

Alaska Judicial Council Recommendation

Judge Eric Sanders, Superior Court, Anchorage

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

II. Summary of Evaluation Information. In a survey sent to all 2,644 attorneys in Alaska, Judge Sanders was rated in the excellent range on overall judicial performance (4.1, see graph). He scored highest in the category of "settlement skills" (4.3). He scored 3.8 or better in all sixteen categories.

Summary Categories	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	CourtWatch Report
Legal Ability	4.2	---	---	---	---
Impartiality	4.1	4.0	4.9	---	4.2
Integrity	4.2	4.1	---	4.0	---
Temperament	4.0	4.0	4.9	4.0	3.9
Diligence	4.2	4.0	---	4.0	---
Special Skills	4.2	4.0	---	4.0	---
Overall	4.1	3.9	4.9	4.0	4.1

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

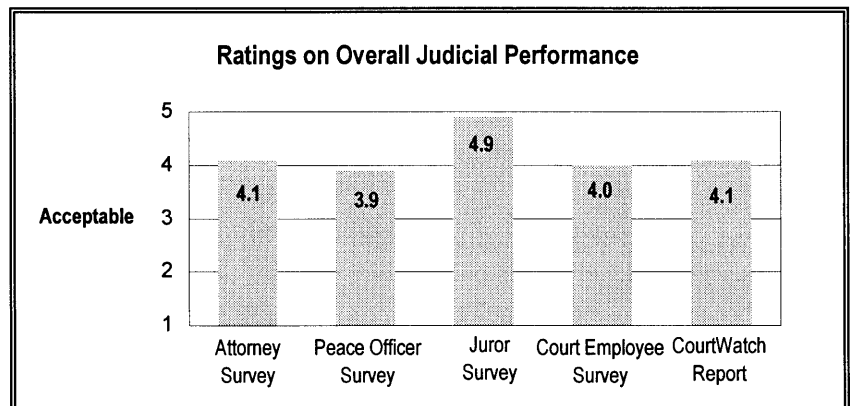
Range Description

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 1,890 peace and probation officers in Alaska rated Judge Sanders in the good range on overall judicial performance (3.9, see graph). He scored highest in the category of "conduct free from impropriety" (4.2). He scored 3.9 or better in all thirteen categories.

A survey of all jurors appearing before Judge Sanders in 1998 and 1999 rated him in the excellent range (4.9) on overall performance. A survey of all court employees rated him in the excellent range (4.0) on overall performance. The independent CourtWatch Report gave Judge Sanders a 4.1 overall rating.

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, peace officers, court employees and jurors 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 Sanders

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



alaska judicial council

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EXECUTIVE DIRECTOR
William T. Cotton

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AK Judicial Council

Alaska Judicial Council Questionnaire

Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

NON-ATTORNEY MEMBERS
Janice Lienhart
Vicki A. Otte
Sandra S. Stringer

ATTORNEY MEMBERS
Geoffrey G. Currall
Paul J. Ewers
Robert H. Wagstaff

CHAIRMAN, EX OFFICIO
Warren W. Matthews
Chief Justice
Supreme Court

ERIC SANDERS
Name

SUPERIOR
Court

1. Describe your workload during your present term.

- a) 40 % Civil Cases
 - 60 % Criminal Cases
 - % Court Administrative
 - 100 % Total
- b) # of trials/year
- # Administrative Appeals

I WAS ASSIGNED TO THE CRIMINAL
DIVISION BETWEEN 10/96 AND 2/99 AND I AVERAGED
ABOUT 20 TRIALS A YEAR. SINCE 2/99 I HAVE
BEEN IN THE CIVIL DIVISION AND HANDLED 3 TRIALS.

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

CIVIL RULES COMMITTEE
CRIMINAL LAW BENCH-BAR COMMITTEE

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

ANSWER TO QUESTION 3:

Before I was appointed to the bench, my private law practice was limited to personal injury litigation. Moreover, most of my time was spent outside the courtroom, and the cases I handled rarely went to trial. When I became a judge in October of 1996, I was assigned to the criminal division of the superior court in Anchorage. For the next two years, I spent most of the workday in the courtroom handling trials, sentencings and motions. As a consequence, I received a wonderful education in trial practice, the evidence rules, and the intricacies of the state sentencing laws and procedures. In the early part of 1999, I was reassigned to the civil division. Because of that change, I now spend much less time in the courtroom, and the substantive areas of law I deal with are totally different. My efforts are now directed to managing a heavy caseload so that rulings are issued and disputes are dealt with as promptly as possible. A significant majority of the cases are in the field of domestic relations (divorce and child custody), and I have a particular interest in resolving these matters by negotiation rather than litigation. Some of the procedures I have utilized to expeditiously resolve domestic relations cases have been adopted by other Anchorage superior court judges, and I am hopeful that this will have a positive impact on our community. In summary, during the past three years I have received excellent on the job training which will certainly help me be a better judge in the future if I am retained.

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 .
- b) been involved in a nonjudicial 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 .

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

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.

