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JUN 7 2001

ALASKA  
JUDICIAL COUNCIL

Alaska Judicial Council  
Application for Judicial Appointment

Anchorage Superior Court

Date: June 18, 2001

Position(s) for which you wish to be  
considered

I. PUBLIC INFORMATION (Qs. 1-24 & 35)

PERSONAL

1. (a) State full name\* William F. Morse  
 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

3. How long have you been a resident of the State of Alaska immediately preceding the date of this application? \*\*  
 Total 20 years 6 months  
20 years 6 months

4. How long have you been engaged in the active practice of law immediately preceding the date of this application? \*\*  
 Total 20 years 6 months  
20 years 6 months

\*\* See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366-624-84).

**NONLEGAL EDUCATION**

5. 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 Virginia, BA with Distinction 1977

**LEGAL EDUCATION**

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

Lewis and Clark, JD 1980

7. (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  No  Please describe:

I have only taken a few. The most recent concerned Indian Law, taken in November, 2000.

**MILITARY**

8. 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.

No

**NONLEGAL EMPLOYMENT**

9. Describe major nonlegal working experience, if any.

None

10. 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**

11. 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.***

<p>1980 - 1990 Alaska Public Defender Agency Assistant Public Defender Left to take a position with the State of Alaska, Department of Law. Supervisor: Dana Fabe, 303 K. St., Anchorage 99501</p> <p>1990 - 1991 State of Alaska, Department of Law Assistant Attorney General Counsel to Governor Cowper's Reapportionment Board. Terminated upon election of Governor Hickel. Supervisor: Linda O'Bannon, 4830 Retriever Cir., Anchorage 99502</p> <p>1991 - 1996 International Brotherhood of Electrical Workers, Local 1547 Associate General Counsel Advised and represented a labor union in all aspects of its activities. Terminated when employer wanted counsel of a different temperament. Supervisor: Gary Brooks, 3333 Denali St., Anchorage 99503.</p> <p>1996 - 2001 State of Alaska, Department of Law Assistant Attorney General Special Litigation Section, defending the State in litigation where plaintiff seeks money damages. Supervisor: Gail Voigtlander, 1031 W. 4th Ave., Suite 200, Anchorage 99501</p>
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12. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was    Civil            100  
   Criminal            \_\_\_\_\_  
   Other                \_\_\_\_\_  
   = 100%

Comment: \_\_\_\_\_

(b) Percent        State    85  
                         Federal 15  
                         Other    \_\_\_\_\_  
   = 100%

Comment: \_\_\_\_\_

(c) Of practice in state courts, percent: Supreme Court        15  
   Court of Appeals    \_\_\_\_\_  
   Superior Court        85  
   District Court         \_\_\_\_\_  
   = 100%

Comment: \_\_\_\_\_

(d) Frequency of appearance in court: Regularly \_\_\_\_\_; Occasionally \_\_\_\_\_;  
Infrequently ; Not at All \_\_\_\_\_

Comment: \_\_\_\_\_

(e) Number of trials (by court or jury) you conducted in the past 5 years:  
\_\_\_\_ None     1 to 5    \_\_\_\_ 6 to 16    \_\_\_\_ 16 to 30    \_\_\_\_ 31 or more

Comment: \_\_\_\_\_

(f) Percent of these trials which were: Jury 60    Non-Jury 40

Comment: \_\_\_\_\_

(g) Approximate number of appellate matters handled: 8;

Comment: \_\_\_\_\_

(h) Approximate number of arbitrations or administrative hearings:  None

\_\_\_\_ 1 to 5    \_\_\_\_ 6 to 16    \_\_\_\_ 16 to 30    \_\_\_\_ 31 or more

Briefly describe type of matters heard:

(i) Have you undertaken any pro bono work during this period?

Yes \_\_\_\_\_ No X

Describe: \_\_\_\_\_

13. 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.

United States District Court, District of Alaska 1991

Ninth Circuit Court of Appeals 1991

### **PUBLIC SERVICE**

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

Oregon 1980 (never practiced, no longer a member)

Alaska 1981

15. List legal publications, if any (give title, subject and date of publications):

None

16. 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:

<b>Judgeship</b>	<b>Date</b>	<b>Nominated By Council (Y/N)</b>	<b>Appointed By Governor (Y/N)</b>
Anchorage Superior Court	06/12/00	Y	N
Anchorage Superior Court	10/23/00	Y	N

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

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

18. 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.)

I recently resigned as Vice President of the Alaska Theatre of Youth.

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19. 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)? No
- (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.

20. (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.

Yes. A client sued me for ten million dollars when I was a public defender. I believe the case was dropped or dismissed. I cannot find the case in court files. Bruce Bookman represented me and the Public Defender Agency.



- (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).

Yes. I was in a car accident. I was hit by a car that ran a stop sign, knocking me into a third car. Th occupants of the third car sued me, but dropped the case. Johnson v. Matthews and Morse, 3AN-97-8107 CI.

21. 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.

No

- (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.

