

**Alaska Judicial Council
Application for Judicial Appointment**

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

Juneau Superior Court

Date: January 10, 2011

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Louis James Menendez
Name as it should appear on bar survey: _____

* 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 22 years 3 months
30 years 2 months

3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
Total 24 years 3 months
29 years 5 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.

Monterey Peninsula College, Monterey, California, 9/66 - 6/67. Freshman classes.
San Jose State University, San Jose, California, 9/67 - 6/70. B.A., American History/Political Science.
San Jose State University, San Jose, California, 9/70 - 6/71. Assorted science, mathematics, and history classes. No degree.
University of Alaska, Anchorage, 1977. Statistics class. No degree.
Film School, Tisch School of Art, New York University, New York, 7/85 - 8/85, Summer Film Institute Certificate Program. Certificate.
San Francisco City College, San Francisco, California, Spring 1986. Advanced 16MM editing and scripting class. No degree.

** 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.

Hastings College of the Law, University of California, San Francisco, California, 9/72 - 6/74, J.D.
School of Law, Graduate Program, New York University, New York, New York, 9/74 - 6/78, LL.M. (Criminal Law/Justice).

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.

- (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.

Ethics courses, Alaska Federal Public Defender (telephonic conferences on various federal criminal law/procedure topics), assorted trial practice courses, appellate courts updates, and other general CLEs.

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.

During junior high school and high school I worked with my father and mother in our family's various businesses including a pool hall and card room, a sandwich delivery company, a bulk San Francisco/Oakland newspaper distributorship on the Monterey Peninsula, a U.S. airmail delivery contract, and two restaurants.

During college I worked several part-time and full time jobs including school cafeteria dish washer, Monterey Wharf restaurant cook, and water bed manufacturer and retailer.

While in law school in San Francisco I worked at the law school bookstore during the school year and summers.

Merrill Lynch Real Estate, Agent, San Francisco, California. 1985 (approximately).

Laredo Community College, Instructor, Laredo, Texas. 1987 (approximately).

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: Louis James Menendez, Attorney at Law

Supervisor or name of contact person who can verify employment: self

Current address of this person: 227 7th Street

City Juneau State Alaska Zip 99801

Dates and location of Employment: From 5/95 To Present City Juneau State Alaska

Description: General (primarily criminal) state and federal practice in S.E. Alaska and occasionally in Anchorage, Dillingham, and Naknek.

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

Employer: Choate, Hempel, Poulson, and Menendez

Supervisor or name of contact person who can verify employment: Jack Garyth Poulson

Current address of this person: 636 Harris Street

City Juneau State Alaska Zip 99801

Dates and Location of Employment: From 8/94 To 5/95 City _____ State _____

Description: Civil litigation practice.

Reason for Leaving: Opened solo practice.

Employer: Criminal Division, Department of Law, State of Alaska (See Attachment)

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: _____

Previous Employers (continued)

Employer: Federal Public Defender's Office
Supervisor or name of contact person who can verify employment: Roland Dahland or Dora Madrigal
Current address of this person: 440 Louisiana Street, #1350
City Houston State Texas Zip 77002
Dates and Location of Employment: From 11/10/86 To 10/26/88 City Laredo State Texas
Description:

Supervising Assistant Federal Public Defender (two lawyers) at Laredo office. Federal criminal defense of primarily Spanish speaking clients at the USA/Mexico border.
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Reason for Leaving: Return to Alaska/Employment with DOL.

