



UAA Institute of Social
and Economic Research
UNIVERSITY *of* ALASKA ANCHORAGE

Alaska Judicial Council

Judicial Selection Survey

Nome Superior Court

Technical Report

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Table of Contents

Executive Summary	1
Table 1: Mean Ratings of Applicants	2
Introduction.....	3
Methodology.....	3
Table 2: Respondent Characteristics.....	3
Instrumentation	5
Confidentiality and Data Safety.....	5
Assurance of Non-Duplicate Responding.....	6
Data Management	6
Results.....	6
Table 3: Level of Experience with Applicants	7
Table 4: Summary of Overall Ratings	8
Table 5: Distribution of Responses for Overall Rating	9
Table 6: Mean Overall Ratings by Type of Practice	10
Table 7: Mean Overall Ratings by Length of Alaska Practice	11
Table 8: Mean Overall Ratings by Type of Caseload Handled	12
Table 9: Mean Overall Ratings by Location of Practice	13
Table 10: Mean Overall Ratings by Gender	14
Table 11: Elisabeth Mering: Demographic Description of Respondents	15
Table 12: Elisabeth Mering: Detailed Responses	16
Table 13: John Revis: Demographic Description of Respondents	17
Table 14: John Revis: Detailed Responses	18

Executive Summary

This report presents findings from a selection survey conducted among Alaska Bar Association members for one judicial vacancy on the Nome Superior Court created by the resignation of Judge Romano DiBenedetto. By the application deadline, the Alaska Judicial Council received a total of three applications from the following individuals (presented in alphabetical order): Nicholas Adam Defreitas, Elisabeth Mering, and John Revis. Nicholas Adam Defreitas withdrew his application, therefore his results will not be presented in this report.

The Alaska Judicial Council asked bar members to evaluate applicants on six characteristics: *Professional Competence*, *Integrity*, *Fairness*, *Judicial Temperament*, *Suitability of this Applicant's Experience for this Vacancy*, and *Overall*. The rating scale ranged from *Poor* (1) to *Excellent* (5).

Table 1 shows the mean ratings for each applicant by respondents with direct professional experience.

Table 1
Mean Ratings of Applicants

		Professional Competence	Integrity	Fairness	Judicial Temperament	Suitability of Experience	Overall
	<i>n</i>	<i>M</i>	<i>M</i>	<i>M</i>	<i>M</i>	<i>M</i>	<i>M</i>
Elisabeth Mering	48	4.1	4.4	4.0	3.8	3.7	4.0
John Revis	35	2.9	3.2	3.3	3.1	2.6	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.

2026 Judicial Selection Survey, Nome Superior Court

Introduction

The State of Alaska Constitution and laws mandate that the Alaska Judicial Council (Council) evaluate all applicants for a judicial vacancy. The Council nominates the two or more most qualified applicants to the governor who must appoint from the Council's list. As part of the information used to fulfill its mandate, the Council distributed surveys to Alaska Bar Association members and asked them to rate applicants on six characteristics: *Professional Competence*, *Integrity*, *Fairness*, *Judicial Temperament*, *Suitability of this Applicant's Experience for this Vacancy*, and *Overall*. Each survey also contained demographic questions about the respondents, including type of practice, length of Alaska practice, types of cases handled, primary location of practice, and gender.

To maintain objectivity, the Council contracted with the Institute of Social and Economic Research (ISER), a research institute at the University of Alaska Anchorage. ISER was responsible for all aspects of distribution and data collection related to the online survey. ISER prepared this report summarizing survey procedures and results.

A single selection survey was conducted for the following judicial vacancies: Nome Superior Court and Anchorage District Court. This report presents findings from a selection survey conducted among Alaska Bar Association members for one judicial vacancy on the Nome Superior Court created by the resignation of Judge Romano DiBenedetto. By the application deadline, the Alaska Judicial Council received a total of three applications from the following individuals (presented in alphabetical order): Nicholas Adam Defreitas, Elisabeth Mering, and John Revis. Nicholas Adam Defreitas withdrew his application, therefore his results will not be presented in this report.

Methodology

All active in-state members of the Alaska Bar Association were invited to participate in this selection survey. Inactive and retired members and active out-of-state members were also invited to participate in the survey if the Council had email addresses for them. All individuals received an email invitation to complete the survey online.

