

**Alaska Judicial Council  
2010 Judicial Retention Performance Evaluation Materials  
Judge Brian K. Clark  
Anchorage District Court**

The Judicial Council finds Judge Clark to be **Qualified** and recommends unanimously that the public vote **"YES"** to retain him as a district court judge.

**Retention evaluation materials for this judge**

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This page will appear in the State of Alaska Election Pamphlet sent to each Alaskan household.	
<b>2. Judge questionnaire</b> .....	3
The judge's response to a Judicial Council questionnaire.	
<b>3. Survey scores in 2010</b>	
<i>(To view survey scores for all judges on the ballot go to main 2010 retention page.)</i>	
<b>a. Attorney; Peace Officer; Social Worker/Guardians Ad Litem/CASA scores</b> .....	10
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**Retention evaluation materials for all judges on the ballot**

*(To view these materials go to main 2010 retention page.)*

<b>1. Peremptory challenges</b>	
Analysis of peremptory challenge rates for judges.	
<b>2. Recusals</b>	
Evaluation of judge's record of self-disqualification from cases, or "recusals."	
<b>3. Appellate Affirmance Rates</b>	
Analysis of appellate decisions involving each trial judge's cases.	
<b>4. Salary Warrant Withholdings</b>	
Evaluation of judge's record of pay withholding for undecided or uncompleted decisions.	

# Alaska Judicial Council Recommendation

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## Judge Brian K. Clark, District Court, Anchorage

### Judicial Council Recommendation 2010

The Alaska Judicial Council is a non-partisan citizens' commission established by the Alaska constitution. Alaskan law requires the Council to evaluate judges' performance and authorizes the Council to recommend to voters whether judges should be retained in office. The Judicial Council reviews judges' integrity, diligence, legal ability, fairness, demeanor, ability to manage their caseloads, and overall performance of their judicial responsibilities in and out of the courtroom. The Judicial Council finds Judge Clark 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 thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers/guardians ad litem, and child advocates 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 the judge's preemptory challenge, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files involving the judge; and whether a judge's pay was withheld for an untimely decision. The Council reviewed other court records and investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, and court staff, 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	4.3	---	---	---	---
Impartiality	4.4	4.5	4.9	4.7	---
Integrity	4.6	4.6	---	4.7	---
Temperament	4.5	4.8	4.9	4.7	---
Diligence	4.3	4.6	---	4.7	---
Overall	4.4	4.6	4.9	4.7	---

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

Survey respondents rated Judge Clark on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Clark on overall performance was 4.4. Peace and probation officers gave Judge Clark a rating of 4.6. Jurors rated him 4.9 overall, and court employees gave him 4.7. No social workers, guardians ad litem or CASA volunteers rated Judge Clark. The Alaska Judicial Observers rated him 3.35.

**Recommendation: Vote "YES" to retain Judge Brian K. Clark**

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NOV 27 2009

ALASKA JUDICIAL COUNCIL

Alaska Judicial Council  
Questionnaire

Trial Judge  
2010 Candidates for Judicial Retention

October 23, 2010

Brian K. Clark                      Dist. Court  
Name    Court

1. Please estimate your workload during your present term.

- |                                      |  |
|--------------------------------------|--|
| a) <u>14</u> % civil cases           | b) _____ # of jury trials/year         |
| <u>83</u> % criminal cases           | _____ # of non-jury trials/year        |
| <u>3</u> % court administrative work | _____ # of administrative appeals/year |
| 100 % Total                          |  |

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

I am on the criminal pattern jury instruction committee. I have had increased administrative duties as an intermediary ~~to~~ between certain judges and calendaring. I have coordinated the district court mediation program / resurrected it.

Alaska Judicial Council  
Trial Judge Questionnaire  
2010 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 have continued to enjoy my job as a judge and I have continued to increase my expertise and knowledge in the civil arena. I have an extensive background in criminal law, and yet new issues arise yearly as the result of new legislation and intelligent lawyering. I enjoy the challenges.

