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Foreword

by

Larry Cohn, Executive Director, Alaska Judicial Council

The Alaska Judicial Council is a citizens' commission created by Alaska's constitution to nominate qualified persons for judgeships, to evaluate the performance of judges, and to make recommendations to improve the administration of justice. For the Council to fulfill its constitutional responsibility to evaluate judicial performance, it is essential for the Council to consider many sources of information, including surveys of peace and probation officers, attorneys, court system employees, social workers, jurors and others. The Council also conducts public hearings and encourages all forms of public comment.

The Judicial Council evaluates judicial performance so that it may make recommendations to the public who vote on whether to retain judges. The Council's evaluations are not only important because they educate the public, they are also important because they are used to help educate judges. The Council provides detailed feedback on how judges may improve their own performance.

As the process suggests, the Judicial Council values the perspective of those whose experience makes them uniquely qualified to comment on judicial performance. At the same time, it is important for the Council to consider that the role of a particular person or group may affect the perspective of that person or group. The value of someone's experience with a judge also depends on whether that experience comprises many and different types of court proceedings or is more limited.

The Judicial Council relies on the experience of Alaska Judicial Observers volunteers when it evaluates judicial performance. The experience of those who participate in the Alaska Judicial Observers program is particularly valuable. By volunteering, Alaska Judicial Observers participants show that they are keenly interested in a high level of judicial performance. The experience of most Alaska Judicial Observers volunteers is broad-based. The volunteers observe many different judges in many different types of proceedings. Alaska Judicial Observers volunteers are trained on the nature of judicial proceedings and on how to be a good observer of those proceedings. Finally, Alaska Judicial Observers volunteers play no role in the court proceedings other than observers. For these reasons, the Judicial Council appreciates the work of Alaska Judicial Observers volunteers as an independent and comprehensive source of information about judges.

Alaska Judicial Observers, Inc. Program Information

Alaska Judicial Observers, Inc. (AJO) is not affiliated with any advocacy, defense, prosecution or civil liberties group. We are the only independent court observer program in Alaska and one of a handful in the United States. It is because of this independence that we are able to collect neutral, unbiased evaluations and provide to the Alaska Judicial Council and the people of Alaska a report that reflects the citizen's perspective of judicial performance.

AJO produces a Biennial Report in even numbered years that sets out the results of evaluations conducted by its volunteers. AJO shares this report with the Alaska Judicial Council. Council members consider the report when they recommend whether voters should retain judges in office. The report is available to the public. This helps to enhance judicial accountability and promotes the public's understanding of the court system. AJO also provides the report to judges to help them improve their performance. Although AJO's primary function is to evaluate judges, we also evaluate attorneys and make their evaluations available to them upon request.

Volunteers are screened to ensure that they have not been a victim of a violent crime, have no criminal background and have no cases pending before the courts. Accompanied by the Executive Director or Assistant Director, each volunteer goes through approximately 40 hours of classroom and courtroom training. Neutrality and objectivity are emphasized, as are the role of the observer to maintain an impartial attitude and to never make a personal judgment of guilt or innocence.

The criteria used for AJO's judicial evaluations have been reviewed by the Alaska Judicial Council. An evaluation form is filled out by the observer following each proceeding and volunteers are encouraged to include comments that reinforce their ratings. These comments are meant to be constructive, to help better shape an efficient and professional process and to assist legal professionals in showing sensitivity to any special needs of the public.

Court observers attend educational workshops where topics include sentencing, bail bonding, electronic trial preparation, jail tours and a question and answer session with the Khabarovsk delegation.

Alaska Judicial Observers has been honored to participate in the Community Connections Program at the American Russian Center at UAA and the Khabarovsk-Alaska Rule of Law Partnership, included in the Institute for the *Advancement of the American Legal System* (University of Denver) study, and asked to assist the Illinois League of Women Voters to set up an independent program in Chicago.

Alaska Judicial Observers Featured In Scholarly Publication

"The Institute for the Advancement of the American Legal System, at the University of Denver, is a national legal reform organization whose primary mission is to provide innovative and actionable recommendations for the improvement of America's courts."

The following excerpt from the Institute's 2006 report describes Alaska Judicial Observers and their role in the Alaska judicial system:

. . . Alaska has a sophisticated program of independent judicial observers, who compile annual reports on each judge. Multiple observers – as often as many as fifteen – are assigned to each judge. The observers are given approximately forty hours of advance training, and are instructed to sit in on court proceedings at unscheduled intervals. They observe both civil and criminal cases, and review all courtroom activities, from jury trials to motion hearings and arraignments. Observers provide both numerical evaluations and written comments in response to straightforward questions about the judge's behavior, such as "Did the judge pay close attention to the testimony?" and "Did you understand the judge's explanations and decisions, or did you leave feeling confused?" For each judge, data from all the observers is compiled into a one-page evaluation. The evaluation sets out the total number of hours observed, the number of observers, the types of cases observed, and the average rating the judge received in each category. This information is submitted to the Alaska Judicial Council to include in its overall evaluation of the judge.

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¹ The Institute for the Advancement of the American Legal System, at the University of Denver. (2006). *Shared Expectations, Judicial Accountability in Context*, pg. i. Retrieved February 29, 2008, from http://www.du.edu/legalinstitute/pubs/SharedExpectations.pdf

² Ibid., pp 24 – 25.

Data For Judges Appearing In 2008 Biennial Report

Table 1. Evaluation hours, number of individual observers and 2008 overall ratings.

Judge's Name	Evaluation Hours	Number of Individual Observers	2008 Overall Rating
Eric Aarseth	45.6	11	3.20
Morgan Christen	22.5	9	4.07
Brian Clark	31.7	10	3.02
Sharon Gleason	18.3	7	3.91
Patrick Hanley	27.5	8	3.44
Stephanie Joannides	33.5	10	3.34
John Lohff	25.2	8	3.31
Patrick McKay	39.1	12	3.40
Peter Michalski	26.8	9	3.55
William Morse	49.1	9	3.47
Gregory Motyka	10.8	5	3.54
Sigurd Murphy	17.8	6	3.94
Stephanie Rhoades	29.5	9	2.89
Mark Rindner	42.0	8	3.40
Jack Smith	12.9	5	3.38
Craig Stowers	23.5	8	3.55
John Suddock	51.5	13	3.21
Alex Swiderski	23.6	12	3.46
Sen Tan	22.5	8	3.50
Phillip Volland	126.3	13	3.60
Michael Wolverton	39.5	8	3.54
Totals	719.2		

Table 2. Evaluations categorized by criminal or civil case type.

Case Type	Count	Percentage
Civil Cases	124	34.4
Criminal Cases	236	65.6
Totals	360	100.0

Table 3. Evaluations categorized by case description.

Case Description	Count	Percentage
Arraignment	37	10.3
Change of Plea	2	0.6
Civil Trial	63	17.5
Criminal Trial	103	28.6
Domestic Violence Hearing	14	3.9
Jury Selection	32	8.9
Pre-indictment Hearing	0	0.0
Pretrial Conference	6	1.7
Sentencing	16	4.4
Small Claims	7	1.9
Trial Call	0	0.0
Other Hearings	80	22.2
Totals	360	100.0

Data For Judges Not Appearing In 2008 Biennial Report

In many locations magistrates, masters, judges pro tem and retired judges also hear District and Superior Court proceedings. The following is the amount of time observers spent in those proceedings.

Table1. Evaluation hours.

