

**Alaska Judicial Council
2008 Judicial Retention Performance Evaluation Materials
Judge Robert B. Downes
Fairbanks Superior Court**

The Alaska Judicial Council evaluates judges on a number of criteria, including legal ability, demeanor, diligence, ability to manage their caseloads, and fairness and integrity. The Judicial Council finds Judge Downes to be **Qualified** and recommends unanimously that the public vote **"YES"** to retain him as a superior court judge.

Retention evaluation materials for this judge

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<i>This page will appear in the State of Alaska Election Pamphlet sent to each Alaskan household.</i>	
2. Judge questionnaire	3
<i>The judge's response to a Judicial Council questionnaire.</i>	
3. Survey scores in 2008	
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a. Attorney; Peace Officer; Social Worker/Guardians Ad Litem/CASA scores	10
b. Juror survey scores	20
c. Court employee survey scores	21

Retention evaluation materials for all judges on the ballot

(To view these materials go to main 2008 retention page.)

- 1. Peremptory challenge memo**
Analysis of peremptory challenge rates for judges.
- 2. Recusal memo**
Evaluation of judge's record of self-disqualification from cases, or "recusals."
- 3. Appellate Review Memo**
Analysis of appellate decisions involving each trial judge's cases.

Alaska Judicial Council Recommendation

Judge Robert B. Downes, Superior Court, Fairbanks

Judicial Council Recommendation

The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska constitution, evaluates judges on criteria that include legal ability, demeanor, diligence, ability to manage their caseloads, and fairness and integrity. The Judicial Council finds Judge Downes 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 2,884 attorneys and 1,539 peace and probation officers, together with 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 public 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, and held a statewide public hearing to obtain comments about judges.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem CASAs
Legal Ability	3.7	---	---	---	---
Impartiality	3.8	4.3	4.7	4.3	3.7
Integrity	4.0	4.4	---	4.3	4.0
Temperament	4.0	4.3	4.8	4.3	4.1
Diligence	3.6	4.2	---	4.1	4.1
Overall	3.7	4.3	4.6	4.3	3.8

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 Downes on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Downes on overall performance was 3.7. Peace and probation officers rated Judge Downes on five categories, using the 5-point scale above. They gave Judge Downes a rating of 4.3.

Three other groups also evaluated Judge Downes' performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.6 overall, court employees gave him 4.3, and social workers, guardians ad litem and CASA volunteers rated him at 3.8.

Recommendation: Vote "YES" to retain Judge Robert B. Downes

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 2008

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ALASKA JUDICIAL COUNCIL

Alaska Judicial Council Questionnaire

Trial Judge 2008 Candidates for Judicial Retention

November 21, 2008

Robert B. Downes

Fairbanks Superior Court

Name

Court

1. Please estimate your workload during your present term.

<p>a) <u>50</u> % civil cases</p> <p> <u>24</u> % criminal cases</p> <p> <u>26</u> % childrens cases</p> <p> 100 % Total</p>	<p>b) <u>7</u> # of jury trials/year</p> <p> <u>13</u> # of non-jury trials/year</p> <p> <u>5</u> # of administrative appeals/year</p>
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2. Please describe your participation on court/bar committees or other administrative activities during your current term of office.

Presiding Judge of the newly implemented Fairbanks Wellness Court; helped set up the procedures, the policies, and the administration of this court.

Attended workshops.

Gave lectures at the University of Alaska - Fairbanks Campus.

Participated in both of the Fairbanks and Delta Junction Youth Courts.

*Alaska Judicial Council
Trial Judge Questionnaire
Retention*

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

Overall, I think that my judicial performance during my present term has been a successful, satisfying, and productive experience.

The development of the Fairbanks Wellness Court has been a goal of the judiciary in Fairbanks for quite some time. Over the last year or so, it has been coming to fruition, and is currently providing significant benefits to its participants and the community. My participation in the development of this court is something that I am both proud of and intend to foster in the future. At this point, I feel that further therapeutic courts can and should be developed in the Fairbanks area since the need is great and the benefits are incalculable.

