



# **COURTWATCH**

**THE BALANCE IS UP TO YOU**

## **1998 CourtWatch Report**

**March 1996 - March 1998**



**Sponsored by  
Victims for Justice**

**(907)278-0977**

**619 East Fifth Avenue**

**Anchorage, Alaska 99501**

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**AK Judicial Council**

## **DEDICATION**

Volunteers are special people who give of their time and talents without asking for reward. Many people contributed to this **1998 CourtWatch Report** and we want to acknowledge all of their efforts. There are four people to whom we are extremely grateful.

### **DRU WHITAKER**

is a dedicated volunteer who has spent countless hours during the last two years modifying and customizing our data system computer program. It is now more "user friendly". Aside from that, she has been chiefly responsible for the data entry format that makes it possible for us to compile the statistics used in our Report. Dru is employed by National Bank of Alaska and donates a good deal of her "free time" to CourtWatch. You have truly made our administrative life easier, for which we are eternally indebted!!

### **ROSEMARY WHITAKER,**

the other half of this dynamic duo, has been a faithful volunteer with the CourtWatch program since 1993 and was responsible for inspiring her daughter, Dru, to volunteer. Besides spending many evenings and weekends doing data entry, Rosemary is also in the courts on a weekly basis observing our judges and training new CourtWatchers. Her dedication to the program is deeply appreciated.

### **PAT RAPP**

has been with the CourtWatch program since 1991. Pat along with Rosemary, redesigned and printed the CourtWatch Training Manual. She contributes a minimum of two days a week observing in the courtroom. A retired school teacher, she also acts as a trainer for new volunteers. For the many hours she dedicates to the program we say "Thank you!"

### **PAT GALLAGHER**

is a talented lady whose multiple skills have helped keep the program's quality high. She is loyal and dependable. Her administrative skills, directiveness, and organization make her invaluable. She is an exceptional trainer. She has assisted with the screening process and selection process. Her cheerful manner and wonderful emotional support has helped us all through some of the difficult times. In spite of the discomfort of recovering back surgery she has spent many hours at the computer and in the training field.

To all of these fine people and to all our CourtWatchers who spend their time in the courts, we dedicate this report.

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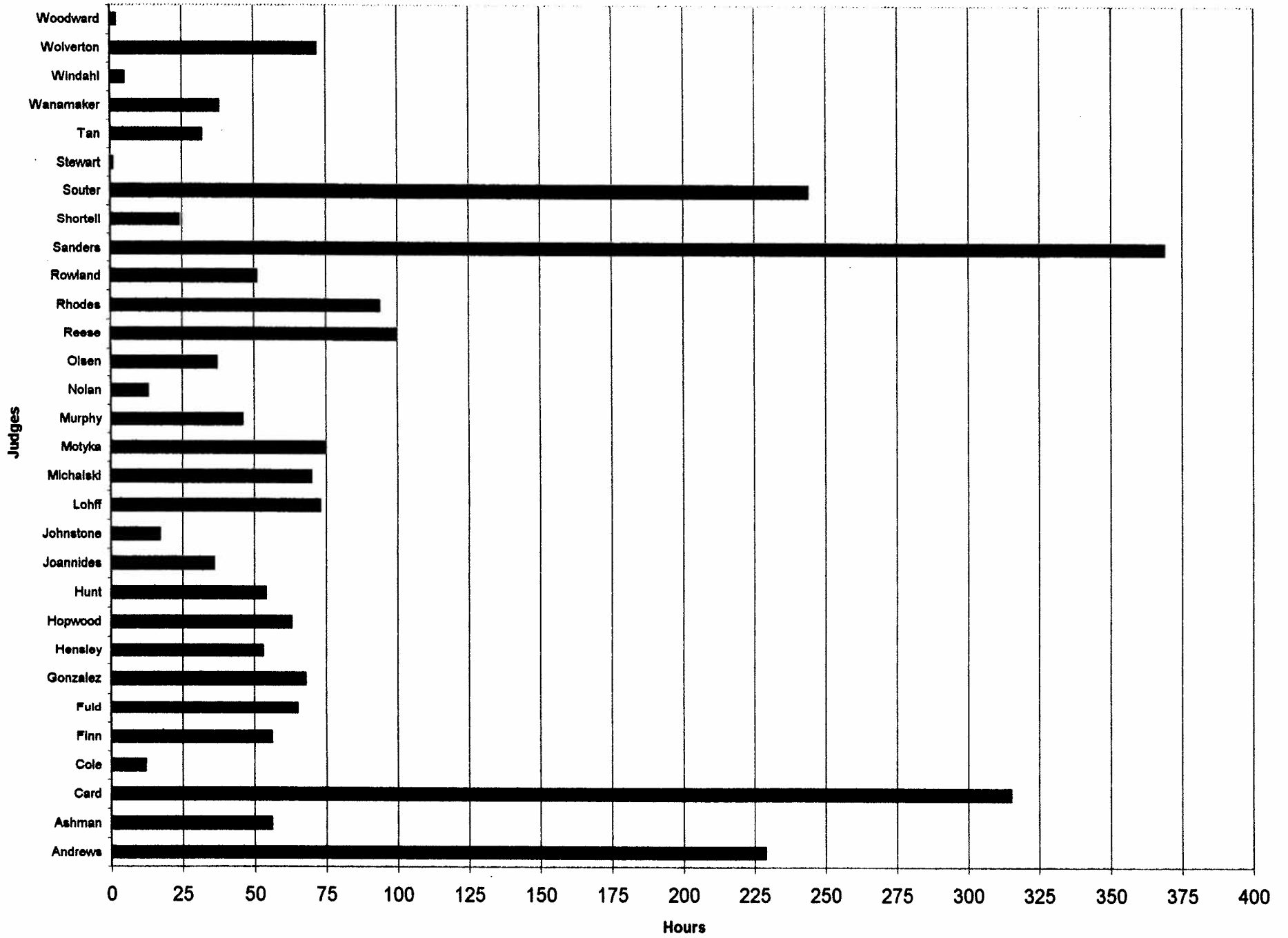
FACT SHEET

23 CourtWatchers  
 1321 Observations Tallied  
 2370 Hours

NUMBER OF OBSERVATIONS	JUDGE	NUMBER OF HOURS
117	Andrews	229
35	Ashman	56
164	Card	315
41	Finn	56
48	Fuld	65
28	Gonzalez	68
20	Hensley	53
15	Hopwood	63
32	Hunt	54
17	Joannides	36
8	Johnstone	16*
61	Lohff	86
35	Michalski	119
55	Motyka	75
40	Murphy	46
26	Olsen	37
34	Reese	100
66	Rhoades	94
37	Rowland	51
192	Sanders	369
16	Shortell	24*
139	Souter	244
1	Stewart	1*
14	Tan	32
30	Wanamaker	39
1	Woodward	2*
39	Wolverton	72

\*Evaluations are not tallied if there are less than 30 hours observation time.

# Judges Observation By Hours



MARCH 1996 to MARCH 1998  
INTRODUCTION

Victims for Justice (VFJ) is a private, nonprofit organization which implemented a much needed CourtWatch Program in Anchorage in 1988. The goal is to monitor and evaluate Alaska's criminal justice system from the public's point of view. We feel that our justice system needs more input from the community it serves.

Many of the ideas of the program are based upon suggestions from a 1978 Alaska Judicial Project called "A Look Inside" and a Court Watch Kit designed by the Illinois League of Women Voters from their extensive and successful program. The implementation of CourtWatch was strongly suggested in the 1984 Anchorage Chamber of Commerce Crime Commission Report. The Alaska Judicial Council has also indicated its support for the project to provide crucial public input into the judicial process. The need was established. And because of their awareness and involvement in the courts, Victims For Justice developed the program.

Victims for Justice is dedicated to supporting victims of violent crime and families of homicide victims, including the advancement of victims' rights. Although VFJ sponsors the CourtWatch Program, only the program director is associated with VFJ. We feel this promotes greater objectivity in the CourtWatch Program. A primary goal of the program is to observe that ALL parties are treated fairly: the victim, the witness, as well as the defendant.

VFJ established a CourtWatch program in order to observe the court procedures, atmosphere and participants. CourtWatchers make observations regarding the perceived skills and behaviors of the participants in the courtroom; i.e., judges, prosecutors and defense attorneys. CourtWatchers also record observations concerning the way the court system affects the lay people who enter it; i.e., victims, witnesses and defendants.

While CourtWatchers use evaluation forms and a rating system, the program is not designed to "grade" anyone. Forms are used to provide continuity and to establish points of comparison. Ratings also help to give structure and guidelines to the Court-Watchers.

This is the sixth Bi-annual COURTWATCH REPORT and is the culmination of 24 months of observing in the Anchorage District and Superior Court rooms of Judges Andrews, Ashman, Card, Finn, Fuld, Gonzalez, Hensley, Hopwood, Hunt, Joannides, Johnstone, \*Lohff, Michalski, \*Motyka, \*Murphy, Olson, \*Reese, \*Rhoades, Rowland, Sanders, Shortell, Souter, Tan, Wanamaker, and Wolverton.

Reports are made only on judges that have been observed a minimum of thirty hours. Those with an asterisk (\*) are currently up for 1998 Election Retention.

The introduction explains quite carefully our procedures, including: recruitment of CourtWatch volunteers, criteria and training, an explanation of the evaluation forms and how the results are tabulated. We trust that the observations made by CourtWatchers will help the judges better see how they are perceived by the public.

CourtWatchers are volunteers representing a cross section of the community. They come from a variety of backgrounds: mostly retired; including elementary, high school and university educators, a broadcaster, a counselor, business professionals, a nurse, a realtor, a photographer and others.

They are all interviewed and screened by the Program Director before they are accepted into the program. Criteria used in selecting CourtWatchers include the following: They must be objective. Neither they nor members of their families have been recent victims of violent crime; have been arrested or convicted of a crime, or have a case pending before the courts.