Employer: Alaska Judicial Council
Supervisor or name of contact person who can verify employment: Teresa White Carns
Current address of this person: 1029 W. 3rd Avenue, Suite 201
City Anchorage State Alaska Zip 99801
Dates and Location of Employment: From 7/12/76 To 5/2/78 City Anchorage State Alaska
Description:

Research Attorney

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: _____

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: _____

Louis James Menendez
Juneau Superior Court application

CONTINUATION SHEET:

9. I worked as a state prosecutor for the Criminal Division, Department of Law, State of Alaska at five different times.

1. Criminal Division, Department of Law, State of Alaska.
Supervisor/Contact Person:

Judge Larry R. Weeks (Ret.)
c/o Juneau Superior Court
P.O. Box 114100
Juneau, Alaska 99810

Daniel W. Hickey
1029 West 3rd Avenue, #510
Anchorage, Alaska 99501

Dates and Location of Employment: 6/25/79 – 10/10/81;
Anchorage, Alaska, and Kodiak, Alaska.

Assistant District Attorney (Anchorage and Kodiak
District Attorney's Offices)

Reason for Leaving: Family reasons.

2. Criminal Division, Department of Law, State of Alaska.
Supervisor/Contact Person:

Mary Anne Henry
c/o Anchorage District Attorney's Office
310 K Street, Suite 520
Anchorage, Alaska 99501

Daniel W. Hickey
1029 West 3rd Avenue, #510
Anchorage, Alaska 99501

Dates and Location of Employment: 3/15/82 – 1/17/83,
Ketchikan, Alaska.

Assistant District Attorney (Ketchikan District
Attorney's Office)

Reason for Leaving: Family reasons.

3. Criminal Division, Department of Law, State of Alaska.
Supervisor/Contact Person:

Patrick J. Gullufsen
c/o Central Office, Criminal Division, Department of
Law
P.O. Box 110300
Juneau, Alaska 99811-0300

Daniel W. Hickey
1029 West 3rd Avenue, #510
Anchorage, Alaska 99501

Dates and Location of Employment: 5/31/83 – 8/12/83,
Juneau, Alaska.

Assistant District Attorney (Juneau District
Attorney's Office)

Reason for Leaving: Commitment completed.

4. Criminal Division, Department of Law, State of Alaska.
Supervisor/Contact Person:

Judge Larry R. Weeks (Ret.)
c/o Juneau Superior Court
P.O. Box 114100
Juneau, Alaska 99810

Daniel W. Hickey
1029 West 3rd Avenue, #510
Anchorage, Alaska 99501

Richard A. Svobodny
Deputy Attorney General
Central Office, Criminal Division, Department of Law
P.O. Box 110300
Juneau, Alaska 99811-0300

Dates and Location of Employment: 1/16/84 – 8/27/85,
Kotzebue and Juneau, Alaska.

Assistant District Attorney (Kotzebue and Juneau
District Attorney's Offices)

Reason for Leaving: Film school in New York.

5. Criminal Division, Department of Law, State of Alaska.
Supervisor/Contact Person:

Judge Larry R. Weeks (Ret.)
c/o Juneau Superior Court
P.O. Box 114100
Juneau, Alaska 99810

Richard A. Svobodny
Deputy Attorney General
Central Office, Criminal Division, Department of Law
P.O. Box 110300
Juneau, Alaska 99811-0300

Dates and Location of Employment: 11/3/88 - 7/8/94,
Dillingham and Juneau, Alaska.
District Attorney (Dillingham) and Assistant District
Attorney (Juneau)

Reason for Leaving: Enter private practice.

Teri Carns

From: Larry Cohn
Sent: Tuesday, January 18, 2011 8:16 AM
To: Louis James Menendez
Cc: Teri Carns
Subject: RE: Employment

Thanks Louis.

-----Original Message-----

From: Louis James Menendez [<mailto:ljmak@optialaska.net>]
Sent: Sunday, January 16, 2011 2:15 PM
To: Larry Cohn
Subject: Employment

Larry -

Attached are the application's pages 6 and 7, question #9 ("Legal Experience"). On p. 6, at the 2nd available space for previous employers - I wrote "Criminal Division, Department of Law, State of Alaska (See Attachment)." (I thought this was the easiest way to answer the question and track my DOL history. Sorry for any confusion.) A 3-page attachment was included in the application/packet we sent up - immediately after page 23 ("Release to Obtain Credit History") - and immediately before "21. Writing Sample Excerpt."