Name	Title	Evaluation Hours
Larry Card	Judge pro tem	2.3
Suzanne Cole	Master	2.3
William Fuld	Judge pro tem	0.8
Donald Hopwood	Judge pro tem	6.5
Charles Huguelet	Judge	1.2
Sharon Illsely	Judge	3.0
Anna Moran	Judge	2.8
Nancy Nolan	Judge	5.4
Paul Olson	Judge (acting)	1.3
Richard Postma Jr.	Judge	2.3
Eric Smith	Judge	1.5
Michael Spaan	Judge	5.1
Jennifer Wells	Magistrate	4.0
	Total	38.5

Data For All Judges Observed

The following data represents all activities by Alaska Judicial Observers volunteers from March 1, 2006 through February 29, 2008.

Table 1. Summary data.

Total volunteer hours	1335.74
Total evaluation hours	757.7
Total evaluations	387
Criminal evaluations	250
Civil evaluations	137
Average evaluation time	1.96

Judicial Evaluation Criteria

Judges are evaluated using criteria reviewed by the Alaska Judicial Council. Evaluations focus on our perception of the judge's behavior and attitude at the bench. The ten criteria used by Alaska Judicial Observers are listed below. The first eight criteria are evaluated on a scale of one to five with the following meanings:

1 = poor 2 = deficient 3 = acceptable/average 4 = good 5 = excellent The last two criteria describe specific behaviors.

1) Did the judge pay attention to the proceedings and participants?

- Did the judge pay attention when participants spoke?
- Did the judge watch for restless or napping jurors?
- Did the judge monitor the gallery?

2) Did the judge maintain control of the courtroom?

- Did the judge ensure the jury was attentive and that the gallery was quiet and respectful?
- Did the judge make sure attorneys behaved properly?
- Were disruptions or outbursts of emotion controlled?
- Were recesses called when emotions ran high?

3) Did the judge speak loudly and clearly?

- Were the judge's instructions and rulings clearly audible?
- Did the court microphones work effectively?

4) Did the judge make remarks that were understood and that made sense?

- Did the people involved in the case, including jurors, appear to understand the judge's remarks?
- Did the judge use many unfamiliar legal terms or did they speak in plain English?
- Did the judge take action to ensure that their remarks were understood?

5) Did the judge show understanding and consideration to the plaintiff or victim?

- Was the judge sensitive to the plaintiff's or victim's emotional situation?
- Did the judge display a negative attitude toward the plaintiff or victim?
- Did the judge treat the plaintiff or victim with respect and courtesy?
- During sentencing, did the judge tell the victim or their family about their right to present an impact statement?

6) Did the judge show understanding and consideration to the defendant?

- Was the judge sensitive to the defendant's emotional situation?
- Did the judge display a negative attitude toward the defendant?
- Did the judge treat the defendant with respect and courtesy?
- During sentencing, did the judge tell the defendant about their right to present a statement?

7) Did the judge explain the proceedings to participants?

- Were the judge's explanations and decisions understandable or confusing?
- Did the judge ensure that a defendant representing themselves understood the sequence of the proceedings?

8) Did the judge treat all participants professionally?

- Did the judge remain firm, fair and objective?
- Did the judge treat the attorneys with respect and as fellow professionals?
- Did the judge speak to all participants directly and appropriately?

9) Did the judge favor either side? (yes / no)

- Did the judge remain impartial in statements, attitude and actions?
- Did the judge insult or undermine either side?

10) During sentencing, was the judge lenient, reasonable or severe?

- Was the judge's explanation of the sentence reflected in the actual sentence?
- In consideration of the judge's explanation of the law, did you think the sentence was appropriate to the circumstances of the case?

Alaska Judicial Observers, Inc.

Judicial Evaluations

The Honorable Eric Aarseth

Anchorage Superior Court

Appointed by Governor Murkowski to Superior Court November 2005

Evaluations		Case Types			
Evaluation Hours:	45.6	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	11	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	8	Civil Trial:	0	Sentencing:	0
Negative Comments:	18	Criminal Trial:	20	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	5	Other Hearings:	2
				Total Number of Evaluations:	27

Did the judge	(Each category is rated 1 - 5 by observers.))
pay attention to the proceedings and participan	ts?	3.00
maintain control of the courtroom?		3.11
speak loudly and clearly?		2.96
make remarks that were understood and that m	ade sense?	3.19
show understanding and consideration to the p	aintiff/victim (present or not)?	3.41
show understanding and consideration to the d	efendant (present or not)?	3.39
take time to explain the proceedings to participa	ants?	3.28
treat all participants fairly and impartially?		3.22
	Overall Rating:	3.20

Did the judge appear to favor either side?

Did not favor either side: 26 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 1 evaluation.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Aarseth:

- There were more delays during this observation than I've seen in prior observations. The 8:30am start time went to 9:30am then a 5 minute break went to 15 minutes with the jury waiting. During the District Attorney's exhibit presentation the judge never looked up from writing.
- Lots of facial expressions from the judge today. He seemed edgy and irritated.
- Today's issue was one of determining the accuracy of the evidence being presented. The judge was attentive and considered the testimony carefully. His decisions were clearly understood.
- The proceeding started 25 minutes late without explanation. Everyone else was ready and waiting.
- The instructions the judge gave regarding time for questions during jury selection was clear and concise. He was flexible when the attorneys asked for more time.
- The judge didn't appear to be listening during part of this trial when he asked the District Attorney a question that had nothing to do with what was going on at the time. Everyone looked confused.
- The judge seemed somewhat uncertain and wandering in some of his remarks.
- The judge addressed the jury as to their responsibilities in a clear, calm, articulate voice. At one point a group of high school seniors entered the courtroom to observe. During a break the judge talked to the students and he was very relaxed and informal with them. He answered questions and told them they had a lot of life choices to make and making good choices will give them freedom and more opportunities. Great job.
- There was one young juror that paid no attention during this observation of a rape trial - eating, looking around, drinking water - and the judge didn't seem to notice.
- The only valiant efforts I observed today from this judge were his efforts to stay awake.
- I wanted to observe Judge Aarseth again, having observed him during a 30-minute drowsiness in Nov. 07. This was a contrast. He cheerfully presided over a well controlled repertory theater of defendants, attorneys, social workers and third party custodians.

The Honorable Morgan Christen Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court October 2001

Evaluations		Case Types			
Evaluation Hours:	22.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	9	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	11	Civil Trial:	6	Sentencing:	0
Negative Comments:	0	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	5
				Total Number of Evaluations:	12

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	?	4.08
maintain control of the courtroom?		4.08
speak loudly and clearly?		4.00
make remarks that were understood and that ma	de sense?	4.25
show understanding and consideration to the pla	intiff/victim (present or not)?	3.86
show understanding and consideration to the det	fendant (present or not)?	3.86
take time to explain the proceedings to participar	nts?	4.17
treat all participants fairly and impartially?		4.25
	Overall Rating:	4.07

Did the judge appear to favor either side?

Did not favor either side: 12 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Christen:

- Jury selection moved along with the judge actively participating. Potential
 jurors really seemed to respond to her and she certainly treated them with
 respect. Her expectations of jury service, trial time and how a trial works
 was interesting. Great job.
- The judge was very sensitive to this case. The plaintiff was in jail but his
 mother was in court with a Spanish interpreter. She made sure the
 language spoken in the courtroom was simple and clear enough that the
 mother could understand.
- The judge keeps things calm and moving forward. Her demeanor seems to support participants to work on settlements rather than going to trial.
- This judge has a personality well suited to settling of domestic disputes.
 She called a recess to allow the participants to explore settlement possibilities off the record and eventually continued the case to a later time to give them more time.
- Scheduled hearing started on time. She quickly got to the heart of what appeared to be holding up a possible settlement. It was wonderful to watch all participants react with positive updates and she encouraged further communications between the parties.
- Don't let this judge's small stature fool you. She is straight forward and firm.
- The judge's ability to stay on top of all the details in this emotional case is amazing. Her courtroom is formal but relaxed, which provides a productive atmosphere.
- At one point the judge asked one attorney to restate questions so they would be in a more understandable manner.
- The judge's direct demeanor leaves no question on who wears the robe.
- I enjoy observing Judge Christen. Her clear explanations are understandable and decisive without seeming condescending.
- The judge doesn't miss a thing. She carefully watches the participants and doesn't let petty arguments between the attorneys continue.