Individuals are questioned about any previous experiences they have had in courtrooms. Some have served on juries in criminal cases. Beyond divorce proceedings, most of them have never been involved in major civil or criminal trials or litigation.

Volunteers are questioned extensively as to their opinions of the criminal justice system. Volunteers who have negative preconceived opinions of Alaska's criminal justice system are directed to other volunteer sources.

The average age of CourtWatchers is 54 (87% are women and 13% are men). They are involved because they want to learn more about the criminal justice system. Wanting to make a positive contribution to the community, CourtWatchers are concerned, curious and hopeful of effecting a positive change in the system.

Volunteers are screened and given a trial observation session in court with a trainer. Then the actual 40 hour training session begins. The first session is held at the project office and focuses on the goals and responsibilities of the program. The background and foundation of CourtWatch is presented, as well as the relationship of the program with Victims For Justice, making the separation of the two, again clearly understood.

Objectivity and impartiality are emphasized. They are taught to presume that the defendant is innocent unless the jury decides otherwise. Their role is not to pass judgment on the

defendant, nor to side with the victim. They are instructed to maintain an impartial attitude and not display emotions in the courtroom. They are trained in proper courtroom etiquette, emphasizing courtesy and open-mindedness.

Training continues with an explanation of the judicial process itself from arraignment to sentencing. It is important that our CourtWatchers understand the philosophy of the criminal justice system, emphasizing the principles of law, not just the procedures. The roles of the judge, prosecutor, and defense attorneys are explained. Important legal terms and concepts, such as "preponderance of evidence, reasonable doubt, prejudice and defendant's and victim's rights" are defined.

The different phases of a trial are explained from the jury selection to the final summation. Training sessions are held in Court with supervision by an experienced CourtWatcher, aimed at exposing the trainee to each different procedure: arraignment, jury selection, hearings, trials and sentencing. Because most trainees volunteer once a week, it often takes up to three months for the trainee to receive certification and a CourtWatch badge.

When the trainees have an understanding of the basic proceedings and can complete the forms without assistance, they receive their CourtWatch Badge and become recognized CourtWatchers. CourtWatchers are instructed not to follow a case, rather they are to observe a half day session each week in a different courtroom setting. This is another means of promoting objectivity. We feel CourtWatchers will be less involved with cases if they observe only a portion. Monitors are there to evaluate the system and participants at that session only. In some longer cases they, of course, may attend the same case more than once.

Throughout the period of time covered by this CourtWatch Report, continuing education workshop meetings are held. The purpose of these meetings is to reinforce the goals of the program, to iron out the flaws, to further educate the CourtWatchers and to share information that would improve their efforts. Special speakers are invited to further inform the volunteers.

In this current Report 23 CourtWatchers (both experienced and trainees), spent between 3-8 hours a day in the courtroom, with a total of 2370 hours. There were 1320 observations made during this 24 month period.

The schedule attempted to assure that every CourtWatcher watched each judge and that they observed different types of cases: drugs, theft, fraud, child abuse, rape and murder. During crowded scheduling times, priority was given to cases in which the offense was a crime against a person. CourtWatchers attended trials, hearings and sentencings, since the role of the judge,



prosecutor and defense attorney tends to be different in each of these settings.

CourtWatchers made interesting comments on what they observed in the courtroom. It is the program's intent that these observations will prove: to be constructive, not destructive; to help shape a process which is efficient, professional and sensitive to the needs of the public it serves; and to educate and inform the public about the way the criminal justice system is seen from a layperson's perspective.

#### THE EVALUATION FORMS

The CourtWatch evaluation forms were adapted from the Illinois League of Women Voters' Court Watch Program. There are several forms, each adapted to the individual proceeding. The initial part of each form deals with factual information about the case; i.e., name of the defendant, attorneys, judge, the extent of injuries, use of weapons, drugs/alcohol, location of offense, threats, etc.

The second part concerns a few personal details; i.e., the ages of defendant and victim, the ethnic origin of defendant and victim, and the gender and ethnic make-up of the jury. It includes details about race to help us examine how the system affects people from different cultural backgrounds. Following pages include evaluation criteria of the defense, prosecuting attorneys and the judges. The same criteria is used for both attorneys. There is additional explanation on the judge's evaluation later. The CourtWatcher uses the Licker scale of 1-5 in evaluating the attorneys, 1-poor; 2-inadequate; 3-acceptable; 4-good; 5-excellent.

#### THE REPORT CRITERIA

PREPAREDNESS: 1 2 3 4 5

CourtWatchers were instructed to look for the following:

- Is the attorney familiar with police reports, expert witness reports and previous statements?
- Has the background of witnesses been researched?
- Is the evidence present and ready?
- Are witnesses present and ready?
- Is there familiarity with expert theories pertaining to the case?
- Has a line of questioning been prepared?

PROFESSIONAL BEHAVIOR: 1 2 3 4 5

This category is obviously very subjective. We asked the CourtWatchers to base their responses on how they would reasonably expect a legal professional to appear and behave.

This behavior includes:

- Appropriate attire and neat appearance
- Proper respect for the Court, other attorneys, and participants
- Use of appropriate language or absence of slang and profanity
- Attentiveness and non-disruptive behavior while another is speaking
- Maintaining the dignity and seriousness of the court
- Control of emotions, especially anger and laughter

APPROPRIATE USE OF TIME: 1 2 3 4 5

Timeliness is desirable in the courtroom. It is important to know how attorneys affect the efficiency of the trial system.

- Punctuality
- Unnecessary delays
- Wasting time
- Long pauses during examination
- Efficiency

APPROPRIATE QUESTIONS/ARGUMENTS: 1 2 3 4 5

Because the attorney has an adversarial job we are reminded that any line of questioning is considered argument.

- Does the attorney get side-tracked?
- Is the point made with the examination?
- Are questions repetitious?
- Are questions relevant?
- Are the questions too personal?
- Are questions asked that the witness is not in a position to answer?
- Does the attorney try to get the witness to:
  - draw conclusions?
  - make assumptions or give unfounded opinions?
  - relate hearsay?
- Are the questions leading?

SPEAKS WELL, EASY TO UNDERSTAND: 1 2 3 4 5

- Does the attorney enunciate or mumble?
- Can they be heard by you and the jury?
- Are the statements or questions confusing or, easy to follow?
- Do witnesses often ask for questions to be repeated or restated ?
- Is the vocabulary understandable? Are specific terms explained?

ORGANIZATION: 1 2 3 4 5

- Is everything within grasp? i.e., reports, statements, files, evidence, rule book, etc.
- In statements to jury, is the information organized?
- In examination, is information sought in an organized, logical way?

SKILLFUL: 1 2 3 4 5

- Are examinations and redirects used well to establish and prove the case?
- Is evidence used effectively?
- Are charts, graphs, calendars, and diagrams used when they would be helpful? Are these neat and legible?
- In opening statements does the attorney draw in the jury?
- Is the case outlined well? Is the outline followed?
- Is he/she generally effective?

DID ATTORNEY TREAT ALL PARTIES FAIRLY AND PROFESSIONALLY?

(VICTIM) 1 2 3 4 5

We are interested in the way attorneys behave toward victims. Our ratings reflect the attitudes we have observed and therefore expect from attorneys:

1) Totally Inconsiderate: Hounds and badgers victim without regard to victim's emotional state and well being, especially if the victim testifying is a child. Does the attorney purposely try to distort, obscure and confuse the victim's account of events or allow the victim to provide a full answer to the question?

2) Made No Effort: Completely disregards the victim's situation. Does not give the victim a chance to answer or think. Is not respectful of the victim.

3) Professionally Courteous: Treats victim with respect. Pauses when necessary to allow the victim to compose themselves. Tries to make the victim somewhat at ease with the situation.

4) Particularly Caring and Sensitive: Makes a real effort to make the victim comfortable and at ease. Cushions questions. Makes a special effort, i.e. dressing casually for children or trying to speak in familiar language. Gives victim full room and time to testify. Attempts to provide some comfort by offering water or tissue; or requesting a recess if the victim breaks down. Is careful to use a pleasant tone and sense of humor.

5) Exceptional Attitude: Takes extra steps to ensure that the victim's experience is the least traumatic possible, i.e. allowing the use of video equipment for children testifying.

DID ATTORNEY TREAT ALL PARTIES FAIRLY AND PROFESSIONALLY? (WITNESS) 1 2 3 4 5

The defense attorney's obligation to the client is not overlooked here. Also, we understand that witnesses may have a poor attitude, may be hostile or may be lying, and therefore contribute to the atmosphere of the courtroom. In general the same standards as above are applied and also:

- 1) Totally Inconsiderate: Launches unfounded attacks against the character of the witness. Makes unfounded remarks as to the credibility of the testimony. Obviously distorts and obscures testimony. Badgers excessively.
- 2) Made No Effort: Badgers and distorts. Makes no attempt to treat the witness with any respect or courtesy.
- 3) Professionally Courteous: Introduces self, thanks the witness for coming. Allows witness to explain answers. Allows review of statements and reports if needed. Takes time to explain. Puts witness at ease.
- 4) Respectful and Understanding: Does not badger or distort. Gives the witness full space to testify. Is patient and polite.
- 5) Exceptional Attitude: Highly professional. Extremely courteous. Friendly without coddling. Makes testifying easy.

DID THE ATTORNEY TREAT ALL PARTIES FAIRLY AND PROFESSIONALLY?  
(DEFENDANT) 1 2 3 4 5

Here it is understood that the prosecutor may be hard on a defendant. However, rules of courtesy and fair play would still apply.

