

Alaska Judicial Council
Application for Judicial Appointment

RECEIVED
JUN 24 1997
AK Judicial Council

Alaska Superior Court
Fairbanks

Date: June 23, 1997

Court(s) for which you wish to be
considered

I. PUBLIC INFORMATION (Qs. 1-26 & 33)

PERSONAL

1. (a) State full name* Raymond Mathew Funk, Jr.
Name as it should appear on bar survey: Raymond Funk
* 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
No

5. How long have you been a resident of the State of Alaska immediately preceding the date of this application? ** 17 years 9 months
Total years 17 months 9

6. How long have you been engaged in the active practice of law immediately preceding the date of this application? ** 16 years 4 months *
Total years 16 months 4 *

*Does not include four months leave of absence that occurred around 1984.
** See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366-624-84).

NONLEGAL EDUCATION

7. 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.

University of Notre Dame, IN	B.A. 1974	(1970-74)
University of Chicago, IL	M.A. 1975	(1974-75)

LEGAL EDUCATION

8. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

University of California, Berkeley, CA (Boalt Hall)	J.D.	(1976-79)

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

(b) Have you taken any CLE (continuing legal education) courses during the past five years?
Yes X No _____ Please describe: See attached sheet.

RAY FUNK. Continuing Legal Education.

(Date/Title or Topic/Location/Sponsoring Organization)

1997, May 25. Federal District Court Conference, Anchorage, Ak., U. S. District Court.

1996, December 4. Legal Research and Computers, Anchorage, Ak. Alaska Bar

1996, July 16. Off the Record (Federal court), Fairbanks, Alaska Bar

1996, June 14. Effective Legal Communication, Paul Liznek. Fairbanks, Ak. Department of Law

1995, June 8. Ethics for Government Attorneys. Fairbanks, Ak. Department of Law

1994, December 16. Maritime Personal Injury. Fairbanks (video), Alaska Bar.

1994, December 9. Interactive Evidence, Fairbanks, Alaska Bar.

1994?, Legal Writing, Fairbanks, Department of Law

1993, August 24. New Alaska Rules of Prof. Conduct. Fairbanks, Ak. Alaska Bar

1992, October 15-16. Defense and Evaluation of Psychological and Neuropsychological Injury Claims, Boston, Mass. Defense Research Institute.

1992?, . Handling Auto Accident Cases, Anchorage, private provider.

1991, summer, Anatomy and Medical Records, Fairbanks, Alaska Bar

1991, Jan.(2 days). Police Liability. San Francisco, Ca. AELE

1990, Sept. (2 days). Taking and Defending Depositions. Seattle, Washington. National Institute for Trial Advocacy

1989, Forensic Evidence, Fairbanks (video), Alaska Bar.

1989, Adoption, Fairbanks (video), Alaska Bar.

1989, April 13-14. Section 1983 Civil Rights actions. Washington, D. C. Georgetown University.

MILITARY

10. Have you served in the armed forces (reserves or otherwise)? 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. If so, state the details.

NONLEGAL EMPLOYMENT

11. Describe major nonlegal working experience, if any.

For the past several years, I have done extensive writing and research
on popular and traditional music. I have written articles and liner
notes for over 50 reissue albums and have been a consultant on films,
an NPR radio series, and museum exhibits. This is much more of a hobby.

12. Describe major nonlegal business or professional experience, if any. If your association has been discontinued, please note whether there are unpaid debts or claims pending litigation.

None.

LEGAL EXPERIENCE

13. Describe chronologically your legal employment since admission to law school. Please provide dates, name of employer, name of supervisor, addresses, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.). Also, provide the name and current address of a person, preferably your supervisor, who can verify your employment *for each position listed below.*

Assistant Attorney General, Department of Law, 100 Cushman Street, Ste. 400,
Fairbanks, AK 99701

Supervisor: Susan Cox, Bill Mellow
Dates: January 1989 to present
Description: Handle a wide variety of tort defense cases involving state agencies and employees.
Verification: Becky Snow, address same as above

Probate Master, Alaska Superior Court, 604 Barnette Street
Fairbanks, AK 99701

Supervisor: Judge Jay Hodges, Judge Mary E. Greene
Dates: July 1987 to January 1989
Description: Handle decedent's estates, guardianships, conservatorships, adoptions, and uncontested divorces and dissolutions.
Reason for leaving: Take new position.
Verification: Judge Mary E. Greene, address as above.