Over the course of my tenure I have attempted to treat all parties that come before me with courtesy and respect. I try to make my courtroom "user friendly" and while I demand that all participants in my courtroom respect the institution, I try to keep the atmosphere cordial considering the great range of human emotions that the participants usually bring before me. I try never to forget that no matter how seemingly trivial an issue is, that it is a significant event in the life of the litigants.

The nature of this job continually requires me to reaffirm my dedication to justice and the rule of law in our society.

Alaska Judicial Council
Trial Judge Questionnaire
Retention

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 non-judicial 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
 - f) had any complaints, charges or grievances filed against you with the Alaska Commission on Judicial Conduct, the Alaska Bar Association, or with the Alaska Court System that resulted in public proceedings or sanctions? 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 2008 retention elections.

The project of developing the Wellness Court in Fairbanks is in its infancy. I look forward to continuing this court and the development of future therapeutic courts in Fairbanks.

Alaska Judicial Council
 Trial Judge Questionnaire
 Retention

7. Please list your three most recent jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in these trials. (Attach additional pages if necessary.)

Case Number 1

Case
Name: State of Alaska **Case Number:** 4FA-S06-01450 CR
 v. Charles S. Stevens

Attorneys Involved:

Name: <u>William R. Satterberg, Jr.</u>	Name: <u>Jeffrey A. O'Bryant</u>
Address: <u>709 4th Avenue</u>	Address: <u>455 3rd Avenue, Suite 150</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Timothy D. Dooley</u>	Name: _____
Address: <u>921 W. 6th Ave., Ste. 200</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____

Case Number 2

Case
Name: State of Alaska **Case Number:** 4FA-S06-00843 CR
 v. Faith A. Derendoff

Attorneys Involved:

Name: <u>Gabriel M. Quinnan</u>	Name: <u>Scott L. Mattern</u>
Address: <u>529 5th Avenue, Suite 1</u>	Address: <u>455 3rd Avenue, Suite 150</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Paul J. Canarsky</u>	Name: _____
Address: <u>529 5th Avenue, Suite 1</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Case Number 3

Case
Name: State of Alaska **Case Number:** 4FA-S06-03492 CR
 v. Margaret E. Failla

Attorneys Involved:

Name: <u>Gabriel M. Quinnan</u>	Name: <u>Frank E. Spaulding</u>
Address: <u>529 5th Avenue, Suite 1</u>	Address: <u>455 3rd Avenue, Suite 150</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Alaska Judicial Council
 Trial Judge Questionnaire
 Retention

8. Please list your three most recent non-jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent non-jury trials. (Attach additional pages if necessary.)

Case Number 1

Case Name: In The Matter of: R. A. *Case Number:* 4FA-05-00020 CN

v. _____

Attorneys Involved:

Name: <u>James M. Hackett</u>	Name: <u>Gayle L. Garrigues</u>
Address: <u>401 11th Avenue</u>	Address: <u>100 Cushman Street, Suite 400</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: In The Matter Of: D. D. M. *Case Number:* 4FA-07-00036 CN

v. _____

Attorneys Involved:

Name: <u>James H. Cannon</u>	Name: <u>R. Poke Haffner</u>
Address: <u>402 7th Avenue</u>	Address: <u>100 Cushman St., Suite 400</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Brent E. Bennett</u>	Name: _____
Address: <u>529 5th Avenue, Suite 1</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Case Number 3

Case Name: Evelyn E. Jewkes *Case Number:* 4FA-03-00754 CI

v. Eric A. Jewkes

Attorneys Involved:

Name: <u>Daniel L. Callahan</u>	Name: <u>Christopher E. Zimmerman</u>
Address: <u>250 Cushman Street, Suite 3D</u>	Address: <u>711 Gaffney Road, Suite 202</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Alaska Judicial Council
 Trial Judge Questionnaire
 Retention

9. Please list your three most recent cases, including case names and numbers, which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.). Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent non-jury trials. (Attach additional pages if necessary.)

