



# 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

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ALASKA JUDICIAL COUNCIL

## Alaska Judicial Council Trial Judge Questionnaire

### 2012 Candidates for Judicial Retention

October 2011

William B. Carey  
Name

Ketchikan Superior Court  
Court

1. Please estimate your workload during your present term.

- |                                     |   |
|-------------------------------------|---|
| a) <u>45%</u> civil cases           | b) <u>6-10</u> # of jury trials/year        |
| <u>48%</u> criminal cases           | <u>6-10</u> # of non-jury trials/year       |
| <u>7%</u> court administrative work | <u>3-4</u> # of administrative appeals/year |
| 100 % Total                         |   |

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

I am presently on the Civil Rule 90.3 Review Committee, which is active. I have advised our past and present P.J.'s of my availability for other committees, etc. and this was the first I was asked to take on. Otherwise, I try to be involved in the local courts activities, Law Day, etc.

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.

The past three years have provided the greatest challenges and the highest level of satisfaction that I have ever had, both professionally and personally. I love my job; I love living in Ketchikan and hope to continue in this position for a long time.

I feel that my varied experience in private practice prepared me well for the many different aspects of this job. It has not always been easy - There has been some ~~feeling~~ feeling of being the new guy in town with a certain amount of feeling out between some members of the bar and myself. But I have worked hard to overcome that by trying to be consistent, patient and professional, as well as good humored.

I have shown that I can work under pressure. A little less than 1 year ago, I was handed a case involving the United States Senate election, an all-consuming endeavor on short time in which I ultimately produced a written decision that was upheld by a Unanimous Supreme Court. That was followed in short order by a 2 month period in which I conducted 4 felony trials, including a month-long trial in Anchorage in *St. v. Rachelle Waterman*, which I feel I handled capably.

I have increased my legal knowledge and judicial skills, as well as my technical skills, through hard work and my innate desire to do the best I can. I have had great examples to go by here in the First Judicial District. I have learned a tremendous amount about what it takes to be an effective judge from the example of my fellow judges here.

I feel that I am improving as a judge every day. I am especially pleased with my new situation after having been the only Superior Court judge in the state without his own JA for over 2 1/2 years. I feel that I have great relations with court staff throughout the district. I am proud to be a Superior Court judge here in Ketchikan.

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.

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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.

*It is not always an easy transformation to come into a new city with an established legal culture as the new judge. I knew most everyone but there was a period of adjustment, to be sure. I have worked hard to be a part of this community and to improve my judicial skills. I have been presented with some wise challenges over this time, but feel that I have been equal to them. I continue to learn, adapt and look for new ways to improve. Having this job and being here is the greatest honor and pleasure of my life.*

For questions 7 through 10 please do not list any cases that have pending issues in your court.

- 7. Please list your three most recent jury trials 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 trials. (Attach additional pages if necessary.)

Case Number 1

Case Name: State of Alaska Case Number: IKE-10-234CR  
 v. Andrew Wesley

Attorneys Involved:

Name: <u>Nicholas Polasky</u>	Name: <u>Brendan Kelley</u>
Address: <u>415 Main St., