Alaska Judicial Council Recommendation

Judge Eric Smith, Superior Court, Palmer

Judicial Council Recommendation
The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska constitution, evaluates judges on a number of criteria, including their legal ability, demeanor, their diligence, their ability to manage their caseloads, and their fairness and integrity. The Judicial Council finds Judge Eric Smith 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 3,036 attorneys, 1,492 peace and probation officers, social workers/guardians ad litem, and child advocates, jurors, and court employees 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 court system records concerning peremptory challenges, 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; and whether a judge's pay was withheld for an untimely decision. The Council investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, court staff, and others. The Council 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 CASAs
Legal Ability	4.2	---	---	---	---
Impartiality	4.1	3.9	4.9	4.4	5.0
Integrity	4.3	4.2	---	4.5	5.0
Temperament	4.1	3.9	4.9	4.4	5.0
Diligence	4.2	4.0	---	4.4	3.0
Overall	4.1	3.9	4.9	4.4	4.0

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
Attorneys in Alaska rated Judge Eric Smith on the six categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Eric Smith on overall performance was 4.1. Peace and probation officers rated Judge Eric Smith on five categories, using the 5-point scale above. They gave Judge Eric Smith a rating of 3.9.

Four other groups also evaluated Judge Eric Smith's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.9, court employees gave him 4.4, and social workers, guardians ad litem and CASA volunteers rated him at 4.0. The Alaska Judicial Observers rated him 3.4.

Recommendation: Vote "YES" to retain Judge Eric Smith

Contact the Judicial Council at 1029 W. Third Avenue, 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

November 2006

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
Larry Cohn

NON-ATTORNEY MEMBERS
Eleanor Andrews
Bill Gordon
Christena Williams

ATTORNEY MEMBERS
Douglas Baily
Robert B. Groseclose
Susan Orlansky

CHAIR, EX OFFICIO
Alexander O. Bryner
Chief Justice
Supreme Court

RECEIVED
JAN 9 2006
ALASKA
JUDICIAL COUNCIL

Alaska Judicial Council Questionnaire

Trial Judge
2006 Candidates for Judicial Retention

November 21, 2005

Eric Smith — Name

Palmer — Court

1. Describe your workload during your present term.

a) 50 % Civil Cases
30 % Criminal Cases
_____ % Court Administrative
100 % Total

b) 25 # of trials/year
1 # Administrative Appeals

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

I am a Training Judge and a Mentor. I am on the Fairness and Access Implementation Committee and on the Khabarovsk-Alaska Rule of Law (KAROL) Steering Committee. I have made presentations to several workshops for the KAROL Committee, and spent a week in Khabarovsk teaching Russian judges and attorneys how to conduct a jury trial. I also have served on several committees planning judicial education conferences and have made several presentations at the conferences.

3. 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 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.

Becoming a judge was an excellent change for me. The judicial role itself has been very interesting. Judges wield a lot of power, but at the same time, very little. We can require people and institutions to act, but our authority is surprisingly bounded by the perception of those who come to the courtroom. An apparent lack of fairness and respect can substantially undo any benefit wrought by a ruling. This constant awareness of the importance of being both substantively and apparently fair and respectful has been an important lesson.

A significant reward of my judicial position has been the opportunity to affect individual lives in a meaningful way. I spend a substantial portion of my time settling cases, principally divorce cases, in an effort to minimize disruption to the children. My sentencing comments necessarily address the social and emotional impacts of crime -- I often find that a defendant's rehabilitative prospects can be strongly influenced by the way I treat him or her and the things I say.

Two of the more significant contributions I have made in the past six years have been in the areas of legal education and management of jury trials. With respect to education, I have worked extensively with Russian judges and lawyers on how to conduct jury trials. I hosted a group in Palmer, where they watched a jury trial and had the opportunity to hear an extensive motion hearing regarding a complex issue addressing the right to publicly appointed counsel. I also traveled to Khabarovsk for a week to attend a jury trial seminar. I made several presentations to the seminar regarding management of jury trials, appropriate conduct of a judge during a trial, and application of relevant rules of evidence. I also served as a technical advisor to the judges during a mock trial. It was a very interesting and rewarding experience.