Case Number 1

Case
Name: Rosalie Hunter *Case Number:* 4BE-05-00197 CI
 v. Yukon-Kuskokwim School Dist.

Attorneys Involved:

Name: <u>David Henderson</u>	Name: <u>Myron E. Angstman</u>
Address: <u>Box 2441</u>	Address: <u>Box 585</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Bethel, AK 99559</u>

Name: <u>William H. Ingaldson</u>	Name: _____
Address: <u>813 W. 3rd Avenue</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501-2001</u>	City, State, Zip: _____

Case Number 2

Case
Name: Jeremy Phillips *Case Number:* 4BE-04-00321 CI
 v. Alaska Sales and Service

Attorneys Involved:

Name: <u>Jim J. Valcarce</u>	Name: <u>Myron E. Angstman</u>
Address: <u>Box 409</u>	Address: <u>Box 585</u>
City, State, Zip: <u>Bethel, AK 99559-0409</u>	City, State, Zip: <u>Bethel, AK 99559</u>

Name: <u>Christine S. Schleuss</u>	Name: <u>Rebecca J. Hozubin</u>
Address: <u>1227 W. 9th Ave., 2nd Floor</u>	Address: <u>310 K Street, Suite 405</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Case Number 3

Case
Name: State of Alaska *Case Number:* 4FA-S04-00226 CR
 v. Danielle J. Hodges

Attorneys Involved:

Name: <u>William R. Satterberg, Jr.</u>	Name: <u>Jeffery A. O'Bryant</u>
Address: <u>709 4th Avenue</u>	Address: <u>455 3rd Avenue, Suite 150</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Alaska Judicial Council
 Trial Judge Questionnaire
 Retention

10. *Optional:* If you deem it helpful to the Council, please list up to three other cases during your past term in which you believe your work was particularly noteworthy. Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in these cases. (Attach additional pages if necessary.)

Case Number 1

Case Name: Rita M. Hymes *Case Number:* 4FA-05-01295 CI
 v. Discover Bank

Attorneys Involved:

Name: <u>Rita M. Hymes - Pro se</u>	Name: <u>Richard L. Crabtree</u>
Address: <u>2340 Ravenwood</u>	Address: <u>3000 A Street, Suite 200</u>
City, State, Zip: <u>Fairbanks, AK 99709</u>	City, State, Zip: <u>Anchorage, AK 99503</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: David Ulak *Case Number:* 4BE-02-00130 CI
 v. Suburban Propane

Attorneys Involved:

Name: <u>Christopher Cooke</u>	Name: <u>Michael P. McConahy</u>
Address: <u>3700 Jewel Lake Road</u>	Address: <u>711 Gaffney, Suite 202</u>
City, State, Zip: <u>Anchorage, AK 99502</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: <u>John Thorsness/Tom VanFlein</u>	Name: <u>Joseph A. Pollock</u>
Address: <u>711 H. Street, Suite 620</u>	Address: <u>3351 Arctic Blvd.</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99503</u>

Case Number 3

Case Name: State of Alaska *Case Number:* 4FA-S04-04315 CR
 v. Sean M. Judd

Attorneys Involved:

Name: <u>Joshua F. Fannon</u>	Name: <u>Jason Gazewood</u>
Address: <u>80 S. Bailey St., Ste. 101</u>	Address: <u>455 3rd Ave., Ste. 150</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