Assistant Public Defender, Alaska Public Defender Agency, 912 Barnette Street,
Fairbanks, AK 99701

Supervisor: John Hagey
Dates: February 1981 to July 1987
Description: Trial and appellate criminal defense practice with emphasis on children's matters.
Reason for leaving: Take new position.
Verification: John Hagey, address as above.

** continued **

LEGAL EXPERIENCE continued

Independent Contractor,

Berkeley, CA

Supervisor: None

Dates: September 1978 to May 1979 (part-time employment, third year of law school)

Job Description: I had two contracts. I drafted legislation on guardianship which, with some changes, became Alaska Session Laws SLA 1981, ch. 83, for Protection and Advocacy for the Developmentally Disabled. I also did appellate brief writing for the Alaska Public Defender Agency.

Reason for leaving: Study for bar exam and move to Alaska.

Verification: John Hagey, address as above, Alaska Public Defender Agency, for the appellate brief writing.

Extern,

Alaska Public Defender Agency,

912 Barnette Street,
Fairbanks, AK 99701

Supervisor: John Backstrom

Dates: July 1978 to August 1978

Job Description: Legal research and writing.

Reason for leaving: Return to law school (second summer of law school).

Verification: John Hagey, address as above, Alaska Public Defender Agency.

Student Intern, Alaska Supreme Court,

Fairbanks, AK 99701

Supervisor: Justice Jay Rabinowitz

Dates: February 1978 to May 1978

Job Description: Legal research and writing.

Reason for leaving: End of job.

Verification: Justice Rabinowitz, address as above.

Law Clerk, California Public Defender Agency,

San Francisco, CA

Supervisor: Mike Millman

Dates: September 1977 to January 1978 (part time, second year law student)

Job Description: Appellate brief writing.

Reason for leaving: Going to Alaska.

Law Clerk, DNA-Navaho Legal Services,

Shiprock, NM

Supervisor: Tim Flynn-O'Brien

Dates: June 1977 to August 1977 (first summer of law school)

Job Description: Legal research and doing administrative hearings.

Reason for leaving: Return to law school.

Law Clerk, California Indian Legal Services,

Oakland, CA

Supervisor: (cannot recall)

Dates: October 1976 to May 1977 (part time, first year law student)

Job Description: Legal research and writing.

Reason for leaving: Going to Navaho reservation for summer job.

15. 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.
- California Bar, 1980
-
- Alaska Bar, 1981
-
- U.S. District Court, Alaska 1989
-
- U.S. Court of Appeals, Ninth Circuit, 1990

PUBLIC SERVICE

16. List bar associations, sections and committees of which you are or have been a member or officer.
- Member of the Alaska Bar and inactive member of the California Bar;
-
- served on and was chairman of Alaska Bar CLE Committee, 1989 to 1991.
-
- Member, Supreme Court's Children's Rules Committee, 1988 to 1992.
-
- Chairman, Supreme Court's Probate Rules Committee, 1988 to 1990.
-
17. List legal publications, if any (give title, subject and date of publications):
- None.
-
-
-
18. Have you ever applied for a judgeship? 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)
Fairbanks Superior Court	1988	N	N
Fairbanks District Court	1988	Y	N
Fairbanks District Court	1990	Y	N

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

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

20. List all other legal and any nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal. (Please indicate whether you participate in the organization's activities, or simply hold a membership.)

Volunteer radio show producer for KUAC-FM in Fairbanks since 1979.

At present, I have an hour show every Sunday night featuring traditional world music.

