



alaska judicial council

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Alaska Judicial Council Trial Judge Questionnaire

2012 Candidates for Judicial Retention

October 2011

Charles T. Huguelet	Kenai Superior Court
Name	Court
Please estimate your workload during y	your present term.
a) 40 % civil cases 50 % criminal cases 10 % court administrative work 100 % Total	b)# of jury trials/year # of non-jury trials/year # of administrative appeals/year
 Please describe your participation on c during your current term of office. 	court/bar committees or other administrative activiti
Kenai Bar Association meetings; Kenarepresentative to Alaska Children's Jury Instructions Committee.	ai Bench-Bar Conferences; Judicial Justice Act Task Force; Criminal Pattern

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 matured as a judge during the present term. I do not worry so much about 'controlling the courtroom' or establishing strict quidelines and procedures for attorneys. I am a much better listener and have strengthened my capacity for seeing beyond emotion, theatrics, and other distractions to find appropriate solutions to legal problems. I have developed a very positive outlook towards the criminal justice system. Most of the defendants in the communities I serve are not hopeless sociopaths. They tend to be addicts, young men with a few rough edges, and other folks who have made some bad choices. Most go on to live reasonably productive lives, and I think accountability enforced by the courts is the key aspect of the process. I am a reserve officer and have served twice in Iraq working with a damaged justice system. My experiences working with corrupt cops and judges who have to worry about being murdered for their decisions has strengthened my belief in the absolute necessity of an independent judiciary and a society governed by the rule of law.

4	. Di	uring 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.	•	your answer to any of the questions above is "yes," please give full details, including dates, ets, case numbers and outcomes.
	an inst Militar	n officer (colonel) in the United States Air Force Reserve. I served as tructor at the Air Force JAG school and served two tours in Iraq (2007-08 ry Justice Advisor with Iraqi Ministry of Defense; 2010-11 Director, Law der Task Force). I am now the Senior Reserve Judge Advocate for the 11th rce.
6.	cor	ease provide any other information which you believe would assist the Council in inducting its evaluations and in preparing its recommendations for the 2012 retention ections.
	I have speake and be	been the catalyst for bench-bar meetings on the Kenai. I have been a crat seminars involving children's issues. I have also spoken at schools fore civic groups on the Peninsula. I believe that courts need gful communication with the bar and community to be effective.

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 Nu	umber 1	
Case Name:	State of Alaska	Case Number:	3KN-11-1068CR
	Travis Mercier		
	Attorneys	 Involved:	
Name:	ADA Amy Fenske		Dan Poulson
	120 Trading Bay, Suite 200		130 Trading Bay, Suite 390
	Kenai, AK 99611		Kenai, AK 99611
Name:		Name:	
Address:			
City, State, Zip:		City, State, Zip:	
	Case Nu	ımber 2	
Case Name:	State of Alaska	_Case Number:	3KN-11-620CR
v.	Rhonda Marcrum		
	Attorneys	_ Involved:	
Name:	ADA Martin Fallon		Dan Poulson
Address:	120 Trading Bay, Suite 200	Address:	130 Trading Bay, Suite 390
City, State, Zip:	Kenai, AK 99611	City, State, Zip:	Kenai, AK 99611
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case Nu	ımber 3	
Case Name:	Betsy Beeks	_Case Number: _	3HO-03-29 CI
v.	Rene Alvarez, et al		
•	Attorneys	_ Involved:	
Name:	Michael Flanigan	Name:	Howard Lazar
	1029 W. Third Ave, Ste 250		1007 West Third Av, Ste 400
,	Anchorage, AK 99501	_	Anchorage, AK 99501
•			
Name:		Name: _	
Address:			
Charles The		City Charte Time	