I continue to work on being more patient w/ new attorneys and experienced attorneys alike.

Alaska Judicial Council  
Trial Judge Questionnaire  
2010 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.

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2010 retention elections.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alaska Judicial Council  
 Trial Judge Questionnaire  
 2010 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: Kim Smith Case Number: 3AN-09-4679 Ci  
 v. Brian Saube

**Attorneys Involved:**

Name: <u>Kevin Fitzgerald</u>	Name: <u>William English</u>
Address: <u>813 W 3<sup>rd</sup> Av</u>	Address: <u>310 K St #200</u>
City, State, Zip: <u>Anch 99501</u>	City, State, Zip: <u>Anch 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

Case Name: MOA Case Number: 3AN-09-4172 Cr  
 v. Brian KO

**Attorneys Involved:**

Name: <u>Jody Davis</u>	Name: <u>James Gould</u>
Address: <u>632 W 6<sup>th</sup> Ste 210</u>	Address: <u>737 M St.</u>
City, State, Zip: <u>Anch 99501</u>	City, State, Zip: <u>Anch 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

Case Name: SOA Case Number: 3AN-08-13151 Cr.  
 v. Robert Gibson

**Attorneys Involved:**

Name: <u>Jason Gist</u>	Name: <u>Catherine B. Boruff</u>
Address: <u>310 K St. Ste 520</u>	Address: <u>900 W 5<sup>th</sup> Av Ste 200</u>
City, State, Zip: <u>Anch 99501</u>	City, State, Zip: <u>Anch 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

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:* Paul Peterson *Case Number:* 3AN-09-859 SC  
 v. WEC

**Attorneys Involved:**

Name: <u>Paul Peterson - pro per</u>	Name: <u>Joseph A. Pollock</u>
Address: <u>18692 327<sup>th</sup> Av</u>	Address: <u>3351 Arctic Boulevard</u>
City, State, Zip: <u>Isle MN 56342</u>	City, State, Zip: <u>Anch 99503</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

*Case Name:* Gary Manson *Case Number:* 3AN-07-4642/16228 C;  
 v. Charles McAlpine

**Attorneys Involved:**

Name: <u>Steve Smith</u>	Name: <u>Lisa Rosano</u>
Address: <u>1029 W 3<sup>rd</sup> Av Ste 250</u>	Address: <u>330 L St. Ste 200</u>
City, State, Zip: <u>Anch 99501</u>	City, State, Zip: <u>Anch 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

*Case Name:* Robert Westervelt *Case Number:* 3AN-09-02621SC  
 v. Misipati Tupuola

**Attorneys Involved:**

Name: <u>Les Syren</u>	Name: <u>Frank Cahill</u>
Address: <u>PO BOX 112141</u>	Address: <u>880 N St. Ste 203</u>
City, State, Zip: <u>Anch 99502</u>	City, State, Zip: <u>Anch 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Alaska Judicial Council  
 Trial Judge Questionnaire  
 2010 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: MOA Case Number: 3AN-09-153 Cr.  
 v. Christram Kasprzyk  
**Attorneys Involved:**  
 Name: Hanley Smith Name: Terry Aglietti  
 Address: 632 Jw. 6<sup>th</sup> Av Ste 210 Address: 733 W 4<sup>th</sup> Av Ste 206  
 City, State, Zip: Anch 99501 City, State, Zip: Anch 99501  
 Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

**Case Number 2**

Case Name: MOA Case Number: 3AN-08-4980  
 v. ~~Ragnar McKee~~ Ray Sorenson  
**Attorneys Involved:**  
 Name: Hanley Smith Name: Don Roistacher  
 Address: see above Address: 750 West 2<sup>nd</sup> Ste 210  
 City, State, Zip: \_\_\_\_\_ City, State, Zip: Anch 99501  
 Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

**Case Number 3**

Case Name: MOA Case Number: 3AN-08-6792  
 v. Cody Dahl  
**Attorneys Involved:**  
 Name: Hanley Smith Name: Christina Alfonso  
 Address: See above Address: 800 E Diamond Ste 3-620  
 City, State, Zip: \_\_\_\_\_ City, State, Zip: Anch 99515  
 Name: \_\_\_\_\_ Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_



