

NOV 28 2011

ALASKA JUDICIAL COUNCIL



# alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969  
 http://www.ajc.state.ak.us

(907)279-2526 FAX (907)276-5046  
 E-mail: postmaster@ajc.state.ak.us

## Alaska Judicial Council Trial Judge Questionnaire

### 2012 Candidates for Judicial Retention

October 2011

Pamela Scott Washington

Anchorage District Court

Name

Court

1. Please estimate your workload during your present term.

- a)  $\frac{40}{55}$  % civil cases                      b)  $\frac{6}{10}$  # of jury trials/year  
       $\frac{55}{5}$  % criminal cases                       $\frac{10}{N/A}$  # of non-jury trials/year  
       $\frac{5}{100}$  % court administrative work        $\frac{N/A}{100}$  # of administrative appeals/year  
      100 % Total

2. Please describe your participation on court/bar committees or other administrative activities during your current term of office.

I serve on the Court's Color of Justice Committee and participate in the program as a mentor and Constitutional Cranium facilitator. I am a member of the Supreme Court's Fairness, Diversity & Equality committee. I am a Judge Trainee and back-up Judge for the Mental Health Court under the direct mentorship of Judge Stephanie Rhoades. I am involved with Anchorage Youth Court as the teacher of their three-day summer class and I preside over their swearing in ceremony. I attended the General Jurisdiction Course at the National Judicial College in Reno for two weeks. I am a member of the National Association of Women Judges and attended their October 2010 Conference in San Francisco. I was guest speaker and court representative on Constitution Day at Bayshore Elementary (2010) and Clark Middle School (2011).

3. Please assess, in one or two paragraphs, your judicial performance during your present term. Appropriate areas of comment could include: satisfaction with your judicial role, specific contributions to the judiciary or the field of law, increases in legal knowledge and judicial skills, or other measures of judicial abilities that you believe to be important.

I have enjoyed every minute of my 14 months on the bench. I am very satisfied with job duties, responsibilities and experiences. The work is constant and I have adapted to the rhythm of the Anchorage District Court marked by the high volume of cases and pre-set daily hearings. The collegial community is awesome. The support of other judges has been priceless.

I have made contributions to the judiciary and the legal field through teaching the Anchorage Youth Court (AYC) law classes and hosting AYC students at the court house to view hearings and engage in mock trials. I also participated in all three days of the Court System's Color of Justice Program as a mentor and presenter. I continue to provide input on fairness and equal access on the Supreme Court's Fairness, Diversity & Equality Committee and am on a subcommittee addressing ways to get more natives and other minorities involved in the judiciary. I participate in Bench Bars held between the judiciary, criminal defense attorneys and prosecutors.

My legal knowledge and judicial skills are continually expanding. I attended the two-week General Jurisdiction Course and participated in all the breakout sessions with other newly appointed judges at the National Judicial College in Reno, Nevada. The course included extremely informative lectures on evidence, ethics, self-represented litigants, and judicial discretion. I attended the National Association of Women Judges' annual conference in San Francisco with four days of workshops and panel discussions in substantive and practical areas of being a judicial officer. I attended the Court sponsored New Judge training and all Judicial Conferences, and participated fully in all District Court Breakout Sessions on substantive and procedural areas common to practice in Alaska District Courts.

4. During your most recent term as a judge, have you:
- a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities?  Yes  No
  - b) been involved in a non-judicial capacity in any legal proceeding whether as a party or otherwise?  Yes  No
  - c) engaged in the practice of law (other than as a judge)?  Yes  No
  - d) held office in any political party?  Yes  No
  - e) held any other local, state or federal office?  Yes  No
  - f) had any complaints, charges or grievances filed against you with the Alaska Commission on Judicial Conduct, the Alaska Bar Association, or with the Alaska Court System that resulted in public proceedings or sanctions?  Yes  No

5. If your answer to any of the questions above is "yes," please give full details, including dates, facts, case numbers and outcomes.

6. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2012 retention elections.

For questions 7 through 10 please do not list any cases that have pending issues in your court.

