporary coverage in Anchorage and Juneau.

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

Employer: Alaska Court System

Supervisor or name of contact person who can verify employment: Judge Michael MacDonald

Current address of this person: Fairbanks Superior Court, 101 Lacey St

City Fairbanks State AK Zip 99701

Dates and Location of Employment: From 02/2010 To 01/2015 City Tok State AK

Job title and description: Magistrate Judge II: Served Upper Tanana region, frequent coverage in Fairbanks and other locations: district court criminal & civil cases, search warrants, standing master for domestic relations, probate, and CINA.

Reason for Leaving: Opportunity for promotion and return to my hometown.

Employer: Caliber Law Group, LLC

Supervisor or name of contact person who can verify employment: Robert Campbell

Current address of this person: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Dates and Location of Employment: From 08/2008 To 01/2010 City Utqiagvik\* State AK

Job title and description: Co-founded general rural law practice, including criminal defense, family, trusts & estates, contracts, and personal injury. \*Also rotated between Palmer and Kotzebue offices.

Reason for Leaving: Accepted appointment to Tok Magistrate Judge position.

**Previous Employers (continued)**

Employer: Valcarce Law Office, LLC  
Supervisor or name of contact person who can verify employment: Jim Valcarce  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From 01/2007 To 07/2008 City Bethel State AK  
Job title and description: 

Handled criminal defense, personal injury, estates, insurance defense, contracts, family law, and other matters.
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Reason for Leaving: When my time commitment expired, I left to co-found my own firm.

Employer: Cooke, Roosa & Valcarce, LLC  
Supervisor or name of contact person who can verify employment: Jim Valcarce  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From 05/2005 To 12/2006 City Bethel State AK  
Job title and description: 

Handled criminal defense, personal injury, estates, insurance defense, and other matters as both legal intern and associate attorney.
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Reason for Leaving: Firm split into two new firms, and I joined one of its successors.

Employer: Disability Rights Oregon (formerly Oregon Advocacy Center)  
Supervisor or name of contact person who can verify employment: Human Resources Department  
Current address of this person: 511 SW 10th Avenue, Suite 200  
City Portland State OR Zip 97205  
Dates and Location of Employment: From 06/2004 To 08/2004 City Portland State OR  
Job title and description: 

Paid internship: assisted staff in nonprofit disability law office, provided information to clients and the public; researched, proofread, and cite-checked for staff attorneys.
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Reason for Leaving: End of summer work-study employment during law school.

Employer: \_\_\_\_\_  
Supervisor or name of contact person who can verify employment: \_\_\_\_\_  
Current address of this person: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Dates and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Job title and 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 and Location of Employment: From \_\_\_\_\_ To \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Job title and description: 

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Reason for Leaving: \_\_\_\_\_

10. During your legal career, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 45  
Criminal 55  
Other 0  
= 100%

Comment: Criminal total includes minor offense, delinquency, and post-conviction relief.

(b) Percent: State 99  
Federal >1  
Other >1  
= 100%

Comment: Handled a small number of municipal administrative matters in private practice.

(c) Of practice in state courts, percent: Supreme Court 0  
Court of Appeals 0  
Superior Court 50  
District Court 50  
= 100%

Comment: From 2016 to present, caseload includes substantial Superior Court work.

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

Comment: \_\_\_\_\_

(e) Number of trials (by court or jury) you conducted (select one):  
 None     1-5     6-15     16-30     31 or more

Comment: \_\_\_\_\_

(f) Percent of these trials which were: Jury 3    Non-Jury 97

Comment: Jury trials are relatively infrequent in my judicial district.

(g) Approximate number of appellate matters handled: 0

Comment: \_\_\_\_\_

(h) Approximate number of arbitrations or administrative hearings (select one):  
 None     1-5     6-15     16-30     31 or more

Briefly describe type of matters heard:

DMV hearings, Municipal employment matters, child support administrative appeals, BIA probate, Federal Tort Claims

(i) Please briefly summarize any *pro bono* work that you have done and indicate whether the work was done through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.).

As a judicial officer, I cannot do pro bono legal work. Community outreach is part of my work, and I especially enjoy visiting schools to speak about the legal system, careers in the law, and related topics.

In private practice, I did a great deal of pro bono work, but not through any pro bono legal service providers.

I am an active volunteer with the Jessup Moot Court, as described in Question 16, below.

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.

Alaska Supreme Court, October 2006  
 United States District Court for the District of Alaska, September 2017

**Public Service**

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

Alaska Bar Association: Alaska Native Law Section, International Law Section, Torts/Personal Injury Section (formerly), Young Lawyers Section (formerly)

13. List publications, if any (give title, subject and date of publications). Please include online publications such as blogs or websites, and any publications you have co-authored and the name(s) of the co-author(s).

