

Alaska Judicial Council Recommendation

Judge Raymond Funk, District Court, Fairbanks

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

II. Summary of Evaluation Information. A survey of 2,927 attorneys in Alaska rated Judge Funk on sixteen categories that are summarized in the adjacent graph. Attorneys rated Judge Funk 4.2 on a scale of 5 on overall judicial performance. He scored 4.1 or better in all sixteen categories.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey
Legal Ability	4.2	---	---	---
Impartiality	4.2	4.1	4.7	4.6
Integrity	4.3	4.1	---	4.6
Temperament	4.2	4.1	4.8	4.3
Diligence	4.2	4.1	---	4.6
Special Skills	4.1	4.2	---	---
Overall	4.2	4.1	4.7	4.5

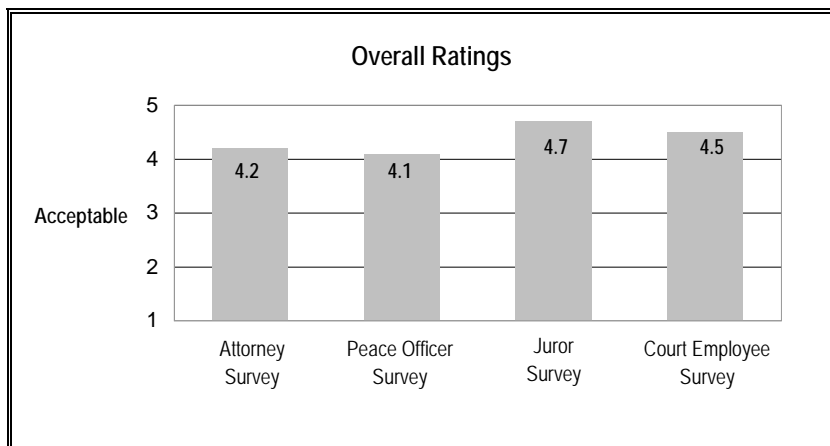
Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

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 Funk on twelve categories that are summarized in the adjacent graph. Peace and probation officers rated Judge Funk 4.1 on a scale of 5 on overall judicial performance. He scored 4.0 or better in all twelve categories.

A survey of jurors appearing before Judge Funk in 2002 and 2003 rated him 4.7 on a scale of 5 on overall performance. A survey of all court employees rated him 4.5 on a scale of 5 on overall performance.

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



Recommendation: Vote "YES" to retain Judge Raymond Funk

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



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Alaska Judicial Council Questionnaire

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Trial Judge 2004 Candidates for Judicial Retention

November 10, 2003

Raymond M. Funk

Fairbanks District Court

Name

Court

1. Describe your workload during your present term.

a) <u>20</u> % Civil Cases	b) <u>15-30</u> # of trials/year
<u>70</u> % Criminal Cases	<u>4/yr</u> # Administrative Appeals
<u>10</u> % Court Administrative	
100 % Total	

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

SEE ATTACHED

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

ALASKA JUDICIAL COUNCIL QUESTIONNAIRE
2004 JUDICIAL RETENTION
JUDGE RAYMOND M. FUNK

2. I am active in a number of administrative, educational and outreach activities. Currently, I am a training judge for the Fourth Judicial District. Recently, I was the primary organizer of the 2003 Second and Fourth Judicial District Magistrate Training Conferences. I was also a speaker for training programs at both the combined Second and Fourth District Magistrate Conferences and the First Judicial District Conference. I do annual reviews on magistrates and have been involved in hiring and disciplinary actions as well as training. I have also been involved in judicial conference organizing committees in the last few years.

For the past few years I have been a member of the Criminal Jury Instructions Committee. I am also a member of the Mentoring Committee, been trained as a mentor and currently served in that function with Judge Burbank. As part of the mentoring committee, I have been working on a number of outlines for what will eventually be a judicial electronic bench-book. At present, I have drafted outlines on DUI law, Criminal Rule 45, Pre-Accusation Delay, and a general Criminal Jury Trial Outline.

