

FEB 01 2018

ALASKA JUDICIAL COUNCIL

Alaska Judicial Council Application for Judicial Appointment

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

Kenai Superior Court

Date: Due: 02/02/2018

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Lance Eric Joanis

Name as it should appear on bar survey: Lance Joanis

* 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.

2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? **

13 years 8 months
Total 13 years 8 months

3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **

13 years 6 months
Total 13 years 6 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.

B.A., Planning, Public Policy and Management, University of Oregon, Eugene, OR, 1998
GPA 3.98; Pi Alpha Alpha Honor Society.

A.A., Liberal Arts, Central Oregon Community College, Bend, OR, 1995.

** 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.

J.D., University of Idaho, College of Law, Moscow, ID, 2001-2004
1st Place McNichols Moot Appellate Court Competition, oral argument; Civil Mediation Certificate, Northwest Institute of Dispute Resolution; Practice Court.

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.

Phi Delta Phi Legal Honor Society.

(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.

I have completed mandatory and voluntary CLEs through State of Alaska, Department of Law Civil Division Retreats, Child Protection (CINA) Conferences, DVD and on line ethics CLE participation.

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.

State's Industries, Eugene, OR

July 2000-August 2001: Plywood manufacturing plant; completed payment of undergraduate student loans in full working as a laborer on graveyard shift.

Clear Pine Moldings, Prineville, OR

Oct 1998- April 2000; April 1997- Sept 1997; June 1996- Sept 1996; Jan 1989- Sept 1995: I left college due to an illness in the family and went to work in the mill as an entry level laborer. Ultimately, I trained and mentored employees, instructed on board-foot maximization, OSHA compliance, efficiency, effectiveness, and grade specifications. After nearly seven years I resumed my college education and returned to work in the mill as monetary needs required.

I also worked many other jobs prior to law school, such as a gas station fast food restaurant employee, automobile detailer, farm hand, bucking bails of hay, and summer litter patrol, to name a few.

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.** IF YOU ARE CURRENTLY A TRIAL COURT JUDGE, PLEASE LIST YOUR PRESIDING JUDGE. FOR PAST JUDGESHIPS, PLEASE LIST THE JUDGE WHO LAST PRESIDED DURING YOUR TIME ON THE BENCH.

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: State of Alaska, Department of Law, Civil Division

Supervisor or name of contact person who can verify employment: Carla Erickson

Current address of this person: 1031 W 4th Ave #200

City Anchorage State AK Zip 99501

Dates and location of Employment: From 8/2011 To Present City Kenai State AK

Description:

Assistant Attorney General, Civil Division, Child Protection Section.

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

Employer: State of Alaska, Department of Law, Criminal Division

Supervisor or name of contact person who can verify employment: Valerie Robinson

Current address of this person: PO Box 110300

City Juneau State AK Zip 99811

Dates and Location of Employment: From 8/2008 To 8/2011 City Kenai State AK

Description: District Attorney

Reason for Leaving: Accepted Position in Civil Division.

Employer: State of Alaska, Department of Law, Criminal Division

Supervisor or name of contact person who can verify employment: Valerie Robinson

Current address of this person: PO Box 110300

City Juneau State AK Zip 99811

Dates and Location of Employment: From 6/2008 To 8/2008 City Anchorage State AK

Description: Assistant District Attorney, Property Unit Supervisor.

Reason for Leaving: Accepted Position as Kenai DA.

Previous Employers (continued)

Employer: State of Alaska, Department of Law, Criminal Division
Supervisor or name of contact person who can verify employment: Valerie Robinson
Current address of this person: PO Box 110300
City Juneau State AK Zip 99811
Dates and Location of Employment: From 6/2007 To 6/2008 City Bethel State AK
Description: District Attorney
Reason for Leaving: Transferred to Anchorage Office.

Employer: State of Alaska, Department of Law, Criminal Division
Supervisor or name of contact person who can verify employment: Valerie Robinson
Current address of this person: PO Box 110300
City Juneau State AK Zip 99811
Dates and Location of Employment: From 8/2004 To 6/2007 City _____ State _____
Description: Assistant District Attorney
Reason for Leaving: Agreed to take on District Attorney Role for one year.

Employer: Twin Falls County Prosecutor
Supervisor or name of contact person who can verify employment: Grant Loebs, County Prosecutor
Current address of this person: 425 Shoshone St. North Third Floor
City Twin Falls State ID Zip 83303-0126
Dates and Location of Employment: From 5/2003 To 8/2003 City Twin Falls State ID
Description: Legal Intern, regular court, court trials, hearings, and motion work.
Reason for Leaving: Returned to Law School to complete degree.

