



alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969
http://www.ajc.state.ak.us

(907)279-2526 FAX (907)276-5046
E-mail: postmaster@ajc.state.ak.us

RECEIVED

DEC 30 2011

ALASKA JUDICIAL COUNCIL

Alaska Judicial Council Trial Judge Questionnaire

2012 Candidates for Judicial Retention

October 2011

William F. Morse

Name

Superior Court (Anchorage)

Court

1. Please estimate your workload during your present term.

a) 85 % civil cases

5 % criminal cases

10 % court administrative work

100 % Total

b) 4 # of jury trials/year

10 # of non-jury trials/year

10 # of administrative appeals/year

By non-jury trials I mean a proceeding more complex than a simple evidentiary hearing.

2. Please describe your participation on court/bar committees or other administrative activities during your current term of office.

I am on the Appellate Rules Committee and chair a joint subcommittee of the Appellate and CINA Rules committees on a particular CINA issue. I have filed in as acting presiding judge for the Third Judicial District. I am the lead judge for administrative matters concerning the Anchorage therapeutic court and the PACE project.

4. During your most recent term as a judge, have you:
- a) had a tax lien filed or other collection procedure instituted against you by federal, state, or local authorities? Yes No
 - b) been involved in a non-judicial capacity in any legal proceeding whether as a party or otherwise? Yes No
 - c) engaged in the practice of law (other than as a judge)? Yes No
 - d) held office in any political party? Yes No
 - e) held any other local, state or federal office? Yes No
 - f) had any complaints, charges or grievances filed against you with the Alaska Commission on Judicial Conduct, the Alaska Bar Association, or with the Alaska Court System that resulted in public proceedings or sanctions? Yes No

5. If your answer to any of the questions above is "yes," please give full details, including dates, facts, case numbers and outcomes.

6. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2012 retention elections.

For questions 7 through 10 please do not list any cases that have pending issues in your court.

- 7. Please list your three most recent jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these trials. (Attach additional pages if necessary.)

Case Number 1

Case Name: Conyers Case Number: 3AN-09-12884 CI
 v. Miller

Attorneys Involved:

Name: <u>Robert Jurasek</u>	Name: <u>Stacy Walker</u>
Address: <u>1400 W. Benson Ste 500</u>	Address: <u>329 F. St</u>
City, State, Zip: <u>Anchorage AK 99503</u>	City, State, Zip: <u>Anchorage AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Jensen-Toft Case Number: 3AN-07-09205 CI
 v. Schmidt

Attorneys Involved:

Name: <u>Kevin Fitzgerald</u>	Name: <u>Alice Rahoi</u>
Address: <u>813 W. 3rd Ave</u>	Address: <u>1031 W. 4th Ave Ste 200</u>
City, State, Zip: <u>Anchorage AK 99501</u>	City, State, Zip: <u>Anchorage AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Kinneen Case Number: 3AN-07-09878 CI
 v. Muni. of Anchorage

Attorneys Involved:

Name: <u>William Royce</u>	Name: <u>Robert Owens</u>
Address: <u>1227 W. 9th Ave Ste 300</u>	Address: <u>PO Box 196650</u>
City, State, Zip: <u>Anchorage AK 99501</u>	City, State, Zip: <u>Anchorage AK 99519</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

- 8. Please list your three most recent non-jury trials including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these trials. (Attach additional pages if necessary.)

