Alaska Judicial Council Recommendation

Judge John W. Wolfe, District 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 Wolfe to be ***Qualified*** and recommends unanimously that the public vote **"YES"** to retain him as a district 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	4.0	---	---	---	---
Impartiality	4.0	4.1	4.8	4.4	---
Integrity	4.3	4.3	---	4.4	---
Temperament	4.2	4.2	4.8	4.4	---
Diligence	4.3	4.3	---	4.5	---
Overall	4.1	4.1	4.7	4.5	---

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

Four other groups were also asked to evaluate Judge Wolfe's performance, using the same 5-point scale with 5 as the highest rating. Jurors rated him 4.7, and court employees gave him 4.5. There were no responses from social workers, guardians ad litem and CASA volunteers. The Alaska Judicial Observers rated him 2.9.

Recommendation: Vote "YES" to retain Judge John W. Wolfe

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

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Alaska Judicial Council
Questionnaire

Trial Judge
2006 Candidates for Judicial Retention

November 21, 2005

John Wolfe — Name

Palmer — Court

1. Describe your workload during your present term.

a) 10 % Civil Cases (est.)
90 % Criminal Cases
0 % Court Administrative
100 % Total

b) 220 # of trials/year (14 jury trials total / includes small claims, traffic, bench trials)
0 # Administrative Appeals

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

None

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.

I have enjoyed my first year as a District Court judge and am honored to have the opportunity to serve my state in this way. The position has been intellectually challenging for me and I like the busy pace of District Court. I also enjoy dealing with the people who appear in court, hopefully sometimes being able to make a positive difference in their lives and also leaving them with a favorable impression of our system of justice.

I was truly amazed at how uncomfortable I felt in the role at first. I am sure that as long as I have this position I will never feel totally at ease with the role, but I have strived to emulate some of the good qualities of some of the fine judicial officers I have been fortunate enough to encounter during my career on the other side of the bench. As I do my job I also try to be mindful of things I observed judges do during my career as an advocate that I found to be irritating, unfair or unkind; and I try to avoid those traits or habits.

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.

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.

As a fairly new judge, I know that there are many ways I can improve. Each day after court, I reflect on the day's events and think about what I could do differently in the future to fulfill my duties while treating people who appear in court with respect, courtesy and patience.

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 of Alaska *Case Number:* 3PA-05-2018 CR
v. Matthew Desalvo

Attorneys Involved:

Name	Jerom Bangerter	Name	Scott Sterling
Address	11921 Palmer-Wasilla Hwy Ste 100	Address	851 E. Westpoint Dr., Ste 201
City, State, Zip	Palmer, Alaska 99645	City, State, Zip	Wasilla, Ak. 99654
Name		Name	
Address		Address	
City, State, Zip		City, State, Zip	

Case Number 2

Case Name: State of Alaska *Case Number:* 3PA-05-2037
v. Jack Vogel

Attorneys Involved:

Name	Jerom Bangerter	Name	Lisa Valenta
Address	11921 Palmer-Wasilla Hwy ste 100	Address	268 E. Fireweed Ave.
City, State, Zip	Palmer, Ak. 99645	City, State, Zip	Palmer, Alaska 99645
Name		Name	
Address		Address	
City, State, Zip		City, State, Zip	

Case Number 3

Case Name: State of Alaska *Case Number:* 3PA-05-1595
v. Jeffrey Fisher

Attorneys Involved:

Name	Jerom Bangerter	Name	Josh Fannon
Address	11921 Palmer-Wasilla Hwy Ste. 100	Address	HC01 Box 6388
City, State, Zip	Palmer, Alaska 99645	City, State, Zip	Palmer, Alaska 99645
Name		Name	
Address		Address	
City, State, Zip		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: State of Alaska v. Jacquelyne E. Koch *Case Number:* 3PA-04-2967 CR

Attorneys Involved:

Name	Richard Payne	Name	Verne Rupright
Address	11921 E Palmer-Wasilla Hwy Ste. 100	Address	327 Main St.
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: State of Alaska v. Justin Day *Case Number:* 3PA-04-3722 CR

Attorneys Involved:

Name	Elizabeth Friedman	Name	Lisa Valenta
Address	11912 E Palmer-Wasilla Hwy Ste 100	Address	268 E. Fireweed Ave.
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: Maucie Doppelt v. Theresa Lockhart *Case Number:* 3PA-05-1281 CI

Attorneys Involved:

Name	N/A	Name	N/A
Address		Address	
City, State, Zip		City, State, Zip	
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: Tamara Smid v. Lewis Roberts *Case Number:* 3PA-04-1336 CI

