

Alaska Judicial Council
Application for Judicial Appointment

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

Alaska Supreme Court

Date: September 19, 2008

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Morgan Brenda Christen
Name as it should appear on bar survey: Morgan Christen
* 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 name? If so, please identify.
Brenda June Christen

2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>22</u> years | <u>1</u> months |
| Total | <u>22</u> years | <u>7</u> months |
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>22</u> years | <u>1</u> months |
| Total | <u>22</u> years | <u>1</u> 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.

Richmond College, London, England, September 1979 - January 1980
American College of Switzerland, January 1980 - June 1980
Nanjing University, People's Republic of China, June 1982 - August 1982
University of Washington, BA International Studies, September 1980 - June 1983
National Judicial College, currently enrolled in Masters of Judicial Studies program

** See AS 22.10.090; 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.

Golden Gate University School of Law, J.D., September 1983 - June 1986

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.

Academic Scholarship
Selected for Law Review
American Jurisprudence Award, Evidence
American Jurisprudence Award, Constitutional Law

- (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.

Please see attached.

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.

I worked on the harvest tractor crew in my uncle's cherry orchards in Washington during high school. In college, I worked as a live-in aide to a disabled woman during one summer, and as a receptionist/legal secretary, part-time, during the academic year. I worked in a law library during law school.

Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates, name of employer, name of supervisor or person who can verify employment, addresses, 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 judicial 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: Lee Powelson, Human Resources Director

Current address of this person: 820 West 4th Avenue

City Anchorage State Alaska Zip 99501

Dates of Employment: From January 2002 To Present

Description: Superior Court Judge, January 2002 - Present
Presiding Judge, Third Judicial District, November 2005 - Present

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

Employer: Preston, Gates & Ellis (now K&L Gates)

Supervisor or name of contact person who can verify employment: Jennifer Coughlin

Current address of this person: 420 L Street, Suite 400

City Anchorage State Alaska Zip 99501

Dates of Employment: From September 1987 To January 2002

Description: Associate attorney: September 1987 - January 1992. Partner 1992 - 2002.
Partner in primarily civil litigation practice

Reason for Leaving: I was appointed to the superior court.

Employer: State of Alaska, Alaska Court System

Supervisor or name of contact person who can verify employment: Judge Brian Shortell

Current address of this person: 1328 West 12th Avenue

City Anchorage State Alaska Zip 99501

Dates of Employment: From September 1986 To September 1987

Description: Law clerk to superior court judge.

Reason for Leaving: My clerkship was a one-year clerkship.

Previous Employers (continued)

Employer: Anchorage Municipal Prosecutor's Office

Supervisor or name of contact person who can verify employment: Bruce Roberts

Current address of this person: Office of the Chief Counsel, T.S.A., 4000 W. 50th Avenue, #300

City Anchorage State Alaska Zip 99502

Dates of Employment: From June 1985 To December 1985

Description: Daily court appearances prosecuting misdemeanors (arraignments, bail hearings, changes of plea, misdemeanor trials and appeals). My supervisor was Jim Wolf, now deceased. Bruce Roberts can verify my employment.

Reason for Leaving: This was a six-month internship.

Employer: Law Offices of Bruce Krell

Supervisor or name of contact person who can verify employment: Bruce Krell

Current address of this person: 345 Grove Street

City San Francisco State CA Zip 94102

Dates of Employment: From September 1984 To June 1985

Description: I left this job to take the internship in Alaska.

Reason for Leaving:

Employer:

Supervisor or name of contact person who can verify employment:

Current address of this person:

City State Zip

Dates of Employment: From To

Description:

Reason for Leaving:

Employer:

Supervisor or name of contact person who can verify employment:

Current address of this person:

City State Zip

Dates of Employment: From To

Description:

Reason for Leaving:

Employer:

Supervisor or name of contact person who can verify employment:

Current address of this person:

City State Zip

Dates of Employment: From To

Description:

Reason for Leaving:

10. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 85%
Criminal 15%
Other _____
= 100%

Comment: _____

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

Comment: _____

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

(f) Percent of these trials which were: Jury 15% Non-Jury 85%

Comment: _____

(g) Approximate number of appellate matters handled: 30

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) Have you undertaken any *pro bono* work through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.) during this period? Yes No

Describe:

I served as a pro bono lawyer while in private practice, but not since being appointed.

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.

State of Alaska, 1987
 U.S. District Court for the District of Alaska, February 23, 1988
 U.S. Court of Appeals for the Ninth Circuit, June 5, 1989
 U.S. Claims Court, 1993
 State of Washington, 2001

Public Service

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

Alaska Bar Association Ethics Committee
 Lawyer Representative, Ninth Circuit Judicial Conference
 Chair, Federal Admiralty Rules Committee
 Federal Merit Selection Committee (Magistrate Retention Committee)
 Please see attached list.

13. List legal 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).

[Empty box for legal publications]

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

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
Alaska Superior Court	6/2001	Yes	Yes
Federal District Court	1/2005	N/A	N/A
(see attached)			
Alaska Supreme Court	6/2007	Yes	No

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.

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.

Current:

Anchorage Downtown Rotary 1992 - present
Alaska Community Foundation, 2005 - present (board member)
Rasmuson Foundation, 2004 - present (board member)

Former:

United Way of Anchorage (board member)
Big Brothers/Big Sisters (board member and Big Sister)
Anchorage Association of Women Attorneys

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.

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).

Cases 3AN-95-2932 SC and 3AN-95-0038 CI are the same case: A suit to collect on a contractor's bond after he spilled heating fuel on our property. We filed the small claims action. The defendant opted for formal rules, so the district court case number was assigned. This settled for under \$5,000. I also filed a name change proceeding. I was known by a nick name since infancy. After 9-11-2001, I worried about traveling with a passport that differed from my other ID. "Morgan" (the name I had been known by my entire adult life) became my legal first name and I was able to change my passport to match my other ID.

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: Chief Rob Heun, Anchorage Police Department
Address: 4501 Elmore Road
City/State/Zip: Anchorage, Alaska 99507 Phone: 786-8595

Name: Arliss Sturgulewski
Address: 2957 Sheldon Jackson Street
City/State/Zip: Anchorage, Alaska 99508 Phone: 279-4939

- (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 judicial position.

Name: Retired Judge Niesje Steinkruger, (superior court Fairbanks)
Address: 185 Frog Pond Circle
City/State/Zip: Fairbanks, Alaska 99712 Phone: 457-8733

Name: Retired Judge Larry Weeks, (superior court Juneau)
Address: (temp. address) 59 Avenue de La Bourdonnais Paris 75007 France
City/State/Zip: (or weeks@alaska.net) Phone: 907-321-1213

Name: Bill Ingaldson
Address: 813 West 3rd Avenue
City/State/Zip: Anchorage, Alaska 99501 Phone: 258-8750

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 that 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: DeNardo **Case Number:** 3AN-05-10726 Civil
v. Performance Radiator **Judge Name:** Morgan Christen

Attorneys Involved:

Name: <u>Greg Silvey</u>	Name: <u>Joan Rohlf</u>
Address: <u>510 L Street, Suite 700</u>	Address: <u>510 L Street, Suite 700</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99501</u>
Name: <u>Pamela Weiss</u>	Name: _____
Address: <u>510 L Street, Suite 700</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____

Case Number 2

Case Name: In the Matter of the **Case Number:** 3KN-03-12037 Civil
v. Estate of Robert Gapinski **Judge Name:** Morgan Christen

Attorneys Involved:

Name: <u>Andrew Fierro</u>	Name: <u>Tim Byrnes</u>
Address: <u>310 K Street, Suite 200</u>	Address: <u>3900 C Street, Suite 1001</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99503</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: In the Matter of Isaiah Lee **Case Number:** 3AN-07-055 CN
v. _____ **Judge Name:** Morgan Christen

Attorneys Involved:

Name: <u>Lanette Nickens</u>	Name: <u>Christi Pavia</u>
Address: <u>1031 West 4th Avenue, Ste 200</u>	Address: <u>Box 220202</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99522</u>
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: State of Alaska **Case Number:** 3AN-06-5630 Civil
v. Eli Lilly **Judge Name:** Judge Mark Rindner

Attorneys Involved:

Name: <u>Ed Sniffen, Asst. Atty. Gen'l</u>	Name: <u>Brewster Jamison</u>
Address: <u>1031 West 4th Avenue, Suite 200</u>	Address: <u>301 West Northern Lights #301</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99503</u>
Name: <u>Eric Sanders</u>	Name: <u>Nina Gussack</u>
Address: <u>500 L Street, Fourth Floor</u>	Address: <u>see attached</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____

Case Number 2

Case Name: Brown **Case Number:** 3KN-00-513 Civil
v. LDG **Judge Name:** Morgan Christen

Attorneys Involved:

Name: <u>John Hedland</u>	Name: <u>Charles Robinson</u>
Address: <u>12227 West 9th Avenue, Ste. 300</u>	Address: <u>35401 Kenai Spur Hwy.</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Soldotna, AK 99669</u>
Name: <u>Ruth Botstein</u>	Name: <u>Roger Holmes</u>
Address: <u>1031 West 4th Avenue, Ste. 20</u>	Address: <u>3948 Clay Products Dr.</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99517</u>

Case Number 3

Case Name: In the Matter of Daniel DeNardo **Case Number:** Presiding Judge Order 267
v. _____ **Judge Name:** Morgan Christen

Attorneys Involved:

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

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; 15-25 pages for appellate positions) 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 these requirements.)

