

Alaska Judicial Council Application for Judicial Appointment

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

Alaska Court of Appeals

Date: July 10, 2020

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Timothy Winn Terrell

Name as it should appear on bar survey: Timothy W. Terrell

* 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.

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

48 years 11 months
Total 48 years 11 months

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

28 years 3 months
Total 29 years 3 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.

Pomona College, Claremont, California, September 1983 - May 1987. B.A., American Studies, May 1987. My major was cross-disciplinary, combining American history, government, and culture. I also took a number of German language classes and spent the spring semester of 1986 on a study abroad program at the Phillips University in Marburg, in what was then West Germany.

** 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.

University of Oregon School of Law, Eugene, Oregon, September 1987 - May 1990. J.D., May 1990.

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.

I received the American Jurisprudence Award (highest grade in the class) for one of the required first-year classes, Legislative and Administrative Processes.

- (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 receive CLE credits each year for attending the annual District Attorney's Conference, a three-day training session with multiple presentations on trial issues and techniques, ethics, and legislative and appellate updates. I also attend meetings of the Appellate Section of the Alaska Bar and the Alaska Supreme Court and the Alaska Court of Appeals' "Off the Record" CLEs when they are offered.

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.

My substantial post-college employment has all been in the legal field, but I consider my non-legal work experiences to be major in the sense of the life experience and lessons gained from them. Starting with a paper route in seventh grade, I subsequently loaded the vending machines at my high school and worked at a music store (working in the front of the store selling music, instruments, and related supplies on Saturdays in the winter and working full-time as the repairman's assistant in the band instrument repair shop in the summer). During college for summer jobs I worked in the laundry room at a hotel, on grounds crews for the Anchorage School District, and did clerical work for the school district. I also worked a number of part-time jobs at college during the academic year, such as washing glassware in a chemistry lab and reshelving government documents in the library. I ended this portion of my work life in a summer job running forklifts in Delta Airlines' freight warehouse at the Anchorage International Airport.

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, Office of Criminal Appeals

Supervisor or name of contact person who can verify employment: Tamara E. DeLucia (supervisor)

Current address of this person: 1031 West 4th Ave., Suite 200

City Anchorage State Alaska Zip 99501

Dates and location of Employment: From 01/31/93 To present City Anchorage State Alaska

Description:

I represent the state in criminal appeals before the Alaska Supreme Court and the Alaska Court of Appeals, in addition to litigating habeas cases in federal court.

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

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

Supervisor or name of contact person who can verify employment: John K. Bodick (supervisor, retired)

Current address of this person: 1203 S St.

City Anchorage State Alaska Zip 99501

Dates and Location of Employment: From 04/16/92 To 01/30/03 City Anchorage State Alaska

Description:

I represented the Department of Corrections in a wide variety of civil and criminal cases. I also represented the Division of Motor Vehicles from 1996 to 2003.

Reason for Leaving: I wanted to pursue full-time appellate work.

Employer: Alaska Court System

Supervisor or name of contact person who can verify employment: The Hon. Brian C. Shortell (retired)

Current address of this person: 1328 West 12th Ave.

City Anchorage State Alaska Zip 99501

Dates and Location of Employment: From 09/03/90 To 09/03/91 City Anchorage State Alaska

Description:

I served as a law clerk for a superior court judge with a docket of complex civil litigation.

Reason for Leaving: My clerkship ended.

Previous Employers (continued)

Employer: Hartig, Rhodes, Norman, Mahoney, & Edwards, P.C.

Supervisor or name of contact person who can verify employment: Nancy Schierhorn, Esq.

Current address of this person: Bristol Bay Native Corp., 111 West 16th Ave., Suite 400

City Anchorage State Alaska Zip 99501

Dates and Location of Employment: From 05/25/89 To 08/08/89 City Anchorage State Alaska

Description:

I worked for this firm as a summer associate in 1989. I later came back briefly in the fall of 1991 after my judicial clerkship, but left to change my type of practice.
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Reason for Leaving: Did not enjoy main practice areas (business and environmental law)

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:

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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:

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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:

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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:

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Reason for Leaving: _____

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

(a) Percent of your practice that was: Civil 20
Criminal 80
Other _____
= 100%

Comment: see attachment

(b) Percent: State 95
Federal 05
Other _____
= 100%

Comment: see attachment

(c) Of practice in state courts, percent: Supreme Court 10
Court of Appeals 55
Superior Court 35
District Court _____
= 100%

Comment: see attachment

(d) Frequency of appearance in court (select one):
 Regularly Occasionally Infrequently Not at All
Comment: Now, oral arguments 3-4 times per year; pre-2003, trial court hearings on a routine basis.