I served for a year on the Russian Rule of Law Committee and was involved in trainings for visiting Russian judges in June of 2002. Regrettably, my other activities have made me unable to be active recently in this area.

I am active in Judicial Outreach, serving on the Law Day committee in 2002 and being involved in school presentations from grade school to working with the University of Alaska Fairbanks Criminal Justice Department. Currently, I do at least a couple of presentations a month on a variety of legal topics. I am an occasional advisor for the Fairbanks and Delta Youth Courts.

Fairbanks does not have a therapeutic court and I have been actively involved in setting one up over the past year.

ALASKA JUDICIAL COUNCIL QUESTIONNAIRE
2004 JUDICIAL RETENTION
JUDGE RAYMOND M. FUNK

3. I greatly enjoy my role as a District Court judge in Fairbanks. I have tried over the five years I have been on the bench to improve myself as a judge and generally to improve the administration of justice in Alaska.

I repeatedly volunteer to do Superior Court cases and have done a number of felony trials as well as a couple of major civil trials. Since shortly after beginning as a judge, I have been doing a number of Superior Court civil case settlement conferences and get great satisfaction in helping resolve cases through settlement conferences, which frees up other judge from trials. Currently I handle over twenty settlement conferences a year.

I greatly enjoy being involved in judicial and magistrate education efforts. In creating outlines for the electronic bench-book and creating interactive training programs for conferences, I believe I am the one who benefits the most since the teacher needs to have the strongest grasp of the material to be able to teach it.

Lastly, I am excited to try to create an alcohol treatment court that follows successful models elsewhere in Alaska. Such a court creates the hope that our streets and homes will be safer from the devastation that alcohol related crimes cause each year.

4. During your most recent term as a judge, have you:
- a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? Yes _____ No xx.

 - b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes _____ No xx.

 - c) engaged in the practice of law (other than as a judge)? Yes _____ No xx.

 - d) held office in any political party? Yes _____ No xx.

 - e) held any other local state or federal office? Yes _____ No xx.

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

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.

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

	<i>Name of Case</i>	<i>Case Number</i>
1	<u>State v. Dennard Hegna</u>	<u>4FA-S03-1772 CR</u>

Attorneys Involved

Name: Elizabeth Crail
Address: District Attorney Office
455 Third Ave. #150
Fairbanks, AK 99701

Name: _____
Address: _____

Name: James Cannon
Address: Public Defender Office
529 Fifth Ave.
Fairbanks, AK 99701

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
2	<u>State v. Kristine Weekly</u>	<u>4FA-S03-1686 CR</u>

Attorneys Involved

Name: David Burglin
Address: District Attorney Office
455 Third Ave. #150
Fairbanks, AK 99701

Name: _____
Address: _____

Name: Abigail Sheldon
Address: Public Defender Office
529 Fifth Ave.
Fairbanks, AK 99701

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	<u>State v. Emmett Hartley</u>	<u>4FA-S03-776 CR</u>

Attorneys Involved

Name: Christy Hepburn
Address: District Attorney Office
455 Third Ave. #150
Fairbanks, AK 99701

Name: _____
Address: _____

Name: William Spiers
Address: Public Defender Office
529 Fifth Ave.
Fairbanks, AK 99701

Name: _____
Address: _____

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

	<i>Name of Case</i>	<i>Case Number</i>
1	<u>Smith v. Griffin</u>	<u>4FA-01-1351 CI</u>

Attorneys Involved

Name: James Hackett
Address: 401 Eleventh Ave.
Fairbanks, AK 99701

Name: _____
Address: _____

Name: Lawrence Reger
Address: PO Box 70508
Fairbanks, AK 99707

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
2	<u>Weldon v. Gianni</u>	<u>4FA-02-1988 CI</u>

