

**Alaska Judicial Council  
2008 Judicial Retention Performance Evaluation Materials  
Judge Daniel Schally  
Valdez District 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 Schally to be **Qualified** and recommends unanimously that the public vote **"YES"** to retain him as a district court judge.

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**Retention evaluation materials for all judges on the ballot**

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

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# Alaska Judicial Council Recommendation

## Judge Daniel Schally, District Court, Valdez

### 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 Schally to be **Qualified** and recommends unanimously that the public vote "YES" to retain him as a district court judge.

### Judicial Council Evaluation

The Judicial Council surveyed 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	4.1	---	---	---	---
Impartiality	4.1	4.5	4.8	4.2	5.0
Integrity	4.3	4.6	---	4.2	5.0
Temperament	4.1	4.6	4.7	4.3	5.0
Diligence	4.2	4.5	---	4.3	5.0
Overall	4.1	4.5	4.8	4.4	5.0

Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

**Rating Scale**  
 5.0 = Excellent  
 4.0 = Good  
 3.0 = Acceptable  
 2.0 = Deficient  
 1.0 = Poor

### Summary of Survey Information

Attorneys in Alaska rated Judge Schally on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Schally on overall performance was 4.1. Peace and probation officers rated Judge Schally on five categories, using the 5-point scale above. They gave Judge Schally a rating of 4.5.

Three other groups also evaluated Judge Schally's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.8 overall, court employees gave him 4.4, and social workers, guardians ad litem and CASA volunteers rated him at 5.0.

**Recommendation: Vote "YES" to retain Judge Daniel Schally**

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](http://www.ajc.state.ak.us)

November 2008

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ALASKA  
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## Alaska Judicial Council Questionnaire

### Trial Judge 2008 Candidates for Judicial Retention

November 21, 2008

Daniel Schally

Valdez District Court

Name

Court

1. Please estimate your workload during your present term.

<p>a) <u>37</u> % civil cases</p> <p><u>60</u> % criminal cases</p> <p><u>3</u> % court administrative work</p> <p>100 % Total</p>	<p>b) <u>4</u> # of jury trials/year</p> <p><u>5</u> # of non-jury trials/year</p> <p><u>3</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.

I was appointed by Supreme Court Order No. 1608 to the Fish & Game Bail Forfeiture Schedule Advisory Committee in 2006. As part of that committee I reviewed proposed changes to the schedule, asked questions and made comments about the proposed changes.

I have advised Chief Justice Fabe of my desire to be appointed to the Criminal Rules Committee or similar committee.

I manage the weekend and holiday judicial on-call schedule for Valdez, Glennallen, and Sand Point, which applies to judicial officers in Valdez and Glennallen.

1. (continued from previous page)

I wanted to flesh out the numbers I listed on the previous page and make sure the council is aware of how cases are handled at the three courts where I serve. For Valdez and Sand Point I am assigned virtually all cases of every description. The only exceptions are the highest level felonies, and that exception has only been in place since about July 1, 2006 when the pro tem policy was changed by incoming Chief Justice Fabe. As to Glennallen cases my involvement is more limited because Magistrate Wilkinson is a high level magistrate and has master authority and therefore she handles most matters even at the superior court level. I review work she handles as master and I handle matters not covered by her master's appointment order. I handle trial and motion work in most all cases of all descriptions.

In addition to cases from Valdez, Sand Point, and Glennallen, I am routinely assigned appeals from both the Palmer and Anchorage courts. These include appeals from the district to superior court, and administrative appeals.

The numbers on the previous page are averages and estimates, blending numbers from Valdez, Sand Point, and Glennallen for most types of cases and blending in numbers from Palmer and Anchorage in the administrative appeals category.

Alaska Judicial Council  
Trial Judge Questionnaire  
Retention

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

I think I've done a good job. I have worked extremely hard to get up to speed in various areas of law in which I did not practice as an attorney and I believe I have succeeded in this goal. I do not pretend that I know everything about all the areas in which I am required to work, but I have learned a lot about a lot of different areas in a relatively short time.

