Alaska Judicial Council Recommendation Judge William L. Estelle, District Court, Palmer

Judicial Council Recommendation

The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska constitution, evaluates judges on a number of criteria, including their legal ability, demeanor, their diligence, their ability to manage their caseloads, and their fairness and integrity. The Judicial Council, finds Judge Estelle to be *Qualified* and recommends unanimously that the public vote "Yes" to retain him as a district court judge.

Judicial Council Evaluation

The Judicial Council surveyed 3,036 attorneys, 1,492 peace and probation officers, social workers/guardians ad litem, and child advocates, jurors, and court employees about the judges on the ballot. Respondents were asked to rate judicial performance and to submit comments. The Council also reviewed the ratings and observations of the Alaska Judicial Observers, independent community-based volunteers. The Council reviewed court system records concerning peremptory challenges, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files; and whether a judge's pay was withheld for an untimely decision. The Council investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, court staff, and others. The Council held a statewide public hearing to obtain comments about judges.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem CASAs
Legal Ability	3.8				
Impartiality	3.8	3.7	4.9	3.5	
Integrity	4.0	4.1		3.4	
Temperament	3.8	3.5	4.9	3.2	
Diligence	3.8	3.9		3.0	
Overall	3.8	3.7	4.9	3.3	

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

Summary of Survey Information

Attorneys in Alaska rated Judge Estelle on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Estelle on overall performance was 3.8. Peace and probation officers rated Judge Estelle on five categories, using the 5-point scale above. They gave Judge Estelle a rating of 3.7.

Three other groups were also asked to evaluate Judge Estelle's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.9, and court employees gave him 3.3. There were no responses from social workers, guardians ad litem and CASA volunteers.

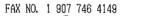
Recommendation: Vote "YES" to retain Judge William L. Estelle

Contact the Judicial Council at 1029 W. Third Avenue, 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 2006

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EXECUTIVE DIRECTOR Larry Cohn

NON-ATTORNEY MEMBERS Eleanor Andrews Bill Gorcon Christens Williams

Alaska Judicial Council Questionnaire

ATTORNEY MEMBERS Douglas Baily Robert B Groseclose Susan Orlansky CHAIR, EX OFFICIÓ

Alexander D Bryner Chief Justos Supreme Court

Trial Judge 2006 Candidates for Judicial Retention

November 21, 2005

ç William RILE Name

Palmer Distoict Court

1. Describe your workload during your present term.

> <u>20</u>% Civil Cases a) 80 % Criminal Cases % Court Administrative 100 % Total

b) $\underline{8-10}$ # of trials/year <u>B-10</u># of trais/year <u># Administrative Appeals</u> 200 Traffic and Small Claum S

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

Palmer Mental Health Court Planning Committee Porks Baul Forfeit Schedule review Committee
Committee
Parks Baul Forfeit Schedule review Committee

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3. 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.

 \leq xee Attached L

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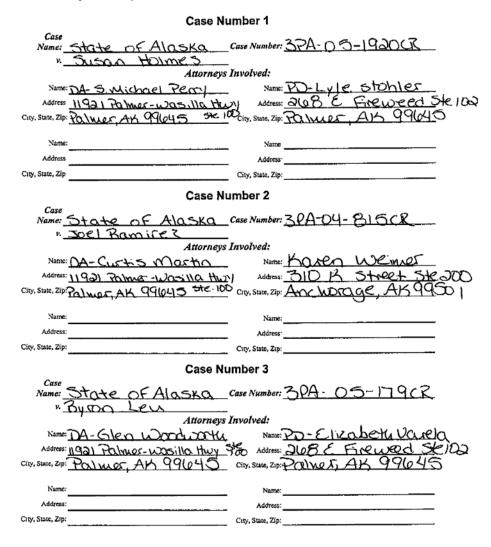
- During your most recent term as a judge, have you: 4.
 - a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? Yes _____ No ____.
 - b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes ____ 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 ____.
- 5. If your answer to any of the questions above is "yes," please give full details, including dates, facts, case numbers and outcomes.

