

Alaska Judicial Council

Application for Public Defender Appointment

Date: 5/4/2023

I. Public Information (Questions 1-25)

Personal

1. (a) State full name* Terrence Paul Haas
Name as it should appear on bar survey: Terrence P. Haas
* Unless otherwise specified, this is how your name will appear on the bar survey.
- (b) Have you ever used or been known by any other names or pseudonyms? If so, please identify
Ted Haas
2. If you are a resident of the State of Alaska, how long have you been a resident?
14 years 7 months _____ not a resident
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? ** 14 years 7 months
Total _____ years _____ months

Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.
Purdue University, West Lafayette, IN (January 2001 to December 2003)
>Bachelor of Arts, Philosophy (With Honors)
>Phi Beta Kappa
Northern Michigan University, Marquette, MI (August 1997 to May 1999)
Indiana University Purdue University, Indianapolis, IN (August 1995 to May 1997)

** See AS 18.85.060; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.
Roger Williams University School of Law, Bristol, RI (August 2004 to May 2007)

>Juris Doctor, Cum Laude

>Ranked 10/181

6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?
 Yes No If yes, please give details.

>Editor-in-Chief, Roger Williams University Law Review

>Ralph Pappito Scholar (Full Tuition Scholarship) >Honors Program

>Public Interest Grant (Judicial Internship)

>Publication of Student Comment in Law Review

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?
 Yes No
Please describe or list. Please do not attach individual certificates of attendance.
Fairbanks CINA Bench/Bar (April 2023); Judicial Conference (October 2022);

Alaska Bar Conference (October 2022); Judicial Conference (April 2022);

Judicial Conference (Virtual October 2021); New Judge Training (January 2021);

Judicial Conference (October 2019); NJC General Jurisdiction (March 2019)

Military

7. Have you served in the armed forces (reserves or otherwise)? Yes No
If so, please provide the following information:
(a) Dates of service: _____
(b) Branch of service: _____
(c) Rank at time of discharge: _____
(d) Type of military discharge: _____
(e) Awards or citations: _____

- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge? Yes No If so, state the details.

Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation.

Peak Community Services - Logansport, IN (November 2001 to July 2002)

>Weekend Group Home Manager

>Provided on-site direct care for licensed facility, including daily activities, community integration, and conflict resolution with an emphasis on respect and dignity for clients

Adult Learning Systems, UP - Marquette, MI (August 1997 to November 2001)

>Assistant Manager of approximately seven homes

>Supervised approximately 40 employees

>Ensured compliance with state and federal regulations

>Handled community relations and outreach

Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates and location of employment, name of employer, name and CURRENT ADDRESS of supervisor or person who can verify AND COMMENT ON YOUR employment, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) for each position listed below.**

The Council will ask for comments from your current and former employers about your employment and your qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

Current Employer: Alaska Court System

Supervisor or name of contact person who can verify employment: Retired Chief Justice Daniel Winfrey
Current address of this person: 303 K Street
City Anchorage State AK Zip 99501
Dates & Location of Employment: From 12/1/2018 To Present City Anchorage State AK
Job title and description: Superior Court Judge sitting at Bethel, Alaska and current Presiding Judge of the Fourth Judicial District

Previous Employers: (In chronological order, most recent first)

Employer: Alaska Public Defender Agency
Supervisor or name of contact person who can verify employment: Douglas Moody
Current address of this person: PO Box 10
City Bethel State AK Zip 99559
Dates & Location of Employment: From 9/8/2008 To 12/1/2018 City Bethel State AK
Job title and description: Supervisor of the Bethel and Dillingham Public Defender offices, including attorneys and support staff. Handled a moderate caseload of serious felonies.

