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Alaska Judicial Council

# alaska judicial council

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## Alaska Judicial Council Appellate Judge Questionnaire

### 2024 Candidates for Judicial Retention

Deadline: November 17, 2023

Jennifer S. Henderson	Alaska Supreme Court
Name	Court

1. Please estimate your workload during your present term.
 

a) <u>80</u> % civil cases	b) <u>0</u> # of trials/year (as trial judge, if any)
<u>10</u> % criminal cases	
<u>10</u> % court administrative work	
100 % Total	
  
2. Please describe your participation on court/bar committees or other administrative activities during your current term of office.

I serve as co-chair of the Alaska Court System's Access to Justice Committee, which works to reduce barriers for those trying to access the Court System and to improve access to justice across the state. I also lead the Access to Justice Committee's Subcommittee on Regulatory Reform.

I serve as the Court System's representative on the Alaska Bar Association's Pro Bono Committee, and also represent the Court System on the Alaska Bar Association's Committee on Continuing Legal Education.

I chair the Civil Rules Committee, and in that capacity, work and meet with the many members of the Committee to discuss and propose changes to existing rules and implementation of new rules within the Alaska Rules of Civil Procedure.

I chair the Court System's Judicial Conference Planning Committee. This is the committee responsible for planning our annual judicial conferences, one of our primary opportunities for judicial education each year.

I am assisting in development of a committee to focus on judicial management of case flow. As a member of the Court, I also participate regularly in administrative meetings regarding various aspects of the Court System.

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

I have planned, helped to put on, and participated in three statewide Judicial Conferences since joining the Alaska Supreme Court two and a half years ago. These conferences have featured educational presentations about numerous substantive areas of law (including, but not limited to, Child in Need of Aid, criminal law, divorce, custody, child support, criminal competency, mental commitment, and guardianship/conservatorship law), legal writing, judicial ethics, recognizing and addressing implicit bias, utilization and effectiveness of therapeutic courts, working with self-represented litigants, representation issues, and improvement and simplification of court systems so that litigants can more readily access the judicial system, among other topics. I have also attended portions of the Alaska Bar Association's annual conference as my schedule has allowed me to.

I have helped to put on a presentation for the annual Newer Judges' Conference regarding legal decision-making, and will assist with that presentation again this year.

I have regularly participated in zoom discussions and attended/watched educational webinars regarding developments in access to justice, therapeutic courts, the intersection between mental health and the legal system, the Indian Child Welfare Act, CINA cases generally, ANCSA, technology and the courts, judicial wellness, and other areas.

In September 2021, at the invitation of then-Chief Justice Winfree, I attended the Conference of Chief Justices' and Conference of State Court Administrators' Western States Summit related to various forms of regulatory reform and improvement to access to justice in state court systems.

4. Please describe any public outreach activities.

I have spoken with elementary school classes about the judiciary and Alaska courts, and have helped to provide tours of the Anchorage courts to students and classes.

I have presided over judicial installations around the state, and in that capacity, have had the opportunity to talk with members of the public across the state about the judiciary and the role of a judge.

I volunteer as a judge for the annual state high-school mock trial competition.

I have regularly presided over swearing-in ceremonies for new attorneys being admitted to the Alaska Bar.

I have spoken at the Anchorage Youth Court swearing-in of new Youth Court attorneys.

Approximately twice per year, I administer the oath of office to new police officers graduating from the Anchorage Police Department Academy.

In 2022/23, I helped with various aspects of the Color of Justice program in Anchorage.

In 2022, I participated as a member of the Court in Supreme Court Live in Fairbanks.

In 2022 and 2023, I have spoken at statewide conferences regarding child welfare and Child in Need of Aid matters.

In August 2023 I attended and spoke on a panel at the Tanana Chiefs' Conference annual legal conference regarding full faith and credit.