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

	Ouse ite	iiiibei i	
Case Name:	In the Matter of: K.D.	_Case Number:	3KN-07-45 CP
v.			
•	Attorneys	Involved:	
Name:	Michelle Higuchi	Name:	Carol Brenckle
Address:	120 Trading Bay, Ste 200	Address:	130 Trading Bay Suite 340
City, State, Zip:	Kenai, AK 99611	City, State, Zip:	Kenai, AK 99611
Name:		Name:	
Address:		Address:	
City, State, Zip:		City, State, Zip:	
	Case Nu	ımber 2	
Case Name:	Carrie Baylink	_Case Number:	3HO-08-224CI
ν.	Paul Baylink		
•	Attorneys .	- Involved:	
Name:	Steven Pradell		Gwen Neal
Address:	1009 W. Seventh Ave	- Address:	190 E. Pioneer Avenue
City, State, Zip:	Anchorage, AK 99501	- City, State, Zip:	Homer, AK 99603
· •		<u> </u>	
Name:		Name:	
Address:		Address:	
City, State, Zip:		C' C	
	Case Nu	mber 3	
Case Name:	In the Matter of the Estate	Case Number:	3HO-08-25PR
ν.	of Peter W. Kalberg	_	
-	Attorneys .	- Involved:	
Name:	Daniel Westberburg		Daniel Aaronson
Address:	4164 Pennock Street		PO Box 1681
City, State, Zip:			Kenai, AK 99611
y,		_ * ** * * ** =	
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 Nu	ımber 1	
Case Name:	Roy Cross	_Case Number:	3KN-05-805 CI
ν.	Barbara Baughn		
	Attorneys	Involved:	
Name:	Carol Brenckle	Name:	Joseph Raymond Skrha
Address:	130 Trading Bay, Suite 340	Address:	150 N. Willow, Ste 2
City, State, Zip:	Kenai, AK 99611	City, State, Zip:	Kenai, AK 99611
**		• •	
Name:		Name: _	
Address: City, State, Zip:		Address: _ City, State, Zip:	
Cuy, Sine, Esp.			
	Case Nu	ımber 2	
Case Name:	In the Matter of	Case Number:	3KN-04-46/45/47/48/49B CP,
ν.	T.P.,A.H.,H.P.,N.P.,Q.P, JP	_	
•	Attorneys	Involved:	
Name:	Michelle Higuchi	Name:	Shana Theiler
Address:	120 Trading Bay, Ste 200	Address:	105 Trading Bay,Suite 103
City, State, Zip:	Kenai, AK 99611	City, State, Zip:	Kenai, AK 99611
Name: _	Elizabeth Leduc	Name: _	
Address:	130 Trading Bay, Ste 390		
City, State, Zip:	Kenai, AK 99611	City, State, Zip: _	
	Case Nu	ımber 3	
Case Name:	Kevin Co	Case Number:	3HO-09-265CI
v.	Kelly Matson		
•	Attorneys	_ Involved:	
Name:	Rhonda Butterfield	Name:	Michelle Nesbett
Address:	725 Christensen Dr, Ste 5		750 W. Second St, Ste 105
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 N	umber 1	
Case Name:	Mike O'Malley	Case Number:	3HO-07-214CI
ν.	David W. Green		
•	Attorneys		
Name:	Joseph Kashi	Name:	Grant Watts
Address:	205 East Beluga	Address:	701 W. 8th Ave, Suite 700
City, State, Zip:	Soldotna, AK 99669	City, State, Zip:	Anchorage, AK 99501
Name:		Name:	
Address:			
City, State, Zip:			
	Case N	umber 2	
Case Name:	Donald Doan	Case Number:	3AN-09-6695CI
v.	Law Offices Barokes et al	-	
•	Attorneys	: : Involved:	
Name:	Judith Conte	Name:	Nelson Page
Address:	PO Box 91127	Address:	810 N Street, Suite 300
City, State, Zip:	Anchorage, AK 99509-1767	City, State, Zip:	Anchorage, AK 99501
Name:		Name:	
Address:			
City, State, Zip:		City, State, Zip:	
•			
	Case N	umber 3	
Case Name:	State of Alaska	Case Number: _	3VA-07-113 CR
<i>v</i>	Sandrock & Price		
	Attorneys	Involved:	
Name:	Jean Seaton	Name: _	S. Joe Montague
Address:	304 Lake Street #202	Address:	130 Trading Bay, Suite 390
City, State, Zip:	Sitka, AK 99835	City, State, Zip: _	Kenai, AK 99611
Name:	Carol Brenckle	Name:	
Address:	130 Trading Bay, Suite 340	Address:	
-	Kenai, AK 99611	City, State, Zip:	

Alaska Judicial Council Recommendation Judge Charles T. Huguelet, Superior Court, Kenai

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 Huguelet 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 peremptory 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	3.9				
Impartiality	3.9	4.3	4.8	4.2	4.9
Integrity	4.2	4.5		4.3	4.9
Temperament	4.0	4.4	4.9	4.2	4.8
Diligence	3.9	4.6		4.3	4.9
Overall	3.9	4.4	4.8	4.3	4.9

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 Huguelet on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Huguelet on overall performance was 3.9. Peace and probation officers gave Judge Huguelet a rating of 4.4. Jurors rated him 4.8 overall, court employees gave him 4.3, and social workers and guardians ad litem rated him at 4.9. The Alaska Judicial Observers rated him 3.23.

