

Alaska Judicial Council Recommendation

Judge Morgan Christen, Superior Court, Anchorage

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

II. Summary of Evaluation Information. A survey of 2,927 attorneys in Alaska rated Judge Christen on sixteen categories that are summarized in the adjacent graph. Attorneys rated Judge Christen 4.4 on a scale of 5 on overall judicial performance. She scored 4.2 or better in all sixteen categories.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Alaska Judicial Observers
Legal Ability	4.3	---	---	---	---
Impartiality	4.4	4.8	4.5	4.5	---
Integrity	4.6	4.8	---	4.4	---
Temperament	4.5	4.8	4.9	4.2	---
Diligence	4.4	4.7	---	4.3	---
Special Skills	4.4	4.8	---	---	---
Overall	4.4	4.8	4.4	4.3	3.9

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

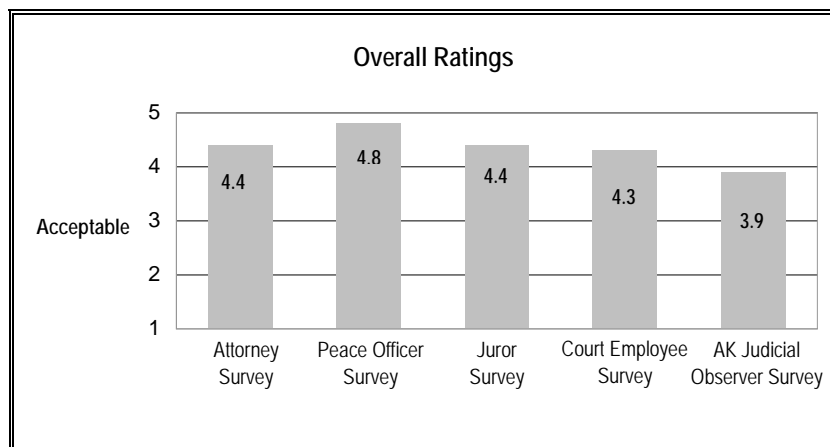
Rating Scale

5.0 = Excellent
 4.0 = Good
 3.0 = Acceptable
 2.0 = Deficient
 1.0 = Poor

A survey of 1,495 peace and probation officers in Alaska rated Judge Christen on twelve categories that are summarized in the adjacent graph. Peace and probation officers rated Judge Christen 4.8 on a scale of 5 on overall judicial performance. She scored 4.6 or better in all twelve categories.

A survey of jurors appearing before Judge Christen in 2002 and 2003 rated her 4.4 on a scale of 5 on overall performance. A survey of all court employees rated her 4.3 on a scale of 5 on overall performance. The Alaska Judicial Observers, independent community-based volunteer court observers, gave Judge Christen a 3.9 overall rating on a scale of 5.

The Council also completed a background investigation including a court records check, a disciplinary records check, a review of conflict of interest statements submitted to the court system and a review of financial disclosure statements submitted to the Alaska Public Offices Commission. Attorneys, peace officers, court employees and jurors were asked to submit written comments about the judge. The Council actively encouraged the public to comment, both in writing and in a statewide public hearing teleconference.



Recommendation: Vote "YES" to retain Judge Morgan Christen

Contact the Judicial Council at 1029 W. 3rd, Suite 201, Anchorage, AK 99501 (telephone: (907) 279-2526) for more detailed information, or review the information on our Internet site at:

www.ajc.state.ak.us

November 2004



alaska judicial council

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Alaska Judicial Council Questionnaire

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Trial Judge 2004 Candidates for Judicial Retention

November 10, 2003

Morgan Christen
Name

Superior Court
Court

1. Describe your workload during your present term.

- a) 92 % Civil Cases
- 2 % Criminal Cases
- 6 % Court Administrative
- 100 % Total
- b) * # of trials/year
- 5 # Administrative Appeals

* 4 jury trials
20 divorce trials
6-10 CINA adjudications + terminations
 These reflect contested cases.

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

See attached

3. On a separate sheet of paper please assess, in one or two paragraphs, your judicial performance during your present term. Appropriate areas of comment could include: satisfaction with your judicial role, specific contributions to the judiciary or the field of law, increases in legal knowledge and judicial skills, or other measures of judicial abilities that you believe to be important.

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

The most time-consuming committee service completed this term was my service with Judge Reese on the committee for the review of Civil Rule 90.3 (child support calculations). I also serve on the Civil Rules Committee and have since prior to my appointment to the bench. The subcommittees to which I was appointed are Rule 43 sub-committee (exhibits) and a sub-committee to review and streamline the rules and forms for the change-of-name proceedings.

Judge Hensley also asked that I make a recommendation regarding revisions to be made to the Standing Rule regarding the qualifications for newspapers to be deemed "newspapers of general circulation" for purposes of service by publication. I met with a group of representatives from various newspapers, solicited their input, researched the procedures used in other jurisdictions and drafted a recommendation for Judge Hensley.