Attorneys Involved

Name: Joseph Sheehan
Address: PO Box 70906
Fairbanks, AK 99707

Name: _____
Address: _____

Name: Robert Groseclose
Address: 714 Fourth Ave. #200
Fairbanks, AK 99701

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	<u>Jacobsen Construction v. Fusco</u>	<u>4FA-02-650 CI</u>

Attorneys Involved

Name: Lawrence Reger
Address: PO Box 70508
Fairbanks, AK 99707

Name: _____
Address: _____

Name: James Magoffin
Address: 1301 Turner St.
Fairbanks, AK 99701

Name: _____
Address: _____

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

	<i>Name of Case</i>	<i>Case Number</i>
1	OK Son v. Beck	4BE-03-04 CI

Attorneys Involved

Name: Jim Valcarce
Address: PO Box 409
Bethel, AK 99559

Name: Patrick McKay
Address: 705 Christensen Dr.
Anchorage, AK 99501

Name: David Henderson
Address: PO Box 2441
Bethel, AK 99559

Name: Stacy Walker
Address: 360 K Street #200
Anchorage, AK 99501

Michelle Power, PO Box 585, Bethel, AK 99559

	<i>Name of Case</i>	<i>Case Number</i>
2	J&L Excavating v. Gracik	4FA-03-301 CI

Attorneys Involved

Name: William Satterberg
Address: 709 Fourth Ave.
Fairbanks, AK 99701

Name: Lawrence Reger
Address: PO Box 70508
Fairbanks, AK 99707

Name: _____
Address: _____

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	Bowlin v. Gilmore	4FA-03-958 CI

Attorneys Involved

Name: Valerie Therrien
Address: 779 Eighth Ave.
Fairbanks, AK 99701

Name: Thomas Wickwire
Address: 2775 Hanson Rd.
Fairbanks, AK 99709

Name: _____
Address: _____

Name: _____
Address: _____

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

NONE

1

Name of Case

Case Number

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: _____

J. DISTRICT COURT JUDGE RAYMOND FUNK

1. ALASKA BAR ASSOCIATION

Demographic Description of all Alaska Bar Association Respondents (N=226)

a. <u>Type of Practice:</u>	Private, solo	16.8%
	Private, office of 2-5 attorneys	18.6%
	Private, office of 6 or more attorneys	14.2%
	Private corporate employee	1.3%
	State judge or judicial officer	14.2%
	Government	24.8%
	Public service agency or organization	2.2%
	Other	2.2%
	No Answer	5.8%
b. <u>Years of Experience:</u>	5 Years or fewer	8.4%
	6-10 Years	6.6%
	11-15 Years	13.7%
	16-20 Years	20.4%
	21 Years or more	45.6%
	No Answer	5.3%
c. <u>Gender:</u>	Male	67.3%
	Female	26.5%
	No Answer	6.2%
d. <u>Cases Handled:</u>	Prosecution	4.0%
	Mainly criminal	6.2%
	Mixed criminal and civil	26.5%
	Mainly civil	53.1%
	Other	5.3%
	No Answer	4.9%
e. <u>Location of Practice:</u>	First District	4.0%
	Second District	2.2%
	Third District	51.8%
	Fourth District	34.5%
	Outside Alaska	1.3%
	No Answer	6.2%

Summary of Findings:

Judge Raymond Funk was evaluated by 197 Alaska Bar Association members who reported having direct professional experience with this judge. Of these 197 respondents, 89 (45.2%) had substantial and recent experience, 38 (19.3%) had moderate experience, 52 (26.4%) had limited experience, and 18 (9.1%) did not indicate level of experience. The mean score on the overall evaluation item was 4.2. The highest mean score was obtained on *conduct free from impropriety or appearance of impropriety* (4.3). The lowest mean scores were obtained on *legal and factual analysis* (4.1), *equal treatment of all parties* (4.1), *ability to control courtroom* (4.1), *consideration of all relevant factors in sentencing* (4.1), and *talent and ability for cases involving children and families* (4.1). Details are presented in the two tables that follow.