Respondents initiated 525 online surveys. No surveys were excluded because the respondent answered "No" to the question certifying that they had complied with the ethical standards set out in Professional Rule 8.2; nine surveys were excluded because the respondents did not progress far enough in the survey to reach the certification question; five surveys were excluded because the respondents did not answer any other questions but the certification question. Therefore, 511 online surveys qualified for analysis.

The final analysis included 511 online surveys with a survey return rate of 13.5%. Of the 511 returned surveys, 286 (56%) did not rate any of the applicants (three Nome Superior Court applicants and six Anchorage District Court applicants); 225 respondents evaluated one or more applicants. Table 2 summarizes the demographic characteristics of the respondents.

Table 2

Respondent Characteristics

		All Respondents		Respondents who Rated ≥ 1 Applicant	
		<i>n</i>	%	<i>n</i>	%
All respondents		511	100	225	44.0
Type of Practice					
	No response	2	0.4	1	0.4
	Private, solo	92	18.0	25	11.1
	Private, 2-5 attorneys	45	8.8	15	6.7
	Private, 6+ attorneys	60	11.7	27	12.0
	Private, corporate employee	14	2.7	1	0.4
	Judge or judicial officer	48	9.4	38	16.9
	Government	131	25.6	84	37.3
	Public service agency or organization	25	4.9	18	8.0
	Retired	86	16.8	14	6.2
	Other	8	1.6	2	0.9
Length of Alaska Practice					
	No response	29	5.7	14	6.2
	5 years or fewer	47	9.2	26	11.6
	6 to 10 years	61	11.9	41	18.2
	11 to 15 years	58	11.4	36	16.0
	16 to 20 years	51	10.0	30	13.3
	More than 20 years	265	51.9	78	34.7
Cases Handled					
	No response	3	0.6	2	0.9
	Prosecution	36	7.0	19	8.4
	Criminal	41	8.0	30	13.3
	Mixed criminal & civil	124	24.3	68	30.2
	Civil	268	52.4	97	43.1
	Other	39	7.6	9	4.0
Location of Practice					
	No response	1	0.2	1	0.4
	First District	55	10.8	18	8.0
	Second District	14	2.7	10	4.4
	Third District	359	70.3	168	74.7
	Fourth District	49	9.6	22	9.8
	Outside Alaska	33	6.5	6	2.7
Gender					
	No response	6	1.2	3	1.3
	Male	277	54.2	105	46.7
	Female	225	44.0	115	51.1
	Another identity	3	0.6	2	0.9

Instrumentation

The survey contained the names of the applicants for the vacancy, questions about demographic information for each respondent, six evaluation items for each applicant, and space for respondents to provide additional comments regarding each applicant.

The survey required a certification by the respondent that they had rated the applicants as required by the bar’s Professional Rule 8.2. Specific instructions regarding the certification were provided:

“Please refer to Professional Conduct Rule 8.2 concerning your obligation to provide truthful and candid opinions on the qualifications or integrity of these applicants.”

Respondents evaluated applicants in six areas of performance included in the survey using a five-point Likert scale that ranged from *Poor* (1) to *Excellent* (5). Detailed descriptions of the meaning of each point on the Likert scale were provided for each of the performance areas. The scale and instructions for respondents were:

“Please rate the applicant on each of the following qualities by selecting the number that best represents your evaluation. Applicants should be evaluated on each quality separately. Use the ends of the scales as well as the middle. The tendency to rate an applicant “excellent” or “poor” on every trait should be avoided since each person has strengths and weaknesses. If you cannot rate the applicant on any one quality, leave that one blank.”

