

# Alaska Judicial Council Recommendation

## Judge Fred Torrisi, Superior Court, Dillingham

**I. Judicial Council Evaluation.** The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Torrisi 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 Torrisi was rated in the excellent range on overall judicial performance (4.2, see graph). He scored highest (4.3) in the categories of "conduct free from impropriety," "makes decisions without regard to possible public criticism," "courtesy," "human understanding and compassion," "reasonable promptness in making decisions," "willingness to work," "settlement skills," and "talent and ability for cases involving children." He scored 4.1 or better in all sixteen categories.

Summary Categories	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey
Legal Ability	4.1	---	---	---
Impartiality	4.2	3.7	4.6	---
Integrity	4.3	3.6	---	4.5
Temperament	4.3	3.8	4.7	4.4
Diligence	4.3	3.7	---	4.2
Special Skills	4.3	3.4	---	4.2
Overall	4.2	3.5	4.6	4.4

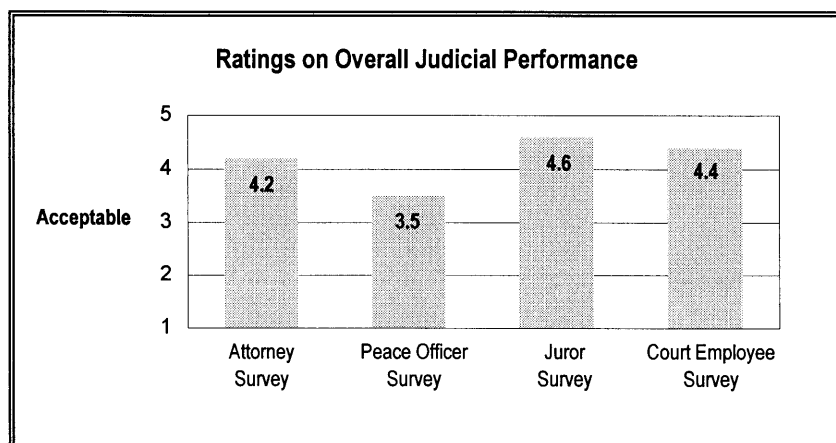
Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

**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 Torrisi in the good range on overall judicial performance (3.5, see graph). He scored highest in the category of "human understanding and compassion" (3.9). He scored lowest, but still acceptable (3.3), in the categories of "consideration of all relevant factors in sentencing" and "talent and ability for cases involving children."

A survey of all jurors appearing before Judge Torrisi in 1998 and 1999 rated him in the excellent range (4.6) on overall performance. A survey of all court employees rated him in the excellent range (4.4) 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, 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 Torrisi**

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)



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AK Judicial Council

# alaska judicial council

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## Alaska Judicial Council Questionnaire

### Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

Fred Torrasi  
Name

Dillingham Superior  
Court

1. Describe your workload during your present term.

est.

- a) 20 % Civil Cases
  - 70 % Criminal Cases
  - 10 % Court Administrative
  - 100 % Total
- b) 15 # of trials/year
  - # Administrative Appeals

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

No committees. Substantial time spent coordinating with + assisting Ncknek + Unaleka courts + in travel. Weekend surainment + on-call duty. Community outreach to nearby villages

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

Alaska Judicial Council  
December 4, 1999

Re: 2000 retention elections  
Question #3

Except for one trial in Bethel last year, my duties in the past three years have involved cases from Dillingham, Naknek and Unalaska. With very few exceptions, my caseload has consisted of the same type of action that I used to do from the other side of the bench. The demands of the job are also similar, requiring a certain degree of independence, flexibility and tolerance. I think the transition to this position was easier because of my familiarity with the area, the people and the local way of life.

As in a small practice, the pace of business varies, because when everything happens at once, there is no backup. With a small staff here, I do have to do on-call, organizational and scheduling chores that an urban judge wouldn't have to do, but the rewards include having a better handle on what matters are pending and having more time to decide cases. I have issued some two dozen written opinions in each of the past three years, and so far I haven't had a case under advisement for more than about two months. Since there was no resident judge in this area of the state before I was appointed, it is satisfying to see such an improvement in the court system's ability to hear cases promptly.