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

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
- 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 judgeship.

Additional Comments (Continued)

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview 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 list 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 twelve photographs of yourself with your application.

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

Biographical Statement

Name _____

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

Morgan Christen

Alaska Supreme Court

Date: _____ September 19, 2008

I was raised in a family of seven, in Washington State. My parents had a strong commitment to our community, volunteering for the school board, a local hospital and countless committees. I was active in sports in school.

Alaska became home in 1986, when I clerked for Judge Shortell. I love to hike, fish, smoke salmon and make jam, so for me, there is no better place. I met my husband here. We are raising our two daughters.

I practiced in one firm from 1987 - 2002, handling contract, employment, tort, family and criminal defense cases. I am proud that our firm won the pro bono award.

I became a superior court judge in January 2002, and presiding judge in 2005. Serving as a judge has been a rewarding combination of public service, interesting legal issues and teamwork with a dedicated group of staff, clerks and judges.

Morgan Christen

Attachment for #12

My service on the Court's rules committees includes:

Three years on the Civil Rules Committee

One year service on the committee reviewing Civil Rule 90.3 (the rule for calculating child support)

Three years on the CINA Rules Committee, (two years as chair)

One year on the Probate Rules Sub-Committee (developing rules for involuntary commitment and involuntary medication proceedings)

Attachment for #14

Morgan Christen

I applied for a federal judgeship in 2005. I was nominated by Alaska's congressional delegation, but not appointed by the President. A copy of the bar poll for that selection process is attached.

I checked "no" for the nomination question in #14 because I was nominated by Alaska's congressional delegation, rather than the Judicial Council.

Bar Poll Ratings of Candidates For U.S. District Court Judge Position

[N = Number of Respondents Who Rated the Candidate]

	<u>N</u>	<u>Extremely</u> <u>Qualified</u>	<u>Well</u> <u>Qualified</u>	<u>Qualified</u>	<u>Not</u> <u>Qualified</u>
Burgess.....	461	23.2%	31.0%	33.2%	12.6%
Card.....	678	22.4%	32.2%	32.9%	12.5%
Christen.....	665	30.4%	26.3%	31.6%	11.7%
Colbo.....	253	2.0%	14.6%	32.0%	51.4%
Corey.....	254	9.1%	27.2%	40.6%	23.2%
Cutler.....	771	28.0%	27.5%	28.8%	15.7%
Dattan.....	385	4.2%	9.1%	25.7%	61.0%
Diemer.....	162	9.9%	13.6%	27.2%	49.4%
Doehl.....	102	5.9%	15.7%	26.5%	52.0%
Fischer.....	157	0.6%	0.0%	19.1%	80.3%
Foley.....	306	13.4%	19.9%	40.2%	26.5%
Frederick.....	89	3.4	9.0%	24.7%	62.9%
Murphy.....	744	20.2%	22.4%	34.3%	23.1%
Nordstrand.....	434	9.7%	11.1%	26.0%	53.2%
Noreen.....	214	6.5%	9.3%	27.1%	57.0%
Pease.....	371	2.2%	8.6%	28.6%	60.6%
Pfiffner.....	312	10.9%	21.5%	41.0%	26.6%
Schuerch.....	95	1.1%	7.4%	23.2%	68.4%
Stock.....	280	9.3%	24.6%	28.6%	37.5%
Winfree.....	380	25.3%	26.1%	36.1%	12.6%
Wood.....	396	19.7%	32.3%	33.3%	14.6%
Yerbich.....	397	4.8%	14.4%	44.1%	36.8%

Attachment for #16

Morgan Christen

The Alaska Bar Association's printout of my continuing legal education credits for 2003 – 2008 includes the following classes:

Trial Evidence	6	credits
Alaska Const. Law Update	1.5	credits
FASD Update	1.0	credits
US Supreme Ct. Opinions	3.25	credits
Courtroom Control	1.5	credits
Powerful Communication	1.5	credits
Patriot Act	1.5	credits
Alaska Constitutional Law	1.5	credits
US Supreme Court Opinions	3.25	credits
OTR – 3 rd District	2.0	credits
404B Evidence	3.0	credits
Evidence Cranium	2.25	credits
Judging Judicial Applicant	1.0	credits
Victims' Rights	1.25	credits
Sandra Day O'Connor OTR	1.0	credits
Chem & Levenson	3.5	credits
OTR- 3 rd District	2.0	credits
Alaska Constitutional Law	1.0	credits
US Supreme Ct Opinions	3.75	credits
Evidence Cranium	3.0	credits
Mental Health #1	1.5	credits
OTR – 3 rd District	2.0	credits
Supreme Court Update	3.0	credits
Alaska Constitutional Law	1.0	credits
Evidence	1.5	credits
Jury Management	3.25	credits
Appellate	2.0	credits
Privacy in Alaska: Who Gets It?	1.5	credits
OTR – 3 rd District session 2	1.0	credits
OTR -3 rd District session 1	1.0	credits
2008 Annual Convention	8.5	credits

In addition, I attended one therapeutic court conference, one domestic violence conference, one conference on child support enforcement and two Ninth Circuit Judicial Conferences. I have attended five courses at the National Judicial College. The first was the two-week General Jurisdiction course for new judges. Currently, I am enrolled in the Masters of Judicial Studies Program. The four-day courses I have completed toward the masters degree thus far are: Advanced Evidence, Judicial Writing, The Decision Making Process, and Threats to the Independence of the Judiciary: When Justice Fails.

Morgan Christen

Attachment for #23
Additional Comments

Work in the public and private sectors has given me broad experience and a practical perspective on litigation and the role of the judiciary. For consideration of my application to the Supreme Court, the most helpful part of my experience is the ongoing trial court work I do in superior court, and prior representation of litigants. In private practice, my clients included the State of Alaska, small business owners, physician practice groups, pilots and individual Alaskans. I know, first hand, the impact the Supreme Court's decisions have on litigants, and on trial court judges. And I believe this perspective would allow me to make an important contribution.

After clerking for Judge Shortell, I joined a private firm. I worked there from 1987 – 2002. Our practice was primarily civil litigation in state and federal court. My work as lead counsel included litigating a wrongful death claim arising from an avalanche at a construction site, commercial disputes on behalf of a pipeline inspection firm, and a large embezzlement claim under accounting and banking malpractice theories. I handled employment claims under Title VII and the Equal Pay Act, and a case involving the cause of the death of an infant under the Vaccine Compensation Act. I represented commercial fishermen in wrongful death and Jones Act cases and litigated the cause of private and commercial aviation fatalities.

In the last three years of my private practice, at least 50% of my time was devoted to responding to a federal criminal and False Claims Act investigation for two medical practice plans. About 15% of my work was family law. This was some of the most challenging work I did, because it was as stressful for my clients as any other area in which I practiced.

I became a superior court judge in January of 2002. Since that time, I have been in court daily and estimate that I have tried about 25 bench and jury trials per year. Many cases are resolved short of trial, after dispositive motions are decided. Whether ruling on a summary judgment motion or issuing a decision after trial, I try to issue written rulings that explain my decisions. I do this because I believe

Attachment for #23, cont.

Morgan Christen

our most fundamental job as trial court judges is to resolve disputes, and there is no question in my mind that litigants are better able to come to terms with a decision if they understand the reasoning behind it. I also believe that litigants are entitled to know why their motions are granted or denied.

Other aspects of my judicial philosophy are reflected in decisions I have issued. Attached to this application is a writing sample. As requested, I have submitted just one sample of my written work. There are other cases where my decisions shed considerable light on my judicial philosophy, including faithfulness to the Alaska Constitution, adherence to the doctrine of separation of powers and the insistence that all litigants be treated with courtesy and respect. I have not attached them because they do not fall within the requested page limit, but I can certainly provide them if they would be helpful.

Part of my job as a superior court judge is ruling on appeals from administrative agencies and from the district court. I have issued about 30 of these decisions, usually after oral argument. I wrote and argued appeals as a lawyer, but it was not until I became a judge that I really had the experience of assessing a "cold" record, based on transcripts, briefs and exhibits with no live testimony. I enjoy this work very much, particularly because it brings legal issues into sharp focus.

Our system depends on vigorous advocacy, so it is vitally important that judges come to court well prepared. I consider myself a diligent worker and believe that my experience in practice and on the bench will allow me to make a real contribution to the Alaska Supreme Court.

Morgan Christen

Attachment to References and Counsel Questionnaires, Case #1

State of Alaska v. Eli Lilly

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Attachment to References and Counsel Questionnaires, Case #3

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