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:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

**v.** \_\_\_\_\_

**Attorneys Involved:**

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

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

**Case Number 2**

**Case Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

**v.** \_\_\_\_\_

**Attorneys Involved:**

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

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

**Case Number 3**

**Case Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

**v.** \_\_\_\_\_

**Attorneys Involved:**

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

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

## Third Judicial District Brian K. Clark – Anchorage District Court

### Summary Sheet and Detailed Survey Scores

#### ***Summary of survey information***

Judge Clark’s detailed survey scores follow. Attorneys rated him 4.4 on overall performance. Peace and probation officers rated him 4.6 overall. He was not rated by any social workers, Guardians ad Litem or CASA volunteers.

	Attorney Survey N=127	Peace Officer Survey N=21
Legal Ability	4.3	--
Impartiality	4.4	4.5
Integrity	4.6	4.6
Temperament	4.5	4.8
Diligence	4.3	4.6
Overall	4.4	4.6

#### ***The Judicial Council’s Evaluation Process***

State law requires the Judicial Council to evaluate each judge standing for retention, and to report its evaluations to the voters. The three surveys reported here are an important part of the Council’s evaluations. The Council also considers survey ratings by jurors and court employees, public comments, and the ratings by the independent citizen volunteers at Alaska Judicial Observers. Along with the personal observations of the hundreds of people who had direct professional experience with the judge, the Council reviews any litigation involving the judge, conflict of interest records, public disciplinary files, and indicators of judicial performance such as appellate affirmances and reversals, and peremptory challenges and recusals. All of the evaluation information about the judge is on the Council’s website at [www.ajc.state.ak.us](http://www.ajc.state.ak.us).

**District Court Judge Brian K. Clark****A. Alaska Bar Association****Demographic Description**

	N	%
<b>Type of Practice</b>		
No Response	4	2.8%
Private, Solo	32	22.7%
Private, 2-5 Attorneys	23	16.3%
Private, 6+ Attorneys	13	9.2%
Private, Corporate Employee	3	2.1%
Judge or Judicial Officer	24	17.0%
Government	37	26.2%
Public Service Agency or Organization (Not Govt)	4	2.8%
Other	1	.7%
<b>Length of Alaska Practice</b>		
No Response	6	4.3%
5 Years or fewer	17	12.1%
6 to 10 years	11	7.8%
11 to 15 years	22	15.6%
16 to 20 years	17	12.1%
21 years or more	68	48.2%
<b>Gender</b>		
No Response	6	4.3%
Male	86	61.0%
Female	49	34.8%
<b>Cases Handled</b>		
No Response	4	2.8%
Prosecution	16	11.3%
Mainly Criminal	18	12.8%
Mixed Criminal & Civil	44	31.2%
Mainly Civil	57	40.4%
Other	2	1.4%
<b>Location of Practice</b>		
No Response	3	2.1%
First District	--	0.0%
Second District	--	0.0%
Third District	131	92.9%
Fourth District	5	3.5%
Outside of Alaska	2	1.4%