38. SUPERIOR COURT JUDGE ROBERT B. DOWNES**A. Alaska Bar Association****Demographic Description (N=114)**

		N	%
Type of Practice			
	No Response	5	4.3%
	Private, Solo	25	21.9%
	Private, 2-5 Attorneys	22	19.2%
	Private, 6+ Attorneys	10	8.7%
	Private, Corporate Employee	1	0.8%
	Judge or Judicial Officer	21	18.4%
	Government	25	21.9%
	Public Service Agency or Organization (Not Govt)	1	0.8%
	Retired	4	3.5%
	Other	--	0.0%
Length of Alaska Practice			
	No Response	7	6.1%
	5 Years or fewer	10	8.7%
	6 to 10 years	10	8.7%
	11 to 15 years	8	7.0%
	16 to 20 years	14	12.2%
	21 years or more	65	57.0%
Gender			
	No Response	6	5.2%
	Male	81	71.0%
	Female	27	23.6%
Cases Handled			
	No Response	7	6.1%
	Prosecution	7	6.1%
	Mainly Criminal	6	5.2%
	Mixed Criminal & Civil	42	36.8%
	Mainly Civil	47	41.2%
	Other	5	4.3%
Location of Practice			
	No Response	4	3.5%
	First District	4	3.5%
	Second District	1	0.8%
	Third District	40	35.0%
	Fourth District	63	55.2%
	Outside of Alaska	2	1.7%

**Evaluation of Judge Robert B. Downes:
Alaska Bar Association Members**

Summary of Findings

Judge Robert B. Downes was evaluated by 98 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.7. The highest mean scores were obtained on *integrity* and *judicial temperament* (4.0) and the lowest mean score was obtained on *diligence* (3.6). Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
Legal Ability	5	5.1%	6	6.1%	28	28.5%	34	34.6%	25	25.5%	3.7
Impartiality\Fairness	6	6.1%	8	8.2%	19	19.5%	28	28.8%	36	37.1%	3.8
Integrity	4	4.1%	5	5.2%	20	20.8%	22	22.9%	45	46.8%	4.0
Judicial Temperament	4	4.0%	7	7.1%	17	17.3%	29	29.5%	41	41.8%	4.0
Diligence	7	7.2%	9	9.3%	28	29.1%	22	22.9%	30	31.2%	3.6
Overall Evaluation	5	5.2%	10	10.5%	22	23.1%	25	26.3%	33	34.7%	3.7

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

Judge Robert B. Downes: Detailed Information Responses Alaska Bar Association Members

