

DEC 13 2021

Alaska Judicial Council


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alaska judicial council

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Alaska Judicial Council Trial Judge Questionnaire

2022 Candidates for Judicial Retention

November 2021

Terrence Haas

Name

Bethel Superior Court

Court

1. Please estimate your workload during your present term.

a) <u>40</u> % civil cases	b) <u>6</u> # of jury trials/year
<u>40</u> % criminal cases	<u>25</u> # of non-jury trials/year
<u>20</u> % court administrative work	<u>1</u> # 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 was appointed as presiding judge for the 4th Judicial District on January 1, 2021. I am a member of the CINA/Delinquency Rules Committee. I am a member of the ICWA sub-committee to the Court Improvement Project. I am a member of the federally mandated Children's Justice Act Task Force. I am an ex-officio member of the statewide court security committee. I also participate in many working groups on issues including, among others, Title 47 mental commitments, tribal court cooperation, rural court administration, and remote hearing procedures.

As the presiding judge I meet routinely with statewide judicial leadership, court administration, state agencies, clerks of court, court staff, and judicial officers across the 4th District to facilitate the efficient and fair administration of the court system.

I also engage in monthly travel to Fairbanks to conduct administrative oversight and meet with judges and staff.

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

Attended:

- 2019 Judicial Conference (In Person)
- 2020 Judicial Conference (Remote)
- National Judicial College General Jurisdiction Course (2 Weeks In Person)
- 2019 Newer Judge Training (In Person)
- 2020 Newer Judge Training (In Person)
- Court Improvement Project CINA 101 (In-Person)
- Red Door Project (Remote)
- National Conference of Juvenile and Family Court Judges Child Welfare Training (1 Week In-Person)
- National Association of Drug Court Professionals Annual Training (Remote)
- National Association of Drug Court Professionals Bethel Therapeutic Court Training (Remote)

Presented:

- Newer Judge Training - Handling Remote Hearings
- Court Improvement Project Live Training - Active Efforts
- Court Improvement Project Online Training - Active Efforts
- Court Improvement Project Fairbanks Permenancy Training

4. Please describe any public outreach activities.

Bethel 4H Summer Youth Program - Courthouse tour and presentation
Outreach at Ayuprun Elitnaurviat Yup'ik Immersion School
Bench/Press Outreach Event - Fairbanks
Radio/Print/Television Interviews - Numerous
Tanana Chiefs Annual Conference - Speaker on Tribal/State Court Cooperation
Bench/Bar - Bethel and Fairbanks
Grand Jury Orientation - Education and Outreach to Jurors
Routine Individual Outreach in Fairbanks and Bethel by Appointment

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). Although the Council's evaluations address all aspects of judicial performance, including felony sentencing, they have not in the past explicitly solicited judges' thoughts on this topic.

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

Participation of victims in the criminal justice process generally and sentencing in particular is an area of great importance for me as a judge handling a large docket of criminal cases.

First, I work hard to ensure that victims are recognized when they appear in the courtroom or by telephone, and that they are given the appropriate information about their right to participate in criminal proceedings.

Second, I ensure that victims are afforded notice and an opportunity to be heard at bail and sentencing. In particular, this means that I will ask the prosecutor at each and every bail hearing and sentencing if the victims have received notice of the hearing. If a victim is not present, I always ask the prosecutor to give information about the victim's opinion about a plea agreement or sentencing.

Third, when a victim is present for bail or sentencing, I ensure that they are given a meaningful opportunity to address the court. Specifically, I set aside time to allow any victim present to address the court without undue time-pressure and regardless of the time allotted for the hearing. In a busy court, this will sometimes mean that the court must run late to accommodate a victim's input.

Finally, I treat all persons in the courtroom, including victims, with the dignity and respect to which they are entitled. It is a priority for me as the judge to make the process as clear as possible and to communicate that I have taken the victim's concerns into account.

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.

I am still new to the judicial role as I enter my third year on the bench in Bethel. I continually find myself challenged by the work and humbled by the responsibility that comes with the role of Superior Court judge in my community. I find that I learn something new on the job each and every day. I have discovered that it is vital to keep an open mind, a spirit of compassion, and a constant understanding that the safety and wellbeing of my community is directly impacted by the decisions I make and the efficiency with which I do my work.

I have challenged myself in several very specific ways at the beginning of my career as a judicial officer. First, I have worked hard to make my courtroom a space where the emphasis is on serving the public generally and doing justice for the parties before the court. During a pandemic, this has been a challenge as more and more public spaces, including courtrooms, have been closed to the public. Even so, I have put a high priority on making it clear to anyone in my courtroom that the judicial system belongs to and is accountable to the public. I do so through respectful communication with members of the public, high expectations for court staff, and prioritizing the use of time and efficiency in the courtroom. While this is a constant area for growth and self-reflection, I believe I have been successful in this area.

Second, I have worked hard to foster a sense of collegiality and professionalism among lawyers and professionals in my courtroom. This means that I have set high expectations for courtesy and professionalism among the professionals working in the courtroom, in examination of witnesses, and in addressing the judge.

Third, I have set very high expectations for administrative efficiency in my chambers. I have developed and implemented a clear system for distributing work to my law clerk, my judicial assistant, and the in-courts that work with me. I have set clear and achievable goals for processing filings, orders, notices, and other court paperwork. I have set high expectations for efficiency in organizing, prioritizing, and completing the work of the court in my chambers, including for myself. I take seriously the obligation to do the work of the court as efficiently, fairly, and impartially as possible.

