

**Alaska Judicial Council
2010 Judicial Retention Performance Evaluation Materials
Justice Dana A. Fabe
Alaska Supreme Court**

The Judicial Council finds Justice Fabe to be **Qualified** and recommends unanimously that the public vote **"YES"** to retain her as a supreme court justice.

Retention evaluation materials for this judge

1. Voter pamphlet page. 2
This page will appear in the State of Alaska Election Pamphlet sent to each Alaskan household.

2. Judge questionnaire. 3
The judge’s response to a Judicial Council questionnaire.

3. Survey scores in 2010
(To view survey scores for all judges on the ballot go to main 2010 retention page.)

a. Attorney scores. 18

b. Court employee survey scores...... 21

4. Survey scores in previous retention evaluations. 22

Retention evaluation materials for all judges on the ballot

(To view these materials go to main 2010 retention page.)

- 1. Peremptory challenges**
Analysis of peremptory challenge rates for judges.
- 2. Recusals**
Evaluation of judge’s record of self-disqualification from cases, or “recusals.”
- 3. Appellate Affirmance Rates**
Analysis of appellate decisions involving each trial judge’s cases.
- 4. Salary Warrant Withholdings**
Evaluation of judge’s record of pay withholding for undecided or uncompleted decisions.

Alaska Judicial Council Recommendation

Justice Dana A. Fabe, Alaska Supreme Court

Judicial Council Recommendation 2010

The Alaska Judicial Council is a non-partisan citizens' commission established by the Alaska constitution. Alaskan law requires the Council to evaluate judges' performance and authorizes the Council to recommend to voters whether judges should be retained in office. The Judicial Council reviews judges' integrity, diligence, legal ability, fairness, demeanor, ability to manage their caseloads, and overall performance of their judicial responsibilities in and out of the courtroom. The Judicial Council finds Justice Fabe to be **Qualified** and recommends unanimously that the public vote "YES" to retain her as a supreme court justice.

Judicial Council Evaluation

The Judicial Council surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers/guardians ad litem, and child advocates about the judges on the ballot. Respondents were asked to rate judicial performance and to submit comments. The Council also reviewed the ratings and observations of the Alaska Judicial Observers, independent community-based volunteers. The Council reviewed the judge's preemptory challenge, recusals, and appellate affirmance and reversal rates; any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements; any disciplinary files involving the judge; and whether a judge's pay was withheld for an untimely decision. The Council reviewed other court records and investigated judicial conduct in specific cases. The Council interviewed some judges, attorneys, and court staff, and held a statewide public hearing to obtain comments about judges.

| | Attorney Survey | Court Employee Survey |
|---------------|--------------------|-----------------------------|
| Legal Ability | 4.4 | --- |
| Impartiality | 4.2 | 4.5 |
| Integrity | 4.4 | 4.7 |
| Temperament | 4.5 | 4.6 |
| Diligence | 4.5 | 4.7 |
| Overall | 4.3 | 4.6 |

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 = Poor

Summary of Survey Information

Survey respondents rated Justice Fabe on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Justice Fabe on overall performance was 4.3. Court employees rated her at 4.6.

Recommendation: Vote "YES" to retain Justice Dana A. Fabe

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question 2:

- › Two terms as Chief Justice (2000-2003; 2006-2009);
- › Second Vice President, Conference of Chief Justices (two terms);
- › Chair, Ethics Advisory Committee, American Judicature Society;
- › Member, National Advisory Council, American Judicature Society;
- › President, National Association of Women Judges;
- › Fellow, American Bar Association;
- › Chair, Alaska Civil Rules Committee;
- › Chair, Alaska Law Day Committee;
- › Co-Chair, Alaska Supreme Court Fairness & Access Committee;
- › Co-Chair, Alaska Teaching Justice Network;
- › Chair, Success Inside-and-Out Steering Committee (Prison re-entry program, at Hiland Mt. Correctional Center).

