

Alaska Judicial Council Recommendation

Judge Peter Froehlich, District Court, Juneau

I. Judicial Council Evaluation. The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Froehlich to be *Qualified* and recommends unanimously (5-0) that the public vote "YES" to retain him as a district court judge.

II. Summary of Evaluation Information. A survey of 2,860 attorneys in Alaska rated Judge Froehlich on sixteen categories that are summarized in the adjacent graph. Attorneys rated Judge Froehlich 3.5 on a scale of 5 on overall judicial performance. He scored highest in the categories of "promptness in making decisions" (4.0), "conduct free from impropriety" (3.9) and "controls courtroom" (3.9). He scored lowest (3.4) in "legal and factual analysis," "knowledge of substantive law," and "courtesy."

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey
Legal Ability	3.5	---	---	---
Impartiality	3.6	4.0	4.7	3.9
Integrity	3.9	4.1	---	4.1
Temperament	3.6	4.0	4.8	3.9
Diligence	3.9	4.3	---	4.1
Special Skills	3.6	4.1	---	---
Overall	3.5	4.0	4.7	3.9

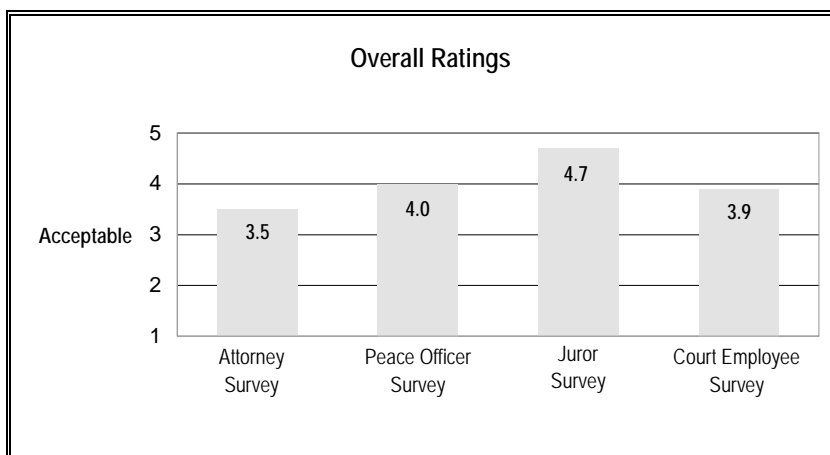
Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

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

A survey of 1,704 peace and probation officers in Alaska rated Judge Froehlich on twelve categories that are summarized in the adjacent graph. Peace and probation officers rated Judge Froehlich 4.0 on overall judicial performance. He scored highest (4.4) in the categories of "controls courtroom" and "promptness in making decisions." He scored 3.6 or better in all categories.

A survey of all jurors appearing before Judge Froehlich in 2000 and 2001 rated him 4.7 on a scale of 5 on overall performance. A survey of all court employees rated him 3.9 on a scale of 5 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 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 Froehlich

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

November 2002



alaska judicial council

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Alaska Judicial Council Questionnaire

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Trial Judge 2002 Candidates for Judicial Retention

November 16, 2001

Peter B. Froehlich

Juneau District Court

Name

Court

1. Describe your workload during your present term.

- | | |
|------------------------------------|---|
| a) <u>20</u> % Civil Cases | b) <u>13</u> -- Jury trial (2000) |
| <u>70</u> % Criminal Cases | <u>17</u> # of trials/year - Court Trial (2000) |
| <u> </u> % Court Administrative | <u>0</u> # Administrative Appeals |
| 100 % Total | |

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

See attached.

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 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.