I have thoroughly enjoyed hosting students in my courtroom (8 classes have visited), speaking in classrooms to groups of elementary students and coaching students through mock trials of Goldilocks and the Three Bears. It has also been a pleasure to judge the high school mock trial competitions each spring and to speak to the orientation sessions for the Alaska Judicial Observers program and Youth Court. On Law Day each year, I hosted 2 sets of classes in mock trials. The Girl Scouts invited me to speak to a group of high school girls on a panel discussion regarding career options and I was pleased to twice represent the superior court in addressing the newly sworn-in attorneys.

The Family Law Section of the Bar asked me to be the speaker at three noon meetings and I am now working with a sub-group to organize a series of one-hour CLE's to be presented in superior court by the superior court judges (discussed below). I also spoke to the Alternative Dispute Resolution Section and the Torts Section of the Bar.

The Anchorage Association of Women Lawyers graciously allowed me to participate in a presentation honoring women of achievement in law and Former Judge Sanders organized three CLEs where I spoke. One addressed the effective use of evidence in settlement conferences for general practitioners, one addressed effective settlement techniques for the Family Law Section and one addressed mediation skills and techniques for the Alaska Academy of Trial Lawyers.

3. Judicial performance during the present term.

I am finding my job as a superior court judge to be extremely rewarding, particularly now that I am familiar with the 300+ cases assigned to me and am in a position to truly manage them. I have the benefit of knowing at the end of the day that I have made a difference in the progress of cases assigned to my chambers.

This job forces me to stretch existing skills and hone new ones. I had no experience with CINA cases prior to my appointment, for example, and almost no experience with workers compensation statutes. I do now. Jury trials are also an entirely different experience when one is in the role of judge rather than advocate. I have enjoyed my jury trials enormously and look forward to doing more of them in the future.

It has been wonderful to get to know the other judges on the bench, most of whom have only served a few years. We have worked together to develop checklists, scripts and a rough bench book to help us do our jobs more efficiently. The regular meetings we have organized to discuss what methods and procedures are working and/or need improvement have been terrific.

I organized a series of small group meetings with pairs of judges to meet off-record with practitioners from OPA, the PD and AG offices to discuss the procedures used in CINA cases. These meetings were very helpful because none of the newer judges practiced in the area of CINA cases prior to appointment and all were eager to learn about how we can more effectively handle these important cases. I was also very heartened to receive a 100% commitment from each of my colleagues to host a one-hour CLE in his/her courtroom for the Family Law Section of the bar. I am working with two of the group's members to organize these sessions. At present, our plan is that the topics will range from The Top Ten Evidence Rules Every Family Law Lawyer Should Know to How to Effectively Prepare for a Settlement Conference. The idea behind these lunch hour seminars is to address the fact that many of the lawyers in the family law arena are solo practitioners who do not have mentors. I am hoping that we will improve bench-bar communication (and service to the public) by inviting practitioners into our courtrooms to explain helpful and unhelpful trial advocacy techniques in this practice area. The off-record format will use hypotheticals to address non-case-specific questions and to role-play common errors made by advocates in litigation settings and in settlement conferences.

Other topics that might be helpful:

I have devoted a great deal of time to conducting settlement conferences for my own cases and also for cases assigned to other judges. When I interviewed with the Judicial Council more than two years ago, I explained that I felt my experience in private practice settlement conferences and mediations would serve me well in this job. There is no question in my mind that litigants who have a real role in shaping the resolution to their conflict are better able to accept it, live by its terms and not return to court with follow-up motions practice. This is not only true in the family law arena. Members of the business community who will continue to compete in the same market sector or otherwise work together also have a real need to come to a resolution that they have helped shape. From a community-wide perspective, it is vital that litigants have the opportunity to engage in this type of process.

Settlement conferences are time-consuming, however. After initially scheduling five per week, I now try to aim for three per week and believe that this is a sustainable workload. Conducting these conferences is some of the most rewarding work I do in the superior court. It requires creativity, patience, listening skills, negotiating skills and a lot of energy.

I included the CIRI settlement in my list of non-trial cases for a couple of reasons. It was a case that would have consumed about three or four weeks of trial time for Judge Michalski and, because the case involved allegations between minority and majority members of a Native corporation's board of directors, the trial stood to damage the credibility of its leadership regardless of which party prevailed.

Over the course of 4 sessions and 20 hours, the parties reached a global settlement. It took a lot of listening as well as attempts at crafting a number of different types of settlement structures. Though the amount of time devoted was unusual (a typical settlement conference lasts two or three hours), I believe that avoiding this lengthy trial saved the parties a great deal of money, the court a great deal of time and resolved a dispute that was a divisive issue in our community. I was very pleased to resolve it for Judge Michalski.

Another aspect of my work that the Judicial Council might find helpful to know is that I am working hard to draft opinions explaining my rationale for granting or denying motions. Drafting decisions is time-consuming but in the long run I believe we better serve the public by explaining our reasoning. Litigants are also in a better position to resolve their disputes short of trial if they understand the court's rationale on particular legal issues presented in their motions.

