

Alaska Judicial Council Recommendation

Judge Larry C. Zervos, Superior Court, Sitka

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

II. Summary of Evaluation Information. In a survey sent to all 2,644 attorneys in Alaska, Judge Zervos was rated in the excellent range on overall judicial performance (4.4, see graph). He scored highest (4.5) in the category of "conduct free from impropriety." He scored 4.2 or better in all sixteen categories.

Summary Categories	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey
Legal Ability	4.2	---	---	---
Impartiality	4.4	4.0	4.8	---
Integrity	4.5	4.1	---	4.5
Temperament	4.3	4.2	4.8	4.6
Diligence	4.3	4.1	--	4.5
Special Skills	4.4	3.8	---	4.5
Overall	4.4	4.0	4.8	4.6

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

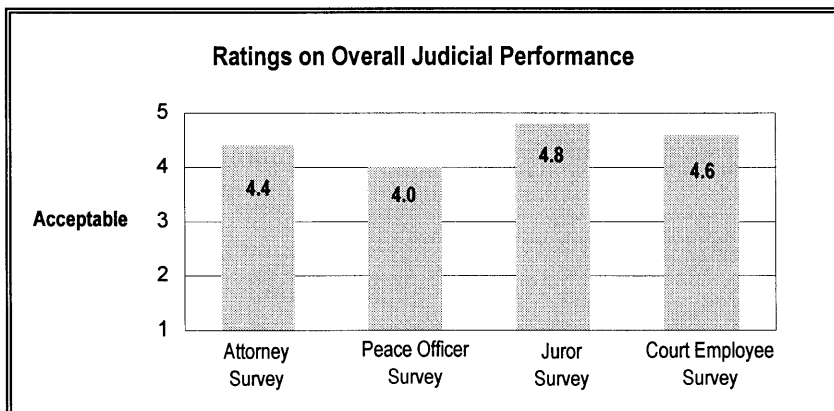
Range Description

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 Zervos in the excellent range on overall judicial performance (4.0, see graph). He scored highest (4.2) in the categories of "conduct free from impropriety," "courtesy," "human understanding and compassion," and "ability to control courtroom." He scored 3.8 or better in all thirteen categories.

A survey of all jurors appearing before Judge Zervos in 1998 and 1999 rated him in the excellent range (4.8) on overall performance. A survey of all court employees rated him in the excellent range (4.6) on overall performance.

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 Zervos

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



alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969 (907) 279-2526 FAX (907) 276-5046
http://www.ajc.state.ak.us E-Mail: postmaster@ajc.state.ak.us

EXECUTIVE DIRECTOR
William T. Cotton

NON-ATTORNEY MEMBERS
Janice Lienhart
Vicki A. Otte
Sandra S. Stringer

ATTORNEY MEMBERS
Geoffrey G. Currall
Paul J. Ewers
Robert H. Wagstaff

CHAIRMAN, EX OFFICIO
Warren W. Matthews
Chief Justice
Supreme Court

Alaska Judicial Council Questionnaire

Trial Judge 2000 Candidates for Judicial Retention

November 19, 1999

LARRY ZERVOS SUPERIOR
Name Court

1. Describe your workload during your present term.

- a) 45 % Civil Cases b) 13 # of trials/year
- 45 % Criminal Cases 10 # Administrative Appeals
- 10 % Court Administrative
- 100 % Total

I am a member of the 3-Judge Sentencing Panel. I also served pro tem on Alaska Supreme Court for three cases.

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

See attached page.

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

2. I am a member of the Fairness & Access Implementation Committee. This Committee is charged with implementing the 26 recommendations of the Supreme Court's Fairness & Access Task Force. As part of my work with this committee, I am the chair of the Jury Implementation Subcommittee.

I was also a member of the Supreme Court's Fairness and Access Task Force. In October 1997, this Task Force made recommendations to improve the perception of fairness of and access to the court system.