Attorneys Involved:

Name N/A	Name Swan T. Ching
Address	Address 1563 E. Tudor
City, State, Zip	City, State, Zip Anchorage, Ak. 99507
Name	Name
Address.	Address
City, State, Zip	City, State, Zip

Case Number 2

Case Name: John Richard Carr Corp. v. Victoria Kindrick *Case Number:* 3PA-04-204 SC

Attorneys Involved:

Name. L. Andrew Robinson	Name William F. Tull
Address 348 E. Elmwood Ave	Address 634 S. Bailey St. #201
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: Matanuska Electric Assn, Inc. v. Spectrum Printing, Inc. *Case Number:* 3PA-04-1021 CI

Attorneys Involved:

Name James L. Walker	Name R.N. Sutliff
Address P.O. Box 2929	Address 125 Christensen Dr. #1
City, State, Zip Palmer, Ak. 99645	City, State, Zip Anchorage, Ak. 99501
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: _____ ***Case Number:*** _____

v. _____

Attorneys Involved:

Name. _____ Name. _____

Address _____ Address _____

City, State, Zip. _____ City, State, Zip _____

Name _____ Name _____

Address. _____ Address _____

City, State, Zip _____ City, State, Zip _____

Case Number 2

Case Name: _____ ***Case Number:*** _____

v. _____

Attorneys Involved:

Name _____ Name _____

Address _____ Address _____

City, State, Zip _____ City, State, Zip. _____

Name. _____ Name: _____

Address _____ Address _____

City, State, Zip. _____ City, State, Zip _____

Case Number 3

Case Name: _____ ***Case Number:*** _____

v. _____

Attorneys Involved:

Name. _____ Name _____

Address _____ Address _____

City, State, Zip _____ City, State, Zip _____

Name _____ Name _____

Address _____ Address _____

City, State, Zip _____ City, State, Zip _____

59. DISTRICT COURT JUDGE JOHN W. WOLFE

A. Alaska Bar Association

Demographic Description (N=92)

		N	%
Type of Practice			
	No Response	--	0
	Private, Solo	19	20.6%
	Private, 2-5 Attorneys	18	19.5%
	Private, 6+ Attorneys	5	5.4%
	Private, Corporate Employee	2	2.1%
	State Judge or Judicial Officer	12	13.0%
	Government	32	34.7%
	Public Service Agency or Organization (not govt)	2	2.1%
	Other	2	2.1%
Length of Alaska Practice			
	No Response	2	2.1%
	5 Years or fewer	13	14.1%
	6 to 10 years	15	16.3%
	11 to 15 years	13	14.1%
	16 to 20 years	16	17.3%
	21 years or more	33	35.8%
Gender			
	No Response	--	0
	Male	62	67.3%
	Female	30	32.6%
Cases Handled			
	No Response	1	1.0%
	Prosecution	17	18.4%
	Mainly Criminal	11	11.9%
	Mixed Criminal & Civil	41	44.5%
	Mainly Civil	19	20.6%
	Other	3	3.2%
Location of Practice			
	No Response	--	0
	First District	2	2.1%
	Second District	--	0
	Third District	83	90.2%
	Fourth District	6	6.5%
	Outside of Alaska	1	1.0%

Evaluation of Judge John W. Wolfe:
Alaska Bar Association Members

Summary of Findings

Judge John W. Wolfe was evaluated by 73 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 scores were obtained on *integrity* (4.3) and *diligence* (4.3) and the lowest scores were obtained on *legal ability* (4.0) and *impartiality/fairness* (4.0). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**Mean**
Legal Ability	2	2.7%	6	8.3%	9	12.5%	29	40.2%	26	36.1%	4.0
Impartiality/Fairness	3	4.1%	6	8.2%	10	13.6%	24	32.8%	30	41.0%	4.0
Integrity	2	2.7%	1	1.3%	8	11.1%	21	29.1%	40	55.5%	4.3
Judicial Temperament	3	4.2%	1	1.4%	10	14.0%	22	30.9%	35	49.2%	4.2
Diligence	1	1.4%	1	1.4%	10	14.9%	23	34.3%	32	47.7%	4.3
Overall Rating	2	2.7%	4	5.5%	11	15.2%	25	34.7%	30	41.6%	4.1

