

Alaska Judicial Council
Application for Judicial Appointment

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JUN 21 2004

ALASKA
JUDICIAL COUNCIL

Kenai District Court Judge
Palmer District Court Judge

Date: June 15, 2004

Position(s) for which you wish to be considered

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

PERSONAL

1. (a) State full name* John William Wolfe
Name as it should appear on bar survey: John W. Wolfe
* 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
John William Wolfe Jr.

3. How long have you been a resident of the State of Alaska immediately preceding the date of this application? ** 6 years 8 months
Total years 6 months 8
4. How long have you been engaged in the active practice of law immediately preceding the date of this application? ** 20 years 8 months
Total years 20 months 8

** 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.

Phillips University, June 1974 to July 1974 Dean's list

Lousiana State University, January 1975 to July 1975

University of Oklahoma, August 1979 to May 1980, B.S. Mathematics

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.

University of Oklahoma, August 1980 to May 1983, J.D.

7. (a) Did you receive any honors in law school or belong to any honorary societies or groups?
yes If so, please give details.

January 1981- Admitted to Oklahoma Law Review for academic achievement, top 10 % of class
Phi Alpha Delta legal fraternity

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?
Yes No Please describe:

Attended 4 of the last 5 annual D.A. Conferences, attended 2 seminars at the National College of District Attorneys (Advanced Prosecution and Cross-Examination), attended Conference in Salt Lake City, Utah (Crimes Against Women), attended the National Domestic Violence Seminar in New Orleans, La.

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.

NONLEGAL EMPLOYMENT

9. Describe major nonlegal working experience, if any.

During college law school and summers I worked numerous jobs including loading trucks at a loading dock, serviced military aircraft for a civilian contractor, carpenter's helper, ditch digging for a cable installer, bartender, night clerk at a hotel, during two summers was a counselor at the University of Oklahoma's Summer Institute for Mathematics, assistant manager at a bowling alley, clerk for the U.S. Dept. of Energy

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.***

✓ January 1981 to May 1981- Research Assistant to Professor Elmer Million (deceased). I performed research for him in the area of property law. This job was for the semester. It is possible that this employment may be verified by contacting the current dean of the law school:

✓ Dean Andrew Coats, University of Oklahoma Law Center, 300 Timberdell Rd., Norman, Oklahoma 73019.

✓ June, 1982 to May 1983- Legal Intern- United State's Attorney's Office, 210 Park Avenue #400, Oklahoma City, Oklahoma, 73102. I performed legal research and wrote pleadings and memoranda in the area of criminal law. My supervisor was the United States Attorney- William S. Price. He is no longer the U.S. Attorney and his mailing address is 1225 Kenilworth Rd. Oklahoma City, Oklahoma 73114. The internship ended.

✓ October 1983 to October 1985- Associate- Tolle and Parish Law Firm, 127 N. 4th St., Okemah, Oklahoma 74859. I did general civil and criminal law practice. My supervisor was Lawrence W. Parish who is still at the firm. I left to accept a position as an Assistant District Attorney.

✓ October 1985 to October 1997- Assistant District Attorney, 300 Grand Avenue, Cherokee, Oklahoma 73728. I did primarily criminal prosecution but also represented the county and county officers in civil matters, was responsible for juvenile delinquency cases, child in need of aid cases, and mental health cases. My supervisor was District Attorney Ray Don Jackson, 1600 Main Ave., Woodward, Oklahoma 73801. He is still at that position. I left to accept a position with the Alaska Department of Law.

ms/ps
October 1997 to present- Assistant District Attorney, Alaska Department of Law. I worked in the Bethel District Attorney Office from October 1997 to September 1999. Until August 1997 I was supervised by the Bethel District Attorney Sue McLean. In August 1997 I was made the District Attorney for Bethel and was then supervised by the Deputy Attorney General Cindy Cooper. In September 1999 I transferred to the Kenai District Attorney Office as an Assistant District Attorney and was supervised by the Kenai District Attorney Dwayne McConnell. In December 2002 I transferred to the Dillingham District Attorney Office and was initially supervised by Anchorage District Attorney Susan Parkes until her promotion. I am now being supervised by the current Anchorage District Attorney Bob Linton. Both Bob Linton and Susan Parkes are at the Anchorage District Attorney Office, 310 K. Street, Anchorage, Alaska 99501. During my time in this position, my duties have been almost exclusively criminal prosecution. I do occasionally handle post-conviction relief cases also.