- 1) Rude and Condemning: Uses inappropriate body language and facial expressions to play to the jury. Makes especially derogatory remarks or unfounded accusations. Assaults defendant's character irrelevantly. Borders on prejudicial behavior. Distorts and obscures testimony.
- 2) Facetious and Sarcastic: Uses a tone or makes remarks which could lead to an unfounded negative bias. Tries to influence jury unfairly.
- 3) Professionally Courteous: Sticks to facts. Addresses defendant appropriately. Does not try to impeach the defendant unfairly.
- 4) Respectful: Gives defendant latitude to express self. Allows defendant to answer questions fully. Is non-emotional. Respects defendant's situation and feelings.
- 5) Exceptional Attitude: (generally defense attorney) Is friendly and understanding. Is sensitive without being overly protective.

#### PRESENTATION OF EVIDENCE

For these evaluations we simply asked for Yes, No.

Generally convincing? Yes No

For a Yes, the veracity of the evidence is unquestioned as is its origin. Chain of possession is established. Is directly related to the case.

Is it relevant? Yes No

For a yes, the evidence applies directly to the matter at hand. The attorney makes clear its connection. It is clearly important. For a yes, the evidence must be solid and firm. Is it subject to differing interpretations. Directly and strongly supports attorney's or witness's conclusions.

**PRESENTATION OF WITNESSES**

Generally convincing? Yes No

For a yes, the credibility is not convincingly questioned by opposing attorney. Witness appears to be cooperating to his/her best ability. There are no convenient lapses in memory in face of cross examination. No contradictions or inconsistencies with earlier testimony, depositions or statements.

Generally relevant? Yes No

For a yes, the testimony provided is directly related to the case at hand. Witness does not skip around or pad answers.

**OVERALL IMPRESSION:** 1 2 3 4 5

This category gives the CourtWatcher an opportunity to sum up an evaluation of an attorney's performance. This is an opportunity to emphasize or to criticize specific aspects of an attorney's style or ability. In this way CourtWatchers can give weight to issues they feel are important.

At the end of the evaluation, CourtWatchers are encouraged to make other constructive, complimentary or critical comments. These can be explanations of why they gave an attorney high or low numbers. They can emphasize specific points of interest. In the event that an attorney is rated a 1,2,5 or No on any of the questions, the CourtWatcher is required to give a specific explanation.

**THE JUDGE'S EVALUATION CRITERIA**

The judge's evaluation form is slightly different than the attorneys' forms. Questions focus on behavior and attitude at the Bench. The questions are different, but are still 1-5.

**DID THE JUDGE APPEAR TO PAY ATTENTION TO PROCEEDINGS AND PARTICIPANTS?** 1 2 3 4 5

Did the judge watch for restless, or napping jurors? Did the judge pay attention to everyone: witnesses, attorneys, clerk, guard, defendant, victims and spectators?

**DID THE JUDGE MAINTAIN CONTROL OF THE COURTROOM?** 1 2 3 4 5

Is the jury quiet and attentive? Is the gallery quiet and in order? Did judge make sure attorneys behave properly? Are disruptions or bursts of emotion controlled?

**DID THE JUDGE SPEAK LOUDLY AND CLEARLY?** 1 2 3 4 5

Did the judge mumble or enunciate clearly? Can everyone hear the rulings and instructions?

**WERE THE JUDGE'S REMARKS UNDERSTANDABLE AND DID THEY MAKE SENSE?** 1 2 3 4 5

Did the judge speak English or legalese? If a CourtWatcher cannot understand, then conceivably a juror, witness, victim or defendant might not understand. Were all present able to

understand the remarks?

DID THE JUDGE SHOW HUMAN UNDERSTANDING AND COMPASSION TO THE VICTIM? 1 2 3 4 5

Did the judge pay close attention to testimony? Was the judge sensitive to the victim's emotional situation? Was a recess called when a victim became emotional? Did the judge display negative actions to the victim? Did the judge treat the victim with respect and courtesy? Was the judge sensitive without infringing upon a defendant's rights, yet allow for victims to have their rights. Showing compassion and understanding of human nature, when appropriate, is a desirable trait. Also, be especially aware how the attitude is toward a non present victim. Remember the victim may be deceased. Is the victim referred to by name or treated as a non enemy? Possibly the victim was barred from the courtroom?

DID THE JUDGE SHOW HUMAN UNDERSTANDING AND COMPASSION TO THE DEFENDANT? 1 2 3 4 5

Did the judge pay close attention to testimony? Was the judge sensitive to the defendant's emotional situation? Did the judge display negative actions to the defendant? Did the judge treat the defendant with respect and courtesy? Showing compassion and understanding of human nature, when appropriate, is a desirable trait. Being able to distinguish between lies and the truth, real tears from "Crocodile tears", and knowing the difference is a special quality of a good judge.

DID THE JUDGE MAKE EXPLANATIONS TO THE PARTICIPANTS?

1 2 3 4 5

Did the judge explain decisions, procedure, instructions, and rights to those involved? At jury selection, are important items explained to prospective jurors (i.e. preponderance of evidence). Are jury instructions clear and easy to follow? Is time taken to explain complicated questions to the witnesses, etc.?

DID THE JUDGE TREAT ALL PARTIES FAIRLY AND PROFESSIONALLY?

1 2 3 4 5

Did the judge remain firm and fair and remain objective? Did the judge treat attorneys with respect and as fellow professionals? Was the judge courteous? Were the judge's tone and actions impartial?

DID THE JUDGE APPEAR TO FAVOR EITHER SIDE?

1. No 2. Yes, Defense, 3. Yes, Prosecution?

Did the judge remain impartial in decisions, statements, attitudes and action? Did the judge insult or undermine either side? Did the judge unfairly overrule one side continually in deference to the other? Did the judge allow each side equal room to present his/her case?

OVERALL IMPRESSION: 1 2 3 4 5

OVERALL IMPRESSION: 1 2 3 4 5

Was the judge an active participant in the courtroom? Was the judge fair, open, and respectful, while maintaining a positive attitude? Did the judge uphold the dignity and decorum of the court?

COMMENTS:

CourtWatchers were encouraged to make constructive, complimentary or critical comments regarding the judge's performance. Quotes that explain or exemplify the comments are encouraged. 1, 2 and No responses are to be explained carefully. These comments expressed by the court monitors are not necessarily the opinions of the CourtWatch program or Victims for Justice, but are statements of what and how individuals perceive personalities and procedures on any given day in court.

**The Honorable Elaine M. Andrews**

Was the judge attentive?	4.4
Did the judge maintain control of the courtroom?	4.3
Did the judge speak loudly and clearly?	3.7
Were the judge's remarks understandable and did they make sense?	4.3
Did the judge show human understanding and compassion to the victim?	4.3
Did the judge show human understanding and compassion to the defendant?	4.1
Did the judge take the time to make explanations to the participants?	4.4
Did the judge treat all participants fairly and professionally?	4.3
Overall Impression:	4.3
Did the judge seem to favor either side? NO	98%
Yes, Defense:	1%
Yes, Prosecution:	1%
Was the Judge: Lenient: -	3%
Reasonable:-	97%
Severe:-	0%

**1998 OVERALL SCORE: 4.2**  
1996 Overall Score: 4.1



### **The Honorable Elaine M. Andrews**

Observations from CourtWatchers regarding Judge Andrews were overwhelmingly positive. She was observed to be intelligent, thorough, deliberate, concise in her rulings and sensitive to all parties. She avoids legalistic jargon and assures that proceedings are explained to everyone's comprehension.

The following comments are representative of those recorded by 14 different CourtWatchers during 118 observations for a total of 229 hours. Judge Andrews received 88 positive comments and 13 negative comments by court monitors.

Judge displayed excellent reasoning, complete understanding and total recall.

Cuts through rhetoric and rules on motions fairly and justly. Her explanations for these rulings makes sense even to a layman.

Paid close attention to all witnesses- alert and in control - ruled on motions fairly and only after careful review of the facts. She was very alert, fair and impartial to both parties.

Judge Andrews is someone who cuts through the fluff and extras and gets to the heart of the matter quickly.

The court is sending a mixed message - supposed to crack down on DWI's yet sentence doesn't show a "let's get tough policy" against repeat drunken driving.

Very precise in explanations, easily understood and heard. Seems to have respect of all present.

Listens and watches attentively. I was impressed how polite and cooperative the courtroom dynamics were.

Excellent pacing. Her control and awareness of what was being presented indicated that pre and post trial hearings were an important part in planning and conducting this trial.

Very protective of the community - tough, but polite about it.

Soft spoken and often cannot be heard in the back of the courtroom - victim's family changed seats often in order to catch her words and comments.

**The Honorable Peter G. Ashman**

Was the judge attentive?	4.6
Did the judge maintain control of the courtroom?	4.5
Did the judge speak loudly and clearly?	4.2
Were the judge's remarks understandable and did they make sense?	4.5
Did the judge show human understanding and compassion to the victim?	4.5
Did the judge show human understanding and compassion to the defendant?	4.3
Did the judge take the time to make explanations to the participants?	4.5
Did the judge treat all participants fairly and professionally?	4.6
Overall Impression:	4.6
Did the judge seem to favor either side?      NO    100%	
Was the Judge: Lenient: -            0%	
Reasonable: -       100%	
Severe:            -       0%	

**1998 OVERALL SCORE: 4.5**

### **The Honorable Peter G. Ashman**

Judge Ashman is new to the Anchorage bench after serving in the Palmer courts since 1987. He is praised as being in control, patient, calm and a thoughtful listener. He is very efficient and moves proceedings along at a good pace while being fair to both sides.

The following comments are representative of those recorded by 6 different CourtWatchers during 35 observations for a total of 57 hours. Judge Ashman received 27 positive comments and 2 negative comments by court monitors.

Speaks clearly, works quickly and controls courtroom.

Had 34 cases before him, moved at a good pace. Kept his eye on what was occurring in the courtroom.

Very patient Judge. Listened thoughtfully to both sides. Wouldn't rule on motions because of lack of time to study them thoroughly.

Handled a large group of cases in a very precise manner. Voice and mannerisms were calm throughout entire proceedings. Concerned with victims and their rights. Accepted no pleas if victim input was not apparent.

Listened carefully to proceedings. ruled on objections very carefully. Thoughtful in his considerations.

Very fair in his rulings for both sides. Paid close attention to proceedings. Spoke in calm voice.

Young children and their noise made it hard to hear. When you could hear, he treated all with respect.

Actively involved in testimony. With attorney's permission, posed clarifying questions to witnesses.

Definitely attuned listener - no statement escapes him. Clarifies any necessary explanations.

This judge works well under pressure. Displays even temperament - never flustered or agitated. Asks questions that cut right to the chase. This judge is a "3-C judge" - Cool, Calm and Collected.

This judge maintains focus. Able to sort out problems.

**The Honorable Larry D. Card**

Was the judge attentive?	4.5
Did the judge maintain control of the courtroom?	4.5
Did the judge speak loudly and clearly?	4.3
Were the judge's remarks understandable and did they make sense?	4.5
Did the judge show human understanding and compassion to the victim?	4.2
Did the judge show human understanding and compassion to the defendant?	4.3
Did the judge take the time to explain to the participants?	4.5
Did the judge treat all parties fairly and professionally?	4.6
Overall Impression:	4.5

Did the judge seem to favor either side? NO 98%  
YES 1% (Defense)  
YES 1% (Prosecutor)

Was the Judge: Lenient - 1%  
Reasonable- 97%  
Severe - 2%

**1998 OVERALL SCORE: 4.4**  
1996 Overall Score: 4.6

### **The Honorable Larry D. Card**

CourtWatchers' comments about Judge Card almost always contain the words compassionate, understanding and fair. He is seen as having had great concern for the well being of the children involved in the divorce cases he handled. He has been heard to say, "This is not a battle to see which adult wins. I want the kids to win."

The following comments are representative of those recorded by 15 different CourtWatchers during 163 observations for a total of 315 hours. Judge Card had 109 positive comments and 1 negative comment by court monitors.

Judge Card is very approachable, considerate, easy to understand, thorough in his explanations. He treats the witnesses pleasantly and helps them feel comfortable in court.

Judge Card was very understanding of the severity of threats made to one victim, treating her with support and compassion. Clearly, he had concern for the well-being of the children and their emotional stability.

Very attentive and responded swiftly and with authority when necessary.

Fair to all and understood by all.

Since his hands were tied with the plea agreement, he did what he could to assure some justice for the victim.

Spoke softly at times and very, very fast, but he made sure the defendants knew exactly what they were doing by changing their not guilty pleas to no contest.

Very sharp -aware of everything going on in his court.

Strict about courtroom procedures and protocol.

Judge Card above par at being fair to defendant while still allowing State to present its case - makes a conscious effort not to show favoritism.

**The Honorable Natalie K. Finn**

Was the judge attentive?	4.2
Did the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	3.8
Were the judge's remarks understandable and did they make sense?	4.0
Did the judge show human understanding and compassion to the victim?	3.0
Did the judge show human understanding and compassion to the defendant?	3.8
Did the judge take the time to explain to the participants?	4.1
Did the judge treat all parties fairly and professionally?	4.1
Overall Impression:	4.0
Did the judge seem to favor either side?	No 100%
	YES 0% (Defense)
	YES 0% (Prosecution)
Was the Judge: Lenient	-
Reasonable	- 100%
Severe	-

**1998 OVERALL SCORE 3.9**  
1996 Overall Score 3.6  
1994 Overall Score (not evaluated)  
1992 Overall Score 4.2

### **The Honorable Natalie K. Finn**

Judge Finn maintains excellent control of her courtroom to the point of removing disruptive persons when necessary. She is exceptionally attentive and patient. Her only negative comments were about not being able to be heard by observers.

The following comments are representative of those recorded by 10 different CourtWatchers during 41 observations for a total of 56 hours. Judge Finn had 25 positive comments and 2 negative comments by monitors.

Listened to both sides carefully. Hard to do because the defendant was yelling and swearing at all involved. Maintained her composure.

Very patient with prosecutor's coaching from the gallery. Impartial and attentive - did a good job not showing emotion.

Judge very attentive during jury selection. Watched the interaction of the attorneys with potential jurors intently. Good eye contact with the people.

Very patient today - fair to all.

Very professional today ...impressed with her control and composure. She did an excellent job maintaining impartiality when defense asked for and got an extension. Very impressive!

Managed all of the proceedings in efficient manner. Asked one attorney and client to go into hall when they were disruptive. Asked Mom with small child to remain outside until case called (child was noisy). Likes a quiet, orderly courtroom.

Managed a busy court schedule very well- Kept order and decorum in court. Clear instructions to all.

Very sharp - very fair - in command!

Very attentive - No nonsense!

Judge Finn works quickly and competently. Fair to all and very reasonable in her findings.

Went through each case in "no-nonsense" manner. Gave no credence to some excuses put forth by defendants.

**The Honorable William H. Fuld**

Was the judge attentive?	4.0
Did the judge maintain control of the courtroom?	3.8
Did the judge speak loudly and clearly?	4.0
Were the judge's remarks understandable and did they make sense?	4.0
Did the judge show human understanding and compassion to the victim?	3.8
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take the time to explain to the participants?	4.1
Did the judge treat all parties fairly and professionally?	4.1
Overall Impression:	4.0
Did the judge seem to favor either side?	No 98%
	YES 0 (Defense)
	YES 2%(Prosecution)
Was the Judge: Lenient-	6%
Reasonable-	92%
Severe-	2%

**1998 OVERALL SCORE: 4.0**  
1996 Overall Score: 3.7  
1994 Overall Score: (not evaluated)  
1992 Overall Score: 3.9



### **The Honorable William H. Fuld**

Judge Fuld was noted as having a "good, strong voice when explaining things to jurors". He is a patient listener. Some observers viewed him as a gatherer of facts. He is viewed as displaying fairness to both sides.

The following comments are representative of those recorded by 10 different CourtWatchers during 48 observations for a total of 65 hours. Judge Fuld had 21 positive comments and 3 negative comments recorded by the monitors.

Did very good job in keeping jury abreast of what was happening. Extremely fair to both sides.

I think he would have liked to give heftier sentence for DWI's but felt "the legislature tied the courts' hands in this sentence".

It was interesting that he aggravated the sentence - feeling the State should have but didn't - very perceptive of defendant's past failures and probable future failures also.

Lenient!

I thought the judge was pretty harsh on defendants in some cases.

Very fair and trying hard to complete proceeding with no further delays.

Judge did an exemplary job with a difficult, self willed defense attorney.

Made sure he had all the facts before making any decisions - very fair.

Reading other case files while testimony going on, yet he was listening at the same time and ruled on objections quickly. Good concentration or listening skills.

Used exceptional wisdom and good restraint in dealing with a shackled, belligerent and verbally violent defendant.

**The Honorable Rene Gonzalez**

Was the judge attentive?	4.2
Did the judge maintain control of the courtroom?	4.1
Did the judge speak loudly and clearly?	3.2
Were the judge's remarks understandable and did they make sense?	3.8
Did the judge show human understanding and compassion to the victim?	3.6
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take time to explain to the participants?	3.9
Did the judge treat all parties fairly and professionally?	3.9
Overall Impression:	3.7
Did the judge seem to favor either side?	NO 89%
	YES 11% (Defense)
	YES 0% (Prosecutor)
Was the Judge: Lenient	-
Reasonable	- 100%
Severe	-

**1998 OVERALL SCORE: 3.8**  
1994 Overall Score: 3.9  
1992 Overall Score: 3.5

## The Honorable Rene Gonzalez

In the many years of observing Judge Gonzalez, CourtWatchers still complain that he continues to mumble and be difficult to hear. It has been noted, however, that he speaks clearly when participating in the teleconference testimonies. He is viewed as being concerned about the welfare of children in family matters before his court.

The following comments are representative of those recorded by 7 different CourtWatchers during 28 observations for a total of 68 hours. Judge Gonzalez had 18 positive comments and 10 negative comments recorded by the monitors. (Of the 10 negative comments, 7 dealt with the inability of CourtWatchers' to hear him).

Was really sharp today, fair to all.

Has a great gift of establishing rapport with jurors - very understanding and thorough. He still mumbles at times, but does keep a tight schedule.

Uses the computer and has mastered the ability to still watch what goes on in court. Very focused.

Mumbles - difficult to understand him.

Really very attentive. Paid close attention to all proceedings. Was an undertone of animosity between lawyers, but Judge kept this under control and was fair in his rulings for each side.

Judge very good at soothing ruffled feathers. Very patient with all.

Sotto Voce continues to be a problem for me. Though I understand him more this observation than in the past, a microphone would be wonderful.

The manner in which he focuses on testimonies and clarifies with the witnesses indicates his concerns for what is going to be best for the child.

Very, very concerned about mental well-being of minor children. Tried very hard to get adults to handle their personal problems independent of the children.

**The Honorable Dan A. Hensley**

Was the judge attentive?	4.7
Did the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	4.1
Were the judge's remarks understandable and did they make sense?	4.3
Did the judge show human understanding and compassion to the victim?	4.8
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take time to explain to the participants?	4.4
Did the judge treat all parties fairly and professionally?	4.4
Overall Impression:	4.3
Did the judge seem to favor either side?	NO 95%
	YES 5% (Defense)
	YES 0% (Prosecutor)
Was the Judge: Lenient-	
Reasonable-	100%
Severe-	

**1998 OVERALL SCORE: 3.7**

### **The Honorable Dan A. Hensley**

Judge Hensley is efficient and handles his court proceedings in a timely manner. He controls the courtroom and explains things well to the participants.