*Alaska Judicial Council
Appellate Judge Questionnaire
Retention*

3. 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.

Please see attached.

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 3:

I have found my work as a Supreme Court Justice to be intellectually challenging and rewarding. All facets of the job -- from deciding cases and writing opinions to performing administrative duties and judicial outreach -- have been fulfilling, and I believe that I have contributed something of value to each of these functions.

Deciding Cases: I spend the majority of my time working on the decisions of the court. I am always well prepared for oral arguments and law conferences, and I strive to decide each issue that comes before us fairly and with analytical rigor. We are presented with many difficult questions, and in listening to the views of my colleagues during our conferences, I almost always gain some new perspective on an issue. My organizational skills and my administrative and supervisory background have resulted in the efficient flow of work in our chambers. I work hard to be prompt in drafting my opinions and recommendations on petitions and in voting on the work of other justices.

Administrative Duties: I truly enjoyed the administrative duties involved during my two terms as Chief Justice. During both terms, I focused on outreach and problem-solving throughout the state. I initiated a program entitled “Meet Your Judges” during my first term and a program entitled “Open Court” during my second term. Both programs allowed me to travel to courts throughout the state and to collaborate with our justice system partners on issues of mutual concern. These Open Court forums allowed us to work on a wide variety of issues, ranging from streamlining court procedures in child protection cases to reducing delay in felony cases. I believe that I have a talent for administrative matters, and this part of the job has been particularly gratifying.

Community Outreach: One of the most wonderful aspects of this position has been the increased opportunity to work with the youth of our community. I have made presentations in dozens of elementary, middle, and high schools and have participated on community panels designed for young people on such topics as Equal Protection and Using Math in the Workplace. I have installed new members of the National Honor Society and have trained judges of the Anchorage Youth Court and conducted the installations of youth court attorneys around the state. Through such programs as the Color of Justice and Law Day, I have worked with many students in junior high and high school in a mentorship capacity. These opportunities have been among the most rewarding of my term in this position.

*Alaska Judicial Council
Appellate Judge Questionnaire
Retention*

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 non-judicial capacity in any legal proceeding whether as a party or otherwise? Yes No
 - c) engaged in the practice of law (other than as a judge)? Yes No
 - d) held office in any political party? Yes No
 - e) held any other local state or federal office? Yes No
 - f) had any complaints, charges or grievances filed against you with the Alaska Commission on Judicial Conduct, the Alaska Bar Association, or with the Alaska Court System that resulted in public proceedings or sanctions? Yes No

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

Lawsuit filed against me in my capacity as a supreme court justice by litigant. Case dismissed in 2008. Walter Kurka v. Amy Kurka, State of Alaska, Custody Investigator Office, Ann Larabee, Harold Brown, Justice Fabe, Justice Matthews, Justice Eastaugh, Justice Bryner, and Justice Carpeneti, No. HO-07-00187CI.

One traffic ticket during previous term of office (2/96); 3AN-96-T908661, no contest.

6. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2010 retention elections.

Please see attached.

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 6:

In addition to my work on court and bar committees, I have taken an active role in judicial outreach to the community. I have planned and coordinated the Alaska Court System's Law Day activities and participated in an effort to have all judicial officers statewide meet with students in classrooms and courtrooms. I have personally participated in a wide variety of projects with the Anchorage schools, including, for example, serving as keynote speaker for a National Honor Society installation at Goldenview Middle School; keynote speaker for a district-wide Math Experience conference for middle school girls; and Law Day speaker for many high school and middle school government classes, both in the classroom and in the courtroom.

I have also provided annual training to the Youth Court judges and conducted installations of new youth court attorneys in Anchorage, Kenai, and Homer.

