

A L A S K A

# Judicial Observers, Inc.

2004 Biennial Report  
to the  
Alaska Judicial Council

*Increasing public awareness of our judicial system*

A L A S K A

JUDICIAL OBSERVERS, INC.

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**A MESSAGE FROM THE EXECUTIVE DIRECTOR**

We are pleased to present this 2004 Biennial Report to the Alaska Judicial Council.

Alaska Judicial Observers, Inc. volunteers observe and record data in Anchorage, Kenai and Palmer courtrooms. That data is compiled into a *Report* every two years and submitted to the Alaska Judicial Council for their use in evaluating judicial performance so that it may make recommendations to the public on whether to retain judges. Alaska Judicial Observers makes no recommendations as to the retention of individual judges and evaluates all judges regardless of whether they are up for retention or not.

Biennial Reports to the Alaska Judicial Council usually cover a 24 month period ending on the last day of February in even years. This Report covers less than 24 months, beginning with the contract award on October 1, 2002 and continuing through February 29, 2004.

We welcome any comments or questions concerning this *Report* or our organization.

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## **Foreword**

by

Larry Cohn, Executive Director, Alaska Judicial Council

The Alaska Judicial Council is a citizens' commission created by Alaska's constitution to nominate qualified persons for judgeships, to evaluate the performance of judges, and to make recommendations to improve the administration of justice. For the Council to fulfill its constitutional responsibility to evaluate judicial performance, it is essential for the Council to consider many sources of information, including surveys of peace and probation officers, attorneys, court system employees, social workers, jurors and others. The Council also conducts public hearings and encourages all forms of public comment.

The Judicial Council evaluates judicial performance so that it may make recommendations to the public who vote on whether to retain judges. The Council's evaluations are not only important because they educate the public, they are also important because they are used to help educate judges. The Council provides detailed feedback on how judges may improve their own performance.

As the process suggests, the Judicial Council values the perspective of those whose experience makes them uniquely qualified to comment on judicial performance. At the same time, it is important for the Council to consider that the role of a particular person or group may affect the perspective of that person or group. The value of someone's experience with a judge also depends on whether that experience comprises many and different types of court proceedings or is more limited.

The Judicial Council relies on the experience of Alaska Judicial Observers volunteers when it evaluates judicial performance. The experience of those who participate in the Alaska Judicial Observers program is particularly valuable. That Alaska Judicial Observers participants are volunteers manifests that they are keenly interested in a high level of judicial performance. The experience of most Alaska Judicial Observers volunteers is broad-based. The volunteers observe many different judges in many different types of proceedings. Alaska Judicial Observers volunteers are trained on the nature of judicial proceedings and on how to be a good observer of those proceedings. Finally, Alaska Judicial Observers volunteers play no role in the court proceedings other than observers. For these reasons, the Judicial Council appreciates the work of Alaska Judicial Observers volunteers as an independent and comprehensive source of information about judges.

## **Alaska Judicial Observers, Inc. Program Information**

In August 2002, the Alaska Judicial Council sought proposals from qualified organizations to recruit, screen, train, and supervise community volunteers to observe court proceedings in Anchorage, Kenai, and Palmer. With the support of the volunteers who had been with another court observer program, Alaska Judicial Observers, Inc. (AJO) was formed and responded to the solicitation. AJO was awarded the contract and officially began evaluating judges on October 1, 2002. AJO volunteers have over sixty-five years of combined court observer experience.

Alaska Judicial Observers is partially funded by the Alaska Judicial Council and under its contract with the Council produces a *Biennial Report*. This *Report* sets out the results of evaluations conducted by AJO's volunteers over the past seventeen months. In addition to providing this information to the Council, the *Report* is provided to judges and the public in an effort to help improve the performance of legal professionals as well as to make the judicial system more understandable and accessible to the public. AJO also provides annual reports to judges in order to assist them in making positive changes quickly, rather than waiting every two years. Although AJO's primary function is to evaluate judges, we also evaluate attorneys and make their evaluations available to them upon request.

Alaska Judicial Observers is not affiliated with any advocacy, defense, prosecution or civil liberties group. We are the only independent court observer program in Alaska and one of a handful in the United States. It is because of this independence that we are able to collect neutral, unbiased evaluations and provide to, not only the Alaska Judicial Council, but also the citizens of Alaska, a *Report* that reflects the citizen's perspective of judicial performance.

Volunteers are screened to ensure that they have not been a victim of a violent crime, that they have no criminal background and that they have no cases pending before the court. Accompanied by the Executive Director or Assistant Director, each volunteer goes through approximately 40 hours of classroom and courtroom training. Neutrality and objectivity are emphasized, as is the role of the observer to maintain an impartial attitude and to never make a personal judgment of guilt or innocence.

The criteria used for AJO evaluations have been approved by the Alaska Judicial Council. An evaluation form is filled out by the observer following each proceeding and volunteers are encouraged to include comments that reinforce their ratings. These comments are meant to be constructive, to help better shape an efficient and professional process and to assist legal professionals in showing sensitivity to any special needs of the public.

Alaska Judicial Observers attend quarterly educational workshops. Workshop topics have included sentencings, bail bonding, electronic trial preparation, jail tours and a question and answer session with the Khabarovsk delegation.

AJO has also been honored to participate in the Community Connections Program at the American Russian Center at UAA and the Khabarovsk-Alaska Rule of Law Partnership by holding court observer trainings for the Russian delegations.

*Biennial Reports* to the Alaska Judicial Council usually cover a 24 month period ending on the last day of February in even years. This *Report* covers less than 24 months, beginning with the contract award on October 1, 2002 and continuing through February 29, 2004.

## Data For Judges Appearing In 2004 Biennial Report

Table 1. Evaluation hours, number of individual observers and 2004 overall ratings.

Judge's Name	Evaluation Hours	Number of Individual Observers	2004 Overall Rating
Samuel Adams	25.8	14	3.69
Harold Brown	42.9	6	3.78
Larry Card	172.6	23	3.76
Morgan Christen	36.3	11	3.93
Brian Clark	39.7	15	3.64
Beverly Cutler	21.4	5	3.53
Sharon Gleason	36.9	13	3.79
Dan Hensley	131.4	22	3.95
Stephanie Joannides	110.3	15	3.84
John Lohff	31.1	14	3.59
Peter Michalski	19.4	7	3.79
William Morse	49.5	13	3.35
Gregory Motyka	33.8	14	3.89
Sigurd Murphy	45.7	17	3.86
Nancy Nolan	40.8	14	3.83
Stephanie Rhoades	30.5	17	3.61
Mark Rindner	49.2	14	3.58
Eric Smith	14.0	5	3.89
Jack Smith	9.3	5	3.81
John Suddock	13.1	6	3.69
Sen Tan	64.8	16	3.87
Phillip Volland	54.4	15	3.72
James Wanamaker	22.0	16	3.22
Michael Wolverton	89.6	18	3.59
<b>Total</b>	<b>1184.5</b>		

Table 2. Evaluations categorized by criminal or civil case type.

Case Type	Count	Percentage
Civil Cases	220	30.9
Criminal Cases	492	69.1
<b>Totals</b>	<b>712</b>	<b>100.0%</b>

Table 3. Evaluations categorized by case description.

Case Description	Count	Percentage
Arraignment	54	7.6%
Change of Plea	45	6.3%
Civil Trial	140	19.7%
Criminal Trial	232	32.6%
Domestic Violence Hearing	13	1.8%
Jury Selection	41	5.8%
Pre-indictment Hearing	10	1.4%
Pretrial Conference	19	2.7%
Sentencing	27	3.8%
Small Claims	20	2.8%
Trial Call	4	0.6%
Other Hearings	107	15.0%
<b>Totals</b>	<b>712</b>	<b>100.0%</b>

## Data For Judges Not Appearing In 2004 Biennial Report

In many locations magistrates, masters, judges pro tem and retired judges also hear District and Superior Court proceedings. The following is the amount of time that observers spent in those proceedings.

Table1. Evaluation hours.

<b>Name</b>	<b>Title</b>	<b>Evaluation Hours</b>
Suzanne Cole	Standing Master and Magistrate	3.5
Charles Cranston	Judge pro tem (retired)	10.1
William Estelle	Judge (appointed June 2003)	2.9
Natalie Finn	Retired Judge	3.8
William Fuld	Retired Judge	4.1
William Hitchcock	Master	3.6
Donald Hopwood	Judge pro tem	1.8
Michael Keenan	Judge pro tem	14.1
David Landry	Magistrate	32.5
Jonathan Link	Judge (deceased)	64.6
Anne Preston	Master/Magistrate	5.3
John Reese	Retired Judge	15.3
Eric Sanders	Former Judge	3.5
Jennifer Wells	Standing Master and Magistrate	5.8
Ethan Windahl	Judge pro tem	5.0
David Zwink	Magistrate	4.3
<b>Total</b>		<b>180.2</b>

## Data For All Judges Observed

The following data represents all activities by Alaska Judicial Observers volunteers from October 1, 2002 through February 29, 2004.

Table 1. Summary data.