**Evaluation of District Court Judge Raymond Funk:
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	4	2.1	4	2.1	29	15.3	76	40.0	77	40.5	4.1
Knowledge of substantive law	3	1.6	5	2.7	23	12.6	78	42.6	74	40.4	4.2
Knowledge of evidence and procedure	3	1.7	6	3.4	17	9.6	80	45.2	71	40.1	4.2
Impartiality											
Equal treatment of all parties	5	2.7	9	4.9	22	11.9	68	36.8	81	43.8	4.1
Sense of basic fairness and justice	3	1.6	8	4.4	20	10.9	64	35.0	88	48.1	4.2
Integrity											
Conduct free from impropriety or appearance of impropriety	3	1.6	5	2.7	17	9.2	67	36.2	93	50.3	4.3
Makes decisions without regard to possible public criticism	5	3.0	5	3.0	16	9.6	66	39.5	75	44.9	4.2
Judicial Temperament											
Courtesy, freedom from arrogance	8	4.2	9	4.7	21	11.0	60	31.4	93	48.7	4.2
Human understanding and compassion	5	2.7	7	3.8	20	10.8	64	34.6	89	48.1	4.2
Diligence											
Reasonable promptness in making decisions	3	1.9	4	2.5	23	14.3	65	40.4	66	41.0	4.2
Willingness to work diligently; preparation for hearings	4	2.3	6	3.4	21	12.0	67	38.3	77	44.0	4.2
Special Skills											
Ability to control courtroom	4	2.5	2	1.2	22	13.5	78	47.9	57	35.0	4.1
Settlement skills	4	2.9	3	2.2	17	12.5	44	32.4	68	50.0	4.2
Consideration of all relevant factors in sentencing	4	4.0	3	3.0	11	11.0	41	41.0	41	41.0	4.1
Talent and ability for cases involving children and families	3	4.3	3	4.3	6	8.6	29	41.4	29	41.4	4.1
Overall Evaluation											
Overall evaluation of judge	3	1.6	8	4.2	22	11.5	73	38.0	86	44.8	4.2

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

**Ratings on the “Overall Evaluation” Item for District Court Judge Raymond Funk:
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	12	4.3	8.3	-	8.3	16.7	66.7
Direct Professional Experience	192	4.2	1.6	4.2	11.5	38.0	44.8
Professional Reputation	22	4.3	-	4.5	13.6	31.8	50.0
Social Contacts	3	5.0	-	-	-	-	100.0
Type of Practice							
No Answer	12	4.3	-	8.3	8.3	33.3	50.0
Solo	32	4.3	-	-	18.8	37.5	43.8
2 – 5 Attorneys	39	3.9	2.6	7.7	12.8	48.7	28.2
6+ Attorneys	30	4.1	-	6.7	16.7	36.7	40.0
Corporate	3	4.3	-	-	-	66.7	33.3
Judge or Judicial Officer	27	4.7	-	-	3.7	22.2	74.1
Government	43	4.1	4.7	4.7	9.3	37.2	44.2
Public Service	4	4.5	-	-	-	50.0	50.0
Other	2	4.5	-	-	-	50.0	50.0
Years of Experience							
No Answer	11	4.2	-	9.1	9.1	36.4	45.5
5 Years or fewer	18	4.2	-	11.1	5.6	38.9	44.4
6 – 10 Years	15	4.1	-	-	20.0	46.7	33.3
11 – 15 Years	24	4.0	4.2	-	20.8	41.7	33.3
16 – 20 Years	38	4.3	-	7.9	5.3	39.5	47.4
21 Years or more	86	4.3	2.3	2.3	11.6	34.9	48.8
Gender							
No Answer	13	4.0	-	7.7	23.1	30.8	38.5
Male	131	4.2	2.3	3.8	9.2	37.4	47.3
Female	48	4.2	-	4.2	14.6	41.7	39.6
Cases Handled							
No Answer	10	4.2	-	10.0	10.0	30.0	50.0
Prosecution	9	4.4	-	-	11.1	33.3	55.6
Criminal	12	4.1	16.7	-	-	25.0	58.3
Criminal and Civil	52	4.2	1.9	5.8	13.5	32.7	46.2
Civil	101	4.2	-	4.0	11.9	43.6	40.6
Other	8	4.4	-	-	12.5	37.5	50.0
Location of Practice							
No Answer	13	4.2	-	7.7	7.7	38.5	46.2
First District	5	4.8	-	-	-	20.0	80.0
Second District	3	5.0	-	-	-	-	100.0
Third District	98	4.3	2.0	4.1	7.1	36.7	50.0
Fourth District	72	4.0	1.4	4.2	19.4	43.1	31.9
Outside Alaska	1	5.0	-	-	-	-	100.0
Amount of Experience							
No Answer	17	4.1	5.9	-	11.8	47.1	35.3
Substantial	88	4.1	2.3	6.8	12.5	30.7	47.7
Moderate	38	4.3	-	-	10.5	47.4	42.1
Limited	49	4.3	-	4.1	10.2	40.8	44.9