In October 2023, I represented the Court's Access to Justice Committee in co-hosting (with ALSC and APU) an event celebrating greater to access to justice; in this capacity, I met with the Director of the U.S. Department of Justice Office for Access to Justice, and provided remarks preceding the Director's keynote speech.

In October 2023, I also participated in a judges' panel discussion during an ICWA training at CITC.

In November 2023, I participated in Success Inside and Out, a full-day program at Hiland Mountain focused on women re-entering the community from corrections - this was the first year that the program was able to move forward following the pandemic.

5. 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.

The process of moving from the trial court bench to serving on the Alaska Supreme Court has presented a significant and challenging transition, but one that I have enjoyed and found very rewarding. It is truly an honor to be able to serve on this court of final jurisdiction. I have missed the direct interaction with litigants that was part of my work on the trial courts, but I have so enjoyed the many ways in which working on the Supreme Court has pushed me to grow. I have learned a great deal in this position about numerous substantive areas of law, the broader legal landscape in which our individual cases develop and are heard, deliberating and making decisions as a body, and writing with clarity and with understanding of how our written decisions may be applied to future matters. I work hard to be as prepared and as informed as possible when considering and conferencing the variety of cases that come before us. I serve with wonderful colleagues on this Court and very much value the time that we spend discussing and deciding cases together, working through different questions and arguments and strengthening our analysis so that we can reach the right decision and then explain that decision to the parties and the public. I find that this is a job of constant learning, and I particularly enjoy the many opportunities that I have to learn from my colleagues and from the parties and counsel that come before us. I also hope that my prior experience on the trial court bench allows me to bring a helpful perspective to our Court's deliberations and decisions. That experience helps to keep me grounded in the importance of every matter that comes before us.

Serving on this Court has also provided numerous opportunities to learn about and participate in the administration of the Court System. I have worked over the last two years to become familiar with the many dedicated people and departments that help the Court System to serve the public, and feel that I am becoming more capable in lending my perspective and suggestions when our Court is contemplating decisions about the work of the Court System. I have also dedicated time and effort to several committees (noted above) that allow me to work with court administrators, members of the Bar, and the public, with a particular focus on improving access to justice and helping judges to build their capacity through judicial education.

6. 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

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

8. 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.

When I transitioned from the Superior Court to the Supreme Court, I continued to preside on a pro tem basis over particular Superior Court matters that would be difficult to transfer to a new judge (either because I had presided over a recent trial or had a long history with the case that would be helpful for deciding pending questions). I also continued to preside over the Anchorage centralized criminal competency calendar for a couple of months while transitioning responsibility for the calendar to another Superior Court judge.

Beyond this, I would just add that I very much appreciate all of the work that the Council puts into this evaluation process.

**For questions 9 and 10, please do not list any cases that have pending issues in your court.**

- 9. Please list your six most recent opinions from 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 appeals. (Attach additional pages if necessary.)

**Case Number 1**

**Case Name:** Hudson **Case Number:** S-18242  
**v.** Hudson

**Attorneys Involved:**

Name: <u>Eric K Ringstad, Golden Heart Law, LLC</u>	Name: <u>Amy J. Schrum, Golden Heart Law, LLC</u>
Address: <u>29 College Road, Suite 5</u>	Address: <u>29 College Road, Suite 5</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: <u>Jason A. Weiner, Weiner &amp; Associates, PC</u>	Name: _____
Address: <u>1008 16th Avenue, Suite 200</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

**Case Number 2**

**Case Name:** Tuluksak Native Community **Case Number:** S-18377  
**v.** State, DHSS, OCS

**Attorneys Involved:**

Name: <u>David Case, 49th State Law LLC</u>	Name: <u>David A. Wilkinson, Dept. of Law</u>
Address: <u>P.O. Box 661</u>	Address: <u>1031 W. 4th Avenue, Suite 200</u>
City, State, Zip: <u>Soldotna, AK 99669</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: <u>Olena Kalytiak Davis, OPA</u>	Name: <u>Christopher Bodle, Weiner &amp; Associates, PC</u>
Address: <u>1135 G Street</u>	Address: <u>1008 16th Avenue, Suite 200</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

