Alaska Judicial Council Recommendation Judge Gregory Louis Heath, 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 Heath 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	3.9				
Impartiality	4.1	3.9	4.9	4.4	
Integrity	4.2	4.2		4.5	
Temperament	4.1	4.0	4.9	4.3	
Diligence	4.0	3.9		4.3	
Overall	4.1	3.9	4.8	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

Summary of Survey Information

Attorneys in Alaska rated Judge Heath on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Heath on overall performance was 4.1. Peace and probation officers rated Judge Heath on five categories, using the 5-point scale above. They gave Judge Heath a rating of 3.9.

Four other groups were also asked to evaluate Judge Heath's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.8, and court employees gave him 4.5 There were no responses from social workers, guardians ad litem and CASA volunteers. The Alaska Judicial Observers rated him 3.1.

Recommendation: Vote "YES" to retain Judge Gregory Louis Heath

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

JAN-03-2006 TUE 11:55 AM AK_COURT SYSTEM FAX NO. 1 907 746 4149 P. 01/10 RECEIVED JAN 3 2006 ALASKA JUDICIAL COUNCIL alaska judicial 1 1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969 (907) 279-2526 FAX (907) 276-5046 http://www.ajc.state.ak.us E-Mail: postmaster@ajc.state.ak.us EXECUTIVE DIRECTOR Larry Cohra NON-ATTORNEY MEMBERS Eleanor Andrewa Bill Gondon Christena Williams ATTORNEY MEMBERS Alaska Judicial Council Couglas Baily Robert B. Groseciosa Susan Driansky Questionnaire ÓHAIR, EX OFFICIÓ Trial Judge Alexander G, Bryner Gnief Justice 2006 Candidates for Judicial Retention Supreme Court November 21, 2005 <u>Cregory L Hearth</u> Name <u>Court</u> Describe your workload during your present term. a) <u>20</u> % Civil Cases <u>FO</u> % Criminal Cases <u>Small</u> claims interfect trials feat # Administrative Appeals 1. **PO** % Criminal Cases % 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.

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Alaska Judicial Council Trial Judge Questionnaire 2006 Retention

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.

See ATTAched.

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Alaska Judicial Council
Trial Judge Questionnaire
2006 Retention

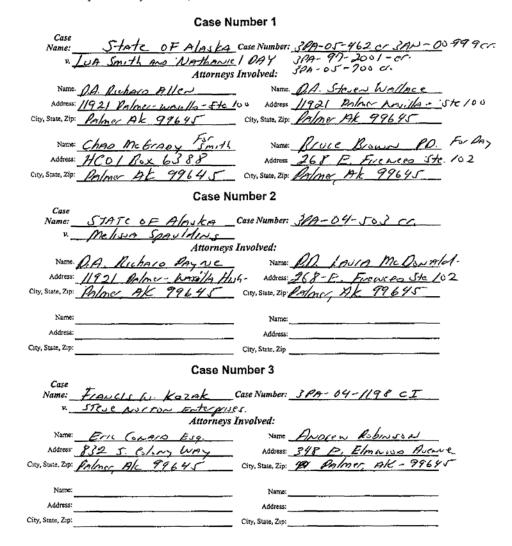
- During your most recent term as a judge, have you:
 - a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? Yes _____ No ____.
 - b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes _____ 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.

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

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Alaska Judicial Council Trial Judge Questionnaire 2006 Retention

> 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 adamonal pages if necessary.)



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Alaska Judiciał Councił Trial Judge Questionnaire 2006 Retention

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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 occessary.)

