

Alaska Judicial Council Recommendation

Judge Peter G. Ashman, District Court, Anchorage

I. Judicial Council Evaluation. The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Ashman to be **Qualified** and recommends unanimously (6-0) that the public vote "YES" to retain him as a district court judge.

II. Summary of Evaluation Information. In a survey sent to all 2,644 attorneys in Alaska, Judge Ashman was rated in the excellent range on overall judicial performance (4.0, see graph). He scored highest (4.2) in the categories of "knowledge of evidence and procedure," "conduct free from impropriety," "makes decisions without regard to possible public criticism," "willingness to work," and "talent and ability for cases involving children." He scored 4.0 or better in all sixteen categories.

Summary Categories	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey	CourtWatch Report
Legal Ability	4.2	---	---	---	---
Impartiality	4.0	4.2	4.8	---	4.2
Integrity	4.2	4.1	---	4.5	---
Temperament	4.0	4.2	4.8	4.5	4.0
Diligence	4.1	4.1	---	4.3	---
Special Skills	4.2	4.2	---	4.2	---
Overall	4.0	4.2	4.8	4.5	4.1

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

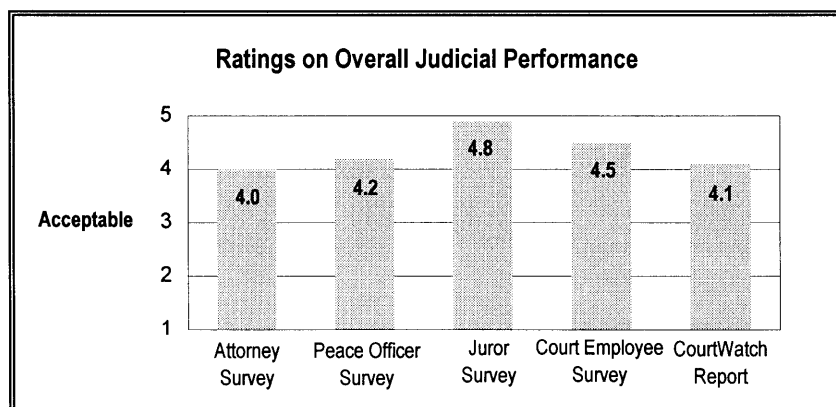
Range Description

4.0 - 5.0 = Excellent
 3.5 - 3.9 = Good
 3.0 - 3.4 = Acceptable
 2.5 - 2.9 = Below Acceptable
 1.0 - 2.4 = Poor

A survey of all 1,890 peace and probation officers in Alaska rated Judge Ashman in the excellent range on overall judicial performance (4.2, see graph). He scored highest (4.2) in the categories of "sense of basic fairness," "conduct free from impropriety," "human understanding and compassion," "ability to control courtroom," "willingness to work," and "talent and ability for cases involving children." He scored 4.0 or better in all thirteen categories.

A survey of all jurors appearing before Judge Ashman in 1998 and 1999 rated him in the excellent range (4.9) on overall performance. A survey of all court employees rated him in the excellent range (4.5) on overall performance. The independent CourtWatch Report gave Judge Ashman a 4.1 overall rating.

The Council also completed a background investigation including a court records check, a disciplinary records check, a review of conflict of interest statements submitted to the court system, a review of any withheld salary warrants and a review of financial disclosure statements submitted to the Alaska Public Offices Commission. Attorneys, peace officers, court employees and jurors were asked to submit written comments about the judge. The Council actively encouraged the public to comment, both in writing and in a statewide public hearing teleconference.



Recommendation: Vote "YES" to retain Judge Ashman

Contact the Judicial Council at 1029 W. 3rd, Suite 201, Anchorage, AK 99501 (telephone: (907) 279-2526) for more detailed information, or review the information on our Internet site at:

www.ajc.state.ak.us



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AK Judicial Council

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Alaska Judicial Council Questionnaire

Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

Peter G. Ashman

District Court, Anchorage

Name

Court

1. Describe your workload during your present term.

- a) 15 % Civil Cases
- 80 % Criminal Cases
- 5 % Court Administrative
- 100 % Total
- b) 20 # of trials/year
- 0 # Administrative Appeals

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

Please see attachment

3. On a separate sheet of paper please assess, in one or two paragraphs, your judicial performance during your present term. Appropriate areas of comment could include: satisfaction with your judicial role, specific contributions to the

Alaska Judicial Council Questionnaire : Trial Judge – Year 2000 Candidates for Judicial Retention

Peter G. Ashman

Supplement – Page One

2. I served as the Chair of the Indigency Guidelines Committee, which was charged by the Supreme Court with responsibility for analysis of statewide practices relating to judicial appointments of counsel. The two-year project resulted in the promulgation and adoption of Criminal Rule 39.1.