I have spoken at many conferences including:

- › Panelist: National Association of Women Judges Annual Conferences in Philadelphia, Memphis, and Portland on topics ranging from the appellate review of administrative law decisions to re-entry programs for women in prison;
- › Presenter: Gender Equality in the Courts Panel at UAA, Criminal Justice Program;
- › Judge: Statewide Mock Trial Competition;
- › Keynote Address: Statewide Mock Trial Competition;
- › Keynote Address and Presenter: Statewide Youth Court Conferences (Fairbanks and Kenai);
- › Speaker: Alaska Chapter Federal Bar Association;
- › Panelist: National College on Judicial Conduct and Ethics on Impartiality in Judging;
- › Panelist: Civic Education Initiatives for Conference of Chief Justices Annual Conference;
- › Moderator: Conversation with Justice Sandra Day O'Connor, Alaska Bar Convention, Juneau, 2005;
- › Moderator: Conversation with Justice Ruth Bader Ginsburg, Alaska Bar Convention, Anchorage, 2008;
- › Panelist: Alaska Municipal Attorneys Conference;

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer Question No. 6 (continued)

- › Faculty Member: National Judicial College, Alaska Tribal Court Training;
- › Keynote Address: Alaska Federation of Business & Professional Women;
- › Welcome & Opening Remarks: Building Momentum Conference (co-sponsored by the Alaska Native Justice Center and Department of Justice, Office on Violence Against Women);
- › Presenter: Law Day Panel at West High School.

Alaska Judicial Council
Appellate Judge Questionnaire
Retention

7. Please list your six most recent opinions including case names and numbers. Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in these appeals. (Attach additional pages if necessary.)

Case Number 1

Case Name: Please see attached. *Case Number:* _____

v. _____

Attorneys Involved:

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

Case Number 2

Case Name: Please see attached. *Case Number:* _____

v. _____

Attorneys Involved:

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

Case Number 3

Case Name: Please see attached. *Case Number:* _____

v. _____

Attorneys Involved:

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

Alaska Judicial Council
Appellate Judge Questionnaire
Retention

Case Number 4

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Case Number 5

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Case Number 6

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 7:

CASE NUMBER 1

Case Name: Kelly v. State, Department
of Corrections

Case No. S-12814

Attorneys Involved:

Name: Joseph A. Kalamarides
Kalamarides & Lambert
Address: 711 H St., #450
Anchorage, AK 99501
Phone: 907-276-2135

Name: Daniel N. Cadra
Assistant Attorney General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5190

CASE NUMBER 2

Case Name: Wagner v. Wagner

Case Nos. S-13055/13175

Attorneys Involved:

Name: S. Jason Crawford
Address: 250 Cushman St., #2B
Fairbanks, AK 99701
Phone: 907-474-0775

Name: John J. Connors
Address: P.O. Box 73693
Fairbanks, AK 99707
Phone: 907-457-3410

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 7 (continued)

CASE NUMBER 3

Case Name: Sandy B. and Leo W. v. State, Dep't of Health & Social Services, Office of Children's Services **Case Nos.** S-13302/13310

Attorneys Involved:

Name: Angela Greene
Assistant Public Defender
Address: P.O. Box 429
Barrow, AK 99723
Phone: 907-852-2520

Name: Michael G. Hotchkin
Assistant Attorney General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5100

Name: Brooke Browning
Lewis & Thomas, P.C.
Address: P.O. Box 61
Nome, AK 99762
Phone: 907-443-5226

CASE NUMBER 4

Case Name: The Estate of Selma Smith v. Spinelli **Case No.** S-13128

Attorneys Involved:

Name: Calvin R. Jones
Jones & Colver, LLC
Address: 1900 W. Benson Blvd., #201
Anchorage, AK 99517
Phone: 907-272-6511

Name: Richard W. Maki
David H. Shoup
Tindall Bennett & Shoup, PC
Address: 508 W. 2nd Ave., 3rd Floor
Anchorage, AK 99501
Phone: 907-278-8533

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 7 (continued)