Reason for Leaving: Appointed to Superior Court in Bethel
Employer: Rhode Island Disability Law Center

Supervisor or name of contact person who can verify employment: Raymond Bandusky
Current address of this person: _____
City Providence State RI Zip 02903
Dates & Location of Employment: From May 2006 To Aug 2006 City Providence State RI
Job title and description: Summer Intern working on researching and preparing legal memos and pleadings for administrative, state, and federal proceedings.
Reason for Leaving: Summer Internship

Previous Employer (continued)

Employer: Federal District Court, Rhode Island
Supervisor or name of contact person who can verify employment: Judge Mary M. Lisi
Current address of this person: _____
City Providence State RI Zip 02903
Dates & Location of Employment: From Jan 2006 To May 2006 City Providence State RI
Job title and description: _____
Research and writing for bench memos, orders, formal memos, and for other law clerks.
Reason for Leaving: Semester Internship

Employer: City of Providence Law Department
Supervisor or name of contact person who can verify employment: Adrienne Southgate
Current address of this person: _____
City Providence State RI Zip 02903
Dates & Location of Employment: From June 2005 To Aug 2005 City Providence State RI
Job title and description: Worked as the Providence City Solicitor's only law intern with
responsibility researching and writing.
Reason for Leaving: Summer Internship

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates & Location of Employment: From _____ To _____ City _____ State _____
Job title and description: _____
Reason for Leaving: _____

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates & Location of Employment: From _____ To _____ City _____ State _____
Job title and description: _____
Reason for Leaving: _____

10. During your legal career, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 30
Criminal 70
Other _____
=100%

Comment: _____

(b) Percent: State AK
Federal _____
Other _____
=100%

Comment: _____

(c) Of practice in state courts, percent: Supreme Court _____
Court of Appeals 90
Superior Court 10
District Court _____
=100%

Comment: _____

(d) Frequency of appearance in court:
 Regularly Occasionally Infrequently Not at All
Comment: _____

(e) Number of trials (by court or jury) you conducted in the past 5 years:
 None 1-5 6-15 16-30 31 or more
Comment: As a judge for the majority of the last five years

(f) Percent of these trials which were: Jury 20 Non-Jury 80
Comment: _____

(g) Approximate number of appellate matters handled: 0
Comment: _____

(h) Approximate number of arbitrations or administrative hearings:
 None 1-5 6-15 16-30 31 or more
Briefly describe type of matters heard: _____

(i) Please summarize any *pro bono* work you have done and indicate whether the work was done through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.). Yes No
Describe: _____

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.

Rhode Island, Voluntarily Withdrawn in Good Standing, Admitted 2007

Alaska, Active, Admitted 2009

Public Service

12. List bar associations, and sections and committees of which you are or have been a member or officer.

13. List publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).

Advocating for Parents in Rural America: A Best Practices Approach 36 No. 3 ABA Child L. Prac. 45, 50 (2017).

COMMENT: CONSTITUTIONAL HOME RULE IN RHODE ISLAND, 11 Roger Williams U. L. Rev. 677

(2006)(Cited by the Rhode Island Supreme Court in Viveiros v. Town of Middletown, 973 A.2d 607, 611 (R.I. 2009)).

14. Have you ever applied for a judgeship or for public defender? Yes No
Please list dates and positions applied for, as well as whether you were nominated by the Judicial Council and appointed.

Position (Judgeships or Public Defender)	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
Bethel District Court	04/2013	N	N
Bethel District Court	01/2018	Y	N
Bethel Superior Court	01/2018	Y	N
Bethel Superior Court	07/2018	Y	Y

15. Have you ever held public or political office, elective or appointive? Yes No

If so, state office, manner selected, and when and where held.

Bethel Superior Court, Appointed, 2018 to Present

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

I serve on numerous court committees including the CINA Rules Committee, the Judicial Advisory Committee for Electronic Filing, the Title 47 Mental Health Commitment Rules Committee, The Court Improvement Project, and the Child Justice Act Task-force. I also serve in many capacities as Presiding Judge that involve participation on committees and ongoing projects including those related to the pandemic, electronic court access, rural court improvement, design of the Bethel Justice Center, and many others related to the daily operation of the court.

I have been active as well with my children in the community including Boy scouts (now inactive); Battle of the Books; and as a coach for Lego Robotics.

17. Indicate (Yes or No) whether you have ever:
- (a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions? Yes No
- (b) failed to answer any summons or other legal process served upon you personally at any time? Yes No
- (c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial? Yes No

(d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? Yes No

If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

I have received two speeding citations. Both citations were civil infractions:

>Speedway Indiana, 1996, paid by mail, approximately \$100

>Jackson Michigan, 2007, paid by mail, approximately \$100

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? Yes No

In particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office? Yes No

If so, give particulars, including case numbers.