4. During your most recent term as a judge, have you:

- a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? Yes _____ No .
- b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes _____ No .
- c) engaged in the practice of law (other than as a judge)? Yes _____ No .
- d) held office in any political party? Yes _____ No .
- e) held any other local state or federal office? Yes _____ No .

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

N/A

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

See attached

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

1 *Name of Case* See attached *Case Number* _____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

2 *Name of Case* _____ *Case Number* _____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

3 *Name of Case* _____ *Case Number* _____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

5. **3 Most Recent Jury Trials:**

Case Name: Bryant v. Northern Lights Condo Association, et al.

Case Number: 3AN-02-07750 CI

Attorneys:

Michaela Kelley-Canterbury
821 "N" Street, Suite 206
Anchorage, AK 99501

Laura Farley
3003 Minnesota, # 300
Anchorage, AK 99503

Case Name: Sahr v. Homan

Case Number: 3AN-01-05947 CI

Attorneys:

Laurel J. Peterson
805 W. 3rd Avenue, Suite 200
Anchorage, AK 99501

Paul Waggoner
632 Christensen Dr., Suite 200
Anchorage, AK 99501

Case Name: In the Matter of the Hospitalization of Faith J. Myers

Case Number: 3AN-03-0277 PR

Note: This case resolved after opening statements. For this reason, a fourth case is listed.

Attorneys:

Jeffrey T. Killip, Asst. A.G.
1031 W. 4TH Avenue, Suite 200
Anchorage, AK 99501

James B. Gottstein
406 G Street, Suite 206
Anchorage, AK 99501

Case Name: Mooney v. Thornlow

Case Number: 3AN-01-03669 CI

Attorneys:

Ronald A. Offret
733 4th Avenue, Suite 206
Anchorage, AK 99501

Michael J. Hanson
310 K Street, Suite 306
Anchorage, AK 99501

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

1

Name of Case

Case Number

See attached

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

2

Name of Case

Case Number

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

3

Name of Case

Case Number

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

6. 3 Most Recent Non-Jury Trials:

Case Name: Carrigan v. Carrigan
Case Number: 3AN-01-07757 CI
Attorneys:

Vanessa White
711 H Street, Suite 460
Anchorage, AK 99501

Pro per Defendant,
Leigh Carrigan
3815 W. 44th, #2
Anchorage, AK 99517

Joseph P. Palmier
733 W. 4th Ave., Suite 302
Anchorage, AK 99501

* Note: Ms. Carrigan represented herself during the custody trial. Mr. Palmier represented her during the property trial.

Case Name: Smith v. Thompson
Case Number: 3AN-03-04967 CI
Attorneys:

Pro Per Plaintiff
Thelma Smith
11401 Heritage Court, #3
Eagle River, AK 99577

Moshe C. Zorea
7540 E. 17th Avenue
Anchorage, AK 99521

Case Name: McCormick v. McCormick
Case Number: 3AN-03-07837 CI
Attorneys:

Pro Per Plaintiff
William McCormick
P.O. Box 212225
Anchorage, AK 99521

Kenneth Goldman
510 S. Alaska Street
Palmer, AK 99645

7. Please list the names and case numbers of the three most recent cases which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.), identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

1

Name of Case
See attached

Case Number

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

2

Name of Case

Case Number

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

3

Name of Case

Case Number

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

7. Non-trial matters involving significant work:

Case Name: Grady v. State of Alaska and John Lindauer

Case Number: 3AN-98-09270 CI

Attorneys:

William G. Royce
1227 W. 9th Avenue, Suite 200
Anchorage, AK 99501

Kenneth Jacobus
425 G Street, Suite 920
Anchorage, AK 99501

Martin Schultz, Asst. A.G.
1031 W. 4th Ave Suite 200
Anchorage, AK 99501

Case Name: Scott Kensinger, on behalf of and for the benefit of Phillip
Allen Kensinger v Eric Brenegan

Case Number: 3AN-00-06960 CI

Attorneys:

Dennis Mestas
745 W. 4th Avenue, Suite 306
Anchorage, AK 99501

Gregory Grebe
1400 W. Benson Blvd., Suite 120
Anchorage, AK 99503

David Carter
550 W. 7th Avenue, Suite 1100
Anchorage, AK 99501

Tucker Thompson
35477 Spur Highway, Suite 207
Soldotna, AK 99669

Michael Seville
810 N Street
Anchorage, AK 99501

Case Name: Tracy Hill v Russell Curtis Smith and Michael Smith

Case Number: 3AN01-11967 CI

Attorneys:

Michael Schneider
880 N Street, Suite 202
Anchorage, AK 99501

Susan West
510 L Street, Suite 700
Anchorage, AK 99501

Mark Wilkerson
310 K Street, Suite 405
Anchorage, AK 99501

8. If you deem it helpful to the Council, please list the name, case number and attorneys' names and current addresses of any other cases during your judicial career in which you believe your work was particularly noteworthy. (Attach additional pages if necessary.)

