

**Alaska Judicial Council  
2010 Judicial Retention Performance Evaluation Materials  
Judge Michael A. MacDonald  
Fairbanks Superior Court**

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

**Retention evaluation materials for this judge**

**1. Voter pamphlet page**..... 2  
This page will appear in the State of Alaska Election Pamphlet sent to each Alaskan household.

**2. Judge questionnaire**..... 3  
The judge's response to a Judicial Council questionnaire.

**3. Survey scores in 2010**  
*(To view survey scores for all judges on the ballot go to main 2010 retention page.)*

**a. Attorney; Peace Officer; Social Worker/Guardians Ad Litem/CASA scores**..... 10

**b. Juror survey scores**..... 17

**c. Court employee survey scores**..... 18

**4. Survey scores in previous retention evaluations**  
*(This judge is standing for retention for the first time)*

**Retention evaluation materials for all judges on the ballot**  
*(To view these materials go to main 2010 retention page.)*

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

# Alaska Judicial Council Recommendation

## Judge Michael A. MacDonald, Superior Court, Fairbanks

### Judicial Council Recommendation 2010

The Alaska Judicial Council is a non-partisan citizens' commission established by the Alaska constitution. Alaskan law requires the Council to evaluate judges' performance and authorizes the Council to recommend to voters whether judges should be retained in office. The Judicial Council reviews judges' integrity, diligence, legal ability, fairness, demeanor, ability to manage their caseloads, and overall performance of their judicial responsibilities in and out of the courtroom. The Judicial Council finds Judge MacDonald to be **Qualified** and recommends unanimously that the public vote "YES" to retain him as a superior court judge.

### Judicial Council Evaluation

The Judicial Council surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers/guardians ad litem, and child advocates about the judges on the ballot. Respondents were asked to rate judicial performance and to submit comments. The Council also reviewed the ratings and observations of the Alaska Judicial Observers, independent community-based volunteers. The Council reviewed the judge's peremptory challenge, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files involving the judge; and whether a judge's pay was withheld for an untimely decision. The Council reviewed other court records and investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, and court staff, and held a statewide public hearing to obtain comments about judges.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem CASAs
Legal Ability	4.1	---	---	---	---
Impartiality	4.0	4.0	4.7	4.8	3.9
Integrity	4.3	4.0	---	4.8	4.3
Temperament	4.2	4.1	4.8	4.8	3.9
Diligence	4.1	4.2	---	4.8	3.7
Overall	4.0	4.1	4.8	4.8	4.2

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

#### Rating Scale

5.0 = Excellent  
 4.0 = Good  
 3.0 = Acceptable  
 2.0 = Deficient  
 1.0 = Poor

### Summary of Survey Information

Survey respondents rated Judge MacDonald on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge MacDonald on overall performance was 4.0. Peace and probation officers gave Judge MacDonald a rating of 4.1. Jurors rated him 4.8 overall, court employees gave him 4.8, and social workers, guardians ad litem and CASA volunteers rated him at 4.2.

**Recommendation: Vote "YES" to retain Judge Michael A. MacDonald**

**Alaska Judicial Council  
Questionnaire**

**Trial Judge  
2010 Candidates for Judicial Retention**

**October 22, 2009**

Michael A. MacDonald

Fairbanks Superior Court

Name

Court

1. Please estimate your workload during your present term.

a)	<u>45</u> % civil cases	b)	<u>10</u> # of jury trials/year
	<u>45</u> % criminal cases		<u>20</u> # of non-jury trials/year
	<u>10</u> % court administrative work		<u>5</u> # of administrative appeals/year
	<u>100</u> % Total		

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

Family Law Rules Committee  
New Judge Training Committee  
Court Representative to Burch Supervised Visitation and Exchange Grant  
Senior Bar Representative to Tanana Valley Bar Assn. Young Lawyer's Division

*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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

I believe my judicial performance has been acceptable and that it improves with each year. My work as an attorney has prepared me for my work on the bench. I feel comfortable handling the many different cases that come before the court.

I look to improve upon my performance in the areas of temperament, demeanor, and understanding the role of the judge. I will continue to study in these areas and in the areas of case management, courtroom management, evidence, decision making, and writing so that I can perform to the best of my abilities.

*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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4. During your most recent term as a judge, have you:
- a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities?     Yes  No
  - b) been involved in a non-judicial capacity in any legal proceeding whether as a party or otherwise?     Yes  No
  - c) engaged in the practice of law (other than as a judge)?     Yes  No
  - d) held office in any political party?     Yes  No
  - e) held any other local state or federal office?     Yes  No
  - f) had any complaints, charges or grievances filed against you with the Alaska Commission on Judicial Conduct, the Alaska Bar Association, or with the Alaska Court System that resulted in public proceedings or sanctions?     Yes  No

5. If your answer to any of the questions above is "yes," please give full details, including dates, facts, case numbers and outcomes.