There are moments when I absolutely love this job. They are not always the same sorts of moments and sometimes they surprise me. I have taken great satisfaction in resolving cases without trial (these have usually been small claims cases where the parties are without counsel and really do not have a great depth of knowledge of the law or even of their own claims). I have enjoyed conducting weddings. The few adoptions I have done have been joyous occasions. I have been surprised at myself for my depth of feeling in juvenile delinquency cases where I have really tried to impress upon a young person both the bad things they have done or that they need to address and also the great potential that they have as people. Really talking to people has proven to be a great experience. I like to think that what I have said has actually made a difference in people's lives, especially young people.

In the area of criminal law I have been learning to explore and enjoy a different role in the legal process than that I fulfilled as an attorney.

I've always possessed a pedantic streak and this job has provided an outlet for those energies. I have taught Youth Court classes here in Valdez and have hosted a court visit for cub scouts working on a citizenship badge. I have taught (along with a DA and PD and police officer) the finer points of domestic violence restraining orders and related law to domestic violence advocates. I've gone on the radio in Valdez and Sand Point to explain a bit about the law and my job. I have also had a million and one conversations with people about various aspects of my job and the law. The one thing I have learned is that there is always room for more knowledge about our legal system and it is a sad wonder to me that many citizens do not have a firm grasp of many of the basics. To the extent I can make a small dent in this problem, I have striven to do so.

When sentencing defendants I have also tried very hard to make sure that they not only understand the sentence being imposed but also the reasons underlying the sentence. I always, always, always ask questions of people to make sure they understand what they are doing (e.g., when entering a plea to a crime). Acting without knowledge or understanding can, of course, lead to severe problems, and it is a goal of mine to not have people in cases assigned to me act without knowledge or understanding.

Judging is not just about making decisions but rather it is about being ready, willing, and able to explain the reasons for the decisions one makes. Being a real person and taking the time (which as a judge in a smaller, less busy court I have the luxury of having) to interact with people makes a huge difference. I believe I have made a difference.

Alaska Judicial Council  
Trial Judge Questionnaire  
Retention

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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.

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:** 3VA-07-119CR  
 v. Timothy Mills

**Attorneys Involved:**

Name: <u>William (Mike) Perry, Asst DA</u>	Name: <u>Bruce Brown, Asst PD</u>
Address: <u>11921 Palmer-Was. Hy, Ste 100</u>	Address: <u>268 E. Fireweed Av, Ste 102</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Palmer, AK 99645</u>

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

**Case Number 2**

*Case*  
**Name:** State of Alaska **Case Number:** 3GL-07-98CR  
 v. Jacob Butler

**Attorneys Involved:**

Name: <u>Jarom Bangerter, Asst DA</u>	Name: <u>Jon Buchholdt</u>
Address: <u>11921 Palmer-Was. Hy, Ste 100</u>	Address: <u>731 "I" St, Ste 101</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

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

**Case Number 3**

*Case*  
**Name:** State of Alaska **Case Number:** 3SP-06-30CR  
 v. Derek Cabot

**Attorneys Involved:**

Name: <u>Michelle Tschumper, Asst DA</u>	Name: <u>Morgan White, Asst PD</u>
Address: <u>310 "K" St, Ste 520</u>	Address: <u>900 W 5th Av, Ste 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

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

7. (continued from previous page)

In the interest of full disclosure, the three jury trials on the previous page are the three most recent jury trials involving attorneys. The most recent jury trial over which I presided, prior to the *Mills* trial in November 2007, was a presumptive death hearing in which no attorneys were involved. Here is the pertinent information for the presumptive death hearing:

In the Matter of the Disappearance of Dale Yatchmeneff  
Case No. 3SP-07-10CI

Although arising in False Pass, the matter was tried to a jury in Valdez in September 2007. No attorneys were involved. The judge runs the entire proceeding including choosing which witnesses to call, and questions all the witnesses.