	Legal Ability		Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation												
No Response	4.5	2	4.5	2	5.0	2	4.5	2	4.0	1	4.5	2
Direct Professional	3.7	98	3.8	97	4.0	96	4.0	98	3.6	96	3.7	95
Professional Reputation	3.5	12	3.6	11	3.8	12	3.7	12	3.5	10	3.6	13
Other Personal Contacts	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Type of Practice												
No Response	3.2	5	3.4	5	3.8	5	3.6	5	3.4	5	3.3	4
Private, Solo	4.1	19	4.2	19	4.4	19	4.4	19	3.9	19	4.1	18
Private, 2-5 Attorneys	3.6	22	3.8	22	4.0	21	4.0	22	3.5	22	3.8	22
Private, 6+ Attorneys	3.3	6	3.5	6	4.0	5	3.5	6	2.8	6	3.2	6
Private, Corporate Employee	3.0	1	4.0	1	5.0	1	4.0	1	5.0	1	4.0	1
Judge or Judicial Officer	4.2	19	4.2	19	4.4	19	4.1	19	4.2	17	4.3	18
Government	3.3	21	3.2	21	3.5	21	3.7	21	3.1	21	3.1	21
Public Service Agency or Organization (Not Govt)	4.0	1	5.0	1	5.0	1	5.0	1	4.0	1	4.0	1
Retired	3.5	4	4.0	3	3.5	4	3.8	4	3.5	4	3.8	4
Other	--	0	--	0	--	0	--	0	--	0	--	0
Years of Practice in Alaska												
No Response	3.4	7	3.6	7	3.9	7	3.4	7	3.6	7	3.5	6
5 Years or fewer	3.8	9	3.8	9	4.3	9	4.2	9	3.9	9	3.9	9
6 to 10 years	3.7	10	3.6	10	3.8	10	4.3	10	3.5	10	3.6	10
11 to 15 years	3.3	8	3.3	8	3.1	8	3.5	8	3.1	8	3.1	7
16 to 20 years	4.0	13	4.2	13	4.4	13	4.4	13	3.7	12	3.9	13
21 years or more	3.7	51	3.9	50	4.1	49	3.9	51	3.7	50	3.8	50
Gender												
No Response	3.3	6	3.5	6	4.0	6	3.8	6	3.5	6	3.6	5
Male	3.8	70	3.9	70	4.1	68	4.1	70	3.7	68	3.8	69
Female	3.6	22	3.7	21	3.8	22	3.7	22	3.5	22	3.6	21
Cases Handled												
No Response	3.6	7	3.7	7	4.1	7	3.9	7	3.7	6	3.7	6
Prosecution	3.0	4	2.8	4	3.3	4	3.3	4	3.5	4	3.0	4
Mainly Criminal	3.7	6	3.7	6	3.8	6	3.7	6	3.3	6	3.7	6
Mixed Criminal & Civil	3.9	38	4.1	37	4.2	38	4.2	38	3.8	37	4.1	37
Mainly Civil	3.5	38	3.6	38	3.9	36	3.8	38	3.4	38	3.4	37
Other	4.0	5	4.8	5	4.6	5	4.6	5	4.4	5	4.4	5
Location of Practice												
No Response	3.8	4	4.0	4	4.5	4	4.3	4	4.0	4	4.0	3
First District	3.3	3	3.3	3	3.7	3	3.3	3	3.0	3	3.3	3
Second District	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
Third District	3.4	31	3.6	31	3.9	29	3.6	31	3.5	30	3.5	30
Fourth District	3.9	57	4.0	56	4.1	57	4.2	57	3.7	56	3.9	56
Outside of Alaska	4.0	2	4.0	2	4.5	2	4.5	2	3.5	2	4.5	2

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

38. SUPERIOR COURT JUDGE ROBERT B. DOWNES**B. Peace and Probation Officers****Demographic Description (N=53)**

	N	%
Type of Work		
No Response	--	0.0%
State Law Enforcement Officer	18	33.9%
Municipal/Borough Law Enforcement Officer	16	30.1%
Village Public Safety Officer (VSPO)	--	0.0%
Probation/Parole Officer	18	33.9%
Other	1	1.8%
Length of Alaska Experience		
No Response	--	0.0%
5 Years or fewer	19	35.8%
6 to 10 years	11	20.7%
11 to 15 years	11	20.7%
16 to 20 years	7	13.2%
21 years or more	5	9.4%
Gender		
No Response	--	0.0%
Male	41	77.3%
Female	12	22.6%
Location of Practice		
No Response	--	0.0%
First District	2	3.7%
Second District	1	1.8%
Third District	3	5.6%
Fourth District	47	88.6%
Outside of Alaska	--	0.0%
Community Population		
No Response	--	0.0%
Under 2,000	2	3.7%
Between 2,000 and 35,000	18	33.9%
Over 35,000	33	62.2%

Evaluation of Judge Robert B. Downes: Peace and Probation Officers

Summary of Findings

Judge Robert B. Downes was evaluated by 43 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 score was obtained on *integrity* (4.4) and the lowest mean score was obtained on *diligence* (4.2). Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
Impartiality/Fairness	--	0.0%	1	2.3%	9	20.9%	10	23.2%	23	53.4%	4.3
Integrity	--	0.0%	--	0.0%	10	23.8%	6	14.2%	26	61.9%	4.4
Judicial Temperament	--	0.0%	1	2.5%	8	20.0%	9	22.5%	22	55.0%	4.3
Diligence	--	0.0%	--	0.0%	9	22.5%	14	35.0%	17	42.5%	4.2
Overall Evaluation	--	0.0%	--	0.0%	10	23.8%	9	21.4%	23	54.7%	4.3