Wit in Quiet title re: Mother's property and _ Unche's Estate I am a witness in a quiet title case involving my mother's poperty and my worke's estate (3PA-05-2018CI, Ruth Estelle et al US Estate & Paul Ellis filed 12-20-05)

Please provide any other information which you believe would assist the Council in 6. conducting its evaluations and in preparing its recommendations for the 2006 retention elections.

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 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.)



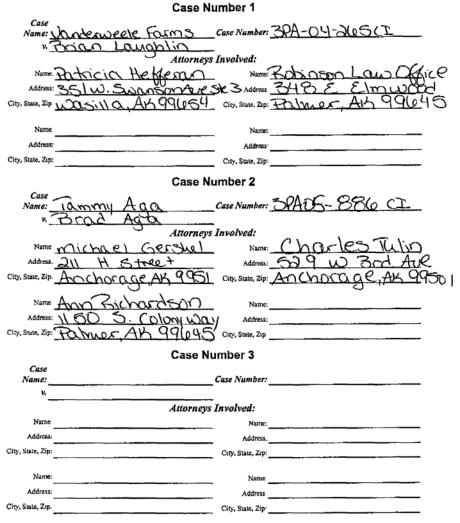
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 Please list the names and case numbers of the three most recent non-jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary)

Case Number 1
Case Name: <u>TIMOTHY & MORTHO COUL</u> Case Number: <u>3PA-02-1503 CL</u> N. <u>Michael La Duke</u> Attorneys Involved: Name: <u>Ben Whipple</u> Name: <u>Grant Stawart</u> Address: <u>481 W Arctic</u> Address: <u>4900 Palmer-Wasilla 64007</u> City, State, Zip: <u>Palmer, AK 99645</u> City, State, Zip: <u>Wasilla, AK 99654</u>
Name:
Address:
City, State, Zip.
Case Number 2
Case Name: MEA * <u>BDOOLD WOKEF Et.Q.</u> Attorneys Involved: Name: Bichard Deuser Name: Bichard Deuser
Name: Richard Deuser Name: DD Per-Christin Rye Address 1075 Cherk St Steade Address: 426 S. Cobb St Apt G City, State, Zip: Wasilla, AK 99654 City, State, Zip. Palmer, AK 99645
Name:
Address:
City, State, Zip.
Case Number 3
Case Name: State of Alaska Case Number: 37A-04-3329CR R. Gilbert Guzman Attorneys Involved:
Name AST-DOUG MOSSIE Address: <u>ADIMONT TOOPER POST</u> City, State, Zip. <u>4635.000000000000000000000000000000000000</u>
Name:Name:
Address: Address:
City, State, Zip:

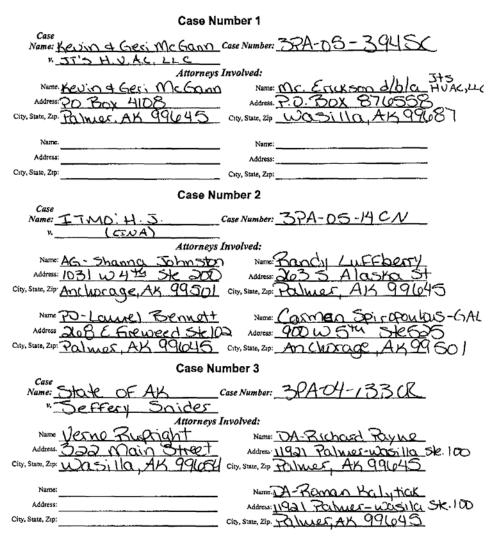
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9. Please list the names and case numbers of the three most recent cases which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.), identify the attorneys involved, and show their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



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10. 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.)



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3. I am quite happy in this job and with my performance. My work so far has gone smoothly, and is getting faster. I have worked to get additional training in the area of mental health court issues. I have worked to help establish a mental health court in Palmer. I anticipate further professional development in this area in 2006.

I have taken a fresh look a many of the local District Court procedures that either do not comply with statutes or court rules, or work unnecessary hardship on citizens. Specifically, we are taking action to improve the use of legal process to compel attendance, the basis for bail decisions, and the handling of bail forfeiture set-aside and remission hearings. As a Superior Court Pro Tem Judge, I have accepted assignment to felony trials and am currently doing my first Child in Need of Aid trial.

