

Alaska Judicial Council Recommendation

Judge Michael L. Wolverton, Superior Court, Anchorage

I. Judicial Council Evaluation. The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Wolverton 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 Wolverton was rated in the excellent range on overall judicial performance (4.1, see graph). He scored highest (4.4) in the categories of "conduct free from impropriety" and "courtesy." He scored 3.9 or better in all sixteen categories.

Summary Categories	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	CourtWatch Report
Legal Ability	4.1	---	---	---	---
Impartiality	4.3	4.3	4.9	---	3.8
Integrity	4.3	4.2	---	4.6	---
Temperament	4.3	4.3	4.9	4.7	3.7
Diligence	4.0	4.2	---	4.4	---
Special Skills	4.2	4.3	---	4.4	---
Overall	4.1	4.2	4.9	4.5	3.8

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

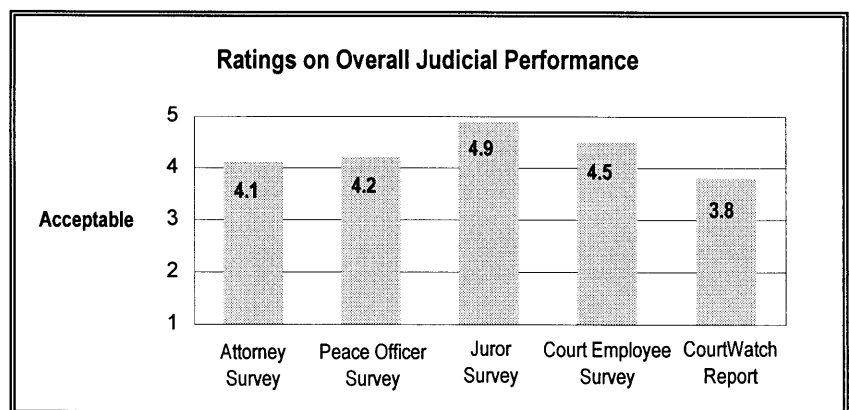
Range Description

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 Wolverton in the excellent range on overall judicial performance (4.2, see graph). He scored highest (4.3) in the categories of "equal treatment of all parties," "sense of basic fairness," "conduct free from impropriety," "courtesy," "human understanding and compassion," "ability to control courtroom," and "talent and ability for cases involving children." He scored 4.1 or better in all thirteen categories.

A survey of all jurors appearing before Judge Wolverton 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 (4.5) on overall performance. The independent CourtWatch Report gave Judge Wolverton a 3.8 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 Wolverton

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



1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969 (907) 279-2526 FAX (907) 276-5046
http://www.ajc.state.ak.us E-Mail: postmaster@ajc.state.ak.us

EXECUTIVE DIRECTOR
William T. Cotton

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

Alaska Judicial Council Questionnaire

Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

MICHAEL L. WOLVERTON ANCHORAGE SUPERIOR
Name Court COURT

1. Describe your workload during your present term.

- a) 15 % Civil Cases
- 85 % Criminal Cases
- % Court Administrative
- 100 % Total
- b) 20 # of trials/year
- 6 # Administrative Appeals

In February, 1999 I moved
from a civil caseload to a
full-time criminal case load.

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

CINA Committee
Criminal Justice Improvement Committee
Criminal Bench/Bar Conferences

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

Since my last retention election I have transitioned from District to Superior Court. I believe that the breadth of my experience as a presiding District Court judge, pro tem Superior Court judge and Court of Appeals judge, has enabled me to fill in at virtually all levels of the Court System, and has enabled me to efficiently handle travel calendars.

Upon appointment to the Superior Court I was initially assigned to a civil caseload, which included complex litigation and a heavy emphasis on domestic relations cases. In July of 1998 I attended the National Judicial College course for managing complex litigation. In February of 1999 I took over a full time criminal caseload, although I continue to handle travel calendars and children's matters as well. All in all, I still enjoy the challenge of being a Superior Court Judge.

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.)

1 State v. George Dooley 3ANS98-7A20 CR

Attorneys Involved

Name: Hollis S. French
Address: 310 K St., Suite 520
Anchorage, AK 99501

Name: _____
Address: _____

Name: Julia D. Moudy
Address: 900 W. 5th Ave., Suite 200
Anchorage, AK 99501

Name: _____
Address: _____

2 State v. Jamel & Jevon Batts 3ANS98-6275

Attorneys Involved

Name: Eric Aarseth
Address: 310 K St., Suite 520
Anchorage, AK 99501

Name: _____
Address: _____

Name: Leslie A. Hiebert
Address: 900 W. 5th Ave., Suite 525
Anchorage, AK 99501

Name: David D. Reinke
Address: 900 W. 5th Ave., Suite 200
Anchorage, AK 99501

3 State v. Michael Ivy 3ANS99-2757

Attorneys Involved

Name: Jayne L. Wallingford
Address: 318 K St., Suite 520
Anchorage, AK 99501

Name: _____
Address: _____

Name: Michael D. Dieni
Address: 900 W. 5th Ave., Suite 200
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 State v. Haukur Johannesson 3UN599-9/12/03 CR