**Case Number 3**

**Case Name:** Jimmy E./Allie P. **Case Number:** S-18479/S-18480  
**v.** State, DHSS, OCS

**Attorneys Involved:**

Name: <u>Laura Emily Wolff, Dept. of Law</u>	Name: <u>Olena Kalytiak Davis, OPA</u>
Address: <u>1031 W. 4th Avenue, Suite 200</u>	Address: <u>1135 G Street</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: <u>Christopher D. Peloso</u>	Name: <u>Sergio Barron, OPA</u>
Address: <u>533 Main Street</u>	Address: <u>515 E. Dahlia Avenue, Suite 130</u>
City, State, Zip: <u>Juneau, AK 99801</u>	City, State, Zip: <u>Palmer, AK 99645</u>

Case Number 4

Case Name: Guerin Case Number: S-18457
v. State, Div. of Elections

Attorneys Involved:

Name: Katherine Demarest, Dept. of Law Name: Laura Fox, Dept. of Law
Address: 1031 W. 4th Avenue, Suite 200 Address: 1031 W. 4th Avenue, Suite 200
City, State, Zip: Anchorage, AK 99501 City, State, Zip: Anchorage, AK 99501

Name: Thomas Flynn, Dept. of Law Name: Holly C. Wells, Birch Horton Bittner & Cherot
Address: 1031 W. 4th Avenue, Suite 200 Address: 510 L Street, Suite 700
City, State, Zip: Anchorage, AK 99501 City, State, Zip: Anchorage, AK 99501

Case Number 5

Case Name: ITMO Hospitalization of AB/JS Case Number: S-17389/S-17616
v.

Attorneys Involved:

Name: Laura Emily Wolff, Dept. of Law Name: Emila L. Jura, Public Defender Agency
Address: 1031 W. 4th Avenue, Suite 200 Address: 900 W. 5th Avenue, Suite 200
City, State, Zip: Anchorage, AK 99501 City, State, Zip: Anchorage, AK 99501

Name: George Madeira, Public Defender Agency Name:
Address: 900 W. 5th Avenue, Suite 200 Address:
City, State, Zip: Anchorage, AK 99501 City, State, Zip:

Case Number 6

Case Name: Rusch and Dockter Case Number: S-18038
v. SEARHC and ANIC

Attorneys Involved:

Name: J. John Franich, Franich Law Office LLC Name: David A. Graham, Graham Law Firm
Address: 104 Kutter Road Address: P.O. Box 6054
City, State, Zip: Fairbanks, AK 99701 City, State, Zip: Sitka, AK 99835

Name: Michael A. Budzinski, Meshke Paddock & Budzinski PC Name:
Address: 1500 W. 33rd Avenue, Suite 200 Address:
City, State, Zip: Anchorage, AK 99503 City, State, Zip:

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

**Case Number 1**

**Case Name:** Mary Aparezuk **Case Number:** S-17974  
v. Jeremy Schlosser

**Attorneys Involved:**

Name: <u>Hollis Handler</u>	Name: _____
Address: <u>1406 Mary Ellen Way</u>	Address: _____
City, State, Zip: <u>Juneau, AK 99801</u>	City, State, Zip: _____

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

**Case Number 2**

**Case Name:** Dapo **Case Number:** A-17878  
v. State, DHSS, OCS

**Attorneys Involved:**

Name: <u>Aisha T. Bray, Dept. of Law</u>	Name: <u>Michael C. Kramer, Kramer &amp; Associates</u>
Address: <u>100 Cushman Street, Suite 400</u>	Address: <u>542 4th Avenue, Suite 207</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Robert John, Law Office of Robert John</u>	Name: _____
Address: <u>P.O. Box 73570</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99707</u>	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: _____