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

Judge Robert B. Downes: Detailed Information Responses Peace and Probation Officers

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation										
No Response	4.5	2	4.5	2	5.0	2	4.5	2	4.5	2
Direct Professional	4.3	43	4.4	42	4.3	40	4.2	40	4.3	42
Professional Reputation	3.1	7	3.4	7	3.4	7	3.7	7	3.6	7
Other Personal Contacts	4.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Type of Work										
No Response	--	0	--	0	--	0	--	0	--	0
State Law Enforcement Officer	4.6	15	4.7	15	4.6	14	4.3	15	4.6	14
Municipal/Borough Law Enforcement Officer	4.1	12	4.3	11	4.1	12	4.1	10	4.1	12
Village Public Safety Officer (VSPO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	4.3	15	4.2	15	4.3	13	4.2	14	4.3	15
Other	2.0	1	3.0	1	3.0	1	3.0	1	3.0	1
Years										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	4.5	16	4.6	16	4.6	15	4.3	16	4.5	16
6 to 10 years	4.3	9	4.2	9	4.3	7	4.3	9	4.3	9
11 to 15 years	4.1	9	4.5	8	4.1	9	4.0	7	4.2	9
16 to 20 years	3.7	6	3.7	6	3.7	6	3.8	6	3.6	5
21 years or more	4.7	3	4.7	3	4.7	3	4.5	2	4.7	3
Gender										
No Response	--	0	--	0	--	0	--	0	--	0
Male	4.5	33	4.6	32	4.5	31	4.4	31	4.5	32
Female	3.7	10	3.7	10	3.7	9	3.6	9	3.8	10
Location of Practice										
No Response	--	0	--	0	--	0	--	0	--	0
First District	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Second District	--	0	--	0	--	0	--	0	--	0
Third District	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Fourth District	4.2	41	4.4	40	4.3	38	4.2	38	4.3	40
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response	--	0	--	0	--	0	--	0	--	0
Under 2,000	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Between 2,000 and 35,000	4.0	11	4.1	11	4.0	10	4.1	10	4.1	11
Over 35,000	4.4	31	4.5	30	4.4	29	4.2	29	4.4	30

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

38. SUPERIOR COURT JUDGE ROBERT B. DOWNES**C. Social Workers, Guardians ad Litem, and CASA Volunteers****Demographic Description (N=11)**

	N	%
Type of Work		
No Response	--	0.0%
Social Worker	6	54.5%
Guardian Ad Litem	2	18.1%
CASA Volunteer	3	27.2%
Other	--	0.0%
Length of Alaska Experience		
No Response	--	0.0%
5 Years or fewer	6	54.5%
6 to 10 years	2	18.1%
11 to 15 years	1	9.0%
16 to 20 years	2	18.1%
21 years or more	--	0.0%
Gender		
No Response	--	0.0%
Male	2	18.1%
Female	9	81.8%
Location of Practice		
No Response	--	0.0%
First District	--	0.0%
Second District	--	0.0%
Third District	--	0.0%
Fourth District	11	100.0%
Outside of Alaska	--	0.0%
Community Population		
No Response	1	9.0%
Under 2,000	--	0.0%
Between 2,000 and 35,000	2	18.1%
Over 35,000	8	72.7%

**Evaluation of Judge Robert B. Downes:
Social Workers, Guardians ad Litem, and CASA Volunteers**

Summary of Findings

Judge Robert B. Downes was evaluated by 10 Social Workers, Guardians ad Litem, and CASA Volunteers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.8. The highest mean scores were obtained on *judicial temperament* and *diligence* (4.1) and the lowest mean score was obtained on *impartiality/fairness* (3.7). Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
Impartiality/Fairness	2	20.0%	1	10.0%	--	0.0%	2	20.0%	5	50.0%	3.7
Integrity	1	10.0%	1	10.0%	1	10.0%	1	10.0%	6	60.0%	4.0
Judicial Temperament	1	10.0%	--	0.0%	1	10.0%	3	30.0%	5	50.0%	4.1
Diligence	1	11.1%	--	0.0%	1	11.1%	2	22.2%	5	55.5%	4.1
Overall Evaluation	1	11.1%	2	22.2%	--	0.0%	1	11.1%	5	55.5%	3.8

