

Alaska Judicial Council Recommendation

Judge Philip R. Volland, Superior Court, Anchorage

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 Volland to be **Qualified** and recommends unanimously that the public vote "YES" to retain him as a superior 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 | 4.4 | --- | --- | --- | --- |
| Impartiality | 4.4 | 4.2 | 4.9 | 4.5 | 3.0 |
| Integrity | 4.5 | 4.3 | --- | 4.5 | 3.2 |
| Temperament | 4.4 | 4.1 | 5.0 | 4.6 | 3.0 |
| Diligence | 4.5 | 4.3 | --- | 4.6 | 2.8 |
| Overall | 4.5 | 4.3 | 4.9 | 4.6 | 3.0 |

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 Volland on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Volland on overall performance was 4.5. Peace and probation officers rated Judge Volland on five categories, using the 5-point scale above. They gave Judge Volland a rating of 4.3.

Four other groups also evaluated Judge Volland's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.9, court employees gave him 4.6, and social workers, guardians ad litem and CASA volunteers rated him at 3.0. The Alaska Judicial Observers rated him 3.6.

Recommendation: Vote "YES" to retain Judge Philip R. Volland

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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ALASKA JUDICIAL COUNCIL

alaska judicial council

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Alaska Judicial Council Questionnaire

Trial Judge 2006 Candidates for Judicial Retention

November 21, 2005

Philip R. Volland

Anchorage Superior Court

Name

Court

1. Describe your workload during your present term.

| | | | |
|----|--|----|--|
| a) | $\frac{5}{90}$ % Civil Cases | b) | $\frac{12}{18}$ # of trials/year |
| | $\frac{90}{5}$ % Criminal Cases | | $\frac{18}{18}$ # Administrative Appeals |
| | $\frac{5}{100}$ % Court Administrative | | |
| | 100 % Total | | |

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

Past Member, Civil Rules Committee until 2005
 Current Member, Criminal Rules Committee, 2005 to present
 Current Member, Public Access to Court Records Committee
 Current Deputy Presiding Judge for Criminal Matters, 3rd Jud Dist
 Alaska Bar Convention presenter on evidence, 2005
 ABOTA Mock Trial Judge, 2005

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.

I began my term with a civil docket only, and then transferred to a criminal docket only after ten months. Because I had never practiced criminal law before, the transfer to criminal was a major adjustment and a steep learning curve. I am still in the phase of learning to be a good criminal trial judge.

Otherwise I believe I have adjusted well to the bench. I believe most practitioners find my courtroom to be a pleasant place to practice law and that, generally, I am a thoughtful and reasoned judge.

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

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

6. 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.

7. 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)

Case Number 1

Case
Name: State of Alaska *Case Number:* 3AN-05-01687CR
v. Vui Giu Tsen

Attorneys Involved:

| | |
|---|---|
| Name: <u>Trina Sears, Assistant DA</u> | Name: <u>John Bernitz, Assistant PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 2

Case
Name: State of Alaska *Case Number:* 3AN-05-03752 CR
v. Anthony Peralta

Attorneys Involved:

| | |
|---|---|
| Name: <u>John Skidmore, Assistant DA</u> | Name: <u>Julia Moudy, Assistant PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 3

Case
Name: State of Alaska *Case Number:* 3AN-03-04935CR
v. Alejandro Marqueda

Attorneys Involved:

| | |
|---|---|
| Name: <u>Jennifer Stuart, Asst DA</u> | Name: <u>Lisa Reynolds, Asst PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

8. 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: State of Alaska **Case Number:** 3AN-04-02011 CR
v. Tommie Smith

Attorneys Involved:

| | |
|---|---|
| Name: <u>John Skidmore, Assistant DA</u> | Name: <u>Dan Lowery, Assistant PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 2

Case Name: Constance E. Brown nka Gorton **Case Number:** 3AN-95-04878 CI
v. Carl L. B Brown

Attorneys Involved:

| | |
|---|---|
| Name: <u>Barbara A. Norris</u> | Name: <u>Robin A. Taylor</u> |
| Address: <u>645 W. Third Avenue</u> | Address: <u>801 B Street, Suite 505</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 3

Case Name: In the Matter of Minors: **Case Number:** 3AN-04-00183CN; *see below
v. NC, NC, LA, CL, NC, NC, CC