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

Judge John W. Wolfe: 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	2	4.0	2	5.0	2	5.0	2	4.5	2	5.0	2
Direct Professional	**4.0**	**72**	**4.0**	**73**	**4.3**	**72**	**4.2**	**71**	**4.3**	**67**	**4.1**	**72**
Professional Reputation	4.2	12	4.3	12	4.4	12	4.3	11	4.3	12	4.3	12
Other Personal Contacts	4.0	3	4.0	3	4.3	3	4.7	3	4.3	3	4.3	3
Type of Practice												
No Response	--	0	--	0	--	0	--	0	--	0	--	0
Private, Solo	3.8	16	3.9	17	4.5	16	4.1	16	4.5	14	4.1	17
Private, 2-5 Attorneys	4.2	15	4.2	14	4.4	15	4.4	14	4.2	14	4.3	14
Private, 6+ Attorneys	3.3	3	3.3	4	3.0	3	3.5	4	3.0	3	3.0	3
Private, Corporate Employee	3.0	1	3.0	1	3.0	1	3.0	1	3.0	1	3.0	1
State Judge or Judicial Officer	4.2	9	4.3	9	4.8	9	4.6	9	4.6	7	4.4	9
Government	3.9	25	3.8	25	4.2	25	4.2	25	4.2	25	3.9	25
Public Service Agency or Organization (not govt)	4.5	2	4.5	2	4.5	2	4.0	1	4.5	2	4.5	2
Other	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Years Experience												
No Response	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
5 Years or fewer	3.8	10	3.9	11	4.1	9	3.9	10	4.2	9	3.9	10
6 to 10 years	4.1	11	3.9	11	4.5	11	4.5	11	4.3	11	4.1	11
11 to 15 years	4.1	10	4.0	9	4.2	10	4.1	9	4.0	9	4.1	9
16 to 20 years	3.9	14	3.7	14	4.3	14	4.2	13	4.2	12	3.9	14
21 years or more	4.0	26	4.1	27	4.4	27	4.2	27	4.4	25	4.2	27
Gender												
No Response	--	0	--	0	--	0	--	0	--	0	--	0
Male	4.0	48	4.0	49	4.3	49	4.2	48	4.3	45	4.1	48
Female	4.0	24	3.9	24	4.4	23	4.2	23	4.2	22	4.0	24
Majority of Practice Consists of												
No Response	4.0	1	4.0	1	4.0	1	4.0	1	5.0	1	4.0	1
Prosecution	4.5	11	4.6	11	4.7	11	4.7	11	4.7	11	4.5	11
Mainly Criminal	3.9	10	3.5	11	4.1	10	4.1	11	4.1	10	3.7	10
Mixed Criminal & Civil	3.8	34	3.9	34	4.3	35	4.2	33	4.0	31	4.0	34
Mainly Civil	4.1	13	3.9	13	4.4	12	4.1	13	4.6	11	4.2	13
Other	4.0	3	4.0	3	4.0	3	3.5	2	4.0	3	4.0	3
Location of Practice												
No Response	--	0	--	0	--	0	--	0	--	0	--	0
First District	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Second District	--	0	--	0	--	0	--	0	--	0	--	0
Third District	4.0	65	4.0	66	4.3	65	4.2	64	4.3	60	4.1	65
Fourth District	3.8	5	3.6	5	4.0	5	4.0	5	4.0	5	3.8	5
Outside of Alaska	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1

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

59. DISTRICT COURT JUDGE JOHN W. WOLFE

B. Peace and Probation Officers

Demographic Description (N=38)

		N	%
Type of Work			
	No Response	--	0
	State Law Enforcement Officer	13	34.2%
	Municipal/Borough Law Enforcement Officer	17	44.7%
	Village Public Safety Officer (VPSO)	1	2.6%
	Probation/Parole Officer	6	15.7%
	Other	1	2.6%
Length of Alaska Experience			
	No Response	1	2.6%
	5 Years or fewer	13	34.2%
	6 to 10 years	10	26.3%
	11 to 15 years	7	18.4%
	16 to 20 years	3	7.8%
	21 years or more	4	10.5%
Gender			
	No Response	--	0
	Male	30	78.9%
	Female	8	21.0%
Location of Practice			
	No Response	--	0
	First District	--	0
	Second District	--	0
	Third District	37	97.3%
	Fourth District	1	2.6%
	Outside of Alaska	--	0
Community Population			
	No Response	--	0
	Under 2,000	3	7.8%
	Between 2,000 and 35,000	20	52.6%
	Over 35,000	15	39.4%

Evaluation of Judge John W. Wolfe
Peace and Probation Officers

Summary of Findings

Judge John W. Wolfe was evaluated by 27 Peace and Probation Officers who reported having direct professional experience with the judge. The mean score on *overall evaluation* was 4.1. The highest mean scores were obtained on *integrity* (4.3) and *diligence* (4.3) and lowest score was obtained on *impartiality/fairness* (4.1). Details are present in the two tables that follow.

