

## alaska judicial council

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Alaska Judicial Council
Trial Judge
Questionnaire

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ALASKA JUDICIAL COUNCIL

#### 2012 Candidates for Judicial Retention

#### October 2011

ohn Suddock	Anchorage Superior
Name	Court
Please estimate your workload during you	our present term.
a)85_% civil cases10_% criminal cases5_% court administrative work100 % Total	b)# of jury trials/year # of non-jury trials/year # of administrative appeals/year

during your current term of office.

I served on the Civil Pattern Jury Instruction Committee; it is difficult to continue because the group tends to move its meeting times ad hoc. I am a new appointee to the Civil Rules Committee. In conjunction with the Executive Director of the Alaska Judicial Council and the Court System Administrative Director I conducted a brief audit of the criminal calendaring system to identify bottlenecks. I represented the court system on a working committee to design and create the PACE probation system, and now serve as one of the two PACE judges streamlining petitions to revoke probation. During 2011 I have served on a masters and magistrates hiring committee.

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 continue to be grateful for the opportunity to serve as a Superior Court Judge. It is a very stimulating and satisfying position. During my past term I have been an advocate for improvement of aspects of the court system. When I served for several years as a criminal judge I concluded the public was entitled to see accused persons brought to trial more quickly and predictably, with fewer unnecessary continuances of trial. I advocated for that position, and the court system responded with significant systemic change. I have also been an advocate of probation reform: our system has been way too cumbersome and mechanistic. I played a supporting role in the creation of an entirely new approach to probation called PACE (Probation Accountability with Certain Enforcement), which instantly sanctions probationer no-shows and drug usage revealed by random weekly testing. The systemic emphasis is on extreme consistency rather than unfocused or unduly harsh sanctions, and it appears so far to be efficient, cost-effective, and fair. I have attended seminars sponsored by ASTAR -- the Advanced Science and Technology Adjudication Resource Center, a Department of Justice sponsored organization dedicated to increasing the technical proficiency of selected superior court judges nationwide. I also serve on the Rasmuson Foundation's committee dedicated to finding new approaches to Alaska's substance abuse problems. This involvement aids me in my understanding of such issues as they arise in child custody, child in need of aid, and criminal cases.

4.	During your most recent term as a judge, have you:
	<ul> <li>a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? ☐ Yes ✓ No</li> </ul>
	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 2012 retention elections.

#### For questions 7 through 10 please do not list any cases that have pending issues in your court.

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, of each attorney involved in these trials. (Attach additional pages if necessary.)

	Case Nur	mber 1	
Case Name:	Cook	Case Number:	3AN-09-12425 CI
v.	State Farm	•	
	Attorneys I	nvolved:	
Name:	Michaela Canterbury-Kelly		Kim Colbo
	821 N ST., Suite 205	Address:	3900 C St, Suite 1001
City, State, Zip:		_	Anchorage, AK 99503
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case Nui	mber 2	
Case Name:	Psenak	Case Number:	3AN-09-10978
ν.	Brady		
	Attorneys Ii	nvolved:	
Name:	Thomas Gingras		Kevin Brady
	425 G ST, Suite 930	Address:	4001 E. Turnagain Blvd.
City, State, Zip:	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99517
•		_	
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case Nur	nber 3	
Case Name:	Maness	Case Number: _	3AN-30-8513 CI
ν.	State		
	Attorneys Ii	nvolved:	
Name:	Ruth Botstein	Name:	Robert Owens
Address:	500 L St., Suite 400	Address:	632 W. 6th Ave, Suite 730
•	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99501
•		_	
Name:		Name: _	
Address:		Address:	
City. State. Zip:		City. State. Zip:	

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

	Case Nu	ımber 1	
Case Name:	ITMO D E	Case Number:	3AN-11-93 CN
ν.		-	
-	Attorneys	- Involved:	
Name:	Diane Foster		Kelly Gillilan-Gibson
Address:	1031 W. 4th Ave, Suite 200		310 K St, Suite 308
City, State, Zip:	Anchorage, AK 99501		Anchorage, AK 99501
•		-	
Name:	Kristen Stohler	Name:	
Address:	320 E. Dahlia Ave.	Address:	
City, State, Zip:	Palmer, AK 99645	City, State, Zip:	
		_	
	Case Nu	ımber 2	
Case Name:	ITMO M S	_Case Number:	3AN 9-7 CN
v.		_	
•	Attorneys	- Involved:	
Name:	David Bookman		Michael McDonough
Address:	1031 W. 4th Ave, Suite 200	Address:	12110 Business Blvd.
City, State, Zip:	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99501
-			
Name:	Martin Engel	Name:	Zachary Manzella
Address:	900 W. 5th Ave, Suite 702		821 N. St, Suite 103
City, State, Zip:	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99501
	Case Nu	ımber 3	
Case Name:	Cruz	_Case Number:	3AN 08-9597
ν.	Johnson	_	
•	Attorneys	Involved:	
Name:	Darryl Thompson	Name:	
Address:	3211 Providence Dr.	Address:	
City, State, Zip:	Anchorage, AK 99508	City, State, Zip:	
-		•	
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	

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, of each attorney involved in these cases. (Attach additional pages if necessary.)