STATEMENT:

I love working in the District Court. We are the "ounce of prevention" court. We deal with the majority of the courts' cases and deal with the widest variety of human misfortune. We look, largely, for the "silver lining" in each case, under the theory that the most telling feature of a case is what the individual person learns that helps them avoid coming back to court (until they get a juror summons.)

I am privileged to serve the community where I was born and raised. As the Matanuska and Susitna Valleys grow in population, the court filings also grow. Managing growth through innovations such as our new "Evening Court" for traffic matters has been well received by those citizens and officers who are either working or sleeping during the daytime court hours.

In addition, our new Mental Health Court process (Palmer Coordinated Resources Project or CRP) provides a treatment-oriented alternative to the regular Misdemeanor Trial and Jail phases. Instead, these folks must commit to a long-term treatment plan. Then, the CRP case manager provides an appropriate level of treatment-oriented structure and support. The court has brief, regular, periodic review hearings to assess progress. There, the court reviews achievements, set backs and plans. After hearing from the parties and professionals, the court may order adjustments in levels or frequency of contacts. This category of offenders are often more expensive to protect in a prison setting. However, getting a commitment to long-term, hard, structured work, on their particular issues, generates far more than just financial benefits - benefits to self, f amily, friends and neighbors are greater. When they come to court as a group to review their achievements and successes, the positive orientation toward the future seems contagious. The growing confidence, health and self-respect that show on the faces of these folks are its own reward to the court.

During my years as a trial lawyer, it seemed to me that the three things people remembered most, about their court experience, were whether they were treated with respect, whether anyone listened to them, and whether they got a fair result. Patience, respect and understanding go a long way toward helping people in difficulty to see their way out of trouble and to a better future. Measuring future "trouble avoided" is impossible. However, to the community, families, victims and individuals involved, the effects of tragedies avoided are quite real and positive.

Looking forward, I hope to continue to serve my community in my professional capacity. I want to continue to do what I can to improve the quality of experience, quality of outcomes and the quality of legal practice in the Palmer Trial Courts. Thank you.

49. DISTRICT COURT JUDGE WILLIAM L. ESTELLE

A. Alaska Bar Association

Demographic Description (N=144)

		Ν	%
Type of Practice			
	No Response	5	3.4%
	Private, Solo	34	23.6%
	Private, 2-5 Attorneys	22	15.2%
	Private, 6+ Attorneys	15	10.4%
	Private, Corporate Employee	4	2.7%
	State Judge or Judicial Officer	17	11.8%
	Government	41	28.4%
	Public Service Agency or Organization (not govt)	3	2.0%
	Other	3	2.0%
Length of Alaska Practice			
	No Response	6	4.1%
	5 Years or fewer	17	11.8%
	6 to 10 years	17	11.89
	11 to 15 years	24	16.6%
	16 to 20 years	23	15.9%
	21 years or more	57	39.5%
Gender			
	No Response	5	3.4%
	Male	102	70.8%
	Female	37	25.6%
Cases Handled			
	No Response	6	4.1%
	Prosecution	17	11.8%
	Mainly Criminal	20	13.8%
	Mixed Criminal & Civil	53	36.8%
	Mainly Civil	44	30.5%
	Other	4	2.7%
Location of Practice			
	No Response	4	2.7%
	First District	4	2.7%
	Second District	2	1.39
	Third District	125	86.8%
	Fourth District	7	4.8%
	Outside of Alaska	2	1.39

Evaluation of Judge William L. Estelle: Alaska Bar Association Members

Summary of Findings

Judge William L. Estelle was evaluated by 117 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.8. The highest mean score was obtained on *integrity* (4.0) and all the remaining areas obtained a score of 3.8. Details are present in the two tables that follow.

	Poor		Deficient		A	ccept	G	food	Ex		
	Ν	%	N	%	Ν	%	Ν	%	N	%	Mean
Legal Ability	5	4.2%	6	5.1%	30	25.6%	43	36.7%	33	28.2%	3.8
Impartiality/Fairness	5	4.2%	8	6.8%	29	24.7%	37	31.6%	38	32.4%	3.8
Integrity	4	3.4%	2	1.7%	26	22.4%	37	31.8%	47	40.5%	4.0
Judicial Temperament	6	5.2%	9	7.8%	31	26.9%	27	23.4%	42	36.5%	3.8
Diligence	5	4.3%	5	4.3%	32	27.5%	35	30.1%	39	33.6%	3.8
Overall Rating	6	5.1%	7	6.0%	31	26.7%	36	31.0%	36	31.0%	3.8

Judge William L. Estelle: Detailed Information Responses Alaska Bar Association Members

	T1	. 1. •1•4	Impar	-		•.	Judi		Ove			
	Legal A Mean	ADIIIty N	Fair Mean	ness N	Integ Mean	rity N	Temper Mean	rament N	Dilig Mean	ence N	Rat Mean	.ing N
Basis for Evaluation of Judge	Witcall	1	wican	14	Witan	1	Witcall	1	Witan	14	Witcall	11
No Response	4.0	3	3.7	3	4.3	3	3.7	3	4.0	3	3.7	3
Direct Professional	3.8	117	3.8	117	4.0	116	3.8	115	3.8	116	3.8	116
Professional Reputation	3.8	19	3.9	19	4.2	19	4.1	18	3.8	18	3.8	19
Other Personal Contacts	4.4	5	4.4	5	4.4	5	4.4	5	4.4	5	4.4	5
Type of Practice												
No Response	3.4	5	3.6	5	3.6	5	3.6	5	3.2	5	3.4	5
Private, Solo	3.7	27	3.9	27	4.1	26	3.8	27	3.7	27	3.8	27
Private, 2-5 Attorneys	3.8	21	4.2	20	4.2	20	4.3	20	3.9	21	3.9	20
Private, 6+ Attorneys	4.0	11	3.5	12	3.9	11	3.8	11	4.1	11	3.6	11
Private, Corporate Employee	1.5	2	1.5	2	1.5	2	1.5	2	1.5	2	1.5	2
State Judge or Judicial Officer	4.4	13	4.3	13	4.4	13	4.2	13	4.5	12	4.3	13
Government	3.7	34	3.5	33	3.9	34	3.4	32	3.8	34	3.6	34
Public Service Agency or Organization												
(not govt)	4.0	1	4.5	2	4.5	2	4.0	2	5.0	1	5.0	1
Other	4.3	3	4.3	3	4.7	3	4.7	3	4.7	3	4.7	3
Years Experience												
No Response	4.0	5	3.7	6	4.0	5	3.8	5	3.8	5	3.8	5
5 Years or fewer	3.4	15	3.5	15	3.7	15	3.1	14	3.4	15	3.4	15
6 to 10 years	3.5	14	3.5	14	3.9	14	3.5	14	3.7	14	3.6	14
11 to 15 years	4.0	21	4.0	21	4.3	20	4.3	21	4.2	21	4.0	21
16 to 20 years	3.7	19	3.6	19	3.7	19	3.4	19	3.6	18	3.5	19
21 years or more	4.0	43	4.1	42	4.2	43	4.0	42	4.0	43	4.0	42
Gender												
No Response	3.4	5	3.6	5	3.6	5	3.6	5	3.2	5	3.4	5
Male	3.9	80	3.9	79	4.1	79	3.9	78	3.9	79	3.8	79
Female	3.6	32	3.5	33	3.9	32	3.6	32	3.8	32	3.6	32
Majority of Practice Consists of												
No Response	3.7	6	3.8	6	3.8	6	3.8	6	3.5	6	3.7	ϵ
Prosecution	4.3	12	4.0	11	4.3	12	3.6	10	4.0	12	3.9	12
Mainly Criminal	3.7	17	3.2	18	3.8	17	3.6	17	3.8	17	3.5	16
Mixed Criminal & Civil	3.8	45	3.8	45	4.1	44	3.8	45	4.0	44	3.8	45
Mainly Civil	3.7	34	4.1	34	4.1	34	4.0	34	3.7	34	3.8	34
Other	3.3	3	3.3	3	4.0	3	3.3	3	3.7	3	3.7	3
Location of Practice												
No Response	3.8	4	3.8	4	3.8	4	3.8	4	3.8	4	3.8	4
First District	3.0	2	4.0	2	4.0	2	3.5	2	2.5	2	3.0	2
Second District	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Third District	3.8	103	3.8	103	4.0	102	3.8	101	3.9	102	3.7	102
Fourth District	4.0	6	4.0	6	4.3	6	4.0	6	4.0	6	4.0	6
Outside of Alaska	4.0	1	5.0	1	5.0	1	5.0	1	4.0	1	5.0	1