	(1) <i>Poor</i>	(2) <i>Deficient</i>	(3) <i>Acceptable</i>	(4) <i>Good</i>	(5) <i>Excellent</i>
<i>Professional Competence</i>	Lacking in knowledge and/or effectiveness	Below-average performance occasionally	Possesses sufficient knowledge and required skills	Usually knowledgeable and effective	Meets the highest standards for knowledge and effectiveness
<i>Integrity</i>	Unconcerned with propriety and/or appearance, or acts in violation of codes of professional conduct	Appears lacking in knowledge of professional codes of conduct and/or unconcerned with propriety or appearance at times	Follows codes of professional conduct, respects propriety and appearance of propriety at all times	Above-average awareness of ethics, holds self to higher standard than most	Outstanding integrity and highest standards of conduct
<i>Fairness</i>	Often shows strong bias for or against some person or groups	Displays, verbally or otherwise, some bias for or against groups or persons	Free of substantial bias or prejudice against groups or persons	Above-average ability to treat all persons and groups impartially	Unusually fair and impartial to all groups
<i>Judicial Temperament</i>	Often lacks compassion, humility, or courtesy	Sometimes lacks compassion, humility, or courtesy	Possesses appropriate compassion, humility, and courtesy	Above-average compassion, humility, and courtesy	Outstanding compassion, humility, and courtesy
<i>Suitability of Experience</i>	Has little or no suitable experience	Has less than suitable experience	Has suitable experience	Has highly suitable experience	Has the most suitable experience for this position
<i>Overall Rating</i>	Has few qualifications for this position	Has insufficient qualifications for this position	Has suitable qualifications for this position	Has highly suitable qualifications for this position	Has exceptionally high qualifications for this position

Confidentiality and Data Safety

The survey introduction included a statement that reassured respondents of the confidentiality of their responses. Confidentiality is also a paramount concern at ISER and translated into specific procedures related to data security. Because data such as those collected through the judicial selection survey are of a sensitive nature, ISER has rigorous procedures to protect data. Organizational policies and procedures highlight the requirement for confidentiality and ensure that only staff involved with the project have access to the data. Online data are maintained on a secure server.

Assurance of Non-Duplicate Responding

To ensure that as few duplicates or invalid surveys as possible were received, clear instructions were provided to each potential respondent. Each potential respondent was provided with a unique URL that could only be used once. ISER analyzed frequencies of the unique identifier variable to identify any duplicate responses. No duplicate surveys were identified. Had any duplicates been identified, the most complete survey data would have been retained and the duplicate removed, ensuring that only one survey per respondent was used in the data analysis.

Data Management

With the goal of virtually error-free data handling, ISER implemented rigorous data entry procedures to ensure the accuracy of data entry. Online data were downloaded from the survey website and imported into SPSS for analysis.

Results

Two sets of results are presented in this section of the report. First, respondents' level of experience with each applicant rated is shown. Then, a summary table presents the ratings and comparisons of the applicants. Many of the cross tabulations yield results based on small numbers of respondents. Results based on small numbers of respondents should be regarded with caution and more weight given to the overall results.

Respondents' Level of Experience with Each Applicant

All respondents were asked to describe the basis of their evaluation for each applicant they rated, with options of direct professional experience, professional reputation, and other personal contacts.

Table 3 shows the type of experience of respondents for each applicant.

Ratings of Applicants

In the tables that follow, responses to the rating questions are shown in a variety of ways. Most tables show the number of respondents (*n*) and the average rating (*M*). Tables 4-10 present details on the *Overall* item. Table 4 compares all applicants to those with direct professional experience and includes the median rating (*Mdn*) and the standard deviation (*SD*) in addition to number of respondents and average. Tables 5-10 present data only from those respondents who indicated direct professional experience. Table 5 provides the distribution of responses. Table 6 provides applicants' mean ratings broken down by respondents' type of practice. Table 7 provides applicants' mean ratings broken down by respondents' length of Alaska practice. Table 8 provides applicants' mean ratings broken down by respondents' type of caseload handled. Table 9 provides applicants' mean ratings broken down by respondents' location of practice. Table 10 provides applicants' mean ratings broken down by respondents' gender.

For each individual applicant, Tables 11-14 provide a demographics summary of respondents and detailed information on ratings provided by respondent characteristic.