J. DISTRICT COURT JUDGE RAYMOND FUNK

2. PEACE AND PROBATION OFFICERS

Demographic Description of all Peace and Probation Officer Respondents (N=47)

a. <u>Type of Work:</u>	State Law Enforcement Officer	38.3%
	Municipal/Borough Law Enforcement Officer	27.7%
	Village Public Safety Officer	2.1%
	Probation-Patrol Officer	8.5%
	Other	19.1%
	No Answer	4.3%
b. <u>Years of Experience:</u>	5 Years or fewer	25.5%
	6-10 Years	34.0%
	11-15 Years	14.9%
	16-20 Years	12.8%
	21 Years or more	8.5%
	No Answer	4.3%
c. <u>Gender:</u>	Male	78.7%
	Female	17.0%
	No Answer	4.3%
d. <u>Location of Work:</u>	First District	2.1%
	Second District	2.1%
	Third District	10.6%
	Fourth District	78.7%
	Outside Alaska	0.0%
	No Answer	6.4%
e. <u>Community Population:</u>	Under 2,000	10.6%
	Between 2,000 and 35,000	25.5%
	35,000 or over	59.6%
	No Answer	4.3%

Summary of Findings:

Judge Raymond Funk was evaluated by 37 Peace and Probation Officers who reported having direct professional experience with this judge. Of these 37 respondents, 15 (40.5%) had substantial and recent experience, 8 (21.6%) had moderate experience, 12 (32.3%) had limited experience, and 2 (5.4%) did not indicate level of experience. The mean score on the overall evaluation item was 4.1. The highest mean scores were obtained on *conduct free from impropriety or appearance of impropriety* (4.2), *ability to control courtroom* (4.2), and *consideration of all relevant factors in sentencing* (4.2). The lowest mean score was obtained on *makes decisions without regard to possible public criticism* (4.0). Details are presented in the two tables that follow.

