



Print Questionnaire

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Alaska Judicial Council

alaska judicial council

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Alaska Judicial Council Trial Judge Questionnaire

2020 Candidates for Judicial Retention

November 2019

Yvonne Lamoureux

Name

Anchorage Superior Court

Court

1. Please estimate your workload during your present term.

a) 90 % civil cases

b) 3 # of jury trials/year

5 % criminal cases

35 # of non-jury trials/year

5 % court administrative work

5 # of administrative appeals/year

100 % Total

Separate and in addition to trials, there are many other matters such as children in need of aid, domestic violence protective orders, interim custody, and custody, visitation, and child support modification, which frequently require lengthy contested evidentiary hearings.

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

I currently serve on the Child in Need of Aid (CINA)/Delinquency Rules Committee, the Alaska Court System's CINA Court Improvement Project Committee, and the Alaska Bar Association Ethics Committee. I have also devoted time updating the bench CINA manual. I am also the Alaska judicial representative for the Hague Convention on Civil Aspects of International Child Abduction. I am also serving as an Early Resolution Program judge for family law cases.

3. Please describe any judicial or legal education you have undertaken or provided during your current term in office.

I have participated in the following judicial and legal education programs over the last two years:

- Newer Judge Conferences;
- Annual Judicial Conferences;
- Alaska Bar Conventions;
- General Jurisdiction Course, National Judicial College;
- National Council of Juvenile and Family Court Judges (NCJFCJ) Enhanced Resource Guidelines Training;
- CINA CIP Indian Child Welfare Act (ICWA) Training Course; and
- National Association of Counsel for Children (NACC) Red Book Training Course.

In 2020, I plan to attend the Capacity Building Center for State Courts Reasonable Efforts training and the National Judicial College Logic and Opinion Writing course.

4. Please describe any public outreach activities.

I have participated on a number of panels with different members of the Alaska Bar Association in attendance. I have attended a number of events hosted by the Alaska Bar Association and Anchorage Association of Women Lawyers. I have hosted mock trials and volunteered at mock trials. I have participated in other events in the community including a Camp Fire Alaska event at Government Hill elementary school.

5. 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 love the variety of my caseload, from complex civil litigation to administrative appeals to custody cases to involuntary mental health commitments to child in need of aid cases. However that wide range of case types requires legal knowledge in many different areas of the law and an equally diverse role of the judge in the courtroom. I believe it is of utmost importance to be prepared for every hearing to be able to best serve the parties in their cases, and I have worked diligently to do so. I remain committed to provide a forum where parties can present their cases and to listen to their positions.

I have sought additional training specific to cases involving children in need of aid, including the Indian Child Welfare Act. I have been an active member of the CINA Rules Committee and I have closely reviewed Alaska Supreme Court cases and other authorities to revise and update judicial materials to best handle these important cases.

6. 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 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, the Alaska Court System, or any other agency that resulted in public proceedings or sanctions?
 Yes No

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

8. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2020 retention elections.

For questions 9 - 12, please do not list any cases that have pending issues in your court.

- 9. 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 Number 1

Case Name: Evvie Panches Case Number: 3AN-17-6784 CI
 v. McCarrey Glenn Apartments LLC et al

Attorneys Involved:

Name: Stephen Merrill
 Address: 201 Barrow St., Suite 103
 City, State, Zip: Anchorage, AK 99501

Name: Stacy Walker
 Address: 329 F St., Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: _____
 Address: _____
 City, State, Zip: _____

Name: _____
 Address: _____
 City, State, Zip: _____

Case Number 2

Case Name: State of Alaska Case Number: 3AN-18-2213 CR
 v. David Futrel

Attorneys Involved:

Name: Daniel Shorey
 Address: 310 K St., Suite 520
 City, State, Zip: Anchorage, AK 99501

Name: Morgan White
 Address: 900 West 5th Ave., Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: _____
 Address: _____
 City, State, Zip: _____

Name: _____
 Address: _____
 City, State, Zip: _____

Case Number 3

Case Name: State of Alaska Case Number: 3AN-16-6856 CR
 v. Hernandez Johnson

Attorneys Involved:

Name: John Darnall
 Address: 310 K St., Suite 520
 City, State, Zip: Anchorage, AK 99501

Name: Glen Rice
 Address: 3000 Rockefeller Ave., M/S 202
 City, State, Zip: Everett, WA 98201

Name: Betsy Bull
 Address: 310 K St., Suite 520
 City, State, Zip: Anchorage, AK 99501

Name: _____
 Address: _____
 City, State, Zip: _____

- 10. 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

Case Name: Diane R. Strupulis Case Number: 3AN-18-8645 CI
 v. Anthony Strupulis

Attorneys Involved:

Name: <u>Carl D. Cook</u>	Name: <u>Scott Dattan</u>
Address: <u>501 W. Northern Lights Blvd., Suite 203</u>	Address: <u>2600 Denali Street, Suite 460</u>
City, State, Zip: <u>Anchorage, AK 99503</u>	City, State, Zip: <u>Anchorage, AK 99503</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Rachael T. Kaer Case Number: 3AN-18-11031 CI
 v. Andrew J. Bischoff