The Honorable Brian Clark

Anchorage District Court

Appointed by Governor Murkowski to District Court January 2003

Evaluations		Case Types			
Evaluation Hours:	31.7	Arraignment:	4	Pre-indictment Hearing:	0
No. of Observers:	10	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	9	Civil Trial:	0	Sentencing:	0
Negative Comments:	4	Criminal Trial:	7	Small Claims:	1
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	3
				Total Number of Evaluations:	16

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	rs?	3.00
maintain control of the courtroom?		2.88
speak loudly and clearly?		3.25
make remarks that were understood and that m	ade sense?	3.13
show understanding and consideration to the pl	aintiff/victim (present or not)?	2.93
show understanding and consideration to the de	efendant (present or not)?	2.93
take time to explain the proceedings to participa	ants?	2.93
treat all participants fairly and impartially?		3.13
	Overall Rating:	3.02

Did the judge appear to favor either side?

Did not favor either side: 16 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Clark:

- Easy to understand and follow during these proceedings.
- I enjoyed watching this judge during these hearings. He was pleasant yet firm and I appreciated his calm approach while speaking with individual defendants.
- These hearings were much less chaotic than others I have observed.
- Jury selection ran smoothly and he seemed very attentive to juror's needs.
- Smooth running courtroom.
- The judge maintained control of the courtroom and took breaks to allow attorneys to prepare witnesses and to clarify points of law so that his rulings were clearly understood.
- The judge did a great job of keeping things moving along. Very patient.
- The judge is hard to hear at times.
- I wonder if he could have moved this proceeding along the bench conferences seemed to occur every 10 minutes and the attorneys were both very ill-prepared.
- This domestic violence trial moved very slowly and one juror was nodding off. The judge did not seem to notice.
- During these small claim cases, one party had to wait for another case to
 mediate and the wait was lengthy with no explanation or reassurance as
 to what might occur time wise. The in-court clerk came out to handle
 explanations of reasons for continuances, referrals to other courtrooms.
 People were clearly confused, too embarrassed to insist on clarity and/or
 perplexed with the delays and lack of reasonable respect for their time and
 needs.
- I thought the judge was considerate of potential jurors' schedules. His explanation of juror responsibility was short and to the point.
- The judge was impartial in a case where the defense tried very hard to play the sympathy card based on the defendant's age.

The Honorable Sharon Gleason

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court February 2001

Evaluations		Case Types			
Evaluation Hours:	18.3	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	7	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	9	Civil Trial:	4	Sentencing:	0
Negative Comments:	0	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	5
				Total Number of Evaluations:	9

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.89
maintain control of the courtroom?		4.00
speak loudly and clearly?		3.78
make remarks that were understood and that ma	ade sense?	4.11
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.57
show understanding and consideration to the de	efendant (present or not)?	3.57
take time to explain the proceedings to participa	nts?	4.11
treat all participants fairly and impartially?		4.22
	Overall Rating:	3.91

Did the judge appear to favor either side?

Did not favor either side: 9 evaluations.
Favored the defense: 0 evaluations.
Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Gleason:

- Great to see how far a simple, gentle and positive remark will go to soothe a very abrasive attorney.
- Divorce trial/hearings can tend to be quite combative. This judge appears
 to have the ability to calm the participants. During this custody hearing she
 frequently reminded the parents to think of the future of their child and the
 fact that the child will benefit by having both parents active and positive in
 the future. Great job of getting the stressful atmosphere diminished.
- Careful consideration, clear expectations and control of plaintiff's attorney were all demonstrated in this judge's courtroom during my observation.
- The judge encouraged both parties to engage in mediation and reminded them that their willingness to come to an interim agreement is in the best interest of the child.
- Her ability to work with contentious participants in this custody hearing (one pro per) was commendable. I think this helps keep participants calm and more willing to work together.
- The judge's voice was easy to hear and her comments easy to understand. She listened attentively and questioned both attorneys and witnesses for clarification.
- The judge was flexible in allowing requested breaks for one attorney to prepare exhibits. She used humor, patience and firmness in admonishing one attorney on his interrupting and playing to a non-existent jury. She clearly explained her role as determiner of fiduciary responsibility. Great job.
- The judge kept good control of her courtroom. The plaintiff's attorney was unruly and the judge was very patient - almost to a fault, as this attorney was completely out of control.
- The judge took a firm hand in this divorce case. She was personable and kept the facts in perspective so that she could be fair to both sides.

The Honorable J. Patrick Hanley Anchorage District Court

Anchorage District Court

Appointed by Governor Mukowski to District Court January 2005

Evaluations		Case Types			
Evaluation Hours:	27.5	Arraignment:	1	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	2
Positive Comments:	10	Civil Trial:	0	Sentencing:	0
Negative Comments:	2	Criminal Trial:	3	Small Claims:	2
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	5
				Total Number of Evaluations:	14

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participan	ts?	3.54
maintain control of the courtroom?		3.23
speak loudly and clearly?		3.23
make remarks that were understood and that m	nade sense?	3.69
show understanding and consideration to the p	laintiff/victim (present or not)?	3.38
show understanding and consideration to the d	efendant (present or not)?	3.33
take time to explain the proceedings to participate	ants?	3.58
treat all participants fairly and impartially?		3.54
	Overall Rating:	3.44

Did the judge appear to favor either side?

Did not favor either side: 13 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Hanley:

- Patient, calm and accommodating to all participants.
- Lots of disturbances today. Cell phones ringing, attorneys talking back and forth and children crying.
- The judge was even handed in consideration of both plaintiffs and defendants.
- During these small claims cases the judge spoke plainly and was not condescending. I felt he actually cared that everyone understood. Instead of leaving the courtroom during a recess, he stayed and answered questions from students in the gallery.
- The judge moved the hearings along without exhibiting any sense of rushing the plaintiff or defendant or himself. He explained his reasonings very well and showed patience and courtesy to all. He was well organized and calm.
- Clear and understandable explanations regarding bail.
- This case was complicated by the fact that the crime took place on the army base and the defendant is a civilian. The judge took great pains to explain his decision on admissibility of evidence from a decision made in a military court regarding another defendant in this same situation. When handling objections he allowed repeated requests and clarifications from both sides. He exhibited fairness, intense interest and patience with the defense team's obvious lack of experience.
- The judge is on top of control issues in his courtroom.
- This is my first visit to this judge's courtroom for jury selection. His in-court clerk was amiable and welcoming to everyone in the courtroom. It was much appreciated.
- His voice is easily heard. He was patient with and helpful to the young prosecuting attorney.
- The judge was very patient and gave each person adequate time to explain their case during these small claim cases.

The Honorable Stephanie Joannides Anchorage Superior Court

Appointed by Governor Knowles to Superior Court April 2000 Appointed by Governor Hickel to District Court October 1994

Evaluations		Case Types			
Evaluation Hours:	33.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	10	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	14	Civil Trial:	7	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	1	Trial Call:	0
		Jury Selection:	0	Other Hearings:	8
				Total Number of Evaluations:	16

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.56
maintain control of the courtroom?		3.13
speak loudly and clearly?		3.19
make remarks that were understood and that ma	ade sense?	3.50
show understanding and consideration to the plant	aintiff/victim (present or not)?	3.23
show understanding and consideration to the de	fendant (present or not)?	3.29
take time to explain the proceedings to participa	nts?	3.43
treat all participants fairly and impartially?		3.38
	Overall Rating:	3.34

Did the judge appear to favor either side?