**Evaluation of District Court Judge Raymond Funk:
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	2.8	9	25.0	10	27.8	16	44.4	4.1
Sense of basic fairness and justice	-	-	-	-	10	27.8	11	30.6	15	41.7	4.1
Integrity											
Conduct free from impropriety or appearance of impropriety	-	-	1	2.7	9	24.3	10	27.0	17	45.9	4.2
Makes decisions without regard to possible public criticism	-	-	2	5.6	9	25.0	12	33.3	13	36.1	4.0
Judicial Temperament											
Courtesy, freedom from arrogance	-	-	3	8.1	8	21.6	9	24.3	17	45.9	4.1
Human understanding and compassion	-	-	1	2.8	7	19.4	14	38.9	14	38.9	4.1
Diligence											
Reasonable promptness in making decisions	1	3	-	-	9	27.3	9	27.3	14	42.4	4.1
Willingness to work diligently; preparation for hearings	-	-	1	3.2	7	22.6	11	35.5	12	38.7	4.1
Special Skills											
Ability to control courtroom	-	-	-	-	9	25.7	11	31.4	15	42.9	4.2
Consideration of all relevant factors in sentencing	-	-	-	-	8	26.7	9	30.0	13	43.3	4.2
Talent and ability for cases involving children and families	-	-	1	4.0	6	24.0	8	32.0	10	40.0	4.1
Overall Evaluation											
Overall evaluation of judge	-	-	1	2.8	8	22.2	14	38.9	13	36.1	4.1

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

**Ratings on the “Overall Evaluation” Item for District Court Judge Raymond Funk:
Peace and Probation Officers**

	<i>Total</i>		<i>Poor</i>	<i>Deficient</i>	<i>Acceptable</i>	<i>Good</i>	<i>Excellent</i>
<i>Demographics</i>	<i>n</i>	<i>Mean</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>
Basis for Evaluation							
No Answer	13	3.8	-	7.7	38.5	15.4	38.5
Direct Professional Experience	36	4.1	-	2.8	22.2	38.9	36.1
Professional Reputation	9	4.0	-	-	22.2	55.6	22.2
Social Contacts	1	5.0	-	-	-	-	100.0
Type of Work							
No Answer	2	4.5	-	-	-	50.0	50.0
State Officer	14	4.1	-	-	21.4	42.9	35.7
Municipal/Borough	12	3.9	-	-	33.3	41.7	25.0
Village Public Safety Officer	-	-	-	-	-	-	-
Probation/Parole Officer	3	4.7	-	-	-	33.3	66.7
Other	5	3.8	-	20.0	20.0	20.0	40.0
Years of Experience							
No Answer	2	4.5	-	-	-	50.0	50.0
5 Years or fewer	11	4.4	-	-	9.1	45.5	45.5
6 – 10 Years	11	3.8	-	9.1	18.2	54.5	18.2
11 – 15 Years	5	3.6	-	-	60.0	20.0	20.0
16 – 20 Years	4	4.5	-	-	25.0	-	75.0
21 Years or more	3	4.0	-	-	33.3	33.3	33.3
Gender							
No Answer	2	4.5	-	-	-	50.0	50.0
Male	27	4.1	-	3.7	18.5	44.4	33.3
Female	7	4.0	-	-	42.9	14.3	42.9
Location of Work							
No Answer	3	4.7	-	-	-	33.3	66.7
First District	-	-	-	-	-	-	-
Second District	-	-	-	-	-	-	-
Third District	4	4.5	-	-	-	50.0	50.0
Fourth District	29	4.0	-	3.4	27.6	37.9	31.0
Outside Alaska	-	-	-	-	-	-	-
Population in Community							
No Answer	2	4.5	-	-	-	50.0	50.0
Under 2,000	3	4.3	-	-	-	66.7	33.3
2,000-35,000	8	4.1	-	-	25.0	37.5	37.5
Over 35,000	23	4.0	-	4.3	26.1	34.8	34.8
Amount of Experience							
No Answer	2	4.0	-	-	-	100.0	-
Substantial	15	4.1	-	6.7	20.0	33.3	40.0
Moderate	8	4.0	-	-	37.5	25.0	37.5
Limited	11	4.2	-	-	18.2	45.5	36.4