Total volunteer hours	3010.8
Total evaluation hours	1364.7
Total evaluations	834
Criminal evaluations	69.3%
Civil evaluations	30.7%
Average evaluation time	1.6 hours

## The Evaluation Criteria of the Judge

Judges are evaluated using 10 criteria approved by the Alaska Judicial Council. Evaluations focus on our perception of the judge's behavior and attitude at the Bench. Observers assign a numerical rating to the first eight criteria, while number 9 is assigned a yes or no answer and number 10 is assigned a choice of lenient, reasonable or severe. Numerical ratings range from one to five with the following meanings:

1 = poor      2 = deficient      3 = acceptable/average      4 = good      5 = excellent

### 1) Did the judge pay attention to the proceedings and participants?

- Did the judge watch for restless or napping jurors?
- Did the judge pay attention to the witnesses, attorneys, clerk, transport officers, defendant(s), plaintiff/victim(s) and the gallery?
- Did the judge pay attention during the proceeding?

### 2) Did the judge maintain control of the courtroom?

- Is the jury attentive?
- Is the gallery quiet?
- Did the judge make sure attorneys behaved properly?
- Are disruptions or outbursts of emotion controlled?
- Did a "short" break turn into a "long" break with no explanation?

### 3) Did the judge speak loudly and clearly?

- Did the judge mumble or does s/he enunciate?
- Can everyone hear the rulings and instructions?
- Is the room well "mic'd"?

### 4) Did the judge make remarks that were understood and that made sense?

- Did the judge speak in laymen's terms or "legalese"? If you can't understand what the judge means, then a juror, witness, plaintiff/victim or defendant may not understand either.
- Did the judge make sure that remarks were understood?

### 5) Did the judge show understanding and consideration to the plaintiff/victim?

- Did the judge pay close attention to testimony?
- Is the judge sensitive to the plaintiff's/victim's emotional situation?
- Did the judge display negative actions to the plaintiff/victim?
- Did the judge treat the plaintiff/victim with respect and courtesy?
- During sentencings, was the victim and/or family explained their right to give an impact statement?

**6) Did the judge show understanding and consideration to the defendant?**

- Did the judge pay close attention to testimony?
- Is the judge sensitive to the defendant's emotional situation?
- Did the judge display negative actions to the defendant?
- Did the judge treat the defendant with respect and courtesy?
- During sentencings, was the defendant explained his/her right to give a statement?

**7) Did the judge take the time to explain the proceedings to participants?**

- Did you understand the judge's explanations/decisions or did you leave feeling confused?
- Did the judge speak so rapidly that you couldn't understand the explanation?
- Did the judge ask the defendant whether s/he understood their rights?

**8) Did the judge treat all participants fairly and impartially?**

- Did the judge remain firm, fair and objective?
- Did the judge treat the attorneys with respect and as fellow professionals?
- Did the judge speak to all participants directly and appropriately?
- Was the judge's tone and actions impartial and professional?
- Were recesses called when emotions ran high?

**9) Did the judge appear to favor either side?**

- Did the judge remain impartial in decisions, statements, attitude and actions?
- Did the judge insult or undermine either side?
- Did the judge unfairly overrule one side continually in deference to the other?
- Did the judge allow each side equal opportunity to present his/her case?

**10) During sentencings, was the judge lenient, reasonable or severe?**

- When sentencing a first offender who is not subject to a presumptive sentence, does the judge's characterization of the offense (typical, least serious, most serious) appear to match the defendant's behavior as convicted?
- When adjusting a presumptive sentence upwards, is the sentence in proportion to the aggravating factors?
- When adjusting a presumptive sentence downwards, is the sentence in proportion to the mitigating factors?
- Is the judge's explanation of sentencing reflected in the actual sentence?

## The Honorable Samuel Adams Anchorage District Court

Appointed by Governor Knowles to District Court September 1999

Evaluations		Case Types			
Evaluation Hours:	25.8	Arrestment:	1	Pre-indictment Hearing:	2
No. of Observers:	14	Change of Plea:	6	Pretrial Conference:	0
Positive Comments:	10	Civil Trial:	3	Sentencing:	0
Negative Comments:	5	Criminal Trial:	0	Small Claims:	3
		Domestic Violence:	0	Trial Call:	3
		Jury Selection:	4	Other Hearings:	5
				<b>Total Number of Evaluations:</b>	<b>27</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	3.73
. . . maintain control of the courtroom?	3.38
. . . speak loudly and clearly?	3.56
. . . make remarks that were understood and that made sense?	3.73
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.68
. . . show understanding and consideration to the defendant (present or not)?	3.87
. . . take time to explain the proceedings to participants?	3.80
. . . treat all participants fairly and impartially?	3.73
<b>Overall Rating:</b>	<b>3.69</b>

### Did the judge appear to favor either side?

Did not favor either side: 26 evaluations.  
Favored the defense: 1 evaluation.  
Favored the prosecution: 0 evaluations.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
Reasonable: 0 evaluations.  
Severe: 0 evaluations.  
Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Adams:

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- Great job - one of the best in asking thorough questions regarding plea agreements. If alcohol is involved he wants an Alcohol Safety Action Program screening.
- Very compassionate with victims. Appropriate sense of humor. Kept things moving along. Explained proceedings to the defendants.
- He has hit his stride with pre-indictment hearings. Dealt with them swiftly, but still has time for pleasantries with attorneys.
- Moved proceedings along at a fast clip (more than 49 cases).
- Good, clear presentation of status of issues. Very impressive explanation of bench decisions.
- Worked well with inexperienced litigants. Clear explanation of impact of bankruptcy and auto repossession.
- Disorganized with everything from start to finish. Leaning back in his chair made him hard to hear.
- The judge got off track at times.
- Courtroom was noisy and disorganized. He seemed impatient and hurried today.
- Too much chatter between counsel and client while the judge was hearing another case.
- Excellent explanation of defendant's trial rights.
- The judge was particular in regards to third party custodian responsibilities, ensuring they ALL knew what was required of them.
- Great control of his courtroom today.
- Patient and thorough with plaintiff who spoke English as a second language. Took the extra time to make sure everyone understood his comments and decisions. Maintained eye contact.
- Very confusing small claims cases. Judge took up other cases where the parties had reached an agreement while one case was going on - sometimes in the middle of testimony. This seemed rude. A couple of heavy sighs from him also.

## The Honorable Harold Brown Kenai Superior Court

Appointed by Governor Knowles to Superior Court April 1996

Evaluations		Case Types			
Evaluation Hours:	42.9	Arrestment:	7	Pre-indictment Hearing:	0
No. of Observers:	6	Change of Plea:	7	Pretrial Conference:	0
Positive Comments:	12	Civil Trial:	0	Sentencing:	2
Negative Comments:	3	Criminal Trial:	7	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	1
<b>Total Number of Evaluations:</b>					<b>24</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.74
. . . maintain control of the courtroom?	3.67
. . . speak loudly and clearly?	3.75
. . . make remarks that were understood and that made sense?	3.75
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.58
. . . show understanding and consideration to the defendant (present or not)?	3.87
. . . take time to explain the proceedings to participants?	4.00
. . . treat all participants fairly and impartially?	3.88
<b>Overall Rating:</b>	<b>3.78</b>

Did the judge appear to favor either side?	
Did not favor either side:	23 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	1 evaluation.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	2 evaluations.
Severe:	0 evaluations.
Total Sentencings:	2

## Comments

The following comments are a sampling of those made during observations of Judge Brown:

---

- Clear instructions to jury.
- Clear and concise.
- Great line: "You do not want to come back in front of me if you violate these conditions."
- Gives very clear directions and seems concerned that everyone understands.
- Judge allowed two to three prisoners to constantly talk and laugh. This seems to show a lack of respect to the court.
- Judge seems to be a patient man who does all in his power to be fair to all in his courtroom.
- Late start with no explanation.
- Was very thorough in his explanation of the defendant's rights. Polite and respectful.
- Gave good explanations. Was kind but firm when denying a request to allow the defendant time to collect some personal property.
- I have a difficult time always hearing the judge - his hands sometimes cover his mouth.
- Does a good job of explaining points of contention to the jury and gallery.
- Admonished the prosecutor for lack of organization with materials.
- He appropriately and politely admonished both the District Attorney and the Public Defender when they failed to follow procedures.
- The judge made sure the defendant was fully aware of Rule 45 when the defendant chose to waive it.
- The judge was very thorough in explaining to the defendant his rights when pleading no contest. The judge also requested that the defendant use a microphone so the court could better hear him. The judge reprimanded the defense attorney three different times for being late to the proceeding, holding the schedule up and failing to notify the court he was going to be late. It was a refreshing change.

## The Honorable Larry Card Anchorage Superior Court

Appointed by Governor Hickel to Anchorage Superior Court August 1993

Evaluations	Case Types
Evaluation Hours: 169.1	Arraignment: 1 Pre-indictment Hearing: 0
No. of Observers: 23	Change of Plea: 3 Pretrial Conference: 0
Positive Comments: 11	Civil Trial: 0 Sentencing: 7
Negative Comments: 5	Criminal Trial: 63 Small Claims: 0
	Domestic Violence: 1 Trial Call: 0
	Jury Selection: 9 Other Hearings: 8
	<b>Total Number of Evaluations: 92</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.76
. . . maintain control of the courtroom?	3.73
. . . speak loudly and clearly?	3.54
. . . make remarks that were understood and that made sense?	3.86
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.70
. . . show understanding and consideration to the defendant (present or not)?	3.64
. . . take time to explain the proceedings to participants?	4.06
. . . treat all participants fairly and impartially?	3.80
	<b>Overall Rating: 3.76</b>

Did the judge appear to favor either side?
Did not favor either side: 90 evaluations.
Favored the defense: 1 evaluation.
Favored the prosecution: 1 evaluation.