1

Name of Case

Case Number

See attached

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

2

Name of Case

Case Number

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

3

Name of Case

Case Number

Attorneys Involved

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

8. **Noteworthy work:**

Case Name: Fielding v. Barry Kell

Case Number: 3AN-02-09775 CI, consolidated with 3AN-02-04365 CI

Attorneys:

Michael Schneider
880 N Street, Suite 202
Anchorage, AK 99501

Gary Zipkin
510 L Street, Suite 700
Anchorage, AK 99501

James Pentlarge
1400 W. Benson Blvd., Suite 550
Anchorage, AK 99503

James Gorton
737 M Street
Anchorage, AK 99501

Kenneth Legacki
425 G Street, Suite 920
Anchorage, AK 99501

Matthew Claman
425 G Street, Suite 610
Anchorage, AK 99501

John Woodman
510 L Street, Suite 700
Anchorage, AK 99501

Mark Wilkerson
310 K Street, Suite 405
Anchorage, AK 99501

Case Name: Cook Inlet Region, Inc. v Robert W. Rude and Harold F. Rudolph,

Case Number: 3AN-97-03004 CI

Attorneys:

Bruce E. Gagnon,
Counsel for CIRI
420 L Street, Suite 500
Anchorage, AK 99501

Roy Hundorf,
Pro per Minority Board Member
c/o Cook Inlet Region, Inc.
P.O. Box 93330
Anchorage, AK 99509

Keith Sanders,
Counsel for CIRI
2525 C Street
Anchorage, AK 99509

Frederick Triem,
Counsel for Rude and Rudolph
Minority Board Member
P.O. Box 129
Petersburg, AK 99833

William English,
Pro per Minority Board Member
c/o Cook Inlet Region, Inc.
P.O. Box 93330
Anchorage, AK 99509

John Havelock,
Counsel for Rude and Rudolph
Minority Board Member
632 Christensen Dr., Suite 100
Anchorage, AK 99501

Case Name: James Nicholson, Trustee for the Bankruptcy Estate of Francis Y. Sur for and on behalf of the Estate and Mr. Sur v The Unity Group Insurance, Inc.

Case Number: 3AN-00-11617 CI

Attorneys:

Charles Ray
711 H St Suite 310
Anchorage, AK 99501

Herbert Ray
1029 W 3rd Ave Suite 650
Anchorage, AK 99501

Matthew Peterson
711 H St Suite 620
Anchorage, AK 99501

Jon Givens
550 W 7th Ave Suite 1800
Anchorage, AK 99501

Thomas Matthews
431 W 7th Suite 207
Anchorage, AK 99501

Case Name: Mahoney v. Kodiak Island Borough

Case Number: 3KO-01-270 CI

Attorneys:

Kenneth P. Jacobus
425 G Street, Suite 920
Anchorage, AK 99501

C. Walter Ebell
Jamin, Ebell, Schmitt & Mason
1007 W. 3rd Avenue, Suite 201
Anchorage, AK 99501

Walter Mason
Jamin, Ebell, Schmitt & Mason
Mutual Life Building
605 First Avenue, Suite 350
Seattle, WA 98104

C. SUPERIOR COURT JUDGE MORGAN CHRISTEN

1. ALASKA BAR ASSOCIATION

Demographic Description of all Alaska Bar Association Respondents (N=403)

a. <u>Type of Practice:</u>	Private, solo	22.8%
	Private, office of 2-5 attorneys	24.3%
	Private, office of 6 or more attorneys	22.6%
	Private corporate employee	1.2%
	State judge or judicial officer	6.9%
	Government	15.4%
	Public service agency or organization	1.5%
	Other	1.2%
	No Answer	4.0%
b. <u>Years of Experience:</u>	5 Years or fewer	8.4%
	6-10 Years	10.9%
	11-15 Years	12.7%
	16-20 Years	19.1%
	21 Years or more	44.9%
	No Answer	4.0%
c. <u>Gender:</u>	Male	64.5%
	Female	32.3%
	No Answer	3.2%
d. <u>Cases Handled:</u>	Prosecution	2.2%
	Mainly criminal	3.0%
	Mixed criminal and civil	19.4%
	Mainly civil	68.5%
	Other	2.7%
	No Answer	4.2%
e. <u>Location of Practice:</u>	First District	2.5%
	Second District	0.5%
	Third District	91.3%
	Fourth District	1.7%
	Outside Alaska	0.5%
	No Answer	3.5%

Summary of Findings:

Judge Morgan Christen was evaluated by 342 Alaska Bar Association members who reported having direct professional experience with this judge. Of these 342 respondents, 151 (44.2%) had substantial and recent experience, 71 (20.8%) had moderate experience, 85 (24.9%) had limited experience, and 35 (10.2%) did not indicate level of experience. The mean score on the overall evaluation item was 4.4. The highest mean score was obtained on *conduct free from impropriety or appearance of impropriety* (4.6). The lowest mean score was obtained on *knowledge of substantive laws* (4.2). Details are presented in the two tables that follow.