Did not favor either side: 16 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Joannides:

- The judge showed concern for the amount of time that the attorneys had kept the jurors waiting while they discussed issues and she explained the delay to the jurors when they finally entered the courtroom.
- I felt the judge could be more forceful when she explains her decisions. At times she seems to be very tentative. She has a tendency to keep her hand over her mouth when she speaks, making it difficult to hear her.
- The judge was gentle but probing in her questioning during this bitter divorce. She handled an ill-prepared attorney with firmness.
- The judge was very caring regarding children's welfare and counseling during this divorce hearing.
- The judge exercised extreme patience with the pro per defendant's long, often repetitious narratives. Her questions were probing and to the issues. She took great care to make sure her questions and comments were clearly understood.
- A sign language interpreter was used during this domestic violence hearing and the judge showed patience and consideration in which the plaintiff/victim was uncertain as to what action she wanted taken.
- The judge was sensitive to the situation and treated everyone with respect.
- I don't know how the judge was able to keep her cool with the very unprofessional plaintiff's attorney.
- The judge made repeated attempts to cut through excessive questions regarding records during this divorce trial. She attempted to keep focus on the substance of the issues. Rightly so, she finally showed impatience at the pace of the trial and assumed the role of questioner on several occasions. I have seen this attorney in other cases and her behavior is outrageous.
- The judge kept one attorney in line and did not let him "bully" through discussions. She spoke in a clear, loud and articulate manner.
- The judge showed respect to all involved including those via telephone, which included both the defendant and various witnesses during this divorce trial. She asked for definitions of terms from an expert witness when it was not clear. She rightfully showed some frustration at the slow pace of the trial.

The Honorable John Lohff

Anchorage District Court

Appointed by Governor Hickel to District Court March 1991

Evaluations		Case Types			
Evaluation Hours:	25.2	Arraignment:	3	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	10	Civil Trial:	0	Sentencing:	1
Negative Comments:	2	Criminal Trial:	3	Small Claims:	1
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	4
				Total Number of Evaluations:	13

Did the judge	(Each category is rated 1 - 5 by observers.))
pay attention to the proceedings and participan	its?	3.23
maintain control of the courtroom?		2.92
speak loudly and clearly?		3.15
make remarks that were understood and that n	nade sense?	3.46
show understanding and consideration to the p	laintiff/victim (present or not)?	3.11
show understanding and consideration to the d	efendant (present or not)?	3.50
take time to explain the proceedings to particip	ants?	3.54
treat all participants fairly and impartially?		3.54
	Overall Rating:	3.31

Did the judge appear to favor either side?

Did not favor either side: 12 evaluations.
Favored the defense: 1 evaluation.
Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 1 evaluation.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Lohff:

- The judge kept the cases moving along. He was patient but firm in his comments to participants. It is always interesting to see how different judges handle the same types of cases.
- He kept arraignments moving along. He handled these routine cases in a respectful manner.
- With a new municipal prosecutor and an ill-prepared defense attorney, the judge had his hands full. He stayed patient and explained his decisions well.
- The judge was most helpful to the new attorneys during this trial.
- The judge was very deliberate and thoughtful. He actively participated in discussions with the attorneys and had a comforting sense of humor that kept everyone at ease.
- The judge made it clear what his expectations were in the cases I
 observed in Mental Health Court. He insisted that each participant respect
 the court's time by following the recommended plan and keeping in touch
 with their case workers. He did a wonderful job dealing with one particular
 participant that was having difficulty with getting his prescriptions refilled
 and transportation to meetings.
- I enjoyed observing this judge's courtroom for Mental Health Court. He seemed very gentle, compassionate and caring with each case. He kindly had a mom and baby leave the courtroom due to the distraction. Wonderful job.
- During these CRP hearings the judge was compassionate to defendants but I was shocked at his attitude towards a victim's mother's concerns. I thought his remarks were very sharp and she was visibly confused with his apparent lack of concern.
- The judge worked directly with the plaintiffs and defendants and was patient in dealing with participants that were unfamiliar with courtroom procedures.
- The judge was very easy to hear and clear in his explanations to defendants and attorneys. He showed a sense of humor and made encouraging remarks to the defendants during these CRP hearings. He was patient when attorneys needed to confer during a case and showed a genuine interest in each defendant. At the end of the hearings I appreciated him asking me if I had any questions.

The Honorable Patrick McKay

Anchorage Superior Court

Appointed by Governor Murkowski to Anchorage Superior Court November 2005

Evaluations		Case Types			
Evaluation Hours:	39.1	Arraignment:	4	Pre-indictment Hearing:	0
No. of Observers:	12	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	11	Civil Trial:	1	Sentencing:	6
Negative Comments:	4	Criminal Trial:	6	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	2
				Total Number of Evaluations:	19

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.47
maintain control of the courtroom?		3.16
speak loudly and clearly?		3.11
make remarks that were understood and that ma	ade sense?	3.44
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.57
show understanding and consideration to the de	efendant (present or not)?	3.50
take time to explain the proceedings to participa	nts?	3.50
treat all participants fairly and impartially?		3.44
	Overall Rating:	3.40

Did the judge appear to favor either side?

Did not favor either side: 19 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 5 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge McKay:

- The judge sometimes spoke too softly to be clearly heard over the other concurrent conversations he allowed in the courtroom.
- The judge moved the hearings along quickly. He demands respect for the process. He encouraged one defendant who had been working her program successfully.
- The judge asked good questions of both attorneys and gave a balanced decision with consideration for community safety and defendant's rights when making 3rd party custodian decisions.
- The gallery was very noisy. I don't know how anyone could make sense of anything said.
- He clearly stated why he sustained or overruled objections. He also stands when the jury comes in and out of the courtroom. Great job.
- The judge questioned some of the witnesses himself. He declined to complete the sentencing because the victim wasn't present and he wanted to make sure the victim had a chance to make a victim impact statement.
- During this sentencing the judge stated he believed the defendant could be rehabilitated but that he could not ignore the defendant's past record and the crimes he was convicted of. He was clearly committed to a fair decision and explained his decision very well.
- The judge spoke in a clear voice and was easy to understand. His explanation of "hearsay" testimony was also easy to understand.
- The judge showed extreme patience while I was observing this case. The
 victim had a hard time remembering anything when responding to the
 defense attorney. The judge called another recess and gave time for her
 to read all the transcripts to refresh her memory.
- The judge is comfortable with the multi-tasking role of presiding over arraignments. He showed flexibility in allowing the over-tasked public defender to confer with the in-custody defendants. I noted that the judge facilitated efficiently when he stayed in court even during brief "off the record" delays. At one point he left to make copies of a file for the public defender so his in-court clerk could process other paperwork. He presided with kindness and firmness and expressions of loyalty to the orders of other judges. This was an impressive example of control without anxiety.
- His reading of the statutory definition of consent was perfunctory and rapid and without further explanation.

The Honorable Peter Michalski

Anchorage Superior Court

Appointed by Governor Sheffield to Superior Court January 1985

Evaluations		Case Types			
Evaluation Hours:	26.8	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	9	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	8	Civil Trial:	12	Sentencing:	0
Negative Comments:	6	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	0
				Total Number of Evaluations:	12

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	s?	3.58
maintain control of the courtroom?		3.67
speak loudly and clearly?		3.25
make remarks that were understood and that ma	ade sense?	3.50
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.56
show understanding and consideration to the de	fendant (present or not)?	3.50
take time to explain the proceedings to participa	nts?	3.64
treat all participants fairly and impartially?		3.67
	Overall Rating:	3.55

Did the judge appear to favor either side?