Recommendation: Vote "YES" to retain Judge Charles T. Huguelet

Judge Charles Huguelet: Detailed Information Responses Alaska Bar Association Members

	Leg Abil		Imparti Fairn		Integ	rits:	Judi Temper		Dilige	maa	Ove Evalu	
	Mean	nty N	Mean	N	Mean	nty N	Mean	ament N	Mean	N	Mean	auon N
Basis for Evaluation												
No Response		5		8		11		6		11		2
Direct Professional	3.9	120	3.9	118	4.2	115	4.0	120	3.9	116	3.9	121
Experience in last 5 yrs	3.8	102	3.9	100	4.2	97	3.9	102	3.9	99	3.9	102
Experience not in last 5 yrs	4.1	15	4.1	15	4.1	15	4.2	15	4.2	14	4.0	15
Professional Reputation	3.3	19	3.4	19	3.5	18	3.4	17	3.4	16	3.1	19
Other Personal Contacts	4.5	4	4.7	3	4.8	4	4.8	5	4.6	5	4.3	6
Type of Practice												
No Response		2		4		6		2		6		1
Private, Solo	3.7	31	3.9	29	4.2	29	4.0	31	4.1	31	3.9	32
Private, 2-5 Attorneys	4.3	20	4.2	20	4.4	19	4.2	20	4.1	19	4.2	20
Private, 6+ Attorneys	4.3	7	4.6	7	5.0	7	4.7	7	4.6	7	4.6	7
Private, Corporate Employee	3.0	1	3.0	1	2.0	1	3.0	1	1.0	1	2.0	1
Judge or Judicial Officer	3.9	24	3.9	24	4.0	24	3.8	24	3.5	22	3.8	24
Government	3.8	33	3.7	33	4.2	32	3.9	33	4.0	33	3.9	33
Public Service Agency/Org	3.0	1	3.0	1	3.0	1	3.0	1		0	3.0	1
Other	3.0	1	3.0	1	3.0	1	3.0	1	2.0	1	3.0	1
Years of Practice in Alaska												
No Response		2		4		7		2		6		1
5 Years or fewer	3.8	5	3.6	5	4.8	5	4.4	5	4.6	5	4.0	5
6 to 10 years	4.0	8	3.6	8	4.3	8	3.8	8	4.1	8	3.9	8
11 to 15 years	4.0	10	3.9	10	4.1	10	3.9	10	4.3	9	4.0	10
16 to 20 years	3.5	8	3.6	8	3.9	8	3.6	8	4.0	8	3.6	8
21 years or more	3.9	85	4.0	83	4.2	80	4.0	85	3.8	82	3.9	86
Gender												
No Response		2		4		6		2		6		1
Male	4.0	79	4.1	77	4.4	75	4.1	79	4.1	76	4.0	80
Female	3.6	39	3.6	39	3.9	39	3.7	39	3.7	38	3.7	39
Cases Handled												
No Response		2		4		7		2		5		1
Prosecution	2.7	3	2.7	3	2.7	3	3.3	3	3.0	3	2.7	3
Mainly Criminal	3.6	11	3.6	11	4.5	10	3.9	11	4.2	11	3.8	11
Mixed Criminal & Civil	3.9	38	3.9	38	4.0	38	4.0	38	3.9	37	4.0	38
Mainly Civil	3.9	58	4.0	56	4.4	54	4.1	58	3.9	56	3.9	59
Other	4.1	7	4.0	7	4.4	7	3.7	7	4.0	7	4.1	7
Location of Practice												
No Response		2		4		7		2		5		1
First District	3.8	5	3.6	5	3.6	5	3.6	5	3.6	5	3.6	5
Second District		0		0		0		0		0		0
Third District	3.9	108	3.9	106	4.2	103	4.0	108	4.0	105	3.9	109
Fourth District	3.8	5	3.8	5	4.0	5	3.6	5	3.8	5	3.8	5
Outside of Alaska		0		0		0		0		0		0

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

Judge Charles Huguelet Peace and Probation Officers

	Imparti	•	Integ		Judio		Dilia		Over	
	Fairn Mean	Fairness Mean N		rity N	Tempera Mean	ament N	Dilig Mean	ence N	Evalua Mean	auon N
Basis for Evaluation	1110411		Mean		1/10411		1110411		1110411	
No Response		3		4		3		4		3
Direct Professional	4.3	30	4.5	30	4.4	30	4.6	29	4.4	30
Experience in last 5 yrs	4.3	30	4.5	30	4.4	30	4.6	29	4.4	30
Experience not in last 5 yrs		0		0		0		0		0
Professional Reputation		0		0		0		0		0
Other Personal Contacts	4.0	1		0	4.0	1	4.0	1	4.0	1
Type of Work										
No Response		2		2		2		3		2
State Law Enforcement Officer	4.3	18	4.5	18	4.4	18	4.7	17	4.4	18
Municipal/Borough Law Enforcement Officer	4.2	9	4.3	9	4.2	9	4.3	9	4.2	9
Village Public Safety Officer (VPSO)		0		0		0		0		0
Probation/Parole Officer	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2
Other		0		0		0		0		0
Length of Experience										
No Response		2		2		2		3		2
5 Years or fewer	4.2	6	4.7	6	4.5	6	4.8	6	4.5	6
6 to 10 years	4.4	9	4.4	9	4.7	9	4.7	9	4.6	9
11 to 15 years	4.4	5	4.4	5	4.0	5	4.4	5	4.2	5
16 to 20 years	4.2	5	4.6	5	4.2	5	4.4	5	4.4	5
21 years or more	4.0	3	4.0	3	4.3	3	4.0	2	4.0	3
Gender										
No Response		2		2		2		3		2
Male	4.3	28	4.5	28	4.4	28	4.6	27	4.4	28
Female	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1
Location of Work										
No Response		2		2		2		3		2
First District		0		0		0		0		0
Second District	4.0	1	4.0	1	5.0	1	5.0	1	5.0	1
Third District	4.4	27	4.5	27	4.4	27	4.6	26	4.4	27
Fourth District	2.0	1	4.0	1	2.0	1	3.0	1	3.0	1
Community Population										
No Response		2		2		2		3		2
Under 2,000	4.0	2	4.0	2	5.0	2	5.0	2	4.5	2
Between 2,000 and 35,000	4.3	24	4.5	24	4.3	24	4.5	24	4.4	24
Over 35,000	4.7	3	4.3	3	4.7	3	5.0	2	4.7	3