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

*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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

**Case Number 1**

*Case Name:* State of Alaska *Case Number:* 4FA-09-513 CR  
*v.* Jerry Karr

***Attorneys Involved:***

Name: <u>Sarah Simpson</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Michael Biderman</u>	Name: _____
Address: <u>529 5th Ave., Ste 1</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 2**

*Case Name:* State of Alaska *Case Number:* 4GA-08-0147 CR  
*v.* Gene P. Mayfield

***Attorneys Involved:***

Name: <u>Corrine Vorencamp</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Michael Biderman</u>	Name: _____
Address: <u>529 5th Ave., Ste 1</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 3**

*Case Name:* State of Alaska *Case Number:* 4FA-09-1615CR  
*v.* Lee Kalloch

***Attorneys Involved:***

Name: <u>Renee Eberlein</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Jennifer Hite</u>	Name: _____
Address: <u>529 5th Ave., Ste 1</u>	Address: _____
City, State, Zip: <u>Fairbanks, 99701</u>	City, State, Zip: _____

*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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

**Case Number 1**

*Case Name:* IMO: C.B. *Case Number:* 4FA-08-082 CR  
*v.* \_\_\_\_\_

***Attorneys Involved:***

Name: <u>Mary Spiers</u>	Name: _____
Address: <u>750 8th Ave</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Daniel Callahan</u>	Name: _____
Address: <u>250 Cushman St. Ste 3D</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 2**

*Case Name:* IMO: Helmricks Trust *Case Number:* 4FA-08-03 PR  
*v.* \_\_\_\_\_

***Attorneys Involved:***

Name: <u>John Burns</u>	Name: _____
Address: <u>100 Cushman St. Ste 311</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>John Tiemesson</u>	Name: _____
Address: <u>411 4th Ave Ste 300</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 3**

*Case Name:* IMO: L.R. *Case Number:* 4FA-04-014 CN  
*v.* \_\_\_\_\_

***Attorneys Involved:***

Name: <u>Polk Haffner</u>	Name: _____
Address: <u>100 Cushman St. Ste 400</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Brent Bennett</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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

**Case Number 1**

*Case Name:* Stickman *Case Number:* 4FA-08-2866 CI  
*v.* State of Alaska

***Attorneys Involved:***

Name: <u>Daniel Lowery</u>	Name: _____
Address: <u>900 W 5th Ave., Ste 200</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____

Name: <u>Benjamin Seekins</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 2**

*Case Name:* State of Alaska *Case Number:* 4FA-06-3295 CR  
*v.* James Howard

***Attorneys Involved:***

Name: <u>William Murphree</u>	Name: _____
Address: <u>455 Third Ave., Ste 150</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Nelson Traverso</u>	Name: _____
Address: <u>312 5th Ave</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 3**

*Case Name:* IMO: I.C. *Case Number:* 4FA-07-092 CN  
*v.* \_\_\_\_\_

***Attorneys Involved:***

Name: <u>R. Polk Haffner</u>	Name: <u>James Hackett</u>
Address: <u>100 Cushman St., Ste 400</u>	Address: <u>312 5th Ave.</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Robert Noreen</u>	Name: <u>Linda Franni</u>
Address: <u>100 Cushman St., Ste 306</u>	Address: <u>100 Cushman St., Ste 502</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>



*Alaska Judicial Council  
Trial Judge Questionnaire  
Retention*

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

**Case Number 1**

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

***Attorneys Involved:***

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

**Case Number 2**

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

***Attorneys Involved:***

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

**Case Number 3**

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

***Attorneys Involved:***

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

**Fourth Judicial District  
Michael A. MacDonald - Fairbanks Superior Court**

**Summary Sheet and Detailed Survey Scores**

***Summary of survey information***

Judge MacDonald's detailed survey scores follow. Attorneys rated him 4.0 on overall performance. Peace and probation officers rated him 4.1 overall, and social workers, Guardians ad Litem and CASA volunteers rated him 4.2 overall.