	Case I	Number 1	
Case Name:	Palembas	Case Number:	3AN 11-5905
ν.	Palembas		
•	Attorne	ys Involved:	
Name:	Martha Shaddy	Name:	John Pharr
Address:	1101 W. 7th Ave.	Address:	733 W. 4th Ave, Suite 308
City, State, Zip:	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99501
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case I	Number 2	
Case Name:	Advance Blasting	Case Number:	3AN 11-9455 CI
ν.	Mallars		
-		 vs Involved:	
Name:	Michael Stephenson	Name:	Jerome Juday
Address:	5000 A St., Suite 300	Address:	
City, State, Zip:	Anchorage, AK 99503	City, State, Zip:	120 2 33.7, 33233 333
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case I	Number 3	
Case Name:	Williams	Case Number:	3AN 08-08998 CI
v.	Conoco		
-	Attorney	vs Involved:	
Name:	Paul Davis	Name:	Spencer Sneed
Address:	420 L St, Suite 400	Address:	1031 W. 4th Ave, Suite 600
City, State, Zip:	Anchorage, AK 99501	City, State, Zip:	Anchorage, AK 99501
_			
Name:		Name: _	
Address:_		Address: _	A CONTRACTOR OF THE CONTRACTOR
City, State, Zip:		Citv. State. Ziv:	

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, of each attorney involved in these cases. (Attach additional pages if necessary.)

Case Number 1

Case Name:	Case Number:	
ν,		
Att	torneys Involved:	
Name:	Name:	
Address:		
City, State, Zip:	City State Time	***************************************
Name:	Name:	
Address:	4.11	
City, State, Zip:		
C	ase Number 2	
Case Name:	Case Number:	
ν.		
	torneys Involved:	
Name:	Name:	
Address:	A ddwago,	
City, State, Zip:		
Name:	Name:	
Address:	Address	
City, State, Zip:		
Ca	ase Number 3	
Case Name:	Case Number:	
12		
Atı	torneys Involved:	
Name:	Name:	
Address:		
City, State, Zip:		
Name:	Name:	
Address:	Address:	
City, State, Zip:	City, State, Zip:	

# Alaska Judicial Council Recommendation Judge John Suddock, Superior Court, Anchorage

#### **Judicial Council Recommendation 2012**

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 Suddock to be *Qualified* and recommends with a 5-1 vote 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 and guardians ad litem 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
Legal Ability	3.8				
Impartiality	3.7	3.9	4.8	3.6	4.0
Integrity	4.0	3.9		3.8	4.1
Temperament	3.6	4.1	4.9	3.5	3.9
Diligence	3.8	3.9		3.8	3.7
Overall	3.7	4.0	4.8	3.6	3.9

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 Suddock on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Suddock on overall performance was 3.7. Peace and probation officers gave Judge Suddock a rating of 4.0. Jurors rated him 4.8 overall, court employees gave him 3.6, and social workers and guardians ad litem rated him at 3.9. The Alaska Judicial Observers rated him 3.48.

