

Table of Contents

| | |
|---|----|
| Foreword | 1 |
| Alaska Judicial Observers, Inc. Program Information | 2 |
| Data For Judges Appearing In 2010 Biennial Report | 3 |
| Data For Judges Not Appearing In 2010 Biennial Report | 4 |
| Data For All Judges Observed..... | 4 |
| Judicial Evaluation Criteria | 5 |
| Judicial Evaluations | 7 |
| The Honorable Eric Aarseth..... | 8 |
| The Honorable Brian Clark..... | 10 |
| The Honorable Catherine Easter | 12 |
| The Honorable Sharon Gleason | 14 |
| The Honorable J. Patrick Hanley | 16 |
| The Honorable Stephanie Joannides..... | 18 |
| The Honorable John Lohff | 20 |
| The Honorable Patrick McKay | 22 |
| The Honorable Peter Michalski..... | 24 |
| The Honorable William Morse..... | 26 |
| The Honorable Gregory Motyka..... | 28 |
| The Honorable Richard Postma Jr..... | 30 |
| The Honorable Stephanie Rhoades..... | 32 |
| The Honorable Mark Rindner..... | 34 |
| The Honorable Jack Smith..... | 36 |
| The Honorable Michael Spaan..... | 38 |
| The Honorable Alex Swiderski..... | 40 |
| The Honorable Sen Tan..... | 42 |
| The Honorable Phillip Volland..... | 44 |
| The Honorable David Wallace | 46 |
| The Honorable Michael Wolverton..... | 48 |
| Acknowledgements | 50 |
| Alaska Judicial Observers, Inc. Volunteers | 51 |
| Monetary and In-kind Donations..... | 51 |

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, Assistant Director or a trainer, 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 and jail and crime lab tours. The Public Defender, District Attorney and judges all participate in an overview of their specific roles in the judicial process.

Alaska Judicial Observers has been honored to assist the State of Utah in setting up an observer program and we are currently working with the Illinois League of Women Voters to set up their program in Chicago.

Data For Judges Appearing In 2010 Biennial Report

Table 1. Evaluation hours, number of individual observers and 2010 overall ratings.

| Judge's Name | Evaluation Hours | Number of Individual Observers | 2010 Overall Rating |
|---------------------|------------------|--------------------------------|---------------------|
| Eric Aarseth | 53.8 | 12 | 3.53 |
| Brian Clark | 23.1 | 12 | 3.35 |
| Catherine Easter | 17.6 | 9 | 3.62 |
| Sharon Gleason | 31.3 | 8 | 3.91 |
| Patrick Hanley | 21.8 | 11 | 3.29 |
| Stephanie Joannides | 31.8 | 10 | 3.68 |
| John Lohff | 14.2 | 8 | 3.89 |
| Patrick McKay | 38.7 | 13 | 3.57 |
| Peter Michalski | 29.8 | 7 | 3.56 |
| William Morse | 17.4 | 7 | 3.44 |
| Gregory Motyka | 19.7 | 8 | 3.23 |
| Richard Postma Jr. | 15.5 | 9 | 2.86 |
| Stephanie Rhoades | 16.1 | 8 | 3.54 |
| Mark Rindner | 25.0 | 10 | 3.45 |
| Jack Smith | 43.6 | 9 | 3.46 |
| Michael Spaan | 36.2 | 11 | 3.58 |
| Alex Swiderski | 14.8 | 7 | 3.83 |
| Sen Tan | 14.3 | 6 | 3.72 |
| Phillip Volland | 66.0 | 11 | 3.72 |
| David Wallace | 17.0 | 9 | 3.58 |
| Michael Wolverton | 26.3 | 10 | 3.66 |
| Totals | 574.0 | | |

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

| Case Type | Count | Percentage |
|----------------|------------|--------------|
| Civil Cases | 111 | 34.30 |
| Criminal Cases | 213 | 65.70 |
| Totals | 324 | 100.0 |

Table 3. Evaluations categorized by case description.

| Case Description | Count | Percentage |
|---------------------------|------------|--------------|
| Arraignment | 15 | 4.6 |
| Change of Plea | 1 | 0.3 |
| Civil Trial | 48 | 14.8 |
| Criminal Trial | 80 | 24.7 |
| Domestic Violence Hearing | 4 | 1.2 |
| Jury Selection | 18 | 5.6 |
| Pre-indictment Hearing | 0 | 0.0 |
| Pretrial Conference | 3 | 0.9 |
| Sentencing | 11 | 3.4 |
| Small Claims | 13 | 4.0 |
| Trial Call | 0 | 0.0 |
| Other Hearings | 131 | 40.5 |
| Totals | 324 | 100.0 |

Data For Judges Not Appearing In 2010 Biennial Report

In many locations magistrates, masters, judges pro tem also hear District and Superior Court proceedings. The following is the amount of time observers spent in those proceedings. Also listed are judges who were recently appointed to the bench.

Table1. Evaluation hours.

| Name | Title | Evaluation Hours |
|-----------------|-----------------------|------------------|
| Peter Ashman | Judge pro tem | 9.8 |
| Morgan Christen | Supreme Court Justice | 14.0 |
| Suzanne Cole | Master | 4.3 |
| William Estelle | Judge | 5.1 |
| Gregory Heath | Judge | 6.2 |
| Donald Hopwood | Judge pro tem | 5.5 |
| Jonathan Lack | Master | 6.3 |
| Paul Olson | Judge | 6.3 |
| Frank Pfiffner | Judge | 9.0 |
| Craig Stowers | Supreme Court Justice | 3.2 |
| John Suddock | Judge | 5.9 |
| Fred Torrisi | Judge | 1.3 |
| Vanessa White | Judge | 4.5 |
| John Wolfe | Judge | 7.6 |
| David Zwink | Judge | 3.7 |
| Total | | 92.7 |

Data For All Judges Observed

The following data represents all activities by Alaska Judicial Observers volunteers from March 1, 2008 through March 31, 2010¹.

Table 1. Summary data.

| | |
|-------------------------|--------|
| Total volunteer hours | 1081.5 |
| Total evaluation hours | 666.7 |
| Total evaluations | 386 |
| Criminal evaluations | 238 |
| Civil evaluations | 148 |
| Average evaluation time | 1.73 |

¹ Reports usually contain 24 months of data. Beginning in 2012, the reporting period will change from a starting date of March 1 to April 1. The result is that this report contains 25 months of data.

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?

Judicial Evaluations

The Honorable Eric Aarseth Anchorage Superior Court

Appointed by Governor Murkowski to Anchorage Superior Court November 2005

| Evaluations | | Case Types | | | |
|--------------------|------|--------------------|----|-------------------------------------|-----------|
| Evaluation Hours: | 53.8 | Arrestment: | 1 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 12 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 21 | Civil Trial: | 2 | Sentencing: | 0 |
| Negative Comments: | 7 | Criminal Trial: | 14 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 4 | Other Hearings: | 8 |
| | | | | Total Number of Evaluations: | 29 |

Did the judge . . .

(Each category is rated 1 - 5 by observers.)

| | |
|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.34 |
| . . . maintain control of the courtroom? | 3.34 |
| . . . speak loudly and clearly? | 3.31 |
| . . . make remarks that were understood and that made sense? | 3.64 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.53 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.68 |
| . . . take time to explain the proceedings to participants? | 3.80 |
| . . . treat all participants fairly and impartially? | 3.59 |
| Overall Rating: | 3.53 |

Did the judge appear to favor either side?

Did not favor either side: 29 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.
Total Sentencings: 0

Comments

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

- The judge seemed very detached during this observation. He spent nearly all the time on his computer while the expert witness was testifying. The lack of eye contact with attorneys, witnesses and jurors is poor modeling for jurors and it would be annoying to me as an attorney. His voice, when he spoke, was very low and difficult to hear.
- He uses a clear, commanding voice. He read the instructions then summarized for the potential jurors, giving examples and clarifying those examples. He was organized, helpful and attentive. Very patient with verbosity of prosecuting attorney.
- The judge was very attentive during evidentiary hearing, making clear his reasons for admission of evidence.
- With the defendant acting as his own attorney, this case will try the patience of the judge. He did a great job maintaining control during opening statements today.
- Judge Aarseth was polite and helpful to all participants. He encouraged pre-trial resolution of evidentiary issues.
- The judge offered an apology to the defense attorney for his abruptness in denying her objection during closing arguments – not for denying it but for his abruptness. He was clear and courteous in this apology.
- Judge Aarseth allowed attorneys ample time for detailed voir dire. He stayed attentive and while flexible, held the attorneys to their time limit. He showed great consideration to prospective jurors and to the attorneys.
- The judge laboriously explained the rules and processes of a trial to the pro per defendant. He was considerate and thoroughly explained his decision.
- I think Judge Aarseth showed great communication skill when clarifying questions from potential jurors.
- I've observed arraignments on many occasions and this judge needs to keep these moving forward. He was hard to hear over the attorneys and noise in the gallery.
- Judge Aarseth is doing an extraordinary job in this trial. He remains patient day in and day out with the pro per defendant. He treats all parties fairly and shows great consideration for the jury. The patience of Job.
- Very patient judge. He was exceptional with a child witness. He gave a good explanation about his denial of a motion.

The Honorable Brian Clark Anchorage District Court

Appointed by Governor Murkowski to Anchorage District Court January 2003

| Evaluations | | Case Types | | | | |
|--------------------|------|--------------------|---|-------------------------|-------------------------------------|-----------|
| Evaluation Hours: | 23.1 | Arraignment: | 4 | 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: | 5 | Criminal Trial: | 2 | Small Claims: | 2 | |
| | | Domestic Violence: | 0 | Trial Call: | 0 | |
| | | Jury Selection: | 0 | Other Hearings: | 7 | |
| | | | | | Total Number of Evaluations: | 15 |

Did the judge . . .

(Each category is rated 1 - 5 by observers.)

| | |
|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.40 |
| . . . maintain control of the courtroom? | 3.20 |
| . . . speak loudly and clearly? | 3.07 |
| . . . make remarks that were understood and that made sense? | 3.53 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.20 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.25 |
| . . . take time to explain the proceedings to participants? | 3.73 |
| . . . treat all participants fairly and impartially? | 3.40 |
| Overall Rating: | 3.35 |

Did the judge appear to favor either side?

Did not favor either side: 15 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.
 Total Sentencings: 0

Comments

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

- Good job.
- Easy to understand, moves the arraignments along in an orderly manner and keeps his courtroom under control.
- Again, great attention to detail and his concise decisions were easy to follow.
- The judge was polite to all, efficient, organized and very helpful to all parties during these hearings. His voice is easily heard.
- Great job today in this trial.
- Judge Clark kept the trial moving forward, gave thorough explanations of his decisions and was kind to a witness that looked nervous before her testimony.
- I've observed this judge during these type of hearings on a few occasions. Today things were much improved. He was easy to hear, gave each defendant the time to speak with their attorney, gave easy to understand explanation of rights and was clearly understood.
- Do the attorneys really need to be so disruptive? People were milling around, talking and coming and going throughout these hearings. It gives the impression that things are too informal.
- It would be easier to observe this judge if you could hear what he was saying. His voice trails off and the noise from attorneys in the back of the courtroom make it close to impossible to know what is being said to each defendant.
- Through the judge's mild manner and calm demeanor he keeps things controlled and gets through the hearings efficiently.
- Arraignments are normally quite noisy and somewhat chaotic, but today was rather controlled and the judge's explanation of defendant's rights were easy to understand.
- Judge Clark was soft spoken today and I had to strain to hear him. During a break one person in the gallery asked for headphones.
- This judge goes the extra mile in his explanations to all participants.
- Judge Clark was informative and had a good explanation of the mediation process that the court offers. He efficiently moved through the large load of cases.
- I couldn't hear what was going on – lots of noise between attorneys and clients.

The Honorable Catherine Easter Anchorage District Court

Appointed by Governor Sarah Palin to Anchorage District Court June 2008

| Evaluations | | Case Types | | | | |
|--------------------|------|--------------------|---|-------------------------|-------------------------------------|-----------|
| Evaluation Hours: | 17.6 | Arrestment: | 0 | Pre-indictment Hearing: | 0 | |
| No. of Observers: | 9 | Change of Plea: | 0 | Pretrial Conference: | 0 | |
| Positive Comments: | 11 | Civil Trial: | 0 | Sentencing: | 0 | |
| Negative Comments: | 6 | Criminal Trial: | 3 | Small Claims: | 3 | |
| | | Domestic Violence: | 0 | Trial Call: | 0 | |
| | | Jury Selection: | 0 | Other Hearings: | 10 | |
| | | | | | Total Number of Evaluations: | 16 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 4.06 |
| . . . maintain control of the courtroom? | 3.38 |
| . . . speak loudly and clearly? | 3.06 |
| . . . make remarks that were understood and that made sense? | 3.75 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.63 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.81 |
| . . . take time to explain the proceedings to participants? | 3.60 |
| . . . treat all participants fairly and impartially? | 3.69 |
| | Overall Rating: 3.62 |

| 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. |
| Total Sentencings: | 0 |

Comments

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

- The judge arrived 20 minutes late with no explanation. She was soft spoken so somewhat difficult to hear.
- Judge Easter was in a telephonic conversation with an attorney because one of the jurors had expressed a need to be dismissed from the jury. The judge greeted me, and helped me understand the proceedings. She has a good voice and exhibits positive energy. She dealt carefully with the juror's concerns and gave both attorneys ample input into the decision to excuse the juror. She explained her decision carefully.
- In one of the hearings the judge did not let the defendant finish his sentences – “running” over him.
- The judge remained calm, courteous, patient and efficient during these hearings.
- Considerate of all parties. Also, a side note – not her fault but the Municipal Prosecutor talked during the whole arraignment and it was very distracting. This is a continuing problem. If people are supposed to listen and learn their rights then it needs to be quiet in the courtroom.
- Excellent explanation of the pre-trial diversion program.
- I had trouble hearing her at the beginning of these hearings.
- The judge was kind, compassionate and clear with all defendants, especially a minor.
- The judge was polite to all the participants and explained what was happening in her courtroom to a plaintiff on the telephone during these small claim cases. I think people in these situations benefit from having a calm yet firm judge that keeps things moving forward and explains the procedure so well.
- Attentive, polite yet firm and in total control of the courtroom.
- During the tedious testimony, which seemed to go on forever, the judge was attentive and when jurors showed signs of distraction she called for a recess. It was nice to see a judge watching the courtroom instead of the computer screen.
- Difficult to hear with all the noise in the courtroom.
- The judge was very patient, efficient and fair during these court hearings. She was prepared and attentive to each case. There were a couple of attorneys in disagreement and she took charge in a calm manner.