Attorneys Involved:

| | |
|---|--|
| Name: <u>Susan Wibker, Assistant AG</u> | Name: <u>Thomas Janidlo</u> |
| Address: <u>1031 W. 4th Ave Suite 200</u> | Address: <u>1107 W. 7th Avenue</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: <u>Chad Holt, OPA</u> | Name: <u>*3AN-04-00184CN; 99-631CP</u> |
| Address: <u>900 W. 5th Ave, Suite 702</u> | Address: <u>3AN-02-00146CP; 02-147CP</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>3AN-03-173CP; 03-174CP;</u> |

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)

Case Number 1

Case Name: State of Alaska *Case Number:* 3AN-03-00778 CR
v. William Willett

Attorneys Involved:

| | |
|---|---|
| Name: <u>Sharon Marshall, Assist DA</u> | Name: <u>John Bernitz, Assist PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 2

Case Name: State of Alaska *Case Number:* 3AN-04-04602 CR
v. Leann Hoeldt

Attorneys Involved:

| | |
|---|---|
| Name: <u>John Darnall, Assist DA</u> | Name: <u>Judy Scherger, Assist PD</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 200</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 3

Case Name: SACC *Case Number:* 3AN-04-09789 CI
v. Municipality of Anchorage

Attorneys Involved:

| | |
|---|---|
| Name: <u>Lawrence V. Albert</u> | Name: <u>Donald McClintock</u> |
| Address: <u>Box 200934</u> | Address: <u>1130 W. 6th Av, Suite 100</u> |
| City, State, Zip: <u>Anchorage AK 99520</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: <u>Frederick Boness, Muni Atty</u> | Name: _____ |
| Address: <u>Box 196650</u> | Address: _____ |
| City, State, Zip: <u>Anchorage AK 99519</u> | City, State, Zip: _____ |

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.)

Case Number 1

Case Name: State of Alaska *Case Number:* 3AN-02-02916 CR
v. John Hunter

Attorneys Involved:

| | |
|---|---|
| Name: <u>Adrienne Bachman, Asst DA</u> | Name: <u>W. Fred Dewey</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>1150 P Street</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 2

Case Name: State of Alaska *Case Number:* 3AN-04-6831 CR
v. Horst Kruger

Attorneys Involved:

| | |
|---|---|
| Name: <u>John Bandle, Assistant DA</u> | Name: <u>Leslie Hiebert, OPA</u> |
| Address: <u>310 K Street, Suite 520</u> | Address: <u>900 W 5th, Suite 525</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 3

Case Name: Ketchikan Indian Corp. *Case Number:* 3AN-03-07021 CI
v. Naomi Michalsen

Attorneys Involved:

| | |
|---|---|
| Name: <u>Jahna Lindemuth</u> | Name: <u>Trena Heikes</u> |
| Address: <u>1031 W. 4th Ave - Suite 600</u> | Address: <u>3380 C St. - Suite 202</u> |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: <u>Anchorage AK 99501</u> |
| Name: <u>Chancy Croft</u> | Name: _____ |
| Address: <u>738 H Street</u> | Address: _____ |
| City, State, Zip: <u>Anchorage AK 99501</u> | City, State, Zip: _____ |

42. SUPERIOR COURT JUDGE PHILIP R. VOLLAND

A. Alaska Bar Association

Demographic Description (N=442)

| | N | % |
|--|-----|-------|
| Type of Practice | | |
| No Response | 9 | 2.0% |
| Private, Solo | 101 | 22.8% |
| Private, 2-5 Attorneys | 82 | 18.5% |
| Private, 6+ Attorneys | 84 | 19.0% |
| Private, Corporate Employee | 12 | 2.7% |
| State Judge or Judicial Officer | 30 | 6.7% |
| Government | 101 | 22.8% |
| Public Service Agency or Organization (not govt) | 13 | 2.9% |
| Other | 10 | 2.2% |
| Length of Alaska Practice | | |
| No Response | 10 | 2.2% |
| 5 Years or fewer | 40 | 9.0% |
| 6 to 10 years | 36 | 8.1% |
| 11 to 15 years | 53 | 11.9% |
| 16 to 20 years | 55 | 12.4% |
| 21 years or more | 248 | 56.1% |
| Gender | | |
| No Response | 9 | 2.0% |
| Male | 302 | 68.3% |
| Female | 131 | 29.6% |
| Cases Handled | | |
| No Response | 9 | 2.0% |
| Prosecution | 31 | 7.0% |
| Mainly Criminal | 35 | 7.9% |
| Mixed Criminal & Civil | 82 | 18.5% |
| Mainly Civil | 273 | 61.7% |
| Other | 12 | 2.7% |
| Location of Practice | | |
| No Response | 8 | 1.8% |
| First District | 27 | 6.1% |
| Second District | 4 | 0.9% |
| Third District | 380 | 85.9% |
| Fourth District | 17 | 3.8% |
| Outside of Alaska | 6 | 1.3% |