2. Court/Bar Committees and Other Administrative Activities.

- Presenter at Fall 2001 Magistrate's Training Conference
- Panelist at annual "Off The Record" CLE's and at Fall 2001 "Meet your Judges"
- Member of Civil Rules Subcommittee on FEDs chaired by Judge Murphy in 1999-2000
- Co-chair of Law Day in Juneau in 2000 and Chair in 2001
- Chair of the monthly meetings for Juneau District Court attorneys and agencies
- Charter member Juneau Youth Court Board
- Initiated Juneau Wellness Court in 1999
- Organized fingerprinting in Court building in 2000
- Member of committee on volunteer probation monitoring in 2001

3. Self-Assessment. My self-assessment is that I have continued to work hard during my present term to keep pace with one of the largest caseloads in the state in a fair and even-handed manner. I have continued to develop and grow as a judge and have succeeded in both reducing my mistakes and in learning from those I still make. I have learned to show less emotion on the bench and this has resulted in a significant improvement in courtroom decorum and perceptions.

Through mentoring with Judge Ashman, and more recently, Judge Wanamaker, in Anchorage, I have learned to be softer spoken and more patient and controlled on the bench. At the same time, I have continued to add new features and approaches to Juneau District Court.

The weekly "After School Court" that I initiated in 1995 continues to deal with minor consuming and tobacco cases. We have also added a monthly "Wellness Court" patterned roughly after Judge Wanamaker's in Anchorage and a Youth Court. I have helped Haines Magistrate Anthony start "Circle Sentencing" there, and I have spoken to groups in Juneau about doing the same, including recently, the AFN Wellness Movement.

Off the Bench, I still speak as often as I can to high school and university students. I serve as a board member for the Juneau Youth Court, Boys & Girls Club, Kids Voting (except for years when I am on the ballot), the Mayor's Task Force on Youth, and the Mayor's Task Force on Sobriety. For about five years, I was also on the local circle of the now expired Healthy Nations program, and am a member of the Alaska Native Sisterhood, Camp 3. For the past five years, I have been an elementary school mentor in the Big Brothers Big Sisters program and I still coach youth sports. I continue to attend the GED graduations for everyone that I refer to Adult Education. Recently, I have been invited to represent Juneau at the Statewide Conversation with Youth in Anchorage on January 21 and to join the Juvenile Justice Advisory Committee.

Unfortunately, I have not been able to do as much continuing education as I would like, due to time and money limitations. However, I have attended all of the regular spring and fall judicial conferences and a community outreach seminar in Anchorage last spring. I have presented at programs in Juneau sponsored by the Bar Association, Department of Corrections, and Tlingit-Haida Central Council. I will be attending a week-long course at the National Judicial College sometime in 2002.

I still enjoy the challenge of being the District Court judge for Juneau and northern southeast. It is a very difficult and demanding job, mostly due to the sheer volume of cases, but every day is unique and most days are satisfying. It is truly a special opportunity to be able to help people get fair resolution to their disputes and other problems, and to see them learn from their mistakes in criminal cases. I look forward with optimism to another four years of always striving to be a better judge.

Dated: January 2, 2002

Signed: 
Peter B. Froehlich

Alaska Judicial Council
Trial Judge Questionnaire
2002 Retention

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 _____ No xx.
- 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.

N/A

Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2002 retention elections.

Alaska Judicial Council
Trial Judge Questionnaire
2002 Retention

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.)

<i>Name of Case</i>	<i>Case Number</i>
1 <u>State v. Mary Trull</u>	<u>1JU-S01-1196 CR</u>

Attorneys Involved

Name: ADA David Brower
 Address: P. O. Box 110300
Juneau, AK 99811

Name: ✓ PD Eric Hedland
 Address: P. O. Box 110216
Juneau, AK 99811

Name: _____
 Address: _____

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 <u>City v. Deborah Cantrell</u>	<u>1JU-C01-966 CR</u>

Attorneys Involved

Name: ACA Jim Douglas
 Address: 155 S. Seward Street
Juneau, AK 99801

Name: ✓ Thomas Nave
 Address: 227 Seventh Street
Juneau, AK 99801

Name: _____
 Address: _____

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 <u>State v. Robert Larrazolo</u>	<u>1JU-S01-818 CR</u>

Attorneys Involved

Name: A.T. Douglas Gardner
 Address: P. O. Box 110300
Juneau, AK 99811

Name: ✓ PD Eric Hedland
 Address: P. O. Box 110216
Juneau, AK 99811

<i>Name of Case</i>	<i>Case Number</i>
4 <u>City v. Joseph Delaugh</u>	<u>1JU-C01-536 CR</u>

Name: Aca Robin Carlisle
 Address: 155 S. Seward Street
Juneau, AK 99801

Name: _____
 Address: Gerald K. Davis Jr.
130 S. Seward St., #
Juneau, AK 99801

Alaska Judicial Council
Trial Judge Questionnaire
2002 Retention

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.)

<i>Name of Case</i>	<i>Case Number</i>
1 <u>State v. Scott Thistle</u>	<u>1JU-S01-1198 CR</u>

Attorneys Involved

Name: ADA Kurt Twitty
 Address: P. O. Box 110300
Juneau, AK 99811

Name: _____
 Address: _____

Name: scott Thistle (pro se)
 Address: P. O. Box 211082
Auke Bay, AK 99821

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 <u>ASLC v. Ricardo Galindez</u>	<u>1JU-00-1398 CI</u>

Attorneys Involved

Name: Mark Choate
 Address: 230 West Eighth Street
Juneau, AK 99801

Name: _____
 Address: _____

Name: Ricardo S. Galindez (pro se)
 Address: 2304 N. 117th Street
Seattle, WA 98133

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 <u>ASLC v. Billy Jensen</u>	<u>1JU-00-946 CI</u>

Attorneys Involved

Name: Mark Choate
 Address: 230 West Eighth Street
Juneau, AK 99801

Name: _____
 Address: _____

Name: Billy D. Jensen (pro se)
 Address: 615 SE Centurian Avenue
Gresham, OR 97080-1633

Name: _____
 Address: _____

Alaska Judicial Council
Trial Judge Questionnaire
2002 Retention

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.)

Name of Case	Case Number
1 <u>City v. Robert Carte</u>	<u>1JU-C01-1119 CR</u> (Wellness Court)

Attorneys Involved

Name: ACA Robin Carlisle
Address: 155 S. Seward Street
Juneau, AK 99801

Name: Robert Carte (pro se)
Address: 9229 Long Run Drive
Juneau, AK 99801

City v. Jackie Hunter
Name: _____
Address: ACA Jim Douglas
155 S. Seward Street
Juneau, AK 99801

1JU-C01-392 CR
Name: _____
Address: Tom Wagner
417 Harris Street
Juneau, AK 99801

Name of Case	Case Number
2 <u>State v. Norman Judson</u>	<u>1JU-S01-269 CR</u> (Nygren Credit)

Attorneys Involved

Name: DA Richard Svobodny
Address: P. O. Box 110300
Juneau, AK 99811

Name: Thomas Nave
Address: 227 Seventh Street
Juneau, AK 99801

Name: _____
Address: _____

Name: _____
Address: _____

Name of Case	Case Number
3 <u>State v. Mark Byall</u>	<u>1HA-S01-28 CR</u> (suppression hearing)

Attorneys Involved

Name: ADA Susan McLean
Address: P. O. Box 110300
Juneau, AK 99811

Name: Jane Sebens
Address: P. O. Box 1111
Haines, AK 99827

Name: _____
Address: _____

Name: _____
Address: _____

Alaska Judicial Council
 Trial Judge Questionnaire
 2002 Retention

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.)

<i>Name of Case</i>	<i>Case Number</i>
<input checked="" type="checkbox"/> State v. Jeffrey Fraker	1YA-S00-7 CR

Attorneys Involved

<p>Name: <u>AAGO Eric Aarseth</u> Address: <u>310 K Street, Ste 407</u> <u>Anchorage, AK 99501</u></p>	<p>Name: <u>Patrick Conheady</u> Address: <u>326 Fourth Street, Ste 309</u> <u>Juneau, AK 99801</u></p>
<p><input checked="" type="checkbox"/> State v. Noval Nelson Jr. / Nelson III</p> <p>Name: _____ Address: <u>ADA David Brower</u> <u>P. O. Box 110300</u> <u>Juneau, AK 99811</u></p>	<p>1HN-S99 107 and 108 CR</p> <p>Name: _____ Address: <u>Louis Menendez / Tom Nave</u> <u>227 Seventh St / 227 Seventh St</u> <u>Juneau, AK 99801 / Juneau, AK</u> <u>99801</u></p>