Case Number 1

Case Name: Coble **Case Number:** 3AN-06-11050 CI
 v. Coble

Attorneys Involved:

Name: <u>Mary-Ellen Meddleton</u>	Name: <u>Allen Bailey</u>
Address: <u>711 H St Ste 330</u>	Address: <u>310 K St Ste 400</u>
City, State, Zip: <u>Anchorage AK 99501</u>	City, State, Zip: <u>Anchorage AK 99501</u>

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

Case Number 2

Case Name: McElwain **Case Number:** 3AN-03-07432 CI
 v. Taylor

Attorneys Involved:

Name: <u>Jennifer Wagner</u>	Name: <u>Justin Eschbacher</u>
Address: <u>421 W 1st Ave Ste 250</u>	Address: <u>718 Barrow St</u>
City, State, Zip: <u>Anchorage AK 99501</u>	City, State, Zip: <u>Anchorage AK 99501</u>

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

Case Number 3

Case Name: Copeland **Case Number:** 3AN-09-07595 CI
 v. Copeland

Attorneys Involved:

Name: <u>Eric Brown</u>	Name: <u>S & G Pollock</u>
Address: <u>4150 Viscount Cir.</u>	Address: <u>PO Box 3535</u>
City, State, Zip: <u>Anchorage AK 99502</u>	City, State, Zip: <u>Palmer AK 99645</u>

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

9. Please list your three most recent cases, including case names and numbers, which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.). Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these cases. (Attach additional pages if necessary.)

Case Number 1

Case Name: Ivy Case Number: 3AN-07-08813 CI

v. Calais

Attorneys Involved:

Name: Phillip Weidner

Name: Jeff Feldman

Address: 330 L St Ste 200

Address: 500 L St Ste 500

City, State, Zip: Anchorage AK 99501

City, State, Zip: Anchorage AK 99501

Name:

Name:

Address:

Address:

City, State, Zip:

City, State, Zip:

Case Number 2

Case Name: State Case Number: 3AN-10-05939 CR

v. Anthony

Attorneys Involved:

Name: Heather Nobrega

Name: Barrett Schultz

Address: 310 K St Ste 300

Address: 900 W 5th Ave Ste 200

City, State, Zip: Anchorage AK 99501

City, State, Zip: Anchorage AK 99501

Name:

Name:

Address:

Address:

City, State, Zip:

City, State, Zip:

Case Number 3

Case Name: Bording Case Number: 3AN-09-04371 CI

v. Crowley Marine

Attorneys Involved:

Name: Dawn Austin

Name: Herbert Ray

Address: 310 K St Ste 200

Address: 1029 W 3rd Ave Ste 650

City, State, Zip: Anchorage AK 99501

City, State, Zip: Anchorage AK 99501

Name:

Name:

Address:

Address:

City, State, Zip:

City, State, Zip:

10. *Optional:* If you deem it helpful to the Council, please list up to three other cases during your past term in which you believe your work was particularly noteworthy. Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these cases. (Attach additional pages if necessary.)

Case Number 1

Case Name: Price _____ *Case Number:* 3AN-07-08143 CI _____
 v. Unisea _____

Attorneys Involved:

<i>Name:</i> Marc June _____	<i>Name:</i> Craig Howard _____
<i>Address:</i> 807 G St Ste 150 _____	<i>Address:</i> 360 K St Ste 200 _____
<i>City, State, Zip:</i> Anchorage AK 99501 _____	<i>City, State, Zip:</i> Anchorage AK 99501 _____

<i>Name:</i> _____	<i>Name:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>City, State, Zip:</i> _____	<i>City, State, Zip:</i> _____

Case Number 2

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

Attorneys Involved:

<i>Name:</i> _____	<i>Name:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>City, State, Zip:</i> _____	<i>City, State, Zip:</i> _____

<i>Name:</i> _____	<i>Name:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>City, State, Zip:</i> _____	<i>City, State, Zip:</i> _____

Case Number 3

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

Attorneys Involved:

<i>Name:</i> _____	<i>Name:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>City, State, Zip:</i> _____	<i>City, State, Zip:</i> _____

<i>Name:</i> _____	<i>Name:</i> _____
<i>Address:</i> _____	<i>Address:</i> _____
<i>City, State, Zip:</i> _____	<i>City, State, Zip:</i> _____

Alaska Judicial Council Recommendation

Judge William F. Morse, Superior Court, Anchorage

Judicial Council Recommendation 2012

The Alaska Judicial Council is a non-partisan citizens' commission established by the Alaska constitution. Alaskan law requires the Council to evaluate judges' performance and authorizes the Council to recommend to voters whether judges should be retained in office. The Judicial Council reviews judges' integrity, diligence, legal ability, fairness, demeanor, ability to manage their caseloads, and overall performance of their judicial responsibilities in and out of the courtroom. The Judicial Council finds Judge Morse to be **Qualified** and recommends unanimously that the public vote "YES" to retain him as a superior court judge.

