



# alaska judicial council

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501-1969  
<http://www.ajc.state.ak.us>

(907) 279-2526 FAX (907) 276-5046  
E-mail: [postmaster@ajc.state.ak.us](mailto:postmaster@ajc.state.ak.us)

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## Press Release

June 27, 2006: For Immediate Release

### Retention Election Evaluation of Judges by Judicial Council

The Alaska Judicial Council recommended a “yes” vote on the retention of thirty of the thirty-one judges eligible for the ballot in 2006. They recommended a “no” vote on the retention of Judge David Landry, Kenai District Court. The Council met on June 19, 2006 to make its decisions.

Alaska law requires the Council to evaluate each judge eligible to stand for retention, and to publicize its findings, so that the public can make informed choices when voting on judges. The Council evaluates judges’ integrity, legal ability, fairness, judicial temperament, and overall performance. Members look for freedom from arrogance, equal treatment of all parties, ability to control the courtroom, and knowledge of the law. Sources of information include public hearings throughout the state, judges’ conflict of interest statements, appellate records, peremptory challenges to judges, and other investigation and interviews. In addition, the Council surveys thousands of Alaskans, including peace and probation officers, attorneys, court employees, jurors and social workers, guardians ad litem and Court Appointed Special Advocate (CASA) volunteers. An independent group, Alaska Judicial Observers, evaluates judges in Anchorage, Kenai and Palmer and shares its findings with the Council.

The Council emphasizes the need to evaluate performance comprehensively, taking into account all of the information available. To provide the best evaluation, the Council looks at the judges' entire terms in office. Superior court judges serve a three to-four year term before their first retention, and six-year terms after that. District court judges serve a two to three year term before the first retention, and then a four year term before their next election.

Judges stand for retention in nonpartisan, unopposed elections, with their own records as the focus for the voters' decisions. This means that the Council's evaluations are a critical source of objective information about judicial performance. The Council's evaluations include more information about judges than any other judicial evaluation in the country, particularly because the Council asks groups such as court employees, jurors, and peace and probation officers for their input. It also investigates specific issues that arise, using court records, interviews and other research.

The Lieutenant Governor's Official Elections Pamphlets published in October by the Division of Elections will contain the Council's information and recommendation about each judge. The Council also will publish more information about its evaluations during September and October. Before the election, copies of the Council's surveys and other information will be available on its website at [www.ajc.state.ak.us](http://www.ajc.state.ak.us) .

The judges eligible to stand for retention in 2006 are:

**First Judicial District:** Superior Court Judges Weeks and Zervos; District Court Judge Miller.

**Second Judicial District:** Superior Court Judges Erlich and Esch.

**Third Judicial District:** Superior Court Judges Bolger, Brown, Huguelet, Michalski, Morse, Eric Smith, Suddock, Tan, Torrissi, Volland and Wolverton; District Court Judges Clark, Estelle, Heath, Landry, Lohff, Motyka, Sigurd Murphy, Rhoades, Jack Smith, and Wolfe.

**Fourth Judicial District:** Superior Court Judges Devaney, Olsen, and Wood; District Court Judges Burbank and Kauvar.

The Judicial Council is a seven-member citizens commission established in the constitution at statehood. Members evaluate applicants for judicial positions using the merit selection system and nominate the best qualified to the governor for appointment. Three non-

attorneys, appointed by the governor and confirmed by the legislature, and three attorneys appointed by the Alaska Bar Association Board of Governors constitute the Council, with the Chief Justice of the Alaska Supreme Court sitting as chair ex officio.

**Contact:**

Larry Cohn, Executive Director, Alaska Judicial Council  
1029 West Third Avenue, Suite 201  
Anchorage, AK 99501  
Tel: (907) 279-2526                      Fax:(907)276-5046  
email: lcohn@ajc.state.ak.us