Table 3
Level of Experience with the Applicants

	<i>n</i>	% of all respondents who rated applicant	Percent of Respondents Basing Ratings on...		
			Direct Professional Experience	Professional Reputation	Other Personal Contacts
Elisabeth Mering	54	10.6	88.9	7.4	3.7
John Revis	41	8.0	85.4	12.2	2.4

Table 4
Summary of Overall Ratings

	All Respondents				Respondents with Direct Professional Experience			
	<i>n</i>	<i>M</i>	<i>Mdn</i>	<i>SD</i>	<i>n</i>	<i>M</i>	<i>Mdn</i>	<i>SD</i>
Elisabeth Mering	52	4.0	5.0	1.4	48	4.0	5.0	1.4
John Revis	40	2.8	3.0	1.3	34	2.7	2.0	1.2

Table 5
Distribution of Responses for Overall Rating

	<i>n</i>	Poor		Deficient		Acceptable		Good		Excellent	
		<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Elisabeth Mering	48	5	10.4	5	10.4	3	6.3	9	18.8	26	54.2
John Revis	34	6	17.6	12	35.3	6	17.6	7	20.6	3	8.8

Note: Ratings from only those respondents with direct professional experience with the applicants.

Table 6
Mean Overall Ratings by Type of Practice

	Private, solo		Private, 2-5 attorneys		Private, 6+ attorneys		Private, corporate employee		Judge or judicial officer		Government		Public service agency/org		Retired		Other		Overall <i>M</i>
	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	
Elisabeth Mering	2	3.5	3	3.7	1	5.0	1	5.0	9	4.3	21	3.4	9	4.8	1	5.0	1	4.0	4.0
John Revis	1	1.0	3	2.7	1	1.0	-	-	12	3.4	16	2.3	1	4.0	-	-	-	-	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.

Table 7
Mean Overall Ratings by Length of Alaska Practice

	5 years or fewer		6 to 10 years		11 to 15 years		16 to 20 years		21 years or more		Overall
	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>M</i>
Elisabeth Mering	7	4.0	10	3.1	8	4.6	7	3.7	13	4.3	4.0
John Revis	5	1.4	7	2.7	8	2.5	5	2.4	8	3.5	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.

Table 8
Mean Overall Ratings by Type of Caseload Handled

	Prosecution		Criminal		Mixed criminal/civil		Civil		Other		Overall
	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>M</i>
Elisabeth Mering	2	2.5	-	-	16	4.0	27	4.0	3	4.0	4.0
John Revis	-	-	7	2.4	12	2.9	13	2.7	2	2.0	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.

Table 9
Mean Overall Ratings by Location of Practice

	First District		Second District		Third District		Fourth District		Outside Alaska		Overall <i>M</i>
	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	
Elisabeth Mering	2	5.0	7	4.4	28	3.7	11	4.1	-	-	4.0
John Revis	1	3.0	1	3.0	32	2.7	-	-	-	-	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.

Table 10
Mean Overall Ratings by Gender

	Male		Female		Another identity		Overall <i>M</i>
	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	<i>n</i>	<i>M</i>	
Elisabeth Mering	16	3.7	30	4.0	+	+	4.0
John Revis	17	2.6	17	2.7	-	-	2.7

Note: Ratings from only those respondents with direct professional experience with the applicants.
 +Too few respondents to report.

Table 11
Elisabeth Mering
Demographic Description of Respondents

	<i>n</i>	<i>%</i>
All respondents	54	100
Experience with Applicant		
Direct professional experience	48	88.9
Professional reputation	4	7.4
Other personal contacts	2	3.7
Detailed Experience*		
Recent experience (within last 5 years)	46	95.8
Substantial amount of experience	25	52.1
Moderate amount of experience	16	33.3
Limited amount of experience	7	14.6
Type of Practice		
No response	-	-
Private, solo	3	5.6
Private, 2-5 attorneys	3	5.6
Private, 6+ attorneys	1	1.9
Private, corporate employee	1	1.9
Judge or judicial officer	10	18.5
Government	22	40.7
Public service agency or organization	10	18.5
Retired	3	5.6
Other	1	1.9
Length of Alaska Practice		
No response	4	7.4
5 years or fewer	9	16.7
6 to 10 years	10	18.5
11 to 15 years	8	14.8
16 to 20 years	7	13.0
More than 20 years	16	29.6
Cases Handled		
No response	-	-
Prosecution	3	5.6
Criminal	-	-
Mixed criminal & civil	19	35.2
Civil	29	53.7
Other	3	5.6
Location of Practice		
No response	-	-
First District	2	3.7
Second District	7	13.0
Third District	32	59.3
Fourth District	13	24.1
Outside Alaska	-	-
Gender		
No response	-	-
Male	18	33.3
Female	34	63.0
Another identity	+	+

*Only among those respondents reporting direct professional experience with the applicant.
 +Too few respondents to report.