The Honorable Sharon Gleason Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court February 2001

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 31.3 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 8 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 10 | Civil Trial: | 6 | Sentencing: | 0 |
| Negative Comments: | 0 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 6 |
| | | Total Number of Evaluations: | | | 12 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 4.00 |
| . . . maintain control of the courtroom? | 3.58 |
| . . . speak loudly and clearly? | 3.58 |
| . . . make remarks that were understood and that made sense? | 4.00 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 4.11 |
| . . . show understanding and consideration to the defendant (present or not)? | 4.10 |
| . . . take time to explain the proceedings to participants? | 3.92 |
| . . . treat all participants fairly and impartially? | 4.00 |
| Overall Rating: | |
| | 3.91 |

| 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. |
| Total Sentencings: | 0 |

Comments

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

- It is always an educational and inspirational observation in this judge's courtroom. She is just so good at working with difficult situations and parents. Her calm and even-handed approach is something to watch.
- My notes on Judge Gleason's two cases today end with "wow" – so impressive. She treats all parties with such fairness and courtesy. Assisting divorced parents to focus on the needs and health of their children, she praises their obvious love for their children and candidly protects these children from poor judgment and communication on the part of the parents. Her kindness and high level of competence are exemplary. She is so adept at carefully protecting children while treating both sides with dignity and rights of privacy.
- Judge Gleason uses a calming voice and reassuring words to keep everyone from becoming emotional. I've observed her on a couple of occasions and she just keeps getting better. She showed patience and understanding towards parents who are obviously having a difficult time dealing with each other.
- Judge Gleason presents a calm and competent attitude and a pleasant demeanor. Her opening comments were to encourage settlement efforts at any time. When the question of confidential evidence arose, the judge explained the function of an observer and obtained both attorneys agreement to allow an observer to remain after signing a confidentiality agreement.
- Brilliant with pro per participants and these tough child custody cases.
- Judge Gleason listened intently and with obvious interest and concern for these family issues. She asked questions, using a calming and clear voice and understandable language. She showed appropriate patience with a young attorney who needed time to consult her notes and thoughts. She protected the rights of the child and equally respects the rights of the parents. Great job.
- The judge really encourages parents to look towards the future and what each parent's attitude will mean later when dealing with issues that arise. She stayed calm and patient during one parent's brutal tirade regarding the other parent's new partner. She quickly got things back on track and focused on the best interest of the children.
- I think this judge should be a model for other judges in family cases.
- The judge was easy to hear and understand. She made clear to both parties what information and paperwork was needed in order for her to make her decision. She thanked both parties for their love of their child and the role they both desire to have with the child. Great job.

The Honorable J. Patrick Hanley Anchorage District Court

Appointed by Governor Mukowski to Anchorage District Court January 2005

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 21.8 | Arraignment: | 5 | 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: | 6 | Criminal Trial: | 3 | Small Claims: | 2 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 5 |
| | | Total Number of Evaluations: | | | 15 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.47 |
| . . . maintain control of the courtroom? | 3.27 |
| . . . speak loudly and clearly? | 3.00 |
| . . . make remarks that were understood and that made sense? | 3.40 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.18 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.27 |
| . . . take time to explain the proceedings to participants? | 3.40 |
| . . . treat all participants fairly and impartially? | 3.33 |
| | Overall Rating: 3.29 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 15 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. |
| Total Sentencings: | 0 |

Comments

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

- The judge treated all participants fairly and really listened to their testimony.
- The judge is relaxed and respectful to both attorneys. He gave very clear and easily heard directions and advice to the jury pool.
- I'm not sure how much is tolerated during arraignments – these were noisy, unorganized and no one seemed to be paying attention unless they were the one before the judge. People in the gallery looked confused and were asking each other questions about how the process worked. The Municipal Prosecutor walked around talking and was inappropriate in his comments to some participants in the gallery – another "sticky fingers" comment was made to one young woman.
- Much better control of the courtroom today.
- The judge's clear explanation to the defendant regarding upcoming testimony was concise and educational to me as an observer. I appreciated his calm demeanor.
- Judge Hanley's explanations to the defendant who wanted to take the stand in her own defense were very clear and helpful. His voice is quiet and calm, yet easily heard.
- The judge is calm and relaxed – to a fault today. I would like to observe him asking for participants to sit down and show some respect, not only for the court, but also for others who have cases in front of him. Pro per participants would have been lost in the process today.
- Judge Hanley managed to keep the courtroom fairly quiet and orderly despite many parties coming and going during these hearings.
- Difficult to hear at the beginning of the hearings. As they progressed he spoke up.
- The judge didn't appear to carry much authority. There was lots of muttering in the gallery that wasn't addressed. One Spanish-speaking defendant might have used an interpreter but it wasn't offered.
- It was a very busy courtroom. The judge kept the proceedings moving along smoothly and effectively communicated with the parties involved in these arraignments.
- The judge moved the hearings along in an organized fashion. He gave a great "fatherly" talk to a young defendant.
- It was hard to hear everything the judge said – lots of activity in the courtroom.

The Honorable Stephanie Joannides Anchorage Superior Court

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

| Evaluations | Case Types | | | |
|------------------------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: 31.8 | Arraignment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: 10 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: 12 | Civil Trial: | 6 | Sentencing: | 0 |
| Negative Comments: 4 | Criminal Trial: | 0 | Small Claims: | 0 |
| | Domestic Violence: | 3 | Trial Call: | 0 |
| | Jury Selection: | 1 | Other Hearings: | 7 |
| | Total Number of Evaluations: | | | 17 |

Did the judge . . .

(Each category is rated 1 - 5 by observers.)

| | |
|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.59 |
| . . . maintain control of the courtroom? | 3.47 |
| . . . speak loudly and clearly? | 3.24 |
| . . . make remarks that were understood and that made sense? | 3.88 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.57 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.79 |
| . . . take time to explain the proceedings to participants? | 4.00 |
| . . . treat all participants fairly and impartially? | 3.88 |
| Overall Rating: | 3.68 |

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.
 Total Sentencings: 0

Comments

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

- The judge made sure the defendant on the telephone could hear the proceedings clearly. She treated everyone with respect and her rulings and explanations were clear and easy to understand.
- Judge Joannides apologized for the 30 minute late start. This was a hearing about a structured settlement payment transfer. The judge was very concerned about this case and questioned the defendant thoroughly to make sure he understood the consequences and the fact that "there was no going back."
- Very difficult to hear the judge.
- The judge kept calm in the courtroom during the plaintiff's testimony even though the plaintiff was emotionally all over the place.
- The judge was very adept at controlling the plaintiff's outbursts. She remained polite throughout this hearing, giving the pro per defendant time to gather his thoughts. She was very firm, clearly using great control in reminding both parties of their lack of obedience to court orders. She was protective of minor children's welfare and was clearly well versed on this ongoing dispute. She was clear in what she expects at the next hearing. Her voice is excellent – tempo, volume, enunciation, and tone. This was another example of great management of family court.
- This judge took extra time to make sure her decision was well explained. She was firm and respectful with the pro per defendant.
- Judge Joannides speaks clearly and controls the proceedings with excellent pacing, intent listening, and gentle, careful questions. She was very helpful to pro per defendant. She was polite to all parties. Her decision seemed very fair, not easily arrived at, yet firmly expressed. She took wise precautions for security and gave wise counsel to the defendant who was in violation of a custody agreement.
- The judge was welcoming and gracious to my presence in her courtroom. She followed all testimony carefully and stayed on task with the written report under examination. I like her direct eye contact with all involved. She carefully asked questions of clarification, making sure she understood each answer.
- Great job in getting the petitioner to work with the defendant.
- Slow, slow moving. This judge is hard to hear and understand at times.
- She handled the petty discussions with respect during this domestic violence hearing.
- During this jury selection the judge gave good, thorough explanations and kept, what had been a long process, interesting and moving along.