I was a member of the Day Fine Committee. This Committee recommended procedures for the implementation of AS 12.55.036 to the Supreme Court. I was a member of the Indigency Guidelines Committee. This Committee recommended substantial changes to Criminal Rule 39 for the appointment of counsel. These recommendations were accepted and implemented by the Supreme Court.

Finally, I chaired the Alaska Court System's CINA Committee for one year.

3. It is important to me to do the best I can on each case. While some of the parties may disagree with the result, I believe they feel the process was fair.

I have worked on several court system committees to improve our system of justice and I am the Magistrate Training Judge for the First Judicial District. I am proud of my work and I have always been willing to accept assignments within the court system where I might be needed.

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 X No _____.

 - 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.

I was appointed conservator for my 90-year old uncle by the Orange County Superior Court in California. I served in this capacity until my uncle died in November 1998.

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.)

<i>Name of Case</i>	<i>Case Number</i>
1 STATE v ROBERT TONHEIM	1SI-99-145 & 1SI-99-279 CR

Attorneys Involved

Name: Kurt Twitty ADA
 Address: 304 Lake St. Room 201
 Sitka AK 99835

Name: _____
 Address: _____

Name: David Graham
 Address: 408 Lake St.
 Sitka AK 99835

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 STATE v DIANA GADD	1WR-99-82 CR

Attorneys Involved

Name: Stephen West, ADA
 Address: 415 Main St. Room 304
 Ketchikan AK 99901

Name: _____
 Address: _____

Name: Galen Paine, APD
 Address: 326 Harbor Drive Room 203
 Sitka AK 99835

Name: _____
 Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 STATE v JERRY STRELOW	1SI-99-27 CR

Attorneys Involved

Name: Kurt Twitty, ADA
 Address: 304 Lake St. Room 201
 Sitka AK 99835

Name: _____
 Address: _____

Name: James McGowan
 Address: 202-A Katlian
 Sitka AK 99835

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 CALVIN v INKSTER	1SI-98-154 CI

Attorneys Involved

✓ Name: Eric Calvin, Pro Se
Address: 210 Brady St.
Sitka AK 99835

Name: _____
Address: _____

✓ Name: Linda Inkster, Pro Se
Address: 39201 State Route 20 Unit G
Oak Harbor WA 98277-9585

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 GLACKIN v GLACKIN	1JU-98-69 CI

Attorneys Involved

✓ Name: Jane Sebens
Address: PO Box 1111
Haines AK 99827

Name: _____
Address: _____

✓ Name: William Ruddy
Address: PO Box 34338
Juneau AK 99803-4338

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 RAMSEY v. WIGA/COLUCCIO	1JU-91-1561

Attorneys Involved

✓ Name: Paul Cronin
Address: 526 Main St. #200
Juneau AK 99801

Name: Richard Monkman
Address: 350 N. Franklin
Juneau AK 99801

✓ Name: Tony Strong
Address: 526 Main St. #200
Juneau AK 99801

Name: Gerald Palm
Address: 1201 Third Ave. #2830
Seattle WA 98101

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.)

	<i>Name of Case</i>	<i>Case Number</i>
1	<u>YERKES v UNIVERSITY OF ALASKA</u>	<u>1SI-97-127 CI</u>

Attorneys Involved

✓ Name: James McGowan
Address: 202-A Katlian
Sitka AK 99835

✓ Name: Erin Marston
Address: 745 W 4th Ave. #502
Anchorage AK 99501

✓ Name: Thomas Batchelor
Address: 526 Main St.
Juneau AK 99801

✓ Name: William Ingaldson
Address: 711 H Street #500
Anchorage AK 99501

	<i>Name of Case</i>	<i>Case Number</i>
2	<u>STATE v NOTTI</u>	<u>1SI-98-133 CI</u>