12. For the past five years, please indicate (approximately) the following:

(a)	Percent of your practice that was	Civil	<u>1</u>
		Criminal	<u>99</u>
		Other	<u>0</u>
			= 100%

Comment: Handled a few post-conviction relief actions

(b)	Percent	State	<u>100</u>
		Federal	<u>0</u>
		Other	<u>0</u>
			= 100%

Comment: _____

(c)	Of practice in state courts, percent:	Supreme Court	<u>0</u>
		Court of Appeals	<u>1</u>
		Superior Court	<u>19</u>
		District Court	<u>80</u>
			= 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 99 Non-Jury 1

Comment: _____

(g) Approximate number of appellate matters handled: 4 ;

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

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.

Alaska State Courts- 1998, Oklahoma State Courts- 1983,

United States Supreme Court- 1992, United States District

Courts for the Eastern and Western Districts Of Oklahoma-

1985

PUBLIC SERVICE

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

Alaska Bar Association. Criminal prosecution and criminal defense sections.

Oklahoma Bar Association.

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

N/A

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:

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
N/A			

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.)

SART Steering Committee, Dillingham, Alaska

Children's Advocacy Center Board, Dillingham Alaska

Community Justice Alliance, Dillingham, Alaska

I participate in the activities of all three.

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)? Yes

(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.

Under the category of traffic citations having a fine of \$50 or more, I believe that I acquired three of them when I was between 19 and 22 years old. They were for speeding and negligent driving and I received them in the State of Oklahoma.

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.

No

- (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).

I was a party to an action to adopt two of my children.

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.

N/A

- (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: Chief Charles M. Kopp
ADDRESS: C/O Kenai Police Dept., 107 S. Willow St.
CITY/STATE/ZIP: Kenai, Alaska 99611 PHONE: (907) 283-7879

(2) NAME: Bruce or Patty Besse
ADDRESS: P.O. Box 4518
CITY/STATE/ZIP: Soldotna, Alaska 99669 PHONE: (907) 262-1462

- (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: Darin Goff, Attorney at Law
ADDRESS: 4164 Pennoch St., Ste. B
CITY/STATE/ZIP: Homer, Alaska 99603 PHONE: (907) 235-2009

(2) NAME: Jay Fayette, Attorney at Law
ADDRESS: P.O. Box 773334
CITY/STATE/ZIP: Eagle River, Alaska 773334 PHONE: (907) 257-0727

(3) NAME: Susan Parkes, Deputy Attorney General
ADDRESS: District Attorney's Office, 310 K. Street
CITY/STATE/ZIP: Anchorage, Alaska 99501 PHONE: (907) 269-6379

emp/alt

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: State of Alaska
v. Gerald Anelon

Case Number: 3NA-S04-7 CR
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: Patricia Douglass
Address: P.O. Box 929
Dillingham, Alaska 99576

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

2

Case Name: State of Alaska
v. Edward Active

Case Number: 3DI-S03-436
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: Darrel Gardner
Address: 733 W. 4th St.
Anchorage, Alaska 99501

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

3

Case Name: State of Alaska
v. Abba Luckhurst

Case Number: 3DI-S04-126 Cr.
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: Joseph Faith
Address: P.O. Box 1287
Dillingham, Alaska 99576

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:** State of Alaska
v. Homer Bartman

Case Number: 3DI-S04-12 Cr
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: Shelley Chaffin
Address: 4005 Hayes St., #2
Anchorage, Alaska 99503

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

2 **Case Name:** State of Alaska
v. Jesse Lockuk

Case Number: 3DI-S02-500 Cr.
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: Steven Wells
Address: 268 E. Fireweed, Ste. 101
Palmer, Alaska 99645

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

3 **Case Name:** State of Alaska
v. Constantine Akelkok

Case Number: 3DI-S03-260 Cr.
Judge Name: Hon. Fred Torissi

Attorneys Involved:

Name: William B. Oberly
Address: 623 Christensen Dr., Ste. 100
Anchorage, Alaska 99501

Name: _____
Address: _____

Name: _____
Address: _____

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.