49. DISTRICT COURT JUDGE WILLIAM L. ESTELLE

B. Peace and Probation Officers

Demographic Description (N=36)

		Ν	%
Type of Work			
	No Response		(
	State Law Enforcement Officer	15	41.6%
	Municipal/Borough Law Enforcement Officer	12	33.3%
	Village Public Safety Officer (VPSO)		(
	Probation/Parole Officer	9	25.0%
	Other		(
Length of Alaska Experience			
	No Response	1	2.7%
	5 Years or fewer	15	41.6%
	6 to 10 years	8	22.2%
	11 to 15 years	4	11.1%
	16 to 20 years	1	2.7%
	21 years or more	7	19.4%
Gender			
	No Response		(
	Male	27	75.0%
	Female	9	25.0%
Location of Practice			
	No Response		(
	First District		(
	Second District		(
	Third District	36	100.0%
	Fourth District		(
	Outside of Alaska		(
Community Population			
	No Response		(
	Under 2,000	1	2.7%
	Between 2,000 and 35,000	20	55.5%
	Over 35,000	15	41.6%

Evaluation of Judge William L. Estelle Peace and Probation Officers

Summary of Findings

Judge William L. Estelle was evaluated by 31 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.7. The highest mean score was obtained on *integrity* (4.1) and lowest score was obtained on *judicial temperament* (3.5). Details are present in the two tables that follow.

	Poor		Deficient		Acce	ept	Go	od	Excel		
	Ν	%	Ν	%	Ν	%	N	%	Ν	%	Mean
Impartiality/Fairness	1	3.2%	2	6.4%	9	29.0%	11	35.4%	8	25.8%	3.7
Integrity		0		0	10	33.3%	8	26.6%	12	40.0%	4.1
Judicial Temperament		0	6	20.0%	8	26.6%	11	36.6%	5	16.6%	3.5
Diligence		0	2	6.6%	8	26.6%	12	40.0%	8	26.6%	3.9
Overall Rating		0	2	6.8%	12	41.3%	9	31.0%	6	20.6%	3.7

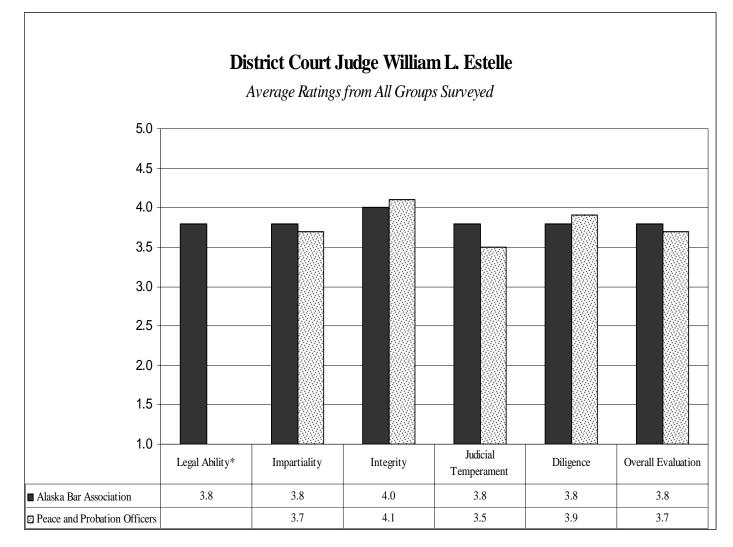
Judge William L. Estelle: Detailed Information on Responses Peace and Probation Officers