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.

I testified in a hearing on Rule 82 attorney fees, based on my knowledge of the case prior to my appointment to the bench. My involvement with the case was after its appeal to the Supreme Court - McGill v Wahl, 839 P.2d 393 (Alaska 1992). Hearing was before Judge Wolverton.

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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.

There was a concern when I was appointed that I might have numerous recusals & preempts. To date, this has not been a major problem.

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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.)

**1** State v Logusak 3D1-99-379 CR

\* - Please see page following questions 7.

**Attorneys Involved**

Name: John Skidmore  
Address: Asst District Atty  
Box 470  
Dillingham, Ak 99576  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: Valerie Leonard  
Address: Asst Public Defender  
Box 929  
Dillingham, Ak 99576  
Name: CR  
Address: 1514 F St.  
Anchorage, Ak 99501

**2** Progressive Bns v Olson v City of Dillingham 3D1-98-89 CR

**Attorneys Involved**

Name: Byron B. Kallenborn  
Address: McNall + Associates  
711 H Street, Suite 500  
Anchorage, Ak 99501  
Name: Bruce Anders  
Address: Angstrom Law Office  
Box 758  
Bethel, Ak 99559

Name: Michael Corey  
Address: Sandberg, Wuestenfeld + Corey  
701 W. 8th Av Suite 1100  
Anchorage, Ak 99501  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**3** State v Stockdale 3D1-99-214 CR

**Attorneys Involved**

Name: John Skidmore  
Address: Asst District Atty  
Box 470  
Dillingham, Ak 99576  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: Darrel Gardner  
Address: Office of Public Advocacy  
900 W. 5th Avenue Ste 525  
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.)

**1** Magill et al v Nelbho 301-98-35 CI

**Attorneys Involved**

\*- Again, please page following quest. \*7

Name: James T. Brennan  
 Address: Hedland, Brennan et al.  
1227 W. Ninth Avenue  
Anchorage, Ak 99501 Ste 300

Name: Steven Gibbons  
 Address: Christensen O'Connor et al.  
1420 5th Avenue, Ste 2800  
Seattle, Washington 98101

Name: Michael Jungreis  
 Address: Helen Ehrman White et al.  
550 W. Seventh  
Anchorage, Ak 99501

Name: Fred Corbit  
 Address: 6100 Columbia Ctr.  
Seattle, Washington 98104

**2** Wech v Nelson 300-97-63 CI

**Attorneys Involved**

Name: Robin A. Taylor  
 Address: 801 B Street, Ste. 505  
Anchorage, Ak 99501

Name: Michael R. Smith  
 Address: 308 G Street, Ste. 324  
Anchorage, Ak 99501

Name: Michael R. Wirschem  
 Address: 517 W. Northern Lights Blvd  
Anchorage, Ak. 99503

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

**3** CK + NK 3NA-98-15 and 16 CA

**Attorneys Involved**

Name: JoAnn Chung  
 Address: Ass't A.G. - Dept of Law  
1031 W 4th A SE 200  
Anchorage, Ak 99501

Name: Richard Illmers  
 Address: Rt 484  
King Salmon, Ak. 99613

Name: Samuel J. Fortier  
 Address: 2550 Denali Fr. Ste 1500  
Anchorage, Ak. 99503

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.) See next page

**1** Swedius v State et al. 3D1-98-2

**Attorneys Involved**

✓ Name: Michael J. Schneider  
 Address: 880 N Street, Ste 202  
Anchorage, Ak 99501

✓ Name: Richard McKinney  
 Address: 1001 4th Avenue, Ste 3200  
Seattle, WA. 98154

✓ Name: Gary M. Guarino  
 Address: Asst Attorney General  
1031 W. 4th Av Ste 200  
Anchorage, Ak 99501