Attorneys Involved:

Name: <u>Douglas Ryan</u>	Name: <u>Steven Pradell</u>
Address: <u>310 K Street, Suite 200</u>	Address: <u>726 M Street</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Nashara J. Allen Case Number: 3AN-18-8743CI
 v. Zachary J. Wilcox

Attorneys Involved:

Name: <u>Darryl L. Thompson</u>	Name: <u>Stephanie White Thorn</u>
Address: <u>880 N Street, Suite 101</u>	Address: <u>1330 E 15th Avenue</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

- 11. 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 Number 1

Case Name: Joseph A. Silva **Case Number:** 3AN-18-10504 CI
v. Venessa Rael Silva

Attorneys Involved:

Name: <u>Colleen Baxter</u>	Name: <u>Christina Alfonso</u>
Address: <u>205 E. Benson Blvd.</u>	Address: <u>205 E. Benson Blvd.</u>
City, State, Zip: <u>Anchorage, AK 99503</u>	City, State, Zip: <u>Anchorage, AK 99503</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Jennifer Elizabeth Nigh **Case Number:** 3AN-14-10025 CI
v. Ryan Daniel Nigh

Attorneys Involved:

Name: <u>Jon Wiederholt</u>	Name: <u>Lindsey Dupuis</u>
Address: <u>1016 W. 6th Ave., Suite 201</u>	Address: <u>205 E. Benson Blvd.</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99503</u>

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Christian A. Montana **Case Number:** 3AN-09-5931 CI
v. Arielle Trotta

Attorneys Involved:

Name: <u>Allen M. Bailey</u>	Name: <u>Blake Quackenbush</u>
Address: <u>750 W. 2nd Ave., Suite 215</u>	Address: <u>807 G Street, Suite 100</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: <u>Rebecca Karstetter</u>	Name: _____
Address: <u>4021 Justin Circle</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99507</u>	City, State, Zip: _____

- 12. *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 Number 1

Case Name: ITMO S.T., I.T., E.T. **Case Number:** 3AN-17-409/410/411 CN

v. _____

Attorneys Involved:

Name: Chantal Trinka
 Address: 701 W. 8th Avenue, Suite 700
 City, State, Zip: Anchorage, AK 99501

Name: Karen Hawkins
 Address: 900 W. 5th Avenue, Suite 400
 City, State, Zip: Anchorage, AK 99501

Name: Emma Haddix
 Address: 1031 W. 4th Avenue, Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: Corey Gillespie
 Address: 900 W. 5th Avenue, Suite 400
 City, State, Zip: Anchorage, AK 99501

Case Number 2

Case Name: Mary Ann Kiehn and Michael Kiehn **Case Number:** 3AN-17-6512 CI

v. Arctic Pain Relief Center, LLC et al

Attorneys Involved:

Name: George Kapolchok
 Address: 1049 W. 5th Avenue, Suite 104
 City, State, Zip: Anchorage, AK 99501

Name: Laura Farley
 Address: 807 G Street, Suite 250
 City, State, Zip: Anchorage, AK 99501

Name: Marc Wilhelm
 Address: 360 K Street, Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: Michael Hanson
 Address: 413 G Street
 City, State, Zip: Anchorage, AK 99501

Case Number 3

Case Name: Kenneth Pruitt **Case Number:** 3AN-16-6013 CI

v. State of Alaska, Dep't of Corrections

Attorneys Involved:

Name: James Davis
 Address: 1016 W. 6th Avenue, Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: Matthias Cicotte
 Address: 1031 W. 4th Avenue, Suite 200
 City, State, Zip: Anchorage, AK 99501

Name: _____
 Address: _____
 City, State, Zip: _____

Name: _____
 Address: _____
 City, State, Zip: _____

Trial Judge Questionnaire (Lamoureux 2020 Retention)

#12 Cont'd Response

Case Number 2

Mary Ann Kiehn and Michael Kiehn v. Arctic Pain Relief, LLC et al, 3AN-17-6512CI

Linda Johnson
P O Box 196650
Anchorage, AK 99519

(This question pertains to Superior Court judges only.)

State law requires the Council to conduct an evaluation of judges standing for retention, and to provide information to the public about the judges. Under a provision added in 2013, the information the Council provides to the public "shall include the judge's consideration of victims when imposing sentence on persons convicted of felony offenses where the offenses involve victims." (see AS 22.10.150). Although the Council's evaluations address all aspects of judicial performance, including felony sentencing, they have not in the past explicitly solicited judges' thoughts on this topic.

Please submit a short statement about how you consider victims when imposing sentences in felony offenses.

The substantial majority of my caseload is civil. However, I have handled some criminal cases, including both felony and misdemeanor sentencing hearings. The law is clear that judges must consider "the circumstances of the offense and the extent to which the offense harmed the victim" as a factor in imposing sentence. I provide an opportunity for victims to address the court at sentencing. In imposing sentences, I consider the evidence admitted at trial, including victim testimony, together with any additional statements made at the sentencing hearing.

Yvonne Lamoureux