

Alaska Judicial Council Application for Judicial Appointment

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

Anchorage, Fairbanks, and
Kenai Superior Court

Date: January 23, 2018

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Thomas Irvin Temple
Name as it should appear on bar survey: Thomas I. Temple
* 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>16</u> years | <u>7</u> months |
| Total | <u>16</u> years | <u>7</u> months |
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>16</u> years | <u>5</u> months |
| Total | <u>16</u> years | <u>5</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.

George Mason University; January 1997 - May 1998
B.S. in the Administration of Justice, Minor in Sociology - May 16, 1998.

Germanna Community College; September 1994 - May 1997
A.A.S in Police Science, Summa Cum Laude - December 18, 1995.

Park College; January 1992 - April 1992.

** 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.

George Mason University; September 1998 - May 2001; J.D.

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.

Please see supplemental page.

- (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.

During the past five years, I have completed sixty-six and a quarter (66.25) hours of continuing legal education, thirty-five and a half (35.5) hours of which were ethics courses. Please see supplemental 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: August 1988 - August 1992

(b) Branch of service: U.S. Marine Corps

(c) Rank at time of discharge: Corporal

(d) Type of military discharge: Honorable

(e) Awards or citations:

Please see supplemental page.

- (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.

I have worked at various jobs in order to pay my way through college and law school. Specifically, I have been a construction worker, security guard, cabinetmaker, mailman, and lifeguard.

Additionally, from 1993 until 2012, I operated a small firearms retail business that has been discontinued. There are no unpaid debts or claims pending litigation.

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: Law Offices of William R. Satterberg, Jr.

Supervisor or name of contact person who can verify employment: Bill Satterberg

Current address of this person: 709 4th Avenue

City Fairbanks State AK Zip 99701

Dates and location of Employment: From Jan. 2004 To present City Fairbanks State AK

Description:

Counselled clients; represented defendants in criminal cases; represented parties in civil litigation; managed office of 10+ employees in owner's absence.

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

Employer: State of Alaska Department of Law - Barrow District Attorney's Office

Supervisor or name of contact person who can verify employment: Robert Henderson- Contact person

Current address of this person: 310 K Street, Ste. 403

City Anchorage State AK Zip 99501

Dates and Location of Employment: From May 2002 To Jan. 2004 City Barrow State AK

Description: Served as the sole Assistant District Attorney in Barrow, AK. Personally managed all criminal prosecutions on the North Slope.

Reason for Leaving: I accepted an offer to enter private practice in Fairbanks.

Employer: State of Alaska Department of Law - Anchorage District Attorney's Office

Supervisor or name of contact person who can verify employment: Hon. J. Patrick Hanley- Supervisor

Current address of this person: 825 West 4th Avenue

City Anchorage State AK Zip 99501

Dates and Location of Employment: From Aug. 2001 To May 2002 City Anchorage State AK

Description: Prosecuted mostly misdemeanor and some felony criminal cases in Anchorage and Fairbanks. Managed all criminal prosecutions in Unalaska.

Reason for Leaving: I transferred to the Barrow District Attorney's Office.

Previous Employers (continued)

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 _____
Description:
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 _____
Description:
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 _____
Description:
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 _____
Description:
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 _____
Description:
Reason for Leaving: _____

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

(a) Percent of your practice that was:

Civil	25
Criminal	75
Other	= 100%

Comment: _____

(b) Percent:

State	97
Federal	3
Other	= 100%

Comment: _____

(c) Of practice in state courts, percent:

Supreme Court	1
Court of Appeals	1
Superior Court	50
District Court	48
	= 100%

Comment: _____

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

Comment: I average 6-10 court appearances per week.

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

Comment: I have conducted approximately 90 trials.

(f) Percent of these trials which were: Jury 40 Non-Jury 60

Comment: _____

(g) Approximate number of appellate matters handled: 10

Comment: Some of these were collaborative efforts with my law firm.

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

Briefly describe type of matters heard:

Please see supplemental page.

(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.).

For the last ten years, and with the permission of my employer, I have provided free legal advice to military service members. I would estimate performing 35-40 hours of pro bono work per year. This work was not done through a pro bono legal service provider.

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, November 2, 2001
 U.S. District Court, District of Alaska, November 2, 2001

Public Service

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

Alaska Bar Association
 Tanana Valley Bar Association
 AK Bar - Torts/Personal Injury Law Section
 AK Bar - Ethics & Compliance Section

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).

[Empty box for legal publications]

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)
Fairbanks District Court	4/2013	N	
Barrow Superior Court	4/2014	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.

Commissioner and Chair, Alaska Public Offices Commission
2016 - present Appointed by Governor
Commissioner, City of Fairbanks Public Safety Commission
2013 - present Appointed by City Mayor
Commissioner and Deputy Chair, Fairbanks North Star Borough Planning Commission,
2005 - 2012 Appointed by Borough Mayor

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.

With the exception of the commissions I am serving on, my community volunteerism mostly revolves around being involved in my five children's activities. Specifically, I have been a Tang Soo Do parent, a Swim Team parent, an AWANA parent, and most recently, I have assisted with coaching the Fairbanks Trap Club's youth program.

Since I achieved the rank of Eagle Scout, I have served as an adult leader with the Boy Scouts of America for eight years. Most recently, I served four years as a Cub Scout leader in Fairbanks, including three years as a Cubmaster.