(b) Have you ever been sued by a client? Yes No

If so, give particulars, including case numbers.

(c) Have you ever been a party in any other legal proceeding? Yes No

If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

- (d) Has a court ever found you to have provided ineffective assistance of counsel?
 Yes No

If so, provide the particulars including petitioner and case number.

19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you? Yes No

Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree?

Yes No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

- (b) Have you ever made an assignment for the benefit of creditors? Yes No

Have you ever filed any petition in bankruptcy?

Yes No

If so, state the circumstances, case number, and the outcome.

References and Counsel Questionnaires*

- * **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You **should not** list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your general character and background.

Name: Jeffrey W. Robinson
Address: 1600 A Street # 304
City/State/Zip: Anchorage, AK 99501 Phone: 907-264-3311

Name: John Putikka
Address: PO Box 2129
City/State/Zip: Bethel, AK 99559 Phone: 907-543-1234

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your professional competence and qualifications for a this position.

Name: Ret. Chief Justice Daniel Winfree
Address: 101 Lacey Street
City/State/Zip: Fairbanks, AK 99701 Phone: 907-452-9343

Name: Stacey Marz
Address: 303 K. Street
City/State/Zip: Anchorage, AK 99501 Phone: 907-264-0881

Name: Candice Duncan
Address: 101 Lacey Street
City/State/Zip: Fairbanks, AK 99701 Phone: 907-452-9201

References and Counsel Questionnaires (continued)

- (c) List the names, addresses, **including zip codes, and suite numbers where applicable**, and phone numbers of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases which have gone to trial within the past three years. Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

Case Number 1

Case Name: State of Alaska	Case Number: 4AK-20-00042CR
v. Kenneth Reed	Judge Name: Haas
Attorneys Involved:	
Name: Danail Mizinov	Name: Jessica Haines
Address: PO Box 10	Address: PO Box 170
City, State, Zip: Bethel, AK 99559	City, State, Zip: Bethel, AK 99559
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: State of Alaska	Case Number: 4BE-20-00878CR
v. McKale Bukowski	Judge Name: _____
Attorneys Involved:	
Name: Nathaniel Hainje	Name: Joshua Bither
Address: PO Box 10	Address: 471 West 36th Avenue, Suite 202
City, State, Zip: Bethel, AK 99559	City, State, Zip: Anchorage, AK 99503
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska	Case Number: 4FY-20-00063CR
v. Robert J. Knudson	Judge Name: _____
Attorneys Involved:	
Name: Nicholas Defraitas	Name: Wendy Schrank
Address: 518 Marine Way	Address: 510 2nd Avenue, Suite 200
City, State, Zip: Kodiak, AK 99615	City, State, Zip: Fairbanks, AK 99701
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

References and Counsel Questionnaires (continued)

- (d) List the names, addresses, **including zip codes, and suite numbers where applicable**, and phone numbers of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

Case Number 1

Case Name: In Re L.L. **Case Number:** 4BE-20-00039CN
v. **Judge Name:** Haas
Attorneys Involved:

Name: Vennie Nemecek	Name: Maria Uttereyuk
Address: 1031 W. 4th Avenue, Suite 200	Address: PO Box 2129
City, State, Zip: Anchorage, AK 99501-1994	City, State, Zip: Bethel, AK 99559
Name: Katie Stephenson	Name: Pearl Pickett
Address: 900 West 5th Avenue, Suite 101	Address: 1016 West Sixth Avenue, Suite 200
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Anchorage, AK 99501-1963

Case Number 2

Case Name: In Re H.N. **Case Number:** 4BE-21-00065CN
v. **Judge Name:** Haas
Attorneys Involved:

Name: David Case	Name: Lisa Nelson
Address: PO Box 661	Address: PO Box 170
City, State, Zip: Soldotna, AK 99669	City, State, Zip: Bethel, AK 99559
Name: Scott Sterling	Name: Christopher Bodle
Address: 851 E. Westpoint Drive, Suite 201	Address: 1008 16th Avenue, Suite 200
City, State, Zip: Wasilla, AK 99654	City, State, Zip: Fairbanks, AK 99701