Employer: Moscow City Attorney, Moscow, ID
Supervisor or name of contact person who can verify employment: Unknown at this time.
Current address of this person: 206 E. Third Street
City Moscow State ID Zip _____
Dates and Location of Employment: From 5/2002 To 7/2002 City Moscow State ID
Description: First year legal intern. Provided legal research and writing on various issues including FEMA flood insurance and real property, public nudity.
Reason for Leaving: Returned to Law School.

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

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

(a) Percent of your practice that was: Civil 40
Criminal 60
Other _____
= 100%

Comment: Seven years of Criminal law followed by CINA practice.

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

Comment: _____

(c) Of practice in state courts, percent: Supreme Court _____
Court of Appeals _____
Superior Court 70
District Court 30
= 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:
 None 1-5 6-15 16-30 31 or more

Comment: _____

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

Comment: This is a rough estimate.

(g) Approximate number of appellate matters handled: 1

Comment: I have been listed on several other appeals as supervisor.

(h) Approximate number of arbitrations or administrative hearings:
 None 1-5 6-15 16-30 31 or more

Briefly describe type of matters heard:

As intern I conducted at least one DMV administrative hearing.

(i) Please briefly summarize any *pro bono* work that 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.).

Generally, as a child protection attorney and prosecutor my caseloads have been focused on public service and I have not engaged in pro bono other than a couple of E.R.P. sessions.

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.

Alaska, 2004-Present.

Public Service

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

I have been listed in several sections of the Alaska bar over the years, including Alaska Native Law, Family Law, and Juvenile Justice.

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).

None.

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)
Palmer	05/16/16	Y	N
Kenai	08/19/16	Y	N
Dillingham	08/19/16	Y	N
Sitka	01/08/18	N	N

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.

Appointed District Attorney in both Bethel, Alaska, and Kenai, Alaska.

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 have been coaching Little League for the last several years including tee-ball, Minors coach pitch and kid pitch. I have some years coached two teams at a time. We have hosted players from the Alaska Baseball League, Peninsula Oiler's Club from 2015-present, 8 total (CA, NC, TX, WA and Taiwan). Our family also sponsors a child through Compassion International, 2015-present, Tanzania. I have coached Boys and Girls Club basketball; our family has had membership in the Boys and Girls Club and Tsalteshi Trails Club; and we regularly attend Soldotna Bible Chapel.

I am a former Member, Children's Justice Act Task Force; Faculty, Council on Domestic Violence and Sexual Assault, State-Tribal forum on domestic violence; Former board member at large, Sexual Assault Response Team, Bethel; Former Multi-Disciplinary Team, Child Protection / Children's Advocacy Member Bethel and Kenai; Trainer, Village Public Safety Officer training; Formerly participated in community presentations and police training as necessary.

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 had a speeding ticket in Oregon that I believe required a fine of over \$50, but I can find no record and do not remember the exact amount. I was in Law School at the time.

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).

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: Charles Christman
Address: _____
City/State/Zip: Bend, OR Phone: _____

Name: David Klein
Address: 120 Trading Bay Rd Ste 290
City/State/Zip: Kenai, AK 99611-9198 Phone: _____

- (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: Carla Erickson
Address: 1031 W 4th Ave #200
City/State/Zip: Anchorage, AK 99501 Phone: _____

Name: Kelly Lawson
Address: 120 Trading Bay Rd 200
City/State/Zip: Kenai, AK 99611-6925 Phone: _____

Name: Michelle Higuchi
Address: 110 Trading Bay Rd Ste 110
City/State/Zip: Kenai, AK 99611 Phone: _____

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: ITMO T.K. **Case Number:** 3KN-14-31 CN
v. _____ **Judge Name:** Charles T. Huguélet

Attorneys Involved:

Name: <u>Elizabeth Leduc</u>	Name: <u>Deb Russ, (GAL)</u>
Address: <u>130 Trading Bay Dr Ste 390</u>	Address: _____
City, State, Zip: <u>Kenai, AK 99611-9117</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: ITMO T.P., R.H., T.B., S.D. **Case Number:** 3KN-16- 6/7/8/9 CN
v. _____ **Judge Name:** Charles T. Huguélet

Attorneys Involved:

Name: <u>Will Walton</u>	Name: <u>Jason Gazewood</u>
Address: <u>105 Trading Bay Rd Ste 103</u>	Address: <u>3243 Commercial Dr.</u>
City, State, Zip: <u>Kenai, AK 99611</u>	City, State, Zip: <u>Anchorage, AK, 99501</u>
Name: <u>Elizabeth Leduc</u>	Name: <u>Gordon Goodman</u>
Address: <u>130 Trading Bay Dr Ste 390</u>	Address: _____
City, State, Zip: <u>Kenai, AK 99611-9117</u>	City, State, Zip: <u>Kenai, AK,</u>

Case Number 3

Case Name: ITMO L.M., J.B., C.B. **Case Number:** 3KO-16-25/26/27 CN
v. _____ **Judge Name:** Master Dawson Williams

Attorneys Involved:

Name: <u>Amanda Harber</u>	Name: <u>Andrew Ott</u>
Address: <u>PO Box 10</u>	Address: <u>340 Mission Rd.</u>
City, State, Zip: <u>Bethel, Ak, 99559</u>	City, State, Zip: <u>Kodiak, AK 99615</u>
Name: <u>Jill Wittenbrader</u>	Name: <u>Susan Heuer (GAL)</u>
Address: _____	Address: <u>900 W 5th Ave</u>
City, State, Zip: <u>Kodiak, AK,</u>	City, State, Zip: <u>Anchorage, AK, 99501</u>

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: ITMO T.M. **Case Number:** 3KN-16-00035 CN
v. _____ **Judge Name:** Charles T. Huguélet

Attorneys Involved:

Name: <u>Jon Iannaccone</u>	Name: <u>Elizabeth Leduc</u>
Address: _____	Address: <u>130 Trading Bay Dr. Ste. 390</u>
City, State, Zip: <u>Kenai, AK</u>	City, State, Zip: <u>Kenai, AK 99611</u>

Name: <u>Deb Russ (GAL)</u>	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: ITMO R.F. **Case Number:** 3KO-15-00010 CN
v. _____ **Judge Name:** Steve Cole

Attorneys Involved:

Name: <u>Hatton Greer</u>	Name: <u>Janella Kamai</u>
Address: _____	Address: <u>340 Mission Rd.</u>
City, State, Zip: <u>Kodiak, AK</u>	City, State, Zip: <u>Kodiak, AK 99615</u>

Name: <u>Linda Resoff (Sun'ag Tribe)</u>	Name: <u>Adrienne Chambers (GAL)</u>
Address: _____	Address: _____
City, State, Zip: <u>Kodiak, AK</u>	City, State, Zip: <u>Kodiak, AK</u>

Case Number 3

Case Name: ITMO D.N. **Case Number:** 3KN-15-00014 CN
v. _____ **Judge Name:** Charles T. Huguélet

Attorneys Involved:

Name: <u>Lance Wells</u>	Name: <u>Lauren Johanser</u>
Address: <u>733 W. 4th Ave. Ste. 308</u>	Address: <u>130 Trading Bay Dr. Ste. 390</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Kenai, AK 99611</u>

Name: <u>Deb Russ, (GAL)</u>	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 bar grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public disciplinary grievance procedures against judges.
- Have you ever been held in contempt of court? Yes No
- Have you ever been fined or otherwise 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 judgeship.

This year will be the ten year mark in my regular practice before the Kenai Superior Court as a trial attorney. I have experience litigating Child In Need of Aid, Probate, Juvenile Delinquency, Criminal, and Post Conviction Relief cases before the Kenai court.

I work hard to resolve cases short of contested hearings or trials, and I believe I help facilitate creative solutions that allow for at least some level of satisfaction on all sides. I have learned that most issues are not simply win or lose.

As a trial attorney, however, I do try cases. At trial, I work hard to prepare effective and efficient cases. On the bench I would also work hard to make the most of court time while also ensuring all litigants are respected and heard.

Additional Comments (Continued)

Recently, Kenaitze tribal court personnel told me the central peninsula has the fastest growing Native population in the nation, with people moving to the Kenai area from villages around the state. I have experience with the culture and people of Yup'ik and Cup'ik communities through my time living and working in the Y-K Delta. I have experience with Inupiat culture and people of the North Slope through my coverage of Utqiagvik CINA cases since April, 2017. I have covered Kodiak court CINA cases since 2011, working closely in particular with the Sun'aq tribe, as well as other Kodiak Island tribes, while gaining familiarity with Alutiiq people and culture. And, of course, living in the central peninsula for over nine years, I have gained familiarity with our local tribes Keanitze, Salamatof, and Ninilchik.

I believe my style of hard work and preparation, creativity in problem solving, familiarity with the Kenai superior court and familiarity with a cross-section of Alaska Native people and cultures would allow me to be a good fit on the Kenai Superior court bench.

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 five photographs of yourself with your application.

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

Biographical Statement

Name Lance Joanis

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

Kenai Superior Court

Please leave this area blank

Date: 01/29/2018

I was born and raised in Oregon and worked as a laborer in wood products mills in that state for about ten years in all. I am the first and only of all my ancestors and siblings to graduate from college. I started law school at the age of thirty-four after paying off my undergraduate student loans. My wife and I moved to Bethel in 2004, immediately after law school graduation. We both studied and took the bar exam in the Bethel City Hall. I have worked for the State of Alaska, Department of Law in the Criminal Division in Bethel, briefly in Anchorage before being transferred to the Kenai DA's office and then to the Civil Division in 2011, where I still work today. This year will mark my family's tenth year in Kenai. I would be honored to serve Kenai and the surrounding communities as Superior Court Judge.