The following comments are representative of those recorded by 6 different CourtWatchers during 20 observations for a total of 53 hours. Judge Hensley had 15 positive comments and 3 negative comments recorded by the monitors.

Excellent control of courtroom, brisk, but very prompt and business like.

Judge had a difficult time controlling attorney who acted like a child not getting his way.

Knowledgeable, but needs to speak more clearly, slowly and loudly.

Judge listened thoughtfully to all proceedings. He didn't want to rush his decision for he knew how important it was to the plaintiff.

Took specific care to work with both the plaintiff and the defendant.

Attentive to detail.

Descriptive opening to jury pool. Sincere, clear, informative.

Took every opportunity to explain every aspect. Very conscious of the jury and their needs.

Had constant eye contact with everyone in court.

Very alert!

**The Honorable Donald D. Hopwood**

Was the judge attentive?	4.5
Does the judge maintain control of the courtroom?	4.1
Did the judge speak loudly and clearly?	3.6
Were the judge's remarks understandable and did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	3.9
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take time to explain to the participants?	4.4
Did the judge treat all parties fairly and professionally?	4.2
Overall Impression:	4.1
Did the judge seem to favor either side?	No 94%
	YES 6% (Defense)
	YES 0% (Prosecution)
Was the Judge: Lenient -	
Reasonable-	100%
Severe-	

**1998 OVERALL SCORE: 4.0**

## **The Honorable Donald D. Hopwood**

Judge Hopwood serves the court system in Kodiak. He was presiding over a change of venue case in Anchorage and was observed for a sufficient number of hours to allow him to be included in this report.

The following comments are representative of those recorded by 4 different CourtWatchers during 16 observations for a total of 63 hours. Judge Hopwood had 10 positive comments and 3 negative comments recorded by the monitors.

Very professional.

Paid close attention to testimony.

Needs to speak up.

Kept an eye on things in court.

Gives clear and complete reasons for all his decisions. Very professional and impressive.

Extremely fair to both sides.

Judge spoke very clearly in court when jury in, but muffled, mumbled when talking to counsel when jury out.

Gives excellent explanations of his rulings after reading the law out loud.

He needs to speak up at times, but always makes sure the jury hears him.

In light of the defendant's history and the severity of his behavior, judge was most fair in his terms of sentencing and his recommendations.

**The Honorable Karen L. Hunt**

Was the judge attentive?	4.3
Does the judge maintain control of the courtroom?	4.3
Did the judge speak loudly and clearly?	4.4
Were the judge's remarks understandable and did they make sense?	4.4
Did the judge show human understanding and compassion to the victim?	4.0
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take the time to explain to the participants?	4.3
Did the judge treat all parties fairly and professionally?	4.3
Overall Impression:	4.3
Did the judge seem to favor either side?	No 100%
	YES 0% (Defense)
	YES 0% (Prosecution)
Was the Judge:	Lenient -
	Reasonable- 100%
	Severe -

**1998 OVERALL SCORE: 4.2**  
1996 Overall Score: 4.3  
1994 Overall Score: 4.3  
1992 Overall Score: 4.3



## **The Honorable Karen L. Hunt**

Judge Hunt is viewed by CourtWatchers as being fair and thorough. Her background as an educator is apparent from the way she gives directions and explanations to those in her courtroom.

The following comments are representative of those recorded by 10 different CourtWatchers during 32 observations for a total of 54 hours. Judge Hunt had 24 positive comments and 3 negative comments recorded by the monitors.

Very thorough in giving directions. She assists the witness in understanding what is happening.

Judge's note taking on the keyboard tends to be distracting in the courtroom.

Masterful, as always!

Was sharp (as usual). Explained each ruling on an objection - favored neither side - questioned one witness herself with explicit questions that satisfied everyone.

Completely fair and made sure everyone understood all the proceedings.

The boards used for diagramming hid the jurors from view and she was not aware one was falling asleep and another yawning.

Judge Hunt continues to explain everything to the nth degree. A pleasure to observe her professional behavior and listen to her proceedings. Any layman understands exactly what is going on, who the players are and why they are in the courtroom.

Her method of doing arraignments and changes of plea should be adopted by all. It speeds up the process and gets the defendants to focus and pay attention. Very thorough step by step explanation to defendants.

Excellent organization.

**The Honorable Stephanie E. Joannides**

Was the judge attentive?	4.8
Did the judge maintain control of the courtroom?	4.4
Did the judge speak loudly and clearly?	4.4
Were the judge's remarks understandable and did they make sense?	4.4
Did the judge show human understanding and compassion to the victim?	3.9
Did the judge show human understanding and compassion to the defendant?	4.2
Did the judge take time to explain to the participants?	4.6
Did the judge treat all parties fairly and professionally?	4.4
Overall Impression:	4.5
Did the judge seem to favor either side?	No 94%
	YES 6% (Defense)
	YES 0% (Prosecution)

Was the Judge: Lenient - 8%  
Reasonable- 92%  
Severe-

**1998 OVERALL SCORE: 4.4**  
1996 Overall Score: 4.1

### **The Honorable Stephanie E. Joannides**

Judge Joannides is attentive and controls her courtroom well. She is viewed as seeking efficient time management in her cases by keeping all parties on schedule.

The following comments are representative of those recorded by 4 different CourtWatchers during 17 observations for a total of 36 hours. Judge Joannides had 8 positive comments and 2 negative comments recorded by the monitors.

Took time for each case. Asked good probative questions of attorneys and defendants. She lectured those involved in alcohol related cases. Seems a strong advocate of applying the full extent of the laws for these offenders.

Very patient with each defendant. Answered all the questions in an easily understood manner.

Firm hand in a velvet glove.

Paid close attention to all the participants. Had Pleasant demeanor - at ease in courtroom. Didn't let either attorney lag behind - kept all on schedule.

Listened closely to both sides and asked questions of both to clarify certain facts.

Is committed to reducing time wasted keeping jurors waiting, as well as clerks, APD officers and witnesses - came down hard on both attorneys for not being prepared to begin at 8:30 a.m. as scheduled.

Paid attention, but even after continually stating how serious charges and repeated offenses were, she gave what appeared to be minimum sentences saying, "Next time will be worse". Most already had numerous second chances.

Judge is soft spoken -sometimes hard to hear.

Very accommodating to needs of each attorney.

Firm with defendants who attempted to sway her in her sentencing decisions. She wasn't buying it.

**The Honorable John R. Lohff**

Was the judge attentive?	4.1
Did the judge maintain control of the courtroom?	4.0
Did the judge speak loudly and clearly?	4.2
Were the judge's remarks understandable and did they make sense?	3.9
Did the judge show human understanding and compassion to the victim?	4.4
Did the judge show human understanding and compassion to the defendant?	4.0
Did the judge take time to explain to all participants?	4.2
Did the judge treat all parties fairly and professionally?	4.0
Overall Impression:	4.1
Did the judge seem to favor either side?	NO 96%
	YES 4% (Defense)
	YES 0 (Prosecutor)
Was the Judge: Lenient -	
Reasonable- 100%	
Severe-	

**1998 OVERALL SCORE: 4.0**  
1996 Overall Score: 4.2  
1994 Overall Score: 4.1

### **The Honorable John R. Lohff**

Judge Lohff is considerate and has a pleasant demeanor toward all who attend his court. He is observed as dealing fairly with victims as well as defendants. He is an active listener who is easily heard and understood.

The following comments are representative of those recorded by 10 different CourtWatchers during 51 observations for a total of 36 hours. Judge Lohff had 33 positive comments and 4 negative comments recorded by the monitors.

An active listener during proceedings. Asked questions of several of the jury panel. Strong, clear voice. Can be heard from any location. Made sure the selected jurors knew the "ropes" of being on time: where to be, etc. Took more time with them because none had ever served on a jury.

Can always hear him in court - loud clear voice. Explained very thoroughly what defendant's rights, responsibilities, etc. were to themselves and the court.

Was polite and courteous to witnesses and the attorneys - in complete control of his courtroom.

Had a hard time expressing himself, but very knowledgeable and compassionate.

Insisted victim was contacted telephonically on one case and on two others (DWI's).

He was so involved he didn't notice group of noisy people in second row.

Was very protective of jurors' confidential and personal information.

In tune with courtroom dynamics and provided recess times when atmosphere became too tense.

People/lawyers came in during proceedings. Stood around and talked between themselves or clients. Felt judge should have either asked them to be quiet or to step outside until proceedings were finished.

Judge determined a sentence that incorporated both the protection of the community, as well as limitations and needs of the defendant.

Tuned in to all proceedings. Always very observant. Made sure all in court felt comfortable. Very relaxed atmosphere....

**The Honorable Peter A. Michalski**

Was the judge attentive?	4.3
Did the judge maintain control of the courtroom?	4.1
Did the judge speak loudly and clearly?	3.5
Were the judge's remarks understandable and did they make sense?	4.1
Did the judge show human understanding and compassion to the victim?	3.9
Did the judge show human understanding and compassion to the defendant?	3.8
Did the judge take time to explain to the participants?	4.1
Did the judge treat all parties fairly and professionally?	4.2
Overall impression:	4.1

Did the judge seem to favor either side?	No 100%
	YES 0% (Defense)
	YES 0% (Prosecution)

Was the Judge: Lenient -  
Reasonable- 100%  
Severe-

**1998 OVERALL SCORE:4.0**  
1996 overall score: 3.8  
1994 Overall Score: 3.6  
1990 Overall Score: 3.8  
1988 Overall Score: 3.3\*

\*1988 - 4.0 HIGHEST SCORE - LICKER SCALE NOT USED

### **The Honorable Peter A. Michalski**

Judge Michalski has ruled on a recent controversial issue. CourtWatchers have not monitored these proceedings, which took place mostly in chambers. Of those cases observed, he was found to be considerate, attentive and treated all parties with respect and dignity. All 5 of the negative comments dealt with his being soft spoken. He is viewed as being fair to both sides.

The following comments are representative of those recorded by 6 different CourtWatchers during 35 observations for a total of 70 hours. Judge Michalski had 21 positive comments and 5 negative comments recorded by the monitors.

Very polite and considerate. Very just. He is soft spoken and at times is hard to hear in the back of the courtroom.

Listened to each case intently and made decisions that were fair to both the State and the defendants.

Treated the parties with respect and dignity.

Asked good questions of both attorneys as they presented their sides.

Pleasant, soothing voice that goes along with his demeanor in the courtroom. Great explanations to prospective jurors as to legal terms., i.e. side bars, etc.

Gave clear, concise instructions to jury regarding time line; when he expects them to get this case.

Always considerate....

Needs to speak up when addressing attorneys, and even jurors sometimes.

Soft spoken. The attorneys had trouble hearing him. Judge very good at re-phrasing plaintiff's attorney's questions and clarifying use of terms.

He ruled in favor of both parties equally and gave good, concise reasons for the rulings. Good listener.

**The Honorable Gregory J. Motyka**

Was the judge attentive?	4.2
Did the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	4.2
Were the judge's remarks understandable and did they make sense?	4.1
Did the judge show human understanding and compassion to the victim?	4.0
Did the judge show human understanding and compassion to the defendant?	4.0
Did the judge take time to explain to all participants?	4.2
Did the judge treat all parties fairly and professionally?	4.1
Overall Impression:	4.0
Did the judge seem to favor either side?	No 100%
	Yes 0% (Defense)
	YES 0% (Prosecution)
Was the Judge: Lenient	-
Reasonable	- 100%
Severe	-

**1998 OVERALL SCORE: 4.0**  
1996 Overall Score: 4.3  
1994 Overall Score: 4.2



## The Honorable Gregory J. Motyka

Judge Motyka has proven himself to be patient, considerate, professional and concise. He appears to keep control of his courtroom and the proceedings. CourtWatchers overwhelmingly praised Judge Motyka, except where he showed leniency in some cases toward the defendants with prior convictions.

The following comments are representative of those recorded by 10 different CourtWatchers during 55 observations for a total of 75 hours. Judge Motyka had 33 positive comments and 2 negative comments recorded by the monitors.

Judge did a good job at deterring a heated argument between lawyer and hostile witness. Got proceedings back on track quickly.

Clear - quick - concise!

Very professional and considerate.

Always in control of his court. Easily heard by all. He has good rapport with the lawyers that come to his court.

Quick and efficient. Maintained his sense of humor in this fast paced event.

Judge Motyka made an exceptional decision to delay this trial one day for prosecutor to produce pictures of the victim and "discover" them to the defense, since the victim herself would not be available as a witness. The jury would at least see the results of the assault.

Actions were acceptable but resolutions were very lenient, gave SIS - gave all suspended time on a man with 17 priors.

Judge told defense to keep her questions short and to make sure her questions were clear. Paid close attention to proceedings. Took time to consider his rulings on various motions and also on objections. Was fair to both sides. Very focused.

Listened patiently to both sides of arguments on motions. Asked good questions to clarify both sides of the motions before the court.

Kept his poise. Covered bases as the laws mandated, especially those of victim. Included copies for defense of specific laws regarding Victim's Rights.

Judge was severe in that he had police remove defendants from courtroom; scolded them for being disruptive and inconsiderate.

**The Honorable Sigurd E. Murphy**

Was the judge attentive?	4.4
Does the judge maintain control of the courtroom?	4.3
Did the judge speak loudly and clearly?	4.5
Were the judge's remarks understandable and did they make sense?	4.5
Did the judge show human understanding and compassion to the victim?	4.4
Did the judge show human understanding and compassion to the defendant?	4.3
Did the judge take time to explain to all participants?	4.5
Did the judge treat all parties fairly and professionally?	4.5
Overall Impression:	4.4
Did the judge seem to favor either side?	No 95%
	YES 2.5% (Defense)
	YES 2.5% (Prosecution)

Was the Judge: Lenient- 3%  
Reasonable- 97%  
Severe-

**1998 OVERALL SCORE: 4.4**  
1996 Overall Score: 4.4  
1994 Overall Score 4.5

### **The Honorable Sigurd E. Murphy**

Judge Murphy has proven himself to be very concerned about the victim and victims' rights without infringing upon the rights of the defendant. Overall, CourtWatchers found him to be fair to both sides, considerate, thorough, respectful to all and attentive. Three of the four negative comments dealt with the amount of noise allowed in the courtroom.

The following comments are representative of those recorded by 10 different CourtWatchers during 40 observations for a total of 46 hours. Judge Murphy had 34 positive comments and 4 negative comments recorded by the monitors.

Judge allowed victim to remain. "In my court, I allow victims to remain. Constitutional law is higher than the defendant's concerns". Judge listened to and observed witnesses and attorneys carefully. Kept jurors well informed as to trial procedures.

Very personable. Treats all in friendly way. Each case studied and conclusions reached in timely manner.

Attentive, respectful and spoke clearly. Very professional.

The judge said, "My concern must be to protect not only the victims of the crime but also the general public".

Very concerned that victim was not there. "She has a right to be here before I can make my decision". Had prosecutor try to phone her without success. Judge put off decision until victim can testify in court by writing or telephonically. I commend him for this.

Showed compassion, consideration and great common sense.

Judge allowed much talking between waiting attorneys, clients and other attorneys in the courtroom. Very distracting and hard to hear proceedings.

Fantastic job as a mediator between two adults involved in a complicated case. He was the epitome of patience!

Good listener and gatherer of facts.

**The Honorable Paul E. Olsen**

Was the judge attentive?	3.9
Did the judge maintain control of the courtroom?	3.6
Did the judge speak loudly and clearly?	3.3
Were the judge's remarks understandable and did they make sense?	3.5
Did the judge show human understanding and compassion to the victim?	3.5
Did the judge show human understanding and compassion to the defendant?	3.6
Did the judge take time to explain to all participants?	3.7
Did the judge treat all parties fairly and professionally?	3.7
Overall Impression:	3.7
Did the judge seem to favor either side?	NO 96%
	YES 4% (Defense)
	YES 0% (Prosecutor)
Was the Judge:	Lenient: 12%
	Reasonable: 88%
	Severe:

**1998 OVERALL SCORE: 3.6**

### **The Honorable Paul E. Olsen**

Judge Olsen seems to be patient and knowledgeable. CourtWatchers found him to be considerate and pleasant. Although there was an overall consensus that Judge Olsen does not speak loudly and clearly. Eight of ten negative comments dealt with his need to speak louder.

The following comments are representative of those recorded by 13 different CourtWatchers during 26 observations for a total of 34 hours. Judge Olsen had 9 positive comments and 10 negative comments recorded by the monitors.

Very pleasant to people present. Didn't rush through procedures.

Found him to be very honest in his remarks to defendants. Listened patiently to defendant's remarks/concerns. His straightforward, no nonsense manner was appreciated.

Seemed reasonable - tried to impress defendant to take responsibility.

Has tendency to mumble and speak softly.....

Listened closely to both sides. Asked questions of attorneys to help him in deciding how to fashion findings into a fair sentence for defendants.

Judge doesn't speak very loud and doesn't use microphone.

Was very considerate of an uneasy witness- dismissing the jury in order to explain his options of returning for additional questioning and remaining under subpoena.

Instructions very clear, well modulated. When the jury is out, Judge Olsen mumbles or covers his mouth or face while speaking to counsel.

**The Honorable John E. Reese**

Was the judge attentive?	4.4
Does the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	3.9
Were the judge's remarks understandable and did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	4.1
Did the judge show human understanding and compassion to the defendant?	4.0
Did the judge take time to explain to all participants?	4.3
Did the judge treat all parties fairly and professionally?	4.2
Overall Impression:	4.3
Did the judge seem to favor either side?	No 97%
	YES 3% (Defense)
	YES 0% (Prosecution)

Was the Judge: Lenient:  
Reasonable: 100%  
Severe:

**1998 OVERALL SCORE: 4.2**  
1996 Overall Score: 3.9  
1994 Overall Score: 4.0  
1992 Overall Score: 4.0

### **The Honorable John E. Reese**

Judge Reese handles mainly civil cases and is viewed as calm and professional. He is alert and attentive and shows great concern for the comfort of his jurors. He is often described as being hard to hear or mumbling. Five of the seven negative comments dealt with difficulty in hearing Judge Reese. He ruled on a recent controversial issue. CourtWatchers did not monitor these proceedings, which took place mostly in chambers.

The following comments are representative of those recorded by 7 different CourtWatchers during 34 observations for a total of 100 hours. Judge Reese had 21 positive comments and 7 negative comments recorded by the monitors.

Allowed defendant to ramble repeating the same story over and over for 40 minutes. When pronouncing sentence and his reasons, he could hardly be heard.

Pays close attention and rules fairly on objections.

Very aware of what goes on in the courtroom.

Seemed to lean towards the defense today.

Is a very pleasant leader for the jury, he always gives explanations to those present in the courtroom. His attentiveness and concern are ever present.

Very hard to hear.

Judge very personable. Put people in court at ease with his wit and dry sense of humor. Has good rapport with lawyers. Keeps people well apprised as to what to expect during selection of jury.

Assisted attorneys in rephrasing, modeling and asking questions to facilitate witness in her testimony.

Mumbles sometimes--hard to hear in back of room.

As usual kept focus on concerns for jurors; their initial understanding of what jury service and the case would entail.

Maintained calm, professional balance in the proceedings.

Judge moved about courtroom to observe exhibits; explained exhibits, evidence and expert witness to jury very well. Called a recess to allow defendant to regain composure.