I also have served as a member of the Court's Interpreter Advisory Committee, which is engaged in the ongoing process of assessing interpretation services and standards.

I have served as the Court's representative on the VAWA (Violence Against Women Act) Committee which is responsible for distributing federal funds to agencies and organizations around the state. In this capacity, I have also participated in or presented at numerous training events and I was a delegate and presenter at the Governor's Domestic Violence Summit.

I have been a continuing member of the various internal education committees, including Judicial Conference Planning Committees and the Supreme Court's Judicial Education Committee and have served as the unofficial leader of the informal organization of statewide Training Judges. I have been involved in planning or presentation at virtually every judicial and magistrate training event for the past several years, and also have presented at clerk's and deputy clerks' conferences and the recent conference of custody investigators. I have served as the training judge for various rural magistrates for many years. Two years ago I also assumed responsibilities as training Judge for the Anchorage Committing Magistrates.

I was the principal presenter at the Anchorage Bar Association CLE presentation on Community Courts and Restorative Justice. I was a panel member at an Alaska Bar Association CLE on Trial Practices.

I have been a member of the Pretrial Practices and Alcohol Subcommittees of the CJAC project.

I will be a presenter at an upcoming court program on community outreach techniques for judges.

In early January 2000 I was appointed to serve as the Deputy Presiding Judge for the Anchorage District Court.

Peter G. Ashman

Supplement – Page Two

3. I believe that my strongest contributions to the judiciary have been made in my capacity as an educator. My work at the Leadership Institute for Judicial Education at the University of Memphis has taught me that real education is transformative, that adult learners have special needs, and that there are many styles of learning, all of which must be accommodated to effect the transformation. I enjoy the challenge -- the considerable challenge -- of working with judges and magistrates. I regret that our professional culture is so very rigid in its views of “appropriate” topics and methods. It is my experience that many good judges constantly find themselves physically and emotionally and spiritually exhausted doing work which demands energy in all those areas, and that we as a system do not spend enough time and attention on the issue of regeneration.

I am looking forward to my term as Deputy Presiding Judge. I hope to be able to build on the growing spirit of teamwork and camaraderie on this court and to support the innovative and exciting experiments in restorative and community-based justice in which so many of the judges are engaged.

judiciary or the field of law, increases in legal knowledge and judicial skills, or other measures of judicial abilities that you believe to be important.

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 x.
- b) been involved in a nonjudicial capacity in any legal proceeding whether as a party or otherwise? Yes _____ No x.
- c) engaged in the practice of law (other than as a judge)? Yes _____ No x.
- d) held office in any political party? Yes _____ No x.
- e) held any other local state or federal office? Yes _____ No x.

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

Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2000 retention elections.

5. Please list the names and case numbers of the three most recent jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

Name of Case	Case Number
1 <u>M.O.A v. Naim Konjohi</u>	<u>M99-8094 CR</u>

Attorneys Involved

Name: Mark Avery
Address: 420 L Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: Randall Patterson
Address: 1015 W. 7th Avenue
Anchorage, AK 99501

Name: _____
Address: _____

2 <u>M.O.A. v. Carl Diliberto</u>	<u>M99-7325 CR</u>
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Attorneys Involved

Name: Pat Hanley
Address: 420 L Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: Pamela Dale
Address: 310 K Street, Suite 200
Anchorage, Ak 99501

Name: _____
Address: _____

3 <u>S.O.A. v. Dennis Acker</u>	<u>S99-6664 CR</u>
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Attorneys Involved

Name: Dave Weingartner
Address: 310 K Street, Suite 520
Anchorage, AK 99501

Name: _____
Address: _____

Name: Michael Moberly
Address: 900 W. 5th Avenue, Suite 200
Anchorage, AK 99501

Name: _____
Address: _____

6. Please list the names and case numbers of the three most recent non-jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

	<i>Name of Case</i>	<i>Case Number</i>
1	<u>M.O.A. v. Debra Axt</u>	<u>M99-8952 CR</u>

Attorneys Involved

Name: Carmen Clark-Weeks
Address: 420 L Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: Mike Logue
Address: 737 M Street
Anchorage, AK 99501

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
2	_____	_____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	_____	_____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

7. Please list the names and case numbers of the three most recent cases which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.), identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

1

Name of Case
S.O.A. v. Breck Armstrong

Case Number
3DI-99-183 CR

Attorneys Involved

Name: John Skidmore
Address: PO Box 479
Dillingham, AK 99576-470

Name: Valerie Leonard
Address: PO Box 929
Dillingham, AK 99576

Name: _____
Address: _____

Name: _____
Address: _____

2

Name of Case
M.O.A. v. William Flannigan

Case Number
M97-5024 CR

Attorneys Involved

Name: Carmen Clark-Weeks
Address: 420 L Street
Anchorage, AK 99501

Name: Richard Kibby
Address: 405 W. 36th Avenue, Ste 102
Anchorage, AK 99503

Name: _____
Address: _____

Name: _____
Address: _____

3

Name of Case

Case Number

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

8. If you deem it helpful to the Council, please list the name, case number and attorneys' names and current addresses of any other cases during your judicial career in which you believe your work was particularly noteworthy. (Attach additional pages if necessary.)