As for jury trial management, I have allowed jurors to ask questions for many years now. This was a controversial topic until recently, when the American Bar Association recommended that judges allow jurors to do so. I started the practice in 1999. I have found that by being able to ask questions, jurors pay better attention and have more involvement and a stake in the proceedings. They also tend to require fewer playbacks, and jurors tell me that being able to ask questions facilitates their deliberations. The questions also allow the attorneys to sharpen their presentations, which enhances the quality and efficiency of the trial. While some attorneys initially resisted this approach, almost every one has come to like it and appreciate it.

Finally, I have been a mentor for the three district court judges here in Palmer. This has been rewarding for me, and I have learned much myself in helping them both with technical legal issues and more important, how to be judges.

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 nonjudicial 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

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 2006 retention elections.

7 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)

Case Number 1

Case Name: State ***Case Number:*** 3PA-04-3625 CR

v. Eugene Gordon

Attorneys Involved:

Name: Roman Kolytiak
Address: 11921 Palmer Wasilla Hwy
City, State, Zip: Palmer AK 99645

Name: Diane Foster
Address: 268 E. Fireweed #102
City, State, Zip: Palmer AK 99645

Name:
Address:
City, State, Zip:

Name:
Address:
City, State, Zip:

Case Number 2

Case Name: State ***Case Number:*** 3PA-05-460 CR

v. Glenn Ogletree

Attorneys Involved:

Name: Roman Kolytiak
Address: 11921 Palmer Wasilla Hwy
City State, Zip: Palmer AK 99645

Name Holly Handler
Address: 11921 Palmer Wasilla Hwy
City, State, Zip Palmer AK 99645

Name:
Address:
City, State, Zip:

Name:
Address:
City, State, Zip:

Case Number 3

Case Name: State ***Case Number:*** 3PA04-2795

v. Richard Deremer

Attorneys Involved:

Name: Suzanne Powell
Address: 11921 Palmer Wasilla Hwy
City, State, Zip: Palmer AK 99645

Name: John Murtagh
Address: 1101 W.7th Ave.
City, State, Zip Anchorage, AK 99501

Name:
Address:
City, State, Zip

Name:
Address:
City, State, Zip

8. 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.)

Case Number 1

Case Name: Bean *Case Number:* 3PA-04-1502 CI

v. Bear

Attorneys Involved:

Name: Ken Goldman	Name Ann DeArmond
Address: 550 S.Alaska St #4-5	Address: 851 E.West Point #201
City, State, Zip: Palmer, AK 99645	City, State, Zip: Wasilla, AK 99654
Name	Name.
Address	Address:
City, State, Zip.	City, State, Zip

Case Number 2

Case Name: Koch *Case Number:* 3PA-04223 CI

v. Koch

Attorneys Involved:

Name: David Golter	Name: D. Scott Datten
Address: 348 S. Denali	Address: 2600 Denali St. #460
City, State, Zip: Palmer, AK 99645	City, State, Zip. Anchorage, AK 99503
Name.	Name:
Address:	Address
City, State, Zip:	City, State, Zip:

Case Number 3

Case Name: Donnelly *Case Number:* 3PA 03-1090 CI

v. Donnelly

Attorneys Involved:

Name: Alaska Legal Services	Name Christopher Donnelly
Address 1016 W. 6th Ave. #200	Address: 6601 Verboncouer
City, State, Zip. Anchorage, AK 99501	City, State, Zip: Wasilla, AK 99654
Name:	Name
Address:	Address.
City, State, Zip:	City, State, Zip

9. 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.)

Case Number 1

Case Name: Tatum *Case Number:* 3PA 02-914 CI
v. Allstate Ins. Co.

Attorneys Involved:

Name: Steve Smith	Name C.R. Kenrelly
Address 1029 W.3rd Ave. #250	Address: 1441 W.Northern Lights Blvd
City, State, Zip: Anchorage, AK 99501	City, State, Zip. Anchorage, AK 99503
Name: Albert Clayton	Name
Address. 500 L St. #200	Address:
City, State, Zip Anchorage, AK 99501	City, State, Zip

Case Number 2

Case Name: Hubbard *Case Number:* 3PA 0a5-905 CI
v. Hubbard

Attorneys Involved:

Name: Elizabeth Smith	Name: David Golter
Address: 550 S. Alaska St. #4-5	Address: 348 S. Denali
City, State Zip: Palmer, AK 99645	City, State, Zip Palmer, AK 99645
Name:	Name:
Address:	Address:
City, State, Zip	City, State, Zip:

Case Number 3

Case Name: Wesley *Case Number:* 3PA 05-1653 CI
v. Keelan

Attorneys Involved:

Name. Elizabeth Smith	Name. Amanda Wesley
Address. 550 S. Alaska St. #4-5	Address: 2805 Gillan Way
City, State, Zip: Palmer, AK 99645	City, State, Zip. Fairbanks, AK 99701
Name:	Name:
Address:	Address:
City, State, Zip:	City, State, Zip

10. 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.)