Recommendation: Vote "YES" to retain Judge John Suddock

For more information go to www.knowyouralaskajudges.com

Judge John Suddock: Detailed Information Responses

**Alaska Bar Association Members** 

	Le <sub>s</sub> Abi	_	Impar Fair	-	Integ	grity	Judi Tempei		Dilig	ence		erall nation
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
<b>Basis for Evaluation</b>												
No Response		9		5		11		6		18		3
<b>Direct Professional</b>	3.8	237	<b>3.7</b>	240	4.0	235	3.6	239	3.8	234	3.7	242
Experience in last 5 yrs	3.8	214	3.7	217	4.0	212	3.6	216	3.7	212	3.6	218
Experience not in last 5 yrs	4.6	16	4.1	16	4.6	16	3.9	16	4.4	16	4.3	16
Professional Reputation	4.1	43	4.0	43	4.3	42	3.9	43	4.2	39	3.9	43
Other Personal Contacts	4.4	10	4.4	11	4.6	11	4.5	11	4.5	8	4.5	11
Type of Practice												
No Response		7		3		9		5		10		2
Private, Solo	3.8	57	3.5	59	4.0	58	3.5	58	3.6	59	3.5	60
Private, 2-5 Attorneys	3.6	52	3.4	52	3.9	50	3.4	52	3.5	50	3.4	52
Private, 6+ Attorneys	4.4	34	4.1	34	4.3	34	4.0	34	4.0	33	4.2	34
Private, Corporate Employee	4.5	2	45	2	4.5	2	4.5	2	4.5	2	4.5	2
Judge or Judicial Officer	4.1	24	3.8	25	4.1	24	3.5	24	3.9	22	3.9	25
Government	3.7	53	3.7	54	4.1	52	3.6	54	3.9	53	3.7	54
Public Service Agency/Org	3.7	3	3.7	3	4.0	3	4.3	3	4.0	3	4.0	(
Other	3.9	7	4.4	7	4.3	7	4.1	7	3.9	7	4.0	,
Years of Practice in Alaska												
No Response		5		2		8		4		9		
5 Years or fewer	3.6	7	3.4	7	3.9	7	3.3	7	3.6	7	3.4	-
6 to 10 years	3.6	22	3.6	22	4.1	20	3.5	21	3.9	21	3.6	22
11 to 15 years	3.3	12	3.5	13	3.6	13	3.4	13	3.6	12	3.4	13
16 to 20 years	3.5	29	3.3	29	3.8	28	3.4	29	3.3	28	3.2	29
21 years or more	4.0	155	3.8	157	4.1	154	3.7	156	3.8	153	3.8	15
Gender	1.0	100	2.0	15,		10 1	3.7	150	5.0	100	3.0	10
No Response		7		4		9		5		10		,
Male	3.9	168	3.9	170	4.1	167	3.6	170	3.8	166	3.7	172
Female	3.8	64	3.7	65	4.0	63	3.7	64	3.8	63	3.7	6:
Cases Handled	5.0	04	3.7	03	4.0	03	3.7	04	3.0	03	3.7	0.
No Response		7		4		8		5		10		2
Prosecution	3.0	8	3.3	9	4.0	9	2.7	9	3.8	8	2.9	9
Mainly Criminal	2.9	10	2.6	11	3.4	11	2.7	11	3.4	11	2.8	1
Mixed Criminal & Civil	3.7	52	3.4	52	3.4	50	3.5	51	3.4	48	3.5	52
Mainly Civil Other	4.0	152	3.8	152 8	4.2	150	3.8	152 8	3.8 4.4	151 8	3.8	154
Location of Practice	4.4	7	4.4	8	4.5	8	4.0	8	4.4	8	4.5	8
		~		4		0		~		0		,
No Response	2.7	5	2.2	4	4.2	9	2.2	5	4.0	9	2.7	-
First District	3.7	8	3.3	6	4.2	5	3.3	6	4.0	5	3.7	(
Second District		0		0		0		0		0		22
Third District	3.8	218	3.7	221	4.0	217	3.6	220	3.7	217	3.6	223
Fourth District	3.8	4	4.0	4	4.0	4	4.3	4	3.8	4	4.0	۷
Outside of Alaska	4.7	3	4.3	3	4.7	3	4.0	3	4.7	3	4.3	3

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

Judge John Suddock Peace and Probation Officers

	Imparti		T4	•4	Judic		Dili		Over	
		<b>Fairness</b> Mean N		rity N	Mean	<b>Temperament</b> Mean N		ence N	Evalua Mean	ation N
<b>Basis for Evaluation</b>	1110411		Mean		1110011		Mean		1,10411	
No Response		3		2		3		4		2
Direct Professional	3.9	15	3.9	16	4.1	16	3.8	15	4.0	16
Experience in last 5 yrs	3.9	15	4.0	15	4.2	15	3.9	14	4.1	15
Experience not in last 5 yrs		0	3.0	1	3.0	1	3.0	1	3.0	1
Professional Reputation	4.0	6	4.0	6	3.6	5	3.4	5	3.8	6
Other Personal Contacts		0		0		0		0		0
Type of Work										
No Response		3		2		2		3		2
State Law Enforcement Officer	4.0	7	4.1	7	4.1	7	3.8	6	4.1	7
Municipal/Borough Law Enforcement Officer	4.0	2	3.7	3	4.0	3	4.0	3	4.0	3
Village Public Safety Officer (VPSO)		0		0		0		0		0
Probation/Parole Officer	3.8	6	3.8	6	4.2	6	3.8	6	3.8	6
Other		0		0		0		0		0
Length of Experience										
No Response		3		2		2		3		2
5 Years or fewer	4.0	1	3.0	1	5.0	1	3.0	1	4.0	1
6 to 10 years	3.5	4	3.8	4	4.0	4	4.0	4	4.0	4
11 to 15 years	4.0	4	4.0	4	4.0	4	4.0	4	4.0	4
16 to 20 years	3.7	3	3.8	4	3.8	4	3.3	3	3.5	4
21 years or more	4.5	2	4.5	2	4.5	2	4.0	2	4.5	2
Gender										
No Response		3		2		2		1		2
Male	4.2	6	4.1	7	4.1	7	3.8	6	4.0	7
Female	3.8	9	3.8	9	4.1	9	3.9	1	4.0	9
Location of Work										
No Response		3		2		2		3		2
First District		0		0		0		0		0
Second District		0		0		0		0		0
Third District	3.9	15	3.9	16	4.1	16	3.9	15	4.0	16
Fourth District		0		0		0		0		0
<b>Community Population</b>										
No Response		2		2		2		3		2
Under 2,000		0		0		0		0		0
Between 2,000 and 35,000	5.0	3	5.0	3	5.0	3	4.7	3	5.0	3
Over 35,000	3.7	13	3.7	13	3.9	13	3.7	12	3.8	13