**Evaluation of Superior Court Judge Morgan Christen:
Alaska Bar Association Members**

	<i>Poor</i>		<i>Deficient</i>		<i>Acceptable</i>		<i>Good</i>		<i>Excellent</i>		<i>Mean</i>
	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	
Legal Ability											
Legal and factual analysis	2	0.6	15	4.5	35	10.5	115	34.5	166	49.8	4.3
Knowledge of substantive law	1	0.3	16	5.2	39	12.7	105	34.1	147	47.7	4.2
Knowledge of evidence and procedure	1	0.3	8	2.8	42	14.7	99	34.6	136	47.6	4.3
Impartiality											
Equal treatment of all parties	4	1.2	13	3.9	25	7.6	77	23.3	211	63.9	4.4
Sense of basic fairness and justice	5	1.6	9	2.9	28	9.1	72	23.3	195	63.1	4.4
Integrity											
Conduct free from impropriety or appearance of impropriety	2	0.6	4	1.3	21	6.6	60	18.8	233	72.8	4.6
Makes decisions without regard to possible public criticism	2	0.7	8	2.9	19	6.8	68	24.5	181	65.1	4.5
Judicial Temperament											
Courtesy, freedom from arrogance	2	0.6	10	3.0	22	6.7	72	21.8	224	67.9	4.5
Human understanding and compassion	3	1.0	7	2.3	27	8.9	63	20.7	205	67.2	4.5
Diligence											
Reasonable promptness in making decisions	3	0.9	11	3.5	37	11.7	91	28.7	175	55.2	4.3
Willingness to work diligently; preparation for hearings	2	0.7	5	1.7	24	7.9	77	25.5	194	64.2	4.5
Special Skills											
Ability to control courtroom	2	0.7	4	1.5	36	13.2	86	31.5	145	53.1	4.3
Settlement skills	1	0.4	10	4.3	26	11.3	63	27.4	130	56.5	4.4
Consideration of all relevant factors in sentencing	1	0.9	4	3.6	10	9.1	22	20.0	73	66.4	4.5
Talent and ability for cases involving children and families	4	2.1	7	3.7	14	7.4	37	19.7	126	67.0	4.5
Overall Evaluation											
Overall evaluation of judge	4	1.2	11	3.3	31	9.4	97	29.3	188	56.8	4.4

NOTE: Results are based on respondents who reported having direct professional experience with this judge.

**Ratings on the “Overall Evaluation” Item for Superior Court Judge Morgan Christen:
Alaska Bar Association Members**

	Total		Poor	Deficient	Acceptable	Good	Excellent
<i>Demographics</i>	<i>n</i>	<i>Mean</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>
Basis for Evaluation							
No Answer	11	4.2	-	9.1	9.1	36.4	45.5
Direct Professional Experience	331	4.4	1.2	3.3	9.4	29.3	56.8
Professional Reputation	55	4.0	1.8	3.6	18.2	45.5	30.9
Social Contacts	3	4.0	-	-	33.3	33.3	33.3
Type of Practice							
No Answer	10	4.2	-	-	20.0	40.0	40.0
Solo	84	4.3	2.4	3.6	9.5	28.6	56.0
2 – 5 Attorneys	88	4.4	1.1	4.5	6.8	26.1	61.4
6+ Attorneys	73	4.3	1.4	2.7	9.6	39.7	46.6
Corporate	4	4.5	-	-	-	50.0	50.0
Judge or Judicial Officer	24	4.7	-	4.2	-	16.7	79.2
Government	42	4.3	-	2.4	19	23.8	54.8
Public Service	3	5.0	-	-	-	-	100.0
Other	3	4.7	-	-	-	33.3	66.7
Years of Experience							
No Answer	11	4.4	-	-	9.1	45.5	45.5
5 Years or fewer	21	4.1	4.8	4.8	14.3	28.6	47.6
6 – 10 Years	35	4.5	-	-	11.4	25.7	62.9
11 – 15 Years	44	4.4	-	2.3	11.4	29.5	56.8
16 – 20 Years	63	4.3	1.6	3.2	15.9	22.2	57.1
21 Years or more	157	4.4	1.3	4.5	5.1	31.8	57.3
Gender							
No Answer	9	4.3	-	-	11.1	44.4	44.4
Male	223	4.4	1.3	2.2	7.6	31.4	57.4
Female	99	4.3	1.0	6.1	13.1	23.2	56.6
Cases Handled							
No Answer	12	4.3	-	-	8.3	50.0	41.7
Prosecution	6	4.7	-	-	-	33.3	66.7
Criminal	10	4.6	-	10.0	-	10.0	80.0
Criminal and Civil	69	4.2	-	8.7	15.9	23.2	52.2
Civil	226	4.4	1.8	1.8	8.4	30.5	57.5
Other	8	4.6	-	-	-	37.5	62.5
Location of Practice							
No Answer	10	4.2	-	-	20.0	40.0	40.0
First District	6	4.3	-	-	16.7	33.3	50.0
Second District	1	4.0	-	-	-	100.0	-
Third District	306	4.4	1.3	3.3	9.2	29.1	57.2
Fourth District	7	4.4	-	14.3	-	14.3	71.4
Outside Alaska	1	5.0	-	-	-	-	100.0
Amount of Experience							
No Answer	35	4.4	-	-	8.6	42.9	48.6
Substantial	149	4.5	2.7	3.4	7.4	18.8	67.8
Moderate	69	4.3	-	5.8	10.1	36.2	47.8
Limited	78	4.3	-	2.6	12.8	37.2	47.4