Case Number 3

Case Name: In Re M.J. **Case Number:** 4BE-19-00046CN
v. **Judge Name:** Haas
Attorneys Involved:

Name: Nathaniel Hainje	Name: Imran Ahmed
Address: PO Box 10	Address: 1016 West Sixth Avenue, Suite 200
City, State, Zip: Bethel, AK 99559	City, State, Zip: Anchorage, AK 99501-1963
Name: Katie Stephenson	Name: Lisa Nelson
Address: 900 West 5th Avenue, Suite 101	Address: PO Box 170
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Bethel, AK 99559

Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length) prepared solely by you within the last five years. Please choose a sample that reflects your ability to do legal research and analysis. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable (some reply briefs may not meet this requirement). Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples, (d) samples from open cases including cases on appeal.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge? Yes No

Have formal grievance procedures been brought against you? Yes No

See Bar Rule 22(b) & (e) concerning public grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public grievance procedures against judges.

Have you ever been held in contempt of court? Yes No

Have you ever been sanctioned by a judge? Yes No

In each case, state in detail the circumstances and the outcome.

Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this position.

My legal career and professional experience make me uniquely qualified to take on the responsibility of heading the Alaska Public Defender Agency during a period of unprecedented challenge and opportunity. I have a deep passion for the fair administration of justice and a practical understanding of the importance of effective representation. I gained this experience through the practice of law, on the bench, and as the Presiding Judge for my judicial district. As the Presiding Judge I have been responsible for the management of a complex organization stretching from Hooper Bay on the Bearing Sea to Tok near the Canadian border including larger courthouses like Fairbanks and Bethel along with small single clerk locations like Aniak, Galena, and Fort Yukon. Along the way I have developed an appreciation of of and a passion for the power of effective administration and decisive leadership to improve the justice system.

As a lawyer I directly supervised an office of seven public defenders and I am currently the Presiding Judge of a judicial district with about 100 employees including 19 judicial officers. I have held that responsibility for several years including a large portion of the COVID-19 pandemic. During that time, I worked hard to keep the courts open and functioning to the greatest degree possible. I coordinated

Additional Comments (Continued)

with judges, administrators, and court staff to keep hearings on the calendar and to resume jury trials as quickly as possible.

As a result, the backlog in the Fourth District has steadily declined with the Bethel Court leading the way in disposing of backlogged cases. In addition, during my tenure as Presiding Judge the Bethel Court has become a model of judicial efficiency and access to justice.

My legal experience and proven track record are exceptionally suited to the task of heading the Public Defender Agency during this challenging time.

24. Please indicate whether you prefer to be interviewed in public or private session. Your choice has no bearing on the Council's determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview Private Interview

25. Please prepare a brief biographical statement (***limited to 150 words***) about your background, legal education, and legal experience. Please do not include personal information about minor children. Your picture and a copy of this statement will be scanned and posted on the Council's website after the application deadline. In its Bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty; the Council will use this space for your scanned picture. ***To be fair to all applicants, the Council will strictly enforce the 150 word limit.***

If you object to the posting of your picture on the Council's website, please indicate your objection below. If you object, we will not post your picture, although you still must submit one (1) photograph of yourself with this application.

If you check this box, we will not post your picture on the website.

Biographical Statement

Name Terrence Haas

Position(s) for which you wish to be considered:

Public Defender

Please leave this area blank

Date: May 5, 2023

I was a practicing lawyer with the Alaska Public Defender Agency living and working in Bush Alaska from 2008 until I took the bench in 2018. For the last 15 years I have raised my children, practiced law, and adjudicated disputes in Bethel, Alaska. As a public defender, I maintained a practice handling Child in Need of Aid and serious felony matters, successfully trying many cases to verdict. In addition, I supervised the staff and attorneys in a seven-lawyer public defender office. As a Superior Court Judge in Bethel and the Presiding Judge for the Fourth Judicial District I am responsible for the administration of ten court locations across an area stretching from the Bering Sea to the Canadian border. Given the opportunity I would be proud to help continue the Alaska Public Defender Agency's long tradition of excellent legal advocacy.