CASE NUMBER 5

Case Name: Sea Hawk Seafoods, Inc. v. State

Case No. S-13107

Attorneys Involved:

Name: John G. Young
Young deNormandie
Address: 1191 Second Ave., #1901
Seattle, WA 98101
Phone: 206-224-9818

Name: Mary Ellen Beardsley
Assistant Attorney General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5200

Name: Michael T. Schein
Address: Kevin P. Sullivan
Sullivan & Thoreson
701 Fifth Ave., #4600
Seattle, WA 98104
Phone: 206-903-0504 / 206-682-9500

CASE NUMBER 6

Case Name: Valentine v. State

Case No. S-12692

Attorneys Involved:

Name: Robert John
Law Office of Robert John
Address: P.O. Box 73570
Fairbanks, AK 99707
Phone: 907-456-6056

Name: Eric Ringsmuth
Office of Special
Prosecutions & Appeals
Address: 310 K Street, #308
Anchorage, AK 99501
Phone: 907-269-6250

Name: Lawrence F. Reger
Zimmerman & Wallace
Address: 711 Gaffney Road, Suite 202
Fairbanks, AK 99701
Phone: 907-452-2211

Alaska Judicial Council
Appellate Judge Questionnaire
Retention

8. *Optional:* If you deem it helpful to the Council, please list up to three other cases during your past term in which you believe your work was particularly noteworthy. Please list the names, current addresses, including zip codes and suite numbers where applicable, and phone numbers of each attorney involved in these appeals. (Attach additional pages if necessary.)

Case Number 1

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Case Number 2

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Case Number 3

Case Name: Please see attached. *Case Number:* _____
v. _____

Attorneys Involved:

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

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

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 8 (Optional):

CASE NUMBER 1

Case Name: Allen & Wallis v. State, Department
of Health & Social Services, Division of
Public Assistance

Case Nos. S-12700/12864

Attorneys Involved:

Name: Nikole Nelson
Alaska Legal Services
Address: 1016 W. 6th Ave., #200
Anchorage, AK 99501
Phone: 907-272-9431

Name: Rebecca C. Polizzotto
Assistant Attorney General
Address: Box 110300
Juneau, AK 99811
Phone: 907-465-3600

Name: Laura C. Bottger
John W. Erickson, Jr.
Assistant Attorneys General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5100

CASE NUMBER 2

Case Name: Premera Blue Cross v. State, Department
of Commerce, Community & Economic
Development, Division of Insurance

Case Nos. S-11486/11785

Attorneys Involved:

Name: Stephan H. Williams
Law Office of Stephan Williams
Address: 500 L Street, Suite 400
Anchorage, AK 99501
Phone: 907-276-6922

Name: Signe P. Andersen
Assistant Attorney General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5200

Appellate Judge Questionnaire
2010 Retention – Dana Fabe

Answer to Question No. 8 (continued)

CASE NUMBER 3

Case Name: State v. Carpenter

Case Nos. S-10700/10709
S-10739

Attorneys Involved:

Name: Ruth Botstein
Jason T. Mogel
Assistant Attorneys General
Address: 1031 W. 4th Ave., #200
Anchorage, AK 99501
Phone: 907-269-5190

Name: Ray R. Brown
Dillon & Findley, PC
Address: 1049 W. 5th Ave., #100
Anchorage, AK 99501
Phone: 907-277-5400

Name: Linda M. O’Bannon
(formerly of Dillon & Findley)
Current O’Bannon Law Office
Address: 1040 Potlatch Circle
Anchorage, AK 99503
907-243-5842

Name: Jack B. McGee
Law Office of Jack B. McGee
Address: 445 Nelson
Juneau, AK 99801
Phone: 907-586-2548

Name: Leslie Longenbaugh
(formerly of Simpson, Tillinghast,
Sorensen & Longenbaugh, Juneau)
Current Longenbaugh Law Firm, LLC
Address: 624 W. Main St.
Juneau, AK 99801
Phone: 907-321-3402