The Honorable John Lohff Anchorage District Court

Appointed by Governor Hickel to Anchorage District Court March 1991

| Evaluations | | Case Types | | | |
|--------------------|------|--------------------|---|-------------------------|--|
| Evaluation Hours: | 14.2 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 8 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 9 | 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: | 9 |
| | | | | | Total Number of Evaluations: 10 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 4.20 |
| . . . maintain control of the courtroom? | 3.60 |
| . . . speak loudly and clearly? | 3.50 |
| . . . make remarks that were understood and that made sense? | 3.60 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 4.33 |
| . . . show understanding and consideration to the defendant (present or not)? | 4.10 |
| . . . take time to explain the proceedings to participants? | 3.80 |
| . . . treat all participants fairly and impartially? | 4.00 |
| | Overall Rating: 3.89 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 10 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. |
| Total Sentencings: | 0 |

Comments

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

- The judge maintained a relaxed and attentive demeanor throughout this observation. He was attentive to witness testimony, taking notes and using eye contact with the attorneys and witnesses. He worked hard at being fair to all – which, in my opinion, was difficult since the defense attorney was ill prepared and rude.
- I was impressed by how much time he took to ensure fairness in his courtroom.
- Judge Lohff presides over these Court Coordinated Resources Project (CRP) hearings with dignity.
- Attentive, positive and supportive.
- This could be a difficult court (CRP) to handle, but Judge Lohff does it with compassion and firmness. He handles the proceedings positively and is attentive to all. His positive, fatherly tone is infectious.
- Judge Lohff was wonderful with the defendants during these CRP hearings. He keeps everyone on track and explains the goals that need to be met by each participant. Great job.
- He always handles these proceedings with great compassion and decorum.
- The judge showed humor and compassion during these CRP hearings. He was attentive to each case and encouraged defendants who were doing well.
- The judge was careful to protect the interests of the absent defendant and have the plaintiff fully explain and justify the amounts claimed.

The Honorable Patrick McKay Anchorage Superior Court

Appointed by Governor Murkowski to Anchorage Superior Court November 2005

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 38.7 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 13 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 16 | Civil Trial: | 6 | Sentencing: | 0 |
| Negative Comments: | 4 | Criminal Trial: | 8 | Small Claims: | 0 |
| | | Domestic Violence: | 1 | Trial Call: | 0 |
| | | Jury Selection: | 3 | Other Hearings: | 2 |
| | | Total Number of Evaluations: | | | 20 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.56 |
| . . . maintain control of the courtroom? | 3.33 |
| . . . speak loudly and clearly? | 3.20 |
| . . . make remarks that were understood and that made sense? | 3.45 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.85 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.60 |
| . . . take time to explain the proceedings to participants? | 3.72 |
| . . . treat all participants fairly and impartially? | 3.85 |
| Overall Rating: | 3.57 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 20 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. |
| Total Sentencings: | 0 |

Comments

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

- During the time I observed, the judge was very attentive to the jury and their comfort. He also gave understandable definitions of "reasonable doubt", "circumstantial evidence" and the charges against the defendant.
- The judge showed great patience when multiple pieces of evidence were admitted by the prosecutor. He calmly helped make sure everything was admitted in an organized fashion and moved the trial forward.
- The judge didn't notice the sleeping transport officer.
- Reminded both attorneys to use the microphone.
- The judge firmly reminded the defense attorney to ask for permission to approach the bench and to stand for the jury when they entered the room.
- His explanations of the proceedings and jury responsibilities were clear and concise.
- Judge McKay was helpful to attorneys and was efficient and courteous. He was appropriately kind in assisting one elderly witness.
- During the trial I observed, a juror appeared to be texting on his cell phone. It went unnoticed by the judge.
- The judge was patient with the plaintiff's attorney, who was disorganized to say the least. He also did a great job with the pro per defendant.
- The judge used gentle words to encourage the minor child (17 years old) to leave the courtroom during the domestic violence hearing.
- Judge McKay patiently educated the pro per plaintiff regarding procedures, jury instructions, depositions, cross, etc. He asked the defense attorney to assist the pro per with exhibits in order to move along with the testimony. Wonderful job.
- Great job of balancing assistance to pro per plaintiff with fairness to the defendant's counsel.
- The pro per plaintiff was very "scattered" but the judge was patient and considerate. Excellent job.
- During this divorce hearing the judge was firm but not stern. He has the ability to calm things down and keep everyone focused on the real issues.
- Judge McKay carefully followed references made by the plaintiff's attorney and he questioned the defense attorney to get clarifications. He was very engaged in this part of the trial and as an observer, I was impressed with this judge.

The Honorable Peter Michalski Anchorage Superior Court

Appointed by Governor Sheffield to Anchorage Superior Court January 1985

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|----|-------------------------|-----------|
| Evaluation Hours: | 29.8 | Arraignment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 7 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 13 | Civil Trial: | 11 | Sentencing: | 0 |
| Negative Comments: | 1 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 2 |
| | | Total Number of Evaluations: | | | 13 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.62 |
| . . . maintain control of the courtroom? | 3.69 |
| . . . speak loudly and clearly? | 3.31 |
| . . . make remarks that were understood and that made sense? | 3.54 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.50 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.50 |
| . . . take time to explain the proceedings to participants? | 3.77 |
| . . . treat all participants fairly and impartially? | 3.54 |
| | Overall Rating: 3.56 |

| 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. |
| Total Sentencings: | 0 |

Comments

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

- He was aware of jurors needs for breaks and he kept the breaks timely. I felt he had a forceful presence and kept control without using a heavy hand. The squabbling between the attorneys was not tolerated.
- The judge talked at length to the jury about their needs during the trial and their responsibilities as jurors. Great job today.
- Another pro per plaintiff in this case and it appears this judge kept control with his patience and firmness.
- The judge was patient and helpful to the pro per plaintiff. During my observation it appears this judge is a "take charge" judge. The courtroom was well "mic'd" and it was great to be able to hear everything without straining.
- Make no mistake on who is in charge in his courtroom.
- Judge Michalski was easy to hear and he was very attentive to those who were speaking. He was courteous and friendly to all. His explanations and instructions to the jurors were clear. I appreciated how sincerely engaged he seemed with all the proceedings and how mindful he was of the jurors.
- The judge makes sure the attorneys are respectful to witnesses and not asking the same question over and over. He listens and asks questions when something seems to be confusing. Things could have gotten out of hand today but he kept everyone on track and firmly made sure the plaintiff's attorney knew what was approved to come in during testimony.
- If this judge says the break will be 15 minutes, he means 15 minutes.
- This was a wonderful observation. The judge was patient, explained his reasonings well and showed a rare moment of humor. Although the testimony was tedious and long winded, he kept things under control and moving forward.
- This was an ITMO case and the judge was patient and careful when dealing with every issue that arose regarding the child, the State's position and witnesses.
- The judge was considerate to all and addressed each spectator so as to protect the confidentiality of the child. He listened intently, note taking throughout the snail's pace of questioning of the plaintiff's witness. He assisted when witness answers were vague.
- Judge Michalski seemed impatient with one attorney. After a very short time in this observation I understood why – the attorney was ill prepared and somewhat argumentative.

The Honorable William Morse Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court February 2002

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|----------|
| Evaluation Hours: | 17.4 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 7 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 4 | Civil Trial: | 4 | Sentencing: | 0 |
| Negative Comments: | 1 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 4 |
| | | Total Number of Evaluations: | | | 8 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.63 |
| . . . maintain control of the courtroom? | 3.63 |
| . . . speak loudly and clearly? | 3.13 |
| . . . make remarks that were understood and that made sense? | 3.38 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.29 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.50 |
| . . . take time to explain the proceedings to participants? | 3.43 |
| . . . treat all participants fairly and impartially? | 3.50 |
| Overall Rating: | 3.44 |

| Did the judge appear to favor either side? | |
|--|----------------|
| Did not favor either side: | 8 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. |
| Total Sentencings: | 0 |

Comments

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

- Judge Morse kept to his word on timings of breaks, was very patient and mindful of the tedious, slow pace for the jurors. He was very careful and helpful to the long distance interpreter.
- The judge appeared to be very intimidating when I first went into the courtroom for this observation. Within an hour I realized he was attentive, calm and patient.
- Very attentive.
- The judge developed a sense of connection and concern with participants and emphasized that obligations were clearly spelled out and understood – "miss a meeting equals 24 hours of jail time."
- Docketed for 1:00 p.m., at 1:15 p.m. there were twelve people waiting. The door to the courtroom opened at 1:20 p.m. and eventually about 40 people were waiting. Evidently they are accustomed to a late start. He could speak up a little louder.

The Honorable Gregory Motyka Anchorage District Court

Appointed by Governor Hickel to Anchorage District Court July 1991

| Evaluations | | Case Types | | | | |
|--------------------|------|-------------------------------------|---|-------------------------|---|-----------|
| Evaluation Hours: | 19.7 | Arrestment: | 0 | Pre-indictment Hearing: | 0 | |
| No. of Observers: | 8 | Change of Plea: | 0 | Pretrial Conference: | 0 | |
| Positive Comments: | 6 | Civil Trial: | 0 | Sentencing: | 0 | |
| Negative Comments: | 4 | Criminal Trial: | 5 | Small Claims: | 1 | |
| | | Domestic Violence: | 0 | Trial Call: | 0 | |
| | | Jury Selection: | 0 | Other Hearings: | 7 | |
| | | Total Number of Evaluations: | | | | 13 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.31 |
| . . . maintain control of the courtroom? | 3.31 |
| . . . speak loudly and clearly? | 2.92 |
| . . . make remarks that were understood and that made sense? | 3.15 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.33 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.14 |
| . . . take time to explain the proceedings to participants? | 3.40 |
| . . . treat all participants fairly and impartially? | 3.31 |
| | Overall Rating: 3.23 |

| 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. |
| Total Sentencings: | 0 |

Comments

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

- Judge Motyka does a great job in the small claim cases. He really gets to the root of the issue and works hard to get participants to mediate through the court system's program.
- Every time I observe in this judge's courtroom I learn something new – he explains things very well.
- Very busy, boisterous courtroom The judge was focused and attentive but unaffected by the noise and made no effort to quiet it.
- It was the typical chaotic nature of these type of hearings and it made it difficult to hear the judge. The continuous conversations in the gallery were not controlled.
- Judge Motyka runs a tight ship but it still feels as though his courtroom is does not feel intimidating. He watched the jury and immediately called a recess when a younger jury seemed to be uncomfortable. The judge is attentive and easy to hear. He seems to recognize the need to speak in terms that are understandable. Good job.
- The judge explained his rule on note-taking by jurors and the use of those notes later.
- Judge Motyka politely explained he reason for overruling a motion to a clearly inexperienced attorney.
- Very, very difficult to hear anything in the courtroom today. The judge was soft spoken and the gallery was noisy.

The Honorable Richard Postma Jr.
Anchorage District Court

Appointed by Governor Palin to Anchorage District Court June 2007

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 15.5 | Arraignment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 9 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 3 | Civil Trial: | 3 | Sentencing: | 0 |
| Negative Comments: | 6 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 7 |
| | | Total Number of Evaluations: | | | 10 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.00 |
| . . . maintain control of the courtroom? | 2.80 |
| . . . speak loudly and clearly? | 3.00 |
| . . . make remarks that were understood and that made sense? | 2.70 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 2.80 |
| . . . show understanding and consideration to the defendant (present or not)? | 2.80 |
| . . . take time to explain the proceedings to participants? | 3.10 |
| . . . treat all participants fairly and impartially? | 2.70 |
| Overall Rating: | 2.86 |

| Did the judge appear to favor either side? | |
|---|----------------|
| Did not favor either side: | 8 evaluations. |
| Favored the defense: | 0 evaluations. |
| Favored the prosecution: | 2 evaluations. |

| During sentencings, the judge was . . . | |
|--|----------------|
| Lenient: | 0 evaluations. |
| Reasonable: | 0 evaluations. |
| Severe: | 0 evaluations. |
| Total Sentencings: | 0 |

Comments

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

- These hearings were hard to follow. Things were confusing in the courtroom and the judge showed little patience.
- The judge could spend a little more time in his explanations. He seemed to rush through some cases while being much more thorough with others.
- Today the judge showed patience and had control over his courtroom.
- The defendant and her husband clearly had English as a second language (ESL) issues and while the judge made efforts to ensure they understood the proceedings, his voice relayed very obvious impatience with the defense witness. He even rolled his eyes when the witness seemed confused. He was much friendlier to the plaintiff (an attorney), not exhibiting the condescension he showed to the defense witness. After the defense witness became distraught with the proceeding and the judge called security, the judge became more patient and helpful to the defendants. The defendants were obviously at a disadvantage because of the ESL issue and no legal assistance.
- The judge listened and checked his case notes frequently.
- I'm not sure this judge has much patience when dealing with pro per participants – something that should be worked on by him.
- The judge explains legal processes clearly, IF you have legal expertise. Defendants seemed to be without a clear sense of what was happening or what they needed to do next. He was impatient with obviously confused defendants who were not represented by an attorney. I would not want to appear in this judge's courtroom without an attorney no matter how small the issue.
- The judge seems rattled and disconnected today.
- Today Judge Postma did an excellent job. He spoke with authority, his remarks were extremely clear and easy to understand. Great improvement.

The Honorable Stephanie Rhoades Anchorage District Court

Appointed by Governor Hickel to Anchorage District Court July 1992

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 16.1 | Arrestment: | 1 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 8 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 13 | Civil Trial: | 0 | Sentencing: | 0 |
| Negative Comments: | 2 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 13 |
| | | Total Number of Evaluations: | | | 14 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.57 |
| . . . maintain control of the courtroom? | 3.29 |
| . . . speak loudly and clearly? | 3.21 |
| . . . make remarks that were understood and that made sense? | 3.64 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.63 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.85 |
| . . . take time to explain the proceedings to participants? | 3.67 |
| . . . treat all participants fairly and impartially? | 3.42 |
| | Overall Rating: 3.54 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 14 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. |
| Total Sentencings: | 0 |

Comments

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

- The judge's expertise with alcohol abuse is very evident in the way she talks to repeat offenders. She listened carefully and asked questions that assisted everyone in gaining clarity on further proceedings.
- Judge Rhoades went through these hearings with ease and thoroughness. Great use of time for everyone.
- Sometimes I wonder if Judge Rhoades appreciates her role in the lives of the people she has such control over. She seemed to smirk and giggle at some of the things that were said.
- Judge Rhoades ensured all could be seated in a very crowded courtroom full of restless defendants and their companions. Waiting attorneys were gabby and distracted from the proceedings. Judge Rhoades politely and firmly asked them to quiet down. Her voice carries well and she adeptly managed to organize similar cases into an efficient, streamlined process. She used humor and tact in dealing with the cases. I was impressed with her efficiency, her empathy with financially challenged defendants and her use of humor and praise to inspire defendants to stay out of trouble. Great job in her specialty court.
- These type of hearings must be difficult and mentally trying for Judge Rhoades. She handles each defendant with respect and dignity. Her ability to keep track of each person and their progress and the role of every community service is impressive.
- There was confusion and lots of noise when these hearings started. The judge quickly got everyone seated and made it clear she needed to be able to listen and discuss issues with each participant.
- The judge just keeps getting better.
- I appreciated Judge Rhoades honesty in needing time to make a decision when the defense introduced a statute for review during this eviction hearing.
- During these Court Coordinated Resources Project hearings Judge Rhoades was enthusiastic and went above and beyond to interact comfortably with the participants.
- Judge Rhoades kept the proceedings moving efficiently as there were many cases before her. She was attentive to the parties in each case. She was clear in her explanations, especially when going over the consequences each defendant would face if they didn't do well in the program.
- Attentive, efficient, compassionate yet firm. She explained each decision in simple language – making it easy for everyone to understand.