- 7. Please list your three most recent jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these trials. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: MOA Case Number: 3AN-M11-5634 CR

v. David Allan Washington

**Attorneys Involved:**

Name: Michael Graper

Name: Matthew Michalski

Address: 737 M Street

Address: 632 W. 6th Avenue, #210

City, State, Zip: Anchorage, AK 99501

City, State, Zip: Anchorage, AK 99501

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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

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

City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Case Number 2**

Case Name: SOA Case Number: 3AN-09-5359 CR

v. Jonathan Jarnig

**Attorneys Involved:**

Name: Grace Lee

Name: Jason Gist

Address: 900 W. 5th Avenue, #200

Address: 310 K Street, #520

City, State, Zip: Anchorage, AK 99501

City, State, Zip: Anchorage, AK 99501

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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

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

City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Case Number 3**

Case Name: SOA Case Number: 3AN-10-10002 CR

v. Rolando Washington

**Attorneys Involved:**

Name: Samatha Cherot

Name: Ann Preston

Address: 900 W. 5th Avenue, #200

Address: 310 K Street, #520

City, State, Zip: Anchorage, AK 99501

City, State, Zip: Anchorage, AK 99501

Name: \_\_\_\_\_

Name: \_\_\_\_\_

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

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

City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

8. Please list your three most recent non-jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these trials. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: Nancy Gabbert Case Number: 3AN-10-6248 CI  
v. Jonathan Lyons

**Attorneys Involved:**

Name: Pro Per: Nancy Gabbert Name: John Pharr  
Address: P.O. Box 221932 Address: 733 W. 4th Avenue, #308  
City, State, Zip: Anchorage, AK 99501 City, State, Zip: Anchorage, AK 99501  
  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

**Case Number 2**

Case Name: Cordova Square Case Number: 3AN-10-6646  
v. John Kohari aka John Allen

**Attorneys Involved:**

Name: Pro Per: John Allen Name: Todd Timmerman  
Address: 1101 Cordova St. #329 Address: 717 K Street  
City, State, Zip: Anchorage, AK 99501 City, State, Zip: Anchorage, AK 99501  
  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

**Case Number 3**

Case Name: \_\_\_\_\_ Case Number: \_\_\_\_\_  
v. \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_  
  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

9. Please list your three most recent cases, including case names and numbers, which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.). Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these cases. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: MOA Case Number: 3AN-10-11788 CR

v. Dewey Hoffman

**Attorneys Involved:**

Name: <u>Michael Graper</u>	Name: <u>Matt Michalski</u>
Address: <u>737 M Street</u>	Address: <u>632 W. 6th Avenue, #210</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

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

**Case Number 2**

Case Name: SOA Case Number: 3AN-10-4002 CR

v. Charles Avery

**Attorneys Involved:**

Name: <u>Michael Logue</u>	Name: <u>Daniel Martin</u>
Address: <u>737 M Street</u>	Address: <u>310 K Street, #520</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

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

**Case Number 3**

Case Name: MOA Case Number: 3AN-M-10-10702 CR

v. Emily Zurfluh

**Attorneys Involved:**

Name: <u>Senecca Theno</u>	Name: <u>Frederick Sloan</u>
Address: <u>632 w. 6th Avenue, #210</u>	Address: <u>3003 Minnesota Dr., #301</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99503</u>

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

10. *Optional:* If you deem it helpful to the Council, please list up to three other cases during your past term in which you believe your work was particularly noteworthy. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these cases. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

v. \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
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. \_\_\_\_\_

**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. \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

# Alaska Judicial Council Recommendation

## Judge Pamela Scott Washington, District Court, Anchorage

### Judicial Council Recommendation 2012

The Alaska Judicial Council is a non-partisan citizens' commission established by the Alaska constitution. Alaskan law requires the Council to evaluate judges' performance and authorizes the Council to recommend to voters whether judges should be retained in office. The Judicial Council reviews judges' integrity, diligence, legal ability, fairness, demeanor, ability to manage their caseloads, and overall performance of their judicial responsibilities in and out of the courtroom. The Judicial Council finds Judge Washington to be **Qualified** and recommends unanimously that the public vote "YES" to retain her as a district court judge.

### Judicial Council Evaluation

The Judicial Council surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers and guardians ad litem about the judges on the ballot. Respondents were asked to rate judicial performance and to submit comments. The Council also reviewed the ratings and observations of the Alaska Judicial Observers, independent community-based volunteers. The Council reviewed the judge's peremptory challenge, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files involving the judge; and whether a judge's pay was withheld for an untimely decision. The Council reviewed other court records and investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, and court staff, and held a statewide public hearing to obtain comments about judges.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem
Legal Ability	3.4	---	---	---	---
Impartiality	3.9	4.0	4.9	4.3	---
Integrity	4.0	4.0	---	4.2	---
Temperament	4.0	4.3	4.9	4.2	---
Diligence	3.8	3.8	---	4.1	---
Overall	3.7	4.0	4.8	4.1	---

Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

**Rating Scale**  
 5.0 = Excellent  
 4.0 = Good  
 3.0 = Acceptable  
 2.0 = Deficient  
 1.0 = Poor

### Summary of Survey Information

Survey respondents rated Judge Washington on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Washington on overall performance was 3.7. Peace and probation officers gave Judge Washington a rating of 4.0. Jurors rated her 4.8 overall and court employees gave her 4.1. No social workers or guardians ad litem rated Judge Washington. The Alaska Judicial Observers rated her 3.18.

**Recommendation: Vote "YES" to retain Judge Pamela Scott Washington**

For more information go to  
[www.knowyouralaskajudges.com](http://www.knowyouralaskajudges.com)



## Judge Pamela Scott Washington: Detailed Information Responses Alaska Bar Association Members

	Legal Ability		Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>												
No Response		22		8		11		9		22		11
<b>Direct Professional</b>	<b>3.4</b>	<b>89</b>	<b>3.9</b>	<b>98</b>	<b>4.0</b>	<b>97</b>	<b>4.0</b>	<b>97</b>	<b>3.8</b>	<b>88</b>	<b>3.7</b>	<b>98</b>
Experience in last 5 yrs	3.4	84	3.9	93	4.0	92	4.0	92	3.9	82	3.8	91
Experience not in last 5 yrs	3.3	4	3.8	4	3.5	4	3.5	4	3.5	4	3.2	5
Professional Reputation	3.4	16	4.0	19	4.0	18	3.8	19	3.7	17	3.6	18
Other Personal Contacts	3.8	11	4.1	13	4.2	12	4.3	13	3.8	11	3.8	11
<b>Type of Practice</b>												
No Response		12		3		4		4		13		3
Private, Solo	3.6	28	3.8	31	3.9	30	4.0	31	3.9	27	3.8	30
Private, 2-5 Attorneys	3.1	13	3.5	13	3.5	13	3.5	13	3.3	14	3.3	15
Private, 6+ Attorneys	2.7	3	4.0	4	4.3	4	3.7	3	4.3	4	4.0	4
Private, Corporate Employee	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2
Judge or Judicial Officer	3.8	21	4.5	22	4.7	22	4.5	22	3.9	18	4.3	22
Government	3.0	21	3.7	24	3.8	24	3.8	24	3.8	21	3.4	23
Public Service Agency/Org	--	0	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Other	--	0	--	0	--	0	--	0	--	0	--	0
<b>Years of Practice in Alaska</b>												
No Response		12		3		4		4		13		3
5 Years or fewer	3.6	9	4.1	10	4.2	10	4.0	10	4.4	9	3.9	10
6 to 10 years	2.8	6	3.8	9	3.9	9	4.1	9	3.9	8	3.8	9
11 to 15 years	2.5	8	3.1	8	3.4	8	3.4	8	2.7	6	2.6	8
16 to 20 years	3.3	14	3.7	15	3.6	15	3.6	15	3.6	14	3.5	15
21 years or more	3.6	50	4.1	54	4.2	53	4.2	53	3.9	49	3.9	54
<b>Gender</b>												
No Response		12		3		4		4		13		3
Male	3.4	62	3.9	68	4.1	67	4.1	67	3.9	60	3.8	68
Female	3.3	26	3.9	29	3.9	29	3.8	29	3.7	27	3.7	29
<b>Cases Handled</b>												
No Response		12		3		4		4		13		3
Prosecution	2.9	11	3.7	12	3.8	12	3.8	12	3.8	11	3.4	12
Mainly Criminal	3.6	14	3.7	16	4.1	16	4.1	16	4.3	12	3.7	15
Mixed Criminal & Civil	3.4	33	3.9	33	4.0	33	3.9	33	3.6	31	3.7	33
Mainly Civil	3.5	28	4.0	33	4.1	32	4.0	32	3.8	31	3.9	35
Other	4.0	1	4.5	2	4.5	2	4.5	2	5.0	1	5.0	1
<b>Location of Practice</b>												
No Response		12		3		4		4		13		3
First District	2.5	2	3.7	3	3.7	3	3.3	3	3.0	2	3.3	3
Second District	--	0	--	0	--	0	--	0	--	0	--	0
Third District	3.4	82	4.0	90	4.1	89	4.0	89	3.9	81	3.8	90
Fourth District	1.5	2	2.0	2	2.0	2	2.5	2	2.5	2	2.0	2
Outside of Alaska	--	0	--	0	--	0	--	0	--	0	--	0

Note: Ratings for only those respondents who reported direct professional experience with the judge.