Name: L. Merrill Lowden
(formerly of Simpson, Tillinghast,
Sorensen & Longenbaugh, Juneau)
Current: Assistant Borough Attorney
Address: Box 69
Barrow, AK 99723
Phone: 907-852-0300

Appellate Courts Dana A. Fabe - Alaska Supreme Court

Summary Sheet and Detailed Survey Scores

Summary of survey information

Justice Fabe's detailed survey scores from attorneys follow. Attorneys rated her 4.3 on overall performance. Peace and probation officers and social workers, Guardians ad Litem and CASA volunteers do not rate justices or appellate judges.

| | Attorney Survey N=407 |
|---------------|----------------------------------|
| Legal Ability | 4.4 |
| Impartiality | 4.2 |
| Integrity | 4.2 |
| Temperament | 4.5 |
| Diligence | 4.5 |
| Overall | 4.3 |

The Judicial Council's Evaluation Process

State law requires the Judicial Council to evaluate each judge standing for retention, and to report its evaluations to the voters. The surveys reported here are an important part of the Council's evaluations. The Council also considers survey ratings by court employees and public comments. Along with the personal observations of the hundreds of people who had direct professional experience with the judge, the Council reviews any litigation involving the judge, conflict of interest records, and public disciplinary files. All of the evaluation information about the judge is on the Council's website at www.ajc.state.ak.us.

Supreme Court Justice Dana A. Fabe**A. Alaska Bar Association****Demographic Description**

| | N | % |
|---|-----|-------|
| Type of Practice | | |
| No Response | 7 | 1.2% |
| Private, Solo | 108 | 18.2% |
| Private, 2-5 Attorneys | 96 | 16.1% |
| Private, 6+ Attorneys | 93 | 15.6% |
| Private, Corporate Employee | 20 | 3.4% |
| Judge or Judicial Officer | 77 | 12.9% |
| Government | 149 | 25.0% |
| Public Service Agency or Organization (Not Govt) | 21 | 3.5% |
| Other | 24 | 4.0% |
| Length of Alaska Practice | | |
| No Response | 13 | 2.2% |
| 5 Years or fewer | 46 | 7.7% |
| 6 to 10 years | 49 | 8.2% |
| 11 to 15 years | 48 | 8.1% |
| 16 to 20 years | 66 | 11.1% |
| 21 years or more | 373 | 62.7% |
| Gender | | |
| No Response | 17 | 2.9% |
| Male | 383 | 64.4% |
| Female | 195 | 32.8% |
| Cases Handled | | |
| No Response | 6 | 1.0% |
| Prosecution | 23 | 3.9% |
| Mainly Criminal | 39 | 6.6% |
| Mixed Criminal & Civil | 120 | 20.2% |
| Mainly Civil | 370 | 62.2% |
| Other | 37 | 6.2% |
| Location of Practice | | |
| No Response | 5 | .8% |
| First District | 88 | 14.8% |
| Second District | 10 | 1.7% |
| Third District | 427 | 71.8% |
| Fourth District | 54 | 9.1% |
| Outside of Alaska | 11 | 1.8% |

Justice Dana A. Fabe: Detailed Information Responses Alaska Bar Association Members