Case Number 1

Case Name: Trboyevich *Case Number:* 3PA 03-752 CI

v. Pinckley-Trboyevich

Attorneys Involved:

Name: Ken Goldman	Name: Wayne Ross
Address: Elizabeth Smith	Address: 327 E. Fireweed Lane #201
City, State, Zip: Palmer, AK 99645	City, State, Zip Anchorage, AK 99503
Name	Name:
Address	Address
City, State, Zip'	City, State, Zip.

Case Number 2

Case Name: In Re Holmes Children *Case Number:* 3PA 01-108-111 CP

v.

Attorneys Involved:

Name: Alan Beiswenger	Name: Stefan Otterson
Address. c/o 1031 W. 4th Ave.	Address: P.O. Box 110572
City, State, Zip: Anchorage, AK 99501	City, State, Zip: Anchorage, AK 99511
Name: Randall Luffberry	Name Ben Whipple
Address: 2635 S. Alaska	Address: 481 W. Arctic Ave.
City, State. Zip: Palmer, AK 99645	City, State, Zip: Palmer, AK 99645

Case Number 3

Case Name: Kalmbach *Case Number:* 3PA -691 CI

v. Reinders

Attorneys Involved:

Name: Bruce Moore	Name:
Address' 943 W.6th Ave.	Address:
City, State, Zip: Anchorage, AK 99501	City, State, Zip
Name:	Name.
Address:	Address:
City, State. Zip:	City, State, Zip'

38. SUPERIOR COURT JUDGE ERIC SMITH

A. Alaska Bar Association

Demographic Description (N=356)

		N	%
Type of Practice			
	No Response	10	2.8%
	Private, Solo	82	23.0%
	Private, 2-5 Attorneys	76	21.4%
	Private, 6+ Attorneys	43	12.1%
	Private, Corporate Employee	6	1.6%
	State Judge or Judicial Officer	45	12.6%
	Government	76	21.4%
	Public Service Agency or Organization (not govt)	8	2.2%
	Other	9	2.5%
Length of Alaska Practice			
	No Response	9	2.5%
	5 Years or fewer	24	6.7%
	6 to 10 years	29	8.1%
	11 to 15 years	45	12.6%
	16 to 20 years	59	16.6%
	21 years or more	189	53.2%
Gender			
	No Response	9	2.5%
	Male	251	70.7%
	Female	95	26.7%
Cases Handled			
	No Response	10	2.8%
	Prosecution	16	4.5%
	Mainly Criminal	28	7.8%
	Mixed Criminal & Civil	101	28.4%
	Mainly Civil	186	52.3%
	Other	14	3.9%
Location of Practice			
	No Response	8	2.2%
	First District	15	4.2%
	Second District	5	1.4%
	Third District	307	86.4%
	Fourth District	15	4.2%
	Outside of Alaska	5	1.4%

Evaluation of Judge Eric Smith:
Alaska Bar Association Members

Summary of Findings

Judge Eric Smith was evaluated by 292 Alaska Bar Association members who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.1. The highest mean score was obtained on *integrity* (4.3) and the lowest scores were obtained on *impartiality/fairness* (4.1) and *judicial temperament* (4.1). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**Mean**
Legal Ability	2	0.6%	19	6.5%	36	12.3%	102	34.9%	133	45.5%	4.2
Impartiality/Fairness	10	3.4%	22	7.5%	38	13.0%	92	31.6%	129	44.3%	4.1
Integrity	4	1.3%	9	3.1%	35	12.2%	76	26.5%	162	56.6%	4.3
Judicial Temperament	11	3.8%	21	7.2%	34	11.7%	93	32.1%	130	44.9%	4.1
Diligence	3	1.0%	16	5.5%	43	15.0%	95	33.2%	129	45.1%	4.2
Overall Rating	4	1.3%	20	6.9%	41	14.2%	99	34.3%	124	43.0%	4.1