Alaska Judicial Council  
 Trial Judge Questionnaire  
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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:* State of Alaska *Case Number:* 3VA-06-206CR  
 v. James Gallagher

**Attorneys Involved:**

Name: <u>Jarom Bangerter, Asst DA</u>	Name: <u>Allen Vacura</u>
Address: <u>11921 Palmer-Was. Hy, Ste 100</u>	Address: <u>543 Second Av, Ste A</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: _____

**Case Number 2**

*Case Name:* Helfrich *Case Number:* 3VA-06-60CI  
 v. Valdez Motel

**Attorneys Involved:**

Name: <u>Paul Stockler</u>	Name: <u>Tim Cook</u>
Address: <u>1398 W. 16th Av</u>	Address: <u>3901 Taiga Drive</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99516</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

*Case Name:* ITMO J.C. (CINA) *Case Number:* 3VA-05-12CP  
 v. \_\_\_\_\_

**Attorneys Involved:**

Name: <u>Bruce Brown, Asst PD</u>	Name: <u>William Bixby</u>
Address: <u>268 E. Fireweed Av, Ste 102</u>	Address: <u>P.O. Box 1229</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Valdez, AK 99686</u>
Name: <u>J. Randall Luffberry</u>	Name: <u>Laura Bowen, AAG</u>
Address: <u>263 S. Alaska St</u>	Address: <u>1031 W 4th Av, Ste 200</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

8. (continued from previous page)

Lisa B. Nelson  
1101 W. 7<sup>th</sup> Avenue  
Anchorage, AK 99501

Chris Provost  
Asst Public Advocate  
900 W. 5<sup>th</sup> Avenue, Ste 525  
Anchorage, AK 99501

I do not have very many non-jury trials involving lawyers. I asked Larry Cohn about how I might address this in this questionnaire, via email. Larry told me to list more jury trials because the goal of these questions is to list attorneys from six recent trials, and to make a note of this advice in the questionnaire. I have tried to list trials involving different attorneys, although that is difficult given that most of the few trials I handle involve the same attorneys over and over.

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:** City of Valdez **Case Number:** 3VA-00-22CI  
 v. State of Alaska, Dept of Rev

**Attorneys Involved:**

Name: <u>William Walker</u>	Name: <u>Jonathan Katchen, AAG</u>
Address: <u>731 "N" St</u>	Address: <u>1031 W. 4th Av, Ste 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

*Case*  
**Name:** Richard Donohoe **Case Number:** 3VA-04-25CI  
 v. P. Magnuson, et al.

**Attorneys Involved:**

Name: <u>Ralph Cushman</u>	Name: <u>George Cruickshank</u>
Address: <u>510 "L" St, Ste 540</u>	Address: <u>3000 "A" St, Ste 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99503</u>
Name: <u>Steven Ross, AAG</u>	Name: _____
Address: <u>1031 W. 4th Av, Ste 200</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____

**Case Number 3**

*Case*  
**Name:** Copeland & Ott **Case Number:** 3AN-04-6295CI  
 v. Ballard, Comm'r of DEC

**Attorneys Involved:**

Name: <u>Rita Lovett, AAG</u>	Name: <u>Charles P. Flynn</u>
Address: <u>1031 W. 4th Av, Ste 200</u>	Address: <u>810 "N" St</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: <u>Nancy S. Wainwright</u>	Name: <u>Kevin D. Callahan</u>
Address: <u>13030 Back Rd, Ste 555</u>	Address: <u>601 W. 5th Av, #700</u>
City, State, Zip: <u>Anchorage, AK 99515</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

9. (continued from previous page)

**Case Number 3 (cont'd)**

Andrew K. Sorensen  
Alyeska Pipeline Service Co.  
P.O. Box 196660  
Anchorage, AK 99619

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:* Alberto Benvenuto *Case Number:* 3VA-04-58CI  
*v.* Robert & Jennifer Ditman

**Attorneys Involved:**

Name: William Bixby  
Address: P.O. Box 1229  
City, State, Zip: Valdez, AK 99686