Did not favor either side: 12 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Michalski:

- His stretching, facial expressions and fidgeting are distracting.
- He was personable and pleasant today. He took great care in keeping the attorneys and their evidence in order and was an active participant.
- In general, I felt he exuded a grandfatherly rather than judicial aura.
- From a hesitant start to a more free flowing style which was easier to follow, the judge's reading of the jury instructions improved as he went along. During the reading he was cognizant of one juror's discomfort and asked if she needed water or a short break.
- He did not tolerate the rudeness of the plaintiff's attorney interrupting the witness.
- He sits with his hands on top of his head, leaning back. I found that posture very informal.
- Attentive and respectful.
- The judge admonished the plaintiff's attorney, telling him to let the witnesses complete their sentences.
- The judge was very sensitive to all persons involved in this trial.
- He is the only judge that I've evaluated that swears in the witnesses himself.
- The judge had to deal with the plaintiff's attorney who wasn't prepared and wasn't always able to keep his client on track. Although he appeared to be irritated he didn't lose his temper.
- He kept everyone on track and kept the proceeding moving forward during this civil trial with numerous defendants. I thought he did a great job today.
- His constant facial expressions are distracting.
- The judge is a serious listener to all participants and rarely interjects, yet
 clarifies when he feels it is warranted. He tactfully ignored the plaintiff's
 attorneys criticisms of the defense attorney's youth and lack of experience.
 He showed consideration to all in keeping recesses to the time he told us
 to expect and in working with the attorneys regarding exhibit objections.

The Honorable William Morse

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court February 2002

Evaluations		Case Types			
Evaluation Hours:	49.1	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	9	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	10	Civil Trial:	11	Sentencing:	0
Negative Comments:	3	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	2	Other Hearings:	7
				Total Number of Evaluations:	20

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.65
maintain control of the courtroom?		3.30
speak loudly and clearly?		3.05
make remarks that were understood and that ma	ade sense?	3.55
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.72
show understanding and consideration to the de	fendant (present or not)?	3.28
take time to explain the proceedings to participa	nts?	3.70
treat all participants fairly and impartially?		3.50
	Overall Rating:	3.47

Did the judge appear to favor either side?

Did not favor either side: 19 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Morse:

- The judge had a calm but stern discussion with the Assistant Attorney General regarding hearsay and treatment of the pro per plaintiff.
- The judge holds his hand in front of his face and it makes it very difficult to hear him.
- The judges comment "If only I had done it properly way back when" seemed to me to lessen confidence in the judge and to be unnecessary.
- Great job at clearing up any misunderstandings and clearing up confusing questions.
- The judge showed a great balance of support, encouragement and firmness when reminding defendants of their responsibilities during the Wellness Court proceedings.
- The judge was attentive and responsive to both plaintiff and defense attorneys during oral arguments.
- The judge's whole presence seems perfect for Therapeutic Court. He is physically authoritative, uses a calm, resonant, well modulated speaking voice. Each defendant is treated with respect, rewarded for compliance and given time to explain and ask questions. He exhibited good recall/research on each participant's past and current behaviors and needs. He used good eye-contact and communicated positively and firmly on a consistent basis. His admonishments were very effective in producing efficient and meaningful outcomes.
- The judge was very active in this case. He made sure he had clear understanding of this case and frequently stopped the proceedings to clarify issues and definitions. He displayed strong jurist knowledge and much patience in this contentious case. On a side note, the in-court clerk displayed inappropriate actions after the judge left the courtroom by pointedly telling one of the attorneys that she had in fact supplied a disk, slammed it on the railing and slammed the door behind her as the attorney was apologizing.
- The judge kept order and offered each pro per participant the opportunity to speak uninterrupted. He explained his decision in language that was clearly understood.

The Honorable Gregory Motyka Anchorage District Court

Appointed by Governor Hickel to District Court July 1991

Evaluations		Case Types			
Evaluation Hours:	10.8	Arraignment:	5	Pre-indictment Hearing:	0
No. of Observers:	5	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	4	Civil Trial:	0	Sentencing:	0
Negative Comments:	0	Criminal Trial:	1	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	0
				Total Number of Evaluations:	6

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	5?	3.67
maintain control of the courtroom?		3.83
speak loudly and clearly?		3.33
make remarks that were understood and that ma	ade sense?	3.33
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.33
show understanding and consideration to the de	fendant (present or not)?	3.67
take time to explain the proceedings to participal	nts?	3.50
treat all participants fairly and impartially?		3.67
	Overall Rating:	3.54

Did the judge appear to favor either side?

Did not favor either side: 6 evaluations.
Favored the defense: 0 evaluations.
Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.
Reasonable: 0 evaluations.
Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Motyka:

- The judge showed patience towards all participants. Great job.
- The judge was focused and attentive to each case.
- The judge gave clear explanations during arraignments. Arraignments are usually so chaotic, not his. He firmly reminds gallery and all participants to quiet down.
- The judge appeared more casual than other judges. He showed care for the juror's comfort.

The Honorable Sigurd Murphy

Anchorage District Court

Appointed by Governor Hickel to District Court July 1992

Evaluations		Case Types			
Evaluation Hours:	17.8	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	6	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	7	Civil Trial:	0	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	3	Trial Call:	0
		Jury Selection:	0	Other Hearings:	8
				Total Number of Evaluations:	11

Did the judge	(Each category is rated 1 - 5 by observers.))
pay attention to the proceedings and participar	its?	4.09
maintain control of the courtroom?		3.64
speak loudly and clearly?		3.64
make remarks that were understood and that n	nade sense?	3.91
show understanding and consideration to the p	laintiff/victim (present or not)?	4.00
show understanding and consideration to the c	efendant (present or not)?	4.18
take time to explain the proceedings to particip	ants?	4.00
treat all participants fairly and impartially?		4.09
	Overall Rating:	3.94

Did the judge appear to favor either side?

Did not favor either side: 11 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.
Reasonable: 0 evaluations.
Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Murphy:

- It was a wonderful surprise to learn of the Veteran's Wellness Court. Watching the rapport between all of these community participants is really a step forward in our judicial system. Judge Murphy deserves credit for his encouragement shown to our veterans. Great job.
- The judge maintained order in these proceedings that can be confusing at times. He had a relaxed manner even when dealing with a defendant who attempted to engage him in a discussion on law.
- During this Veteran's Wellness Court, the judge explained the procedures and what would be happening to each defendant. He went the extra mile to make sure that each participant understood the process. He showed genuine interest in each case.
- The judge thoroughly explained the ex parte domestic violence process and the difference between a 20 day and 1 year order. He is soft spoken and it is visually apparent that petitioners relax with him. There is no difference of treatment between male and female petitioners. I don't think it would hurt for magistrates to watch him - maybe they would do a better job.
- The judge was easy to hear and understand during these domestic violence hearings. He had eye contact with each petitioner and asked questions for clarity. Great job.
- It is a pleasure to watch and listen to Judge Murphy during the Veteran's Wellness Court. He shows respect for each defendant while carefully listening to facts of each case and the defendant's progress. He shows genuine concern for each defendant. He is easy to hear and his explanations and questions are clear and to the point. He makes all participants feel comfortable. He started the hearings by inviting all to join him in the Pledge of Allegiance.
- The judge and all three attorneys seem to have perfected a dance of justice working gracefully, cooperatively and efficiently to provide realistic and thoughtful dispositions. Attorneys were shown respect and allowed to explain and confer with each other. The judge presides with confidence, poise and humor.