**Evaluation of Judge Philip R. Volland:
Alaska Bar Association Members**

Summary of Findings

Judge Philip R. Volland was evaluated by 324 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.5. The highest mean scores were obtained on *integrity* (4.5) and *diligence* (4.5) and the lowest scores were obtained on *legal ability* (4.4), *impartiality/fairness* (4.4) and *judicial temperament* (4.4). Details are present in the two tables that follow.

| | Poor | | Deficient | | Accept | | Good | | Excellent | | Mean |
|------------------------------|------|------|-----------|------|--------|-------|------|-------|-----------|-------|------|
| | N | % | N | % | N | % | N | % | N | % | |
| Legal Ability | 2 | 0.6% | 8 | 2.4% | 28 | 8.6% | 96 | 29.6% | 190 | 58.6% | 4.4 |
| Impartiality/Fairness | 4 | 1.2% | 6 | 1.8% | 34 | 10.4% | 90 | 27.7% | 190 | 58.6% | 4.4 |
| Integrity | 3 | 0.9% | 5 | 1.5% | 23 | 7.1% | 74 | 22.9% | 218 | 67.4% | 4.5 |
| Judicial Temperament | 5 | 1.5% | 3 | 0.9% | 32 | 9.9% | 92 | 28.6% | 189 | 58.8% | 4.4 |
| Diligence | 3 | 0.9% | 5 | 1.6% | 28 | 8.9% | 88 | 28.2% | 188 | 60.2% | 4.5 |
| Overall Rating | 4 | 1.2% | 6 | 1.8% | 27 | 8.4% | 87 | 27.1% | 196 | 61.2% | 4.5 |

Note: Ratings for only those respondents who reported direct professional experience with the judge.