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

Judge Eric Smith: Detailed Information Responses
Alaska Bar Association Members

	Legal Ability		Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Rating	
	Mean	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**
Basis for Evaluation of Judge												
No Response	4.0	4	3.3	4	3.5	4	3.5	4	4.0	4	3.5	4
Direct Professional	**4.2**	**292**	**4.1**	**291**	**4.3**	**286**	**4.1**	**289**	**4.2**	**286**	**4.1**	**288**
Professional Reputation	4.1	53	3.9	52	4.3	52	4.1	51	4.1	50	4.0	53
Other Personal Contacts	4.7	7	4.7	6	4.7	7	4.7	6	4.5	2	4.6	7
Type of Practice												
No Response	3.4	9	3.0	9	3.4	9	3.1	9	3.8	9	3.2	9
Private, Solo	4.2	72	4.3	72	4.5	70	4.1	72	4.2	72	4.2	70
Private, 2-5 Attorneys	4.0	67	3.9	66	4.2	67	4.1	64	4.0	65	4.0	66
Private, 6+ Attorneys	3.9	32	3.6	32	4.0	31	3.8	32	3.8	32	3.7	32
Private, Corporate Employee	3.8	4	3.5	4	3.3	3	4.0	4	3.3	3	3.8	4
State Judge or Judicial Officer	4.8	38	4.7	38	4.9	37	4.6	38	4.7	36	4.7	38
Government	4.2	61	4.0	61	4.3	60	4.0	61	4.1	60	4.1	60
Public Service Agency or Organization (not govt)	4.6	5	4.2	5	4.4	5	4.0	5	4.4	5	4.2	5
Other	4.3	4	4.0	4	4.8	4	4.5	4	4.5	4	4.3	4
Years Experience												
No Response	3.4	7	2.9	7	3.3	7	3.0	7	3.7	7	3.1	7
5 Years or fewer	4.3	18	3.8	17	4.2	18	3.6	18	4.1	18	3.9	18
6 to 10 years	3.8	26	3.7	26	4.0	26	3.4	26	3.9	26	3.7	26
11 to 15 years	4.2	40	3.9	40	4.3	39	4.0	40	4.1	39	4.1	40
16 to 20 years	4.0	50	3.9	50	4.1	49	3.9	50	4.0	48	4.0	50
21 years or more	4.3	151	4.3	151	4.6	147	4.4	148	4.3	148	4.3	147
Gender												
No Response	3.6	8	3.1	8	3.5	8	3.1	8	3.9	8	3.4	8
Male	4.2	206	4.1	205	4.4	202	4.2	205	4.1	202	4.1	205
Female	4.2	78	4.0	78	4.3	76	3.9	76	4.2	76	4.1	75
Majority of Practice Consists of												
No Response	3.6	8	3.1	8	3.5	8	3.1	8	3.9	8	3.4	8
Prosecution	4.3	12	3.9	12	4.2	12	3.9	12	4.0	12	4.0	12
Mainly Criminal	4.4	25	4.1	25	4.4	25	3.8	25	4.4	25	4.1	23
Mixed Criminal & Civil	4.3	86	4.3	85	4.5	84	4.3	84	4.3	83	4.3	86
Mainly Civil	4.1	152	4.0	152	4.3	149	4.1	151	4.1	150	4.1	151
Other	4.1	9	3.7	9	4.5	8	4.1	9	4.1	8	4.0	8
Location of Practice												
No Response	3.4	7	2.9	7	3.3	7	3.0	7	3.7	7	3.1	7
First District	4.6	10	4.6	10	4.8	9	4.4	10	4.6	10	4.6	10
Second District	4.3	3	4.0	3	4.5	2	4.0	3	4.0	2	4.0	3
Third District	4.2	258	4.1	257	4.3	254	4.1	255	4.2	253	4.1	254
Fourth District	3.9	12	4.0	12	4.5	12	3.8	12	3.8	12	4.1	12
Outside of Alaska	3.5	2	3.5	2	4.0	2	3.5	2	3.5	2	3.5	2

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

38. SUPERIOR COURT JUDGE ERIC SMITH

B. Peace and Probation Officers

Demographic Description (N=52)