J. DISTRICT COURT JUDGE RAYMOND FUNK

3. SOCIAL WORKERS/GUARDIANS AD LITEM/CASA VOLUNTEERS

Demographic Description of all Social Workers/GAL/CASA Respondents (N=4)

a.	<u>Type of Work:</u>	Social Worker	50.0%
		Guardian ad Litem	0.0%
		CASA Volunteer	50.0%
		Other	0.0%
		No Answer	0.0%
b.	<u>Years of Experience:</u>	5 Years or fewer	75.0%
		6-10 Years	25.0%
		11-15 Years	0.0%
		16-20 Years	0.0%
		21 Years or more	0.0%
		No Answer	0.0%
c.	<u>Gender:</u>	Male	0.0%
		Female	100.0%
		No Answer	0.0%
d.	<u>Location of Work:</u>	First District	0.0%
		Second District	0.0%
		Third District	25.0%
		Fourth District	75.0%
		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 Raymond Funk was evaluated by a total of 3 Social Workers, Guardians ad Litem, and CASA volunteers who reported having direct professional experience with this judge. Of these 3 respondents, 0 (0.0%) had substantial and recent experience, 0 (0.0%) had moderate experience, 3 (100%) had limited experience, and 0 (0.0%) did not indicate level of experience. The mean score on the overall evaluation item was 3.7. The highest mean scores were obtained on *equal treatment of all parties* (4.0), *sense of basic fairness and justice* (4.0), *conduct free from impropriety or appearance of impropriety* (4.0), *courtesy, freedom from arrogance* (4.0), *ability to control courtroom* (4.0), and *settlement skills* (4.0). The lowest mean scores were obtained on *reasonable promptness in making decisions* (3.5), *willingness to work diligently; preparation for hearings* (3.5), and *talent and ability for cases involving children and families* (3.5). Details are presented in the two tables that follow.

**Evaluation of District Court Judge Raymond Funk:
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	-	-	-	-	1	33.3	1	33.3	1	33.3	4.0
Sense of basic fairness and justice	-	-	-	-	1	33.3	1	33.3	1	33.3	4.0
Integrity											
Conduct free from impropriety or appearance of impropriety	-	-	-	-	1	33.3	1	33.3	1	33.3	4.0
Judicial Temperament											
Courtesy, freedom from arrogance	-	-	-	-	1	33.3	1	33.3	1	33.3	4.0
Human understanding and compassion	-	-	-	-	2	66.7	-	-	1	33.3	3.7
Diligence											
Reasonable promptness in making decisions	-	-	-	-	1	50.0	1	50.0	-	-	3.5
Willingness to work diligently; preparation for hearings	-	-	-	-	1	50.0	1	50.0	-	-	3.5
Special Skills											
Ability to control courtroom	-	-	-	-	1	33.3	1	33.3	1	33.3	4.0
Settlement skills	-	-	-	-	1	50.0	-	-	1	50.0	4.0
Talent and ability for cases involving children and families	-	-	1	50.0	-	-	-	-	1	50.0	3.5
Overall Evaluation											
Overall evaluation of judge	-	-	-	-	2	66.7	-	-	1	33.3	3.7

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

**Ratings on the “Overall Evaluation” Item for District Court Judge Raymond Funk:
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	3	3.7	-	-	66.7	-	33.3
Professional Reputation	-	-	-	-	-	-	-
Social Contacts	-	-	-	-	-	-	-
Type of Work							
No Answer	-	-	-	-	-	-	-
Social Worker	2	4.0	-	-	50.0	-	50.0
Guardian ad Litem	-	-	-	-	-	-	-
CASA Volunteer	1	3.0	-	-	100.0	-	-
Other	-	-	-	-	-	-	-
Years of Experience							
No Answer	-	-	-	-	-	-	-
5 Years or fewer	2	3.0	-	-	100.0	-	-
6 – 10 Years	1	5.0	-	-	-	-	100.0
11 – 15 Years	-	-	-	-	-	-	-
16 – 20 Years	-	-	-	-	-	-	-
21 Years or more	-	-	-	-	-	-	-
Gender							
No Answer	-	-	-	-	-	-	-
Male	-	-	-	-	-	-	-
Female	3	3.7	-	-	66.7	-	33.3
Location of Work							
No Answer	-	-	-	-	-	-	-
First District	-	-	-	-	-	-	-
Second District	-	-	-	-	-	-	-
Third District	1	3.0	-	-	100.0	-	-
Fourth District	2	4.0	-	-	50.0	-	50.0
Outside Alaska	-	-	-	-	-	-	-
Population of Community							
No Answer	-	-	-	-	-	-	-
Under 2,000	-	-	-	-	-	-	-
2,000-35,000	-	-	-	-	-	-	-
Over 35,000	3	3.7	-	-	66.7	-	33.3
Amount of Experience							
No Answer	-	-	-	-	-	-	-
Substantial	-	-	-	-	-	-	-
Moderate	-	-	-	-	-	-	-
Limited	3	3.7	-	-	66.7	-	33.3