	Impart Fairı	-			Judi				Over	
	Mean	ness N	Integ Mean	rity N	Temper Mean	ament N	Diligo Mean	ence N	Rati Mean	ing N
Basis for Evaluation of Judge	wittan	19	Witan	1	wittan	1	Wican	1	Witan	19
No Response	3.5	2	4.0	2	4.0	2	4.0	2	4.0	2
Direct Professional	3.3 3.7	31	4.1	30	3.5	30	3.9	30	3.7	29
Professional Reputation	4.2	5	4.2	5	4.2	5	4.2	5	4.2	5
Other Personal Contacts		0		0		0		0		0
Type of Work		Ŭ		0		Ū		Ū		Ŭ
No Response		0		0		0		0		0
State Law Enforcement Officer	3.6	15	4.1	15	3.4	14	3.8	15	3.5	13
Municipal/Borough Law Enforcement Officer	3.9	10	4.1	9	3.7	10	3.7	9	3.7	10
Village Public Safety Officer (VPSO)		0		0		0		0		0
Probation/Parole Officer	3.8	6	4.0	6	3.5	6	4.3	6	3.8	6
Other		0		0		0		0		0
Years Experience		÷								
No Response	3.0	1		0	3.0	1		0	3.0	1
5 Years or fewer	3.8	12	4.2	12	3.7	12	4.0	12	3.8	12
6 to 10 years	4.0	7	4.4	7	3.9	7	4.4	7	4.0	6
11 to 15 years	4.0	3	4.0	3	3.5	2	4.0	3	3.5	2
16 to 20 years	3.0	1	3.0	1	3.0	1	3.0	1	3.0	1
21 years or more	3.4	7	3.7	7	3.0	7	3.1	7	3.3	7
Gender										
No Response		0		0		0		0		0
Male	3.7	24	4.1	23	3.4	23	3.7	23	3.6	22
Female	4.0	7	4.0	7	3.7	7	4.3	7	3.9	7
Location of Practice										
No Response		0		0		0		0		0
First District		0		0		0		0		0
Second District		0		0		0		0		0
Third District	3.7	31	4.1	30	3.5	30	3.9	30	3.7	29
Fourth District		0		0		0		0		0
Outside of Alaska		0		0		0		0		0
Community Population										
No Response		0		0		0		0		0
Under 2,000	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Between 2,000 and 35,000	3.7	18	4.1	17	3.6	18	3.9	17	3.6	17
Over 35,000	3.7	12	3.9	12	3.2	11	3.8	12	3.5	11

49. DISTRICT COURT JUDGE WILLIAM L. ESTELLE

C. Social Workers, Guardians ad Litem, and CASA Volunteers

There were no responses from this group for Judge William L. Estelle.



*Legal Ability items are only completed by Alaska Bar Association members.

	Juror Survey Results 2006 Retention Evaluation William L. Estelle													
Distribution of Ratings														
Survey Category	Mean	Exce %	llent (n)	Go %	ood (n)	Acce %	ptable (n)	Defie %	cient (n)	Pc %	oor (n)	Total Returned = 15		
Impartiality/Fairness	4.9	93%	14	7%	1	0%	0	0%	0	0%	0	15		
Respectful/Courteous	4.9	93%	14	7%	1	0%	0	0%	0	0%	0	15		
Attentive during Proceedings	4.7	67%	10	33%	5	0%	0	0%	0	0%	0	15		
Control over Proceedings	4.9	93%	14	7%	1	0%	0	0%	0	0%	0	15		
Intelligence/Skill as a Judge	4.7	73%	11	27%	4	0%	0	0%	0	0%	0	15		
Overall Evaluation	4.9	87%	13	13%	2	0%	0	0%	0	0%	0	15		

	Court Employee Survey Results 2006 Retention Evaluation William Estelle												
Distribution of Ratings													
Survey Category	Mean	Exce %	ellent (n)	Go %	od (n)	Acce %	ptable (n)	Defic %	ient (n)	Po %	oor (n)	Total Returned = 21	
Impartiality/Fairness	3.5	19%	4	29%	6	24%	5	24%	5	0%	0	20	
Integrity	3.4	24%	5	29%	6	24%	5	14%	3	10%	2	21	
Judicial Temperament	3.2	19%	4	33%	7	14%	3	5%	1	24%	5	20	
Diligence	3.0	24%	5	19%	4	10%	2	24%	5	24%	5	21	
Overall Evaluation	3.3	29%	6	24%	5	19%	4	10%	2	19%	4	21	