**Judge Philip R. Volland: Detailed Information Responses
Alaska Bar Association Members**

| | Legal Ability | | Impartiality/ Fairness | | Integrity | | Judicial Temperament | | Diligence | | Overall Rating | |
|---|---------------|------------|---------------------------|------------|------------|------------|-------------------------|------------|------------|------------|-------------------|------------|
| | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N |
| Basis for Evaluation of Judge | | | | | | | | | | | | |
| No Response | 3.8 | 6 | 3.8 | 6 | 3.7 | 6 | 3.7 | 6 | 3.7 | 6 | 3.7 | 6 |
| Direct Professional | 4.4 | 324 | 4.4 | 324 | 4.5 | 323 | 4.4 | 321 | 4.5 | 312 | 4.5 | 320 |
| Professional Reputation | 4.6 | 100 | 4.4 | 97 | 4.5 | 99 | 4.3 | 95 | 4.4 | 94 | 4.5 | 95 |
| Other Personal Contacts | 4.8 | 13 | 4.4 | 11 | 4.6 | 14 | 4.4 | 12 | 4.6 | 10 | 4.5 | 13 |
| Type of Practice | | | | | | | | | | | | |
| No Response | 4.1 | 7 | 4.0 | 7 | 4.0 | 7 | 4.1 | 7 | 4.1 | 7 | 4.0 | 7 |
| Private, Solo | 4.4 | 71 | 4.4 | 71 | 4.5 | 71 | 4.4 | 71 | 4.4 | 70 | 4.4 | 70 |
| Private, 2-5 Attorneys | 4.3 | 65 | 4.3 | 65 | 4.4 | 64 | 4.4 | 63 | 4.3 | 64 | 4.3 | 63 |
| Private, 6+ Attorneys | 4.5 | 61 | 4.6 | 61 | 4.6 | 61 | 4.5 | 62 | 4.5 | 57 | 4.6 | 62 |
| Private, Corporate Employee | 4.4 | 8 | 4.2 | 9 | 4.4 | 8 | 4.3 | 9 | 4.4 | 8 | 4.3 | 9 |
| State Judge or Judicial Officer | 4.8 | 24 | 4.8 | 24 | 4.9 | 24 | 4.8 | 24 | 4.9 | 23 | 4.8 | 23 |
| Government | 4.4 | 72 | 4.3 | 71 | 4.6 | 72 | 4.4 | 71 | 4.4 | 69 | 4.4 | 70 |
| Public Service Agency or Organization (not govt) | 4.7 | 10 | 4.6 | 10 | 4.6 | 10 | 4.4 | 9 | 4.9 | 8 | 4.7 | 10 |
| Other | 4.7 | 6 | 4.7 | 6 | 4.7 | 6 | 4.6 | 5 | 4.7 | 6 | 4.7 | 6 |
| Years Experience | | | | | | | | | | | | |
| No Response | 4.3 | 8 | 4.1 | 8 | 4.1 | 8 | 4.1 | 8 | 4.1 | 8 | 4.1 | 8 |
| 5 Years or fewer | 4.3 | 31 | 4.3 | 31 | 4.4 | 31 | 4.4 | 32 | 4.4 | 32 | 4.3 | 32 |
| 6 to 10 years | 4.5 | 27 | 4.5 | 28 | 4.7 | 27 | 4.5 | 28 | 4.6 | 27 | 4.6 | 28 |
| 11 to 15 years | 4.4 | 40 | 4.5 | 40 | 4.6 | 40 | 4.4 | 39 | 4.4 | 38 | 4.5 | 40 |
| 16 to 20 years | 4.2 | 37 | 4.1 | 37 | 4.3 | 37 | 4.3 | 37 | 4.2 | 37 | 4.2 | 36 |
| 21 years or more | 4.5 | 181 | 4.5 | 180 | 4.6 | 180 | 4.5 | 177 | 4.5 | 170 | 4.5 | 176 |
| Gender | | | | | | | | | | | | |
| No Response | 4.1 | 7 | 4.0 | 7 | 4.0 | 7 | 4.0 | 7 | 4.1 | 7 | 4.0 | 7 |
| Male | 4.4 | 230 | 4.4 | 230 | 4.5 | 229 | 4.4 | 227 | 4.4 | 219 | 4.4 | 225 |
| Female | 4.6 | 87 | 4.4 | 87 | 4.6 | 87 | 4.5 | 87 | 4.6 | 86 | 4.5 | 88 |
| Majority of Practice Consists of | | | | | | | | | | | | |
| No Response | 4.2 | 6 | 4.0 | 6 | 4.0 | 6 | 4.2 | 6 | 4.2 | 6 | 4.0 | 6 |
| Prosecution | 4.1 | 26 | 3.9 | 26 | 4.3 | 26 | 4.1 | 26 | 4.3 | 26 | 4.1 | 25 |
| Mainly Criminal | 4.7 | 29 | 4.6 | 29 | 4.7 | 29 | 4.6 | 29 | 4.6 | 29 | 4.7 | 29 |
| Mixed Criminal & Civil | 4.5 | 63 | 4.5 | 63 | 4.6 | 63 | 4.5 | 63 | 4.6 | 62 | 4.5 | 62 |
| Mainly Civil | 4.4 | 194 | 4.4 | 194 | 4.5 | 193 | 4.4 | 191 | 4.4 | 184 | 4.4 | 192 |
| Other | 4.8 | 6 | 4.7 | 6 | 4.8 | 6 | 4.3 | 6 | 4.6 | 5 | 4.5 | 6 |
| Location of Practice | | | | | | | | | | | | |
| No Response | 4.2 | 6 | 4.0 | 6 | 4.0 | 6 | 4.2 | 6 | 4.2 | 6 | 4.0 | 6 |
| First District | 4.8 | 9 | 4.6 | 9 | 4.8 | 9 | 4.3 | 9 | 4.5 | 6 | 4.6 | 9 |
| Second District | 5.0 | 2 | 5.0 | 2 | 5.0 | 2 | 5.0 | 1 | 5.0 | 2 | 5.0 | 2 |
| Third District | 4.4 | 291 | 4.4 | 291 | 4.5 | 290 | 4.4 | 289 | 4.4 | 283 | 4.4 | 287 |
| Fourth District | 4.5 | 11 | 4.5 | 11 | 4.5 | 11 | 4.7 | 11 | 4.8 | 10 | 4.7 | 11 |
| Outside of Alaska | 4.4 | 5 | 4.4 | 5 | 4.6 | 5 | 4.2 | 5 | 4.4 | 5 | 4.4 | 5 |

Note: Ratings for only those respondents who reported direct professional experience with the judge.