**The Honorable Stephanie Z. Rhoades**

Was the judge attentive?	4.2
Did the judge maintain control of the courtroom?	4.1
Did the judge speak loudly and clearly?	4.4
Were the judge's remarks understandable and did they make sense?	4.1
Did the judge show human understanding and compassion to the victim?	3.9
Did the judge show human understanding and compassion to the defendant?	3.6
Did the judge take time to explain to all participants?	4.0
Did the judge treat all parties fairly and professionally?	3.8
Overall Impression:	4.0
Did the judge seem to favor either side?	No 97%
	YES 3% (Defense)
	YES 0% (Prosecution)

Was the Judge: Lenient -  
Reasonable- 94%  
Severe- 6%

**1998 OVERALL SCORE: 4.0**  
1996 Overall Score: 4.1  
1994 Overall Score 3.9



## **The Honorable Stephanie Rhoades**

Taxpayers' money is not wasted in Judge Rhoades' courtroom. She is repeatedly observed as fast, efficient and making good use of time. She speaks clearly and can be heard by all. She tends to have mood swings from very professional, to abrupt to sometimes flippant. She shows concern for all parties - jurors, witnesses, defendants and victims. She is attentive, clear and concise in her decisions.

The following comments are representative of those recorded by 9 different CourtWatchers during 66 observations for a total of 94 hours. Judge Rhoades had 51 positive comments and 10 negative comments recorded by the monitors.

Worked quickly and efficiently. She had no patience for the defendant and his problems - could have handled it more professionally.

She denied reduced bail in order "to protect the community" and due to the defendant's past criminal record.

Asked the excused alternate to fill out jury member questionnaire, saying "It helps me be a better public servant". Very impressive!!

50 cases in 25 minutes - fast, accurate, professional.

Very self assured. Ran the court with a no nonsense approach. Made good use of the time even though she had a full case load.

Fast and efficient.....

Didn't handle a "hostile" defendant well....

Excellent at calming the distraught individual presenting cases.

Very personable with jury pool. Put everyone at ease. Her bubbly personality is catching.

She's good at putting jurors at ease. Her sense of humor prevailed as jurors had to leave the courtroom several times. She kept them in good spirits.

**The Honorable Mark C. Rowland**

Was the judge attentive?	4.3
Did the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	4.1
Were the judge's remarks understandable and did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	4.1
Did the judge show human understanding and compassion to the defendant?	4.1
Did the judge take time to explain to all participants?	4.3
Did the judge treat all parties fairly and professionally?	4.2
Overall Impression:	4.1
Did the judge seem to favor either side?	No 95%
	YES 2.5% (Defense)
	YES 2.5% (Prosecution)
Was the Judge: Lenient:	9%
Reasonable:	91%
Severe:	

**1998 OVERALL SCORE: 4.2**  
1996 Overall Score: 4.11  
1994 Overall Score: 4.1  
1992 Overall Score: 3.9  
1990 Overall Score: 4.0

### **The Honorable Mark C. Rowland**

Judge Rowland has shown himself to be professional, patient and understanding. He is quick to ensure that the defendant completely understands all decisions and comments before proceeding. CourtWatchers noted he controls his courtroom well and is clear with his decisions.

The following comments are representative of those recorded by 4 different CourtWatchers during 37 observations for a total of 51 hours. Judge Rowland had 26 positive comments and 2 negative comments recorded by the monitors.

Judge Rowland was very respectful of the defendant - making sure that he understood exactly what was happening.

Judge did not refer to victim by name - only as the decedent.

Very fair and professional as always. Everyone was clear about what was asked and answered.

He was very patient and understanding.

Did an excellent job in explaining what defendant needed to know by changing his plea.

Asked good questions of attorneys because he felt he had limited facts about the case. Told the victim's family that the sentencing should be viewed as the social end to their pain and the beginning point for their healing. Admitted that the sentence will never compensate them and what they are going through.

Was excellent as usual- unswayed by defense pleas and defendant's sobbing. "I am never sure if you are crying because of the wrong you have done or if it is because of the position in which you find yourself".

**The Honorable Eric T. Sanders**

Was the judge attentive?	4.5
Did the judge maintain control of the courtroom?	4.5
Did the judge speak loudly and clearly?	4.4
Were the judge's remarks understandable and did they make sense?	4.5
Did the judge show human understanding and compassion to the victim?	4.2
Did the judge show human understanding and compassion to the defendant?	4.2
Did the judge take time to explain to all participants?	4.6
Did the judge treat all parties fairly and professionally?	4.5
Overall Impression:	4.5
Did the judge seem to favor either side?	No 98.%
	YES .5% (Defense)
	YES 1.5% (Prosecution)
Was the Judge: Lenient:	
Reasonable:	100%
Severe:	

**1998 OVERALL SCORE: 4.4**

### **The Honorable Eric T. Sanders**

This is the first time Judge Sanders has been included in the CourtWatch Report. He is seen as being fair and respectful to all and having a good rapport with jurors. CourtWatchers noted that he is efficient and handles proceedings in a timely manner. Judge Sanders was observed many more hours than most judges due to his handling of several lengthy, high profile cases.

The following comments are representative of those recorded by 14 different CourtWatchers during 192 observations for a total of 369 hours. Judge Sanders had 147 positive comments and 4 negative comments recorded by the monitors.

He was exceptional in explanations and instructions to the jury, attorneys and victim. The judge was compassionate to the victim and concerned for her physical and emotional state.....

Very impressed with this young judge. Although he is very informal, he keeps a tight schedule and has excellent rapport with his jurors.

Judge Sanders made direct personal contact with each person in the courtroom - spoke directly to and listened carefully to both defendants and attorneys.

The judge said he would work with the defendant and attorneys "to do what is necessary to get you a fair and impartial trial".

Emphasis still on "we will NOT waste the jury's time".

He seemed to be doing other things at the bench and moving side to side during some testimony - very distracting.

Concerned that all participants rights be respected.

Executed his responsibilities in a very professional and proper manner. Treated all involved with respect and sensitivity.

Chastised defendant for not taking responsibility for his actions. "In your frame of mind now, you pose a danger to the community".

Efficient use of time and facilities.

**The Honorable Brian C. Shortell**

Was the judge attentive?	4.4
Does the judge maintain control of the courtroom?	4.5
Did the judge speak loudly and clearly?	4.1
Were the judge's remarks understandable and did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	4.0
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take time to explain to all participants?	4.5
Did the judge treat all parties fairly and professionally?	4.5
Overall Impression:	4.4
Did the judge seem to favor either side?	No 100%
	YES 0% (Defense)
	YES 0% (Prosecution)
Was the Judge: Lenient:	
Reasonable:	100%
Severe:	

**1998 OVERALL SCORE: 4.3**  
1996 Overall Score: 3.7  
1994 Overall Score: 4.1  
1992 Overall Score: 3.6

## **The Honorable Brian C. Shortell**

Judge Shortell has proven himself to be very knowledgeable. He is considerate and attentive to all parties involved. CourtWatchers unanimously found him to be clear, concise in control and unbiased.

The following comments are representative of those recorded by 7 different CourtWatchers during 16 observations for a total of 24 hours. Judge Shortell had 13 positive comments and no negative comments recorded by the monitors.

Was considerate and attentive to a very emotional setting. His comments are very understandable and pointed. Impressive emphatic statements.

Judge made sure everything was understood by both parties and did an excellent job of not showing bias to either.....

Impressed with his knowledge of civil case law. Did an excellent job of working with the lawyers. Praised the lawyers for "making this job very easy".

I thought the judge took great pains to try and explain to both parties the necessity to come together without a trial, as it would ultimately save time and money for both parties.

Excellent evaluation of situation - lecture to defendant and plaintiff resulted in settlement that cancelled a three day trial - a very wise judge.....

His clarity and informative manner helps hold previously selected jurors attention and begins to focus the group toward the task ahead.

Judge made very clear to counsels the HE makes the decisions.

Fast, intelligent responses to objections - very knowledgeable. Keeps close eye on jury and takes frequent recesses.

**The Honorable Milton M. Souter**

Was the judge attentive?	4.2
Did the judge maintain control of the courtroom?	4.2
Did the judge speak loudly and clearly?	4.1
Were the judge's remarks understandable; did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	4.1
Did the judge show human understanding and compassion to the defendant?	4.0
Did the judge take time to explain to all participants?	4.4
Did the judge treat all parties fairly and professionally?	4.2
Overall Impression:	4.2
Did the judge seem to favor either side?	NO 92%
	YES 2% (Defense)
	YES 6% (Prosecutor)
Was the Judge: Lenient:	3%
Reasonable:	97%
Severe:	

**1998 OVERALL SCORE: 4.1**  
1996 Overall Score: 3.9  
1994 Overall Score: 4.1  
1992 Overall Score: 3.6



### **The Honorable Milton M. Souter**

Judge Souter is very concerned with the comfort of his jurors and is in good control of his courtroom. However, he occasionally has angry outbursts that go beyond expected sternness. He is presently showing greater concern for victims while not infringing upon the rights of the defendant.

The following comments are representative of those recorded by 16 different CourtWatchers during 139 observations for a total of 244 hours. Judge Souter had 95 positive comments and 8 negative comments recorded by the monitors.

Seemed to attend to each juror, trying to make them comfortable; he was respectful of the attorneys and the maintenance of proceedings involved with jury selection.

Always does a thorough job of making sure the defendants understand their rights and fully comprehend what outcome their decision will bring.

Judge has great rapport with jurors.

Remarkably kind but very firm. Pointed out to the defendant that he had to change or he didn't have a chance but that it still was not too late.

He was upset about how victim's family was treated.

Unmoved by defendant's outburst after he found out he wouldn't be leaving state to attend college. Accused judge of "ruining his college career". Judge smiled at him and said, "No young man - you did that yourself!"