During sentencings, the judge was . . .
Lenient: 2 evaluations.
Reasonable: 5 evaluations.
Severe: 0 evaluations.
Total Sentencings: 7

## Comments

The following comments are a sampling of those made during observations of Judge Card:

---

- Kept two attorneys under control. This judge rarely raises his voice or shows impatience, but when he finally did I was glad to see it.
- Impressively clear, well thought out rational decisions regarding various motions. Rapid, well explained decisions of objection. Respectful of Public Defender even when the Public Defender questioned a number of the judge's unfavorable decisions.
- He tried to move the District Attorney along in questioning jurors. Gave an in-depth explanation to a juror who posed a question regarding what was required of jurors.
- Could not hear him most of the time today. Mumbling - seemed tired and bored. Let the witness go on and on when a simple yes or no would have sufficed.
- I wonder if he ever noticed that one juror was sleeping.
- Explains why the recess ran longer than anticipated. (great idea)
- Very good with a child witness.
- His concentration seemed to drift during some of the more complex and technical testimony.
- Goes the extra mile for people in his courtroom. Told one defendant that his 30 month SIS was "a gift from the legislature".
- Listened intently to arguments to aggravate and mitigate the sentence.
- Quietly in charge. Makes sure the jury's time is not wasted.
- Doesn't look like he is paying attention while attorneys are speaking during closing.
- Too many notes. Was not looking at case participants very often.
- Thoughtful, thorough and firm.
- Judge was very thoughtful in his sentencing. Took the defendant's age into consideration as well as progress made.
- Very interesting dialogue between the judge and defendant. The judge took his time in explaining all the conditions to the defendant. He spoke clearly and made sure the defendant understood what was happening.

## The Honorable Morgan Christen Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court October 2001

Evaluations		Case Types			
Evaluation Hours:	36.3	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	11	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	13	Civil Trial:	9	Sentencing:	0
Negative Comments:	2	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	2	Trial Call:	0
		Jury Selection:	1	Other Hearings:	12
		<b>Total Number of Evaluations:</b>			<b>24</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	3.88
. . . maintain control of the courtroom?	3.83
. . . speak loudly and clearly?	3.68
. . . make remarks that were understood and that made sense?	3.96
. . . show understanding and consideration to the plaintiff/victim (present or not)?	4.06
. . . show understanding and consideration to the defendant (present or not)?	4.17
. . . take time to explain the proceedings to participants?	4.06
. . . treat all participants fairly and impartially?	3.77
<b>Overall Rating:</b>	<b>3.93</b>

### Did the judge appear to favor either side?

Did not favor either side: 23 evaluations.  
 Favored the defense: 0 evaluations.  
 Favored the prosecution: 1 evaluation.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
 Reasonable: 0 evaluations.  
 Severe: 0 evaluations.  
 Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Christen:

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- Appropriately attempted to contact plaintiff's attorney who failed to appear as ordered. When informed that phone was off the hook she fined the attorney \$100.
- Very attentive. Helpful in locating exhibits for witnesses. Gave IMMEDIATE instructions to a person in audience when her cell phone rang. Asked both attorneys to step closer to the microphone.
- Paid attention, asked pertinent questions, ruled fairly, was gracious to each witness and respectful of attorneys.
- Voice clear and loud. Closely observing defendant, asked for clarification at one point, apologized for interrupting plaintiff's attorney. Encouraged attorney to take their time.
- Her voice could be heard when attempting to privately confer with attorneys - even with the masking noise.
- She just keeps getting better.
- Absolutely on top of things - watching attorneys, jury and witness. Whenever objections were overruled, gave full reason why. She is firm. Let defense know she was upset when questions were asked that attorney had apparently been told not to ask.
- Fresh outlook/insight into child custody cases.
- Was attentive to participants and supportive to defendant's emotions. Offered to delay process - making certain all understood settlement.
- Sound practical decisions.
- Kept proceedings moving, clarifying all statements and arguments.
- During the Domestic Violence hearing she maintained eye contact and was fair to both sides. Very open to hearing both sides. No doubt that her primary concern was the welfare of the children.
- Great job with pro per defense.
- On top of unprofessional behavior by the plaintiff's attorney.
- During the 35 minutes of my observation, the judge appeared to be working on her computer and referring to papers on her desk. I question whether she can pay attention to both the witness on the stand and her desk work.

## The Honorable Brian Clark Anchorage District Court

Appointed by Governor Murkowski to District Court January 2003

<b>Evaluations</b>		<b>Case Types</b>			
Evaluation Hours:	39.7	Arraignment:	10	Pre-indictment Hearing:	0
No. of Observers:	15	Change of Plea:	2	Pretrial Conference:	1
Positive Comments:	10	Civil Trial:	1	Sentencing:	0
Negative Comments:	3	Criminal Trial:	7	Small Claims:	1
		Domestic Violence:	0	Trial Call:	1
		Jury Selection:	3	Other Hearings:	2
				<b>Total Number of Evaluations:</b>	<b>28</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	3.82
. . . maintain control of the courtroom?	3.48
. . . speak loudly and clearly?	3.48
. . . make remarks that were understood and that made sense?	3.70
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.57
. . . show understanding and consideration to the defendant (present or not)?	3.57
. . . take time to explain the proceedings to participants?	3.92
. . . treat all participants fairly and impartially?	3.59
<b>Overall Rating:</b>	<b>3.64</b>

### Did the judge appear to favor either side?

Did not favor either side: 28 evaluations.  
Favored the defense: 0 evaluations.  
Favored the prosecution: 0 evaluations.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
Reasonable: 0 evaluations.  
Severe: 0 evaluations.  
Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Clark:

---

- Seems unsure of himself.
- Bent over backwards to work out a Community Work Service program instead of jail time for a young man.
- Great job explaining Rule 45. Simple and quick.
- Took great care in sorting out all the evidence. Neither party had attorneys and he explained all procedures. He asked questions at the "layman's" level.
- Has a nice manner about him. Very calm. Treats everyone with courtesy, but lets it be known who is in charge.
- The judge was very pleasant to all parties. Very easy going manner. Spoke in clear, strong voice.
- The judge stayed very focused during this case. Explained things very clearly.
- Chaotic to say the least. Prospective jurors were dismissed before the panel was sworn. When a juror was excused for some reason, the trial had to be postponed another day.
- Appeared friendly, open to questions, paid close attention. Gave every indication of patience, especially with prospective jurors.
- Let breaks go too long. Ten minutes turns into 30 minutes. Everyone ready and waiting for him.
- He noticed a juror was nodding off and ordered a 15 minute break. He was very attentive to both attorneys and the jury.
- Made encouraging comments to put nervous witness at ease. Gave reasons for his rulings. Kept defense attorney on track when he wandered.
- Gave clear, detailed instructions, treated each case as the only one he had to do, not hurried. Clear, loud voice. Maintained eye contact with each individual. Never gave the impression of being bored or having a jaded attitude.

## The Honorable Beverly Cutler Palmer Superior Court

Appointed by Governor Hammond to Superior Court October 1982  
Appointed by Governor Hammond to District Court August 1977

Evaluations		Case Types			
Evaluation Hours:	21.4	Arraignment:	1	Pre-indictment Hearing:	0
No. of Observers:	5	Change of Plea:	3	Pretrial Conference:	0
Positive Comments:	7	Civil Trial:	0	Sentencing:	2
Negative Comments:	5	Criminal Trial:	3	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	6
					<b>Total Number of Evaluations: 15</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.53
. . . maintain control of the courtroom?	3.13
. . . speak loudly and clearly?	3.20
. . . make remarks that were understood and that made sense?	3.73
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.46
. . . show understanding and consideration to the defendant (present or not)?	3.69
. . . take time to explain the proceedings to participants?	3.80
. . . treat all participants fairly and impartially?	3.73
	<b>Overall Rating: 3.53</b>

Did the judge appear to favor either side?	
Did not favor either side:	15 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	2 evaluations.
Severe:	0 evaluations.
Total Sentencings:	2

## Comments

The following comments are a sampling of those made during observations of Judge Cutler:

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- She drank coffee while speaking, talked into her hand and continually looked through papers. While she carefully explained procedure to one defendant, she gave the impression of being impatient with proceedings. She never, and I mean never, appeared to have eye contact with anyone in her courtroom.
- She did a great job dealing with participants who had questions. Kept things moving smoothly.
- While oral argument is going on, the back of the courtroom is noisy - still talking about a previous criminal case. No control.
- Running behind. Courtroom disorganized. Who could follow this mess today?
- Judge was very behind of her schedule. Seemed disinterested during oral argument. Frequently covers her face when speaking.
- Judge had no control of this courtroom. Two small claim cases going at one time which caused lots of confusion. She was not focused.
- The judge took the time to ensure these two young defendants understood the charges against them, the rights they were giving up in pleading no contest and the terms of their plea agreements.
- She appeared attentive to the testimony of the witnesses and asked several questions to clarify the handling of Crime Stoppers Reports.
- Judge gently but firmly chastised both counsels for not having documents finalized prior to Change of Pleas and questioned the lenient disposition of the case on the State's part. Her comments appeared to be on point and justified.
- Friendly, open and respectful of everyone in her courtroom. Carefully went over all information for jurors. I was most impressed this time, especially in light of other observations.
- She exercised care and patience in sorting out and meticulously detailing the specifics of each of the five cases involving the defendant. She questioned details of the plea agreements reached.
- Appeared to be somewhat agitated with the prosecutor's lack of readiness for closing.