The Honorable Mark Rindner Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court October 2000

| Evaluations | | Case Types | | | |
|--------------------|------|--------------------|---|-------------------------|-------------------------------------|
| Evaluation Hours: | 25.0 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 10 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 9 | Civil Trial: | 4 | Sentencing: | 0 |
| Negative Comments: | 5 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 10 |
| | | | | | Total Number of Evaluations: |
| | | | | | 14 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.50 |
| . . . maintain control of the courtroom? | 3.14 |
| . . . speak loudly and clearly? | 3.43 |
| . . . make remarks that were understood and that made sense? | 3.50 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.58 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.46 |
| . . . take time to explain the proceedings to participants? | 3.57 |
| . . . treat all participants fairly and impartially? | 3.43 |
| | Overall Rating: |
| | 3.45 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 13 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. |
| Total Sentencings: | 0 |

Comments

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

- To the point, patient, in control and very attentive during this trial. The judge worked to keep a little lightness in this slow moving and tedious testimony.
- The judge showed patience and humor in this high-tech, high stakes trial. He was thoughtful in giving notice on upcoming breaks and recesses to the jurors.
- He shows some impatience but it was directed in the right direction!
- Great job with the attorneys and his instructions to them regarding future hearings.
- Judge Rindner's voice is excellent in volume and clarity. He listened intently to both attorneys and was very firm in questioning, answering and explaining his reasons for his decision. He was candid, authoritative and fair in working with the two attorneys to come to an agreement on the next step in the process.
- A little more patience would have gone a long way. I realize people have bad days, but we expect judges to rise above this kind of behavior.
- Judge Rindner raised his voice and argued vehemently with the defense attorney, showing obvious annoyance with the attorney. He seemed exasperated when dealing with the defense attorney and showed patience and respect to the plaintiff's attorney.
- Judge Rindner was very focused and attentive to the parties in this custody hearing. He took considerable time when he made his ruling and explained each decision thoroughly. He reminded one party that he expected him to be civil and appropriate in his email communication with the plaintiff.
- The judge was very attentive to both parties involved. He took extra time to explain the procedures to the pro per participant. He spoke to the plaintiff's attorney in a calm, yet firm tone regarding the paperwork that had not been given to the court.
- Judge Rindner was good with the pro per party – giving him clear and understandable instructions and went the extra mile to make sure there were no misunderstandings.
- Judge Rindner has a very direct approach and a participating nature. He was patient when going over previous testimony with the plaintiff's attorney, which he had to do more than once.
- Lots of facial expressions during this status hearing.

The Honorable Jack Smith Anchorage Superior Court

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

| Evaluations | Case Types |
|------------------------|--|
| Evaluation Hours: 43.6 | Arraignment: 0 Pre-indictment Hearing: 0 |
| No. of Observers: 9 | Change of Plea: 0 Pretrial Conference: 0 |
| Positive Comments: 19 | Civil Trial: 1 Sentencing: 3 |
| Negative Comments: 1 | Criminal Trial: 16 Small Claims: 0 |
| | Domestic Violence: 0 Trial Call: 0 |
| | Jury Selection: 0 Other Hearings: 4 |
| | Total Number of Evaluations: 24 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.54 |
| . . . maintain control of the courtroom? | 3.42 |
| . . . speak loudly and clearly? | 3.29 |
| . . . make remarks that were understood and that made sense? | 3.45 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.53 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.53 |
| . . . take time to explain the proceedings to participants? | 3.50 |
| . . . treat all participants fairly and impartially? | 3.42 |
| | Overall Rating: 3.46 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 24 evaluations. |
| Favored the defense: | 0 evaluations. |
| Favored the prosecution: | 0 evaluations. |

| During sentencings, the judge was . . . | |
|---|----------------|
| Lenient: | 0 evaluations. |
| Reasonable: | 3 evaluations. |
| Severe: | 0 evaluations. |
| Total Sentencings: | 3 |

Comments

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

- Judge Smith is courteous and clearly in charge of the proceedings. He listens attentively, using patience, calmness and clear reasoning in all decisions and explanations. He was very skillful in keeping both attorneys on track and in not allowing the plaintiff's attorney to interrupt.
- Judge Smith was very helpful with pro per defendant. He maintained control, asking the defense attorney to cease rehashing things. His decision was fair to both parties, clearly reflecting some agreement with plaintiff, but mostly instructing defendant in how to avoid repeated hearings by improving his parenting skills. He gave wise, practical advice/orders, all directed at the welfare of the three children.
- During the judge's decision he spoke rapidly, almost impatiently.
- Judge Smith carefully advised the witness of her right to consult an attorney before her testimony put her in jeopardy of a separate crime. She clearly needed legal assistance and the judge handled it well.
- The judge was easy to understand and his explanation to the defendant regarding the defendant's rights was clear. He made sure there had been victim contact before proceeding to the adjudication.
- The gallery was full of emotional family members of the defendant. The judge was able to keep things calm and carefully watched the courtroom.
- Tough, reasonable, patient and considerate to defendants, third party custodians and attorneys on both sides. Great job.
- Judge Smith is considerate, thorough and communicates well with all participants.
- This was a difficult trial to evaluate because so much time was used with translations. The translations made the process slow. Judge Smith was very attentive throughout and kept control of his courtroom.
- Reading the jury instructions is tough – this judge kept eye contact with the jurors and spoke clearly and loudly and I felt the jurors paid more attention than I normally observe.
- The judge spoke clearly, listened attentively and maintained control of the courtroom. His explanation of the sentence was well easy to understand.
- Judge Smith was encouraging and polite with a new public defender.
- During this sentencing the judge recognized the defendant's remorse, gave the attorneys a chance to speak at length about the level of the sentence the defendant deserved and thoroughly explained the sentence he handed down.

The Honorable Michael Spaan Anchorage Superior Court

Appointed by Governor Murkowski to Anchorage Superior Court November 2007

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|----|-------------------------|-----------|
| Evaluation Hours: | 36.2 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 11 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 12 | Civil Trial: | 0 | Sentencing: | 0 |
| Negative Comments: | 4 | Criminal Trial: | 13 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 3 | Other Hearings: | 3 |
| | | Total Number of Evaluations: | | | 19 |

Did the judge . . .

(Each category is rated 1 - 5 by observers.)

| | |
|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.53 |
| . . . maintain control of the courtroom? | 3.37 |
| . . . speak loudly and clearly? | 3.37 |
| . . . make remarks that were understood and that made sense? | 3.53 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.92 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.69 |
| . . . take time to explain the proceedings to participants? | 3.61 |
| . . . treat all participants fairly and impartially? | 3.58 |
| Overall Rating: | 3.58 |

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.
 Total Sentencings: 0

Comments

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

- He has an excellent speaking voice and is considerate of the need for breaks for the jury pool.
- Judge Spann avoided eye contact with the attorneys and jury pool and seemed to fidget with his pen and watch his computer screen during the voir dire.
- Judge Spaan has a calming, easily heard voice. He gave very clear and deliberate instructions to the jury regarding their obligation and duties during recesses.
- During this hearing Judge Spaan came off the bench to view the overhead and look directly at the expert witness. He listened and took notes throughout. His courtroom was full of staff from the State Crime Lab. He remained attentive through the lengthy and detailed answers to the plaintiff's questions, interrupting now and then to ask his own questions. He used humor and authority with both attorneys and was very considerate to the defendant, making sure the defendant understood the proceedings. Great job.
- I observed during the reading of a jury verdict. The judge clearly addressed all parties with special appreciation for the jurors.
- Judge Spaan has a clear and easily understood voice. He addressed each defendant and asked if the charges were understood or if they had any questions.
- The judge started this hearing by telling everyone in the courtroom he and the attorney from the DA's office were friends, but that it would not influence his decision. He had good eye contact with all involved and thanked both attorneys for their efforts.
- The judge was very participative. He cleared up confusing questions asked by the defense attorney. He sharply chastised the attorney for repeating the same question four times and told him to "move on." Great control of his courtroom.
- The attorneys were in a heated back and forth when I began my observation. He judge quickly stepped in and firmly took control.
- He is very difficult to hear in the back of the courtroom.
- Great job in reassuring the potential jurors as to the accommodations available for physical needs during the trial.
- During jury selection the judge had a sense of humor and he kept the process moving along without taking away from the fact this process is very important.