Name: Wayne Watson  
Address: 310 "K" St, Ste 306  
City, State, Zip: Anchorage, AK 99501

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

**Case Number 2**

*Case Name:* \_\_\_\_\_ *Case Number:* \_\_\_\_\_  
*v.* \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

**Case Number 3**

*Case Name:* \_\_\_\_\_ *Case Number:* \_\_\_\_\_  
*v.* \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

10. (continued from previous page)

I list the *Benvenuto* case because it was the first civil jury trial over which I presided as a judge and it was also the first civil jury trial in which I have ever played any role. Civil practice such as personal injury (which was the subject of this case) was beyond the scope of my practice as an attorney. Despite this, the trial went very well. I cite this case as an example of how I have grown in terms of my professional development.

**36. DISTRICT COURT JUDGE DANIEL SCHALLY****A. Alaska Bar Association****Demographic Description (N=88)**

	<b>N</b>	<b>%</b>
<b>Type of Practice</b>		
No Response	3	3.4%
Private, Solo	13	14.7%
Private, 2-5 Attorneys	21	23.8%
Private, 6+ Attorneys	3	3.4%
Private, Corporate Employee	1	1.1%
Judge or Judicial Officer	28	31.8%
Government	17	19.3%
Public Service Agency or Organization (Not Govt)	--	0.0%
Retired	2	2.2%
Other	--	0.0%
<b>Length of Alaska Practice</b>		
No Response	4	4.5%
5 Years or fewer	12	13.6%
6 to 10 years	8	9.0%
11 to 15 years	9	10.2%
16 to 20 years	13	14.7%
21 years or more	42	47.7%
<b>Gender</b>		
No Response	3	3.4%
Male	70	79.5%
Female	15	17.0%
<b>Cases Handled</b>		
No Response	3	3.4%
Prosecution	4	4.5%
Mainly Criminal	6	6.8%
Mixed Criminal & Civil	45	51.1%
Mainly Civil	28	31.8%
Other	2	2.2%
<b>Location of Practice</b>		
No Response	3	3.4%
First District	13	14.7%
Second District	--	0.0%
Third District	65	73.8%
Fourth District	5	5.6%
Outside of Alaska	2	2.2%

**Evaluation of Judge Daniel Schally:  
Alaska Bar Association Members**

**Summary of Findings**

Judge Daniel Schally was evaluated by 70 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.1. The highest mean score was obtained on *integrity* (4.3) and the lowest mean scores were obtained on *legal ability*, *impartiality/fairness*, and *judicial temperament* (4.1). Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
<b>Legal Ability</b>	1	1.4%	1	1.4%	12	17.1%	34	48.5%	22	31.4%	4.1
<b>Impartiality\Fairness</b>	1	1.4%	3	4.2%	8	11.4%	31	44.2%	27	38.5%	4.1
<b>Integrity</b>	1	1.4%	3	4.3%	9	13.0%	17	24.6%	39	56.5%	4.3
<b>Judicial Temperament</b>	1	1.4%	8	11.5%	7	10.1%	21	30.4%	32	46.3%	4.1
<b>Diligence</b>	1	1.5%	2	3.0%	11	16.6%	24	36.3%	28	42.4%	4.2
<b>Overall Evaluation</b>	1	1.4%	3	4.2%	9	12.8%	30	42.8%	27	38.5%	4.1