| | Legal Ability | | Impartiality/ Fairness | | Integrity | | Judicial Temperament | | Diligence | | Overall Evaluation | |
|---|---------------|------------|---------------------------|------------|------------|------------|-------------------------|------------|------------|------------|-----------------------|------------|
| | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N | Mean | N |
| Basis for Evaluation | | | | | | | | | | | | |
| No Response | | 6 | | 4 | | 3 | | 0 | | 8 | | 0 |
| Direct Professional | 4.4 | 401 | 4.2 | 403 | 4.4 | 404 | 4.5 | 407 | 4.5 | 399 | 4.3 | 407 |
| Professional Reputation | 4.5 | 142 | 4.4 | 146 | 4.5 | 143 | 4.6 | 145 | 4.5 | 139 | 4.5 | 148 |
| Other Personal Contacts | 4.4 | 31 | 4.5 | 31 | 4.6 | 32 | 4.5 | 30 | 4.6 | 29 | 4.5 | 34 |
| Type of Practice | | | | | | | | | | | | |
| No Response | | 0 | | 1 | | 1 | | 0 | | 1 | | 0 |
| Private, Solo | 4.5 | 77 | 4.1 | 76 | 4.3 | 76 | 4.4 | 77 | 4.4 | 76 | 4.3 | 77 |
| Private, 2-5 Attorneys | 4.3 | 71 | 4.3 | 72 | 4.5 | 74 | 4.5 | 74 | 4.5 | 72 | 4.3 | 74 |
| Private, 6+ Attorneys | 4.3 | 66 | 4.1 | 66 | 4.3 | 66 | 4.4 | 66 | 4.4 | 63 | 4.2 | 66 |
| Private, Corporate Employee | 4.4 | 10 | 4.3 | 10 | 4.5 | 10 | 4.5 | 10 | 4.6 | 10 | 4.5 | 10 |
| Judge or Judicial Officer | 4.7 | 59 | 4.5 | 60 | 4.6 | 60 | 4.7 | 61 | 4.7 | 61 | 4.6 | 61 |
| Government | 4.5 | 93 | 4.1 | 94 | 4.4 | 93 | 4.5 | 94 | 4.5 | 93 | 4.3 | 94 |
| Public Service Agency or Organization (Not Govt) | 4.5 | 12 | 4.3 | 12 | 4.4 | 12 | 4.8 | 12 | 4.7 | 12 | 4.6 | 12 |
| Other | 4.5 | 8 | 4.8 | 8 | 4.9 | 8 | 4.6 | 8 | 4.6 | 7 | 4.6 | 8 |
| Years of Practice in Alaska | | | | | | | | | | | | |
| No Response | | 1 | | 1 | | 1 | | 1 | | 1 | | 1 |
| 5 Years or fewer | 4.5 | 15 | 4.4 | 15 | 4.5 | 15 | 4.6 | 15 | 4.7 | 15 | 4.4 | 15 |
| 6 to 10 years | 4.3 | 27 | 4.0 | 27 | 4.4 | 27 | 4.3 | 27 | 4.4 | 26 | 4.3 | 27 |
| 11 to 15 years | 4.5 | 26 | 4.2 | 28 | 4.4 | 27 | 4.6 | 28 | 4.5 | 28 | 4.4 | 28 |
| 16 to 20 years | 4.6 | 42 | 4.1 | 43 | 4.4 | 43 | 4.5 | 43 | 4.6 | 42 | 4.4 | 43 |
| 21 years or more | 4.5 | 280 | 4.2 | 279 | 4.5 | 281 | 4.5 | 283 | 4.5 | 278 | 4.4 | 283 |
| Gender | | | | | | | | | | | | |
| No Response | | 6 | | 5 | | 4 | | 1 | | 7 | | 1 |
| Male | 4.4 | 270 | 4.2 | 271 | 4.4 | 272 | 4.5 | 275 | 4.5 | 269 | 4.3 | 275 |
| Female | 4.6 | 119 | 4.3 | 120 | 4.5 | 120 | 4.5 | 120 | 4.6 | 119 | 4.5 | 120 |
| Cases Handled | | | | | | | | | | | | |
| No Response | | 1 | | 2 | | 0 | | 0 | | 1 | | 0 |
| Prosecution | 4.5 | 8 | 4.1 | 8 | 4.5 | 8 | 4.9 | 8 | 4.5 | 8 | 4.5 | 8 |
| Mainly Criminal | 4.9 | 21 | 4.6 | 22 | 4.8 | 22 | 4.9 | 22 | 4.9 | 22 | 4.8 | 22 |
| Mixed Criminal & Civil | 4.5 | 86 | 4.3 | 85 | 4.4 | 87 | 5.6 | 87 | 4.6 | 86 | 4.5 | 87 |
| Mainly Civil | 4.4 | 259 | 4.1 | 261 | 4.4 | 260 | 4.4 | 263 | 4.4 | 258 | 4.3 | 263 |
| Other | 4.4 | 22 | 4.2 | 22 | 4.5 | 22 | 4.5 | 22 | 4.6 | 20 | 4.3 | 22 |
| Location of Practice | | | | | | | | | | | | |
| No Response | | 4 | | 2 | | 2 | | 0 | | 3 | | 0 |
| First District | 4.6 | 48 | 4.3 | 48 | 4.6 | 48 | 4.5 | 49 | 4.6 | 47 | 4.6 | 49 |
| Second District | 5.0 | 6 | 5.0 | 6 | 4.9 | 7 | 5.0 | 7 | 4.9 | 6 | 4.9 | 7 |
| Third District | 4.4 | 299 | 4.2 | 300 | 4.4 | 300 | 4.5 | 302 | 4.5 | 299 | 4.3 | 302 |
| Fourth District | 4.2 | 36 | 4.1 | 37 | 4.2 | 37 | 4.1 | 37 | 4.1 | 35 | 4.2 | 37 |
| Outside of Alaska | 4.8 | 8 | 4.6 | 8 | 4.9 | 8 | 4.9 | 8 | 4.8 | 8 | 4.8 | 8 |