43. SUPERIOR COURT JUDGE PHILIP R. VOLLAND

B. Peace and Probation Officers

Demographic Description (N=42)

| | N | % |
|---|----|-------|
| Type of Work | | |
| No Response | -- | 0 |
| State Law Enforcement Officer | 10 | 23.8% |
| Municipal/Borough Law Enforcement Officer | 18 | 42.8% |
| Village Public Safety Officer (VPSO) | -- | 0 |
| Probation/Parole Officer | 14 | 33.3% |
| Other | -- | 0 |
| Length of Alaska Experience | | |
| No Response | -- | 0 |
| 5 Years or fewer | 10 | 23.8% |
| 6 to 10 years | 15 | 35.7% |
| 11 to 15 years | 9 | 21.4% |
| 16 to 20 years | 3 | 7.1% |
| 21 years or more | 5 | 11.9% |
| Gender | | |
| No Response | -- | 0 |
| Male | 29 | 69.0% |
| Female | 13 | 30.9% |
| Location of Practice | | |
| No Response | -- | 0 |
| First District | 1 | 2.3% |
| Second District | -- | 0 |
| Third District | 41 | 97.6% |
| Fourth District | -- | 0 |
| Outside of Alaska | -- | 0 |
| Community Population | | |
| No Response | -- | 0 |
| Under 2,000 | -- | 0 |
| Between 2,000 and 35,000 | 3 | 7.1% |
| Over 35,000 | 39 | 92.8% |

**Evaluation of Judge Philip R. Volland
Peace and Probation Officers**

Summary of Findings

Judge Philip R. Volland was evaluated by 28 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.3. The highest mean scores were obtained on *integrity* (4.3) and *diligence* (4.3) and the lowest score was obtained on *judicial temperament* (4.1). Details are present in the two tables that follow.

| | Poor | | Deficient | | Accept | | Good | | Excellent | | Mean |
|------------------------------|------|------|-----------|------|--------|-------|------|-------|-----------|-------|------|
| | N | % | N | % | N | % | N | % | N | % | |
| Impartiality/Fairness | 1 | 3.5% | 1 | 3.5% | 3 | 10.7% | 10 | 35.7% | 13 | 46.4% | 4.2 |
| Integrity | -- | 0 | -- | 0 | 4 | 14.8% | 10 | 37.0% | 13 | 48.1% | 4.3 |
| Judicial Temperament | 1 | 3.5% | -- | 0 | 4 | 14.2% | 13 | 46.4% | 10 | 35.7% | 4.1 |
| Diligence | 1 | 3.7% | -- | 0 | 3 | 11.1% | 10 | 37.0% | 13 | 48.1% | 4.3 |
| Overall Rating | 1 | 3.5% | -- | 0 | 3 | 10.7% | 10 | 35.7% | 14 | 50.0% | 4.3 |

Note: Ratings for only those respondents who reported direct professional experience with the judge.