The Honorable Alex Swiderski Anchorage District Court

Appointed by Governor Murkowski to Anchorage District Court April 2005

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 14.8 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 7 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 10 | Civil Trial: | 0 | Sentencing: | 0 |
| Negative Comments: | 1 | Criminal Trial: | 0 | Small Claims: | 3 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 7 |
| | | Total Number of Evaluations: | | | 10 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.90 |
| . . . maintain control of the courtroom? | 3.60 |
| . . . speak loudly and clearly? | 3.20 |
| . . . make remarks that were understood and that made sense? | 4.10 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.67 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.78 |
| . . . take time to explain the proceedings to participants? | 4.20 |
| . . . treat all participants fairly and impartially? | 4.20 |
| | Overall Rating: 3.83 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 10 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. |
| Total Sentencings: | 0 |

Comments

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

- In this small claims case the judge helped by having copies made for both the pro per participants. He inquired intensely into details, treating both parties fairly and firmly. He insisted on clear, straight answers and explained "offers" carefully to each. He persisted in going to great effort to continue mediating and avoiding a trial, stressing to both the advantages of settling and avoiding trial. He achieved a settlement, complimenting both parties on their cooperation with him and their courtesy to each other. This was an impressive session to observe a judge take a small claims case so seriously and achieve a good result for all.
- During my observation at the Anchorage Jail courtroom, Judge Swiderski controlled interruptions from family members with courteous firmness. He showed sincere concern for fairness and mutual understanding on all sides. He is efficient, without rushing people.
- I observed the judge during Wellness Court today. It was interesting to see this judge in another setting. He used his smile, consistent eye contact and listening skills in opening up communication with these defendants in an informal setting. He greeted each person personally and made specific inquiries of their well-being. In my opinion, his wisdom, competence and sincerity make him a fine choice for Wellness Court. Job well done.
- The judge paid attention to even the smallest detail when dealing with defendants. He asked questions to make sure no one was going to leave his courtroom with any kind of confusion as to their rights or next hearing dates.
- His ability to get everyone to work together is great to observe in these type of hearings. He is prepared, listens to all sides and encourages cooperation. I think judges that have the patience to spend a little extra time getting people to work together must save precious court time and money by settling cases early in the process.
- I think anyone coming into his courtroom for a small claims case would leave feeling they had been treated with fairness and respect.
- The judge ignored some very annoying distractions caused by the two Public Defender attorneys who continually gabbed and giggled at their table while their colleague was at the podium.
- The judge worked with the Public Defender and District Attorney which facilitated this process. He firmly questioned the attorneys when repeated requests for continuances seemed unusual and he clearly was not pleased that discovery had not been sent to the defense.
- I've observed this judge in both criminal and civil cases. He does a great job.

The Honorable Sen Tan Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court December 1996

| Evaluations | | Case Types | | | |
|--------------------|------|--------------------|---|-------------------------------------|----------|
| Evaluation Hours: | 14.3 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 6 | Change of Plea: | 0 | Pretrial Conference: | 1 |
| Positive Comments: | 5 | Civil Trial: | 5 | Sentencing: | 0 |
| Negative Comments: | 0 | Criminal Trial: | 0 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 0 | Other Hearings: | 2 |
| | | | | Total Number of Evaluations: | 8 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.50 |
| . . . maintain control of the courtroom? | 3.57 |
| . . . speak loudly and clearly? | 3.50 |
| . . . make remarks that were understood and that made sense? | 3.75 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.71 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.71 |
| . . . take time to explain the proceedings to participants? | 4.00 |
| . . . treat all participants fairly and impartially? | 4.00 |
| | Overall Rating: 3.72 |

| Did the judge appear to favor either side? | |
|--|----------------|
| Did not favor either side: | 8 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. |
| Total Sentencings: | 0 |

Comments

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

- This hearing was brief and effective. Judge Tan used an informal process to get both sides to agree to resume counseling to attempt to agreements to avoid a trial.
- Again, great job with the translator. Interesting case to observe.
- Judge Tan presided with courtesy at all times. He actively listened, following all testimony and inquiries. His explanations of his decisions were very clear and he was astute in knowing what each attorney needed from him. At times he was subtly helpful in guiding the attorney in how to keep certain evidence admissible. He impressed me with his method of questioning attorneys so as to aid them in clarifying their own arguments and reasoning. He made certain the Russian translator was utilized properly, guiding all speakers in the best way to speak through a translator. He also managed a sticky witness question in a way that proved fair to both sides.
- This judge just has a way with keeping things calm in his courtroom.
- Judge Tan was very attentive during this modification of child custody case. He appears to have the ability to get parties to work together.

The Honorable Phillip Volland Anchorage Superior Court

Appointed by Governor Knowles to Anchorage Superior Court November 2002

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|----|-------------------------|-----------|
| Evaluation Hours: | 66.0 | Arrestment: | 0 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 11 | Change of Plea: | 0 | Pretrial Conference: | 0 |
| Positive Comments: | 16 | Civil Trial: | 0 | Sentencing: | 8 |
| Negative Comments: | 4 | Criminal Trial: | 11 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 3 | Other Hearings: | 2 |
| | | Total Number of Evaluations: | | | 24 |

Did the judge . . .

(Each category is rated 1 - 5 by observers.)

| | |
|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.75 |
| . . . maintain control of the courtroom? | 3.63 |
| . . . speak loudly and clearly? | 3.09 |
| . . . make remarks that were understood and that made sense? | 3.78 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.93 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.85 |
| . . . take time to explain the proceedings to participants? | 3.83 |
| . . . treat all participants fairly and impartially? | 3.88 |
| Overall Rating: | 3.72 |

Did the judge appear to favor either side?

Did not favor either side: 24 evaluations.
 Favored the defense: 0 evaluations.
 Favored the prosecution: 0 evaluations.

During sentencings, the judge was . . .

Lenient: 0 evaluations.
 Reasonable: 8 evaluations.
 Severe: 0 evaluations.
 Total Sentencings: 8

Comments

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

- The judge was very aware of all that was going on in his courtroom. The packed courtroom was under control at all times. He was very attentive to an expert witness and asked follow-up questions for clarification. He told the attorneys several times that he would listen to all family and friends that wanted to make statements to him before sentencing, no matter how much time it took. When he overruled an objection, he clearly explained his ruling. He was very professional and engaged.
- The judge listened intently at all times. He controlled this media event calmly and courteously, clearing aisles, making sure family members had seats in the over-crowded courtroom.
- The judge was very attentive to the attorneys and defendant. He spoke in a clear voice, calmly explaining the seriousness of the case. He said several times that he has given this case and sentencing a lot of time over the past months. He spoke to the sadness over the "collateral" damage due to this murder – the victim's family, the convicted defendant and the defendant's family, especially the minor child. He treated everyone with respect. His sentencing remarks addressed concerns that both attorneys had brought up. He thoroughly explained and gave details from the trial to back up his decisions when giving the sentence. Very fair and impartial.
- Whew! Judge Volland quietly and calmly presided over a roomful of victims and the defendant's overwrought family during this sentencing. With firm conviction and clearly explained analysis of the harms, the history, and the potential of the defendant, Judge Volland handed down the sentence. He clearly explained his decision and the Chaney Criteria. He was objective, clear, solemn, controlled and empathetic. Well done Judge Volland.
- The trial was recessed abruptly due to a witness problem. The judge was calm, clear and considerate to all.
- At first I thought the judge was not paying attention, but evidenced by his prompt responses to the attorneys, he was very attentive.
- His low and soft voice made it very difficult to hear him today.
- He has the ability to give his decisions in an easily understood manner.
- Judge Volland was considerate in his choice of words in this sentencing. I could follow his reasoning.
- The judge did a good job of staying on top of the controlled chaos of multiple defendants and attorneys and used the court time effectively.
- Judge Volland showed compassion for the defendant (who had serious medical issues) while maintaining appropriate court decorum.

