

# Alaska Judicial Council Recommendation

## Judge Robert G. Coats, Court of Appeals

**I. Judicial Council Evaluation.** The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Coats to be **Qualified** and recommends unanimously (6-0) that the public vote "YES" to retain him as a court of appeals judge.

**II. Summary of Evaluation Information.** In a survey sent to all 2,644 attorneys in Alaska, Judge Coats was rated in the good range on overall judicial performance (3.8, see graph). He scored highest (4.1) in the category of "conduct free from impropriety." He scored 3.7 or better in all ten categories.

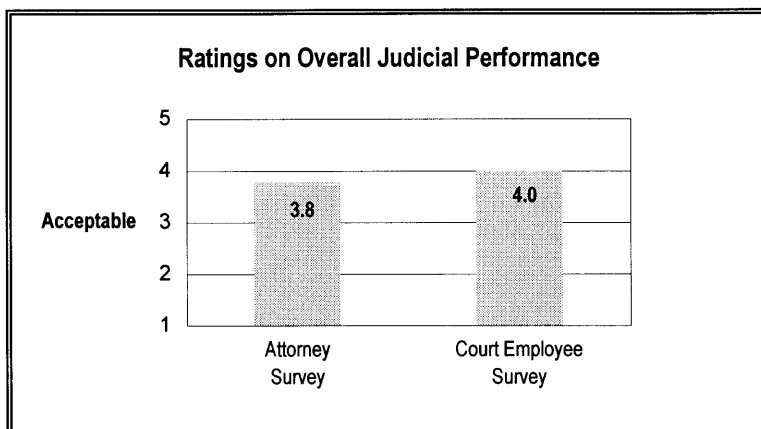
Summary Categories	Attorney Survey	Court Employee Survey
Legal Ability	3.7	---
Impartiality	3.9	---
Integrity	4.0	4.1
Temperament	3.9	4.1
Diligence	3.8	3.9
Overall	3.8	4.0

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

**Range Description**  
 4.0 - 5.0 = Excellent  
 3.5 - 3.9 = Good  
 3.0 - 3.4 = Acceptable  
 2.5 - 2.9 = Below Acceptable  
 1.0 - 2.4 = Poor

A survey of all court employees rated Judge Coats in the excellent range (4.0) on overall performance.

The Council also completed a background investigation including a court records check, a disciplinary records check, a review of conflict of interest statements submitted to the court system, a review of any withheld salary warrants and a review of financial disclosure statements submitted to the Alaska Public Offices Commission. Attorneys and court employees were asked to submit written comments about the judge. The Council actively encouraged the public to comment, both in writing and in a statewide public hearing teleconference.



**Recommendation: Vote "YES" to retain Judge Coats**

Contact the Judicial Council at 1029 W. 3rd, Suite 201, Anchorage, AK 99501 (telephone: (907) 279-2526) for more detailed information, or review the information on our Internet site at:

[www.ajc.state.ak.us](http://www.ajc.state.ak.us)



# alaska judicial council

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## Alaska Judicial Council Questionnaire

### Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

Robert G. Coats	Court of Appeals
Name	Court

1. Describe your workload during your present term.

a) _____% Civil Cases	b) _____# of trials/year
100 _____% Criminal Cases	_____# Administrative Appeals
_____% Court Administrative	
100 % Total	

100% Criminal Cases - No Trials.

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

Chief Judge, Court of Appeals

3. On a separate sheet of paper 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

Robert G. Coats  
2000 Candidates for Judicial Retention  
Alaska Judicial Council Questionnaire - Continued

3. We have had important changes during this term on the Court of Appeals. The major change was the departure of Chief Judge Bryner to the Alaska Supreme Court. We deal with a high volume of cases on the Court of Appeals. We need to be very efficient. Losing a judge who had been a key part of this court for a long time and waiting for a replacement was very disruptive. Trying to reestablish our pattern of efficiency after Justice Bryner left was a major challenge. In addition, I was appointed Chief Judge and had to learn how to carry out the court's administrative duties. We have also had the challenge of replacing two very experienced staff attorneys and the Clerk of the Appellate Courts during this period. I believe that we have met these challenges and are in a position to efficiently decide the appeals which come to us.

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.

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 xx.
  - b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes xx No \_\_\_\_\_.
  - c) engaged in the practice of law (other than as a judge)? Yes \_\_\_\_\_ No xx.
  - d) held office in any political party? Yes \_\_\_\_\_ No xx.
  - e) held any other local state or federal office? Yes \_\_\_\_\_ No xx.

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

I had a dispute over an increase in child support where my former wife and I were represented by lawyers. The matter settled fairly quickly by stipulation.

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Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2000 retention elections.