## The Honorable Sharon Gleason Anchorage Superior Court

Appointed by Governor Knowles to Superior Court February 2001

<b>Evaluations</b>		<b>Case Types</b>			
Evaluation Hours:	36.9	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	13	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	14	Civil Trial:	9	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	1	Trial Call:	0
		Jury Selection:	1	Other Hearings:	14
				<b>Total Number of Evaluations:</b>	<b>25</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	4.00
. . . maintain control of the courtroom?	3.80
. . . speak loudly and clearly?	3.60
. . . make remarks that were understood and that made sense?	3.92
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.67
. . . show understanding and consideration to the defendant (present or not)?	3.71
. . . take time to explain the proceedings to participants?	3.88
. . . treat all participants fairly and impartially?	3.76
<b>Overall Rating:</b>	<b>3.79</b>

### Did the judge appear to favor either side?

Did not favor either side: 25 evaluations.  
Favored the defense: 0 evaluations.  
Favored the prosecution: 0 evaluations.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
Reasonable: 0 evaluations.  
Severe: 0 evaluations.  
Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Gleason:

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- Pleasant demeanor. Stated it was a "far greater priority" to settle custody issues. Asks many questions for clarification.
- She showed great concern for the child involved in this case. Wanted parties to do what is best for the child. Tried to get parties to compromise on visitation rights, giving them time to discuss it.
- Great ideas for settlement of custody. Very patient, yet firm.
- Very attentive, patient, tactful in trying to move forward.
- Patient and tactful with ill-prepared defense attorney.
- Very understanding of the impact of jury duty on an individual. She had a pleasant but dignified way of explaining the duties of a juror.
- The judge was most sympathetic and kind. She fully explained the process for Domestic Violence hearings.
- Paid very close attention and asked specific questions.
- Great all around job. Showed a positive caring and involved side. Very patient.
- The judge used a lot of legal terms at the start of the proceeding. It was probably difficult for the parties to understand.
- Firm with her explanations of importance to compromise in custody cases. No nonsense. Very calm in emotional wrangling with attorneys.
- When she wanted clarification of an answer, she questioned the witness herself. Very pleasant demeanor. She looks like she enjoys her job.
- The judge asked better questions than either attorney and got better answers. She was helpful and polite to witnesses.
- Forceful leadership in speeding the process. She cautioned, more than once, that this was a very inefficient way to settle. She urged the parties to negotiate.
- She does so well encouraging mediation in these tough custody cases.

## The Honorable Dan Hensley Anchorage Superior Court

Appointed by Governor Knowles to Superior Court December 1996

Evaluations		Case Types				
Evaluation Hours:	131.4	Arrestment:	10	Pre-indictment Hearing:	0	
No. of Observers:	22	Change of Plea:	2	Pretrial Conference:	2	
Positive Comments:	12	Civil Trial:	0	Sentencing:	0	
Negative Comments:	1	Criminal Trial:	39	Small Claims:	0	
		Domestic Violence:	0	Trial Call:	0	
		Jury Selection:	7	Other Hearings:	10	
					<b>Total Number of Evaluations:</b>	<b>70</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)	
. . . pay attention to the proceedings and participants?	4.11	
. . . maintain control of the courtroom?	3.99	
. . . speak loudly and clearly?	3.87	
. . . make remarks that were understood and that made sense?	3.99	
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.87	
. . . show understanding and consideration to the defendant (present or not)?	3.78	
. . . take time to explain the proceedings to participants?	3.99	
. . . treat all participants fairly and impartially?	3.99	
<b>Overall Rating:</b>		<b>3.95</b>

Did the judge appear to favor either side?	
Did not favor either side:	68 evaluations.
Favored the defense:	1 evaluation.
Favored the prosecution:	1 evaluation.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Hensley:

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- The judge did an excellent job - very clear to lawyers and prospective jurors as to how his courtroom will be run. He demonstrates outstanding concern for the jurors' comfort and treatment.
- Reminds witness to stand when jury enters courtroom. Runs his courtroom on time. The stated lengths of breaks are appropriately enforced.
- The judge presented clear arguments for maintaining a high bail in a DUI case. While the defendant was very emotional, the judge explained to her his concern for public safety.
- Good questioning technique of prospective jurors with strong religious beliefs regarding drinking; appropriate comments regarding interaction of a juror's personal beliefs with the need for impartiality in a jury trial.
- Excellent talk to a high school class visiting his courtroom.
- You could see his wheels spinning as he closely observed proceedings when third parties are being questioned. He is very intense. Turned down three of the potential custodians after questioning them further. Raised the bail for one defendant: "I don't want him out on the streets to re-offend again."
- Firmly reminded defense attorney to act respectful.
- The defense attorney did not show up for the hearing. The judge didn't fine or sanction the attorney. Seemed evasive and rather cool, which I felt showed disrespect towards the victim and her family.
- Appears to be a positive judge that takes charge of his courtroom. Explained to defendants the purpose of the proceedings what was happening and what was going to happen.
- Alert to everything happening in his courtroom. He stands when jurors enter - a sign of respect. Gave good explanations to all parties regarding his decisions.
- Very clear in explaining conditions and obligation of plea and the particulars of this case to the defendant.
- Even though his verbal participation was minimal today, he is constantly watching and on top of everything.
- On a scale of 1 to 5, I'd give him a 5 for the way he handled all that was involved in a very difficult case. Kudos to Judge Hensley.

## The Honorable Stephanie Joannides Anchorage Superior Court

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Appointed by Governor Knowles to Superior Court April 2000  
Appointed by Governor Hickel to District Court October 1994

<b>Evaluations</b>		<b>Case Types</b>			
Evaluation Hours:	110.3	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	15	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	14	Civil Trial:	0	Sentencing:	2
Negative Comments:	2	Criminal Trial:	29	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	2	Other Hearings:	5
				<b>Total Number of Evaluations:</b>	<b>39</b>

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### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	4.13
. . . maintain control of the courtroom?	3.79
. . . speak loudly and clearly?	3.67
. . . make remarks that were understood and that made sense?	3.84
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.68
. . . show understanding and consideration to the defendant (present or not)?	3.76
. . . take time to explain the proceedings to participants?	3.92
. . . treat all participants fairly and impartially?	3.89
<b>Overall Rating:</b>	<b>3.84</b>

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### Did the judge appear to favor either side?

Did not favor either side: 39 evaluations.  
Favored the defense: 0 evaluations.  
Favored the prosecution: 0 evaluations.

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### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
Reasonable: 2 evaluations.  
Severe: 0 evaluations.  
Total Sentencings: 2

## Comments

The following comments are a sampling of those made during observations of Judge Joannides:

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- Paid close attention to all aspects of trial. Very good questioning of a reluctant witness. Used a very soothing voice and treated witness with respect. Good explanation of parameters regarding the testimony.
- Active in questioning. The best I've seen with a distressed witness. On top of evidence presentation - great professional job today.
- Shows respect for the jury by standing when they enter. Keeps an eye on them and senses when they need a break or stretch time.
- Did not accept excuses from prosecutor as to sloppy follow-up work.
- The judge was very involved in testimony and concerned with the jury's comfort.
- No admonishment to the jury (not to speak about the case among themselves) during breaks.
- I was so impressed with the judge's handling of this defendant - if he doesn't make it, it won't be because of the court. She went the extra mile to get this defendant on the path to a new life.
- Great eye contact with pro per defendant. She did a good job in explaining the court's position. Very interesting conversation on Rule 45.
- During bench conferences she shakes her head, giving every indication how she is going to rule.
- Reminded the prosecutor that it is her job to control the courtroom and not his.
- Pleasant combination of control, firmness and understanding. She rules, but with a velvet glove.
- On top of everything. Kept complete control of the courtroom.
- Came down from the bench so she could clearly see the flip chart on which the witness was drawing on.
- At one point (without the jury present), she told a prosecution witness not to talk or make faces, especially when the defendant was on the stand.
- Very attentive. Reprimanded the disruptive people that were sitting in the gallery.
- Very compassionate - moves people gently along. She knows exactly where each individual is in the process and what and how they are doing.