The Honorable Stephanie Rhoades

Anchorage District Court

Appointed by Governor Hickel to District Court July 1992

Evaluations		Case Types			
Evaluation Hours:	29.5	Arraignment:	5	Pre-indictment Hearing:	0
No. of Observers:	9	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	8	Civil Trial:	0	Sentencing:	0
Negative Comments:	14	Criminal Trial:	1	Small Claims:	2
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	0	Other Hearings:	11
				Total Number of Evaluations:	20

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	5?	3.05
maintain control of the courtroom?		2.75
speak loudly and clearly?		2.95
make remarks that were understood and that ma	ade sense?	2.80
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.23
show understanding and consideration to the de	fendant (present or not)?	2.87
take time to explain the proceedings to participal	nts?	2.65
treat all participants fairly and impartially?		2.80
	Overall Rating:	2.89

Did the judge appear to favor either side?

Did not favor either side: 19 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 1 evaluation.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Rhoades:

- The judge was very argumentative and condescending. She seems to have forgotten what her job is and that she has a lot of power over people's lives. No one in the courtroom escaped her sarcasm.
- I suggest this judge sit through arraignments with another judge to get help on how to explain the proceeding, how to treat people respectfully and how to act like a judge should act. She is arrogant and condescending. I have never seen another judge yawning and drinking coffee throughout a court proceeding before today.
- The judge spoke in short clipped sentences with an edge to her voice. Her manner said to me "I don't have time for this". She was intimidating during these small claim cases. One defendant was testifying telephonically and she rolled her eyes during his responses to questions from the plaintiff. It was inappropriate. I would not want to try a case with her as the judge.
- The judge worked very quickly at sorting out the different cases during these pretrail conferences.
- She is casual in her demeanor and sometimes bitingly sarcastic.
- Total chaos in her courtroom during the pretrial conferences.
- The noise level in the courtroom during these hearings was very distracting. The judge was very curt with all the participants and the whole process was confusing.
- Today the judge handled each case with efficient, organized direction. She showed firmness, humor and fair thinking in each of her on-the-spot decisions.
- If this was my first time in arraignments I'd be very confused. Her remark to one defendant "Don't throw crap out of the car" was to the point but unprofessional.
- The judge seemed to project an inattentive atmosphere by yawning several times. There was a crying baby. Her explanations during arraignments were presented to defendants in a very cursory manner with no attempt to see if they understood.
- The judge seems to be making an effort to communicate with these
 offenders who experience psychiatric disabilities. She uses humor and the
 idiom which may be typical in this population. However, when the
 proceedings need to be serious she seems unable to regain authority and
 respect for her position and decisions.

The Honorable Mark Rindner

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court October 2000

Evaluations		Case Types			
Evaluation Hours:	42.0	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	13	Civil Trial:	12	Sentencing:	0
Negative Comments:	3	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	3	Trial Call:	0
		Jury Selection:	0	Other Hearings:	1
				Total Number of Evaluations:	17

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.41
maintain control of the courtroom?		3.24
speak loudly and clearly?		3.24
make remarks that were understood and that ma	ade sense?	3.53
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.38
show understanding and consideration to the de	efendant (present or not)?	3.42
take time to explain the proceedings to participa	nts?	3.50
treat all participants fairly and impartially?		3.47
	Overall Rating:	3.40

Did the judge appear to favor either side?

Did not favor either side: 17 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Rindner:

- The judge explained his decision to let jurors ask questions after they were reviewed by attorneys.
- The judge was very patient with attorneys and the witness. To clear up confusing testimony he asked questions of one witness himself
- One very young juror was chewing gum, blowing bubbles, writing notes to the juror next to her and giggling during this malpractice trial. If I had been either of the parties involved in this case I would not have had a great deal of confidence in this jury's ability to reach an informed decision.
- The judge did a good job of disentangling the complicated financial statements including the military system of promotion, pension and bonuses. He showed empathy for all participants and humanized a difficult situation.
- During this emotional domestic violence hearing the judge's explanation of a domestic violence order vs no contact order was thorough and understandable.
- Once again, the judge did a great job of explaining the confusing questions asked by the defense attorney. He had to continually keep the attorney on track and how he kept his patience I will never know. Maybe at some point the judge should have admonished the attorney.
- The judge was patient with the defense attorney who was clearly in over his head.
- During most of this observation the accounting and financial information was the focus. The judge kept up, asked questions and caught many discrepancies. Great job.
- This case involved engineering and construction defects and was very technical. The judge was attentive and his questions to the attorneys were perceptive and clear. Although this was not a jury trial, the judge went out of his way to make sure questions and answers were brought to a level that could be understood by observers in his courtroom.
- He showed impatience through his facial expressions.
- The judge stood in front of the couple during this divorce settlement conference. He spoke frankly to both, encouraging them to try to settle instead of going to trial. He told them to think of their child and where their money could be better spent than on attorney fees.

The Honorable Jack Smith

Anchorage Superior Court

Appointed by Governor Murkowski to District Court January 2003 Appointed by Governor Murkowski to Superior Court November 2006

Evaluations		Case Types			
Evaluation Hours:	12.9	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	5	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	6	Civil Trial:	1	Sentencing:	0
Negative Comments:	0	Criminal Trial:	2	Small Claims:	0
		Domestic Violence:	2	Trial Call:	0
		Jury Selection:	1	Other Hearings:	1
				Total Number of Evaluations:	7

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	9?	3.57
maintain control of the courtroom?		3.29
speak loudly and clearly?		3.14
make remarks that were understood and that ma	de sense?	3.57
show understanding and consideration to the pla	intiff/victim (present or not)?	3.33
show understanding and consideration to the det	fendant (present or not)?	3.17
take time to explain the proceedings to participar	nts?	3.57
treat all participants fairly and impartially?		3.43
	Overall Rating:	3.38

Did the judge appear to favor either side?

Did not favor either side: 7 evaluations.
Favored the defense: 0 evaluations.
Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Smith:

- This long term domestic volence hearing was straight forward. The judge kept the plaintiff's attorney on track regarding dates that applied under this order.
- The judge was very patient with a dramatic defense attorney and a confused District Attorney.
- He offered information to the pro per regarding the Family Law Center and brokered an interim agreement of child custody and travel.
- He was attentive and thorough, making sure that both parties kept ontrack addressing only the current issue in the long term domestic violence case.
- The respondent was telephonic, which is more challenging, but the judge handled all participants with respect.
- Outside the presence of the jury, the judge heard from both attorneys.
 They were in disagreement. He was calm, listened to both sides and made clear explanations about his rulings. I found Judge Smith very easy to hear and understand.

The Honorable Craig Stowers

Anchorage Superior Court

Appointed by Governor Murkowski to Superior Court September 2004

Evaluations		Case Types			
Evaluation Hours:	23.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	1
Positive Comments:	6	Civil Trial:	4	Sentencing:	0
Negative Comments:	3	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	2	Trial Call:	0
		Jury Selection:	0	Other Hearings:	5
				Total Number of Evaluations:	12

Did the judge	(Each category is rated 1 - 5 by observers.)
pay attention to the proceedings and participan	ts?	3.50
maintain control of the courtroom?		3.50
speak loudly and clearly?		3.33
make remarks that were understood and that m	ade sense?	3.50
show understanding and consideration to the pl	aintiff/victim (present or not)?	3.70
show understanding and consideration to the de	efendant (present or not)?	3.70
take time to explain the proceedings to participa	ants?	3.55
treat all participants fairly and impartially?		3.64
	Overall Rating:	3.55

Did the judge appear to favor either side?