(e) Number of trials (by court or jury) you conducted (select one):
 None 1-5 6-15 16-30 31 or more
Comment: _____

(f) Percent of these trials which were: Jury _____ Non-Jury 100
Comment: _____

(g) Approximate number of appellate matters handled: 370
Comment: 115 of 370 were responses to petitions for hearing or review, or state's petitions for hearing or review.

(h) Approximate number of arbitrations or administrative hearings (select one):
 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.).

The Department of Law encourages its attorneys to do *pro bono* work, but the conflict-of-interest limitations it places on such work preclude me from providing representation in my primary areas of expertise, criminal law and post-conviction relief. I have not engaged in any formal *pro bono* work, but I help where I can. For example, I recently assisted a woman in putting together an affidavit so that she could obtain service by publication in a dissolution of marriage case.

Continuation of question 10 (nature of legal practice):

Since January 2003 I have had a full-time appellate practice in the Office of Criminal Appeals, representing the state in appeals from criminal convictions and from superior court decisions in post-conviction relief actions. Most of my work is before the court of appeals, with the remainder before the supreme court. I also occasionally represent the state in federal habeas cases. My practice requires frequent interaction with trial prosecutors seeking advice about their cases.

From April 1992 through January 2003 I represented the Department of Corrections (“DOC”), the Parole Board, and occasionally the Department of Public Safety. My DOC practice encompassed a wide variety of litigation – approximately (a) 38 administrative appeals to superior court from prison disciplinary decisions, (b) 46 civil rights cases in state (22) and federal (24) court where I represented DOC employees sued in their individual capacity, (c) 30 post-conviction relief actions in state court and habeas actions in federal court (issues other than the merits of underlying convictions, typically time-accounting claims where the inmate challenged DOC’s sentence calculations), (d) motions to correct an illegal sentence, and (e) discovery matters in civil and criminal cases where one party sought access to DOC’s inmate, personnel, or probation/ parole files. I appeared personally before the state and federal courts with relative frequency, typically at hearings on motions for summary judgment, for injunctive relief, or involving discovery. And since DOC counsel handle their own appeals, I engaged in a significant amount of practice before Alaska’s appellate courts and the Ninth Circuit. As with my current practice, there was frequent interaction with trial prosecutors as I assisted them with DOC-related aspects of their cases.

When the volume of corrections-related litigation began to decline due to the passage of the federal and state prison litigation reform acts, representation of the Department of Administration’s Division of Motor Vehicles (“DMV”) was added to my duties. I litigated approximately 50 administrative appeals in superior court from driver’s license revocation actions, as well as some appeals to the supreme court from superior court decisions. The issues typically concerned the validity of the initial stop and whether the police officer followed the procedures for DUI cases. I also represented several DMV administrators who were sued in federal court in a civil rights action.

I have briefed 30 cases in the Alaska Supreme Court (11 in criminal cases and 19 in cases involving variously the Departments of Corrections, Health and Social Services, Public Safety, and DMV). I have briefed 216 cases in the Alaska Court of Appeals (201 in criminal cases and 15 in DOC-related litigation). I have litigated 115 petitions for hearing or review, mostly responding to them but occasionally representing the state in its capacity as petitioner. I have also briefed 7 appeals before the Ninth Circuit Court of Appeals and drafted and filed as lead counsel an amicus brief in the United States Supreme Court on behalf of Alaska and 10 other states in *Danforth v. Minnesota*, 552 U.S. 264, 128 S.Ct. 1029 (2008).

I also handled several litigation projects outside my normal scope of duties, including a Medicaid fraud administrative appeal, a concealed handgun permit administrative appeal, and two public bid contract administrative appeals involving vendors who lost contracts with DOC, all four of which I litigated through to successful decisions from the Alaska Supreme Court. I also pursued a torts action against an insurance company to recover for damages to a state trooper vehicle.