## The Honorable John Lohff Anchorage District Court

Appointed by Governor Hickel to District Court March 1991

Evaluations		Case Types			
Evaluation Hours:	31.1	Arrestment:	3	Pre-indictment Hearing:	1
No. of Observers:	14	Change of Plea:	1	Pretrial Conference:	0
Positive Comments:	10	Civil Trial:	2	Sentencing:	1
Negative Comments:	4	Criminal Trial:	8	Small Claims:	1
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	5	Other Hearings:	1
		<b>Total Number of Evaluations:</b>			
		<b>23</b>			

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.70
. . . maintain control of the courtroom?	3.52
. . . speak loudly and clearly?	3.52
. . . make remarks that were understood and that made sense?	3.50
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.57
. . . show understanding and consideration to the defendant (present or not)?	3.53
. . . take time to explain the proceedings to participants?	3.67
. . . treat all participants fairly and impartially?	3.74
	<b>Overall Rating: 3.59</b>

Did the judge appear to favor either side?	
Did not favor either side:	23 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	1 evaluation.
Severe:	0 evaluations.
Total Sentencings:	1

## Comments

The following comments are a sampling of those made during observations of Judge Lohff:

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- Sense of humor, yet keeps the dignity of his courtroom.
- Hard to understand when he read initial jury instructions.
- Handled a person who popped into his courtroom with dignity and patience. This person was lost and seemed to have other issues. Great job.
- Seemed a bit uncaring with very emotional potential juror.
- Properly arraigned a late arrival only after his rights had been read. He really comes down on those drivers without insurance.
- Makes no bones about the consequences of not following through with pre-trial diversions.
- Long bench conference. Jury very restless.
- Quiet, relaxed. Polite with attorneys.
- Eyes focused on attorneys, jury and witnesses. Body language indicated he was fully involved in the case. Spoke loud and clear.
- He was attentive, gave clear instructions to the jurors and stayed very involved. I thought he did an excellent job explaining the court system to the jurors.
- The judge kept his cool under difficult circumstances. He explained things very well to a pro per defendant.
- Extremely fair and patient with an emotional and high strung plaintiff that was representing himself.
- There were so many people talking while these hearings were going on. I did not understand most of what was happening.
- He was very particular about the issues surrounding the change of plea. The decision to allow the defendant to work a goldmine under third party custody was based on all conditions being met - with no deviation.

## The Honorable Peter Michalski Anchorage Superior Court

Appointed by Governor Sheffield to Superior Court January 1985

Evaluations		Case Types			
Evaluation Hours:	19.4	Arraignment:	1	Pre-indictment Hearing:	0
No. of Observers:	7	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	5	Civil Trial:	5	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	1	Trial Call:	0
		Jury Selection:	0	Other Hearings:	2
				<b>Total Number of Evaluations:</b>	<b>9</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	3.67
. . . maintain control of the courtroom?	3.89
. . . speak loudly and clearly?	3.63
. . . make remarks that were understood and that made sense?	4.00
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.83
. . . show understanding and consideration to the defendant (present or not)?	3.71
. . . take time to explain the proceedings to participants?	3.83
. . . treat all participants fairly and impartially?	3.75
<b>Overall Rating:</b>	<b>3.79</b>

### Did the judge appear to favor either side?

Did not favor either side: 9 evaluations.  
Favored the defense: 0 evaluations.  
Favored the prosecution: 0 evaluations.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
Reasonable: 0 evaluations.  
Severe: 0 evaluations.  
Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Michalski:

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- Judge Michalski does an outstanding job with Domestic Violence hearings. He handles the legal and emotional issues with understanding, and ends cases with some common sense advice.
- Remarkable control of a very contentious situation. With more than 40 attorneys in this case, the judge maintained complete control. His decisions on objections were made quickly and his rationale for each decision was clearly and logically explained.
- Moved business along efficiently, but not callously. Dealt with each case with care and concern.
- The judge exhibited the most patience I've seen, given the pitiful behavior of the pro per defendant.
- Appeared to be a tad tired or bored.
- Treated all four parties with a great deal of respect and courtesy. Reviewed the case and then clarified circumstances to make sure he had the facts. Calm and quiet but firm authority. It was obviously a tense situation, but he kept it on an even keel. The welfare of the child was foremost.

## The Honorable William Morse Anchorage Superior Court

Appointed by Governor Knowles to Superior Court February 2002

Evaluations		Case Types			
Evaluation Hours:	48.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	13	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	9	Civil Trial:	24	Sentencing:	0
Negative Comments:	5	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	3
		<b>Total Number of Evaluations:</b>			<b>27</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.44
. . . maintain control of the courtroom?	3.37
. . . speak loudly and clearly?	3.19
. . . make remarks that were understood and that made sense?	3.29
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.55
. . . show understanding and consideration to the defendant (present or not)?	3.47
. . . take time to explain the proceedings to participants?	3.23
. . . treat all participants fairly and impartially?	3.28
<b>Overall Rating:</b>	
	<b>3.35</b>

Did the judge appear to favor either side?	
Did not favor either side:	26 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	1 evaluation.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Morse:

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- If I were the plaintiff's witness, I would feel intimidated by the judge's rudeness.
- Very active in questioning. Great line: "The level of poison in this courtroom is disturbing".
- Very good people skills! Difficult situation dealing with the schooling of a teenage girl. Respectful of all participants.
- Gruff, inattentive during openings. No tie and an open shirt collar.
- He appeared very attentive to witnesses and to both attorneys. Very quiet judge.
- Seemed distracted.
- Looks bored with this case. The jury is as bored and it has been too long before their break. Judge says "jurors can't ask questions," but gives no explanation.
- Spent a lot of time doing paperwork during a video exhibit.
- On time for breaks.
- Good attention to witnesses and plaintiff. Somewhat short with both attorneys for good cause. Good process of bringing sides together on many issues involving the value of small items.
- Treated both parties respectfully. Gave explanation of payout procedure in layman's terms.
- Followed all references to exhibits, watched witness and attorneys. Kept many notes. Asked for clarification on a document, read along with others, asked questions of witness. Voice easily heard.
- Spoke clearly and tried to get everyone on the same page.
- Very fair in his comments to the plaintiff and defendant.

## The Honorable Gregory Motyka Anchorage District Court

Appointed by Governor Hickel to District Court July 1991

Evaluations		Case Types			
Evaluation Hours:	33.8	Arrestment:	7	Pre-indictment Hearing:	0
No. of Observers:	14	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	13	Civil Trial:	2	Sentencing:	2
Negative Comments:	2	Criminal Trial:	4	Small Claims:	1
		Domestic Violence:	3	Trial Call:	0
		Jury Selection:	0	Other Hearings:	5
		<b>Total Number of Evaluations:</b>			
		<b>25</b>			

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.88
. . . maintain control of the courtroom?	3.56
. . . speak loudly and clearly?	3.84
. . . make remarks that were understood and that made sense?	4.20
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.88
. . . show understanding and consideration to the defendant (present or not)?	4.00
. . . take time to explain the proceedings to participants?	3.92
. . . treat all participants fairly and impartially?	3.84
<b>Overall Rating:</b>	
<b>3.89</b>	

Did the judge appear to favor either side?	
Did not favor either side:	25 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	2 evaluations.
Severe:	0 evaluations.
Total Sentencings:	2

## Comments

The following comments are a sampling of those made during observations of Judge Motyka:

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- Responded quickly to objections - explains his rulings. Was fair when he denied motion for mistrial.
- Seems disinterested. If he is in the courtroom when the jury enters, he doesn't stand as they do.
- Good job explaining things. He doesn't assume that jurors know the meaning of legal words and terms (sustain, Rule 45, objection, etc) or what is happening during trials.
- In Domestic Violence hearings he takes one person at a time in the hearing. Shows a stern compassion.
- Explained the proceedings in an understanding manner, spoke clearly, made decisions quickly and moved on.
- Great explanation of defendant's rights.
- Easy to hear and follow. Great explanation of Rule 11.
- Great job in Domestic Violence hearings. Explains the procedure very well.
- Very respectful of all defendants. Clear, understandable explanation of defendant's rights and process.
- During jury selection, one juror wore his hat and the judge said nothing.
- Great line "I'm not playing 'Let's Make A Deal' with this defendant."
- The judge did quite well during arraignments. He explained the law and rights of the accused quite clearly. I found him to be animated with a good sense of humor when needed. He really seems to enjoy his job.
- Worked hard to make sure jury felt at ease with the system. Completely involved.
- He maintains complete control of his courtroom during arraignments. Great job.
- The judge controlled his courtroom and maintained order at all times.

## The Honorable Sigurd Murphy Anchorage District Court

Appointed by Governor Hickel to District Court July 1992

Evaluations		Case Types			
Evaluation Hours:	45.7	Arrestment:	7	Pre-indictment Hearing:	2
No. of Observers:	17	Change of Plea:	6	Pretrial Conference:	2
Positive Comments:	10	Civil Trial:	0	Sentencing:	1
Negative Comments:	2	Criminal Trial:	4	Small Claims:	2
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	7
		<b>Total Number of Evaluations:</b>			
		<b>31</b>			

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	4.03
. . . maintain control of the courtroom?	3.58
. . . speak loudly and clearly?	3.52
. . . make remarks that were understood and that made sense?	3.84
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.90
. . . show understanding and consideration to the defendant (present or not)?	3.93
. . . take time to explain the proceedings to participants?	4.10
. . . treat all participants fairly and impartially?	3.94
<b>Overall Rating:</b>	
<b>3.86</b>	

Did the judge appear to favor either side?	
Did not favor either side:	31 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	1 evaluation.
Severe:	0 evaluations.
Total Sentencings:	1

## Comments

The following comments are a sampling of those made during observations of Judge Murphy:

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- Always asked if victims were notified regarding requests from defense attorneys. Asked for quiet from noisy group in back so that "Madam Clerk" could hear the proceedings. That solved the problem for the rest of the proceedings.
- Good explanations to defendants. Firm with attorneys during trial call.
- One of the few judges that appears in court on time. Good control of how the hearing progressed. Didn't allow the attorneys to get carried away with the sound of their own voices and speeches.
- Started promptly on time. Made sure victims had been notified by the prosecution and talked to those who were present.
- Excellent explanation of the procedures and very patient with the pro per defense.
- Too lenient with defendants who were given lots of time to complete Community Work Service. Gave them more time even though the sentencing judge had said the time would convert to jail time if not completed within time frame.
- First thing - told people to remove their hats - great. Judge was patient with an emotional defendant that gave testimony via telephone. I know people leaving his arraignments feel they have had fair treatment and learned about the judicial process.
- Complete questioning of third parties. Very understanding of in-custody defendants circumstances while carefully protecting the public.
- When asking the victim if he wanted to make a comment, he did so very gently. Worked with defendant on sentence so they wouldn't lose their job and thus the means to support their daughter. Very firm in requirements.
- Was exceptionally good at giving instructions and options for defendants. Was extremely patient and kind to all who appeared before him. He made every effort to contact victims before sentencings. I was most impressed.
- Especially noisy during arraignments today. I couldn't hear much.
- After each testimonial of progress he lead the courtroom in standing and applause. He said he was "overjoyed" to substitute for Judge Wanamaker in the Wellness Court today.