Did not favor either side: 12 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.
Reasonable: 0 evaluations.
Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Stowers:

- I think everyone appreciated the judge thanking an eye witness that had come forward in this auto injury trial.
- Sometimes it was hard to understand the judge's decisions during this trial. He peppered his explanations with legal talk and jurors looked at each other as if confused.
- The judge's concise explanation of his decision regarding a provisional domestic violence order was understandable and thorough. He asks for and receives respect from the attorneys - making sure they stand when addressing the court. No nonsense.
- The judge handled a very graphic and personal case of domestic violence with appropriate calm and patience. His expression of reasoning, use of law and concerns about future litigation left both parties in a position to perhaps settle with less rather than more enmity.
- The judge was empathetic, professional and straightforward. He listened
 to both parties, asked questions and eventually commended the couple for
 acting civilized during their divorce. He said he wished he could bottle their
 wisdom and compassion and use it for those couples who don't have the
 ability to act like adults. Great job.
- This was the most informal hearing I've observed and informality worked well. The judge clearly wanted to protect the child's well being and the rights of each parent as well. His questions to social workers, attorneys and both parents were fair, direct, thorough and productive. He maintained control, prevented outbursts and interruptions during a highly charged ongoing dispute.
- The judge hurried through this hearing and I found it difficult to understand what he was saying.
- He spoke very clearly and was totally on top of the issues surrounding this Child in Need of Aid case. He made sure that I, as an observer, was aware that no conversation or comments about the events transpiring in the courtroom could be repeated outside of court and asked for my commitment to such. He was totally in control of the courtroom and cordial to all.
- When the judge asked the plaintiff's attorney questions regarding awards issued in these types of cases, it appeared he was unsure of the law. He allowed the plaintiff's attorney to interrupt the defense attorney. The two attorneys argued back and forth on terminology. I wasn't impressed today.

The Honorable John Suddock

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court November 2002

Evaluations		Case Types			
Evaluation Hours:	51.5	Arraignment:	4	Pre-indictment Hearing:	0
No. of Observers:	13	Change of Plea:	1	Pretrial Conference:	0
Positive Comments:	15	Civil Trial:	0	Sentencing:	1
Negative Comments:	11	Criminal Trial:	16	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	2
				Total Number of Evaluations:	25

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participants	s?	3.40
maintain control of the courtroom?		3.00
speak loudly and clearly?		2.84
make remarks that were understood and that ma	ade sense?	3.28
show understanding and consideration to the pla	aintiff/victim (present or not)?	3.38
show understanding and consideration to the de	fendant (present or not)?	3.26
take time to explain the proceedings to participa	nts?	3.36
treat all participants fairly and impartially?		3.16
	Overall Rating:	3.21

Did the judge appear to favor either side?

Did not favor either side: 25 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 1 evaluation.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Suddock:

- The judge was very slow, deliberate and thoughtful when explaining his
 decisions. He shows flashes of humor at times. His ten minute recess was
 exactly ten minutes.
- Even with the District Attorney constantly objecting, the judge was able to keep things calm and focused.
- The judge stopped the closing by the District Attorney cold no warning of the time running out. It was shocking and disrespectful.
- His explanations for his rulings were clear and understandable.
- He seemed very hurried today.
- The judge appeared to defer to attorneys on terms of sentencing.
- The judge's explanation of a Miranda issue was understandable.
- Acronyms, with no explanations as to their meanings, were constantly used. At the time I didn't know what he was talking about. I hope the defendants were more knowledgeable. For me this only added to the chaotic atmosphere.
- The judge was 25 minutes late for these hearings. There was chaos in the courtroom - attorneys talking and laughing and it was very hard to hear anything the judge said.
- In each change of plea the judge explained the defendant's rights, asked if each understood their plea agreement and then made sure they had a clear understanding of the terms of the plea.
- I felt the judge gave each attorney and the defendant his full attention during this sentencing. When he spoke to the defendant before he handed down the sentence he was very detailed regarding his decision.
- Today the length of breaks were not clearly announced and people wondered aloud how long they would be.
- His rulings were clear and easy to understand.
- I was hopeful the judge would have noticed the napping juror and transport officer. Very restless jurors.
- These arraignments started 45 minutes late without explanation. There
 was little or no control of the courtroom.

The Honorable Alex Swiderski Anchorage District Court

Appointed by Governor Murkowski to Anchorage District Court April 2005

Evaluations		Case Types			
Evaluation Hours:	23.6	Arraignment:	10	Pre-indictment Hearing:	0
No. of Observers:	12	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	11	Civil Trial:	0	Sentencing:	0
Negative Comments:	3	Criminal Trial:	3	Small Claims:	1
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	1	Other Hearings:	2
				Total Number of Evaluations:	17

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.35
maintain control of the courtroom?		3.18
speak loudly and clearly?		2.82
make remarks that were understood and that m	ade sense?	3.71
show understanding and consideration to the plant	aintiff/victim (present or not)?	3.44
show understanding and consideration to the de	efendant (present or not)?	3.76
take time to explain the proceedings to participa	nts?	3.82
treat all participants fairly and impartially?		3.59
	Overall Rating:	3.46

Did the judge appear to favor either side?

Did not favor either side: 17 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Swiderski:

- The judge was a little difficult to hear today. Maybe it was all the noise from the gallery and people coming and going throughout the arraignments.
- The judge gave a clear and understandable explanation of tolling Rule 45.
 His patience and firmness during arraignments are a great combination.
- Great explanation of the municipality's pre-trial diversion program.
- Professional but not intimidating.
- I am pleased that this judge can go through 45-50 arraignments and handle each defendant with attention and dignity.
- The judge gave clear and concise instructions/decisions.
- He handled a mentally ill, abusive and non-compliant defendant with respect as long as possible, showing resolve and empathy to the OPA attorney and the client. It was tense and I was surprised there was not an officer in the courtroom.
- His voice is hard to hear as it lacks volume and he sometimes speaks to the case files rather than to the courtroom.
- The judge was patient and efficient when handling the numerous attorneys waiting to have their cases heard. He listened well, showed respect to all and used humor very nicely to relieve or clarify situations. He also showed firmness when he disagreed with an attorney.
- The judge gave clear explanations when making a ruling so defendants and plaintiffs could understand during these small claim cases. He answered questions when participants were confused.
- Great explanation of why a witness could have an attorney. The witness
 declined and the judge again gave the witness another opportunity citing
 possible consequences since the witness was claiming to be the actual
 driver in this leaving the scene of an accident case.
- The judge's manner of speaking is quiet and does not evoke a feeling of firmness. I felt he was too gentle in his treatment of an argumentative defendant appearing pro per. He did, however, control the courtroom and emphasized that he does not permit interruptions of those whose turn it was to speak in his courtroom.

The Honorable Sen Tan

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court December 1996

Evaluations		Case Types			
Evaluation Hours:	22.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	11	Civil Trial:	5	Sentencing:	0
Negative Comments:	1	Criminal Trial:	0	Small Claims:	0
		Domestic Violence:	3	Trial Call:	0
		Jury Selection:	2	Other Hearings:	2
				Total Number of Evaluations:	12

Did the judge	(Each category is rated 1 - 5 by observers.)
pay attention to the proceedings and participan	ts?	3.50
maintain control of the courtroom?		3.50
speak loudly and clearly?		3.25
make remarks that were understood and that m	nade sense?	3.42
show understanding and consideration to the p	laintiff/victim (present or not)?	3.45
show understanding and consideration to the d	efendant (present or not)?	3.50
take time to explain the proceedings to participa	ants?	3.67
treat all participants fairly and impartially?		3.67
	Overall Rating:	3.50

Did the judge appear to favor either side?