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



## Judge Daniel Schally: 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
<b>Basis for Evaluation</b>												
No Response	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
<b>Direct Professional</b>	<b>4.1</b>	<b>70</b>	<b>4.1</b>	<b>70</b>	<b>4.3</b>	<b>69</b>	<b>4.1</b>	<b>69</b>	<b>4.2</b>	<b>66</b>	<b>4.1</b>	<b>70</b>
Professional Reputation	3.4	9	3.6	9	3.6	9	3.4	9	3.2	9	3.4	9
Other Personal Contacts	4.2	5	3.4	5	3.6	7	3.5	4	4.0	5	3.7	6
<b>Type of Practice</b>												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
Private, Solo	4.2	11	4.2	11	4.1	10	4.0	10	4.1	9	4.2	10
Private, 2-5 Attorneys	4.3	16	4.3	16	4.5	16	4.4	16	4.4	16	4.4	16
Private, 6+ Attorneys	3.5	2	4.0	3	3.7	3	4.0	3	3.0	3	3.7	3
Private, Corporate Employee	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Judge or Judicial Officer	4.0	23	4.0	22	4.1	22	3.6	22	4.1	20	4.0	23
Government	4.2	13	4.5	13	4.8	13	4.7	13	4.5	13	4.4	13
Public Service Agency or Organization (Not Govt)	--	0	--	0	--	0	--	0	--	0	--	0
Retired	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2
Other	--	0	--	0	--	0	--	0	--	0	--	0
<b>Years of Practice in Alaska</b>												
No Response	3.3	3	3.0	3	2.7	3	2.3	3	3.0	3	3.3	3
5 Years or fewer	4.1	9	4.3	10	4.5	10	4.4	10	4.2	10	4.2	10
6 to 10 years	4.3	7	4.6	7	4.7	7	4.6	7	4.7	6	4.6	7
11 to 15 years	4.3	7	4.4	7	4.7	7	4.3	6	4.3	7	4.3	7
16 to 20 years	4.2	10	4.1	9	4.2	9	4.3	9	4.1	8	4.3	9
21 years or more	4.0	34	4.1	34	4.2	33	3.9	34	4.1	32	4.0	34
<b>Gender</b>												
No Response	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2
Male	4.1	59	4.2	59	4.4	58	4.2	58	4.2	57	4.2	60
Female	3.9	9	3.9	9	4.0	9	3.4	9	3.9	7	3.9	8
<b>Cases Handled</b>												
No Response	3.3	3	3.3	3	3.7	3	3.3	3	3.3	3	3.3	3
Prosecution	4.0	3	4.7	3	4.7	3	4.7	3	4.7	3	4.3	3
Mainly Criminal	3.8	4	3.8	4	4.5	4	4.0	4	4.3	4	3.8	4
Mixed Criminal & Civil	4.1	34	4.1	33	4.1	33	3.8	33	4.2	31	4.1	33
Mainly Civil	4.2	24	4.4	25	4.5	24	4.4	24	4.2	23	4.3	25
Other	4.0	2	4.0	2	5.0	2	4.5	2	4.0	2	4.0	2
<b>Location of Practice</b>												
No Response	3.0	2	2.5	2	3.0	2	2.5	2	3.0	2	2.5	2
First District	3.7	7	3.4	7	3.1	7	2.7	6	3.6	7	3.4	7
Second District	--	0	--	0	--	0	--	0	--	0	--	0
Third District	4.1	56	4.3	56	4.5	55	4.2	56	4.3	52	4.2	55
Fourth District	4.8	4	5.0	3	5.0	3	5.0	3	4.7	3	5.0	4
Outside of Alaska	4.0	1	4.0	2	4.5	2	4.5	2	3.5	2	4.0	2

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

**36. DISTRICT COURT JUDGE DANIEL SCHALLY****B. Peace and Probation Officers****Demographic Description (N=17)**

	N	%
<b>Type of Work</b>		
No Response	--	0.0%
State Law Enforcement Officer	9	52.9%
Municipal/Borough Law Enforcement Officer	3	17.6%
Village Public Safety Officer (VSPO)	2	11.7%
Probation/Parole Officer	3	17.6%
Other	--	0.0%
<b>Length of Alaska Experience</b>		
No Response	1	5.8%
5 Years or fewer	3	17.6%
6 to 10 years	8	47.0%
11 to 15 years	3	17.6%
16 to 20 years	2	11.7%
21 years or more	--	0.0%
<b>Gender</b>		
No Response	1	5.8%
Male	14	82.3%
Female	2	11.7%
<b>Location of Practice</b>		
No Response	1	5.8%
First District	2	11.7%
Second District	--	0.0%
Third District	13	76.4%
Fourth District	1	5.8%
Outside of Alaska	--	0.0%
<b>Community Population</b>		
No Response	1	5.8%
Under 2,000	2	11.7%
Between 2,000 and 35,000	10	58.8%
Over 35,000	4	23.5%