Judicial Council Evaluation

The Judicial Council surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers and guardians ad litem about the judges on the ballot. Respondents were asked to rate judicial performance and to submit comments. The Council also reviewed the ratings and observations of the Alaska Judicial Observers, independent community-based volunteers. The Council reviewed the judge's preemptory challenge, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files involving the judge; and whether a judge's pay was withheld for an untimely decision. The Council reviewed other court records and investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, and court staff, and held a statewide public hearing to obtain comments about judges.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem
Legal Ability	4.0	---	---	---	---
Impartiality	3.7	4.2	4.8	4.2	4.3
Integrity	4.1	4.3	---	4.5	4.6
Temperament	3.3	4.0	4.7	4.1	3.5
Diligence	3.9	4.5	---	4.3	4.3
Overall	3.7	4.2	4.7	4.3	4.3

Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

Rating Scale
 5.0 = Excellent
 4.0 = Good
 3.0 = Acceptable
 2.0 = Deficient
 1.0 = Poor

Summary of Survey Information

Survey respondents rated Judge Morse on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Morse on overall performance was 3.7. Peace and probation officers gave Judge Morse a rating of 4.2. Jurors rated him 4.7 overall, court employees gave him 4.3, and social workers and guardians ad litem rated him at 4.3. The Alaska Judicial Observers rated him 3.32.

Recommendation: Vote "YES" to retain Judge William F. Morse

For more information go to
www.knowyouralaskajudges.com

Judge William F. Morse: Detailed Information Responses Alaska Bar Association Members