<i>Name of Case</i>	<i>Case Number</i>
1 <u>M.O.A. v. Lawrence McMullen</u>	<u>M98-10976 CR</u>

Attorneys Involved

Name: Elizabeth Baker
Address: 420 L Street
Anchorage, AK 99501

Name: _____
Address: _____

Name: Rex Lamont Butler
Address: 745 W 4th Avenue, Ste 300
Anchorage, AK 99501

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 <u>S.O.A. v. Che Allen Loe</u>	<u>S98-0361 CR</u>

Attorneys Involved

Name: Hollis French
Address: 310 K Street, Ste 520

Name: _____
Address: _____

Name: Vennie Nemecek
Address: Now at AG's
1031 W. 4th Avenue, Ste 200
Anchorage, AK 99501

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 _____	_____

Attorneys Involved

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

MEMORANDUM

TO: Judicial Council Members

FROM: Staff

DATE: May 16, 2000

RE: Comparison of Previous Survey Results - Peter G. Ashman

Peter G. Ashman is standing for retention in 2000. The tables on the following page compare retention and selection survey scores for Judge Ashman. Changes in the form and content of the various surveys should be noted carefully in making any comparisons.

Judge Ashman previously stood for retention as a district court judge in 1988, 1992, and 1996. He was evaluated with other non-retention judges in 1990, 1994, and 1998.

Judge Ashman applied for and was appointed to the Palmer District Court in 1987. He applied for the Anchorage Superior Court in 1993 and 1996 and the Anchorage District Court in 1993 and 1994. He was nominated but not appointed to the Anchorage District Court in 1993 and the Anchorage Superior Court in 1993 and 1996. He was transferred to the Anchorage District Court in 1997.

Judge Peter G. Ashman														
Retention surveys														
	2000 Retention		1998 Retention Preview		1996 Retention		1994 Retention Preview		1990 Retention Preview		1992 Retention		1988 Retention	
	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO
Legal Ability	4.2	—	4.3	—	4.4	---	4.2	---	4.4	—	4.1	—	4.3	---
Fairness	4.0	4.2	4.2	4.4	4.3	4.2	4.3	4.2	4.5	4.2	4.3	4.1	4.4	3.3
Integrity	4.2	4.1	4.4	4.5	4.4	4.4	4.3	4.4	4.5	4.4	4.3	4.0	4.6	3.8
Judicial Temperament	4.0	4.2	4.2	4.4	4.3	4.3	4.2	4.2	4.5	4.3	4.2	4.1	4.5	3.9
Diligence	4.1	4.1	—	—	4.3	4.2	4.2	4.2	—	—	4.1	4.0	—	---
Administrative Skills	4.2	4.2	—	—	4.3	4.2	4.2	4.3	4.3	4.2	4.1	3.9	4.2	3.7
Overall Performance	4.0	4.2	4.3	4.4	4.3	4.3	4.2	4.2	4.4	4.3	4.2	4.0	4.4	3.4

Judge Peter G. Ashman											
appointed to Palmer District Court 7/31/87											
	10/1996 Anchorage Superior Court		6/1996 Anchorage Superior Court		1994 Anchorage District Court		1993 Anchorage District Court		1993 Anchorage Superior Court		1987 Palmer District Court
	Score	Range	Score	Range	Score	Range	Score	Range	Score	Range	
Professional Competence	4.2	Excellent	4.1	Excellent	4.3	Good	4.2	Good	4.1	Good	4.2
Integrity	4.3	Excellent	4.3	Excellent	4.4	Good	4.3	Good	4.3	Good	4.5
Fairness	4.2	Excellent	4.1	Excellent	4.2	Good	4.2	Good	4.2	Good	4.4
Judicial Temperament	4.1	Excellent	4.0	Excellent	4.2	Good	4.2	Good	4.1	Good	---
Suitability of Experience	4.1	Excellent	4.0	Excellent	4.4	Good	—	—	—	—	4.4
Overall Performance	4.1	Excellent	4.0	Excellent	4.3	Good	4.2	Good	4.1	Good	---