		N	%
Type of Work			
	No Response	--	0.0%
	State Law Enforcement Officer	16	30.7%
	Municipal/Borough Law Enforcement Officer	14	26.9%
	Village Public Safety Officer (VPSO)	--	0.0%
	Probation/Parole Officer	21	40.3%
	Other	1	1.9%
Length of Alaska Experience			
	No Response	--	0.0%
	5 Years or fewer	15	28.8%
	6 to 10 years	17	32.6%
	11 to 15 years	6	11.5%
	16 to 20 years	3	5.7%
	21 years or more	11	21.1%
Gender			
	No Response	--	0.0%
	Male	34	65.3%
	Female	18	34.6%
Location of Practice			
	No Response	--	0.0%
	First District	1	1.9%
	Second District	--	0.0%
	Third District	50	96.1%
	Fourth District	1	1.9%
	Outside of Alaska	--	0.0%
Community Population			
	No Response	--	0.0%
	Under 2,000	--	0.0%
	Between 2,000 and 35,000	18	34.6%
	Over 35,000	34	65.3%

Evaluation of Judge Eric Smith
Peace and Probation Officers

Summary of Findings

Judge Eric Smith was evaluated by 41 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 3.9. The highest mean score was obtained on *integrity* (4.2) and the lowest scores were obtained on *impartiality/fairness* (3.9) and *judicial temperament* (3.9). Details are present in the two tables that follow

	Poor		Deficient		Accept		Good		Excellent		
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**Mean**
Impartiality/Fairness	2	5.0%	2	5.0%	7	17.5%	15	37.5%	14	35.0%	3.9
Integrity	2	5.0%	1	2.5%	4	10.0%	14	35.0%	19	47.5%	4.2
Judicial Temperament	2	4.8%	1	2.4%	10	24.3%	16	39.0%	12	29.2%	3.9
Diligence	2	5.0%	--	0	9	22.5%	15	37.5%	14	35.0%	4.0
Overall Rating	2	4.8%	2	4.8%	4	9.7%	22	53.6%	11	26.8%	3.9

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

Judge Eric Smith: Detailed Information on Responses
Peace and Probation Officers

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Rating	
	Mean	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**
Basis for Evaluation of Judge										
No Response	4.0	1	4.0	1	4.0	1	4.0	1	4.0	1
Direct Professional	**3.9**	**40**	**4.2**	**40**	**3.9**	**41**	**4.0**	**40**	**3.9**	**41**
Professional Reputation	3.3	10	3.6	10	3.4	10	3.4	10	3.3	10
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
Type of Work										
No Response	--	0	--	0	--	0	--	0	--	0
State Law Enforcement Officer	3.8	14	4.1	14	3.9	14	4.0	14	4.0	14
Municipal/Borough Law Enforcement Officer	4.2	10	4.3	10	4.2	11	4.4	10	4.1	11
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	3.8	15	4.1	15	3.5	15	3.6	15	3.7	15
Other	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Years Experience										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	3.8	12	4.3	12	3.8	12	4.0	12	4.1	12
6 to 10 years	4.1	14	4.4	14	3.9	15	4.1	14	4.0	15
11 to 15 years	3.5	4	3.3	4	3.3	4	3.8	4	3.3	4
16 to 20 years	4.7	3	4.7	3	4.7	3	4.7	3	4.7	3
21 years or more	3.7	7	3.9	7	3.7	7	3.4	7	3.6	7
Gender										
No Response	--	0	--	0	--	0	--	0	--	0
Male	3.8	27	4.2	27	3.9	28	3.9	27	3.9	28
Female	4.2	13	4.1	13	3.8	13	4.2	13	4.0	13
Location of Practice										
No Response	--	0	--	0	--	0	--	0	--	0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	3.9	39	4.2	39	3.8	40	3.9	39	3.9	40
Fourth District	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response	--	0	--	0	--	0	--	0	--	0
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	4.1	15	4.3	15	3.9	15	4.1	15	4.0	15
Over 35,000	3.8	25	4.1	25	3.8	26	3.9	25	3.9	26

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

38. SUPERIOR COURT JUDGE ERIC SMITH

C. Social Workers, Guardians ad Litem, and CASA Volunteers

Demographic Description (N=3)

		N	%
Type of Work			
	No Response	--	0.0%
	Social Worker	--	0.0%
	Guardian ad Litem	1	33.3%
	CASA Volunteer	2	66.6%
	Other	--	0.0%
Length of Alaska Experience			
	No Response	--	0.0%
	5 Years or fewer	1	33.3%
	6 to 10 years	1	33.3%
	11 to 15 years	--	0.0%
	16 to 20 years	1	33.3%
	21 years or more	--	0.0%
Gender			
	No Response	--	0.0%
	Male	--	0.0%
	Female	3	100.0%
Location of Practice			
	No Response	--	0.0%
	First District	--	0.0%
	Second District	--	0.0%
	Third District	3	100.0%
	Fourth District	--	0.0%
	Outside of Alaska	--	0.0%
Community Population			
	No Response	--	0.0%
	Under 2,000	--	0.0%
	Between 2,000 and 35,000	--	0.0%
	Over 35,000	3	100.0%