	<b>Attorney Survey N=97</b>	<b>Peace Officer Survey N=28</b>	<b>Social Workers Guardians ad Litem CASAs N=7</b>
Legal Ability	4.1	--	--
Impartiality	4.0	4.0	3.9
Integrity	4.3	4.0	4.3
Temperament	4.2	4.1	3.9
Diligence	4.1	4.2	3.7
Overall	4.0	4.1	4.2

***The Judicial Council's Evaluation Process***

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

**Superior Court Judge Michael A. MacDonald****A. Alaska Bar Association****Demographic Description**

		<b>N</b>	<b>%</b>
<b>Type of Practice</b>			
	No Response	3	2.7%
	Private, Solo	17	15.5%
	Private, 2-5 Attorneys	18	16.4%
	Private, 6+ Attorneys	15	13.6%
	Private, Corporate Employee	2	1.8%
	Judge or Judicial Officer	18	16.4%
	Government	33	30.0%
	Public Service Agency or Organization (Not Govt)	1	.9%
	Other	3	2.7%
<b>Length of Alaska Practice</b>			
	No Response	4	3.6%
	5 Years or fewer	12	10.9%
	6 to 10 years	10	9.1%
	11 to 15 years	9	8.2%
	16 to 20 years	11	10.0%
	21 years or more	64	58.2%
<b>Gender</b>			
	No Response	5	4.5%
	Male	67	60.9%
	Female	38	34.5%
<b>Cases Handled</b>			
	No Response	3	2.7%
	Prosecution	7	6.4%
	Mainly Criminal	6	5.5%
	Mixed Criminal & Civil	40	36.4%
	Mainly Civil	48	43.6%
	Other	6	5.5%
<b>Location of Practice</b>			
	No Response	3	2.7%
	First District	3	2.7%
	Second District	1	.9%
	Third District	34	30.9%
	Fourth District	69	62.7%
	Outside of Alaska	--	0.0%

## Judge Michael A. MacDonald: Detailed Information Responses Alaska Bar Association Members

	Legal Ability		Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>												
No Response		2		3		0		0		2		0
<b>Direct Professional</b>	<b>4.1</b>	<b>95</b>	<b>4.0</b>	<b>94</b>	<b>4.3</b>	<b>97</b>	<b>4.2</b>	<b>97</b>	<b>4.1</b>	<b>95</b>	<b>4.0</b>	<b>97</b>
Professional Reputation	4.1	7	4.3	7	4.3	7	4.6	7	4.1	7	4.1	7
Other Personal Contacts	4.3	4	4.0	3	4.6	5	4.5	4	4.0	4	4.0	4
<b>Type of Practice</b>												
No Response		1		0		0		0		0		0
Private, Solo	4.3	15	4.3	15	4.5	15	4.3	15	4.5	15	4.3	15
Private, 2-5 Attorneys	4.2	17	4.0	18	4.2	18	4.4	18	4.1	18	4.2	18
Private, 6+ Attorneys	3.9	13	4.1	14	4.4	14	4.1	14	3.9	13	3.9	14
Private, Corporate Employee	4.0	1	4.0	1	5.0	1	5.0	1	4.0	1	4.0	1
Judge or Judicial Officer	4.0	17	4.1	16	4.3	17	4.2	17	4.2	17	4.1	17
Government	4.1	27	3.8	25	4.2	27	3.9	27	4.1	26	3.9	27
Public Service Agency or Organization (Not Govt)	4.0	1	4.0	1	5.0	1	5.0	1	5.0	1	4.0	1
Other	4.5	2	4.5	2	5.0	5	4.0	2	5.0	2	4.5	2
<b>Years of Practice in Alaska</b>												
No Response		2		2		0		0		1		0
5 Years or fewer	4.3	12	3.7	12	4.3	12	4.1	12	4.3	12	4.0	12
6 to 10 years	4.0	9	3.8	9	4.3	9	4.0	9	4.1	8	3.9	9
11 to 15 years	4.6	8	4.9	8	5.0	8	4.9	8	4.6	8	4.8	8
16 to 20 years	4.3	10	4.1	9	4.4	10	4.4	10	4.1	10	4.1	10
21 years or more	3.9	53	4.0	53	4.2	55	4.1	55	4.1	54	4.0	55
<b>Gender</b>												
No Response		1		2		0		0		1		0
Male	4.1	59	4.1	58	4.4	60	4.3	60	4.2	59	4.1	60
Female	4.1	32	3.7	32	4.2	33	4.0	33	4.1	32	3.9	33
<b>Cases Handled</b>												
No Response		2		2		0		0		1		0
Prosecution	4.2	5	3.2	5	3.8	5	3.8	5	4.8	4	3.6	5
Mainly Criminal	4.4	5	4.2	5	4.6	5	4.2	5	3.8	5	4.0	5
Mixed Criminal & Civil	4.3	36	4.2	35	4.4	36	4.4	36	4.4	36	4.3	36
Mainly Civil	3.8	43	3.9	43	4.2	45	4.1	45	3.9	44	3.8	45
Other	4.5	4	4.5	4	4.8	4	4.5	4	4.5	4	4.5	4
<b>Location of Practice</b>												
No Response												
First District	4.5	2	4.5	2	5.0	2	5.0	2	4.5	2	4.5	2
Second District	4.0	1	5.0	1	5.0	1	5.0	1	4.0	1	4.0	1
Third District	3.9	27	4.0	26	4.1	28	4.1	28	4.0	26	4.0	28
Fourth District	4.2	63	4.0	63	4.3	64	4.2	64	4.2	64	4.1	64
Outside of Alaska	--	0	--	0	--	0	--	0	--	0	--	0