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, November 20, 1990; United States District Court for the District of Alaska, November 20, 1990; United States Court of Appeals for the Ninth Circuit, December 9, 1992; United States Supreme Court, February 20, 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, November 1990 through present. I have been a member of the Appellate Practice section of the Alaska bar since its inception. I served on the Alaska Bar Examiner's Committee from December 2007 through July 2010 and drafted the exam questions and grader's guides for the civil procedure questions for July 2009, February 2010, and July 2010 (available on-line at the bar's website under "Admissions"). American Bar Association, January 1991 - February 2005.

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)
Court of Appeals	2008	N	N
Court of Appeals	2013	N	N
Court of Appeals	2016	N	N
Court of Appeals	2018	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.

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 attend St. John Orthodox Cathedral in Eagle River, part of the Antiochian Orthodox Church. For the last five years I have served as one of the lay readers who read the epistle and Old Testament readings at various services. From March 2008 through February 2014 I served on the parish council, which oversees church finances and provides lay input into the administration of the church. In 2014 I was chosen as the parish's lay delegate to the national convention to select a new Metropolitan (the head of the church in North America). I am also a lifetime member of the Order of St. Ignatius, an organization that provides funds to support the charitable endeavors of the national archdiocese.

In the mid-1990s, my comments on an early public-distribution draft led to an invitation to serve as a member/reporter on the local civil rules committee for the United States District Court for the District of Alaska, chaired by Judge James Singleton. During this time the committee comprehensively revised the local civil rules. As previously noted, I served on the bar examiner's committee from December 2007 through July 2010.

My wife and I contribute financially to a variety of organizations, such as the United Way, the Food Bank of Alaska, the Anchorage Gospel Rescue Mission, the Nature Conservancy, KAKM, and the Crisis Pregnancy Resource Center.

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 have never been arrested, but I have had the following six traffic tickets:

08/08/96, 3AN-96-T909481, passing in a no-passing zone, \$50 fine
10/08/99, 3AN-99-D1020292, failing to stop at a stop sign, \$50 fine
07/08/04, 3AN-0421275 MO, failing to stop at a stop sign, \$90 fine
04/20/06, A3209070, speeding (30 m.p.h. in a 20 m.p.h. zone), \$140 fine
05/11/09, A3397809, speeding (33 m.p.h. in a 20 m.p.h. zone), \$182 fine
05/24/19, A3832023, failing to change lanes or slow speed when overtaking a parked emergency vehicle, \$150 fine

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).

I have been sued twice by pro se litigants. In Robert Long v. Jay Dulany et al., 3KN-01-685 Civil, I was sued based on my prior representation of several DMV administrators in a federal civil rights actions in federal court. Long's state-court case was dismissed for failure to prosecute.

In Jacquelyn Swayne et al. v. Margaret Pugh et al., 3AN-02-5777 Civil, several pro se plaintiffs claimed that I failed to properly advise the Department of Corrections about ignition interlock devices. Their case was dismissed for lack of standing.

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: Fr. Marc Dunaway (Chief Priest, St. John Orthodox Cathedral)

Address: P.O. Box 77-1108

City/State/Zip: Eagle River, Alaska 99577 Phone: 696-2002

Name: John K. Bodick

Address: 1203 S St.

City/State/Zip: Anchorage, Alaska 99501 Phone: 242-2779

- (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: Tamara E. DeLucia

Address: 1031 West 4th Ave., Suite 200

City/State/Zip: Anchorage, Alaska 99501 Phone: 269-6260

Name: Nancy R. Simel

Address: 1031 West 4th Ave., Suite 200

City/State/Zip: Anchorage, Alaska 99501 Phone: 269-6260

Name: Brooke M. Berens

Address: 1016 West 6th Ave., Suite 100

City/State/Zip: Anchorage, Alaska 99501 Phone: 269-6075

References and Counsel Questionnaires (continued)

(c) List the names, addresses, **including zip codes, and suite numbers where applicable**, of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases with any pending issues in the trial or appellate 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: _____ **Case Number:** _____
v. _____ **Judge Name:** _____