## The Honorable Nancy Nolan Anchorage District Court

Appointed by Governor Knowles to District Court February 2001

Evaluations		Case Types			
Evaluation Hours:	40.8	Arraignment:	0	Pre-indictment Hearing:	1
No. of Observers:	14	Change of Plea:	7	Pretrial Conference:	1
Positive Comments:	11	Civil Trial:	2	Sentencing:	0
Negative Comments:	4	Criminal Trial:	10	Small Claims:	5
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	2
		<b>Total Number of Evaluations:</b>			<b>28</b>

### Did the judge . . .

(Each category is rated 1 - 5 by observers.)

. . . pay attention to the proceedings and participants?	3.79
. . . maintain control of the courtroom?	3.75
. . . speak loudly and clearly?	3.71
. . . make remarks that were understood and that made sense?	3.86
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.95
. . . show understanding and consideration to the defendant (present or not)?	3.92
. . . take time to explain the proceedings to participants?	3.78
. . . treat all participants fairly and impartially?	3.86
<b>Overall Rating:</b>	<b>3.83</b>

### Did the judge appear to favor either side?

Did not favor either side: 28 evaluations.  
 Favored the defense: 0 evaluations.  
 Favored the prosecution: 0 evaluations.

### During sentencings, the judge was . . .

Lenient: 0 evaluations.  
 Reasonable: 0 evaluations.  
 Severe: 0 evaluations.  
 Total Sentencings: 0

## Comments

The following comments are a sampling of those made during observations of Judge Nolan:

---

- Didn't seem overly friendly with any of the participants. Seemed cool in her demeanor.
- Didn't proceed with Change of Pleas if a victim was involved and not notified. No nonsense approach.
- Didn't stand while jurors entered. Timid with her rulings.
- Looked nervous, will become more at ease with time.
- Soft spoken - timid, not a strong influence, didn't stand for jury entering or leaving.
- This judge was exceptionally adept at explaining procedures, law and court practices to the pro per plaintiff.
- Compassionate. Urged negotiations between parties. Controlled courtroom.
- Strict. She chastised attorneys for snickering and smirking. Urged that parties to negotiate.
- Encouraged both sides to work things out.
- She moved things right along. Kept control despite a circus-like atmosphere. Was patient with one participant who didn't clearly understand the proceedings.
- Explained procedures very thoroughly and in layman's terms. Clarified things well. Non-threatening and patient.
- Carefully and completely explained rights to defendant during change of plea. Gave plenty of time for defendants to make a statement. Asked detailed questions of prosecutor about prior charges.
- Concerned with jury comfort.
- Pleasant and organized.
- Made timely decisions and great comments to each defendant in Change of Pleas.

## The Honorable Stephanie Rhoades Anchorage District Court

Appointed by Governor Hickel to District Court July 1992

Evaluations		Case Types				
Evaluation Hours:	30.5	Arrestment:	4	Pre-indictment Hearing:	0	
No. of Observers:	17	Change of Plea:	1	Pretrial Conference:	0	
Positive Comments:	8	Civil Trial:	3	Sentencing:	1	
Negative Comments:	7	Criminal Trial:	8	Small Claims:	2	
		Domestic Violence:	0	Trial Call:	0	
		Jury Selection:	2	Other Hearings:	4	
					<b>Total Number of Evaluations:</b>	<b>25</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)	
. . . pay attention to the proceedings and participants?	3.72	
. . . maintain control of the courtroom?	3.73	
. . . speak loudly and clearly?	3.52	
. . . make remarks that were understood and that made sense?	3.56	
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.75	
. . . show understanding and consideration to the defendant (present or not)?	3.56	
. . . take time to explain the proceedings to participants?	3.50	
. . . treat all participants fairly and impartially?	3.52	
<b>Overall Rating:</b>		<b>3.61</b>

Did the judge appear to favor either side?	
Did not favor either side:	25 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	1 evaluation.
Severe:	0 evaluations.
Total Sentencings:	1

## Comments

The following comments are a sampling of those made during observations of Judge Rhoades:

---

- Giggly. Non-attentive. Didn't know if questions had been asked and answered. Doesn't stand when jury enters courtroom. Has an overall condescending manner. Hurried and impatient.
- Facial mannerisms are distracting. Late returning from recess.
- Articulate. Positive, direct and firm. Had a plan of action for each participant in Mental Health Court.
- Not the image of a stoic, somber judge. Laughs often, but not flighty. Not fooled by deceptions and maneuverings of attorneys or prospective jurors. Decisions seemed fair.
- Looks bored as if not feeling well. Stated jury can multitask, so keep going to move trial along.
- One thing that bothered me was when listening to an officer's tape of the defendant she really gave a deep belly laugh. Although the tape was amusing, I thought her conduct was very unprofessional.
- Has a pleasant, relaxed and non-threatening way with prospective jurors; total attention to attorneys and jurors.
- Kept good control. Was able to speak with participants with firmness and understanding. Sense of humor was noted.
- Allowed both sides time to explain their position. Didn't rush them and was patient with all parties that were representing themselves.
- She has a very interesting court (Coordinated Resources Project) dealing with frequent offenders in varying programs. She handles each one with understanding and care.
- Precise, decisive and will not tolerate blatant disregard for court rulings.
- She demonstrates an efficiency and dispatch with cases scheduled in her courtroom. She displays mannerisms which gives me the impression she is in charge of her kingdom and rules without consideration of human implications.
- Moves things along in Small Claims cases - gets to the bare bones quickly - but does it in a condescending manner. The rolling of eyes during testimony is unnecessary and unprofessional.
- Very good with Coordinated Resources Project court today.

## The Honorable Mark Rindner Anchorage Superior Court

Appointed by Governor Knowles to Superior Court October 2000

Evaluations		Case Types				
Evaluation Hours:	49.2	Arrestment:	0	Pre-indictment Hearing:	0	
No. of Observers:	14	Change of Plea:	0	Pretrial Conference:	0	
Positive Comments:	8	Civil Trial:	20	Sentencing:	0	
Negative Comments:	6	Criminal Trial:	0	Small Claims:	0	
		Domestic Violence:	1	Trial Call:	0	
		Jury Selection:	1	Other Hearings:	2	
					<b>Total Number of Evaluations:</b>	<b>24</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)	
. . . pay attention to the proceedings and participants?	3.39	
. . . maintain control of the courtroom?	3.48	
. . . speak loudly and clearly?	3.32	
. . . make remarks that were understood and that made sense?	3.71	
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.59	
. . . show understanding and consideration to the defendant (present or not)?	3.67	
. . . take time to explain the proceedings to participants?	3.79	
. . . treat all participants fairly and impartially?	3.67	
<b>Overall Rating:</b>		<b>3.58</b>

Did the judge appear to favor either side?	
Did not favor either side:	24 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Rindner:

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- Very understanding. Gave praise to plaintiff for willingness to cooperate with defendant even though the defendant did not appear in court.
- When things get off subject he is quick to bring them back. Asks very direct questions to clear up confusion.
- Seldom looks up from the bench at any participants in the courtroom.
- Appeared to be reading during most of the witness' testimony.
- Talks so low that it was impossible for me to hear him. He looked very bored - head down when he talked.
- Was extremely difficult to hear and understand.
- Good attention to detail from witnesses. He firmly warned a defendant that if they continued to attempt to intimidate the witness, he would remove the defendant from the courtroom.
- The judge showed the patience of a saint with pro per defendant who talked out of turn several times.
- Extremely patient. Took a great deal of time with his explanations.
- Gave clear detailed instructions to the jury. Listened carefully to both sides.
- He spoke clearly and was very easy to understand. He was considerate of both parties and seemed extremely concerned about the children involved.
- The judge uses many vocal interjections in his speech, to the point of distraction. Also distracting were visitors using an interpreter who spoke into a collar microphone. Anyone seated in the vicinity noted the distraction.
- Great job of clearing up all pre-trial details before jury came in for selection. No wasted time. I know he is attentive, but the head in the hands can give the appearance of boredom.
- I wonder if he ever saw the sleeping juror and how he handled it.