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

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Judge John Suddock Social Workers and Guardians ad Litem

	Impartiality/ Fairness Mean N				Judici				Over	
			Integri Mean	ity N	Tempera Mean	ment N	<b>Diligence</b> Mean N		Evalua Mean	tion N
Basis for Evaluation	Wican	11	Wican	11	Wican	- 11	Wican	11	Mean	
No Response		0		0		0		0		0
Direct Professional	4.0	9	4.1	9	3.9	9	3.7	9	3.9	9
Experience in last 5 yrs	4.0	9	4.1	9	3.9	9	3.7	9	3.9	9
Experience not in last 5 yrs		0		0		0		0		0
Professional Reputation		0		0		0		0		0
Other Personal Contacts		0		0		0		0		0
Type of Work										
No Response		0		0		0		0		0
Social Worker	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2
Guardian ad Litem	3.7	7	3.9	7	3.6	7	3.3	7	3.6	7
Length of Experience										
No Response		0		0		0		0		0
5 Years or fewer	2.5	2	2.5	2	2.5	2	2.5	2	2.5	2
6 to 10 years	4.0	2	4.5	2	4.0	2	3.0	2	4.0	2
11 to 15 years	4.5	4	4.5	4	4.5	4	4.5	4	4.5	4
16 to 20 years		0		0		0		0		0
21 years or more	5.0	1	5.0	1	4.0	1	4.0	1	4.0	1
Gender										
No Response		0		0		0		0		0
Male	4.0	2	4.0	2	4.0	2	3.5	2	4.0	2
Female	4.0	7	4.1	7	3.9	7	3.7	7	3.9	7
<b>Location of Work</b>										
No Response		0		0		0		0		0
First District		0		0		0		0		0
Second District		0		0		0		0		0
Third District	4.0	9	4.1	9	3.9	9	3.7	9	3.9	9
Fourth District		0		0		0		0		0
<b>Community Population</b>										
No Response		0		0		0		0		0
Under 2,000		0		0		0		0		0
Between 2,000 and 35,000	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Over 35,000	3.9	8	4.0	8	3.8	8	3.5	8	3.8	8

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

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## Distribution of Court Employee Ratings\* 2012 Retention Evaluation John Suddock

		Number of Responses										
Survey Category	Total	Excellent	Good	Acceptable	Deficient	Poor	Mean					
Impartiality/Fairness	41	10	12	14	3	2	3.6					
Integrity	41	10	16	12	1	2	3.8					
Judicial Temperament	41	8	13	15	3	2	3.5					
Diligence	40	10	15	12	1	2	3.8					
Overall Evaluation	41	8	16	12	3	2	3.6					

<sup>\*</sup> Ratings are based on direct professional experience.

## Juror Survey Results 2012 Retention Evaluation John Suddock

Survey Category	Mean	Excellent	Good	Acceptable	Deficient	Poor	Total Responses
Impartiality/Fairness	4.8	23	3	1	0	0	27
Respectful/Courteous	4.9	24	2	1	0	0	27
Attentive during Proceedings	4.7	22	3	2	0	0	27
Control over Proceedings	4.9	25	0	2	0	0	27
Intelligence/ Skill as a Judge	4.8	23	3	1	0	0	27
Overall Evaluation	4.8	23	3	1	0	0	27

## **Current and Prior Retention Scores**

### John E. Suddock

Appointed	Name of Court
11/14/2002	Anchorage Superior Ct

#### **Retention Attorney Bar Scores**

Year	Legal Ability	Impartiality	Integrity Temperament		Dilligence	Special Skills	Overall Performance
2006	4.1	3.9	4.2	3.9	4		3.9
2012	3.8	3.7	4	3.6	3.8		3.7

### **Peace and Probation Officer Survey Scores**

 Year	Impartiality	Integrity	Temperament	Diligence	Special Skills	Overall Performance
2006	3.8	3.8	3.7	3.9		3.6
2012	3.9	3.9	4.1	3.9		4