The 3-page attachment is also attached to this email.

Let me know if you need more information. No problem.

Additionally, the following may fill in some of the gaps regarding this time period. Again, let me know if you need more.

7/1976 - 5/1978 - AJC.

5/1978 - 6/1979. Not working. Ak. Bar study. Pro bono (Anch. ACLU) appellate legal research/writing in one case. In 3/79, my daughter Pilar was born 8 weeks early and weighing 3.2 lbs. Until I was hired by DOL in 6/79 - her care was my job.

6/1979 - 10/1981. DOL, Kodiak and Anchorage DAO.

10/1981 - 3/1982. Not working; traveling and seeing family in California.

3/1982 - 1/1983. DOL, Ketchikan DAO.

1/1983 - 5/1983. Not working; in California with family.

5/1983 - 8/1983. DOL, Juneau DAO.

8/1983 - 1/1984. Not working; in California with family.

1/1984 - 8/1985. DOL, Kotzebue and Juneau DAO Office.

8/1985 - 11/1986. NYU Film School, NY, NY. Merrill Lynch Real Estate agent. San Francisco, California.

11/1986 - 10/1988. Laredo, Texas, FPDO.

11/1988 - 7/1994. DOL, Dillingham and Juneau DAO.

8/1994 - 5/1995. Choate, et al., Juneau.

5/1995 - present. LJM Law, Juneau.

Finally, looking at question #9 again - I see the "reason for leaving" the AJC question is blank. It should read that I left to study for the Ak. Bar.

Thank you.

Louis

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Louis James Menendez, Esq.
MENENDEZ LAW OFFICE
227 Seventh Street, Juneau, Alaska 99801
Voice: 907/586-5996
Fax: 907/586-2206
Cell: 907/723-7007
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10. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 5
Criminal 95
Other 0
= 100%

Comment: _____

(b) Percent: State 95
Federal 5
Other _____
= 100%

Comment: _____

(c) Of practice in state courts, percent: Supreme Court 1
Court of Appeals 1
Superior Court 75
District Court 23
= 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 95% Non-Jury 5%

Comment: _____

(g) Approximate number of appellate matters handled: 3

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) 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.) during this period.

Juneau Bar Ass'n MLK Day of Service (2009, 2010(sch. 1/17/10))
ANDVSA counsel/protective order hearing (2008).
I regularly advise and represent individuals on a pro bono basis.
Also, my office is often contacted by Spanish speaking individuals with legal questions. Frequently, the questions can be answered in a couple of minutes on the telephone. Other times, I ask the individuals to come to my office. These are all pro bono cases.
On almost a daily basis I telephonically screen calls for legal advice. I advise the caller of the law and their options, sometimes referring them to the public defender's office, private criminal defense counsel or private civil counsel or to the court. As a billing practice I regularly adjust billing partially forgiving bills, reducing the hourly rate, or performing the work on a fully pro bono basis.

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 (1978); U.S. Supreme Court of the U.S. (1985); U.S. Court of Appeals, Ninth Circuit (1979); U.S. Court of Appeals, Fifth Circuit (1986); U.S. District Court for the District of Alaska (1978); U.S. District Court for the District of Southern Texas (1987)

Public Service

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

Alaska Bar Association
 Juneau Bar Association
 Ketchikan Bar Association
 Criminal Rules Committee (AK Bar Association)
 Pattern Criminal Jury Instructions Committee (AK Bar Association)

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)

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.

Alaska Judicial Council (2007 - 2010)

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 always been actively involved in law-related activities. I am an active member of the Alaska criminal defense bar. I regularly interact on a state-wide basis with civil and criminal lawyers. I am a member of the Juneau Bar Association and participated with other members to organize a trial skills program that did not ultimately materialize. I am a member of the National Association of Criminal Defense Attorneys, the Cathedral of the Nativity, Catholic Church, Juneau, Order of Elks (Monterey, California), the Knights of Columbus (Juneau, Alaska), and the Hastings College of the Law Alumni Organization (San Francisco, California).