C. SUPERIOR COURT JUDGE MORGAN CHRISTEN

2. PEACE AND PROBATION OFFICERS

Demographic Description of all Peace and Probation Officer Respondents (N=8)

a. <u>Type of Work:</u>	State Law Enforcement Officer	50.0%
	Municipal/Borough Law Enforcement Officer	12.5%
	Village Public Safety Officer	12.5%
	Probation-Patrol Officer	12.5%
	Other	0.0%
	No Answer	12.5%
b. <u>Years of Experience:</u>	5 Years or fewer	37.5%
	6-10 Years	12.5%
	11-15 Years	12.5%
	16-20 Years	0.0%
	21 Years or more	25.0%
	No Answer	12.5%
c. <u>Gender:</u>	Male	87.5%
	Female	0.0%
	No Answer	12.5%
d. <u>Location of Work:</u>	First District	0.0%
	Second District	0.0%
	Third District	87.5%
	Fourth District	0.0%
	Outside Alaska	0.0%
	No Answer	12.5%
e. <u>Community Population:</u>	Under 2,000	12.5%
	Between 2,000 and 35,000	0.0%
	35,000 or over	75.0%
	No Answer	12.5%

Summary of Findings:

Judge Morgan Christen was evaluated by 6 Peace and Probation Officers who reported having direct professional experience with this judge. Of these 6 respondents, 1 (16.7%) had substantial and recent experience, 1 (16.7%) had moderate experience, 4 (66.7%) had limited experience, and 0 (0.0%) did not indicate level of experience. The mean score on the overall evaluation item was 4.8. The highest mean score was obtained on *talent and ability for cases involving children and families* (5.0). The lowest mean scores were obtained on *willingness to work diligently; preparation for hearings* (4.6) and *consideration of all relevant factors in sentencing* (4.6). Details are presented in the two tables that follow.

**Evaluation of Superior Court Judge Morgan Christen:
Peace and Probation Officers**

	<i>Poor</i>		<i>Deficient</i>		<i>Acceptable</i>		<i>Good</i>		<i>Excellent</i>		<i>Mean</i>
	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	
Impartiality											
Equal treatment of all parties	-	-	-	-	-	-	1	20.0	4	80.0	4.8
Sense of basic fairness and justice	-	-	-	-	-	-	1	25.0	3	75.0	4.8
Integrity											
Conduct free from impropriety or appearance of impropriety	-	-	-	-	-	-	1	20.0	4	80.0	4.8
Makes decisions without regard to possible public criticism	-	-	-	-	-	-	1	20.0	4	80.0	4.8
Judicial Temperament											
Courtesy, freedom from arrogance	-	-	-	-	-	-	1	20.0	4	80.0	4.8
Human understanding and compassion	-	-	-	-	-	-	1	20.0	4	80.0	4.8
Diligence											
Reasonable promptness in making decisions	-	-	-	-	-	-	1	25.0	3	75.0	4.8
Willingness to work diligently; preparation for hearings	-	-	-	-	-	-	2	40.0	3	60.0	4.6
Special Skills											
Ability to control courtroom	-	-	-	-	-	-	1	25.0	3	75.0	4.8
Consideration of all relevant factors in sentencing	-	-	-	-	-	-	2	40.0	3	60.0	4.6
Talent and ability for cases involving children and families	-	-	-	-	-	-	-	-	4	100.0	5.0
Overall Evaluation											
Overall evaluation of judge	-	-	-	-	-	-	1	20.0	4	80.0	4.8

NOTE: Results are based on respondents who reported having direct professional experience with this judge.