**Evaluation of Judge Daniel Schally:  
Peace and Probation Officers**

**Summary of Findings**

Judge Daniel Schally was evaluated by 13 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.5. The highest mean scores were obtained on *integrity* and *judicial temperament* (4.6) and the lowest mean scores were obtained on *impartiality/fairness* and *diligence* (4.5). Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
<b>Impartiality/Fairness</b>	--	0.0%	1	7.6%	1	7.6%	2	15.3%	9	69.2%	4.5
<b>Integrity</b>	--	0.0%	--	0.0%	2	16.6%	1	8.3%	9	75.0%	4.6
<b>Judicial Temperament</b>	--	0.0%	--	0.0%	1	7.6%	3	23.0%	9	69.2%	4.6
<b>Diligence</b>	--	0.0%	--	0.0%	2	15.3%	2	15.3%	9	69.2%	4.5
<b>Overall Evaluation</b>	--	0.0%	--	0.0%	1	7.6%	5	38.4%	7	53.8%	4.5

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

## Judge Daniel Schally: 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
<b>Basis for Evaluation</b>										
No Response	4.0	2	4.0	2	4.0	2	4.0	2	4.0	2
<b>Direct Professional</b>	<b>4.5</b>	<b>13</b>	<b>4.6</b>	<b>12</b>	<b>4.6</b>	<b>13</b>	<b>4.5</b>	<b>13</b>	<b>4.5</b>	<b>13</b>
Professional Reputation	3.0	1	3.0	1	3.0	1	3.0	1	3.0	1
Other Personal Contacts	5.0	1	5.0	1	--	0	5.0	1	5.0	1
<b>Type of Work</b>										
No Response	--	0	--	0	--	0	--	0	--	0
State Law Enforcement Officer	4.6	8	4.5	8	4.8	8	4.8	8	4.5	8
Municipal/Borough Law Enforcement Officer	3.0	2	4.5	2	3.5	2	3.5	2	3.5	2
Village Public Safety Officer (VSPO)	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Probation/Parole Officer	5.0	2	5.0	1	5.0	2	4.5	2	5.0	2
Other	--	0	--	0	--	0	--	0	--	0
<b>Years</b>										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	3.3	3	4.3	3	4.3	3	4.3	3	4.0	3
6 to 10 years	4.9	7	4.5	6	4.7	7	4.4	7	4.6	7
11 to 15 years	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
16 to 20 years	4.5	2	5.0	2	4.5	2	5.0	2	4.5	2
21 years or more	--	0	--	0	--	0	--	0	--	0
<b>Gender</b>										
No Response	--	0	--	0	--	0	--	0	--	0
Male	4.4	12	4.5	11	4.6	12	4.5	12	4.4	12
Female	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
<b>Location of Practice</b>										
No Response	--	0	--	0	--	0	--	0	--	0
First District	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2
Second District	--	0	--	0	--	0	--	0	--	0
Third District	4.4	11	4.5	10	4.5	11	4.5	11	4.4	11
Fourth District	--	0	--	0	--	0	--	0	--	0
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
<b>Community Population</b>										
No Response	--	0	--	0	--	0	--	0	--	0
Under 2,000	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2
Between 2,000 and 35,000	4.2	9	4.4	9	4.4	9	4.7	9	4.3	9
Over 35,000	5.0	2	5.0	1	5.0	2	3.5	2	4.5	2

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

**36. DISTRICT COURT JUDGE DANIEL SCHALLY****C. Social Workers, Guardians ad Litem, and CASA Volunteers****Demographic Description (N=2)**