	Legal Ability		Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation												
No Response		8		8		18		9		26		7
Direct Professional	4.0	270	3.7	272	4.1	263	3.3	270	3.9	259	3.7	272
Experience in last 5 yrs	4.0	248	3.7	250	4.1	244	3.3	248	3.9	237	3.7	249
Experience not in last 5 yrs	4.1	19	3.8	19	4.3	16	3.4	19	4.1	19	3.8	19
Professional Reputation	3.6	44	3.6	43	4.0	42	3.4	43	3.9	39	3.6	44
Other Personal Contacts	4.8	8	4.9	7	5.0	7	4.1	8	4.5	6	4.7	7
Type of Practice												
No Response		4		2		10		4		14		2
Private, Solo	4.1	73	3.7	73	4.1	69	3.3	73	3.9	71	3.7	73
Private, 2-5 Attorneys	3.8	54	3.6	54	4.1	53	3.3	52	3.8	49	5.6	54
Private, 6+ Attorneys	4.1	44	4.1	44	4.4	43	3.8	44	4.1	42	3.9	44
Private, Corporate Employee	3.5	2	3.0	2	4.0	2	3.0	2	4.0	2	3.5	2
Judge or Judicial Officer	4.4	28	4.0	28	4.3	28	3.4	28	4.3	27	4.1	28
Government	4.0	57	3.4	59	3.9	57	3.1	59	3.9	57	3.5	59
Public Service Agency/Org	3.8	4	2.8	4	3.5	4	2.3	4	3.5	4	3.0	4
Other	3.0	4	2.5	4	3.0	4	2.8	4	3.5	4	2.8	4
Years of Practice in Alaska												
No Response		3		2		10		4		11		2
5 Years or fewer	4.6	13	4.6	14	4.9	13	4.2	14	4.6	13	4.6	14
6 to 10 years	4.4	13	4.0	13	4.4	13	3.5	13	4.1	12	4.0	13
11 to 15 years	3.9	19	3.6	19	4.0	19	3.1	19	4.0	16	3.6	19
16 to 20 years	4.0	32	3.6	32	3.9	31	3.3	31	3.8	32	3.6	32
21 years or more	3.9	180	3.6	180	4.1	174	3.3	179	3.9	176	3.6	180
Gender												
No Response		4		2		10		4		14		2
Male	3.9	188	3.7	189	4.1	183	3.4	187	3.9	180	3.7	189
Female	4.2	77	3.7	78	4.0	76	3.2	78	4.0	75	3.7	78
Cases Handled												
No Response		3		1		9		3		13		1
Prosecution	3.5	6	2.7	7	3.1	7	2.9	7	3.4	7	2.7	7
Mainly Criminal	4.4	18	4.3	19	4.5	19	4.0	19	4.4	18	4.4	19
Mixed Criminal & Civil	3.9	51	3.4	51	3.8	50	3.0	51	3.8	48	3.4	51
Mainly Civil	4.0	178	3.7	178	4.2	171	3.3	176	3.9	171	3.7	178
Other	4.7	10	4.4	10	4.6	10	4.1	10	4.7	9	4.5	10
Location of Practice												
No Response		4		2		10		4		14		2
First District	4.4	7	4.0	7	4.3	7	3.6	7	4.3	7	4.1	7
Second District	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
Third District	4.0	249	3.7	251	4.1	245	3.3	249	3.9	239	3.7	251
Fourth District	4.0	4	3.8	4	4.3	3	3.8	4	4.0	4	4.0	4
Outside of Alaska	5.0	1	5.0	1	--	0	5.0	1	5.0	1	5.0	1

Note: Ratings for only those respondents who reported direct professional experience with the judge.

Current and Prior Retention Scores

William F. Morse

Appointed	Name of Court
2/27/2002	Anchorage Superior Ct

Retention Attorney Bar Scores

Year	Legal Ability	Impartiality	Integrity	Temperament	Dilligence	Special Skills	Overall Performance
2006	3.8	3.5	4	3.2	3.8		3.5
2012	4	3.7	4.1	3.3	3.9		3.7

Peace and Probation Officer Survey Scores

Year	Impartiality	Integrity	Temperament	Diligence	Special Skills	Overall Performance
2006	4.7	4.7	4.7	4.7		4.7
2012	4.2	4.3	4	4.5		4.2

**Judge William F. Morse
Peace and Probation Officers**

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation										
No Response		0		0		0		0		0
Direct Professional	4.2	12	4.3	12	4.0	12	4.5	10	4.2	12
Experience in last 5 yrs	4.4	11	4.6	11	4.1	11	4.6	9	4.4	11
Experience not in last 5 yrs	2.0	1	2.0	1	3.0	1	4.0	1	2.0	1
Professional Reputation	3.0	2	3.5	2	3.0	2	3.5	2	3.0	2
Other Personal Contacts	2.0	1	1.0	1	1.0	1	1.0	1	1.0	1
Type of Work										
No Response		0		0		0		2		0
State Law Enforcement Officer	4.1	7	4.4	7	4.0	7	4.4	5	4.1	7
Municipal/Borough Law Enforcement Officer	2.0	1	2.0	1	3.0	1	4.0	1	2.0	1
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	4.8	4	4.8	4	4.3	4	4.8	4	4.8	4
Other	--	0	--	0	--	0	--	0	--	0
Length of Experience										
No Response		0		0		0		2		0
5 Years or fewer	4.5	4	5.0	4	4.3	4	5.0	4	4.8	4
6 to 10 years	4.8	4	4.8	4	4.3	4	4.5	4	4.5	4
11 to 15 years	3.0	1	3.0	1	3.0	1	3.0	1	3.0	1
16 to 20 years	3.5	2	3.5	2	4.0	2	4.0	1	3.5	2
21 years or more	3.0	1	3.0	1	3.0	1	--	0	3.0	1
Gender										
No Response		0		0		0		2		0
Male	3.9	7	4.0	7	4.1	7	4.4	5	4.0	7
Female	4.6	5	4.8	5	3.8	5	4.6	5	4.4	5
Location of Work										
No Response		0		0		0		2		0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	4.2	12	4.3	12	4.0	12	4.5	10	4.2	12
Fourth District	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response		0		0		0		2		0
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	3.5	2	3.5	2	3.5	2	4.5	2	3.5	2
Over 35,000	4.3	10	4.5	10	4.1	10	4.5	8	4.3	10