Attorneys Involved:

Name: _____ Name: _____
Address: _____ Address: _____
City, State, Zip: _____ City, State, Zip: _____

Name: _____ Name: _____
Address: _____ Address: _____
City, State, Zip: _____ City, State, Zip: _____

Case Number 2

Case Name: _____ **Case Number:** _____
v. _____ **Judge Name:** _____

Attorneys Involved:

Name: _____ Name: _____
Address: _____ Address: _____
City, State, Zip: _____ City, State, Zip: _____

Name: _____ Name: _____
Address: _____ Address: _____
City, State, Zip: _____ City, State, Zip: _____

Case Number 3

Case Name: _____ **Case Number:** _____
v. _____ **Judge Name:** _____

Attorneys Involved:

Name: _____ Name: _____
Address: _____ Address: _____
City, State, Zip: _____ 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**, 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 with any pending issues in the trial or appellate 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: Justin Nelson
v. State of Alaska
Case Number: S-16719
Judge Name: Peter Maassen

Attorneys Involved:

Name: J. Adam Bartlett	Name: Douglas O. Moody (amicus)
Address: 1101 West 7th Ave.	Address: 900 West 5th Ave., Suite 200
City, State, Zip: Anchorage, Alaska 99501	City, State, Zip: Anchorage, Alaska 99501
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Stephen Alvarado
v. State of Alaska
Case Number: A-12105
Judge Name: Marjorie Allard

Attorneys Involved:

Name: Renee McFarland	Name: _____
Address: 900 West 5th Ave., Suite 200	Address: _____
City, State, Zip: Anchorage, Alaska 99501	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Kelsey George
v. State of Alaska
Case Number: A-12984
Judge Name: Bethany Harbison

Attorneys Involved:

Name: Michael Horowitz	Name: _____
Address: 108 Henderson Place	Address: _____
City, State, Zip: Cadillac, Michigan 49601	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, (d) samples from open cases including cases on appeal.

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.

The legislature has passed a number of major crime bills in the last four years, leading to an increase in appeals as litigants dispute the meaning of new or amended statutory provisions. The caseload problem has been exacerbated by the retirement of former Court of Appeals Chief Judge David Mannheimer, who was a uniquely productive judge. The Court of Appeals has responded to this challenge by implementing such measures as issuing summary dispositions in cases where that is warranted, as well as using retired judges to assist the court. The legislature's addition of a fourth seat on the court represents a new effort to address the court's workload, and I believe that my experience will allow me contribute to the effort to deal with the court's caseload and reduce its backlog. I believe that it is possible for the court to make progress in this area without sacrificing an accurate and fair evaluation of each case.

I care deeply about the administration of criminal justice in Alaska. The appellate courts play a vital role as a safety valve, ensuring litigants that serious errors will be corrected, and help to provide needed guidance on the law. I have the ability to explain legal principles clearly

Additional Comments (Continued)

in writing so that citizens, police officers, lawyers practicing in the trial courts, and trial judges can know what the law is and how it applies to their situation.

I also have the personal skills to work well within the court. Good appellate judges work harmoniously with their colleagues, law clerks, and support staff in an ensemble setting. I believe my employers and colleagues in both my legal and non-legal jobs would attest that I can do that.

It would be both a tremendous honor and a tremendous responsibility to serve on the court. I thank the council for its time, effort, and careful evaluation of my application.

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 (select one).

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 two photographs of yourself with your application.

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

Biographical Statement

Name Timothy W. Terrell

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

Alaska Court of Appeals

Please leave this area blank

Date: July 10, 2020

Since January 2003 my practice has focused on representing the state in criminal appeals. Before that I represented the Department of Corrections for over 10 years in a variety of civil and criminal litigation in the trial and appellate courts. I began my career as a law clerk for a superior court judge with a docket of complex civil litigation.

I have briefed over 250 appeals. I understand the workings of the court of appeals and the challenges posed by its backlog and am committed to working to reduce appellate delay. I am well-suited for the position in that I can fairly decide cases and clearly explain the law to the bar and the public.

I am married with four adult step-children. My wife and I live in Chugiak. I am active in my church and enjoy reading (history and biographies), traveling, hiking, and cross-country skiing.