I am also a voting member of the National Academy of Recording Arts and Sciences, who administer the Grammy Awards. This affiliation is based on my writing of album notes.

21. 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 other than minor traffic offenses (those for which a fine of \$50.00 or less, and no other sanctions were imposed)? Yes

(b) failed to answer any summons or other legal process served upon you personally at any time? 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? No

(d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? 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.

July 1988, speeding ticket, near Delta Junction

August 1984. As a result of a car accident in Houston, Texas, I was charged with a violation equivalent to following too close. I paid the fine of \$105.

22. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? 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? If so, give particulars, including case numbers.

No.

- (b) Have you ever been sued by a client? If so, give particulars, including case numbers.

No.

- (c) Have you ever been a party in any other legal proceeding? If so, give the particulars. Include all legal proceedings in which you were a party in interest, including divorce/dissolution proceedings; a material witness; a named co-conspirator or correspondent; and any grand jury investigation in which you figured as a subject, or in which you appeared as a witness. 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).

Ehrlander v. State, et al., No. F96-0021. After successfully defending
one suit brought by Mr. Ehrlander against the State, I was added as a
defendant when he brought an almost identical action in federal court.
Summary judgment was promptly granted and recently affirmed by the
Ninth Circuit.

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

- (a) Are there any unsatisfied judgments against you? 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? 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? Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

None.

- (b) Have you ever made an assignment for the benefit of creditors? Has any petition in bankruptcy ever been filed by you? If so, state the circumstances, case number, and the outcome.

None.

REFERENCES*

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

(1) NAME: Mason Damrau
ADDRESS: 4046 Birch Lane
CITY/STATE/ZIP: Fairbanks, AK 99701 PHONE: 479-6843

(2) NAME: John Hagey
ADDRESS: 529 Fifth Avenue, Suite 1
CITY/STATE/ZIP: Fairbanks, AK 99701 PHONE: 474-0149

(b) List the names, addresses, 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. (You should not list the Chief Justice of the Alaska Supreme Court.)

(1) NAME: Becky Snow, Department of Law
ADDRESS: 100 Cushman Street, Suite 400
CITY/STATE/ZIP: Fairbanks, AK 99701 PHONE: 451-2811

(2) NAME: Judge Richard Savell, Alaska Court System
ADDRESS: 604 Barnette Street
CITY/STATE/ZIP: Fairbanks, AK 99701 PHONE: 452-9315

(3) NAME: Judge Eric Sanders, Alaska Court System
ADDRESS: 825 West 4th Avenue
CITY/STATE/ZIP: Anchorage, AK 99501-2004 PHONE: 264-0406

* **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. The applicant should not request a copy of the letter from the reference.

REFERENCES (continued)

(c) List the names, addresses and phone numbers of attorneys involved in your three most recent cases that have gone to trial. (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 case names and numbers. (*Attach additional pages if necessary.*)

NOT APPLICABLE

1

Name of Case

Case Number

Judge _____

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Name of Case

Case Number

2

Judge _____

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

Name of Case

Case Number

3

Judge _____

Attorneys Involved

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

Address: _____

REFERENCES (continued)

(d) List the names, addresses and phone numbers of attorneys involved in your three most recent cases that did not go to trial but in which you did significant work. (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 case names and numbers. (*Attach additional pages if necessary.*)

1

Name of Case

Waiste v. State

Case Number

No. 3AN-94-6001 cv

Attorneys Involved

Name: Andy Hemenway
Address: Box 112233
Anchorage, AK 99511-2233

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

2

Name of Case

Edwards v. State

Case Number

No. 4FA-96-710 cv

Attorneys Involved

Name: Winston Burbank
Address: 711 Gaffney Road
Fairbanks, AK 99701

Name: Martin Farrell
Address: 900 Hyder Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: _____
Address: _____

3

Name of Case

Noblett v. State

Case Number

No. 3AN-93-1986 cv

Attorneys Involved

Name: Chris Schleuss
Address: 500 L Street, Suite 300
Anchorage, AK 99501

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

