



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

Jennifer K. Wells
Name

Kenai Superior Court
Court

1. Please estimate your workload during your present term.

- | | |
|---------------------------------------|---|
| a) <u>40</u> % civil cases | b) <u>5</u> # of jury trials/year |
| <u>40</u> % criminal cases | <u>30</u> # of non-jury trials/year |
| <u>20</u> % court administrative work | <u>2</u> # of administrative appeals/year |
| 100 % Total | |

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

Statewide Magistrate Judge Evaluation Panel Chair
 Statewide Magistrate Judge Training Judge Chair
 Deputy Presiding Judge for Kenai/Seward/Homer
 Family Law Rules Committee
 Three Judge Sentencing Panel
 Magistrate Judge Working Group
 Parenting Coordinator Working Group
 Started a Family Circle pilot project in Kenai

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

Regular drug court trainings given by the Henu Community Wellness Court Project Coordinator.
Yearly Judicial Conferences
2019 Alaska Court Improvement CINA training
2019 SmartBench computer training in Louisiana
Yearly New Judge Conference (in addition to regular judicial conferences)
2017 National Governors Association Opiate Learning Lab
2017 Therapeutic Court Training in Anchorage

4. Please describe any public outreach activities.

I brought the Early Resolution Program to Kenai which has settled 100 domestic relations cases to date; I am the primary state court judge for the joint-jurisdiction Henu Community Wellness Court - as a result I have gone to the jail, Chamber of Commerce, and multiple Rotary meetings to raise awareness about this program; As deputy presiding judge I schedule and chair multiple bench/bar meetings; the court hosts mock trials; I have participated in the Success Inside and Out program at Hiland Mountain Correctional Facility; I have given multiple trainings on a variety of topics over the years - most recently as a panelist at a judicial conference about parenting coordination.

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.

The transition from district court to superior court has been exciting with a heavier case load, more complex cases, and rewarding intellectual challenges. It has been satisfying to make a difference in family law cases - which includes supporting the Early Resolution Program, and developing a pilot project based on traditional Circle principles to encourage family healing.

I have taken on the role of deputy presiding judge, which has been interesting because all of the Kenai and Homer judges have retired since my February 2017 appointment to the superior court bench. The Clerk of Court also retired. I have worked hard to facilitate smooth transitions. In May, 2019, the Peninsula became the pilot site for e-filing (paperless criminal case processing). This has presented another set of administrative challenges.

I am very proud of my commitment to magistrate judge training. I took on a new role as "Training Judge Chair," which compliments my ongoing role as Evaluation Panel Chair. I want to make our statewide magistrate judge training and evaluation program as strong as possible.

Lastly, the unique partnership with the Kenaitze Indian Tribe for our Henu Community Wellness Court holds hearings every Friday afternoon (at tribal court when the state court is closed), and has been one of the most satisfying experiences of my career. I am very proud of our collaboration and with the healing this court has encouraged.

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.

Some unique challenges that I faced as a new judge were 1) e-filing and 2) shouldering the responsibilities of deputy presiding judge. Regarding e-filing, implementation has been challenging as court staff and attorneys learn the new computer programs. The software continues to improve but, in the meantime, criminal hearings are taking longer, and case-processing of all types has been slowed. As we weather our transitions and achieve more stability, I look forward to maximizing my service to this community. I would like to expand judicial outreach, and enhance communication between the court, the public, and all of the court's users.

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: State of Alaska Case Number: 3HO-19-133 CR
v. Michelle Hoyt

Attorneys Involved:

Name: Julia Hosmer Name: Andy Pevehouse
Address: Office of the District Attorney, 120 Trading Bay Rd Suite 200 Address: 130 South Willow St Suite 3
City, State, Zip: Kenai, AK 99611 City, State, Zip: Kenai, AK 99611

Case Number 2

Case Name: State of Alaska Case Number: 3KN-18-116 CR
v. Richard Poage

Attorneys Involved:

Name: Julia Hosmer Name: Joy Hobart
Address: Office of the District Attorney, 120 Trading Bay Rd, Suite 200 Address: Public Defender Agency, 130 Trading Bay Road, Suite 390
City, State, Zip: Kenai, AK 99611 City, State, Zip: Kenai, AK 99611

Case Number 3

Case Name: State of Alaska Case Number: 3KN-18-1128 CR
v. Kevin Edward VanKleek

Attorneys Involved:

Name: Daniel Strigle Name: David A. Case
Address: Office of the District Attorney, 120 Trading Bay Road Address: Public Defender Agency, 130 Trading Bay Drive, Suite 390
City, State, Zip: Kenai, AK 99611 City, State, Zip: Kenai, AK 99611

- 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: Geanina Judge **Case Number:** 3KN-17-339 CI
 v. Samuel Schilling

Attorneys Involved:

Name: <u>Kevin Koch</u>	Name: <u>Maurice Ellis</u>
Address: <u>35477 Spur Hwy Suite 204</u>	Address: <u>731 I Street #203</u>
City, State, Zip: <u>Soldotna, AK 99669</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Corey Grimm **Case Number:** 3KN-17-543 CI
 v. Tiffany Grimm

Attorneys Involved:

Name: <u>Kathryn Soden</u>	Name: <u>Christine Oberholtzer</u>
Address: <u>ANDVSA, 431 W 7th Ave Suite 205</u>	Address: <u>ANDVSA, 431 W 7th Ave Suite 205</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: ITMO J.M., L.M., and T.G. **Case Number:** 3HO-15-25/26/27 CN
 v. _____

Attorneys Involved:

Name: <u>F. Jon Iannaccone</u>	Name: <u>Michelle Higuchi</u>
Address: <u>Office of the District Attorney, 120 Trading Bay Road</u>	Address: <u>PO Box 2418</u>
City, State, Zip: <u>Kenai, AK 99611</u>	City, State, Zip: <u>Soldotna, AK 99669</u>
Name: <u>Elizabeth Leduc</u>	Name: _____
Address: <u>130 S. Willow Street, Suite 3</u>	Address: _____
City, State, Zip: <u>Kenai, AK 99611</u>	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: State of Alaska **Case Number:** 3KN-17-1209 CR
 v. Tyler Neely

Attorneys Involved:

Name: <u>John Iannaccone</u>	Name: <u>Andy Pevehouse</u>
Address: <u>Office of the District Attorney, 120 Trading Bay Drive, Suite 200</u>	Address: <u>130 S. Willow St, Suite 3</u>
City, State, Zip: <u>Kenai, AK 99611</u>	City, State, Zip: <u>Kenai, AK 99611</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: Gretchen O'Neil **Case Number:** 3KN-16-434 CI
 v. Donald Krech

Attorneys Involved:

Name: <u>Ward Merdes</u>	Name: <u>Blaine Gilman</u>
Address: <u>455 3rd Ave Suite 225/226</u>	Address: <u>130 South Willow St, Suite 3</u>
City, State, Zip: <u>Fairbanks, AK 99707</u>	City, State, Zip: <u>Kenai, AK 99611</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Frank Griswold **Case Number:** 3HO-15-21 CI
 v. Homer Board of Adjustment

Attorneys Involved:

Name: <u>Katherine Davies</u>	Name: <u>Holly Wells</u>
Address: <u>Behr, McCarter and Potter, 7777 Bonhomme Ave, Suite 1400</u>	Address: <u>Birch Horton Bittner and Cherot, 510 L St, Suite 700</u>
City, State, Zip: <u>Clayton, MO 63105-1942</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	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: Christian Garreau, Lori Garreau, Randy Greer, Sandra Greer **Case Number:** 3KN-17-228 CI

v. Kevin Rowley, Action Milling, BFBF, Can-Ada Crushing and Gravel, Trustco Services of Alaska

Attorneys Involved:

Name: <u>Sonja Redmond</u>	Name: <u>Peter Ehrhardt</u>
Address: <u>PO Box 3529</u>	Address: <u>Ehrhardt, Elsner and Cooley, 215 Fidalgo Ave, Suite 201</u>
City, State, Zip: <u>Soldotna, AK 99669</u>	City, State, Zip: <u>Kenai, AK 99611</u>

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

Case Number 2

Case Name: In the Matter of the Dissolution of the Marriage of **Case Number:** 3KN-14-467 CI

v. Louise and Andre Nutter

Attorneys Involved:

Name: <u>Shana Theiler</u>	Name: <u>Katherine Elsner</u>
Address: <u>Walton, Theiler and Winegarden, 105 Trading Bay Suite 103</u>	Address: <u>Ehrhardt, Elsner and Cooley, 215 Fidalgo Ave, Suite 201</u>
City, State, Zip: <u>Kenai, AK 99611</u>	City, State, Zip: <u>Kenai, AK 99611</u>

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

Case Number 3

Case Name: Darnell Bullock **Case Number:** 3HO-16-225 CI

v. Claude Bullock

Attorneys Involved:

Name: <u>William Earnhart</u>	Name: _____
Address: <u>Birch Horton Bittner and Cherot, 510 L St Suite 700</u>	Address: _____
City, State, Zip: <u>Anchorage, AK 99611</u>	City, State, Zip: _____

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

I recognize victims' constitutional and statutory rights and endeavor to protect them at each phase of the criminal case. This includes arraignments, bail reviews, calendaring hearings and sentencings. In felony plea agreements I confirm whether the prosecution has worked with the victim and whether the victim agrees with the resolution. At sentencings I welcome victims' comments, as well as the comments of their family. In my sentencing remarks I endeavor to acknowledge the harm caused, as well as the victims' courage in coming forward. At every phase of the case I attempt to treat all participants, including victims, with dignity, respect and fairness.

Jennifer Wells