See attached pages.

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)
See attached pages.			

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.

Magistrate Judge, appointed by Presiding Judge of Second Judicial District, Utqiagvik, Alaska, 02/2015-Present

Magistrate Judge, appointed by Presiding Judge of Fourth Judicial District, Tok, Alaska, 02/2010-1/2015

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.

See attached pages.

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.

Delta Junction, Alaska, November 2013: Ticket for headlight not working, dismissed after correction. Case number 4DJ-13-01185MO.  
Glennallen, Alaska, May 2011: Speeding ticket, dismissed after traffic school. Case number 3GL-11-00807MO.  
Palmer, Alaska, July 2006: Ticket for failure to carry proof of insurance, dismissed after correction. Case number 3PA-06-07862MO.  
Redding, California, September 2005: Speeding ticket, paid fine. Case number MCRDINTR05-0021936-001 (Shasta County Court).  
Palo Alto, California, January 2003: Ticket for failure to stop at stop sign, dismissed after traffic school. Case number unknown (Santa Clara County Court).

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).

David Roghair vs. Mandy Roghair, n/k/a Mandy Place, 2BA-15-00289CI: Plaintiff in divorce action filed November 2015, settlement reached and decree of divorce issued August 2016.

(d) Has a court ever found you to have provided ineffective assistance of counsel?

Yes  No

If so, provide the particulars including petitioner and case number.

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: Jeremy M Hough

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ - \_\_\_\_\_ Phone: \_\_\_\_\_

Name: Christopher L McLain

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ 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: Magistrate Judge Tracy L Blais (Pro Tem)

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: Judge Michael I Jeffery (Retired)

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: Judge Nelson Traverso

Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone: \_\_\_\_\_

David L. Roghair

Alaska Judicial Council  
510 L Street, Suite 450  
Anchorage, Alaska 99501-1295  
*Via e-mail to [postmaster@ajc.state.ak.us](mailto:postmaster@ajc.state.ak.us)*

Re: Application for Utqiagvik Superior Court

August 1, 2021

Dear Judicial Council,

Since submitting my application for Utqiagvik Superior Court in late June 2021, I have conducted two trials, one a very involved long-term domestic violence hearing, and the other a misdemeanor jury trial. The information for both is below:

*Case Name:* State of Alaska vs. Francis P Custodio *Case Number:* 2BA-20-00420CR  
*Attorneys Involved:*  
Molly Banas Ileana Polis

*Case Name:* Marilee Gatten, et al vs. Justin Gatten *Case Number:* 2BA-21-00420CR  
*Attorneys Involved:*  
Maria Dyson\* Mike A Stepovich

\*Most recent contact information available—attorney practiced under Bar Rule 43 with Alaska Legal Services Corporation but is no longer with that organization.

Thank you for considering this additional information. I look forward to meeting with you all in November.

Sincerely,



David L. Roghair

## References and Counsel Questionnaires (continued)

(c) List the names, addresses, including zip codes, and suite numbers where applicable, of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases with any pending issues in the trial or appellate 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. If you have no cases that have gone to trial within the past three years, you may include cases that went to trial before that date, or may provide up to six cases in response to the next subsection, 20(d). Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

### Case Number 1

Case Name: Bobby Lynn Itta Case Number: 2BA-20-00072CI  
v. Price Hopson Itta Judge Name: David L Roghair

#### Attorneys Involved:

Name: <u>Robert Campbell</u>	Name: <u>Ryan Roley</u>
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 2

Case Name: State of Alaska Case Number: 2BA-18-00469CR  
v. Barbara Morse Judge Name: David L Roghair

#### Attorneys Involved:

Name: <u>Nick Defreitas</u>	Name: <u>Risa Leonard</u>
Address: <u>529 5th Ave, Ste 1</u>	Address: <u>101 Lacey St</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 3

Case Name: State of Alaska Case Number: 2KB-18-00016CR  
v. Ernest Hyatt Judge Name: David L Roghair

#### Attorneys Involved:

Name: <u>Ernest Hyatt (self-represented)</u>	Name: <u>Bride Seifert</u>
Address: _____	Address: <u>3670 Lake St, Bldg A</u>
City, State, Zip: _____	City, State, Zip: <u>Homer AK 99603</u>
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**, 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 with any pending issues in the trial or appellate 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:** In the Matter of: **Case Number:** 1JU-20-00251PR  
**v.** Jimmy Ray Brogdon **Judge Name:** Daniel Schally/Master Roghair