## Judge Brian K. Clark: 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		2		1		1		1		2		2
<b>Direct Professional</b>	<b>4.3</b>	<b>127</b>	<b>4.4</b>	<b>128</b>	<b>4.6</b>	<b>128</b>	<b>4.5</b>	<b>128</b>	<b>4.3</b>	<b>127</b>	<b>4.4</b>	<b>127</b>
Professional Reputation	4.5	6	4.7	6	4.8	6	4.7	6	4.4	5	4.7	6
Other Personal Contacts	4.6	5	4.8	5	4.8	5	4.8	5	4.6	5	4.6	5
<b>Type of Practice</b>												
No Response		0		0		1		0		0		0
Private, Solo	4.3	30	4.4	30	4.6	30	4.5	30	4.3	30	4.4	30
Private, 2-5 Attorneys	4.1	22	4.3	23	4.5	23	4.5	23	4.1	23	4.2	22
Private, 6+ Attorneys	4.3	11	4.2	11	4.4	11	4.3	12	4.2	11	4.3	11
Private, Corporate Employee	3.5	2	3.5	2	3.5	2	4.0	2	3.5	2	3.5	2
Judge or Judicial Officer	4.4	23	4.6	23	4.7	23	4.6	23	4.3	23	4.5	23
Government	4.5	32	4.6	32	4.7	32	4.6	32	4.6	31	4.6	32
Public Service Agency or Organization (Not Govt)	5.0	4	5.0	4	5.0	4	5.0	4	5.0	4	5.0	4
Other	3.0	1	2.0	1	4.0	1	--	0	4.0	1	3.0	1
<b>Years of Practice in Alaska</b>												
No Response		2		1		1		1		1		2
5 Years or fewer	4.3	17	4.4	17	4.5	17	4.4	17	4.3	16	4.4	17
6 to 10 years	4.3	10	4.4	10	4.4	10	4.5	10	4.2	10	4.2	10
11 to 15 years	4.3	18	4.5	18	4.6	18	4.7	18	4.6	18	4.6	18
16 to 20 years	4.8	17	4.8	17	4.9	17	4.8	17	4.7	17	4.8	17
21 years or more	4.2	61	4.4	62	4.6	62	4.5	62	4.2	62	4.3	61
<b>Gender</b>												
No Response		1		0		0		1		0		1
Male	4.3	80	4.4	81	4.6	81	4.5	80	4.3	81	4.4	80
Female	4.5	43	4.6	43	4.7	43	4.6	44	4.5	42	4.6	43
<b>Cases Handled</b>												
No Response		0		0		0		0		0		1
Prosecution	4.6	14	4.5	14	4.7	14	4.4	14	4.6	13	4.6	14
Mainly Criminal	4.3	18	4.4	18	4.7	18	4.7	17	4.4	18	4.5	18
Mixed Criminal & Civil	4.5	38	4.5	39	4.6	39	4.6	40	4.3	39	4.5	39
Mainly Civil	4.1	52	4.4	52	4.5	52	4.4	52	4.2	52	4.3	51
Other	4.5	2	5.0	2	5.0	2	4.5	2	5.0	2	4.5	2
<b>Location of Practice</b>												
No Response		2		1		1		1		2		2
First District	--	0	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0	--	0
Third District	4.3	120	4.4	121	4.6	121	4.5	121	4.3	120	4.4	120
Fourth District	5.0	3	5.0	3	5.0	3	5.0	3	5.0	3	5.0	3
Outside of Alaska	4.5	2	4.5	2	4.5	2	4.5	2	4.5	2	4.5	2

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

**District Court Judge Brian K. Clark****B. Peace and Probation Officers****Demographic Description**

		<b>N</b>	<b>%</b>
<b>Type of Work</b>			
	No Response	--	0.0%
	State Law Enforcement Officer	11	42.3%
	Municipal/Borough Law Enforcement Officer	14	53.8%
	Village Public Safety Officer (VPSO)	--	0.0%
	Probation/Parole Officer	1	3.8%
	Other	--	0.0%
<b>Length of Alaska Experience</b>			
	No Response	--	0.0%
	5 Years or fewer	3	11.5%
	6 to 10 years	7	26.9%
	11 to 15 years	8	30.8%
	16 to 20 years	3	11.5%
	21 years or more	5	19.2%
<b>Gender</b>			
	No Response	--	0.0%
	Male	21	80.8%
	Female	5	19.2%
<b>Location of Work</b>			
	No Response	--	0.0%
	First District	--	0.0%
	Second District	--	0.0%
	Third District	26	100%
	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	2	7.7%
	Over 35,000	24	92.3%