<b>Distribution of Court Employee Ratings* 2012 Retention Evaluation Pamela Scott Washington</b>							
<b>Survey Category</b>	<b>Number of Responses</b>						
	<b>Total</b>	<b>Excellent</b>	<b>Good</b>	<b>Acceptable</b>	<b>Deficient</b>	<b>Poor</b>	<b>Mean</b>
<b>Impartiality/Fairness</b>	34	17	11	4	2	0	<b>4.3</b>
<b>Integrity</b>	34	16	11	6	1	0	<b>4.2</b>
<b>Judicial Temperament</b>	34	17	10	5	2	0	<b>4.2</b>
<b>Diligence</b>	34	16	10	4	2	2	<b>4.1</b>
<b>Overall Evaluation</b>	34	15	12	3	4	0	<b>4.1</b>

\* Ratings are based on direct professional experience.

**Judge Pamela Scott Washington  
Peace and Probation Officers**

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>										
No Response		1		2		1		4		1
<b>Direct Professional</b>	<b>4.0</b>	<b>13</b>	<b>4.0</b>	<b>12</b>	<b>4.3</b>	<b>13</b>	<b>3.8</b>	<b>10</b>	<b>4.0</b>	<b>13</b>
Experience in last 5 yrs	4.0	13	4.0	13	4.3	13	3.8	10	4.0	13
Experience not in last 5 yrs	--	0	--	0	--	0	--	0	--	0
Professional Reputation	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
<b>Type of Work</b>										
No Response		1		2		1		4		1
State Law Enforcement Officer	3.9	7	3.8	6	4.3	7	3.3	6	3.9	7
Municipal/Borough Law Enforcement Officer	4.2	6	4.2	6	4.3	6	4.5	4	4.2	6
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	--	0	--	0	--	0	--	0	--	0
Other	--	0	--	0	--	0	--	0	--	0
<b>Length of Experience</b>										
No Response		1		2		1		4		1
5 Years or fewer	5.0	1	5.0	1	4.0	1	5.0	1	4.0	1
6 to 10 years	4.0	7	4.0	6	4.6	7	3.7	7	4.1	7
11 to 15 years	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2
16 to 20 years	4.5	2	4.5	2	5.0	2	--	0	4.5	2
21 years or more	3.0	1	3.0	1	3.0	1	--	0	3.0	1
<b>Gender</b>										
No Response		1		2		1		4		1
Male	4.1	11	4.1	10	4.5	11	3.9	8	4.1	11
Female	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2
<b>Location of Work</b>										
No Response		1		2		1		4		1
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	4.0	13	4.0	12	4.3	13	3.8	10	4.0	13
Fourth District	--	0	--	0	--	0	--	0	--	0
<b>Community Population</b>										
No Response		1		2		1		4		1
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	--	0	--	0	--	0	--	0	--	0
Over 35,000	4.0	13	4.0	12	4.3	13	3.8	10	4.0	13

Note: Ratings for only those respondents who reported direct professional experience with the judge.

**Juror Survey Results  
2012 Retention Evaluation  
Pamela Scott Washington**

<b>Survey Category</b>	<b>Mean</b>	<b>Excellent</b>	<b>Good</b>	<b>Acceptable</b>	<b>Deficient</b>	<b>Poor</b>	<b>Total Responses</b>
Impartiality/Fairness	4.9	36	3	1	0	0	40
Respectful/Courteous	4.9	37	2	1	0	0	40
Attentive during Proceedings	4.9	37	2	1	0	0	40
Control over Proceedings	4.8	34	5	1	0	0	40
Intelligence/ Skill as a Judge	4.8	35	3	2	0	0	40
Overall Evaluation	4.8	35	3	2	0	0	40