I have served several years as coordinator of my church's food bank ministry. I have also served as lead usher. Last summer, I also hosted a summer youth retreat at our rural property outside of Fairbanks.

Additionally, each year since 2009, I have organized and led a crew on Fairbanks Clean-Up Day.

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.

In 2012, I was charged with speeding in Fairbanks. I completed a defensive driving course and the case was dismissed. 4FA-12-03759 MO.

As a teenager, I received two speeding tickets in Virginia. I pled guilty or no contest and paid the scheduled fines.

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.

Donovan v. Satterberg Law Office, et al.; 4FA-09-01727 CI. Please see supplemental page.

- (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).

Please see supplemental page.

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: Hon. Paul A. Roetman

Address: Box 317

City/State/Zip: Kotzebue AK 99752

Phone: 907/442-3208

Name: Jason F. Doxey

Address: 100 Cushman Street, Ste. 310

City/State/Zip: Fairbanks AK 99701

Phone: 907/456-4020

- (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: Hon. Michael P. McConahy

Address: 101 Lacey Street

City/State/Zip: Fairbanks AK 99701

Phone: 907/452-9202

Name: Joseph Dallaire

Address: 510 2nd Avenue, Ste. 200

City/State/Zip: Fairbanks AK 99701

Phone: 907/451-5970

Name: Hon. Raymond Funk

Address: P.O. Box 72387

City/State/Zip: Fairbanks AK 99707

Phone: 907/978-4245

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: State of Alaska

Case Number: 4DJ-17-00009 CR

v. Dimitry Dobrovolskiy

Judge Name: Hon. Bethany S. Harbison

Attorneys Involved:

Name: Sara Simpson

Name: Phone: 907/451-5970

Address: 510 2nd Avenue, Ste. 200

Address: _____

City, State, Zip: Fairbanks, AK 99701

City, State, Zip: _____

Name: _____

Name: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Case Number 2

Case Name: United States

Case Number: 4:16-cr-00005-RRB

v. Eric Whitebread

Judge Name: Hon. Ralph R. Beistline

Attorneys Involved:

Name: Kyle Reardon

Name: Phone: 907/271-3389

Address: 222 W. 7th Avenue, Ste. 253

Address: _____

City, State, Zip: Anchorage, AK 99503

City, State, Zip: _____

Name: Anne Veldhuis

Name: Phone: 907/271-2174

Address: 222 W. 7th Avenue, Ste. 253

Address: _____

City, State, Zip: Anchorage, AK 99503

City, State, Zip: _____

Case Number 3

Case Name: State of Alaska

Case Number: 4FA-15-02314 CR

v. John Hume

Judge Name: Hon. Jane F. Kauvar

Attorneys Involved:

Name: Risa Leonard

Name: Phone: 907/451-5970

Address: 510 2nd Avenue, Ste. 200

Address: _____

City, State, Zip: Fairbanks, AK 99701

City, State, Zip: _____

Name: Spenser Ruppert

Name: Phone: 907/451-5970

Address: 510 2nd Avenue, Ste. 200

Address: _____

City, State, Zip: Fairbanks, AK 99701

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: 4FA-14-02207 CR

v. John McDonald

Judge Name: Hon. Bethany S. Harbison

Attorneys Involved:

Name: David Buettner

Name: Phone: 907/451-5970

Address: 510 2nd Avenue, Ste. 200

Address: _____

City, State, Zip: Fairbanks AK 99701

City, State, Zip: _____

Name: _____

Name: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Case Number 2

Case Name: United States

Case Number: 4:15-cr-00010-RRB-SAO

v. Robert Curry

Judge Name: Hon. Ralph R. Beistline

Attorneys Involved:

Name: Stephen Cooper

Name: Phone: 907/456-0245

Address: 101 12th Avenue, Room 310

Address: _____

City, State, Zip: Fairbanks AK 99701

City, State, Zip: _____

Name: _____

Name: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Case Number 3

Case Name: State of Alaska

Case Number: 4FA-10-02618 CR

v. William Brewer, II, et al.

Judge Name: Hon. Douglas L. Blankenship

Attorneys Involved:

Name: Jeanie Nelson

Name: Phone: 907/269-5100

Address: 1031 W. 4th Avenue, Ste. 200

Address: _____

City, State, Zip: Anchorage AK 99501

City, State, Zip: _____

Name: Peter Caltagirone

Name: Phone: 907/269-5100

Address: 1031 W. 4th Avenue, Ste. 200

Address: _____

City, State, Zip: Anchorage AK 99501

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 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.

Please see supplemental page.

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. 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 Thomas I. Temple

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

Fairbanks Superior Court Judge

Kenai Superior Court Judge

Please leave this area blank

Date: January 22, 2018

I enlisted in the Marines at age seventeen, serving as a machine gunner during the Gulf War. Subsequently, I worked various jobs to pay my way through college and law school at George Mason University.

After law school, I moved to Alaska and served as a prosecutor with the District Attorney's Offices in Fairbanks, Anchorage, and Barrow.

Since 2004, I have been in private practice with the Satterberg Law Offices in Fairbanks, focusing on criminal defense and civil litigation. I have tried cases in Fairbanks, Anchorage, Unalaska, Barrow, Delta Junction, and Homer.

Amy, my wife of twenty-five years, and I have five children, ages eight through sixteen. My family is indeed my finest personal accomplishment.

I love Alaska. I love the spirit of its people and all the joy and challenges that come with living here. I would be both humbled and honored to serve as a judge.