	Poor		Deficient		Accept		Good		Excellent		
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**Mean**
Impartiality/Fairness	--	0	1	3.7%	5	18.5%	10	37.0%	11	40.7%	4.1
Integrity	1	3.8%	--	0	3	11.5%	8	30.7%	14	53.8%	4.3
Judicial Temperament	--	0	--	0	5	18.5%	11	40.7%	11	40.7%	4.2
Diligence	--	0	--	0	3	11.5%	12	46.1%	11	42.3%	4.3
Overall Rating	--	0	1	3.8%	5	19.2%	10	38.4%	10	38.4%	4.1

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

Judge John W. Wolfe: Detailed Information on Responses
Peace and Probation Officers

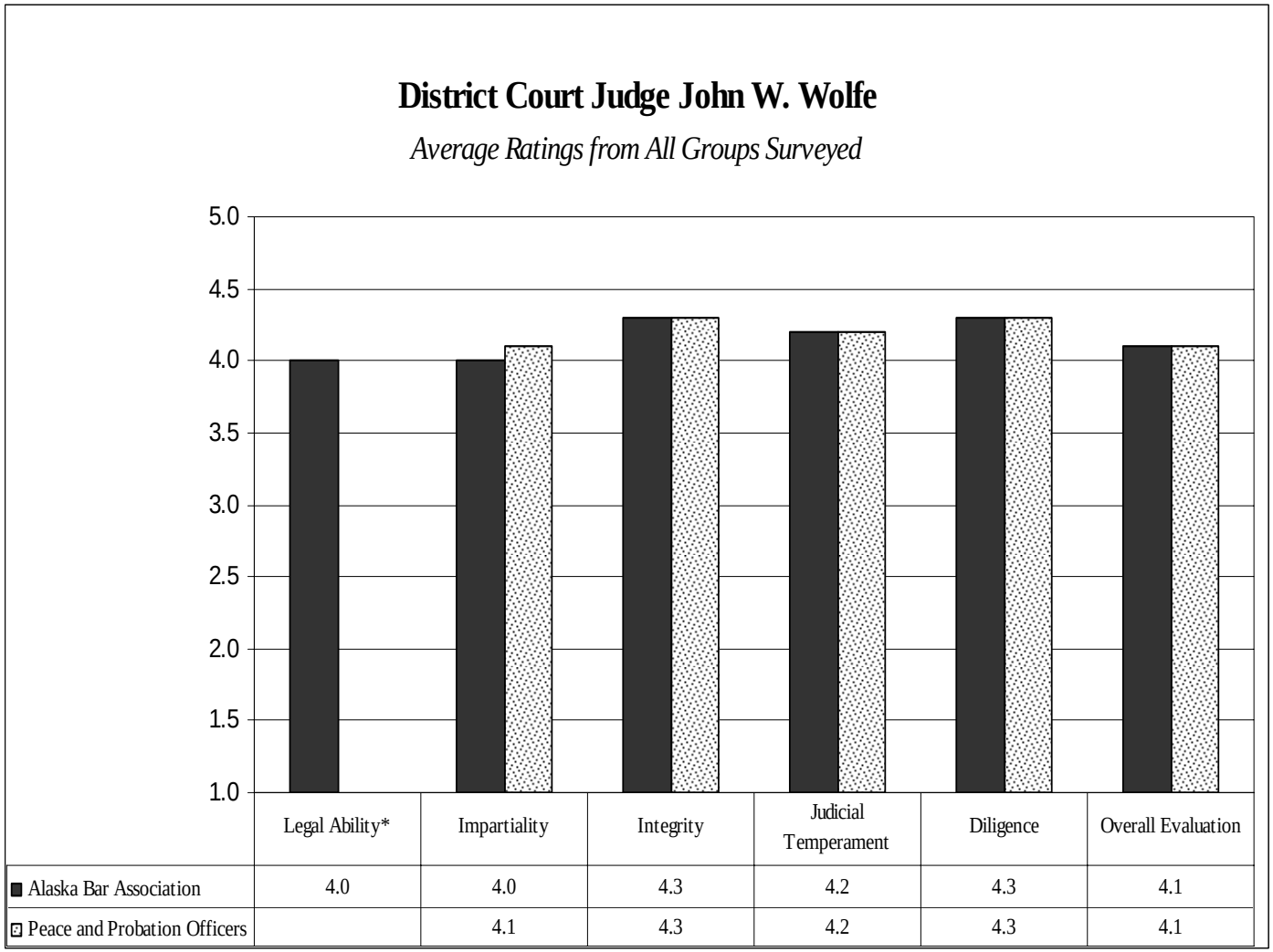
	Impartiality/ Fairness		Integrity		Judicial Temperament		Diligence		Overall Rating	
	Mean	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**	**Mean**	**N**
Basis for Evaluation of Judge										
No Response	4.5	2	4.5	2	4.5	2	4.0	2	4.0	1
Direct Professional	**4.1**	**27**	**4.3**	**26**	**4.2**	**27**	**4.3**	**26**	**4.1**	**26**
Professional Reputation	3.8	10	3.9	10	3.8	9	3.9	10	3.8	10
Other Personal Contacts	--	0	--	0	--	0	--	0	--	0
Type of Work										
No Response	--	0	--	0	--	0	--	0	--	0
State Law Enforcement Officer	4.2	11	4.5	11	4.2	11	4.2	11	4.1	11
Municipal/Borough Law Enforcement Officer	4.1	15	4.1	14	4.2	15	4.4	14	4.1	15
Village Public Safety Officer (VPSO)	--	0	--	0	--	0	--	0	--	0
Probation/Parole Officer	--	0	--	0	--	0	--	0	--	0
Other	4.0	1	5.0	1	5.0	1	5.0	1	--	0
years										
No Response	3.0	1	--	0	3.0	1	--	0	2.0	1
5 Years or fewer	4.2	9	4.3	9	4.3	9	4.4	9	4.3	9
6 to 10 years	3.7	6	3.8	6	3.7	6	3.8	6	3.7	6
11 to 15 years	4.2	5	4.4	5	4.6	5	4.2	5	4.2	5
16 to 20 years	4.7	3	5.0	3	5.0	3	5.0	3	5.0	2
21 years or more	4.7	3	4.3	3	4.0	3	4.3	3	4.3	3
Gender										
No Response	--	0	--	0	--	0	--	0	--	0
Male	4.2	22	4.3	21	4.2	22	4.3	21	4.1	22
Female	4.0	5	4.2	5	4.4	5	4.2	5	4.0	4
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	4.1	27	4.3	26	4.2	27	4.3	26	4.1	26
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	4.0	2	4.5	2	4.0	2	4.5	2	4.0	2
Between 2,000 and 35,000	4.1	16	4.3	15	4.3	16	4.4	15	4.1	15
Over 35,000	4.2	9	4.3	9	4.2	9	4.1	9	4.2	9