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

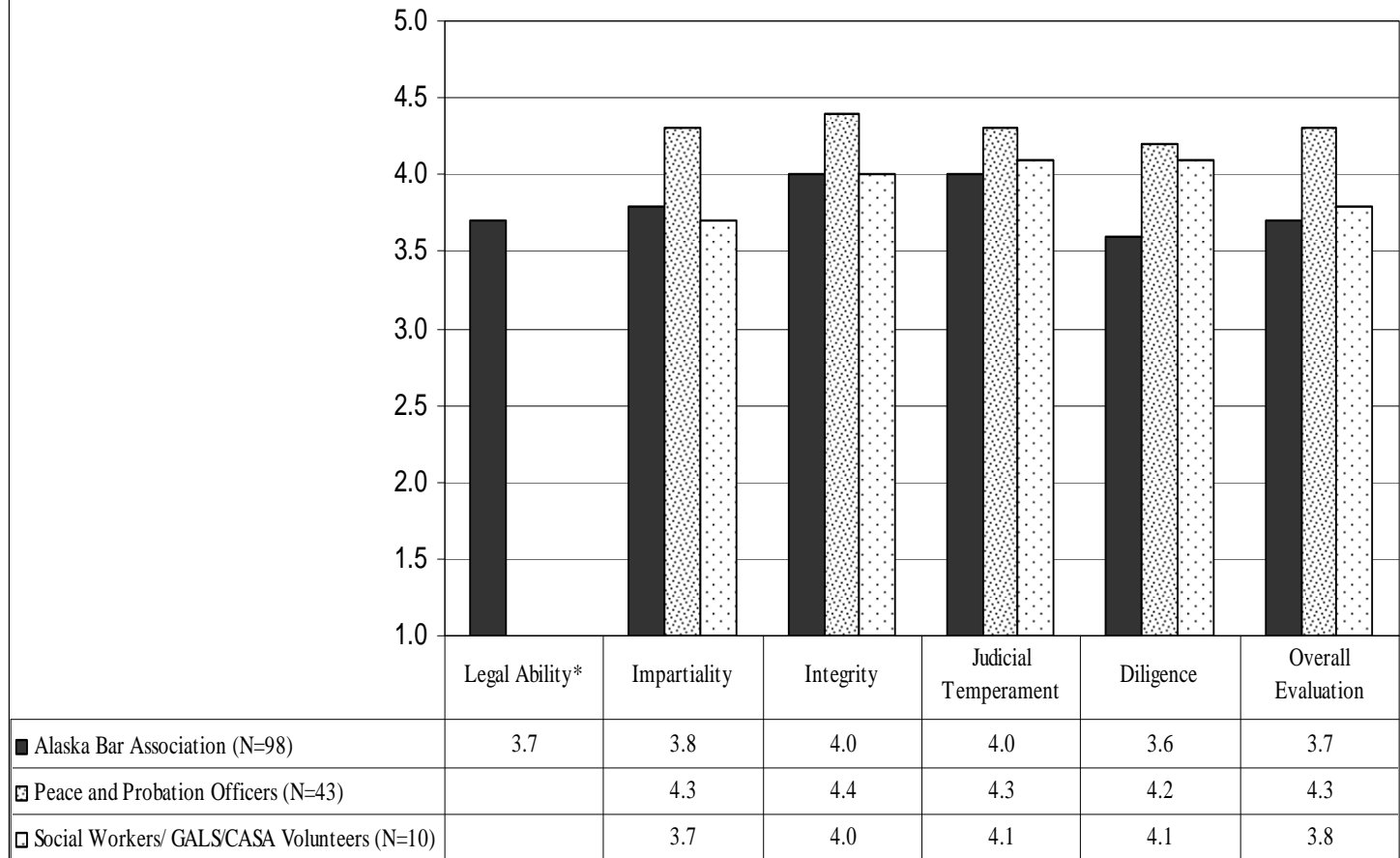
Judge Robert B. Downes: Detailed Information Responses Social Workers, Guardians ad Litem, and CASA Volunteers