Attorneys Involved

✓ Name: Kurt Twitty ADA
Address: 304 Lake St. #201
Sitka AK 99835

Name: _____
Address: _____

✓ Name: Cynthia Strout
Address: 510 L Street #306
Anchorage AK 99501

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	<u>MT JUNEAU ENTERPRISES v JUNEAU</u>	<u>1KE-91-642 CI</u>

Attorneys Involved

✓ Name: John Rice
Address: PO BOX 020145
Juneau AK 99802

✓ Name: Phillip Weidner
Address: 330 L Street #200
Anchorage AK 99501

✓ Name: Avrum Gross
Address: 424 N. Franklin
Juneau AK 99801

✓ Name: Susan Burke
Address: 424 N. Franklin
Juneau AK 99835

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	JOHNS v JOHNS	1SI-94-197 DR

Attorneys Involved

✓ Name: Brian Hanson
Address: PO Box 98
Sitka AK 99835

Name: _____
Address: _____

✓ Name: William T. Ford
Address: 1029 W. 3rd Ave. #400
Anchorage AK 99501

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
2	STATE v WALLING, BYRON, PADIWODA	1SI-96-313, 314, 292 & 293 CR

Attorneys Involved

✓ Name: Kurt Twitty
Address: 304 Lake St. #201
Sitka AK 99835

✓ Name: Steven Daugherty AAG
Address: PO Box 110300
Juneau AK 99811

✓ Name: Peter Page
Address: 16155 Lena Loop Road
Juneau AK 99801

Name: _____
Address: _____

	<i>Name of Case</i>	<i>Case Number</i>
3	STATE v HUNTER/MERCULIEF/HUNTER	1AG-96-20/21/22 CR

Attorneys Involved

✓ Name: Steven Daugherty, AAG
Address: PO Box 110300
Juneau AK 99811

Name: _____
Address: _____

✓ Name: Mark Regan
Address: 419 6th St. #322
Juneau AK 99801

Name: _____
Address: _____

MEMORANDUM

TO: Judicial Council Members

FROM: Staff

DATE: May 16, 2000

RE: Comparison of Previous Survey Results - Larry C. Zervos

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

Judge Zervos stood for retention as a Fairbanks District Court Judge in 1990 and as a Sitka Superior Court judge in 1994. He was evaluated with other non-retention judges in 1992 and 1998.

Judge Zervos applied for the Fairbanks Superior Court in 1987 and he applied for and was appointed to the Fairbanks District Court in 1988. He was a sitting district court judge in Fairbanks when he applied for and was appointed to the Sitka Superior Court in 1990.

Judge Larry C. Zervos										
Retention surveys										
	2000 Retention		1998 Retention Preview		1994 Retention		1992 Retention Preview		1990 Retention	
	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO	Bar	PPO
Legal Ability	4.2	—	4.2	—	4.0	—	4.1	—	4.2	---
Fairness	4.4	4.0	4.3	3.7	4.2	3.4	4.3	3.9	4.4	3.9
Integrity	4.5	4.1	4.4	3.9	4.3	3.7	4.3	3.9	4.5	4.1
Judicial Temperament	4.3	4.2	4.3	3.9	4.2	3.8	4.3	3.9	4.4	4.0
Diligence	4.3	4.1	—	—	4.1	3.7	4.2	3.8	—	---
Administrative Skills	4.4	3.8	—	—	4.1	3.5	4.1	3.7	4.3	4.0
Overall Performance	4.4	4.0	4.3	3.8	4.2	3.5	4.2	3.7	4.4	4.0

Judge Larry C. Zervos			
appointed to Sitka Superior Court 9/14/90			
	1990 Sitka Superior	1988 Fairbanks District	1987 Fairbanks Superior
Professional Competence	4.1	3.8	3.5
Integrity	4.3	4.0	3.8
Fairness	4.3	3.8	3.6
Judicial Temperament	4.3	3.7	---
Suitability of Experience	—	—	3.3
Overall Performance	4.2	3.7	---