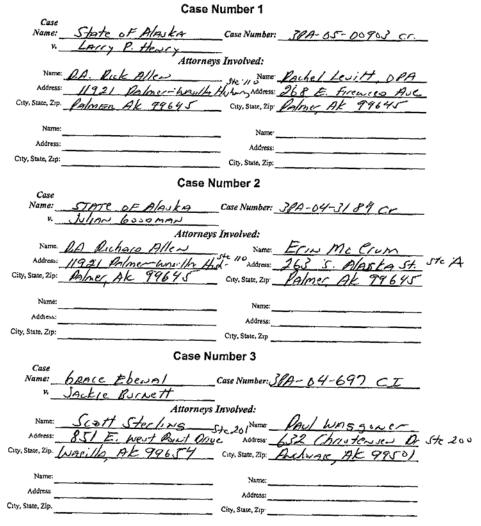
Case Nur	nber 1
Case Name: Larry PeetC	ase Number: <u>3PA-04-817(II</u>
" Christine Jordan	
Attorneys It	wolved:
	Name:
	Address:
City, State, Zip: Wasilla, AK 99(254	City, State, Zip:
Name: AD PER-CHRISTING JORAGA	Name
Address DOBOX 810292	Address
City, State, Zip: WASIK, AK 99687	City, State, Zip:
Case Nun	nber 2
Case Name: Nicoleue Jordan C	ase Number: <u>3-7A - D4 - 782 C7</u>
Attorneys In	wolved:
Name: ROSS KOPPered	
Address POBOX 201	Address 4001 JUSD again
City, State, Zip Palmer, AK 99645	city, suzz, zip: <u>Anghorage, AK 9951</u> 7
Name	Name:
Address	Address:
City, State, Zip:	City, State, Zip:
Case Nun	
Case Name: ITW: D.WCa	ise Number: <u>3PA-05-94 C A)</u>
Attorneys In	volved:
Name A(Sohnexon	Name PD-LOUSE BRONET
Address: 1031 W Fourth Ave Star	D Address 268 E Fire weed Ste 102
City, State, Zip: <u>Anchorage</u>	City, State, Zip <u>FAILURE</u> , AB 99645
Name:	Name Bandy LUFEDERCY
Address	Address: 203 5. Alaska St
City, State, Zip:	City, State, Zip: Palmer AK 99645

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Alaska Judicial Council Trial Judge Questionnaire 2006 Retention

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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 addresses)



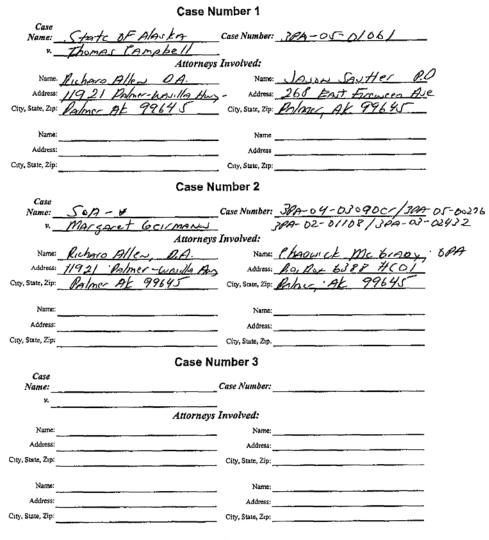
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10. If you deem it helpful to the Council, please list the name, case number and attorneys' names and current addresses of any other cases during your judicial career in which you believe your work was particularly noteworthy. (Attach additional pages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



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Question Number Two:

Throughout my service in the court system, my primary judicial outreach has been implementing and overseeing the Palmer Coordinated Resource Program (CRP). The CRP is a therapeutic court that handles cases with defendants who have cognitive or mental disabilities. The court is proving to be a major success in reducing recidivism. My involvement not only includes managing court procedures but also educating the community concerning the value of the CRP. I look forward to continuing to work with this significant program and similarly participating in a drug and alcohol court when one is established in Palmer.

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Question Number Three:

In December of 2005, I completed my second year as District Court Judge. It has been my honor to serve the Matanuska-Susitna community and the State of Alaska. In the District Court, most Alaskans experience their first contact with the judicial system. It is my belief that all individuals who come before the court deserve to be treated with dignity and respect. Therefore, I have diligently worked to enhance the administration of justice and the accessibility of the judicial system to the public. It is imperative to the integrity of the system and the individuals involved that every case be reviewed with acute attentiveness and conscientious consideration, My ultimate goal is to demonstrate assiduous care as I listen and assess criminal and civil cases. I hope that each person who appears in my court walks away from the process feeling they had an opportunity to express their state of affairs and knowing that I regarded them with respect.