Finally, I have worked hard during this term to access as much judicial education and development as possible. I have attended conferences, webinars, and working groups that help me identify my strengths and weaknesses as a judicial officer and to improve my knowledge and understanding of the judicial role and the legal process. I have served on numerous committees and working groups that have helped me develop contacts and mentors who can provide me with honest feedback and constructive criticism.

I think I have grown significantly into my role as a judge over the past three years and I look forward to continuing to learn and improve. It is an honor to serve the people of Alaska in this role.

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.

I have been involved as an interested party in a guardianship proceeding for two family members related to me through marriage. My role was purely as an interested family member. I helped pay for the lawyer handling the case and participated in meetings, along with other family members, about how best to handle these family members' property and affairs.

9. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2022 retention elections.

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: 4BE-18-00299CR

v. Jack Kernak

Attorneys Involved:

Name: Maria Carmen Uttereyuk

Name: Josh Bither

Address: PO Box 2129

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-20-00829CR

v. Kayla Liberty

Attorneys Involved:

Name: John C. Darnell

Name: Abigail Cazel

Address: 310 K Street, Suite 601

Address: PO Box 10

City, State, Zip: Anchorage, AK 99501-2064

City, State, Zip: Bethel, AK 99559

Name:

Name:

Address:

Address:

City, State, Zip:

City, State, Zip:

Case Number 3

Case Name: Safet Miftari

Case Number: 4BE-10-00011CI

v. David Jerry

Attorneys Involved:

Name: Jim Valcarce

Name:

Address: PO Box 409

Address:

City, State, Zip: Bethel, AK 99559

City, State, Zip:

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: State of Alaska *Case Number:* 4SM-20-00205CR
v. Peter Moses

Attorneys Involved:

Name: Michael T. Schwaiger	Name: Victoria Sarant
Address: 900 W. 5th Avenue, Suite 525	Address: PO Box 170
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Bethel, AK 99559
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Clarence Kalistook *Case Number:* 4BE-19-00009CI
v. Julie Guy

Attorneys Involved:

Name: Lee C. Baxter	Name: Matthew Thomas Chicklo
Address: 420 L Street	Address: 1016 W. 6th Avenue, Suite 102
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: Katelyn Avalos *Case Number:* 4BE-18-00141CI
v. Marcial Avalos

Attorneys Involved:

Name: Katelyn Avalos (PRO SE)	Name: Marcial Avalos (PRO SE)
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

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: In The Matter of D.T. *Case Number:* 4BE-99-00039PR

v. _____

Attorneys Involved:

Name: <u>John Putikka</u>	Name: <u>Diane Brewer</u>
Address: <u>PO Box 2129</u>	Address: <u>1031 W 4th Avenue, Suite 200</u>
City, State, Zip: <u>Bethel, AK 99559</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: <u>Beth Goldstein</u>	Name: <u>Clay Venitis</u>
Address: <u>900 W 5th Avenue, Suite 525</u>	Address: <u>100 Cushman Street, Suite 500</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Case Number 2

Case Name: Jane Doe 1 *Case Number:* 4BE-20-00155CI

v. Lower Kuskokwim School District

Attorneys Involved:

Name: <u>Donald Austin</u>	Name: <u>Reilly Cosgrove</u>
Address: <u>1000 Second Avenue 30th Floor</u>	Address: <u>542 4th Avenue, Suite 201</u>
City, State, Zip: <u>Seattle, WA 98104</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Name: <u>Donald Jack Guthrie</u>	Name: <u>Michael Kramer</u>
Address: <u>1000 Second Avenue 30th Floor</u>	Address: <u>542 4th Avenue, Suite 201</u>
City, State, Zip: <u>Seattle, WA 98104</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>

Case Number 3

Case Name: State of Alaska *Case Number:* 4EM-18-00207CR

v. Wyatt Redfox

Attorneys Involved:

Name: <u>Wyatt Redfox (PRO SE)</u>	Name: <u>S. Thomas P. Hoffer</u>
Address: <u>_____</u>	Address: <u>515 E. Dahlia Street, Suite 150</u>
City, State, Zip: <u>_____</u>	City, State, Zip: <u>Palmer, AK 99645</u>

Name: <u>_____</u>	Name: <u>_____</u>
Address: <u>_____</u>	Address: <u>_____</u>
City, State, Zip: <u>_____</u>	City, State, Zip: <u>_____</u>

13. *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 cases. (Attach additional pages if necessary.)

Case Number 1

Case Name: Dietrich Mael

Case Number: 4BE-17-00061CI

v. Association of Village Council Presidents RHA

Attorneys Involved:

Name: Myron Angstman

Name: Russell Winner

Address: PO Box 585

Address: 900 W. 5th Avenue, Suite 700

City, State, Zip: Bethel, AK 99559

City, State, Zip: Anchorage, AK 99501

Name: Thomas Weathers

Name: Michael Vasquez

Address: 1000 4th St, Suite 425

Address: 201 1st Street, Suite 209

City, State, Zip: San Rafael, CA 94901-3151

City, State, Zip: Petaluma, CA 94952

Case Number 2

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:

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: