

Alaska Judicial Council Recommendation

Judge Richard D. Savell, Superior Court, Fairbanks

I. Judicial Council Evaluation. The Alaska Judicial Council, a non-partisan citizens commission established by the Alaska Constitution, finds Judge Savell to be *Qualified* and recommends unanimously (5-0) that the public vote "YES" to retain him as a superior court judge.

II. Summary of Evaluation Information. A survey of 2,860 attorneys in Alaska rated Judge Savell on sixteen categories that are summarized in the adjacent graph. Attorneys rated Judge Savell 3.9 on a scale of 5 on overall judicial performance. He scored highest (4.1) in the categories of "legal ability," "controls courtroom," and "willingness to work diligently." He scored 3.5 or better in all sixteen categories.

	Attorney Survey	Peace Officer Survey	Juror Survey	Court Employee Survey
Legal Ability	4.1	---	---	---
Impartiality	3.8	4.2	4.6	4.6
Integrity	3.9	4.2	---	4.6
Temperament	3.8	4.2	4.6	4.6
Diligence	4.1	4.3	---	4.6
Special Skills	3.9	4.2	---	---
Overall	3.9	4.2	4.5	4.7

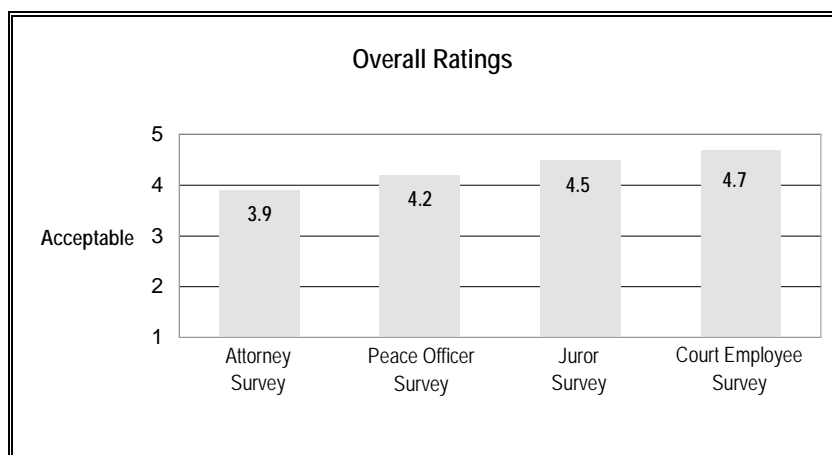
Ratings are based on a one to five scale. Five is the best rating and three is "acceptable."

Rating Scale
 5.0 = Excellent
 4.0 = Good
 3.0 = Acceptable
 2.0 = Deficient
 1.0 = Unacceptable

A survey of 1,704 peace and probation officers in Alaska rated Judge Savell on twelve categories that are summarized in the adjacent graph. Peace and probation officers rated Judge Savell 4.2 on a scale of 5 on overall judicial performance. He scored highest in the category of "controls courtroom" (4.4). He scored 4.1 or better in all categories.

A survey of all jurors appearing before Judge Savell in 2000 and 2001 rated him 4.5 on a scale of 5 on overall performance. A survey of all court employees rated him 4.7 on a scale of 5 on overall performance.

The Council also completed a background investigation including a court records check, a disciplinary records check, a review of conflict of interest statements submitted to the court system and a review of financial disclosure statements submitted to the Alaska Public Offices Commission. Attorneys, peace officers, court employees and jurors were asked to submit written comments about the judge. The Council actively encouraged the public to comment, both in writing and in a statewide public hearing teleconference.



Recommendation: Vote "YES" to retain Judge Savell

Contact the Judicial Council at 1029 W. 3rd, Suite 201, Anchorage, AK 99501 (telephone: (907) 279-2526)
 for more detailed information, or review the information on our Internet site at:

www.ajc.state.ak.us



alaska judicial council

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EXECUTIVE DIRECTOR
Larry Cohn

Alaska Judicial Council Questionnaire

NON-ATTORNEY MEMBERS
Eleanor Andrews
Katie Hurley
Gigi Pilcher

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ALASKA
JUDICIAL COUNCIL

Trial Judge 2002 Candidates for Judicial Retention

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Geoffrey G. Currell
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Robert H. Wagstaff

CHAIR, EX OFFICIO
Dana Fabe
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Supreme Court

November 16, 2001

<u>Richard D. Savell</u>	<u>Superior Court - Fourth Judicial District</u>
Name	Court

1. Describe your workload during your present term.

a) <u>68</u> % Civil Cases	b) <u>30-45</u> # of trials/year
<u>27</u> % Criminal Cases	<u>14</u> # Administrative Appeals
<u>5</u> % Court Administrative	(including post-conviction relief)
100 % Total	

The percentages are based upon case assignments. Time devoted is estimated to be 60% criminal and 40% civil because more court time is devoted to criminal proceedings.

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

Civil Rules Committee; Employment Law CLE Panel;
Courthouse Site Selection Committee

3. On a separate sheet of paper please assess, in one or two paragraphs, your judicial performance during your present term. Appropriate areas of comment could include: satisfaction with your judicial role, specific contributions to the judiciary or the field of law, increases in legal knowledge and judicial skills, or other measures of judicial abilities that you believe to be important.

I believe that it takes at least ten years to fully develop one's judicial personality and philosophy. It is now approaching fifteen years that I have served on the Superior Court bench. For eight of those years I have maintained a case load in Fairbanks and Bethel. I am more comfortable in my role and believe that I have become more flexible with and understanding of both lawyers and litigants. Especially challenging to the judiciary has been the explosion in the number of unrepresented parties to litigation. This presents a constant challenge.

I have continued to broaden my legal knowledge and studied mediation and scientific evidence/expert testimony at the National Judicial College. I have worked closely with the North Star Youth Court as an advisor. My chambers door is always open to the legal technicians and other court staff. I am gratified that they are comfortable approaching me with questions about legal concepts and rules. I enjoy this role and it fosters a sense of team spirit.

Reference: Question 4(b)

1. I was a witness before the Alaska Commission on Judicial Conduct in an inquiry concerning Judge Curda. I was called because I have been the back-up judge for Bethel for more than eight of my fourteen-plus years on the bench and am very familiar with the legal culture and communities in the Bethel region.

2. In 1992-1994, my wife was an investor in the Raejean Bonham/World Plus ponzi scheme. In 1997 she was named, along with approximately 600 others, in adversary actions brought by the Trustee for the bankrupt estate. Although the investment was solely my wife's, I was named as a defendant. Her role as an investor in World Plus was fully disclosed in my APOC filings and our joint tax returns. We settled the case by meeting the Trustee's demand and paying \$26,500. The propriety of a member of my family making these investments was also investigated by the Judicial Conduct Commission.

4. 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 nonjudicial 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 .

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

See attached

Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2002 retention elections.

5. Please list the names and case numbers of the three most recent jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

1

Name of Case Erikson v. Rockstad **Case Number** 4FA-00-497 Civil

Attorneys Involved

Name: Richard Crabtree
Address: 3510 Spenard Rd., Ste 200
Anchorage, AK 99503

Name: _____
Address: _____

Name: Richard Wright
Address: 250 Cushman St., Suite 500
Fairbanks, AK 99701

Name: _____
Address: _____

2

Name of Case State v. Ambrose Aguchak **Case Number** 4BE-S01-479 Cr.

Attorneys Involved

Name: Taylor Winston
Address: P.O. Box 755
Bethel, AK 99559

Name: _____
Address: _____

Name: Gary Soberay
Address: P.O. Box 10
Bethel, AK 99559

Name: _____
Address: _____

3

Name of Case State v. Eric Sirilo **Case Number** 4BE-S01-159 Cr.

Attorneys Involved

Name: Olivia Mackin
Address: P.O. Box 755
Bethel, AK 99559

Name: _____
Address: _____

Name: John Buchholdt
Address: 600 Barrow St., Suite 402
Anchorage, AK 99501

Name: _____
Address: _____

6. Please list the names and case numbers of the three most recent non-jury cases tried before you, identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

<i>Name of Case</i>	<i>Case Number</i>
1 <u>Ellis v. Ellis</u>	<u>4FA-01-87 Civil</u>

Attorneys Involved

Name: Lynn Levengood
Address: 1008 16th Av., Suite 200
Fairbanks, AK 99701

Name: Edward Niewohner
Address: P.O. Box 74490
Fairbanks, AK 99707

Name: _____
Address: _____

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 <u>Chesser v. Chesser</u>	<u>4FA-01-112 Civil</u>

Attorneys Involved

Name: Terrance Hall
Address: 751 Seventh Avenue
Fairbanks, AK 99701

Name: Peter LeBlanc
Address: P.O. Box 70810
Fairbanks, AK 99707-0810

Name: _____
Address: _____

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
3 <u>Lindner v. Lindner</u>	<u>4FA-00-2261 Civil</u>

Attorneys Involved

Name: Terrance Hall
Address: 751 Seventh Avenue
Fairbanks, AK 99701

Name: Daniel Callahan
Address: P.O. Box 72137
Fairbanks, AK 99707

Name: _____
Address: _____

Name: _____
Address: _____

7. Please list the names and case numbers of the three most recent cases which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.), identify the attorneys involved, and show their current addresses. (Attach additional pages if necessary.)

<i>Name of Case</i>	<i>Case Number</i>
1 <u>Tanana Chiefs Conference v.</u> <u>Fairbanks North Star Borough</u>	<u>4FA-99-1858 Civil</u>

Attorneys Involved

Name: Michael Walleri
Address: 330 Wendell St., Suite C
Fairbanks, AK 99701

Name: A. Rene Broker
Address: P.O. Box 71267
Fairbanks, AK 99707

Name: _____
Address: _____

Name: _____
Address: _____

<i>Name of Case</i>	<i>Case Number</i>
2 <u>D.H. Blattner v. USMX, Inc., et al.</u>	<u>4FA-98-1749 Civil</u>

Attorneys Involved

Name: Spencer Sneed
Address: 1031 W. 4th Ave., Suite 600
Anchorage, AK 99501

Name: Erik LeRoy
Address: 500 L Street, Suite 302
Anchorage, AK 99501

Name: Bruce Falconer
Address: 825 W. 8th Ave., Suite 200
Anchorage, AK 99501

Name: Paul Ratelle
Address: 920 2nd Ave. So., Suite 1100
Minneapolis, MN 55402

<i>Name of Case</i>	<i>Case Number</i>
3 <u>Alaska Housing Finance Corporation</u> <u>v. Northern Construction, et al.</u>	<u>4FA-98-1879 Civil</u>

Attorneys Involved

Name: Steve DeVries
Address: 1031 W. 4th Av., Suite 200
Anchorage, AK 99501

Name: Paul Stockler
Address: 705 Christensen Drive
Anchorage, AK 99501

Name: Michael Price
Address: 550 W. 7th Ave., Suite 1370
Anchorage, AK 99501

Name: Frederic Brown
Address: P.O. Box 71718
Fairbanks, AK 99707

8. If you deem it helpful to the Council, please list the name, case number and attorneys' names and current addresses of any other cases during your judicial career in which you believe your work was particularly noteworthy. (Attach additional pages if necessary.)

1

Name of Case

Case Number

State of Alaska v. Interior
Regional Housing Authority

4FA-97-1666 Civil

Attorneys Involved

Name: Thomas Dillon
Address: 1031 W. 4th ave., Suite 200
Anchorage, AK 99501

Name: _____
Address: _____

Name: Tracey Knutson
Address: 445 West Ninth Ave.
Anchorage, AK 99501

Name: _____
Address: _____

2

Name of Case

Case Number

State v. Dennis Tucker

4FA-S98-1987 Cr.

Attorneys Involved

Name: Jay Hodges
Address: 604 Barnette St., Room 247
Fairbanks, AK 99701

Name: _____
Address: _____

Name: James Cannon
Address: 529 5th Ave., Suite 1
Fairbanks, aK 99701

Name: _____
Address: _____

3

Name of Case

Case Number

Doe v. State of Alaska

4FA-97-2343 Civil

Attorneys Involved

Name: Andrew Harrington
Address: P.O. Box 84689
Fairbanks, AK 99708

Name: _____
Address: _____

Name: Kenneth Rosenstein
Address: 310 K Street, Suite 308
Anchorage, AK 99501

Name: _____
Address: _____

MEMORANDUM

TO: Judicial Council Members
FROM: Staff
DATE: April 24, 2002
RE: Comparison of Previous Survey Results - Richard D. Savell

Richard D. Savell is standing for retention in 2002. The tables on the following pages compare retention and selection survey scores for Judge Savell. Changes in the form and content of the various surveys should be noted carefully in making any comparisons.

Judge Savell previously stood for retention as a superior court judge in 1990 and 1996. He was evaluated with the other non-retention judges in 1994 and 2000.

Judge Savell applied for and was appointed to the Fairbanks Superior Court in 1987. He applied for the Fairbanks Superior Court in 1984 and the Supreme Court in 1996.

Judge Richard D. Savell											
Appointed to Fairbanks Superior Court 04/27/87											
	<i>2002 Retention</i>		<i>2000 Interim</i>		<i>1996 Retention</i>		<i>1994 Interim</i>		<i>1990 Retention</i>		
	<i>Bar</i>	<i>PPO</i>	<i>Bar</i>	<i>PPO</i>	<i>Bar</i>	<i>PPO</i>	<i>Bar</i>	<i>PPO</i>	<i>Bar</i>	<i>PPO</i>	
Legal Ability/Professional Competence	4.1	----	4.1	----	4.1	----	3.9	----	4.1	----	
Impartiality/Fairness	3.8	4.2	3.8	4.2	3.7	3.9	3.6	4.1	3.8	4.1	
Integrity/Good Character	3.9	4.2	4.0	4.3	3.8	4.0	3.7	4.3	4.1	4.1	
Judicial Temperament	3.8	4.2	3.8	4.1	3.7	4.0	3.5	4.1	3.7	4.1	
Diligence	4.1	4.3	3.9	4.2	4.0	4.1	3.8	4.1	----	----	
Administrative Skills	3.9	4.2	----	----	3.8	4.0	3.6	4.2	4.1	4.1	
Overall Performance	3.9	4.2	3.9	4.2	3.8	4.0	3.6	4.1	3.9	4.2	

Judge Richard D. Savell			
Appointed to Fairbanks Superior Court 04/27/87			
	<i>1996 Supreme Court</i>	<i>1987 Fairbanks Superior</i>	<i>1984 Fairbanks Superior</i>
Professional Competence	3.8	4.03	3.97
Impartiality/Fairness	3.6	3.67	3.78
Integrity/Good Character	3.8	3.76	3.88
Judicial Temperament	3.3	----	3.75
Diligence	----	----	3.93
Freedom from Arrogance	----	----	3.33
Suitable Experience	3.7	3.65	----
Overall Performance	3.6	----	----