Evaluation of Judge Eric Smith
Social Workers, Guardians Ad Litem, and CASA Volunteers

Summary of Findings

Judge Eric Smith was evaluated by one Guardian Ad Litem who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.0. The highest mean scores were obtained on *impartiality/fairness* (5.0), *integrity* (5.0), and *judicial temperament* (5.0) and the lowest score was obtained on *diligence* (3.0). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**Mean**
Impartiality/Fairness	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
Integrity	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
Judicial Temperament	--	0.0%	--	0.0%	--	0.0%	--	0.0%	1	100.0%	5.0
Diligence	--	0.0%	--	0.0%	1	100.0%	--	0.0%	--	0.0%	3.0
Overall Rating	--	0.0%	--	0.0%	--	0.0%	1	100.0%	--	0.0%	4.0

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

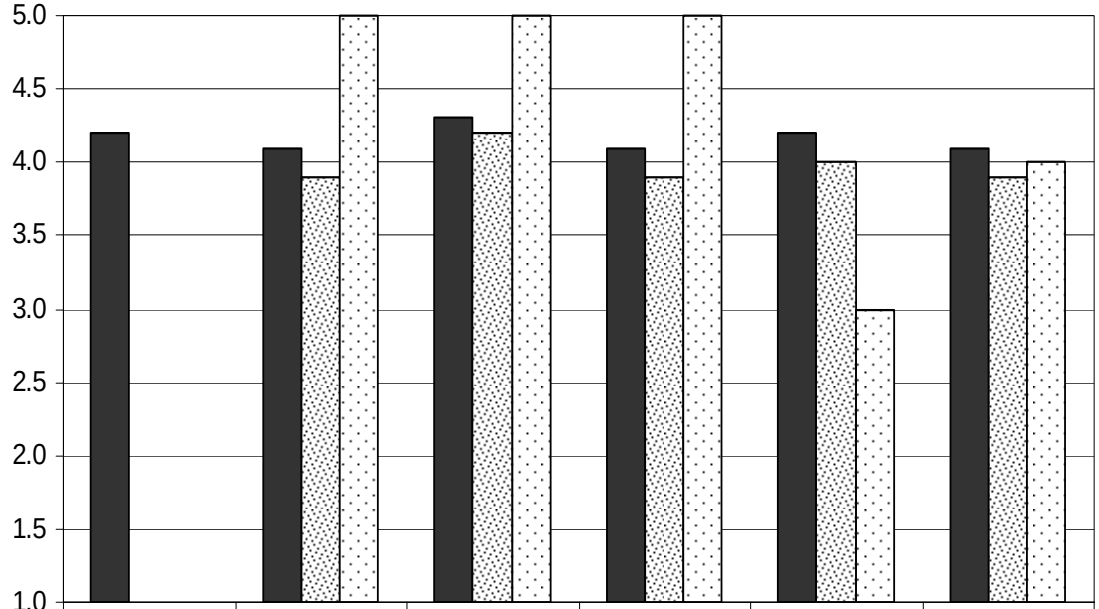
Judge Eric Smith: Detail Information on Responses
Social Workers, Guardians Ad Litem, and CASA Volunteers

