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Alaska Judicial Council

alaska judicial council

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Alaska Judicial Council Trial Judge Questionnaire

2024 Candidates for Judicial Retention

Deadline: November 17, 2023

J. Patrick Hanley

Anchorage District Court

Name

Court

1. Please estimate your workload during your present term.

a) 40 % civil cases

b) 2 # of jury trials/year

55 % criminal cases

8 # of non-jury trials/year

5 % court administrative work

0 # of administrative appeals/year

100 % Total

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

I am a training judge for three magistrate judges who are located in Seward, Kodiak, and Anchorage.

I am the chairperson of the Criminal Rules Committee.

I serve on the Workplace Conduct Committee, the Fairness and Access Commission, and the Anchorage Security Committee.

I have volunteered to be one of the initial judges to participate in the Online Dispute Resolution program.

3. Please describe any judicial or legal education you have undertaken or provided during your current term in office.

I have attended all of the court system's judicial conferences since becoming a judge. They are held each year, with a modification during the Covid pandemic.

I have presented or co-presented presentations on numerous topics at the court's annual conference or other conferences including the newer judges' conference and the magistrate judges' conference.

Most recently, in 2021 I co-presented at the newer judges' conference on the topic of landlord/tenant law and practice. In 2022 I made a presentation about self-represented litigants at the newer judges' conference. In 2023 I co-presented at the annual judicial conference, focusing on when a defendant can and cannot validly waive the right to an attorney and proceed self-represented, including the extensive inquiry necessary for the court to make such a determination.

4. Please describe any public outreach activities during your current term in office.

I have hosted students on school tours. As part of this, I have developed exercises to engage them in the process. One is a "burden of proof" exercise where I explain what burdens of proof exist in our legal system that must be satisfied to justify different legal actions. I then have students get up and interact with each other to match the burdens and legal actions.

I also developed a witness activity for students to engage in. I place several items around the courtroom and have two participants enter the courtroom, have a conversation, place items into a bag, and leave. Then, one student acts as a witness and the other as an attorney. The attorney attempts to establish facts by questioning the witness about what the participants took, wore, said, etc. This helps make the point that our legal system requires a party to establish facts and develops the skills of questioning and observation.

I have also acted as a judge for the Color of Justice program where I help guide and teach the students who participate as judges, attorneys, and witnesses.

5. This question pertains to Superior Court judges only.

State law requires the Council to conduct an evaluation of judges standing for retention, and to provide information to the public about the judges. Under a provision added in 2013, the information the Council provides to the public "shall include the judge's consideration of victims when imposing sentence on persons convicted of felony offenses where the offenses involve victims" (see AS 22.10.150).

Please submit a short statement about how you consider victims when imposing sentences in felony offenses.

Intentionally left blank as not applicable.

6. 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.

Anchorage District Court is a high volume court where we repeatedly handle the same types of cases and hearings, including arraignments, bail hearings, changes of plea, sentencing, trials, landlord/tenant hearings, small claims trials, and more. We also handle the vast majority of applications for search warrants and arrest warrants in Anchorage.

While this could lead to burn out, I have found that the essence of my role is not dealing with cases but with people. Each person comes to the court with different life experiences, challenges, and strengths. Each hearing is extremely important to the individual participants and provides an opportunity for them to reflect on the choices they have made, how their actions impacted others, and how to improve their lives. Recent interactions with a person in my life who is experiencing mental health and emotional challenges have further developed my understanding and performance as a judge. I strive to further the accountability of people in court but also to encourage them to overcome their challenges. It is rewarding to be a part of that process.

My first job after law school was clerking for Judge Coats. He made the important observation that while judges and lawyers are accustomed to hearing many cases day after day, individuals with a case might only have one court case in their life. We need to treat each person and case with the seriousness they deserve. I also appreciate my first judicial assistant Dana Hoffman who early in my judicial career told me "judges are public servants also, and if you don't understand that you won't be very good at your job." She was correct. I affixed that quote to the bottom of my computer screen as a reminder. It remains there to this day.

As stated in section 4 above, I have contributed to the judiciary by researching and making presentations to other judges at various conferences.