Name: \_\_\_\_\_  
 Address: (continued on next page)

**2** City of Unalaska v Glacier Steel Bldgs 3D1-98-76 CG

**Attorneys Involved**

✓ Name: Krista Stearns  
 Address: Hicks Boyd et al  
825 W. Eighth Av Ste 200  
Anchorage, Ak 99501

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

✓ Name: Jeffrey P. Stank  
 Address: Delany Wiles et al.  
1007 W. Third Av., Ste. 400  
Anchorage, Ak. 99501

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

**3** State v Chris 3D1-99-37 CR

**Attorneys Involved**

✓ Name: John Skidmore  
 Address: Asst District Attorney  
Box 470  
Dillingham, Ak. 99576

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

✓ Name: Joseph R. Faith  
 Address: Box 1257  
Dillingham, Ak 99576

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

Alaska Judicial Council  
December 4, 1999

Re: 2000 retention elections  
Questions 5-7

These questions seek names of counsel in recent cases. Since I assume responses are confidential, there is probably no problem, but I wanted to alert you to the fact that all issues in these actions are not resolved. Please let me know if you want me to supply other less recent cases.

5. State v. Logusak. The jury is still deliberating as I write this. If the defendant is convicted, there may be post-verdict motions as well as a sentencing. If the jury fails to reach a verdict, there may be a retrial.

Progressive v. Olson v. City of Dillingham. There are issues of costs and attorney fees still unresolved.

6. Magill v. Nelbro, tried last month, is still under advisement. I expect to have a decision out by December 15, but there will remain issues of costs and fees and perhaps additional motion work. Wech v. Nelson seems to be done, although custody cases often do re-emerge. CK and NK is a CINA case that is post-disposition, but not yet past permanency planning.

7. Swedelius; counsel names and addresses, continued

Erling T. Johansen  
Davison & Davison, Inc.  
3351 Arctic Blvd  
Anchorage, Ak. 99503

David C. Burkett  
Burkett & Burdette  
600 Stewart St., Ste. 305  
Seattle, Wa. 98101

Counsel in City of Unalaska v. Glacier Steel Buildings have notified me that the case is settled, but documents have yet to be filed.

Again, please let me know if I am supposed to restrict my responses to cases that are completely finished.



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. (Attach additional pages if necessary.)

**1**

*Name of Case*

*Case Number*

\_\_\_\_\_

\_\_\_\_\_

*Attorneys Involved*

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

**2**

*Name of Case*

*Case Number*

\_\_\_\_\_

\_\_\_\_\_

*Attorneys Involved*

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

**3**

*Name of Case*

*Case Number*

\_\_\_\_\_

\_\_\_\_\_

*Attorneys Involved*

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

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

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

\_\_\_\_\_

## **MEMORANDUM**

**TO:** Judicial Council Members  
**FROM:** Staff  
**DATE:** May 16, 2000  
**RE:** Comparison of Previous Survey Results - Fred Torrasi

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

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

Judge Torrasi applied for and was appointed to the Dillingham Superior Court in 1996.

<b>Judge Fred Torrisi</b> appointed to Anchorage Superior Court 11/29/96						
	2000 Retention		1998 Retention Preview		1996 Dillingham Superior	
	Bar	PPO	Bar	PPO	Score	Range
<b>Legal Ability</b>	4.1	—	4.0	—	3.9	Good
<b>Fairness</b>	4.2	3.7	4.3	3.1	4.0	Excellent
<b>Integrity</b>	4.3	3.6	4.4	3.6	4.1	Excellent
<b>Judicial Temperament</b>	4.3	3.8	4.4	3.4	4.0	Excellent
<b>Diligence</b>	4.3	3.7	—	—	—	---
<b>Administrative Skills</b>	4.3	3.4	—	—	—	---
<b>Suitability of Experience</b>	—	—	—	—	3.9	Good
<b>Overall Performance</b>	4.2	3.5	4.2	3.2	3.9	Good