

Alaska Judicial Council Application for Judicial Appointment

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

Anchorage District Court

Date: 5-1-17

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Kari Lyn McCrea
Name as it should appear on bar survey: Kari McCrea
* 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? **
Total 10 years 9 months
_____ years _____ months
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
Total 15 years 7 months
_____ years _____ 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.

University of Minnesota, BA in History (1995-1998)

Hampton University (1994-1995)

Dispute Resolution Institute, University of Modena - Graduate School of Economics, Modena, Italy. Courses: International Business Transactions and Negotiating Across Boundaries (Summer 1999)

** 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.

Mitchell Hamline School of Law, JD (1998-2001)

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.

Primary Editor - Journal of Public Law and Policy; National Moot Court Team Member; 1st Runner-up Best Oralist; Excellence for the Future Award in Litigation Practice (awarded to student with highest grade in class); Full Tuition Merit Scholarship.

- (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 attended various courses on ethics, evidence, law and procedure at the following conferences: 2016 AK Bar Convention; 2015 Magistrate Judges Training; 2015 Judicial Conference; Annual Public Defender Conferences from 2006-2011 and Alaska Association of Criminal Defense Lawyers Conference from 2011-2013.

In 2016, I also attended a 5 day conference with the National Judicial Institute on Domestic Violence entitled Enhancing Judicial Skills in Domestic Violence Cases (Phoenix, AZ).

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 have not worked in a nonlegal job since graduating from law school.

During college I had a grant funded position with the University of Minnesota - School of Public Health, where I assisted in the development and implementation of a program that created opportunities for students to teach public health courses in area high schools.

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: Alaska Court System

Supervisor or name of contact person who can verify employment: William Morse

Current address of this person: 825 West 4th Avenue

City Anchorage State AK Zip 99501

Dates and location of Employment: From March 2015 To present City Anchorage State AK

Description:
Magistrate Judge IV

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

Employer: Alaska Public Defender Agency

Supervisor or name of contact person who can verify employment: Quinlan Steinar

Current address of this person: 733 West 4th Avenue, Suite 300

City Anchorage State AK Zip 99501

Dates and Location of Employment: From August 2006 To March 2015 City Bethel State AK

Description: Supervising attorney with mixed criminal, CINA and delinquency caseload.

Reason for Leaving: Accepted magistrate position in Anchorage.

Employer: Minnesota State Board of Public Defense - Ramsey County

Supervisor or name of contact person who can verify employment: Patrick Kittridge

Current address of this person: 101 East 5th Ave, Suite 1808

City Saint Paul State MN Zip 55101

Dates and Location of Employment: From August 2002 To August 2006 City St. Paul State MN

Description: Trial attorney with mixed felony and misdemeanor caseload.

Reason for Leaving: Accepted position at the Bethel PDA.

Previous Employers (continued)

Employer: United States District Court - District of Minnesota
Supervisor or name of contact person who can verify employment: Katie Haagenson
Current address of this person: 9E US Courthouse 300 S. 4th St.
City Minneapolis State MN Zip 55415
Dates and Location of Employment: From August 2001 To August 2002 City St. Paul State MN
Description: Law Clark for the late Magistrate Judge John M. Mason.

Reason for Leaving: Accepted public defender position with Ramsey county.

Employer: Minnesota State Board of Public Defense - Hennepin County
Supervisor or name of contact person who can verify employment: Thomas Harmon
Current address of this person: 5829 Blaisdell Avenue South
City Minneapolis State MN Zip 55419
Dates and Location of Employment: From June 1999 To July 2001 City Minneapolis State MN
Description: Law Clerk

Reason for Leaving: clerkship ended

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: _____

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: _____

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: _____

P. 6 Addendum

Question 10 (e)

In my current position, I have conducted 16-31 non-jury trials in cases involving guardianships, domestic relations, domestic violence protective orders and traffic citations.

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.

Minnesota Supreme Court, admitted 2001 (inactive)
 Alaska Supreme Court, admitted 2007

Public Service

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

Alaska Bar Association, admitted 2007

Minnesota Bar Association, admitted 2001

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).

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)
Anchorage Superior Court	12-9-16	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.

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 am active in the following activities:
Fairness Diversity and Equality Committee Member
Judicial Antibias Committee Chair
Alaska Military Youth Academy Mentor
Color of Justice Mentor
Success Inside and Out Volunteer

I was active in the following activities in Bethel from 2006 - 2015:
Bethel Council on the Arts Board Member
Camai Dance Festival Committee Chair
Western Alaska Rural Performance Theater - Founding member
Alaska Association of Criminal Defense Lawyers - member

I traveled to Bulawayo, Zimbabwe in 2011 and 2013, for volunteer missions to the Ethandweni Children's Home.

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).