7. 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, the Alaska Court System, or any other agency that resulted in public proceedings or sanctions? Yes No
8. If your answer to any of the questions above is "yes," please give full details, including dates, facts, case numbers, and outcomes.

In June of 2022 I was cited for not making a complete stop when turning right at a stop light (no vehicles were approaching). The title of the regulation cited was "obedience to traff[ic] control devices." I pleaded no contest and paid a fine. The court case number is 3AN-22-10089MO.

9. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2024 retention elections.

During the Covid pandemic the number of trials we conducted was dramatically reduced due to restrictions on gatherings. We made adjustments as allowed, including conducting trials by video conferencing. The restrictions we worked with may be helpful to understand the decreased number of trials reported and juror surveys.

For questions 10 - 13, please do not list any cases that have pending issues in your court.

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

Case Number 1

Case Name: State of Alaska Case Number: 3AN-23-760CR
 v. Patricia Randazzo

Attorneys Involved:

Name: <u>Diana Kniazewycz</u>	Name: <u>Jesslin Wooliver</u>
Address: <u>310 "K" Street, Ste. 520</u>	Address: <u>900 W. 5th Ave., Ste. 101</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Municipality of Anchorage Case Number: 3AN-22-3270CR
 v. Allen Hammond

Attorneys Involved:

Name: <u>Tyra Boose</u>	Name: <u>Kiana Rivers</u>
Address: <u>632 W. 6th Ave., Ste. 210</u>	Address: <u>750 W. 2nd Ave., Ste. 104</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Municipality of Anchorage Case Number: 3AN-21-348CR
 v. James Baker

Attorneys Involved:

Name: <u>Dustin Pearson</u>	Name: <u>Justin Facey</u>
Address: <u>632 W. 6th Ave., Ste. 210</u>	Address: <u>431 W. 7th Ave., Ste. 207</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

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

Case Number 1

Case Name: Taylor _____ **Case Number:** 3AN-23-457SC _____
 v. Flores Services _____

Attorneys Involved:

Name: No attorneys were involved _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Bayer _____ **Case Number:** 3AN-23-36SC _____
 v. Josey _____

Attorneys Involved:

Name: No attorneys were involved _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Patterson _____ **Case Number:** 3AN-22-1360SC _____
 v. Mason _____

Attorneys Involved:

Name: No attorneys were involved _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Addendum to Question 11

The three most recent non-jury trials I presided over did not include any attorneys. Below are the three most recent non-jury trials I presided over that included at least one attorney.

Capital One v. Charles Tetreault
3AN-21-5789CI

Attorney Dylan Cardoza
c/o Suttell and Hammer
P.O. Box C-90006
Bellevue, WA 98009

Attorney Brett Von Gemmingen
637 W. 3rd Avenue
Anchorage, AK 99501

Clara Trefts v. CB Homes, LLC
3AN-20-202SC

Attorney Walter Arden
7333 Bern Street
Anchorage, AK 99507

Gershon v. Grist
3AN-19-9620CI

Attorney Regan Williams
P.O. Box 110615
Anchorage, AK 99511

- 12. Please list your three most recent cases during your current term in office, 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 and 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: Municipality of Anchorage **Case Number:** 3AN-22-6329CR
 v. Rivera

Attorneys Involved:

Name: Helen Poitra-Chalmers	Name: Adam Franklin
Address: 632 W. 6th Ave., Ste. 210	Address: 471 W. 36th Ave., Ste. 202
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Anchorage, AK 99503
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Municipality of Anchorage **Case Number:** 3AN-22-8828CR
 v. Bassi

Attorneys Involved:

Name: Helen Poitra-Chalmers	Name: John Roberson
Address: 632 W. 6th Ave., Ste. 210	Address: 911 W. 8th Ave., Ste. 101
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Anchorage, AK 99501
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska **Case Number:** 3AN-18-8118CR
 v. Randolph Mitchell

Attorneys Involved:

Name: Cynthia Cook	Name: Brent Williams
Address: 310 "K" Street	Address: 900 W. 5th Ave., Ste. 101
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Anchorage, AK 99501
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____