**Judge Philip R. Volland: Detailed Information on Responses
Peace and Probation Officers**

| | Impartiality/ Fairness | | Integrity | | Judicial Temperament | | Diligence | | Overall Rating | |
|---|---------------------------|-----------|------------|-----------|-------------------------|-----------|------------|-----------|-------------------|-----------|
| | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N |
| Basis for Evaluation of Judge | | | | | | | | | | |
| No Response | 4.0 | 1 | 4.0 | 1 | 4.0 | 1 | 4.0 | 1 | 4.0 | 1 |
| Direct Professional | 4.2 | 28 | 4.3 | 27 | 4.1 | 28 | 4.3 | 27 | 4.3 | 28 |
| Professional Reputation | 3.8 | 14 | 3.9 | 14 | 3.9 | 14 | 3.8 | 14 | 3.9 | 14 |
| Other Personal Contacts | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Type of Work | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| State Law Enforcement Officer | 4.3 | 7 | 4.3 | 7 | 4.3 | 7 | 4.4 | 7 | 4.4 | 7 |
| Municipal/Borough Law Enforcement Officer | 4.4 | 12 | 4.6 | 11 | 4.3 | 12 | 4.5 | 11 | 4.5 | 12 |
| Village Public Safety Officer (VPSO) | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Probation/Parole Officer | 3.8 | 9 | 4.0 | 9 | 3.8 | 9 | 3.9 | 9 | 3.9 | 9 |
| Other | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Years Experience | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| 5 Years or fewer | 4.1 | 9 | 4.1 | 9 | 3.9 | 9 | 4.2 | 9 | 4.2 | 9 |
| 6 to 10 years | 4.4 | 13 | 4.6 | 12 | 4.3 | 13 | 4.4 | 12 | 4.5 | 13 |
| 11 to 15 years | 3.5 | 4 | 4.0 | 4 | 3.8 | 4 | 3.8 | 4 | 3.8 | 4 |
| 16 to 20 years | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| 21 years or more | 4.5 | 2 | 4.5 | 2 | 4.5 | 2 | 4.5 | 2 | 4.5 | 2 |
| Gender | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Male | 4.1 | 19 | 4.2 | 18 | 4.1 | 19 | 4.2 | 18 | 4.2 | 19 |
| Female | 4.4 | 9 | 4.6 | 9 | 4.2 | 9 | 4.4 | 9 | 4.6 | 9 |
| 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 | 4.2 | 28 | 4.3 | 27 | 4.1 | 28 | 4.3 | 27 | 4.3 | 28 |
| 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 | 3.0 | 1 | 3.0 | 1 | 4.0 | 1 | 4.0 | 1 | 4.0 | 1 |
| Over 35,000 | 4.2 | 27 | 4.4 | 26 | 4.1 | 27 | 4.3 | 26 | 4.3 | 27 |

43. SUPERIOR COURT JUDGE PHILIP R. VOLLAND

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

Demographic Description (N=6)

| | | N | % |
|------------------------------------|--------------------------|----------|----------|
| Type of Work | | | |
| | No Response | -- | 0 |
| | Social Worker | 5 | 83.3% |
| | Guardian ad Litem | 1 | 16.6% |
| | CASA Volunteer | -- | 0 |
| | Other | -- | 0 |
| Length of Alaska Experience | | | |
| | No Response | -- | 0 |
| | 5 Years or fewer | 1 | 16.6% |
| | 6 to 10 years | 4 | 66.6% |
| | 11 to 15 years | -- | 0 |
| | 16 to 20 years | 1 | 16.6% |
| | 21 years or more | -- | 0 |
| Gender | | | |
| | No Response | -- | 0 |
| | Male | 1 | 16.6% |
| | Female | 5 | 83.3% |
| Location of Practice | | | |
| | No Response | -- | 0 |
| | First District | -- | 0 |
| | Second District | -- | 0 |
| | Third District | 6 | 100.0% |
| | Fourth District | -- | 0 |
| | Outside of Alaska | -- | 0 |
| Community Population | | | |
| | No Response | -- | 0 |
| | Under 2,000 | -- | 0 |
| | Between 2,000 and 35,000 | -- | 0 |
| | Over 35,000 | 6 | 100.0% |

**Evaluation of Judge Philip R. Volland
Social Workers, Guardians Ad Litem, and CASA volunteers**

Summary of Findings

Judge Philip R. Volland was evaluated by six Social Workers, Guardians Ad Litem, and CASA volunteers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.0. The highest mean score was obtained on *integrity* (3.2) and the lowest score was obtained on *diligence* (2.8). Details are present in the two tables that follow.