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation										
No Response	--	0	--	0	--	0	--	0	--	0
Direct Professional	3.7	10	4.0	10	4.1	10	4.1	9	3.8	9
Professional Reputation	3.0	1	3.0	1	3.0	1	2.0	1	2.0	1
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
Type of Work										
No Response	--	0	--	0	--	0	--	0	--	0
Social Worker	3.6	5	3.8	5	3.8	5	4.0	4	3.6	5
Guardian Ad Litem	3.0	2	3.5	2	4.5	2	4.0	2	3.5	2
CASA Volunteer	4.3	3	4.7	3	4.3	3	4.3	3	4.5	2
Other	--	0	--	0	--	0	--	0	--	0
Years										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	4.0	6	4.3	6	4.5	6	4.3	6	4.2	5
6 to 10 years	3.0	2	3.0	2	3.0	2	3.0	2	3.0	2
11 to 15 years	2.0	1	3.0	1	3.0	1	--	0	2.0	1
16 to 20 years	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
21 years or more	--	0	--	0	--	0	--	0	--	0
Gender										
No Response	--	0	--	0	--	0	--	0	--	0
Male	3.0	2	3.5	2	4.5	2	4.0	2	3.5	2
Female	3.9	8	4.1	8	4.0	8	4.1	7	3.9	7
Location of Practice										
No Response	--	0	--	0	--	0	--	0	--	0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	--	0	--	0	--	0	--	0	--	0
Fourth District	3.7	10	4.0	10	4.1	10	4.1	9	3.8	9
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response	4.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2
Over 35,000	3.3	7	3.6	7	3.7	7	3.7	6	3.2	6

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

Superior Court Judge Robert B. Downes

Average Ratings from All Groups Surveyed



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

Juror Survey Results 2008 Retention Evaluation Robert B. Downes											
		Distribution of Ratings									
Survey Category	Mean	Excellent % (n)	Good % (n)	Acceptable % (n)	Deficient % (n)	Poor % (n)	Total Returned = 102				
Impartiality/Fairness	4.7	71% 72	27% 27	2% 2	1% 1	0% 0	102				
Respectful/Courteous	4.8	75% 76	26% 26	0% 0	0% 0	0% 0	102				
Attentive during Proceedings	4.5	61% 62	32% 33	6% 6	1% 1	0% 0	102				
Control over Proceedings	4.7	71% 72	28% 28	2% 2	0% 0	0% 0	102				
Intelligence/Skill as a Judge	4.7	67% 68	32% 33	1% 1	0% 0	0% 0	102				
Overall Evaluation	4.6	64% 65	36% 37	0% 0	0% 0	0% 0	102				

Court Employee Survey Results 2008 Retention Evaluation Robert B. Downes												
Question	Excellent		Good		Acceptable		Deficient		Poor		Mean	Total Returned = 44
	%	(n)	%	(n)	%	(n)	%	(n)	%	(n)		
Impartiality/Fairness	48%	19	33%	13	20%	8	0%	0	0%	0	4.3	40
Integrity	47%	20	40%	17	12%	5	2%	1	0%	0	4.3	43
Judicial Temperament	49%	20	34%	14	15%	6	0%	0	2%	1	4.3	41
Diligence	40%	16	38%	15	13%	5	8%	3	3%	1	4.1	40
Overall Evaluation	50%	22	27%	12	21%	9	2%	1	0%	0	4.3	44