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

Amendment to Judicial Application:

18.(a) Yes.

If yes, give particulars.

Pondolfino v. Menendez, Case No. 121826.

Writ of Execution. Issued: February 8, 1988. Amount: \$2,816.00 Satisfied on September 27, 1988.

Writ of Execution. Returned to court and filed on April 9, 1990.

See stated circumstances in 19(a) below.

19(a)

Have you ever defaulted in the payment of child support? Yes.

Pondolfino v. Menendez, Case No. 121826.

1. On December 16, 1985, a Judgment for Dissolution of Marriage was entered in The Superior Court of California, County of Sonoma.

2. The Marital Settlement Agreement made a part of the Judgment provided, inter alia, child support for a single child.

3. A mutual stipulation with my former spouse reduced child support.

4. That stipulation was later set aside by the court creating a final arrearage in the amount of \$2816.00.

5. The arrearage was satisfied on September 27, 1988.

Let me know if additional information is needed or if anything else is required. Thank you.

Louis

--

Louis James Menendez, Esq.

MENENDEZ LAW OFFICE

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- (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.

Traffic ticket/No seatbelt, Lake Oswego, Oregon (2009 - approximately).
Traffic ticket/Failure to remove snow tires, Juneau, Alaska (2006)
Misdemeanor (Class B Misd.)/Overtaking or Passing a School Bus (AS 28.35.145), Dillingham, Alaska (1990)
Traffic ticket/speeding, Laredo, Texas (1988 - approximately)

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).

Pondolfino v. Menendez (uncontested divorce) Santa Rosa, California, SCV 121826 (1985) and related money judgments in 1988 and 1990.

Kirk, et al. v. Alaska Judicial Council, et al. (No. 09-CV-00136; No. 09-35860).

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: John D. Laughton

Address: 215 West Franklin Street, Suite 411 (P.O. Box 3080)

City/State/Zip: Monterey, California 93940 Phone: 831/649-1122

Name: Judge Thomas G. Nave, District Court

Address: P.O. Box 114100

City/State/Zip: Juneau, Alaska 99801 Phone: 907/463-4743

- (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: Brent R. Cole

Address: Marston and Cole, P.C., 821 N. Street, Suite 208

City/State/Zip: Anchorage, Alaska 99501 Phone: 907/277-8001

Name: Judge Eric A. Aarseth, Superior Court

Address: 825 West 4th Avenue, #620

City/State/Zip: Anchorage, Alaska 99501 Phone: 907/264-0403

Name: Judge Philip M. Pallenberg, Superior Court

Address: P.O. Box 114100

City/State/Zip: Juneau, Alaska 99801-4100 Phone: 907/463-4643

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:* 1JU-07-0992 CR
v. Larry W. Berryhill *Judge Name:* Patricia A. Collins

Attorneys Involved:

Name: <u>Douglas D. Gardner</u>	Name: _____
Address: <u>P.O. Box 110300</u>	Address: _____
City, State, Zip: <u>Juneau, Alaska 99811</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: United States of America *Case Number:* 3:06-cr-00069-RRB
v. John D. Jefferson *Judge Name:* Ralph R. Beistline

Attorneys Involved:

Name: <u>Daniel R. Cooper, Jr.</u>	Name: _____
Address: <u>222 West 7th Avenue, #9</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99513</u>	City, State, Zip: _____
Name: <u>Shawn C. Fuller</u>	Name: _____
Address: <u>c/o 222 West 7th Avenue, #9</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99513</u>	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska *Case Number:* 1JU-08-1011 CR
v. Jean Paul Roulet *Judge Name:* Keith B. Levy