Table 12
Elisabeth Mering
Detailed Responses

	<i>n</i>	Professional Competence <i>M</i>	Integrity <i>M</i>	Fairness <i>M</i>	Judicial Temperament <i>M</i>	Suitability of Experience <i>M</i>	Overall <i>M</i>
All respondents	54	4.1	4.3	4.0	3.8	3.8	4.0
Basis for Evaluation							
Direct professional experience	48	4.1	4.4	4.0	3.8	3.7	4.0
Experience within last 5 years	46	4.2	4.4	4.1	3.8	3.8	4.0
Experience not within last 5 years	2	3.0	3.0	3.0	3.0	3.0	3.0
Substantial amount of experience	25	4.4	4.5	4.1	4.0	3.9	4.1
Moderate amount of experience	16	3.6	4.3	3.9	3.4	3.5	3.7
Limited amount of experience	7	4.1	4.1	4.0	4.1	3.7	4.1
Professional reputation	4	4.7	4.7	4.7	4.7	4.7	4.7
Other personal contacts	2	2.0	3.0	2.0	3.0	2.0	2.0
Type of Practice*							
Private, solo	2	3.5	3.5	3.0	3.5	3.0	3.5
Private, 2-5 attorneys	3	3.7	4.0	3.7	3.3	3.3	3.7
Private, 6+ attorneys	1	5.0	5.0	5.0	5.0	5.0	5.0
Private, corporate employee	1	5.0	5.0	5.0	5.0	5.0	5.0
Judge or judicial officer	9	4.2	4.6	4.4	4.2	4.1	4.3
Government	21	3.8	4.0	3.5	3.2	3.1	3.4
Public service agency or organization	9	4.8	4.9	4.8	4.4	4.4	4.8
Retired	1	5.0	5.0	5.0	5.0	5.0	5.0
Other	1	4.0	5.0	5.0	4.0	5.0	4.0
Length of Alaska Practice*							
5 years or fewer	7	4.3	4.6	4.1	4.0	3.9	4.0
6 to 10 years	10	3.6	4.1	3.4	2.8	3.0	3.1
11 to 15 years	8	4.6	5.0	4.8	4.4	4.3	4.6
16 to 20 years	7	3.7	3.9	3.6	3.4	3.3	3.7
More than 20 years	13	4.3	4.4	4.3	4.3	4.2	4.3
Cases Handled*							
Prosecution	2	3.5	4.5	3.0	2.0	2.5	2.5
Criminal	-	-	-	-	-	-	-
Mixed criminal & civil	16	4.1	4.1	4.0	3.9	3.7	4.0
Civil	27	4.1	4.5	4.2	3.9	3.8	4.0
Other	3	4.3	4.3	3.7	3.7	4.0	4.0
Location of Practice*							
First District	2	5.0	5.0	5.0	5.0	5.0	5.0
Second District	7	4.6	4.7	4.4	4.3	4.3	4.4
Third District	28	3.8	4.3	3.9	3.6	3.6	3.7
Fourth District	11	4.5	4.3	4.1	3.6	3.5	4.1
Outside Alaska	-	-	-	-	-	-	-
Gender*							
Male	16	3.7	4.1	3.7	3.4	3.2	3.7
Female	30	4.3	4.5	4.2	3.9	4.0	4.0
Another identity	+	+	+	+	+	+	+

*Ratings from only those respondents reporting direct professional experience with the applicant.

+Too few respondents to report.