#### Attorneys Involved:

Name: <u>Ray Brogdon (self-represented)</u>	Name: <u>Elizabeth Johnston Smith</u>
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 2

**Case Name:** State of Alaska **Case Number:** 2BA-20-00006MO/-7MO  
**v.** Fannie Dora Sopl **Judge Name:** David L Roghair

#### Attorneys Involved:

Name: <u>Matthew Faulks</u>	Name: <u>William R Satterberg</u>
Address: _____	Address: <u>709 4th Ave</u>
City, State, Zip: _____	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

### Case Number 3

**Case Name:** In the Matter of: **Case Number:** 2BA-20-00005CN/-6CN/-7CN/-8CN/-9CN  
**v.** L.R., T.R., W.R., H.R., K.R. **Judge Name:** Paul A Roetman/Master Roghair

#### Attorneys Involved:

Name: <u>Amy Bennett</u>	Name: <u>Megan Comolli</u>
Address: <u>529 5th Ave, Ste 1</u>	Address: <u>100 Cushman St, Ste 502</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: <u>Nicole Frank</u>	Name: <u>Bianca Jackson</u>
Address: <u>900 W 5th Ave Ste 525</u>	Address: <u>1031 W 4th Ave, Ste 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Nikole Schick  
100 Cushman St, Ste 502  
Fairbanks, AK 99701

## 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, (d) samples from open cases including cases on appeal.

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 bar grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public disciplinary grievance procedures against judges.

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

Have you ever been fined or otherwise sanctioned by a judge?  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.

Moving to Utqiagvik from the New York metropolitan area at the age of eleven was a life-changing experience. My parents had accepted positions with a church in the community, and moved our entire family across the country. Once I settled in, I found a wealth of opportunities to learn about different cultures and be a part of this vibrant and diverse place. Growing up in this multicultural environment prepared me for multiple stints studying abroad, starting in Siberia at age 16, and for numerous other educational opportunities in college and beyond.

I am a proud graduate of Barrow High School, and have worked and lived in Utqiagvik for many years. I am an active member of this community, as shown by my leadership roles in my church and the Rotary club, and by my other local volunteer activities, but also by my numerous personal connections with friends and family here. These connections and experiences add a deeper insight beyond my legal education and my work as an attorney and judicial officer.

### Additional Comments (Continued)

I have been a magistrate judge for several years, first in Tok and now in Utqiagvik. In addition to my rural court experience, I have covered the Anchorage, Fairbanks, and Juneau courts for extended periods. In larger courts, I have learned to handle a high-volume caseload and to work with a dynamic court staff. In smaller courts, I have learned to be self-sufficient and flexible, and to triage a wide variety of matters. Taken as a whole, my experience has made me intimately familiar with the life of a case, from beginning to end. I am well aware of the important legal issues and the critical decisions that can occur at each stage along the way.

In addition to my hands-on experience, I have consistently excelled in writing and research. From my time as a self-identified law review nerd in law school, through my time churning out motion work in private practice, to my time on the bench producing thoughtful, well-reasoned written orders, I have made it a point to write well, and make sure that my writing is supported by strong research. I have never shied away from new challenges. I have consistently taken on as much responsibility for as many case types as possible, and I have even undertaken graduate work mid-career in a totally new area of law. I also devote a significant amount of time and energy every year to the Jessup Moot Court competition, detailed in Question 16, which allows me to help future lawyers sharpen their writing and oral advocacy.

I approach my work diligently and with no agenda, just a loyalty to the law and a desire to reach a fair and just outcome in each case. With my talents and experiences, I feel well prepared for the Superior Court.

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 (select one).

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 two photographs of yourself with your application.

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



# Biographical Statement

Name David L Roghair

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

Utqiagvik Superior Court  
\_\_\_\_\_  
\_\_\_\_\_

*Please leave this area blank*

Date: 06/28/2021

It would be an honor to serve the people of the North Slope as Superior Court Judge. I grew up in Utqiagvik, and went on to graduate from Stanford University and Lewis & Clark Law School. Returning to Alaska, I worked in private practice in Bethel, Kotzebue, Palmer, and Utqiagvik. For five years, I served as Magistrate Judge and Standing Master for the Tok Court, and since 2015 I have served in the same capacity in Utqiagvik, with an expanded Superior Court portfolio. I have spent almost my entire legal career working in rural areas.

I enjoy distance running and hiking, and generally being outdoors. I serve my church as part of its elected leadership, and I am a former president of the local Rotary Club. I have a deep commitment to my community, and I would value the opportunity to continue my service in this new role!

Answers Needing More Space:

**6(b)**. I have taken the following CLE courses during the past five years:

Berkeley Judicial Institute: Rurality and Judging, online, April 2021.