| | Poor | | Deficient | | Accept | | Good | | Excellent | | Mean |
|------------------------------|------|---|-----------|-------|--------|-------|------|-------|-----------|-------|------|
| | N | % | N | % | N | % | N | % | N | % | |
| Impartiality/Fairness | -- | 0 | 3 | 50.0% | 1 | 16.6% | 1 | 16.6% | 1 | 16.6% | 3.0 |
| Integrity | -- | 0 | 2 | 33.3% | 2 | 33.3% | 1 | 16.6% | 1 | 16.6% | 3.2 |
| Judicial Temperament | -- | 0 | 2 | 33.3% | 2 | 33.3% | 2 | 33.3% | -- | 0 | 3.0 |
| Diligence | -- | 0 | 3 | 50.0% | 1 | 16.6% | 2 | 33.3% | -- | 0 | 2.8 |
| Overall Rating | -- | 0 | 3 | 50.0% | 1 | 16.6% | 1 | 16.6% | 1 | 16.6% | 3.0 |

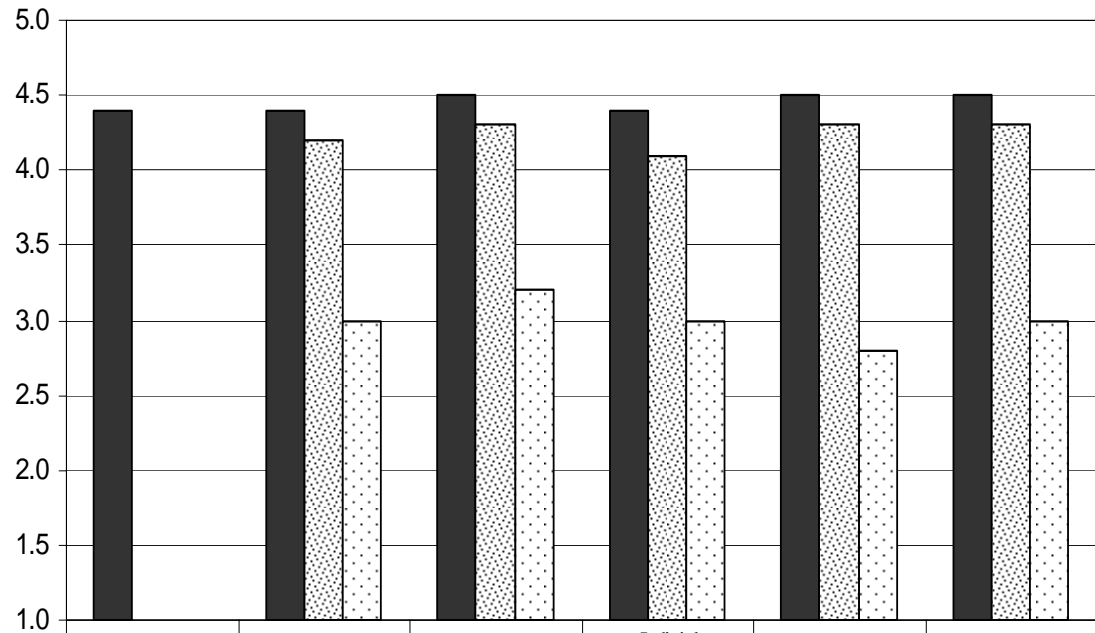
Note: Ratings for only those respondents who reported direct professional experience with the judge.

**Judge Philip R. Volland: Detail Information on Responses
Social Workers, Guardians Ad Litem, and CASA volunteers**

| | Impartiality/ Fairness | | Integrity | | Judicial Temperament | | Diligence | | Overall Rating | |
|--------------------------------------|---------------------------|----------|------------|----------|-------------------------|----------|------------|----------|-------------------|----------|
| | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N |
| Basis for Evaluation of Judge | | | | | | | | | | |
| No Response | 3.7 | 3 | 3.7 | 3 | 3.7 | 3 | 3.3 | 3 | 3.3 | 3 |
| Direct Professional | 3.0 | 6 | 3.2 | 6 | 3.0 | 6 | 2.8 | 6 | 3.0 | 6 |
| Professional Reputation | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Other Personal Contacts | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Type of Work | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Social Worker | 2.6 | 5 | 2.8 | 5 | 2.8 | 5 | 2.6 | 5 | 2.6 | 5 |
| Guardian ad Litem | 5.0 | 1 | 5.0 | 1 | 4.0 | 1 | 4.0 | 1 | 5.0 | 1 |
| CASA Volunteer | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Other | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Years Experience | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| 5 Years or fewer | 2.0 | 1 | 2.0 | 1 | 3.0 | 1 | 2.0 | 1 | 2.0 | 1 |
| 6 to 10 years | 2.8 | 4 | 3.0 | 4 | 2.8 | 4 | 2.8 | 4 | 2.8 | 4 |
| 11 to 15 years | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| 16 to 20 years | 5.0 | 1 | 5.0 | 1 | 4.0 | 1 | 4.0 | 1 | 5.0 | 1 |
| 21 years or more | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Gender | | | | | | | | | | |
| No Response | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Male | 3.0 | 1 | 3.0 | 1 | 3.0 | 1 | 3.0 | 1 | 3.0 | 1 |
| Female | 3.0 | 5 | 3.2 | 5 | 3.0 | 5 | 2.8 | 5 | 3.0 | 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 | 3.0 | 6 | 3.2 | 6 | 3.0 | 6 | 2.8 | 6 | 3.0 | 6 |
| 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 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 |
| Over 35,000 | 3.0 | 6 | 3.2 | 6 | 3.0 | 6 | 2.8 | 6 | 3.0 | 6 |