Table 13
John Revis
Demographic Description of Respondents

	<i>n</i>	<i>%</i>
All respondents	41	100
Experience with Applicant		
Direct professional experience	35	85.4
Professional reputation	5	12.2
Other personal contacts	1	2.4
Detailed Experience*		
Recent experience (within last 5 years)	33	94.3
Substantial amount of experience	10	28.6
Moderate amount of experience	15	42.9
Limited amount of experience	10	28.6
Type of Practice		
No response	-	-
Private, solo	3	7.3
Private, 2-5 attorneys	3	7.3
Private, 6+ attorneys	2	4.9
Private, corporate employee	-	-
Judge or judicial officer	13	31.7
Government	17	41.5
Public service agency or organization	2	4.9
Retired	1	2.4
Other	13	31.7
Length of Alaska Practice		
No response	1	2.4
5 years or fewer	5	12.2
6 to 10 years	8	19.5
11 to 15 years	9	22.0
16 to 20 years	6	14.6
More than 20 years	12	29.3
Cases Handled		
No response	-	-
Prosecution	-	-
Criminal	8	19.5
Mixed criminal & civil	15	36.6
Civil	16	39.0
Other	2	4.9
Location of Practice		
No response	-	-
First District	1	2.4
Second District	1	2.4
Third District	39	95.1
Fourth District	-	-
Outside Alaska	-	-
Gender		
No response	-	-
Male	23	56.1
Female	18	43.9
Another identity	-	-

*Only among those respondents reporting direct professional experience with the applicant.

Table 14
John Revis
Detailed Responses

	<i>n</i>	Professional Competence <i>M</i>	Integrity <i>M</i>	Fairness <i>M</i>	Judicial Temperament <i>M</i>	Suitability of Experience <i>M</i>	Overall <i>M</i>
All respondents	41	3.0	3.3	3.4	3.3	2.7	2.8
Basis for Evaluation							
Direct professional experience	35	2.9	3.2	3.3	3.1	2.6	2.7
Experience within last 5 years	33	2.9	3.2	3.3	3.1	2.6	2.7
Experience not within last 5 years	2	2.0	2.5	3.0	2.5	2.5	2.0
Substantial amount of experience	10	2.2	2.5	2.7	2.5	2.1	2.1
Moderate amount of experience	15	3.0	3.5	3.5	3.4	2.6	2.8
Limited amount of experience	10	3.3	3.4	3.6	3.3	3.0	3.0
Professional reputation	5	3.8	3.8	4.0	4.0	3.2	3.4
Other personal contacts	1	4.0	5.0	5.0	5.0	5.0	5.0
Type of Practice*							
Private, solo	1	1.0	1.0	1.0	1.0	1.0	1.0
Private, 2-5 attorneys	3	2.7	4.0	4.0	3.0	2.7	2.7
Private, 6+ attorneys	1	2.0	2.0	1.0	1.0	1.0	1.0
Private, corporate employee	-	-	-	-	-	-	-
Judge or judicial officer	13	3.5	3.8	3.9	3.8	3.4	3.4
Government	16	2.5	2.7	2.9	2.8	2.2	2.3
Public service agency or organization	1	4.0	4.0	4.0	4.0	4.0	4.0
Retired	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Length of Alaska Practice*							
5 years or fewer	5	2.0	1.8	2.0	1.6	1.6	1.4
6 to 10 years	7	2.7	3.5	3.5	3.2	2.4	2.7
11 to 15 years	8	2.9	3.0	3.1	3.0	2.6	2.5
16 to 20 years	6	2.7	3.0	3.2	3.0	2.2	2.4
More than 20 years	8	3.4	3.9	3.9	3.9	3.5	3.5
Cases Handled*							
Prosecution	-	-	-	-	-	-	-
Criminal	7	2.4	3.0	3.2	2.8	2.3	2.4
Mixed criminal & civil	13	3.2	3.5	3.5	3.3	2.9	2.9
Civil	13	2.9	3.2	3.3	3.2	2.7	2.7
Other	2	2.0	2.0	2.0	2.0	1.5	2.0
Location of Practice*							
First District	1	3.0	-	-	-	-	3.0
Second District	1	3.0	3.0	3.0	3.0	2.0	3.0
Third District	33	2.8	3.2	3.3	3.1	2.6	2.7
Fourth District	-	-	-	-	-	-	-
Outside Alaska	-	-	-	-	-	-	-
Gender*							
Male	18	2.8	3.2	3.2	3.2	2.5	2.6
Female	17	2.9	3.1	3.3	2.9	2.7	2.7
Another identity	-	-	-	-	-	-	-

*Ratings from only those respondents reporting direct professional experience with the applicant.