Alaska Court System Statewide Magistrate Judge Conference, Anchorage, 2010-15, 2017-19, online, April 2021 (held annually, except 2016 and 2020).

Berkeley Judicial Institute: Judicial Evaluations: Seeking Honest Feedback, online, April 2021.

Court Improvement Project: The Indian Child Welfare Act: History, Law & Practice, online, November 2020

Alaska Bar Association: Strategies for Wellness, online, October 2020.

National Judicial College: Dividing the Waters: The Impact of the Emerging North American Megadrought on the Colorado and Missouri River Basins, online, August 2020.

Just Mercy and Access to Justice: Illuminating Bias, Confronting Systemic Racism, and Doing the Hard Work that Needs to be Done, online, June 2020.

National Immigrant Women's Advocacy Project: VAWA Self-Petition: Protections for Immigrant Survivors of Domestic and Sexual Abuse by Abusive Spouses and Parents, online, April 2020.

National Judicial College: Sovereign Citizens as Challenging Litigants, online, April 2020.

National Council of Juvenile and Family Court Judges: Enhanced Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases, Anchorage, September 2019.

National Judicial College: Advanced Procedural Fairness, Anchorage, September 2018.

Federal Bar Association: Ethics and Cultural Competency, Anchorage, September 2017.

Court Improvement Project: CINA Laws, Roles & Responsibilities, Practices & Procedures: Anchorage, February 2017.

Alaska Court System: The Omnibus Crime Bill (SB91)-Demystified and Explained: Utqiagvik (replay of video recording), January 2017.

**13.** Legal publications:

*Australians win first-ever virtual Jessup Moot Court*, ALASKA BAR RAG, Apr.-June 2021, at 3.

*Floating Nuclear Reactors and Russia's Territorial Claims in Arctic Waters*, GEO. J. INT'L L. BLOG (Apr. 22 2021), <https://www.law.georgetown.edu/international-law-journal/blog/floating-nuclear-reactors-and-russias-territorial-claims-in-arctic-waters/>.

*Russia, the Arctic Council, and the Militarization of the Northern Sea Route*, GEO. J. INT'L L. BLOG (Nov. 16. 2020), <https://www.law.georgetown.edu/international-law-journal/blog/russia-the-arctic-council-and-the-militarization-of-the-northern-sea-route>.

*Anderson v. Evans: Will Makah Whaling under the Treaty of Neah Bay Survive the Ninth Circuit's Application of the MMPA?*, 20 J. ENVTL. L. & LITIG. 189 (2006).

*2004 Ninth Circuit Environmental Review* (contributor), 35 ENVTL. L. 503 (2005).

14. I have applied for the following judgeships:

Judgeship	Date	Nominated By Alaska Judicial Council (Y/N)	Appointed By Governor(Y/N)
Bethel Superior Court	2011	N	N
Bethel District Court	2011	N	N
Bethel Superior Court	2012	N	N
Anchorage District Court (2)	2017	N	N
Sitka Superior Court	2017	N	N
Bethel District Court	2018	N	N
Bethel Superior Court	2018	Y	N
Utqiagvik Superior Court	2018	Y	N
Fairbanks Superior Court	2019	N	N
Homer Superior Court	2019	N	N
Valdez Superior Court	2019	Y	N
Alaska Court of Appeals	2020	N (withdrew)	

16. I am involved with the following organizations, clubs, and activities:

Association of Alaska Magistrates: board member since 2010, former President and Vice President.

Friends of Tuzzy Library, Utqiagvik, Alaska: member, former board member, frequent library volunteer. Recent experience includes recording virtual story readings for children during COVID-19 lockdown.

Pericles Law Center, Moscow, Russia: volunteer teaching assistant in legal English course as part of summer program in 2020 to prepare students for Jessup Moot Court (see next item).

Philip C. Jessup International Law Moot Court Competition: longtime volunteer for competition involving law students from around the world. Experience includes: remotely coaching Russian university team; grading written briefs for numerous regional, national, and international (worldwide) rounds of competition, and judging oral arguments at regional, national, and international rounds.

Rotary Club of Barrow-Nuvuk, Utqiagvik, Alaska, member, President 2016-17, board member 2015-19, delegate to 2017 District 5010 Conference (Alaska & Yukon Territory)

Stanford Alumni Association, Lewis & Clark Law School Alumni Association: life member.

Utqiagvik Presbyterian Church, Utqiagvik, Alaska, member of Session (church governing board) 2016-present, Clerk of Session 2017-19 & 2020-present, offering counter, occasional singer in church choir.

Completed sixteen marathon-length or longer races, 2004-present; 32-mile run scheduled August 2021.