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: Elizabeth Pederson

Address: PO Box 130

City/State/Zip: Bethel, AK

Phone: 907 545 2797

Name: Jeffrey Robinson

Address: 1227 West 9th Avenue, Suite 200

City/State/Zip: Anchorage, AK 99501

Phone: 907 360 7354

- (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: Sidney Billingslea

Address: 825 West 4th Avenue

City/State/Zip: Anchorage, AK 99101

Phone: 907 529-4039

Name: John Cashion

Address: 1007 West 3rd Avenue, Suite 301

City/State/Zip: Anchorage, AK 99501

Phone: 907 222-7932

Name: Dwayne McConnell

Address: PO Box 130 Bethel, AK 99559

City/State/Zip: Anchorage, AK

Phone: 907 545-1120

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: State of Alaska **Case Number:** 4BE-14-172 Cr.
v. Thomas Brink **Judge Name:** Beverly Cutler

Attorneys Involved:

Name: <u>June Stein</u>	Name: <u>Nathanial Hainje</u>
Address: <u>310 K Street, Suite 308</u>	Address: <u>P0 Box 10</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Bethel, AK 99559</u>
Name: <u>Daniel Doty, ADA</u>	Name: _____
Address: <u>632 W. 6th Avenue, Suite 210</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99519</u>	City, State, Zip: _____

Case Number 2

Case Name: State of Alaska **Case Number:** 3NA-13-0050 Cr.
v. Brenda Noatak **Judge Name:** Steve Cole

Attorneys Involved:

Name: <u>Daniel Shorey</u>	Name: <u>Christopher Lesch</u>
Address: <u>310 K Street St #520</u>	Address: <u>PO Box 929</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Dillingham, AK 99576</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska **Case Number:** 4EM-12-00063 Cr.
v. Chelsea Borkowski **Judge Name:** Charles Ray

Attorneys Involved:

Name: <u>Melissa Wohfeil</u>	Name: _____
Address: <u>9559 Tuthill Way</u>	Address: _____
City, State, Zip: <u>Santee, CA 92071</u>	City, State, Zip: _____
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: <u>State of Alaska</u>	Case Number: <u>4EM-13-120 Cr.</u>
v. <u>Derek Adams</u>	Judge Name: <u>Charles Ray</u>
Attorneys Involved:	
Name: <u>June Stein</u>	Name: <u>Jane Imholte</u>
Address: <u>310 K St, Suite 308</u>	Address: <u>PO Box 10</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Bethel, AK 99559</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: <u>State of Alaska</u>	Case Number: <u>3DI-12-339 Cr.</u>
v. <u>James Alexie</u>	Judge Name: <u>Vanessa White</u>
Attorneys Involved:	
Name: <u>Clint Champion</u>	Name: <u>David Case</u>
Address: <u>310 K St, Suite 520</u>	Address: <u>PO Box 10</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Bethel, AK 99559</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: <u>State of Alaska</u>	Case Number: <u>4HB-13-34 Cr.</u>
v. <u>David Hoelscher</u>	Judge Name: <u>Douglas Blankenship</u>
Attorneys Involved:	
Name: <u>June Stein</u>	Name: _____
Address: <u>310 K St, Suite 308</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	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 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.

My legal training and life experiences qualify me to serve as an Alaska District Court Judge. My legal career began in 2001 as a public defender in St. Paul, Minnesota, where I worked as a trial attorney for 4 years in a busy metropolitan office.

In 2006, I moved to Alaska after accepting a position as a trial lawyer with the Alaska Public Defender Agency in Bethel, AK. I visited Bethel previously and knew I wanted to return. My daughter and I lived in Bethel for 9 years, participating in community activities and immersing ourselves in the culture of rural Alaska. While there, I worked for the PDA as a trial lawyer and ultimately a supervising attorney. In addition to managing a full criminal caseload, I handled CINA and delinquency cases as well as conflict appointments from other judicial districts. A significant portion of my work was also dedicated to training new lawyers and supervising trials. In the face of a high volume and serious caseload, I worked hard to develop collegial professional relationships and create greater efficiencies in an over-burdened court.

Additional Comments (Continued)

I believe my reputation among colleagues and judges attests to my professionalism and achievements as both a litigator and a supervising attorney.

Currently, I am a Magistrate/Standing Master in the Anchorage Superior Court. I have been in this position since 2015, presiding over litigation and contested hearings in a variety of civil and criminal matters in both the District and Superior courts including: wills and estates, adoptions, guardianships, CINA matters, domestic relations cases, mental health commitments, protective order proceedings, bail hearings, search warrant requests and minor offense trials. I have also had the opportunity to travel to Naknek, AK on several cases to handle civil and criminal matters and currently I am responsible for the misdemeanor calendar in Unalaska. My experience as a litigator has served me well in my current position as I juggle the demands of high volume calendars.

I enjoy working in the trial court. The work is both challenging and rewarding. I appreciate the complexities of the litigation as well as the diversity of the parties. I am in the unique position of fully appreciating the demands of the Anchorage District Court, and having the skills to meet them. I believe I would be an asset to the Anchorage District 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 Kari McCrea

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

Anchorage District Court

Please leave this area blank

Date: 5-4-17

My career began in 2001 as a public defender in Minnesota for 4 years in a busy metropolitan office. I moved to Alaska in 2006 to accept a position with the Bethel PDA. I lived in Bethel for 9 years, working for the PDA as a trial lawyer and supervising attorney. In addition to managing a felony caseload, I handled CINA and delinquency cases, trained new lawyers and supervised trials.

Currently, as a Standing Master in the Anchorage Superior Court, I preside over litigation in a variety of civil cases. My past experience has served me well as I juggle the demands of a high volume calendar. I appreciate the complexities of litigation in the trial court as well as the diversity of the parties. I believe I would be an asset to the District Court as I have the training and experience to meet the demands of the job.