The Honorable David Wallace Anchorage District Court

Appointed by Governor Sarah Palin to Anchorage District Court January 2009

| Evaluations | | Case Types | | | | |
|--------------------|------|--------------------|---|-------------------------|-------------------------------------|-----------|
| Evaluation Hours: | 17.0 | Arrestment: | 2 | Pre-indictment Hearing: | 0 | |
| No. of Observers: | 9 | Change of Plea: | 1 | Pretrial Conference: | 0 | |
| Positive Comments: | 10 | Civil Trial: | 0 | Sentencing: | 0 | |
| Negative Comments: | 2 | Criminal Trial: | 1 | Small Claims: | 2 | |
| | | Domestic Violence: | 0 | Trial Call: | 0 | |
| | | Jury Selection: | 0 | Other Hearings: | 8 | |
| | | | | | Total Number of Evaluations: | 14 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) | |
|--|--|-------------|
| . . . pay attention to the proceedings and participants? | 3.50 | |
| . . . maintain control of the courtroom? | 3.62 | |
| . . . speak loudly and clearly? | 3.36 | |
| . . . make remarks that were understood and that made sense? | 3.64 | |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 3.89 | |
| . . . show understanding and consideration to the defendant (present or not)? | 3.54 | |
| . . . take time to explain the proceedings to participants? | 3.62 | |
| . . . treat all participants fairly and impartially? | 3.50 | |
| Overall Rating: | | 3.58 |

| Did the judge appear to favor either side? | |
|--|-----------------|
| Did not favor either side: | 14 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. |
| Total Sentencings: | 0 |

Comments

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

- Judge Wallace remained courteous throughout these hearings. His pacing was just right – efficient and slow enough for defendants to listen and have time to understand. He is careful to make sure defendants know their rights.
- The judge is firm, patient, thorough and fair. He kept the courtroom quiet and running smoothly throughout the hearings. Each defendant was explained their rights as though it was the first time he was giving them – time after time. I was impressed.
- During these hearings the judge explained his decisions very well.
- Judge Wallace maintained order and kept things moving along. He quickly assigned many defendants to mediators or to other judges to have their small cases heard.
- It is a pleasure to watch Judge Wallace during these hearings for Veteran's Court.
- During these hearings in Veteran's Court, Judge Wallace made encouraging and positive comments to the defendants. He gave a thorough explanation of a plea agreement. I learned new things in his courtroom today.
- The judge was very respectful of the defendant's rights to fairness during these hearings.
- The judge encouraged the use of resources available by the court and gave good explanations of the terms used by the court.
- Judge Wallace handled high emotions with care and remained positive during these hearings.
- These observations were during a specialty court dealing with veterans. The judge did a great job and was very encouraging to the participants.
- The judge explained to the jurors their responsibilities and the trial process.
- The judge was clearly heard and understood during these hearings.

The Honorable Michael Wolverton

Anchorage Superior Court

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

| Evaluations | | Case Types | | | |
|--------------------|------|-------------------------------------|---|-------------------------|-----------|
| Evaluation Hours: | 26.3 | Arraignment: | 2 | Pre-indictment Hearing: | 0 |
| No. of Observers: | 10 | Change of Plea: | 0 | Pretrial Conference: | 2 |
| Positive Comments: | 10 | Civil Trial: | 0 | Sentencing: | 0 |
| Negative Comments: | 3 | Criminal Trial: | 3 | Small Claims: | 0 |
| | | Domestic Violence: | 0 | Trial Call: | 0 |
| | | Jury Selection: | 4 | Other Hearings: | 8 |
| | | Total Number of Evaluations: | | | 19 |

| Did the judge . . . | (Each category is rated 1 - 5 by observers.) |
|--|--|
| . . . pay attention to the proceedings and participants? | 3.53 |
| . . . maintain control of the courtroom? | 3.47 |
| . . . speak loudly and clearly? | 3.16 |
| . . . make remarks that were understood and that made sense? | 3.63 |
| . . . show understanding and consideration to the plaintiff/victim (present or not)? | 4.25 |
| . . . show understanding and consideration to the defendant (present or not)? | 3.77 |
| . . . take time to explain the proceedings to participants? | 3.81 |
| . . . treat all participants fairly and impartially? | 3.63 |
| Overall Rating: | 3.66 |

| 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. |
| Total Sentencings: | 0 |

Comments

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

- During this pretrial conference Judge Wolverton showed a high level of respect for the defendant, explaining the process clearly, taking time to be certain the defendant understood what was happening. He gave very detailed voir dire information to both sides. His allowance of time for attorneys to be thorough and clear is effective and productive.
- Judge Wolverton maintained firmness in supporting the State's bail requests and in upholding a prior judge's bail determination. The Public Defender did not have some of the files on hand and the judge showed patience but firmly explained that these missing files meant re-scheduling the hearings. He also took time to give advice to a very young defendant and carefully explained his rights to him.
- Judge Wolverton listens intently to both attorneys, conducting an open discussion on the defense attorney's motions to suppress evidence. He showed much concern for fairness to defendant's rights and was willing to guide the prosecutor toward a compromise that would prevent the state's case, from what I thought, would be destruction.
- The judge was calm while handling a spouse of the victim who was participating telephonically and kept interrupting the proceeding. He was firm and appropriate to all parties.
- Judge Wolverton listened well to both attorneys during objections. He is easily heard. He remained patient calm and attentive. He held firm when pressed by the defense attorney and remained mindful of the defendant's rights.
- The judge was called into court from a judicial conference he was attending. This hearing was regarding a juror. He was patient, considerate and consistent as he questioned each juror. When it was decided to release one juror from duty, he was concerned that the juror not be admonished in front of the court so as to avoid further embarrassment. Great job.
- These hearings were handled efficiently by the judge.
- There were multiple defendants and attorneys in the courtroom during these hearings. It was difficult to hear the judge.
- The judge's humorous exchanges with the attorneys and potential jurors created a relaxed atmosphere.
- Judge Wolverton kept the attorneys on track and showed consideration and patience in dealing with a very reluctant witness.
- During this evidentiary hearing the judge controlled the defense attorney and a witness's dialog from getting out of hand.

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.

In the past, our organization has had to actively lobby, on our own, for legislative funding, with inconsistent results. There were years we made do and continued our program without state financial support. Rep. Max Gruenberg, Rep. Mike Hawker and Larry Cohn worked with our program to restore funding on a more reliable basis by putting funds for an observer program into the Alaska Judicial Council budget. Alaska Judicial Council then solicited proposals for a Volunteer Court Observer service and Alaska Judicial Observers was chosen to provide that service. 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. We are currently bringing our program back to Kenai and Palmer.

A non-profit organization is a volunteer supported program. We are proud of the caliber of all our volunteers and we are especially grateful and proud of one volunteer in particular. Glen Denning is solely responsible for our database and the ease of which we are able to produce judge and attorney evaluation information is only because of Glen's hard work. He is the one who takes the data and makes it into something that can be understood. We will never be able to thank him enough – words cannot do justice to how grateful we are to him and his wife, Kris. His patience and kindness towards me over these past 12 years are endlessly appreciated

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 sit for hours taking notes and learning about our judicial process. 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.

I am very fortunate to have a Board of Directors that is involved in our program. Bob Penzenik serves as our President, observes in the courtroom and is available on a moment's notice. Chris Lyou is our Vice President and continually assists me in anything that is needed and Sharon Nahorney also helps out whenever she is asked. I have one Board member that has become a treasured friend over the past 15 years. Pat Gallagher serves as the Secretary / Treasurer, spends endless hours in the courtroom evaluating judges, helps to train volunteers and she works in the program office. She deserves so much more than I can ever express by just saying thank you.

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