**Ratings on the “Overall Evaluation” Item for Superior Court Judge Morgan Christen:
Peace and Probation Officers**

	Total		Poor	Deficient	Acceptable	Good	Excellent
<i>Demographics</i>	<i>n</i>	<i>Mean</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>
Basis for Evaluation							
No Answer	5	3.0	-	-	100.0	-	-
Direct Professional Experience	5	4.8	-	-	-	20.0	80.0
Professional Reputation	2	4.0	-	-	-	100.0	-
Social Contacts	-	-	-	-	-	-	-
Type of Work							
No Answer	1	4.0	-	-	-	100.0	-
State Officer	4	5.0	-	-	-	-	100.0
Municipal/Borough	-	-	-	-	-	-	-
Village Public Safety Officer	-	-	-	-	-	-	-
Probation/Parole Officer	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Years of Experience							
No Answer	1	4.0	-	-	-	100.0	-
5 Years or fewer	1	5.0	-	-	-	-	100.0
6 – 10 Years	-	-	-	-	-	-	-
11 – 15 Years	1	5.0	-	-	-	-	100.0
16 – 20 Years	-	-	-	-	-	-	-
21 Years or more	2	5.0	-	-	-	-	100.0
Gender							
No Answer	1	4.0	-	-	-	100.0	-
Male	4	5.0	-	-	-	-	100.0
Female	-	-	-	-	-	-	-
Location of Work							
No Answer	1	4.0	-	-	-	100.0	-
First District	-	-	-	-	-	-	-
Second District	-	-	-	-	-	-	-
Third District	4	5.0	-	-	-	-	100.0
Fourth District	-	-	-	-	-	-	-
Outside Alaska	-	-	-	-	-	-	-
Population in Community							
No Answer	1	4.0	-	-	-	100.0	-
Under 2,000	-	-	-	-	-	-	-
2,000-35,000	-	-	-	-	-	-	-
Over 35,000	4	5.0	-	-	-	-	100.0
Amount of Experience							
No Answer	-	-	-	-	-	-	-
Substantial	1	5.0	-	-	-	-	100.0
Moderate	1	5.0	-	-	-	-	100.0
Limited	3	4.7	-	-	-	33.3	66.7

C. SUPERIOR COURT JUDGE MORGAN CHRISTEN

3. SOCIAL WORKERS/GUARDIANS AD LITEM/CASA VOLUNTEERS

Demographic Description of all Social Workers/GAL/CASA Respondents (N=10)

a.	<u>Type of Work:</u>	Social Worker	60.0%
		Guardian ad Litem	20.0%
		CASA Volunteer	20.0%
		Other	0.0%
		No Answer	0.0%
b.	<u>Years of Experience:</u>	5 Years or fewer	30.0%
		6-10 Years	30.0%
		11-15 Years	10.0%
		16-20 Years	30.0%
		21 Years or more	0.0%
		No Answer	0.0%
c.	<u>Gender:</u>	Male	10.0%
		Female	90.0%
		No Answer	0.0%
d.	<u>Location of Work:</u>	First District	0.0%
		Second District	0.0%
		Third District	100.0%
		Fourth District	0.0%
		Outside Alaska	0.0%
		No Answer	0.0%
e.	<u>Community Population:</u>	Under 2,000	0.0%
		Between 2,000 and 35,000	0.0%
		35,000 or over	100.0%
		No Answer	0.0%

Summary of Findings:

Judge Morgan Christen was evaluated by a total of 10 Social Workers, Guardians ad Litem, and CASA volunteers who reported having direct professional experience with this judge. Of these 10 respondents, 4 (40.0%) had substantial and recent experience, 2 (20.0%) had moderate experience, 3 (30.0%) had limited experience, and 1 (10.0%) did not indicate level of experience. The mean score on the overall evaluation item was 4.3. The highest mean score was obtained on *courtesy, freedom from arrogance* (4.5). The lowest mean scores were obtained on *conduct free from impropriety or appearance of impropriety* (4.1), *reasonable promptness in making decisions* (4.1), and *settlement skills* (4.1). Details are presented in the two tables that follow.

***Evaluation of Superior Court Judge Morgan Christen:
Social Workers/Guardians ad Litem/CASA Volunteers***

	<i>Poor</i>		<i>Deficient</i>		<i>Acceptable</i>		<i>Good</i>		<i>Excellent</i>		<i>Mean</i>
	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	<i>Num</i>	<i>%</i>	
Impartiality											
Equal treatment of all parties	-	-	-	-	2	20.0	3	30.0	5	50.0	4.3
Sense of basic fairness and justice	-	-	-	-	2	20.0	4	40.0	4	40.0	4.2
Integrity											
Conduct free from impropriety or appearance of impropriety	-	-	1	10.0	2	20.0	2	20.0	5	50.0	4.1
Judicial Temperament											
Courtesy, freedom from arrogance	-	-	-	-	2	20.0	1	10.0	7	70.0	4.5
Human understanding and compassion	-	-	-	-	3	30.0	-	-	7	70.0	4.4
Diligence											
Reasonable promptness in making decisions	-	-	-	-	3	30.0	3	30.0	4	40.0	4.1
Willingness to work diligently; preparation for hearings	-	-	-	-	2	20.0	2	20.0	6	60.0	4.4
Special Skills											
Ability to control courtroom	-	-	-	-	2	20.0	4	40.0	4	40.0	4.2
Settlement skills	-	-	-	-	2	25.0	3	37.5	3	37.5	4.1
Talent and ability for cases involving children and families	-	-	-	-	2	20.0	4	40.0	4	40.0	4.2
Overall Evaluation											
Overall evaluation of judge	-	-	-	-	2	20.0	3	30.0	5	50.0	4.3

NOTE: Results are based on respondents who reported having direct professional experience with this judge.