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

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Judge Charles Huguelet Social Workers and Guardians ad Litem

	Imparti	ality/		Judicial						Overall	
	Fairn		Integr	•	Tempera		Dilige		Evalua		
	Mean	N	Mean	N	Mean	N	Mean	N	Mean	N	
Basis for Evaluation											
No Response		0		0		0		0		0	
Direct Professional	4.9	11	4.9	11	4.8	11	4.9	11	4.9	11	
Experience in last 5 yrs	4.9	11	4.9	11	4.8	11	4.9	11	4.9	11	
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		0	
Social Worker	5.0	6	5.0	6	5.0	6	5.0	6	5.0	6	
Guardian ad Litem	4.8	5	4.8	5	4.6	5	4.8	5	4.8	5	
Length of Experience											
No Response		0		0		0		0		0	
5 Years or fewer	4.7	3	4.7	3	4.7	3	4.7	3	4.7	3	
6 to 10 years	5.0	2	5.0	2	5.0	2	5.0	2	5.0	2	
11 to 15 years	5.0	4	5.0	4	4.8	4	5.0	4	5.0	4	
16 to 20 years	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	
21 years or more	5.0	1	5.0	1	5.0	1	5.0	1	5.0	1	
Gender											
No Response		0		0		0		0		0	
Male	4.5	2	4.5	2	4.5	2	4.5	2	4.5	2	
Female	5.0	9	5.0	9	4.9	9	5.0	9	5.0	9	
Location of Work											
No Response		0		0		0		0		0	
First District		0		0		0		0		0	
Second District		0		0		0		0		0	
Third District	4.9	11	4.9	11	4.8	11	4.9	11	4.9	11	
Fourth District		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	5.0	8	5.0	8	4.9	8	5.0	8	5.0	8	
Over 35,000	4.7	3	4.7	3	4.7	3	4.7	3	4.7	3	

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

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Distribution of Court Employee Ratings* 2012 Retention Evaluation Charles Huguelet

		Number of Responses										
Survey Category	Total	Excellent	Good	Acceptable	Deficient	Poor	Mean					
Impartiality/Fairness	18	10	4	2	2	0	4.2					
Integrity	18	12	2	2	2	0	4.3					
Judicial Temperament	18	11	2	3	2	0	4.2					
Diligence	19	11	4	2	2	0	4.3					
Overall Evaluation	18	12	3	0	3	0	4.3					

^{*} Ratings are based on direct professional experience.

Juror Survey Results 2012 Retention Evaluation Charles Huguelet

Survey Category	Mean	Excellent	Good	Acceptable	Deficient	Poor	Total Responses
Impartiality/Fairness	4.8	27	5	1	0	0	33
Respectful/Courteous	4.9	30	2	1	0	0	33
Attentive during Proceedings	4.7	24	7	2	0	0	33
Control over Proceedings	4.8	27	5	1	0	0	33
Intelligence/ Skill as a Judge	4.8	27	6	0	0	0	33
Overall Evaluation	4.8	27	5	1	0	0	33

Current and Prior Retention Scores

Charles Huguelet

Appointed	Name of Court	
9/2/2003	Kenai Superior Ct	

Retention Attorney Bar Scores

Year	Legal Ability	Impartiality	Integrity	Temperament	Dilligence	Special Skills	Overall Performance
2006	3.6	3.9	4.2	3.9	3.8		3.7
2012	3.9	3.9	4.2	4	3.9		3.9

Peace and Probation Officer Survey Scores

 Year	Impartiality	Integrity	Temperament	Diligence	Special Skills	Overall Performance
2006	3.4	4	3.7	3.4		3.5
2012	4.3	4.5	4.4	4.6		4.4