5. Please list the names and case numbers of the three most recent jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

	Name of Case	Case Number
1	<u>JOURDAN V. CHEVRON USA</u>	<u>3AN-96-1088 CI</u>

Attorneys Involved

✓ Name: AVA JOURDAN (PRO PER)
 Address: P.O. BOX 91334
ANCHORAGE, AK 99509

Name: _____
 Address: _____

✓ Name: LARRY MOSER
 Address: 420 L ST. # 300
ANCHORAGE, AK 99501

Name: _____
 Address: _____

	Name of Case	Case Number
2	<u>STATE V. EARL</u>	<u>3AN-94-30 CR</u>

Attorneys Involved

✓ Name: SHANNON HANLEY
 Address: 310 K ST. # 520
ANCHORAGE, AK 99501

Name: _____
 Address: _____

✓ Name: WALLY TETLOW
 Address: 900 W. 5TH AVE. # 200
ANCHORAGE, AK 99501

Name: _____
 Address: _____

	Name of Case	Case Number
3	<u>STATE V. TURNER</u>	<u>3AN-98-3755 CR</u>

Attorneys Involved

✓ Name: ADRIENNE BACHMAN
 Address: 310 K ST. # 520
ANCHORAGE, AK 99501

Name: _____
 Address: _____

✓ Name: REX BUTLER
 Address: 745 W. 4TH AVE # 300
ANCHORAGE, AK 99501

Name: _____
 Address: _____

6. Please list the names and case numbers of the three most recent non-jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

Name of Case	Case Number
1 <u>KIMBLE V KIMBLE</u>	<u>3AN-99-6278 CI</u>

Attorneys Involved

✓ Name: WILLIAM FORD
Address: 745 W. 4TH AVE #400
ANCHORAGE, AK 99501

Name: _____
Address: _____

✓ Name: ROBIN TAYLOR
Address: 801 B. ST. #505
ANCHORAGE, AK 99501

Name: _____
Address: _____

Name of Case	Case Number
2 <u>HENNICK V HENNICK</u>	<u>3AN-98-9803 CI</u>

Attorneys Involved

✓ Name: STEVE McALPINE
Address: 4141 B ST #202
ANCHORAGE, AK 99503

Name: _____
Address: _____

✓ Name: STEVE PRADELL
Address: 1009 W. 7TH AVE
ANCHORAGE, AK 99501

Name: _____
Address: _____

Name of Case	Case Number
3 <u>SLOAN V SLOAN</u>	<u>3AN-96-9905 CI</u>

Attorneys Involved

✓ Name: SUSAN MACK
Address: 310 K ST #404
ANCHORAGE, AK 99501

Name: _____
Address: _____

✓ Name: JENNIFER HOLLAND
Address: 880 H ST. #201
ANCHORAGE, AK 99501

Name: _____
Address: _____

7. Please list the names and case numbers of the three 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. (Attach additional pages if necessary.)

1 Name of Case FOWLER V FOWLER Case Number 3AN-96-9176 CI

Attorneys Involved

Name: ALAN SHERRY
Address: 431 W. 7TH AVE #105
ANCHORAGE, AK 99501

Name: _____
Address: _____

Name: JANET PLATT
Address: 711 M. ST #101
ANCHORAGE, AK 99501

Name: _____
Address: _____

2 Name of Case UBERSTEIN V. BEAL Case Number 3AN-97-7366 CI

Attorneys Involved

Name: LES GARA
Address: 1227 W. 9TH AVE
ANCHORAGE, AK 99501

Name: _____
Address: _____

Name: HOWARD LAZAR
Address: 1007 W. 3RD AVE #400
ANCHORAGE, AK 99501

Name: _____
Address: _____

3 Name of Case POWELL V. POWELL Case Number 3AN-98-5578 CI

Attorneys Involved

Name: ALEXIS FOOTE
Address: 640 OCEANVIEW DR
ANCHORAGE, AK 99515

Name: _____
Address: _____

Name: JOE HUDDLESTON
Address: 550 W. 7TH AVE #1100
ANCHORAGE, AK 99501

Name: _____
Address: _____

MEMORANDUM

TO: Judicial Council Members

FROM: Staff

DATE: May 16, 2000

RE: Comparison of Previous Survey Results - Eric Sanders

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

This is Judge Sanders' first time to stand for retention. He was evaluated with the other non-retention judges in 1998.

Judge Sanders applied for and was appointed to the Anchorage Superior Court in 1996.

Judge Eric Sanders						
appointed to Anchorage Superior Court 8/8/96						
	2000 Retention		1998 Retention Preview		1996 Anchorage Superior	
	Bar	PPO	Bar	PPO	Score	Range
Legal Ability	4.2	—	3.9	—	4.5	Excellent
Fairness	4.1	4.0	3.8	3.8	4.1	Excellent
Integrity	4.2	4.1	3.9	4.1	4.3	Excellent
Judicial Temperament	4.0	4.0	3.7	3.9	4.1	Excellent
Diligence	4.2	4.0	—	—	—	---
Administrative Skills	4.2	4.0	—	—	—	---
Suitability of Experience	—	—	—	—	4.2	Excellent
Overall Performance	4.1	3.9	3.8	3.8	4.3	Excellent