**Ratings on the “Overall Evaluation” Item for Superior Court Judge Morgan Christen:
Social Workers/Guardians ad Litem/CASA Volunteers**

<i>Demographics</i>	Total		Poor	Deficient	Acceptable	Good	Excellent
	<i>n</i>	<i>Mean</i>	%	%	%	%	%
Basis for Evaluation							
No Answer	-	-	-	-	-	-	-
Direct Professional Experience	10	4.3	-	-	20.0	30.0	50.0
Professional Reputation	-	-	-	-	-	-	-
Social Contacts	-	-	-	-	-	-	-
Type of Work							
No Answer	-	-	-	-	-	-	-
Social Worker	6	4.0	-	-	33.3	33.3	33.3
Guardian ad Litem	2	5.0	-	-	-	-	100.0
CASA Volunteer	2	4.5	-	-	-	50.0	50.0
Other	-	-	-	-	-	-	-
Years of Experience							
No Answer	-	-	-	-	-	-	-
5 Years or fewer	3	4.7	-	-	-	33.3	66.7
6 – 10 Years	3	4.3	-	-	-	66.7	33.3
11 – 15 Years	1	3.0	-	-	100.0	-	-
16 – 20 Years	3	4.3	-	-	33.3	-	66.7
21 Years or more	-	-	-	-	-	-	-
Gender							
No Answer	-	-	-	-	-	-	-
Male	1	5.0	-	-	-	-	100.0
Female	9	4.2	-	-	22.2	33.3	44.4
Location of Work							
No Answer	-	-	-	-	-	-	-
First District	-	-	-	-	-	-	-
Second District	-	-	-	-	-	-	-
Third District	10	4.3	-	-	20.0	30.0	50.0
Fourth District	-	-	-	-	-	-	-
Outside Alaska	-	-	-	-	-	-	-
Population of Community							
No Answer	-	-	-	-	-	-	-
Under 2,000	-	-	-	-	-	-	-
2,000-35,000	-	-	-	-	-	-	-
Over 35,000	10	4.3	-	-	20.0	30.0	50.0
Amount of Experience							
No Answer	1	5.0	-	-	-	-	100.0
Substantial	4	4.8	-	-	-	25.0	75.0
Moderate	2	4.5	-	-	-	50.0	50.0
Limited	3	3.3	-	-	66.7	33.3	-

**Table 4:
Juror Survey Results for Morgan Christen
2004 Alaska Judicial Council Retention Juror Survey**

Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Unacceptable % (n)	Mean	Total returned = 24
Was the judge fair and impartial to all sides in the case?	55% 12	41% 9	5% 1	0% 0	0% 0	4.5	22
Was the judge respectful and courteous?	96% 23	4% 1	0% 0	0% 0	0% 0	4.96	24
Was the judge attentive during proceedings?	42% 10	58% 14	0% 0	0% 0	0% 0	4.4	24
Did the judge exercise appropriate control over the proceedings?	46% 10	50% 11	5% 1	0% 0	0% 0	4.4	22
How would you evaluate the judge's intelligence and skill as a judge?	90% 9	10% 1	0% 0	0% 0	0% 0	4.9	10
How would you evaluate the judge overall?	46% 11	46% 11	8% 2	0% 0	0% 0	4.4	24

Table 3: Court Employee Survey Results for Morgan Christen 2004 Alaska Judicial Council Retention Court Employee Survey							
Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total returned = 60
Does this judge treat court staff with respect?	43% 26	33% 20	12% 7	10% 6	2% 1	4.1	60
Does this judge treat other people with respect?	54% 28	33% 17	8% 4	4% 2	2% 1	4.3	52
Does this judge manage the caseload and staff capably and effectively?	44% 17	39% 15	13% 5	3% 1	3% 1	4.2	39
Does this judge work diligently and act promptly on matters that need attention?	61% 27	27% 12	5% 2	5% 2	2% 1	4.3	44
Does this judge act with integrity?	59% 26	30% 13	9% 4	0% 0	2% 1	4.4	44
Does this judge act with fairness and impartiality?	60% 25	33% 14	5% 2	0% 0	2% 1	4.5	42
Does this judge have the ability to control the courtroom?	62% 21	27% 9	9% 3	3% 1	0% 0	4.5	34
Overall evaluation of the judge's performance.	54% 28	29% 15	14% 7	4% 2	0% 0	4.3	52



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MEMORANDUM

TO: Judicial Council Members
FROM: Staff
DATE: April 22, 2004
RE: Comparison of Previous Survey Results - Morgan Christen

Judge Christen is standing for retention in 2004. The table on the following page compares retention survey scores for Judge Christen.

This is Judge Christen's first time to stand for retention. She was evaluated with the other non-retention judges in 2002.

Judge Christen applied for and was appointed to the Anchorage Superior Court in 2001.

Judge Morgan Christen Appointed to Anchorage Superior Court 10/25/01				
	2004 Retention		2002 Retention Preview	
	Bar	PPO	Bar	PPO
Legal Ability	4.3	—	4.2	—
Impartiality	4.4	4.8	4.2	4.0
Integrity	4.6	4.8	4.3	5.0
Judicial Temperament	4.5	4.8	4.2	4.0
Diligence	4.4	4.7	4.3	5.0
Special Skills	4.4	4.8	—	—
Overall Performance	4.4	4.8	4.2	5.0