



Print Questionnaire

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Alaska Judicial Council

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## Alaska Judicial Council Trial Judge Questionnaire

### 2020 Candidates for Judicial Retention

November 2019

Gregory Miller

Anchorage Superior Court

Name

Court

1. Please estimate your workload during your present term.

a) 85 % civil cases

b) 3 # of jury trials/year

10 % criminal cases

100 # of non-jury trials/year

5 % court administrative work

2 # of administrative appeals/year

100 % Total

The "100 non-jury trials/year" is an estimate and includes civil cases, divorce/custody trials, and CINA termination or adjudication trials. Just regular civil bench trials are about four per year.

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

I am the chair of the Newer Judge Training Committee, which organizes and presents an annual conference for judges during their first three years.  
I am also the organizer and head of the statewide mentoring program for judges during their first year, plus at any given time I am a mentor to one to two new judges. I am also a "Certified Justice System Coach" (2017 certification and week-long course at the National Judicial College).

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

I help organize and present at the annual three-day Newer Judge Training Conference, I attend the yearly three-day Judicial Conference in held in Girdwood, and I attend about one course every other year presented by the National Judicial College and/or the National Council on Juvenile and Family Court Judges. Since my last retention I have completed courses in Advanced Evidence, CINA, Domestic Violence, Mindfulness for Judges, and Mentoring).

4. Please describe any public outreach activities.

None, but I intend to change that ASAP.

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 continue to love this job, and I try every day to be a thoughtful and patient judge who gives all litigants respect and adequate time to present their cases. I work hard to research the law thoroughly to reach the appropriate legal decision, and to explain my oral and written decisions completely. I take pride in contributing to the training of newer judges, whether that be as chair of the Newer Judge Training Conference, as a mentor, or just as a judge willing and available to listen and respond to other judges' questions. I attend as many courses as possible from the National Judicial College and similar forums, and when needed I have personally paid for uncovered expenses when the court's budget didn't cover a full program.

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.

N/A

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.

This questionnaire adequately covers what I consider important for the retention election, but I am available to answer any questions anyone may have in the future.

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: ITMO Buhler Case Number: 3AN-19-01097PR  
 v. SOA Department of Corrections

**Attorneys Involved:**

Name: <u>Brittany Goodnight</u>	Name: <u>Steven Bookman</u>
Address: <u>900 W 5th Avenue, Suite 200</u>	Address: <u>1031 W 4th Avenue, Suite 200</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 2**

Case Name: ITMO Beck Case Number: 3AN-19-01649PR  
 v. Adult Protective Service

**Attorneys Involved:**

Name: <u>Julie Webb</u>	Name: <u>Diane Brewer</u>
Address: <u>900 W 5th Avenue #525</u>	Address: <u>1031 W 4th Avenue, #200</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: State of Alaska Case Number: 3AN-16-07840CR  
 v. Misty Averitt

**Attorneys Involved:**

Name: <u>Monique Eniero</u>	Name: <u>Alice Curci</u>
Address: <u>900 W 5th Avenue, #200</u>	Address: <u>310 K Street, #520</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: _____

- 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:** Kotzebue Sound Fisheries Association **Case Number:** 2KB-13-00245CI  
 v. William Reich et. al.

**Attorneys Involved:**

Name: <u>Russell Winner</u>	Name: <u>Myron Angstman</u>
Address: <u>900 W 5th Avenue, #700</u>	Address: <u>PO BOX 585</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Bethel, AK 99559</u>
Name: <u>Brian Stibitz</u>	Name: <u>Robert Reges</u>
Address: <u>500 L Street #300</u>	Address: <u>500 L Street #300</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

**Case Number 2**

**Case Name:** Colem Inc. **Case Number:** 3AN-17-07105CI  
 v. Waste Connections of Alaska Inc.

**Attorneys Involved:**

Name: <u>Jeffery Barber</u>	Name: <u>Megan Sandone</u>
Address: <u>540 E 5th Avenue</u>	Address: <u>3000 A Street Suite #300</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:** Brian Dennis **Case Number:** 3AN-17-06557CI  
 v. Jason Nielson et. al.

**Attorneys Involved:**

Name: <u>Alice Rahoi</u>	Name: <u>Robert Stone</u>
Address: <u>1031 W 4th Avenue, #200</u>	Address: <u>1049 W 5th #102</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: Shumagin Corporation Case Number: 3SP-16-00005CI  
 v. Benny Meyers et. al.

**Attorneys Involved:**

Name: <u>Robert Hume</u>	Name: <u>Kevin Fitzgerald</u>
Address: <u>701 W 8th Avenue, #1200</u>	Address: <u>813 W 3rd Avenue</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: <u>Leslie Need</u>	Name: _____
Address: <u>1100 Ermine Street #2</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99504</u>	City, State, Zip: _____

**Case Number 2**

Case Name: Valori Lee Gianni Case Number: 3AN-17-05625CI  
 v. Bryce Christianson

**Attorneys Involved:**

Name: <u>Robin Taylor</u>	Name: <u>Herbert Pearce</u>
Address: <u>731 I Street #101</u>	Address: <u>731 I Street 203</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: Pedro Valdez Case Number: 3AN-13-07701CI  
 v. Jill Applebury et. al.

**Attorneys Involved:**

Name: <u>Kevin Fitzgerald</u>	Name: <u>David Shoup</u>
Address: <u>813 W 3rd Avenue</u>	Address: <u>508 W 2nd Avenue #300</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: <u>Phillip Weidner</u>	Name: _____
Address: <u>943 W 6th Avenue #300</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</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:* State of Alaska *Case Number:* 2BA-14-00538CR  
*v.* Ronald J. Fischer

**Attorneys Involved:**

Name: <u>Taylor Winston</u>	Name: <u>Dina Cale</u>
Address: <u>1007 W 3rd Avenue #205</u>	Address: <u>900 W 5th Avenue, #525</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99501</u>

Name: <u>James Fayette</u>	Name: _____
Address: <u>310 K Street, #601</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____

**Case Number 2**

*Case Name:* State of Alaska *Case Number:* 3NA-15-00004CR  
*v.* Chris M. Kosbruk

**Attorneys Involved:**

Name: <u>Andrew Klugman</u>	Name: <u>John Cagle</u>
Address: <u>222 W 7th Avenue 9 room 253</u>	Address: <u>435 South Denali</u>
City, State, Zip: <u>Anchorage, AK 99513</u>	City, State, Zip: <u>Palmer, AK 99645</u>

Name: <u>Micheal Moberly</u>	Name: _____
Address: <u>711 M Street # 2</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____

**Case Number 3**

*Case Name:* Alaska Oil & Gas *Case Number:* 3AN-16-09059CI  
*v.* L71 Resources, LLC

**Attorneys Involved:**

Name: <u>Michael Jungreis</u>	Name: <u>Michael Geraghty</u>
Address: <u>500 L Street, # 300</u>	Address: <u>188 W Northern Lights # 1020</u>
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: <u>Anchorage, AK 99503</u>

Name: <u>Sean Parnell</u>	Name: _____
Address: <u>1029 W 3rd Ave # 550</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99501</u>	City, State, Zip: _____



(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.

In all cases with a victim, I ask the victim if he/she would like to speak. I want to know how a crime has affected the victim. I am aware of how tough it is for a victim to come to court and speak, and sometimes to see the person who hurt them. I have postponed a sentencing more than once because the victim was unable to attend or to at least speak by phone. One of the sentencing factors the statute requires judges to consider is "the extent to which the offense harmed the victim." I listen carefully to the victim's statement so I can apply this law.

Gregory Miller