50. DISTRICT COURT JUDGE GREGORY LOUIS HEATH

A. Alaska Bar Association

Demographic Description (N=64)

		Ν	%
Type of Practice			
	No Response	3	4.6%
	Private, Solo	18	28.1%
	Private, 2-5 Attorneys	8	12.5%
	Private, 6+ Attorneys	1	1.5%
	Private, Corporate Employee	1	1.5%
	State Judge or Judicial Officer	9	14.0%
	Government	21	32.8%
	Public Service Agency or Organization (not govt)	1	1.5%
	Other	2	3.1%
Length of Alaska Practice			
	No Response	4	6.2%
	5 Years or fewer	11	17.1%
	6 to 10 years	10	15.6%
	11 to 15 years	10	15.6%
	16 to 20 years	10	15.6%
	21 years or more	19	29.6%
Gender			
	No Response	3	4.6%
	Male	40	62.5%
	Female	21	32.8%
Cases Handled			
	No Response	3	4.6%
	Prosecution	6	9.3%
	Mainly Criminal	10	15.6%
	Mixed Criminal & Civil	27	42.1%
	Mainly Civil	15	23.4%
	Other	3	4.6%
Location of Practice			
	No Response	3	4.6%
	First District		(
	Second District	1	1.5%
	Third District	58	90.6%
	Fourth District	2	3.1%
	Outside of Alaska		(

Evaluation of Judge Gregory Louis Heath: Alaska Bar Association Members

Summary of Findings

Judge Gregory Louis Heath was evaluated by 60 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.1. The highest mean score was obtained on *integrity* (4.2) and the lowest score was obtained on *legal ability* (3.9). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent			
	Ν	%	Ν	%	Ν	%	N	%	Ν	%	Mean	
Legal Ability	1	1.7%	1	1.7%	16	28.0%	22	38.5%	17	29.8%	3.9	
Impartiality/Fairness	2	3.3%	2	3.3%	11	18.6%	17	28.8%	27	45.7%	4.1	
Integrity	1	1.7%	1	1.7%	9	15.5%	19	32.7%	28	48.2%	4.2	
Judicial Temperament	2	3.3%	3	5.0%	8	13.3%	19	31.6%	28	46.6%	4.1	
Diligence	1	1.7%	2	3.5%	11	19.6%	24	42.8%	18	32.1%	4.0	
Overall Rating	1	1.7%	3	5.2%	9	15.7%	20	35.0%	24	42.1%	4.1	

Judge Gregory Louis Heath: Detailed Information Responses Alaska Bar Association Members

			Impart	iality	/		Judi	cial			Ove	rall
	Legal A	Ability	Fair	ness	Integ	rity	Temper	rament	Dilig	ence R		ing
	Mean	Ν	Mean	Ν	Mean	Ν	Mean	Ν	Mean	Ν	Mean	Ν
Basis for Evaluation of Judge												
No Response	3.0	2	2.5	2	4.5	2	4.0	2	4.0	1	3.5	2
Direct Professional	3.9	57	4.1	59	4.2	58	4.1	60	4.0	56	4.1	57
Professional Reputation	4.7	3	4.3	3	5.0	3	4.7	3	4.3	3	4.7	3
Other Personal Contacts	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
Type of Practice												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
Private, Solo	3.8	17	3.9	17	4.1	16	4.1	17	3.8	17	3.9	17
Private, 2-5 Attorneys	4.1	8	4.5	8	4.5	8	4.4	8	4.1	8	4.4	8
Private, 6+ Attorneys	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
Private, Corporate Employee	3.0	1	3.0	1	3.0	1	2.0	1	3.0	1	3.0	1
State Judge or Judicial Officer	4.0	7	4.6	7	4.7	7	4.6	7	4.5	6	4.6	7
Government	4.1	19	4.2	20	4.4	20	4.2	21	4.1	19	4.3	18
Public Service Agency or												
Organization (not govt)		0	3.0	1	3.0	1	3.0	1		0	3.0	1
Other	3.5	2	4.5	2	4.5	2	4.5	2	4.5	2	4.0	2
Years Experience												
No Response	3.7	3	3.3	3	3.7	3	3.3	3	3.3	3	3.3	3
5 Years or fewer	3.9	10	3.7	11	4.0	11	3.9	11	3.9	10	3.9	10
6 to 10 years	3.8	10	4.0	10	4.0	10	4.3	10	3.9	10	4.0	10
11 to 15 years	4.3	8	4.3	9	4.4	8	4.3	9	4.1	8	4.3	8
16 to 20 years	3.9	10	4.3	10	4.3	10	4.3	10	4.1	9	4.3	10
21 years or more	3.9	16	4.3	16	4.6	16	4.1	17	4.1	16	4.3	16
Gender												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
Male	3.8	35	4.2	36	4.3	36	4.2	37	3.9	34	4.2	35
Female	4.2	20	4.1	21	4.3	20	4.2	21	4.2	20	4.2	20
Majority of Practice Consists of												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
Prosecution	3.8	6	3.7	6	4.3	6	4.2	6	3.8	6	4.2	6
Mainly Criminal	4.2	9	4.3	9	4.3	9	4.4	9	4.2	9	4.4	8
Mixed Criminal & Civil	4.0	24	4.3	24	4.4	23	4.2	25	4.2	23	4.3	24
Mainly Civil	3.8	13	3.9	15	3.9	15	3.9	15	3.6	13	3.8	14
Other	4.0	3	4.7	3	4.7	3	4.7	3	4.7	3	4.3	3
Location of Practice												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
First District		0		0		0		0		0		0
Second District		0		0		0		0		0		0
Third District	4.0	53	4.2	55	4.3	54	4.2	56	4.0	52	4.2	53
Fourth District	3.5	2	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2
Outside of Alaska		0		0		0		0		0		0