## The Honorable Eric Smith Palmer Superior Court

Appointed by Governor Knowles to Superior Court April 1996

Evaluations		Case Types			
Evaluation Hours:	14.0	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	5	Change of Plea:	1	Pretrial Conference:	0
Positive Comments:	6	Civil Trial:	0	Sentencing:	2
Negative Comments:	4	Criminal Trial:	2	Small Claims:	0
		Domestic Violence:	2	Trial Call:	0
		Jury Selection:	0	Other Hearings:	2
					<b>Total Number of Evaluations: 9</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.67
. . . maintain control of the courtroom?	3.78
. . . speak loudly and clearly?	3.44
. . . make remarks that were understood and that made sense?	4.22
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.86
. . . show understanding and consideration to the defendant (present or not)?	4.14
. . . take time to explain the proceedings to participants?	3.89
. . . treat all participants fairly and impartially?	4.11
	<b>Overall Rating: 3.89</b>

Did the judge appear to favor either side?	
Did not favor either side:	9 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	2 evaluations.
Severe:	0 evaluations.
Total Sentencings:	2

## Comments

The following comments are a sampling of those made during observations of Judge Smith:

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- He ran this trial smoothly and efficiently.
- He takes the extra time to share his thoughts and provide thorough explanations.
- He is difficult to hear, as is the defense attorney. One would think the judge would notice the jury and gallery leaning forward trying to hear the proceedings.
- Careful with his ruling during this Domestic Violence hearing. Urged the parties to try to work out their unresolved issues.
- He noted that the one unbiased person with knowledge of the facts was the person who investigated the allegations. Contacted that person and had her testify by phone. Great job.
- He handled these Change of Pleas in his usual competent manner, treating all participants fairly and impartially.
- The judge faced a difficult choice. He noted the suspended imposition of sentence was a fairly lenient resolution of the earlier case and the failures noted by the prosecutor demonstrated that the defendant had failed to take advantage of their second chance.
- The judge observed that the defendant's bad behavior continues, that the defendant has failed to complete a required substance abuse program and that rehabilitation for this defendant is questionable. Great job.
- Relaxed atmosphere - too relaxed? There are people coming and going and talking in the gallery. Very distracting.
- Even though it was a bit chaotic, he remained calm and did a great job explaining each defendant's rights.

## The Honorable Jack Smith Anchorage District Court

Appointed by Governor Murkowski to District Court January 2003

Evaluations		Case Types			
Evaluation Hours:	9.3	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	5	Change of Plea:	3	Pretrial Conference:	1
Positive Comments:	5	Civil Trial:	0	Sentencing:	0
Negative Comments:	3	Criminal Trial:	2	Small Claims:	1
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	0
		<b>Total Number of Evaluations:</b>			
					<b>7</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	4.29
. . . maintain control of the courtroom?	3.86
. . . speak loudly and clearly?	3.29
. . . make remarks that were understood and that made sense?	3.57
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.86
. . . show understanding and consideration to the defendant (present or not)?	3.86
. . . take time to explain the proceedings to participants?	3.86
. . . treat all participants fairly and impartially?	3.86
<b>Overall Rating:</b>	<b>3.81</b>

Did the judge appear to favor either side?	
Did not favor either side:	7 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Smith:

---

- Lots of activity during pretrial conferences. This courtroom was loud - hard to hear anything.
- Moved the numerous cases along in a timely manner. Lots of activity with these proceedings.
- Very attentive. Good eye contact with those in his courtroom. Kept a tight rein on the attorneys.
- The judge kept an orderly courtroom. He listened and questioned both parties intensely.
- He spoke in a low muffled voice. He swallowed his words rather than projecting them outward. It was difficult to hear and understand him. The sound system seemed to be inoperative.
- The judge's spoken words were a little clearer and easier to understand today; but he still needs to speak louder and project his voice more.
- The judge made every effort to ensure victims and defendants were afforded consideration and fair, impartial treatment.
- He follows the questioning of the witness very closely.

## The Honorable John Suddock Anchorage Superior Court

Appointed by Governor Knowles to Superior Court November 2002

Evaluations		Case Types			
Evaluation Hours:	13.1	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	6	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	5	Civil Trial:	4	Sentencing:	0
Negative Comments:	0	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	2
		<b>Total Number of Evaluations:</b>			<b>7</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.71
. . . maintain control of the courtroom?	3.43
. . . speak loudly and clearly?	3.43
. . . make remarks that were understood and that made sense?	3.71
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.71
. . . show understanding and consideration to the defendant (present or not)?	3.80
. . . take time to explain the proceedings to participants?	3.86
. . . treat all participants fairly and impartially?	3.86
<b>Overall Rating:</b>	
	<b>3.69</b>

Did the judge appear to favor either side?	
Did not favor either side:	7 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## **Comments**

The following comments are a sampling of those made during observations of Judge Suddock:

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- An audio tape was so unclear the judge ordered it stopped and had copies of the transcript made for the jurors.
- Calm, rational, extremely reasonable, tactful and helpful. He gave meaningful advice to parents in this custody case.
- Very involved with questioning and assistance to a very difficult pro per plaintiff.
- Firm and patient with pro per.
- Loud, clear voice. Listened carefully. Gave reasons for not allowing certain testimony.

## The Honorable Sen Tan Anchorage Superior Court

Appointed by Governor Knowles to Superior Court December 1996

Evaluations		Case Types			
Evaluation Hours:	64.8	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	16	Change of Plea:	1	Pretrial Conference:	0
Positive Comments:	13	Civil Trial:	34	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	0
					<b>Total Number of Evaluations:</b>
					<b>35</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	4.00
. . . maintain control of the courtroom?	3.82
. . . speak loudly and clearly?	3.65
. . . make remarks that were understood and that made sense?	3.91
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.86
. . . show understanding and consideration to the defendant (present or not)?	3.93
. . . take time to explain the proceedings to participants?	3.92
. . . treat all participants fairly and impartially?	3.84
<b>Overall Rating:</b>	
<b>3.87</b>	

Did the judge appear to favor either side?	
Did not favor either side:	35 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Tan:

---

- Notices when jury starts to get restless. Reminds defense attorney about time during his very long opening.
- Respectful to jurors. Clear and understandable instructions.
- Quietly in control, explained specifics of questions to the court when needed. Clarified for defense attorney specifics of small Alaska villages.
- He gave a clear synopsis of objections and came up with quick and decisive rulings. Was an excellent listener.
- Attentive to questioning and testimony. Clear and rational explanation of reason for his ruling on an objection. Good control of court.
- Great job at this bench trial. Asks questions to clear up any confusion.
- Outstanding. Nothing gets past him.
- He clears up any confusing questions and answers quickly.
- Excellent job in clarifying bank accounts locations and the order in which they were opened.
- Excellent. Asked attorney and witness for clarification of murky points so all in courtroom could understand. Alert, polite and personable.
- He was hard to hear today. Never addressed the lawyers by name - didn't seem involved in this case.
- Asked and allowed questions after medical testimony. Great job.
- Watchful of witness on stand - suggested she take a break.
- He addressed the jury in a helpful, familiar manner.

## The Honorable Phillip Volland Anchorage Superior Court

Appointed by Governor Knowles to Superior Court November 2002

Evaluations		Case Types			
Evaluation Hours:	54.4	Arrestment:	0	Pre-indictment Hearing:	0
No. of Observers:	15	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	10	Civil Trial:	19	Sentencing:	0
Negative Comments:	3	Criminal Trial:	7	Small Claims:	0
		Domestic Violence:	2	Trial Call:	0
		Jury Selection:	3	Other Hearings:	3
		<b>Total Number of Evaluations:</b>			<b>34</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.91
. . . maintain control of the courtroom?	3.67
. . . speak loudly and clearly?	3.32
. . . make remarks that were understood and that made sense?	3.59
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.80
. . . show understanding and consideration to the defendant (present or not)?	3.67
. . . take time to explain the proceedings to participants?	3.96
. . . treat all participants fairly and impartially?	3.85
<b>Overall Rating:</b>	
	<b>3.72</b>

Did the judge appear to favor either side?	
Did not favor either side:	34 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Volland:

---

- Greeted jurors when they came in. Good answer to a question asked by a juror. It was clear, concise and easily understood by any lay person. I like the way he kept jurors informed of proceedings. Seems very conscientious about his role as a judge
- This judge will make the best of the foundation laid by Judge Joannides. They will be a great team. Great job on his first day in Felony Drug Court.
- Great!! Personable, asked each defendant for details of their progress and had many details at hand from case notes he had already reviewed. Very encouraging, comfortable atmosphere.
- Patient, good explanation regarding pro per defendant's cross exam. He seemed on top of proceedings with out being domineering or siding with either party.
- Used too many "umms" and "ahhs" when speaking.
- Heard both sides equally. When counseling witness to only answer question without adding explanation - did it respectfully and nicely. Was fully involved in everything. Paying close attention.
- Very difficult to hear.
- Hard to understand today. Most of the participants in the Domestic Violence hearings did not understand questions and asked that they be repeated.
- A great way to start Domestic Violence hearings with an explanation of how the hearings are run. I think it helps take confusion and worry out of the process.
- Keeps control, stops attorneys from arguing. Very careful to stop testifying victim when objections were made, explained to her exactly what she should do. Told both attorneys to finish their questions and to let the witnesses answer the question.
- Immediately noticed a juror in distress and called a recess.
- This judge brings dignity to the bench. Calm and thorough.
- His facial expressions reflect little reaction to testimony. His gaze is intense and focused on the speaker.