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

59. DISTRICT COURT JUDGE JOHN W. WOLFE

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

There were no respondents for Judge John W. Wolfe for this group.



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

Juror Survey Results
2006 Retention Evaluation
John W. Wolfe

		Distribution of Ratings										
Survey Category	**Mean**	**Excellent**		**Good**		**Acceptable**		**Deficient**		**Poor**		**Total Returned = 51**
		%	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	
Impartiality/Fairness	**4.8**	78%	40	20%	10	2%	1	0%	0	0%	0	51
Respectful/Courteous	**4.8**	80%	41	16%	8	4%	2	0%	0	0%	0	51
Attentive during Proceedings	**4.5**	61%	31	29%	15	10%	5	0%	0	0%	0	51
Control over Proceedings	**4.7**	73%	37	26%	13	2%	1	0%	0	0%	0	51
Intelligence/Skill as a Judge	**4.7**	71%	36	24%	12	4%	2	0%	0	0%	0	50
Overall Evaluation	**4.7**	73%	37	26%	13	2%	1	0%	0	0%	0	51

Court Employee Survey Results
2006 Retention Evaluation
John W. Wolfe

		Distribution of Ratings										
Survey Category	**Mean**	**Excellent**		**Good**		**Acceptable**		**Deficient**		**Poor**		**Total**
		%	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**%**	**(n)**	**Returned = 24**
Impartiality/Fairness	**4.4**	42%	10	38%	9	8%	2	0%	0	0%	0	21
Integrity	**4.4**	46%	11	38%	9	8%	2	0%	0	0%	0	22
Judicial Temperament	**4.4**	42%	10	42%	10	4%	1	0%	0	0%	0	21
Diligence	**4.5**	54%	13	33%	8	4%	1	0%	0	0%	0	22
Overall Evaluation	**4.5**	54%	13	33%	8	4%	1	0%	0	0%	0	22