Judge was somewhat moved by the defendant's statement that he was innocent.....but the jury made the decision and he was following through on this particularly horrendous crime.

Judge's courtroom is efficiently run .....

Blew up at prosecutors for "scornful look" but apologized a few minutes later.....

Explicit jury instructions - very compassionate to witness (with injuries) - very fair to defendant whose "state of mind" is the main issue.

Dry sense of humor came through on some of his comments that kept all in good humor through the long process. "Your job (the jurors) and mine (the judge) are alike - to apply the law to this case whether we agree with the laws or not".

**The Honorable Sen K. Tan**

Was the judge attentive?	4.6
Did the judge maintain control of the courtroom?	4.5
Did the judge speak loudly and clearly?	4.1
Were the judge's remarks understandable and did they make sense?	4.4
Did the judge show human understanding and compassion to the victim?	4.3
Did the judge show human understanding and compassion to the defendant?	3.9
Did the judge take time to explain to all participants?	4.4
Did the judge treat all parties fairly and professionally?	4.4
Overall Impression:	4.3
Did the judge seem to favor either side?	NO 100%
	YES 0% (Defense)
	YES 0% (Prosecutor)
Was the Judge: Lenient:	
Reasonable:	100%
Severe:	

**1998 OVERALL SCORE: 4.3**

## The Honorable Sen K. Tan

This is the first time CourtWatch has observed Judge Tan, who is new to the Anchorage bench. He has a tendency to cover his mouth when speaking, which muffles the sound greatly. He is viewed as an attentive listener. Judge Tan has ruled on a recent controversial issue. CourtWatchers did not monitor these proceedings, which took place mostly in chambers.

The following comments are representative of those recorded by 5 different CourtWatchers during 14 observations for a total of 32 hours. Judge Tan had 7 positive comments and 1 negative comment recorded by the monitors.

Excellent in establishing a comfortable atmosphere for each parent to state his or her suggestions and listen to each other. Judge assisted in clarifying statements to come out with a reasonable plan.

Judge needs to keep his hand away from his mouth when he speaks. He speaks clearly and loudly when his hands are down on the desk.

Judge Tan listens to people and works things through with them. He understood their dilemma and provided a venue for their being able to talk.

Mumbles at times, hands in front of face. Very good at interaction with potential jury and explaining space limitations and process of moving people around during jury selection. Clear, well modulated in jury candidate instructions.

Covered mouth while speaking several times - mumbled on two occasions.

Definitely maintains control if and where needed- redirecting questioning. Asks specific questions to clarify financial question regarding settlement of physical property as well as retirement funds.

Fantastic job! Very patient and understanding. Bends over backwards to help D.V. (Domestic Violence) petitioners with problems. Finds solutions quickly.

Listens! Intuitive to needs - especially aware of emotions involved. Knowledgeable advice went beyond just the warrant/protective order. i.e. types of assistance and how to get them. Also able to advise those who didn't fit the "D.V. Mold" where to get the assistance they needed and how to go about getting it.

**The Honorable James N. Wanamaker**

Was the judge attentive?	4.3
Did the judge maintain control of the courtroom?	4.0
Did the judge speak loudly and clearly?	4.3
Were the judge's remarks understandable; did they make sense?	4.2
Did the judge show human understanding and compassion to the victim?	3.9
Did the judge show human understanding and compassion to the defendant?	4.0
Did the judge take time to explain to all participants?	4.3
Did the judge treat all parties fairly and professionally?	4.4
Overall Impression:	4.2
Did the judge seem to favor either side?	NO 97%
	YES 3% (Defense)
	YES 0% (Prosecutor)
Was the Judge: Lenient:	
Reasonable:	100%
Severe:	

**1998 OVERALL SCORE: 4.2**  
1996 Overall Score: 4.0

### **The Honorable James N. Wanamaker**

Judge Wanamaker speaks clearly, is exceptionally thoughtful and logical. He is viewed as being organized, a patient listener and works in a timely manner. He displays concern about victims as well as defendants.

The following comments are representative of those recorded by 7 different CourtWatchers during 50 observations for a total of 38 hours. Judge Wanamaker had 18 positive comments and 1 negative comment recorded by the monitors.

Judge was able to take a very hostile situation and make some order out of it. He was able to guide the plaintiffs through the process.

Very organized and kept things moving smoothly. Told defendant, "I appreciate it that you acknowledge you have a problem. It's the first step to recovery."

Asked if victims in D.V. (domestic violence) assaults were notified that they could testify.

Always speaks loudly. Very good with each defendant. Listens to them patiently.

Excellent job, considering 16 individuals were heard in a short space of time.

Gave the many defendants his undivided attention. Made sure each understood the pertinent points of their case. Very patient. Not afraid to ask questions of attorneys to clarify certain aspects of each case.

I always enjoy my time in court with Judge Wanamaker. He is very efficient. Goes over defendants' rights with each person and spends time with each case. Consults state Statutes if unsure of some point of law. He is a "quiet" workhorse and should be appreciated for the job he does.

Started promptly. Moved 40+ PIH's (preliminary indictment hearings) along nicely.

Judge speaks clearly and concisely and makes sure defendants understand their rights.

**The Honorable Michael L. Wolverton**

Was the judge attentive?	4.7
Did the judge maintain control of the courtroom?	4.4
Did the judge speak loudly and clearly?	4.4
Were the judge's remarks understandable; did they make sense?	4.3
Did the judge show human understanding and compassion to the victim?	4.3
Did the judge show human understanding and compassion to the defendant?	4.2
Did the judge take time to explain to all participants?	4.5
Did the judge treat all parties fairly and professionally?	4.4
Overall Impression:	4.3
Did the judge seem to favor either side?	NO 95. % YES 2.5% (Defense) YES 2.5% (Prosecutor)
Was the Judge: Lenient - Reasonable - 100% Severe-	

**1998 OVERALL SCORE: 4.4**  
1996 overall score: 4.1  
1994 Overall Score: 4.2

### **Judge Michael L. Wolverton**

Judge Wolverton is courteous, professional and considerate. He is easily heard and understood. He is viewed as being concerned with victims' comfort and rights and patient with some rude defendants. He is respectful to all.

The following comments are representative of those recorded by 8 different CourtWatchers during 40 observations for a total of 72 hours. Judge Wolverton had 35 positive comments and 1 negative comment recorded by the monitors.

Has a good sense of humor about himself! Has a pleasant demeanor in court. Smiles at jurors. Readily laughs with others at courtroom humor that sometimes appears at jury selection.

No problem hearing this judge. Runs an excellent courtroom. Very aware of the proceedings...very patient with both parties.

Has a strong voice that everyone can hear. He spoke to defendants in courteous manner. Made sure they understood the charges. He treated all with respect.

Very attentive and considerate.

Had three very rude defendants. Handled them with courtesy. Nothing ruffled his demeanor.

Professional and considerate.

His explanations were thorough and reasonable.

Chastised defendant for "having a cavalier attitude toward the victim, the court and proceedings".

Asked questions of both sides during their presentation. Questions were well thought out and to the point.

Especially concerned for children and their welfare.

Excused parents when defense wanted to show pictures depicting death of their child. Paid close attention to questioning.

Very comfortable and soft spoken toward victim. Made her feel as good as possible. Allowed breaks so victim could compose self and finish victim impact statement.

## FINES AND/OR RESTITUTION

Although fines and restitution can be ordered by the judge as part of all sentencings, it has been observed that these sentencing tools are not routinely utilized in Anchorage courts. The financial burden for crime is again placed on the shoulders of the public.

In the 181 sentencing cases observed by CourtWatchers that had a potential for fines and or restitution, 97 were ordered.

### THE JUDGES OBSERVED ORDERING FINES AND RESTITUTION WERE:

*Judge Andrews	10 out of 24 cases
*Judge Card	22 out of 38 cases
*Judge Finn	2 out of 2 cases
Judge Fuld	4 out of 4 cases
Judge Hopwood	1 out of 2 cases
Judge Lohff	3 out of 5 cases
Judge Michalski	2 out of 2 cases
Judge Motyka	1 out of 2 cases
*Judge Murphy	5 out of 6 cases
Judge Olsen	1 out of 1 cases
*Judge Reese	2 out of 2 cases
*Judge Rhoades	1 out of 2 cases
*Judge Rowland	4 out of 10 cases
*Judge Sanders	24 out of 50 cases
Judge Souter	13 out of 29 cases
Judge Wolverton	2 out of 2 cases

\*These judges also ordered Community Service in some cases



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Alaska Judicial Council

## **COURTWATCHERS**

Special thanks to the dedicated men and women volunteers who donated their time to view the courts. From spellbinding personal dramas, to, sometimes, dry testimony, they gave of their valuable time to learn more about the courts that mold and shape our lives.

We compile the knowledge gathered through their eyes, and give that information back to the public in the form of this **1998 COURTWATCH REPORT**. These VOLUNTEERS are to be admired and appreciated! They are providing a great service to the community.

If they have volunteered more than the 2 years of this REPORT, their volunteer time is noted after their name. They are:

SUZANNE ALEXANDER - 3YRS  
RITA BROUSSARD  
SANDY BURRELL  
KENDRA CONROY  
LENNI DA SILVA  
RYSHAELA DORAN  
JO ANN FOSTER  
PAT GALLAGHER - 8 YEARS  
PATRICIA HIGGS  
CAROL SEAL HOWELL  
LUDWIG LAAB  
JANE MILLER  
SHARON NAHORNEY  
JEAN PARK  
PAT RAPP - 7 YEARS  
MICHAEL RAVITHIS

BARBARA ROSS  
DR. JUDIE SAMTER  
MARILYN SANDERS  
BEDE TRANTINA -3 YEARS  
JACKIE WAKEFIELD  
ROSEMARY WHITAKER - 4 YEARS