50. DISTRICT COURT JUDGE GREGORY LOUIS HEATH

B. Peace and Probation Officers

Demographic Description (N=28)

		Ν	%
Type of Work			
	No Response		(
	State Law Enforcement Officer	11	39.2%
	Municipal/Borough Law Enforcement Officer	9	32.1%
	Village Public Safety Officer (VPSO)		(
	Probation/Parole Officer	8	28.5%
	Other		(
Length of Alaska Experience			
	No Response	1	3.5%
	5 Years or fewer	11	39.2%
	6 to 10 years	8	28.5%
	11 to 15 years	2	7.1%
	16 to 20 years	1	3.5%
	21 years or more	5	17.8%
Gender			
	No Response		(
	Male	21	75.0%
	Female	7	25.0%
Location of Practice			
	No Response		(
	First District		(
	Second District		(
	Third District	28	100.0%
	Fourth District		(
	Outside of Alaska		(
Community Population			
	No Response		(
	Under 2,000		(
	Between 2,000 and 35,000	17	60.7%
	Over 35,000	11	39.2%

Evaluation of Judge Gregory Louis Heath Peace and Probation Officers

Summary of Findings

Judge Gregory Louis Heath was evaluated by 22 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.9. The highest mean score was obtained on *integrity* (4.2) and the lowest scores were obtained on *impartiality/fairness* (3.9) and *diligence* (3.9). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent			
	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Mean	
Impartiality/Fairness		0	2	9.0%	5	22.7%	9	40.9%	6	27.2%	3.9	
Integrity		0		0	6	28.5%	5	23.8%	10	47.6%	4.2	
Judicial Temperament		0		0	6	27.2%	9	40.9%	7	31.8%	4.0	
Diligence		0	1	4.7%	5	23.8%	10	47.6%	5	23.8%	3.9	
Overall Rating		0	1	5.0%	6	30.0%	8	40.0%	5	25.0%	3.9	

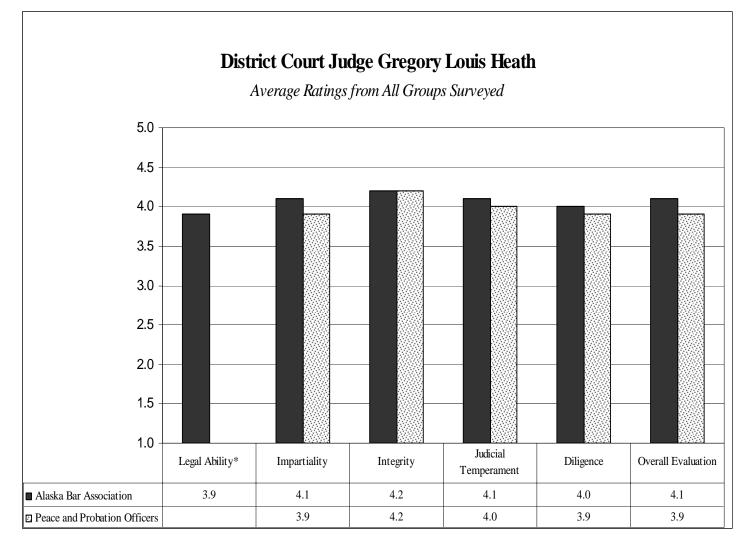
Judge Gregory Louis Heath: Detailed Information on Responses Peace and Probation Officers