**Judge Brian K. Clark**  
**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		0		0		0		0		0
<b>Direct Professional</b>	<b>4.5</b>	<b>21</b>	<b>4.6</b>	<b>21</b>	<b>4.8</b>	<b>21</b>	<b>4.6</b>	<b>21</b>	<b>4.6</b>	<b>21</b>
Professional Reputation	4.0	3	4.3	3	4.3	3	4.0	3	4.0	3
Other Personal Contacts	4.0	1	5.0	1	5.0	1	5.0	1	5.0	1
<b>Type of Work</b>										
No Response		0		0		0		0		0
State Law Enforcement Officer	4.4	8	4.6	8	4.6	8	4.5	8	4.5	8
Municipal/Borough Law Enforcement Officer	4.6	13	4.5	13	4.9	13	4.6	13	4.7	13
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	--	0	--	0	--	0	--	0	--	0
Other	--	0	--	0	--	0	--	0	--	0
<b>Length of Experience</b>										
No Response		0		0		0		0		0
5 Years or fewer	4.5	2	5.0	2	5.0	2	4.5	2	4.5	2
6 to 10 years	4.7	6	4.7	6	4.8	6	4.7	6	4.7	6
11 to 15 years	4.4	7	4.3	7	4.7	7	4.4	7	4.6	7
16 to 20 years	4.5	2	5.0	2	5.0	2	5.0	2	5.0	2
21 years or more	4.5	4	4.5	4	4.5	4	4.5	4	4.5	4
<b>Gender</b>										
No Response		0		0		0		0		0
Male	4.7	17	4.7	17	4.9	17	4.7	17	4.8	17
Female	4.0	4	4.0	4	4.0	4	4.0	4	4.0	4
<b>Location of Work</b>										
No Response		0		0		0		0		0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	4.5	21	4.6	21	4.8	21	4.6	21	4.6	21
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	4.5	21	4.6	21	4.8	21	4.6	21	4.6	21

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

<b>Juror Survey Results 2010 Retention Evaluation Brian K. Clark</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 Responses</b>			
<b>Impartiality/Fairness</b>	<b>4.9</b>	91% 49	9% 5	0% 0	0% 0	0% 0	54			
<b>Respectful/Courteous</b>	<b>4.9</b>	94% 51	6% 3	0% 0	0% 0	0% 0	54			
<b>Attentive during Proceedings</b>	<b>4.9</b>	85% 46	15% 8	0% 0	0% 0	0% 0	54			
<b>Control over Proceedings</b>	<b>4.9</b>	89% 48	11% 6	0% 0	0% 0	0% 0	54			
<b>Intelligence/Skill as a Judge</b>	<b>4.9</b>	87% 47	13% 7	0% 0	0% 0	0% 0	54			
<b>Overall Evaluation</b>	<b>4.9</b>	87% 47	13% 7	0% 0	0% 0	0% 0	54			

<b>Court Employee Survey Results 2010 Retention Evaluation Brian K. Clark</b>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Responses</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>	73%	46	22%	14	5%	3	0%	0	0%	0	4.7	63
<b>Integrity</b>	72%	46	23%	15	5%	3	0%	0	0%	0	4.7	64
<b>Judicial Temperament</b>	75%	48	22%	14	3%	2	0%	0	0%	0	4.7	64
<b>Diligence</b>	70%	44	25%	16	5%	3	0%	0	0%	0	4.7	63
<b>Overall Evaluation</b>	72%	47	25%	16	3%	2	0%	0	0%	0	4.7	65



**Prior Retention Scores**  
 Judge Brian K. Clark  
 Anchorage District Court: Retention 2010  
 Appointed to Anchorage District Court 2003

<b>Bar Survey</b>						
2010 Retention	4.3	4.4	4.6	4.5	4.3	4.4
2006 Retention	4.2	4.4	4.5	4.4	4.4	4.3
	Legal Ability	Impartiality	Integrity	Judicial Temperament	Diligence	<b>Overall Performance</b>
<b>Peace &amp; Probation Officer Survey</b>						
2010 Retention	4.5	4.6	4.8	4.6		4.6
2006 Retention	4.5	4.6	4.5	4.5		4.5
	Impartiality	Integrity	Judicial Temperament	Diligence		<b>Overall Performance</b>