**Table 6:
Juror Survey Results for Raymond Funk
2004 Alaska Judicial Council Retention Juror Survey**

Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Unacceptable % (n)	Mean	Total returned = 186
Was the judge fair and impartial to all sides in the case?	77% 143	19% 35	4% 7	1% 1	0% 0	4.7	186
Was the judge respectful and courteous?	83% 155	11% 21	4% 8	1% 2	0% 0	4.8	186
Was the judge attentive during proceedings?	78% 145	16% 29	6% 11	1% 1	0% 0	4.7	186
Did the judge exercise appropriate control over the proceedings?	82% 151	12% 23	5% 9	1% 2	0% 0	4.8	185
How would you evaluate the judge's intelligence and skill as a judge?	76% 141	18% 33	3% 6	3% 5	0% 0	4.7	185
How would you evaluate the judge overall?	77% 143	17% 32	3% 5	3% 5	0% 0	4.7	185

**Table 5: Court Employee Survey Results for Raymond Funk
 2004 Alaska Judicial Council Retention Court Employee Survey**

Question	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Mean	Total returned = 57
Does this judge treat court staff with respect?	53% 29	31% 17	6% 3	9% 5	2% 1	4.2	55
Does this judge treat other people with respect?	56% 30	26% 14	13% 7	4% 2	2% 1	4.3	54
Does this judge manage the caseload and staff capably and effectively?	63% 26	17% 7	17% 7	2% 1	0% 0	4.4	41
Does this judge work diligently and act promptly on matters that need attention?	66% 31	28% 13	4% 2	2% 1	0% 0	4.6	47
Does this judge act with integrity?	73% 38	19% 10	6% 3	2% 1	0% 0	4.6	52
Does this judge act with fairness and impartiality?	72% 36	22% 11	4% 2	2% 1	0% 0	4.6	50
Does this judge have the ability to control the courtroom?	73% 32	21% 9	5% 2	2% 1	0% 0	4.6	44
Overall evaluation of the judge's performance.	61% 33	30% 16	7% 4	2% 1	0% 0	4.5	54



alaska judicial council

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MEMORANDUM

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

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

Judge Funk previously stood for retention in 2000. He was evaluated with the other non-retention judges in 2002.

Judge Funk applied for and was appointed to the Fairbanks District Court in 1998.

Judge Raymond Funk Appointed to Fairbanks District Court 4/16/98						
	2004 Retention		2002 Retention Preview		2000 Retention	
	Bar	PPO	Bar	PPO	Bar	PPO
Legal Ability	4.2	—	4.0	—	4.1	—
Integrity	4.2	4.1	4.1	4.3	4.3	4.0
Fairness	4.3	4.1	4.4	4.3	4.3	4.1
Judicial Temperament	4.2	4.1	4.1	4.3	4.3	4.3
Diligence	4.2	4.1	4.1	4.3	4.2	4.1
Special Skills	4.1	4.2	—	—	4.3	4.0
Overall Performance	4.2	4.1	4.1	4.3	4.2	4.2