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

**Superior Court Judge Michael A. MacDonald****B. Peace and Probation Officers****Demographic Description**

		<b>N</b>	<b>%</b>
<b>Type of Work</b>			
	No Response	--	0.0%
	State Law Enforcement Officer	8	25.8%
	Municipal/Borough Law Enforcement Officer	12	38.7%
	Village Public Safety Officer (VPSO)	--	0.0%
	Probation/Parole Officer	11	35.5%
	Other	--	0.0%
<b>Length of Alaska Experience</b>			
	No Response	--	0.0%
	5 Years or fewer	8	25.8%
	6 to 10 years	12	38.7%
	11 to 15 years	7	22.6%
	16 to 20 years	4	12.9%
	21 years or more	--	0.0%
<b>Gender</b>			
	No Response	--	0.0%
	Male	21	67.7%
	Female	10	32.3%
<b>Location of Work</b>			
	No Response	--	0.0%
	First District	--	0.0%
	Second District	--	0.0%
	Third District	--	0.0%
	Fourth District	31	100%
	Outside of Alaska	--	0.0%
<b>Community Population</b>			
	No Response	--	0.0%
	Under 2,000	--	0.0%
	Between 2,000 and 35,000	9	29.0%
	Over 35,000	22	71.0%

**Judge Michael A. MacDonald**  
**Peace and Probation Officers**

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>										
No Response		0		1		0		1		0
<b>Direct Professional</b>	<b>4.0</b>	<b>28</b>	<b>4.0</b>	<b>27</b>	<b>4.1</b>	<b>28</b>	<b>4.2</b>	<b>27</b>	<b>4.1</b>	<b>28</b>
Professional Reputation	4.0	3	4.0	3	4.0	3	4.0	3	4.0	3
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
<b>Type of Work</b>										
No Response		0		1		0		1		0
State Law Enforcement Officer	4.1	7	4.3	7	4.1	7	4.1	7	4.1	7
Municipal/Borough Law Enforcement Officer	4.0	10	4.1	10	4.1	10	4.1	10	4.1	10
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	3.9	11	3.8	10	4.1	11	4.2	10	4.1	11
Other	--	0	--	0	--	0	--	0	--	0
<b>Length of Experience</b>										
No Response		0		1		0		1		0
5 Years or fewer	4.3	7	4.4	7	4.3	7	4.3	7	4.4	7
6 to 10 years	3.9	12	3.8	11	4.0	12	4.1	11	4.0	12
11 to 15 years	4.0	7	4.1	7	4.3	7	4.3	7	4.1	7
16 to 20 years	3.5	2	3.5	2	3.5	2	3.5	2	3.5	2
21 years or more	--	0	--	0	--	0	--	0	--	0
<b>Gender</b>										
No Response		0		0		0		1		0
Male	4.2	18	4.2	18	4.2	18	4.3	17	4.2	18
Female	3.7	10	3.7	9	3.9	10	3.9	10	3.9	10
<b>Location of Work</b>										
No Response		0		1		0		1		0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	--	0	--	0	--	0	--	0	--	0
Fourth District	4.0	28	4.0	27	4.1	28	4.2	27	4.1	28
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
<b>Community Population</b>										
No Response		0		1		0		1		0
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	4.1	7	4.0	7	4.3	7	4.0	7	4.1	7
Over 35,000	4.0	21	4.1	20	4.1	21	4.2	20	4.1	21

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

**Superior Court Judge Michael A. MacDonald****C. Social Workers, Guardians ad Litem, and CASA Volunteers****Demographic Description**