No

**REFERENCES\***

22. (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: Pamela DuPuis  
ADDRESS: 9300 Atelier Dr.  
CITY/STATE/ZIP: Anchorage 99507 PHONE: 337-3758

(2) NAME: Barbara Malchick  
ADDRESS: 900 W. 5th Ave, Suite 525  
CITY/STATE/ZIP: Anchorage 99501 PHONE: 269-3500

- (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: Gail Voigtlander  
ADDRESS: 1031 W. 4th Ave, Suite 200  
CITY/STATE/ZIP: Anchorage 99501 PHONE: 269-5190

(2) NAME: Jan Hart DeYoung  
ADDRESS: 1031 W. 4th Ave, Suite 200  
CITY/STATE/ZIP: Anchorage 99501 PHONE: 269-5000

(3) NAME: Richard R. Huffman  
ADDRESS: 255 E. Fireweed Lane, Suite 200  
CITY/STATE/ZIP: Anchorage 99503 PHONE: 277-1604

\* **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 the judge's name and case names and numbers. (Attach additional pages if necessary.)

**1**

Case Name: Abraham Midgett  
v. Cook Inlet Pre-Trial

Case Number: 3AN-98-11552 CI  
Judge Name: Rene Gonzalez

**Attorneys Involved:**

Name: Abraham L. Midgett (pro se)  
Address: #12851-005 FCI Estill  
Estill, S.C. 29918

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**2**

Case Name: Duane Linscott  
v. State of Alaska

Case Number: 3AN-97-08470 CI  
Judge Name: Stephanie Joannides

**Attorneys Involved:**

Name: Steven D. Smith  
Address: 1029 W. 3rd Ave, Suite 250  
Anchorage 99501

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: Richard Welsh  
Address: 360 K St, Suite 200  
Anchorage 99501

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**3**

Case Name: Michael Jordan  
v. Rosemary Decker

Case Number: A96-350CV (HRH)  
Judge Name: H. Russell Holland

**Attorneys Involved:**

Name: Michael Jordan (pro se)  
Address: 2603 W. 29th Ave  
Anchorage 99517

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
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 the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

**1**

Case Name: Johnny Angnabooguk  
v. State of Alaska

Case Number: 3AN-99-7266 CI  
Judge Name: John Reese

**Attorneys Involved:**

Name: Peter Gruenstein  
Address: 500 L St, Suite 401  
Anchorage 99501

Name: Timothy Lamb  
Address: 1007 W. 3rd Ave, Suite 400  
Anchorage 99501

Name: John Hinderaker  
Address: 2200 Norwest Center  
Minneapolis MN 55402

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**2**

Case Name: J.L. et al  
v. State of Alaska et al

Case Number: 3AN-97-7192 CI  
Judge Name: Rene Gonzalez

**Attorneys Involved:**

Name: Les Syren  
Address: POBox 112141  
Anchorage 99511-2141

Name: Martin A. Farrell  
Address: 900 Hyder Street  
Anchorage 99501

Name: William D. Cook  
Address: 13135 Old Glenn Highway  
Eagle River 99577-0001

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**3**

Case Name: Brian Willoya  
v. State of Alaska et al

Case Number: 3PA-99-754 CI  
Judge Name: Beverly W. Cutler

**Attorneys Involved:**

Name: Ted Stepovich  
Address: 733 W. 4th Ave, Suite 401  
Anchorage 99501

Name: Roger Holmes  
Address: 3948 Clay Products Drive  
Anchorage 99517

Name: Timothy Lamb  
Address: 1007 W. 3rd Ave, Suite 400  
Anchorage 99501

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**WRITING SAMPLE**

23. Attach as Appendix A 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. If you do not have a good sample of this length, include an excerpt from a longer writing. **Please do not submit longer writing samples.** Make sure the sample contains sufficient facts to make it understandable. Please do not submit coauthored writing samples.
24. 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? Have formal grievance procedures been brought against you? 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? In each case, state in detail the circumstances and the outcome.

No

**ADDITIONAL COMMENTS (Non-Confidential)**

35. Please make any additional comments that you wish to bring to the Council's attention regarding your experience and suitability for this judgeship.

I believe that I would bring a beneficial temperament and breadth of experience to the bench if selected for judicial service. As a public defender I learned from hundreds of hours observing many judges, lawyers, jurors and members of the public participate in, and respond to, judicial proceedings. In civil practice I have enjoyed immersing myself into unfamiliar factual contexts and learning the corresponding substantive law. As a government lawyer I have seen how public agencies and the authority of the state impact the public and litigation. During the year that I worked preparing for reapportionment I traveled throughout the state participating in public hearings where citizens voiced their perceptions of local histories and political interests. Those experiences have exposed me to the application of the law in varied contexts and the interactions of many people with legal and judicial processes.

I have found that I am a quick study and can adapt to new challenges. I am intrigued by the variety of human conduct that has been revealed to me. I have been able to work in these different fields in part because I can retain (and regain when needed) a sense of humor and focus in unfamiliar situations and when crises erupt. I take pride in an apparent ability to work well with different personalities, whether coworkers or adversaries, always trying to make our mutual daily experiences more pleasant.

I am fortunate to have a strong family which provides a much appreciated balance to the demands of work. They would ensure my humility.

A judge is a public servant. The position requires good judgment born of broad experience. It would be intellectually challenging and stimulating. I believe I have the requisite training and background. I hope I would both have the intelligence and exhibit the judgment and wisdom that the public demands and deserves.