## The Honorable James Wanamaker Anchorage District Court

Appointed by Governor Hickel to District Court August 1993

Evaluations		Case Types				
Evaluation Hours:	22.0	Arrestment:	2	Pre-indictment Hearing:	4	
No. of Observers:	16	Change of Plea:	1	Pretrial Conference:	4	
Positive Comments:	7	Civil Trial:	2	Sentencing:	0	
Negative Comments:	4	Criminal Trial:	1	Small Claims:	4	
		Domestic Violence:	0	Trial Call:	0	
		Jury Selection:	0	Other Hearings:	5	
					<b>Total Number of Evaluations:</b>	<b>23</b>

Did the judge . . .	(Each category is rated 1 - 5 by observers.)	
. . . pay attention to the proceedings and participants?	3.43	
. . . maintain control of the courtroom?	2.87	
. . . speak loudly and clearly?	2.78	
. . . make remarks that were understood and that made sense?	3.09	
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.43	
. . . show understanding and consideration to the defendant (present or not)?	3.69	
. . . take time to explain the proceedings to participants?	3.15	
. . . treat all participants fairly and impartially?	3.32	
<b>Overall Rating:</b>		<b>3.22</b>

Did the judge appear to favor either side?	
Did not favor either side:	22 evaluations.
Favored the defense:	1 evaluation.
Favored the prosecution:	0 evaluations.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	0 evaluations.
Severe:	0 evaluations.
Total Sentencings:	0

## Comments

The following comments are a sampling of those made during observations of Judge Wanamaker:

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- Sincere individual attention for each participant. Positive reinforcement. Great job in Wellness Court.
- Spoke with defendant in fatherly manner. Judge wants people to benefit from Wellness Court and seems to go that extra mile to ensure they succeed.
- The Wellness Court is his baby. He is so proud of the program and its growth. Treated all those in the program with great affection and kindness. He showed genuine pleasure at hearing the success stories of the 26 people in various stages of the program.
- Great juggling skills. Carefully explained impact of defendant's request that probation be cancelled and that they be sent to jail; made sure no pressure, drugs and/or alcohol impacted decision to make request.
- Good explanation of changes in Alaska law regarding DUI convictions. Remarkable ability to make comments and information given to the 28<sup>th</sup> defendant of the day sound as personalized and fresh as the first defendant.
- Very noisy gallery. Kids crying, attorneys talking - just disorganized today. No respect shown by the gallery for the courtroom or the judge.
- The judge did not appear to have control of the courtroom. Today was confusing and disorderly.
- Many distractions - attorneys speaking with clients, people moving in and out of the courtroom. His very soft voice made it difficult to follow what was happening.
- Very tedious session. Judge handled defense attorney with more patience than I have seen in quite some time.
- Can't hear him in the gallery. His explanations to participants were lacking. The judge appeared tired and bored throughout the proceedings. He could have done a better job.
- Listened very carefully during teleconference. Asked questions that got to the heart of the matter. Very thorough - wanted to make sure he understood all the numbers and had them correct.

## The Honorable Michael Wolverton

### Anchorage Superior Court

Appointed by Governor Knowles to Superior Court December 1996  
 Appointed by Governor Cowper to District Court August 1988

Evaluations		Case Types			
Evaluation Hours:	89.6	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	18	Change of Plea:	1	Pretrial Conference:	6
Positive Comments:	9	Civil Trial:	0	Sentencing:	6
Negative Comments:	7	Criminal Trial:	38	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	2	Other Hearings:	6
		<b>Total Number of Evaluations: 59</b>			

Did the judge . . .	(Each category is rated 1 - 5 by observers.)
. . . pay attention to the proceedings and participants?	3.71
. . . maintain control of the courtroom?	3.59
. . . speak loudly and clearly?	3.09
. . . make remarks that were understood and that made sense?	3.72
. . . show understanding and consideration to the plaintiff/victim (present or not)?	3.69
. . . show understanding and consideration to the defendant (present or not)?	3.56
. . . take time to explain the proceedings to participants?	3.69
. . . treat all participants fairly and impartially?	3.65
<b>Overall Rating: 3.59</b>	

Did the judge appear to favor either side?	
Did not favor either side:	58 evaluations.
Favored the defense:	0 evaluations.
Favored the prosecution:	1 evaluation.

During sentencings, the judge was . . .	
Lenient:	0 evaluations.
Reasonable:	6 evaluations.
Severe:	0 evaluations.
Total Sentencings:	6

## Comments

The following comments are a sampling of those made during observations of Judge Wolverton:

---

- Complete explanations of his decisions. Put an immediate end to bickering between attorneys.
- Stumbled frequently when reading jury instructions. Trial was to start at 10:00 am and judge didn't come in until 10:30 am with everyone ready and waiting - wasting everyone's time. No explanation was given. Short recesses went long.
- Maintained good control of the courtroom. After the verdict was read, he spoke to the jury regarding his appreciation of their efforts.
- Fair, logical explanation of ruling against some victim support buttons.
- Finally a judge that tells the attorneys to keep quiet while other business is being done.
- Mumbling again when opening each session on the record.
- Didn't let anything get out of hand. Kept attorney's egos pretty well under control.
- Breaks went too long. If he said 20 minutes they were 40 minutes.
- Maintained eye contact, observed courtroom. In 403 ruling gave specific reasons for decision. Recalled specific information from prior testimony.
- Very clear, well constructed rationale for decision to allow a special jury instruction dealing with prosecution's misstatement of acceptable evidence during prosecution closing.
- Very soft spoken. Very little eye contact with jury. Spent more time looking down than at the proceedings.
- Had a "father/son" chat with the defendant regarding his future and the need for him to straighten out his life. Ordered full restitution to all parties.
- His patience and firmness are not to be misunderstood as being a pushover.
- Noisy in courtroom gallery during this sentencing and nothing was said.
- Denied request for electronic monitoring, stating that defendant posed a threat to society.
- During these pretrial conferences I felt the judge was too tolerant of rude behavior on the part of attorneys. It was noisy and confusing to watch.

## **Acknowledgements**

by  
Kathleen Rice, Executive Director

*This 2004 Biennial Report is dedicated to the memory  
of  
The Honorable Jonathan Link*

As always, my debt of gratitude is immeasurable. Without the generous monetary and in-kind donations and the substantial amount of hours our tireless volunteers give to Alaska Judicial Observers, we would not be capable of producing this *Report*. They have worked so hard and deserve more thanks than I can ever possibly express to them. I hope that this *Report* will make them proud of the time, effort and loyalty that they have shown to this organization. I also want to thank the families and friends of our volunteers. I know that during the time the volunteers spend with our organization, they are missing time with them and I think of them and thank them for their understanding and encouragement.

There are two people to whom I owe an extra expression of gratitude.

Pat Gallagher not only serves as a founding member on the Board of Directors, she also assists in the training of new volunteers and is our Assistant Director. She has been volunteering as a court observer for the past fourteen years and her experience, patience and dedication is second to none. Without her constant guidance I would be hard pressed to oversee Alaska Judicial Observers. Thank you so much Pat for all you do for our organization and for me.

Glen Denning began as a court observer five years ago. He quickly realized that I was in desperate need of computer support and he took over the helm of that role. I am so grateful for that everyday. He first built an Excel program to replace the sheets of butcher paper that had been used in previous years to hand tally the data. His next project began over two years ago. He has spent hundreds of hours building an Access program that is basically "push button" and user friendly. He has spent precious family time to help me and I appreciate that his wife, Kris, has been so understanding. Glen, please know how much the Board of Directors and myself appreciate you.

On behalf of the Board of Directors and myself I wish to thank the Alaska Judicial Council for their trust and confidence in Alaska Judicial Observers and our program. Larry Cohn and his staff have been more than helpful, kind and supportive.

## **Alaska Judicial Observers, Inc. Volunteers**

Suzanne Alexander	Kay Hilliker	Carol Razewski
Kim Beck	Glenn Hudson	Lou Riley
Virginia Bowling	Carol Jensen	Hal Rohlman
Dianne Courtney	Marina Jones	Dr. Judie Samter
Glen Denning	Betsy Kanago	Thomas Strickland
Pat Gallagher	Ann Lawrence	Carlos Teniente
Marie George	Marlene McAdams	Joan Thisby
Judy Hagler	Diane Miller	Jean Whitney
Minnie Hawk	Ronnie Moore	John Wolfe
JoHanna Hawthorne	Nahama Naomi	Mary Wolfe
Kaye Hensler	Bob Penzenik	
Pat Higgs	Pat Rapp	

## **Monetary and In-kind Donations**

AMVETS Post 49	Ginny Bowling	The Fly By Night Club
AMVETS Auxiliary Post 49, Lady's Auxiliary	Ulu Factory	Mr. Jay Kassner
Mr. Nathan Landow	Wild Berry Products	Mr. George Gallagher
Mr. Ashley Reed	Tony Roma's	Mr. Fred Miller
Mr. Mike Navarre (Zan, Inc., dba Arby's)	Phyllis's Cafe	Uptown Motel
Kobuk Coffee	Club Paris	City of Kenai
Snow City Cafe	Lighted Forest	Syntax
Alaska Judicial Council	Ms. Sharon Nahorney	TechniPress
	Charity Walk	Alyeska Pipeline Service
	Glen Denning	Suzanne Trimble, CPA