<i>Name of Case</i>	<i>Case Number</i>
<input checked="" type="checkbox"/> James Betts v. Giorgio Gallizio	1JU-98-1701 CI

Attorneys Involved

<p>Name: <u>Patrick Conheady</u> Address: <u>326 Fourth Street, Ste 309</u> <u>Juneau, AK 99801</u></p>	<p>Name: <u>Daniel Bruce</u> Address: <u>P. O. Box 32819</u> <u>Juneau, AK 99803</u></p>
<p>Name: _____ Address: _____</p>	<p>Name: _____ Address: _____</p>

<i>Name of Case</i>	<i>Case Number</i>
<input checked="" type="checkbox"/> Carpenter v. City/Borough of Juneau	1JU-99-1653 CI

Attorneys Involved

<p>Name: <u>Karen Carpenter (pro se)</u> Address: <u>6590 Glacier Highway # 202</u> <u>Juneau, AK 99801</u></p>	<p>Name: <u>John Hartle</u> Address: <u>155 South Seward Street</u> <u>Juneau, AK 99801</u></p>
<p><input checked="" type="checkbox"/> State v. Ed Landry</p> <p>Name: <u>AAG Marilyn Kamm</u> Address: <u>P. O. Box 110300</u> <u>Juneau, AK 99811</u></p>	<p>1JU-S00-40 CR</p> <p>Name: <u>PD David Seid</u> Address: <u>P. O. Box 110216</u> <u>Juneau, AK 99811</u></p>

MEMORANDUM

TO: Judicial Council Members
FROM: Staff
DATE: April 24, 2002
RE: Comparison of Previous Survey Results - Peter Froehlich

Peter Froehlich is standing for retention in 2002. The table on the following page compares retention and selection survey scores for Judge Froehlich. Changes in the form and content of the various surveys should be noted carefully in making any comparisons.

Judge Froehlich previously stood for retention as a district court judge in 1990, 1994, and 1998. He was evaluated with the other non-retention judges in 1992, 1996 and 2000.

Judge Froehlich applied for and was appointed to the Anchorage District Court in 1989.

Judge Peter Froehlich

Appointed to Juneau District Court 06/26/89

	<i>2002 Retention</i>		<i>2000 Interim</i>		<i>1998 Retention</i>		<i>1996 Retention</i>		<i>1994 Interim</i>		<i>1992 Interim</i>		<i>1990 Retention</i>		<i>1989 Juneau District</i>
	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	<i>Ba r</i>	<i>PPO</i>	
Legal Ability/Professional Competence	3.5	----	3.5	----	3.4	----	3.4	----	3.3	----	3.3	----	3.4	----	3.6
Impartiality/Fairness	3.6	4.0	3.6	4.0	3.5	3.5	----	----	3.5	4.1	3.5	4.0	3.9	4.2	4.0
Integrity/Good Character	3.9	4.1	4.0	4.3	3.8	3.9	----	----	3.8	4.3	3.8	4.1	4.0	4.4	4.0
Judicial Temperament	3.6	4.0	3.5	3.9	3.5	3.7	3.4	4.0	3.4	4.0	3.4	4.0	3.8	4.2	3.8
Diligence	3.9	4.3	4.0	4.1	3.7	3.9	3.8	4.2	3.5	4.3	3.5	4.0	----	----	----
Special Skills	3.6	4.1	----	----	3.5	3.7	----	----	3.4	4.0	3.3	4.1	3.7	4.3	----
Suitable Experience	----	----	----	----	----	----	----	----	----	----	----	----	----	----	3.3
Overall Performance	3.5	4.0	3.5	4.1	3.5	3.6	3.4	4.1	3.4	4.0	3.3	3.9	3.6	4.2	3.6