



alaska judicial council

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Alaska Judicial Council Appellate Judge Questionnaire

2012 Candidates for Judicial Retention

October 2011

Joel H. Bolger

Name

Alaska Court of Appeals

Court

1. Please estimate your workload during your present term.

- a) % civil cases b) 0 # of trials/year (as trial judge, if any)
 100 % criminal cases
 % court administrative work
 100 % Total

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

For the court system, I serve as the Chair of the Conference Planning Committee and as a member of the Appellate Rules Committee, the Criminal Pattern Jury Instructions Committee, and the Fairness Diversity & Equality Committee. During this term, I planned several judicial conferences and personally presented programs on Recent Appellate Decisions and Search Warrants for Electronic Data.

For the Alaska Bar Association, I serve on the Bar Convention Steering Committee and the Continuing Legal Education Committee. I served as a judge for the Statewide Mock Trial Competition and sat on panels for bar association programs entitled Appellate Off-the-Record and Increasing Diversity in Alaska's Judiciary. I am scheduled to serve on a panel presentation for new appellate lawyers in November 2011.

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.

On the court of appeals, I have written over 150 opinions and memorandum decisions on criminal law issues, as well as participating in over 300 decisions written by the other two judges. In 2009, I sat on two cases with the Alaska Supreme Court and wrote the opinions in *Smallwood v. Central Peninsula General Hosp.*, 227 P.3d 457 (Alaska 2010) and *Henrichs v. Chugach Alaska Corp.*, 2011 WL 3795531 (Alaska Aug. 26, 2011).

It has been a great honor for me to serve on a multi-judge court and to consider legal issues of statewide significance. During this process, I have tried to maintain the proper deference to the opinions of my colleagues, to the importance of precedent, to the special competencies of legislative and executive branch officials, and to the factual determinations of lower courts and juries.

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.

6. Please provide any other information which you believe would assist the Council in conducting its evaluations and in preparing its recommendations for the 2012 retention elections.

Thank you for the time you volunteer for these important evaluations.

For questions 7 and 8, please do not list any cases that have pending issues in your court.

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, of each attorney involved in these appeals. (Attach additional pages if necessary.)

Case Number 1

Case Name: Robert Henrichs **Case Number:** S-12878
v. Chugach Alaska Corporation

Attorneys Involved:

| | |
|--|---|
| Name: <u>Frederick Triem</u> | Name: <u>Robert Hume</u> |
| Address: <u>PO Box 129</u> | Address: <u>701 West 8th Ave. Ste. 1200</u> |
| City, State, Zip: <u>Petersburg, Alaska 99833</u> | City, State, Zip: <u>Anchorage, Alaska 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 2

Case Name: Yosbany Moore **Case Number:** A-10351
v. State of Alaska

Attorneys Involved:

| | |
|---|---|
| Name: <u>Beth Trimmer</u> | Name: <u>Tamara de Lucia</u> |
| Address: <u>1016 West 6th Ave., Ste. 100</u> | Address: <u>310 K Street, Suite 308</u> |
| City, State, Zip: <u>Anchorage, Alaska 99501</u> | City, State, Zip: <u>Anchorage, Alaska 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 3

Case Name: Darren Shay **Case Number:** A-10380
v. State of Alaska

Attorneys Involved:

| | |
|---|---|
| Name: <u>Margi Mock</u> | Name: <u>Diane Wendlandt</u> |
| Address: <u>900 West 5th Ave., Ste. 200</u> | Address: <u>310 K Street, Suite 308</u> |
| City, State, Zip: <u>Anchorage, Alaska 99501</u> | City, State, Zip: <u>Anchorage, Alaska 99501</u> |
| Name: _____ | Name: _____ |
| Address: _____ | Address: _____ |
| City, State, Zip: _____ | City, State, Zip: _____ |

Case Number 4

Case Name: Thomas Beattie **Case Number:** A-10505
v. State of Alaska

Attorneys Involved:

Name: Jane Martinez **Name:** Diane Wendlandt
Address: PO Box 113201 **Address:** 310 K Street, Suite 308
City, State, Zip: Anchorage, Alaska 99511 **City, State, Zip:** Anchorage, Alaska 99501

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

Case Number 5

Case Name: Brenda Cleveland **Case Number:** A-10466
v. State of Alaska

Attorneys Involved:

Name: Jane Martinez **Name:** Tamara de Lucia
Address: PO Box 113201 **Address:** 310 K Street, Suite 308
City, State, Zip: Anchorage, Alaska 99511 **City, State, Zip:** Anchorage, Alaska 99501

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

Case Number 6

Case Name: Winona Fletcher **Case Number:** A-10455
v. State of Alaska

Attorneys Involved:

Name: Beth Trimmer **Name:** Nancy Simel
Address: 1016 West 6th Ave., Ste. 100 **Address:** 310 K Street, Suite 308
City, State, Zip: Anchorage, Alaska 99501 **City, State, Zip:** Anchorage, Alaska 99501

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