	N	%
<b>Type of Work</b>		
No Response	--	0.0%
Social Worker	1	50.0%
Guardian Ad Litem	1	50.0%
CASA Volunteer	--	0.0%
Other	--	0.0%
<b>Length of Alaska Experience</b>		
No Response	--	0.0%
5 Years or fewer	--	0.0%
6 to 10 years	2	100.0%
11 to 15 years	--	0.0%
16 to 20 years	--	0.0%
21 years or more	--	0.0%
<b>Gender</b>		
No Response	--	0.0%
Male	1	50.0%
Female	1	50.0%
<b>Location of Practice</b>		
No Response	--	0.0%
First District	--	0.0%
Second District	--	0.0%
Third District	2	100.0%
Fourth District	--	0.0%
Outside of Alaska	--	0.0%
<b>Community Population</b>		
No Response	--	0.0%
Under 2,000	--	0.0%
Between 2,000 and 35,000	1	50.0%
Over 35,000	1	50.0%

**Evaluation of Judge Daniel Schally:  
Social Workers, Guardians ad Litem, and CASA Volunteers**

**Summary of Findings**

Judge Daniel Schally was evaluated by 1 Social Worker, Guardian ad Litem, and CASA Volunteer who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 5.0 and all other categories obtained a mean score of 5.0. Details are presented in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		Mean
	N	%	N	%	N	%	N	%	N	%	
<b>Impartiality/Fairness</b>	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
<b>Integrity</b>	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
<b>Judicial Temperament</b>	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
<b>Diligence</b>	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
<b>Overall Evaluation</b>	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0

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

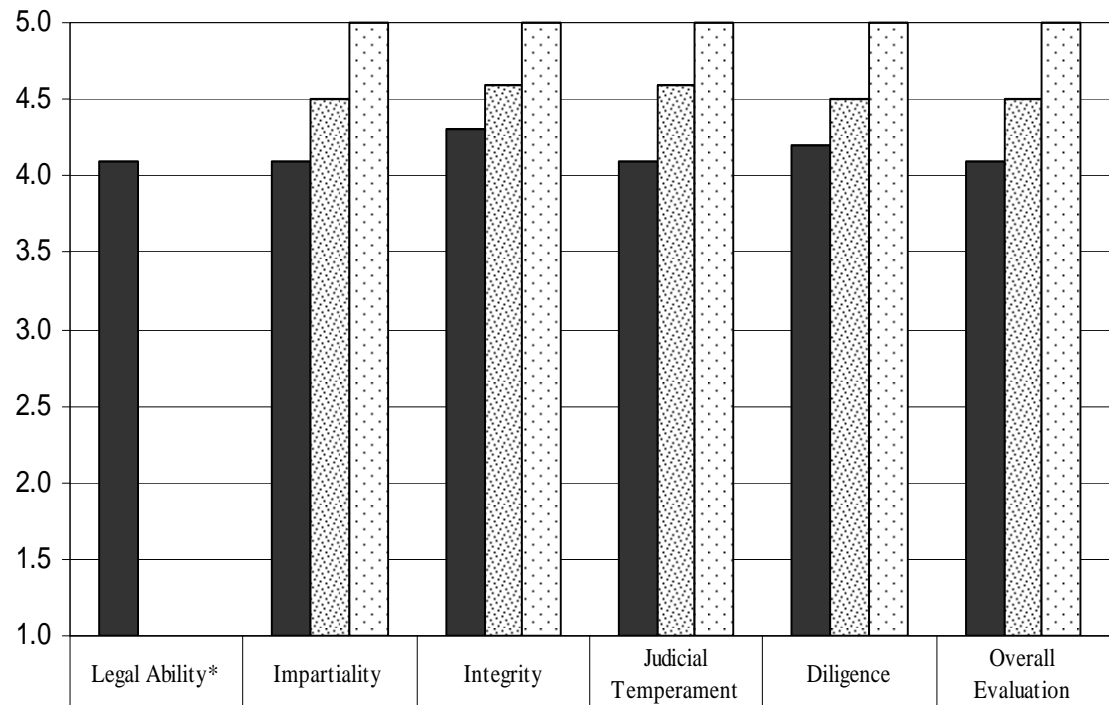
### Judge Daniel Schally: Detailed Information Responses Social Workers, Guardians ad Litem, and CASA Volunteers