Note: Ratings for only those respondents who reported direct professional experience with the judge.

| Court Employee Survey Results 2010 Retention Evaluation Dana A. Fabe | | | | | | | | | | | | |
|---|------------------|------------|-------------|------------|-------------------|------------|------------------|------------|-------------|------------|-------------|------------------------|
| Question | Excellent | | Good | | Acceptable | | Deficient | | Poor | | Mean | Total Responses |
| | % | (n) | % | (n) | % | (n) | % | (n) | % | (n) | | |
| Impartiality/Fairness | 69% | 72 | 19% | 20 | 9% | 9 | 4% | 4 | 0% | 0 | 4.5 | 105 |
| Integrity | 76% | 86 | 15% | 17 | 6% | 7 | 3% | 3 | 0% | 0 | 4.7 | 113 |
| Judicial Temperament | 70% | 80 | 18% | 21 | 8% | 9 | 4% | 4 | 0% | 0 | 4.6 | 114 |
| Diligence | 77% | 85 | 12% | 13 | 10% | 11 | 1% | 1 | 0% | 0 | 4.7 | 110 |
| Overall Evaluation | 75% | 87 | 18% | 21 | 3% | 3 | 4% | 5 | 0% | 0 | 4.6 | 116 |

Prior Retention Scores
 Justice Dana A. Fabe
 Supreme Court: Retention 2010
 Appointed to the Supreme Court 1996
 Appointed to Anchorage Superior Court 1988
 Appointed Public Defender 1981

| Bar Survey | | | | | | |
|---|---------------|--------------|----------------------|----------------------|----------------------------|----------------------------|
| 2010 Retention | 4.4 | 4.2 | 4.4 | 4.5 | 4.5 | 4.3 |
| 2000 Retention | 4.4 | 4.3 | 4.4 | 4.4 | 4.6 | 4.4 |
| 1992 Retention | 4.4 | 4.4 | 4.5 | 4.4 | 4.4 | 4.4 |
| | Legal Ability | Impartiality | Integrity | Judicial Temperament | Diligence | Overall Performance |
| Peace & Probation Officer Survey | | | | | | |
| 1992 Retention | 3.7 | 3.8 | 3.6 | 3.5 | 3.6 | 3.6 |
| | Impartiality | Integrity | Judicial Temperament | Diligence | Overall Performance | |