Superior Court Judge Philip R. Volland

Average Ratings from All Groups Surveyed



| | Legal Ability* | Impartiality | Integrity | Judicial Temperament | Diligence | Overall Evaluation |
|---------------------------------------|----------------|--------------|-----------|----------------------|-----------|--------------------|
| ■ Alaska Bar Association | 4.4 | 4.4 | 4.5 | 4.4 | 4.5 | 4.5 |
| ▨ Peace and Probation Officers | | 4.2 | 4.3 | 4.1 | 4.3 | 4.3 |
| □ Social Workers/ GALSCASA Volunteers | | 3.0 | 3.2 | 3.0 | 2.8 | 3.0 |

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

| Juror Survey Results 2006 Retention Evaluation Philip R. Volland | | | | | | | | | | | |
|---|-------------|--------------------------------|-----------------------|-----------------------------|----------------------------|-----------------------|---------------------------------|--|--|--|--|
| | | Distribution of Ratings | | | | | | | | | |
| Survey Category | Mean | Excellent % (n) | Good % (n) | Acceptable % (n) | Deficient % (n) | Poor % (n) | Total Returned = 173 | | | | |
| Impartiality/Fairness | 4.9 | 91% 157 | 8% 14 | 1% 1 | 0% 0 | 0% 0 | | | | | |
| Respectful/Courteous | 5.0 | 97% 168 | 2% 3 | 1% 1 | 0% 0 | 0% 0 | | | | | |
| Attentive during Proceedings | 4.8 | 83% 144 | 16% 27 | 1% 1 | 0% 0 | 0% 0 | | | | | |
| Control over Proceedings | 4.9 | 90% 155 | 9% 15 | 1% 1 | 0% 0 | 0% 0 | | | | | |
| Intelligence/Skill as a Judge | 4.9 | 93% 161 | 6% 10 | 1% 1 | 0% 0 | 0% 0 | | | | | |
| Overall Evaluation | 4.9 | 94% 162 | 5% 8 | 1% 1 | 0% 0 | 0% 0 | | | | | |

| Court Employee Survey Results 2006 Retention Evaluation Philip Volland | | | | | | | | | | | | |
|---|-------------|--------------------------------|-----------------------|-----------------------------|----------------------------|-----------------------|--------------------------------|--|--|--|--|--|
| | | Distribution of Ratings | | | | | | | | | | |
| Survey Category | Mean | Excellent % (n) | Good % (n) | Acceptable % (n) | Deficient % (n) | Poor % (n) | Total Returned = 53 | | | | | |
| Impartiality/Fairness | 4.5 | 59% 31 | 28% 15 | 8% 4 | 0% 0 | 0% 0 | 50 | | | | | |
| Integrity | 4.5 | 59% 31 | 28% 15 | 8% 4 | 0% 0 | 0% 0 | 50 | | | | | |
| Judicial Temperament | 4.6 | 64% 34 | 26% 14 | 6% 3 | 0% 0 | 0% 0 | 51 | | | | | |
| Diligence | 4.6 | 62% 33 | 30% 16 | 2% 1 | 0% 0 | 0% 0 | 50 | | | | | |
| Overall Evaluation | 4.6 | 64% 34 | 28% 15 | 4% 2 | 0% 0 | 0% 0 | 51 | | | | | |