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>										
No Response	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
<b>Direct Professional</b>	<b>5.0</b>	<b>1</b>	<b>5.0</b>	<b>1</b>	<b>5.0</b>	<b>1</b>	<b>5.0</b>	<b>1</b>	<b>5.0</b>	<b>1</b>
Professional Reputation	--	0	--	0	--	0	--	0	--	0
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
<b>Type of Work</b>										
No Response	--	0	--	0	--	0	--	0	--	0
Social Worker	--	0	--	0	--	0	--	0	--	0
Guardian Ad Litem	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
CASA Volunteer	--	0	--	0	--	0	--	0	--	0
Other	--	0	--	0	--	0	--	0	--	0
<b>Years</b>										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	--	0	--	0	--	0	--	0	--	0
6 to 10 years	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
11 to 15 years	--	0	--	0	--	0	--	0	--	0
16 to 20 years	--	0	--	0	--	0	--	0	--	0
21 years or more	--	0	--	0	--	0	--	0	--	0
<b>Gender</b>										
No Response	--	0	--	0	--	0	--	0	--	0
Male	--	0	--	0	--	0	--	0	--	0
Female	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
<b>Location of Practice</b>										
No Response	--	0	--	0	--	0	--	0	--	0
First District	--	0	--	0	--	0	--	0	--	0
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	--	0	--	0	--	0	--	0	--	0
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
<b>Community Population</b>										
No Response	--	0	--	0	--	0	--	0	--	0
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	--	0	--	0	--	0	--	0	--	0
Over 35,000	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1

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

### District Court Judge Daniel Schally

*Average Ratings from All Groups Surveyed*



■ Alaska Bar Association (N=70)

▨ Peace and Probation Officers (N=13)

□ Social Workers/ GALS/CASA Volunteers (N=1)

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



<b>Juror Survey Results 2008 Retention Evaluation Daniel Schally</b>										
		<b>Distribution of Ratings</b>								
<b>Survey Category</b>	<b>Mean</b>	<b>Excellent % (n)</b>	<b>Good % (n)</b>	<b>Acceptable % (n)</b>	<b>Deficient % (n)</b>	<b>Poor % (n)</b>	<b>Total Returned = 51</b>			
<b>Impartiality/Fairness</b>	<b>4.8</b>	80% 41	18% 9	2% 1	0% 0	0% 0	51			
<b>Respectful/Courteous</b>	<b>4.7</b>	80% 41	14% 7	4% 2	2% 1	0% 0	51			
<b>Attentive during Proceedings</b>	<b>4.6</b>	73% 37	20% 10	6% 3	2% 1	0% 0	51			
<b>Control over Proceedings</b>	<b>4.8</b>	83% 42	16% 8	2% 1	0% 0	0% 0	51			
<b>Intelligence/Skill as a Judge</b>	<b>4.7</b>	77% 39	20% 10	4% 2	0% 0	0% 0	51			
<b>Overall Evaluation</b>	<b>4.8</b>	75% 38	26% 13	0% 0	0% 0	0% 0	51			

<b>Court Employee Survey Results 2008 Retention Evaluation Daniel Schally</b>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Returned = 24</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	41%	9	46%	10	9%	2	5%	1	0%	0	4.2	22
<b>Integrity</b>	41%	9	41%	9	14%	3	5%	1	0%	0	4.2	22
<b>Judicial Temperament</b>	50%	11	36%	8	9%	2	5%	1	0%	0	4.3	22
<b>Diligence</b>	50%	10	30%	6	15%	3	5%	1	0%	0	4.3	20
<b>Overall Evaluation</b>	50%	11	36%	8	14%	3	0%	0	0%	0	4.4	22