	Impart Fairı	-	Integ	ritv	Judio Temper		Dilig	ence	Over Rati	
	Mean	Ν	Mean	N	Mean	Ν	Mean	Ν	Mean	N
Basis for Evaluation of Judge										
No Response		0		0		0		0		0
Direct Professional	3.9	22	4.2	21	4.0	22	3.9	21	3.9	20
Professional Reputation	4.2	5	4.2	5	4.2	5	4.2	5	4.2	5
Other Personal Contacts	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Type of Work										
No Response		0		0		0		0		0
State Law Enforcement Officer	4.0	9	4.4	9	4.3	9	4.2	9	4.1	8
Municipal/Borough Law Enforcement Officer	3.5	8	3.9	7	3.8	8	3.4	7	3.4	7
Village Public Safety Officer (VPSO)		0		0		0		0		0
Probation/Parole Officer	4.2	5	4.2	5	4.0	5	4.0	5	4.0	5
Other		0		0		0		0		0
Years Experience										
No Response	2.0	1		0	3.0	1		0	2.0	1
5 Years or fewer	3.9	8	4.3	8	4.0	8	4.0	8	4.1	8
6 to 10 years	4.3	7	4.4	7	4.3	7	4.0	7	4.0	5
11 to 15 years	3.5	2	3.5	2	4.0	2	3.5	2	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	4.0	3	4.3	3	4.3	3	4.0	3	4.0	3
Gender										
No Response		0		0		0		0		0
Male	3.9	17	4.3	16	4.0	17	3.9	16	3.9	15
Female	3.8	5	4.0	5	4.2	5	3.8	5	3.8	5
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	3.9	22	4.2	21	4.0	22	3.9	21	3.9	20
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		0		0		0		0		0
Between 2,000 and 35,000	3.8	13	4.1	12	3.8	13	3.7	12	3.6	11
Over 35,000	4.0	9	4.3	9	4.4	9	4.2	9	4.1	9

50. DISTRICT COURT JUDGE GREGORY LOUIS HEATH

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

There were no respondents from this group for Judge Gregory Louis Heath.



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

	Juror Survey Results 2006 Retention Evaluation Gregory Louis Heath													
Distribution of Ratings														
Survey Category	Mean	Exce %	llent (n)	Good % (n)		Acceptable % (n)		Deficient % (n)		Pc %	oor (n)	Total Returned = 28		
Impartiality/Fairness	4.9	86%	24	14%	4	0%	0	0%	0	0%	0	28		
Respectful/Courteous	4.9	86%	24	14%	4	0%	0	0%	0	0%	0	28		
Attentive during Proceedings	4.8	86%	24	11%	3	4%	1	0%	0	0%	0	28		
Control over Proceedings	4.9	86%	24	14%	4	0%	0	0%	0	0%	0	28		
Intelligence/Skill as a Judge	4.8	75%	21	25%	7	0%	0	0%	0	0%	0	28		
Overall Evaluation	4.8	82%	23	18%	5	0%	0	0%	0	0%	0	28		

	Court Employee Survey Results 2006 Retention Evaluation Gregory Heath												
Distribution of Ratings													
Survey Category	Mean	Exce %	llent (n)	Go %	od (n)	Acce	ptable (n)	Defie %	cient (n)	Po %	oor (n)	Total Returned = 17	
Impartiality/Fairness	4.4	47%	8	41%	7	6%	1	0%	0	0%	0	16	
Integrity	4.5	65%	11	24%	4	6%	1	6%	1	0%	0	17	
Judicial Temperament	4.3	41%	7	35%	6	12%	2	0%	0	0%	0	15	
Diligence	4.3	47%	8	41%	7	6%	1	6%	1	0%	0	17	
Overall Evaluation	4.5	53%	9	35%	6	6%	1	0%	0	0%	0	16	