		<b>N</b>	<b>%</b>
<b>Type of Work</b>			
	No Response	--	0.0%
	Social Worker	3	37.5%
	Guardian ad Litem	1	12.5%
	CASA Volunteer	2	25.0%
	Other	--	0.0%
<b>Length of Alaska Experience</b>			
	No Response	2	25.0%
	5 Years or fewer	5	62.5%
	6 to 10 years	1	12.5%
	11 to 15 years	--	0.0%
	16 to 20 years	--	0.0%
	21 years or more	--	0.0%
<b>Gender</b>			
	No Response	2	25.0%
	Male	--	0.0%
	Female	6	75.0%
<b>Location of Work</b>			
	No Response	2	25.0%
	First District	1	12.5%
	Second District	--	0.0%
	Third District	--	0.0%
	Fourth District	5	62.5%
	Outside of Alaska	--	0.0%
<b>Community Population</b>			
	No Response	2	25.0%
	Under 2,000	--	0.0%
	Between 2,000 and 35,000	--	0.0%
	Over 35,000	6	75.0%

**Judge Michael A. MacDonald**  
**Social Workers, Guardians ad Litem, and CASA Volunteers**

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>										
No Response		0		0		0		0		1
<b>Direct Professional</b>	<b>3.9</b>	<b>7</b>	<b>4.3</b>	<b>7</b>	<b>3.9</b>	<b>7</b>	<b>3.7</b>	<b>7</b>	<b>4.2</b>	<b>6</b>
Professional Reputation	--	0	--	0	--	0	--	0	--	0
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
<b>Type of Work</b>										
No Response		0		0		0		0		1
Social Worker	2.7	3	3.3	3	3.7	3	2.3	3	3.5	2
Guardian ad Litem	5.0	1	5.0	1	3.0	1	4.0	1	4.0	1
CASA Volunteer	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
<b>Length of Experience</b>										
No Response		0		0		0		0		1
5 Years or fewer	3.5	4	4.0	4	4.0	4	3.3	4	4.0	3
6 to 10 years	4.0	1	4.0	1	3.0	1	3.0	1	4.0	1
11 to 15 years	--	0	--	0	--	0	--	0	--	0
16 to 20 years	--	0	--	0	--	0	--	0	--	0
21 years or more	--	0	--	0	--	0	--	0	--	0
<b>Gender</b>										
No Response		0		0		0		0		1
Male	--	0	--	0	--	0	--	0	--	0
Female	3.6	5	4.0	5	3.8	5	3.2	5	4.0	4
<b>Location of Work</b>										
No Response		0		0		0		0		1
First District	2.0	1	3.0	1	4.0	1	2.0	1	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	--	0	--	0	--	0	--	0	--	0
Fourth District	4.0	4	4.3	4	3.8	4	3.5	4	4.0	4
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
<b>Community Population</b>										
No Response		0		0		0		0		1
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	--	0	--	0	--	0	--	0	--	0
Over 35,000	3.6	5	4.0	5	3.8	5	3.2	5	4.0	4

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



<b>Juror Survey Results 2010 Retention Evaluation Michael A. MacDonald</b>												
		<b>Distribution of Ratings</b>										
<b>Survey Category</b>	<b>Mean</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Total Responses</b>
		<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	
<b>Impartiality/Fairness</b>	<b>4.7</b>	74%	74	26%	26	0%	0	0%	0	0%	0	100
<b>Respectful/Courteous</b>	<b>4.8</b>	83%	83	17%	17	0%	0	0%	0	0%	0	100
<b>Attentive during Proceedings</b>	<b>4.8</b>	79%	79	21%	21	0%	0	0%	0	0%	0	100
<b>Control over Proceedings</b>	<b>4.8</b>	79%	79	20%	20	1%	1	0%	0	0%	0	100
<b>Intelligence/Skill as a Judge</b>	<b>4.8</b>	78%	78	20%	20	1%	1	1%	1	0%	0	100
<b>Overall Evaluation</b>	<b>4.8</b>	80%	80	18%	18	2%	2	0%	0	0%	0	100

<b>Court Employee Survey Results 2010 Retention Evaluation Michael A. MacDonald</b>												
<b>Question</b>	<b>Excellent</b>		<b>Good</b>		<b>Acceptable</b>		<b>Deficient</b>		<b>Poor</b>		<b>Mean</b>	<b>Total Responses</b>
	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>	<b>%</b>	<b>(n)</b>		
<b>Impartiality/Fairness</b>	75%	33	25%	11	0%	0	0%	0	0%	0	4.8	44
<b>Integrity</b>	78%	35	22%	10	0%	0	0%	0	0%	0	4.8	45
<b>Judicial Temperament</b>	80%	36	18%	8	2%	1	0%	0	0%	0	4.8	45
<b>Diligence</b>	82%	37	16%	7	2%	1	0%	0	0%	0	4.8	45
<b>Overall Evaluation</b>	78%	35	20%	9	2%	1	0%	0	0%	0	4.8	45