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Robert G. Coats  
2000 Candidates for Judicial Retention  
Alaska Judicial Council Questionnaire - Continued

5. Please list the names of case numbers of the three most recent **jury cases tried before you**, identify the attorneys involved, and show their current addresses.

None

6. Please list the names of case numbers of the three most recent **non-jury cases tried before you**, identify the attorneys involved, and show their current addresses.

None

7. Please list the names and case numbers of the six most recent cases which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.), identify the attorneys involved, and show their current addresses.

**A-4054, Douglas Leon Smith v. State**

Trial Court No. 3AN-90-01097Cr.

Opinion No. 1657, issued on 12/3/99

Walter Share  
7414 Orin Court North  
Seattle, WA 98103

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8410 E. 32nd Avenue  
Anchorage, AK 99504

Nancy Simel  
Office of Special Prosecutions and Appeals  
310 K. Street, #308  
Anchorage, AK 99501

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**A-7069, State v. John M. Couch**

Trial Court No. 4FA-97-00427Cr.

Opinion No. 1654, issued on 11/19/99

Paul J. Canarsky  
Public Defender Agency  
529 5th Avenue, #1  
Fairbanks, AK 99701

Timothy W. Terrell  
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Anchorage, AK 99501

Robert G. Coats  
2000 Candidates for Judicial Retention  
Alaska Judicial Council Questionnaire - Continued

**Question #7 - Continued:**

**A-7107, State v. Kenneth L. Bingaman**  
Trial Court No. 3KN-97-01440Cr.  
Opinion No. 1651, issued on 10/22/99

Peter F. Mysing  
608 Petersen Way  
Kenai, AK 99611

Kenneth Rosenstein  
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**A-6951, Louis M. George v. State**  
Trial Court No. 3AN-97-03503Cr.  
Opinion No. 1650, issued on 10/8/99

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Anchorage, AK 99501

Marcelle K. McDannel  
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**A-7040, State v. Erwin Moran**  
Trial Court No. 4FA-98-00565Cr.  
Opinion No. 1646, issued on 9/3/99

Lori M. Bodwell  
712 8th Avenue  
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Robert G. Coats  
2000 Candidates for Judicial Retention  
Alaska Judicial Council Questionnaire - Continued

**Question #7 - Continued:**

**A-6738, Richard R. Watkinson v. State**  
Trial Court No. 3AN-95-09302Cr.  
Opinion No. 1634, issued on 5/28/99

Kathleen A. Murphy  
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900 West 5th Avenue, #200  
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Anchorage, AK 99501

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8. If you deem it helpful to the Council, please list the name, case number and attorneys' names and current addresses of any other cases during your judicial career in which you believe your work was particularly noteworthy.

None

## **MEMORANDUM**

**TO:** Judicial Council Members  
**FROM:** Staff  
**DATE:** May 16, 2000  
**RE:** Comparison of Previous Survey Results - Robert G. Coats

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Robert G. Coats is standing for retention in 2000. The table on the following page compares retention and selection survey scores for Judge Coats. Changes in the form and content of the various surveys should be noted carefully in making any comparisons.

Judge Coats previously stood for retention as a court of appeals judge in 1984 and 1992. He was evaluated with the other non-retention judges in 1990 and 1998.

Judge Coats applied for and was appointed to the Court of Appeals in 1980.



<b>Judge Robert G. Coats</b>						
Appointed to Court of Appeals 7/30/80						
	2000 Retention	1998 Retention Preview	1992 Retention	1990 Retention Preview	1984 Retention	1980 Court of Appeals
<b>Legal Ability</b>	3.7	3.6	3.6	3.7	—	3.9
<b>Fairness</b>	3.9	3.6	3.8	3.8	3.8	4.0
<b>Integrity</b>	4.0	3.8	3.8	4.0	4.2	4.2
<b>Judicial Temperament</b>	3.9	3.7	3.7	3.8	4.0	---
<b>Diligence</b>	3.8	—	—	—	—	---
<b>Administrative Skills</b>	—	—	3.8	—	—	---
<b>Quality of Written Opinions</b>	—	—	—	—	3.6	---
<b>Free from Arrogance</b>	—	—	—	—	—	3.8
<b>Decisiveness</b>	—	—	—	—	—	3.6
<b>Willingness to Work</b>	—	—	—	—	—	3.7
<b>Good Character</b>	—	—	—	—	—	4.1
<b>Understanding</b>	—	—	—	—	—	3.9
<b>Judgment</b>	—	—	—	—	—	3.8
<b>Reasonableness</b>	—	—	—	—	—	3.8
<b>Overall Performance</b>	3.8	3.6	3.7	3.7	—	3.6