Did not favor either side: 12 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 0 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Tan:

- When things got even a little off track, the judge quickly brought order. He was very patient but firm with the pro per participants.
- This judge keeps things moving along and although he may show a "soft" side he is all business.
- The judge appeared friendly and easy going but defintely had control of his courtroom.
- When one attorney seemed inexperienced in these types of domestic violence hearings, the judge assisted him in moving the proceedings along.
- The judge used "gentle humor" when admonishing the attorney for not filling out the exhibit list prior to the beginning of the hearing.
- When this judge says there will be a 15 minute break he means 15 minutes.
- The judge showed a lot of patience explaining the procedures to the proper plaintiffs. At one point his voice did get tense but it was justified as these proper plaintiffs were pushing him to the limit time and time again.
- Potential jurors in gallery are texting, playing games and talking on their cell phones.
- Attentive and active during jury selection.
- The judge did a good job of remaining alert throughout the infinitesimal medical details of the expert witness testimony. Before the recess the judge addressed the jury and empathized with them, promising that the case is moving along one step at a time and will reach a conclusion.
- The judge made his decisions on admissibility of exhibits very clear. I liked the disciplined posture and attentiveness of the judge.
- His calming influence is apparent during these domestic violence hearings. Wonderful.

The Honorable Phillip Volland

Anchorage Superior Court

Appointed by Governor Knowles to Superior Court November 2002

Evaluations		Case Types			
Evaluation Hours:	126.3	Arraignment:	1	Pre-indictment Hearing:	0
No. of Observers:	13	Change of Plea:	1	Pretrial Conference:	0
Positive Comments:	24	Civil Trial:	0	Sentencing:	6
Negative Comments:	8	Criminal Trial:	30	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	10	Other Hearings:	5
				Total Number of Evaluations:	53

Did the judge	(Each category is rated 1 - 5 by observers.)	
pay attention to the proceedings and participant	s?	3.66
maintain control of the courtroom?		3.53
speak loudly and clearly?		3.19
make remarks that were understood and that ma	ade sense?	3.73
show understanding and consideration to the plant	aintiff/victim (present or not)?	3.56
show understanding and consideration to the de	efendant (present or not)?	3.57
take time to explain the proceedings to participa	nts?	3.76
treat all participants fairly and impartially?		3.77
	Overall Rating:	3.60

Did the judge appear to favor either side?

Did not favor either side: 53 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.
Reasonable: 6 evaluations.
Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Volland:

- Excellent explanation of the exclusionary rule and hearsay.
- This was a highly emotional trial and the judge stayed calm and gave the mother of the victim plenty of time to gather her emotions.
- The 15 minute break turned into 35 minutes without explanation. He was hard to hear today.
- When the judge overruled an objection by the defense attorney, his explanation was understandable.
- The judge was concise and clear in his ruling during this hearing regarding changing the third party custodian.
- The judge spent time questioning the forensic psychologist to clarify certain issues and points. He obviously wanted to be sure he clearly understood everything in order to fairly sentence the defendant.
- The judge stands and has the gallery stand when the jury enters the courtroom. I feel like this is a great show of respect for what they do.
- He kept an eye on all courtroom participants and seemed to quickly notice when jurors needed a break.
- The judge was attentive and patient with each defendant during these hearings. He gave clear explanations and asked each defendant if they had questions. He dealt with attorneys fairly when trying to find the best situation for each defendant. He spoke in a calm, clear voice and was easy to understand.
- The judge was extremely well prepared for this sentencing. He asked questions and listened and responded to the attorneys in a respectful and professional tone. When he handed down the sentence he explained his decision thoroughly. He cited the *Chaney* decision and explained how that case was being used during sentencings. The aggravating and mitigating factors were each addressed completely.
- The judge, while imposing the maximum sentence under the guidelines, took considerable time to explain his reasoning why he allowed consideration of both recent criminal history and juvenile record to enter into his judgment.
- During the jury selection process his comments and instructions were not loud enough. His voice is soft and he does not always speak directly into the microphone.

The Honorable Michael Wolverton Anchorage Superior Court

Appointed by Governor Knowles to Superior Court December 1996 Appointed by Governor Cowper to District Court August 1988

Evaluations		Case Types			
Evaluation Hours:	39.5	Arraignment:	0	Pre-indictment Hearing:	0
No. of Observers:	8	Change of Plea:	0	Pretrial Conference:	0
Positive Comments:	15	Civil Trial:	0	Sentencing:	2
Negative Comments:	4	Criminal Trial:	11	Small Claims:	0
		Domestic Violence:	0	Trial Call:	0
		Jury Selection:	7	Other Hearings:	2
				Total Number of Evaluations:	22

Did the judge	(Each category is rated 1 - 5 by observers.)		
pay attention to the proceedings and participants?			
maintain control of the courtroom?		3.45	
speak loudly and clearly?		3.36	
make remarks that were understood and that made sense?			
show understanding and consideration to the plaintiff/victim (present or not)?			
show understanding and consideration to the def	endant (present or not)?	3.45	
take time to explain the proceedings to participan	ts?	3.57	
treat all participants fairly and impartially?		3.70	
	Overall Rating:	3.54	

Did the judge appear to favor either side?

Did not favor either side: 22 evaluations.

Favored the defense: 0 evaluations.

Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.

Reasonable: 2 evaluations.

Severe: 0 evaluations.

The following comments are a sampling of those made during observations of Judge Wolverton:

- The judge didn't put up with the antics of one of the attorneys. Great job.
 He was gentle with one witness during very emotional testimony. His
 decisions, regarding evidence coming in, were well explained.
- His frequent 10 minute breaks turned into 15-20 minutes without explanation.
- When the judge left the courtroom, comments were heard between the incourt clerk and uniformed officer noting the judge's curt demeanor.
- The judges decisions appeared mechanical and rapid.
- The judge was succinct and clear when explaining the jury selection process. He paid close attention and followed up with questions of his own.
- The judge showed no resentment to the defendant's "jailhouse lawyer" attempts to interrupt the sentencing. Very patient.
- The judge gave a thorough explanation for his decision on the length of sentence for the defendant.
- The judge paid close attention and stopped the defense attorney from badgering a witness. After a 10 minute recess turned into over half an hour the judge apologized and explained he was consulting with 2 other judges on another matter. It was nice to hear an explanation. During another recess he stayed to address a government class from West High. He answered their questions and was cordial and welcoming.
- Moved jury selection right along and was active in questioning prospective jurors.
- Before opening statements, the judge ruled on the relevancy of an issue.
 He gave both attorneys the opportunity to argue their position and his
 decision was clearly stated and supported by his reasons. Very easy to
 understand.
- The judge demonstrated firmness and clear control of the courtroom. He
 was gracious in his treatment of jurors and fair in his interactions with the
 attorneys.
- When the defense attorney pointed out that evidence had not been given to him and that it was central to his case, the judge declared a mistrial. He maintained control of the courtroom and interacted firmly but evenly with both attorneys.

Acknowledgements

by Kathleen Rice, Executive Director

On behalf of myself and the Board of Directors of Alaska Judicial Observers, I want to personally thank some people who have helped make our program the model of court observer programs nationwide.

Rep. Max Gruenberg and Rep. Kevin Meyer worked hard to provide legislative funding for Alaska Judicial Observers. They worked tirelessly to advocate for us and we appreciate their belief in this program. We will continue to show our appreciation by giving them, and all Alaskans, a program that they can be proud to have participated in supporting.

Glen Denning not only shares his precious time with us, he also shares his computer expertise. He continues to donate endless hours of computer support and graphic design to us. We are forever grateful for his professional input. His eight years of volunteering for AJO has made it possible for us to produce a Report that is focused on providing information on judicial performance.

We also are very proud of the work that our courtroom volunteers give to Alaska Judicial Observers. They spend hours training, learning the judicial process and then going into courtrooms to give their perspective on judicial performance. They use their valuable personal time in order to truly make a difference and for that we owe them our sincere thanks. Without their dedication we would not exist.

Pat Gallagher serves as the Secretary/Treasurer on our Board of Directors. Not only does she hold that position, she also spends time in the courtroom evaluating judges, she helps to train volunteers and she works in the program office. Non-profit Executive Directors dream of having a Board member that is so active in their organization. I thank her and want her to know how very much I appreciate her assistance in keeping the organization running.

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