Attorneys Involved

Name: Andrew Josephson
Address: 310 K St., Suite 520
Anchorage, AK 99501

Name: _____
Address: _____

Name: Brent R. Cole
Address: 745 W. 4th Ave., Ste 502
Anchorage, AK 99501

Name: _____
Address: _____

2 Jaynes v. Renno 3AN97-7648 CI

Attorneys Involved

Name: Gary R. Eschbacher
Address: 718 Barrow Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: Karla F. Huntington
Address: 634 K Street
Anchorage, AK 99501

Name: _____
Address: _____

3 Blair v. F/V Predator 3AN 96-7333

Attorneys Involved

Name: Paul D. Kelly
Address: 2263 Spenard Rd.
Anchorage, AK 99503

Name: _____
Address: _____

Name: Melvin M. Stephens II
Address: 104 Center Ave., Suite 206
Kodiak, AK 99615

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 Case Number
ACLU v. SOA 3AN97-5289 CI

Attorneys Involved

Name: Jonathan B. Rubini
Address: 601 W. 5th Ave., Ste 500
Anchorage, AK 99501

Name: _____
Address: _____

Name: David T. Jones
Address: 1031 W. 4th Ave., Ste. 200
Anchorage, AK 99501

Name: Jan Hart De Young
Address: 1031 W. 4th Ave., Ste. 200
Anchorage, AK 99501

2 Name of Case Case Number
Repasky v. ASB 3AN96-549A CI
Long v. MOA 3AN97-5648 CI

Attorneys Involved

Name: John E. Havelock
Address: 608 W. 4th Ave., Ste. 27
Anchorage, AK 99501

Name: Joseph P. Josephson
Address: 750 W. 2nd Ave., Ste. 215
Anchorage, AK 99501

Name: William A. Greene
Address: P.O. Box 196650
Anchorage, AK 99519

Name: Howard S. Trickey
Address: 300 A Street, Suite 300
Anchorage, AK 99503

3 Name of Case Case Number
Safeway v. SOA 3AN-97-7188

Attorneys Involved

Name: Michael W. Price
Address: 550 W. 7th Ave., Ste. 1370
Anchorage, AK 99501

Name: _____
Address: _____

Name: Susan L. Uria
Address: 1031 W. 4th Ave., Suite 200
Anchorage, AK 99501

Name: _____
Address: _____

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: _____

Name of Case

Case Number

2

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name of Case

Case Number

3

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 - Michael L. Wolverton

Michael L. Wolverton is standing for retention in 2000. The tables on the following page compare retention and selection survey scores for Judge Wolverton. Changes in the form and content of the various surveys should be noted carefully in making any comparisons.

Judge Wolverton previously stood for retention as a district court judge in 1990 and 1994. He was evaluated with the other non-retention judges in 1992, 1996, and 1998.

Judge Wolverton applied for and was appointed to the Anchorage Superior Court in 1996. He applied in 1991, 1993, and June 1996 for the Anchorage Superior Court, in 1990 for the Kenai Superior Court, and in 1988 for the Anchorage District Court. Judge Wolverton was nominated each time he applied.

Judge Michael L. Wolverton												
Retention surveys												
	2000 Retention		1998 Retention Preview		1996 Retention Preview		1992 Retention Preview		1994 Retention		1990 Retention	
	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO
Legal Ability	4.1	—	4.1	—	4.3	—	4.1	—	4.2	—	4.2	---
Fairness	4.3	4.3	4.3	4.1	---	—	4.3	4.1	4.4	4.1	4.4	4.0
Integrity	4.3	4.2	4.4	4.2	—	—	4.3	4.1	4.4	4.1	4.5	4.2
Judicial Temperament	4.3	4.3	4.4	4.2	4.5	4.2	4.3	4.2	4.4	4.1	4.4	4.1
Diligence	4.0	4.2	—	—	—	—	4.2	4.0	4.2	4.0	—	---
Administrative Skills	4.2	4.3	—	—	—	—	4.2	4.0	4.3	3.9	4.2	3.9
Overall Performance	4.1	4.2	4.2	4.2	4.4	4.2	4.3	4.1	4.3	4.1	4.3	4.0

Judge Michael L. Wolverton												
appointed to Anchorage Superior Court 12/4/96												
	10/1996 Anchorage Superior		6/1996 Anchorage Superior		1993 Anchorage Superior		1991 Anchorage Superior		1990 Kenai Superior		1988 Anchorage District	
	Score	Range	Score	Range	Score	Range	Score	Range	Score	Range	Score	Range
Professional Competence	4.3	Excellent	4.2	Excellent	4.3	Good	4.1	Good	4.2	Good	4.2	Good
Integrity	4.5	Excellent	4.4	Excellent	4.4	Good	4.4	Good	4.4	Good	4.4	Good
Fairness	4.4	Excellent	4.3	Excellent	4.3	Good	4.3	Good	4.3	Good	4.3	Good
Judicial Temperament	4.5	Excellent	4.4	Excellent	4.4	Good	4.3	Good	4.4	Good	4.3	Good
Suitability of Experience	4.4	Excellent	4.3	Excellent	—	—	—	—	—	—	4.3	Good
Overall Performance	4.4	Excellent	4.3	Excellent	4.3	Good	4.2	Good	4.3	Good	—	---