Attorneys Involved:

Name: <u>Amy M. Williams</u>	Name: _____
Address: <u>P.O. Box 110300</u>	Address: _____
City, State, Zip: <u>Juneau, Alaska 99811</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: State of Alaska *Case Number:* 1JU-09-832 CR
v. Dorian B. Curry *Judge Name:* Philip M. Pallenberg

Attorneys Involved:

Name: <u>Douglas D. Gardner</u>	Name: _____
Address: <u>P.O. Box 110300</u>	Address: _____
City, State, Zip: <u>Juneau, Alaska 99811</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: State of Alaska *Case Number:* 1KE-09-00783 CR
v. Lesley A. Freitas *Judge Name:* William B. Carey

Attorneys Involved:

Name: <u>James T. Scott</u>	Name: _____
Address: <u>415 Main Street, #304</u>	Address: _____
City, State, Zip: <u>Ketchikan, Alaska 99901</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: State of Alaska *Case Number:* 1CR-09-247 CR
v. Steven J. Garletts *Judge Name:* David V. George

Attorneys Involved:

Name: <u>Stephen R. West</u>	Name: _____
Address: <u>415 Main Street, #304</u>	Address: _____
City, State, Zip: <u>Ketchikan, Alaska 99901</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 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.

For about 30 years I have practiced state and federal law throughout much of Alaska. I have lived and worked in communities from Kotzebue to Ketchikan. My practice has been primarily criminal law both as a state prosecutor and as a defense attorney. I have defended and prosecuted persons charged with unclassified felonies (e.g., murder) to traffic violations. Every June and July for the past 15 years, I have traveled to Naknek where over the years I have represented hundreds of fishing men and women charged with commercial fishing law violations during the Bristol Bay commercial sockeye season. Before my work as a defense attorney, as a state prosecutor I prosecuted commercial fishing cases in the Bristol Bay and in S.E. Alaska.

My civil law experience is considerably less in comparison to my criminal law experience. Still, over the years I have represented clients (as counsel for plaintiffs and defendants) in serious civil/personal injury cases in Barrow, Dillingham, and Juneau. Some cases resulted in long trials; others resolved via mediation. In those civil cases, I served as counsel for individual persons and for governmental entities. All of these cases required a full knowledge and application of the civil rules.

Additional Comments (Continued)

I spent a lot of time thinking about the submission of my application, what the position would require of me, and how the people of Juneau and S.E. Alaska would be best served. While I love what I do, I am fortunate to have the opportunity at this point in my life to think about this possible change in the course of my career, and, more importantly, to consider how I could best serve if appointed to the bench.

I believe a judge must work to see that justice is served in the end, but must also work to accomplish the critical process of ensuring that all persons appearing before the court are treated with respect and dignity. This is the critical human part of the judicial process.

To insure those results, I believe I have the breath of experience as a lawyer and as an individual that would well serve the bench and the people of Juneau and S.E. Alaska. I am a fast study, I work hard, and I look forward to the new challenges that serving on the bench would present. I would be honored to receive this appointment.

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 Louis James Menendez

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

Superior Court Judge - Juneau

Please leave this area blank

Date: 1/10/10

I grew up in Monterey, California. I went to college and law school in California and graduate law school in New York. During graduate school, I was hired as a research attorney at the Alaska Judicial Council and moved to Anchorage in 1976.

Beginning in 1979, I worked as a state prosecutor in Anchorage, Kodiak, Dillingham, Kotzebue, Ketchikan, and Juneau.

During the summer of 1985, I completed a film-making program at NYU. From 1986 -1988, I worked as an Assistant Federal Public Defender, in Laredo, Texas. In 1988, I returned to Alaska to work again as a state prosecutor.

In 1994, I left the prosecutor's office and joined a group of lawyers in private practice. In 1995, I started a solo practice in Juneau that continues today. My private practice is primarily criminal defense.