	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Rating	
	Mean	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**
Basis for Evaluation of Judge										
No Response	--	0	--	0	--	0	--	0	--	0
Direct Professional	**5.0**	**1**	**5.0**	**1**	**5.0**	**1**	**3.0**	**1**	**4.0**	**1**
Professional Reputation	1.5	2	--	0	1.5	2	2.0	1	--	0
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
Type of Work										
No Response	--	0	--	0	--	0	--	0	--	0
Social Worker	--	0	--	0	--	0	--	0	--	0
Guardian ad Litem	5.0	1	5.0	1	5.0	1	3.0	1	4.0	1
CASA Volunteer	--	0	--	0	--	0	--	0	--	0
Other	--	0	--	0	--	0	--	0	--	0
Years Experience										
No Response	--	0	--	0	--	0	--	0	--	0
5 Years or fewer	--	0	--	0	--	0	--	0	--	0
6 to 10 years	--	0	--	0	--	0	--	0	--	0
11 to 15 years	--	0	--	0	--	0	--	0	--	0
16 to 20 years	5.0	1	5.0	1	5.0	1	3.0	1	4.0	1
21 years or more	--	0	--	0	--	0	--	0	--	0
Gender										
No Response	--	0	--	0	--	0	--	0	--	0
Male	--	0	--	0	--	0	--	0	--	0
Female	5.0	1	5.0	1	5.0	1	3.0	1	4.0	1
Location of Practice										
No Response	--	0	--	0	--	0	--	0	--	0
First District	--	0	--	0	--	0	--	0	--	0
Second District	--	0	--	0	--	0	--	0	--	0
Third District	5.0	1	5.0	1	5.0	1	3.0	1	4.0	1
Fourth District	--	0	--	0	--	0	--	0	--	0
Outside of Alaska	--	0	--	0	--	0	--	0	--	0
Community Population										
No Response	--	0	--	0	--	0	--	0	--	0
Under 2,000	--	0	--	0	--	0	--	0	--	0
Between 2,000 and 35,000	--	0	--	0	--	0	--	0	--	0
Over 35,000	5.0	1	5.0	1	5.0	1	3.0	1	4.0	1

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

Superior Court Judge Eric Smith

Average Ratings from All Groups Surveyed



	Legal Ability*	Impartiality	Integrity	Judicial Temperament	Diligence	Overall Evaluation
Alaska Bar Association	4.2	4.1	4.3	4.1	4.2	4.1
Peace and Probation Officers		3.9	4.2	3.9	4.0	3.9
Social Workers/ GALS/CASA Volunteers		5.0	5.0	5.0	3.0	4.0

*Legal Ability items are only completed by Alaska Bar Association members.

Juror Survey Results
2006 Retention Evaluation
Eric Smith

		Distribution of Ratings										
Survey Category	**Mean**	**Excellent**		**Good**		**Acceptable**		**Deficient**		**Poor**		**Total**
		%	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**Returned = 115**
Impartiality/Fairness	**4.9**	87%	100	13%	15	0%	0	0%	0	0%	0	115
Respectful/Courteous	**4.9**	92%	106	6%	7	2%	2	0%	0	0%	0	115
Attentive during Proceedings	**4.7**	71%	82	28%	32	1%	1	0%	0	0%	0	115
Control over Proceedings	**4.9**	88%	101	12%	14	0%	0	0%	0	0%	0	115
Intelligence/Skill as a Judge	**4.9**	92%	106	8%	9	0%	0	0%	0	0%	0	115
Overall Evaluation	**4.9**	90%	104	10%	11	0%	0	0%	0	0%	0	115

Court Employee Survey Results
2006 Retention Evaluation
Eric Smith

		Distribution of Ratings										
Survey Category	**Mean**	**Excellent**		**Good**		**Acceptable**		**Deficient**		**Poor**		**Total**
		%	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**Returned = 38**
Impartiality/Fairness	**4.4**	61%	23	26%	10	11%	4	3%	1	0%	0	38
Integrity	**4.5**	58%	22	29%	11	8%	3	3%	1	0%	0	37
Judicial Temperament	**4.4**	55%	21	29%	11	8%	3	5%	2	0%	0	37
Diligence	**4.4**	53%	20	32%	12	11%	4	3%	1	0%	0	37
Overall Evaluation	**4.4**	58%	22	29%	11	8%	3	5%	2	0%	0	38

Judge Eric Smith
Prior Scores Summary
Retention 2006
Appointed 04/18/96 to Palmer Superior Court

Bar Survey

	Legal Ability	Impartiality	Integrity	Judicial Temperament	Diligence	**Overall Performance**
2006 Retention	4.2	4.1	4.3	4.1	4.2	4.1
2004 Interim	4.1	4.0	4.2	3.9	4.1	4.0
2000 Retention	4.0	4.1	4.2	4.1	4.1	4.0

Peace & Probation Officer Survey

	Impartiality	Integrity	Judicial Temperament	Diligence	**Overall Performance**
2006 Retention	3.9	4.2	3.9	4.0	3.9
2004 Interim	3.8	4.0	3.5	3.9	3.8
2000 Retention	3.4	3.5	3.6	3.5	3.3