Note: Ratings for only those respondents who reported direct professional experience with the judge.

Judge William F. Morse
Social Workers and Guardians ad Litem

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Evaluation	
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N
Basis for Evaluation										
No Response		0		0		0		0		1
Direct Professional	4.3	10	4.6	10	3.5	10	4.3	10	4.3	9
Experience in last 5 yrs	4.3	10	4.6	10	3.5	10	4.3	10	4.3	9
Experience not in last 5 yrs	--	0	--	0	--	0	--	0	--	0
Professional Reputation	--	0	--	0	--	0	--	0	--	0
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
Type of Work										
No Response		0		0		0		0		1
Social Worker	4.3	3	4.3	3	3.3	3	4.3	3	4.0	2
Guardian ad Litem	4.3	7	4.7	7	3.6	7	4.3	7	4.4	7
Length of Experience										
No Response		0		0		0		0		1
5 Years or fewer	4.0	1	4.0	1	3.0	1	4.0	1	4.0	1
6 to 10 years	4.7	3	5.0	3	3.7	3	4.3	3	4.3	3
11 to 15 years	4.3	4	4.5	4	3.8	4	4.3	4	4.7	3
16 to 20 years	4.0	1	4.0	1	3.0	1	4.0	1	4.0	1
21 years or more	4.0	1	5.0	1	3.0	1	5.0	1	4.0	1
Gender										
No Response		0		0		0		0		1
Male	4.3	3	4.3	3	3.7	3	4.0	3	4.3	3
Female	4.3	7	4.7	7	3.4	7	4.4	7	4.3	6
Location of Work										
No Response		0		0		0		0		1
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	4.3	10	4.6	10	3.5	10	4.3	10	4.3	9
Fourth District	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response		0		0		0		0		1
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	4.0	1	4.0	1	3.0	1	4.0	1	4.0	1
Over 35,000	4.3	9	4.7	9	3.6	9	4.3	9	4.4	8

Note: Ratings for only those respondents who reported direct professional experience with the judge.

Juror Survey Results 2012 Retention Evaluation William F. Morse							
Survey Category	Mean	Excellent	Good	Acceptable	Deficient	Poor	Total Responses
Impartiality/Fairness	4.8	37	10	0	0	0	47
Respectful/Courteous	4.7	35	10	2	0	0	47
Attentive during Proceedings	4.6	31	14	2	0	0	47
Control over Proceedings	4.8	39	8	0	0	0	47
Intelligence/ Skill as a Judge	4.8	37	10	0	0	0	47
Overall Evaluation	4.7	35	11	1	0	0	47

Distribution of Court Employee Ratings* 2012 Retention Evaluation William F. Morse							
Survey Category	Number of Responses						
	Total	Excellent	Good	Acceptable	Deficient	Poor	Mean
Impartiality/Fairness	49	24	16	7	1	1	4.2
Integrity	53	31	17	4	0	1	4.5
Judicial Temperament	54	25	14	12	1	2	4.1
Diligence	51	29	11	9	1	1	4.3
Overall Evaluation	55	29	16	8	1	1	4.3

* Ratings are based on direct professional experience.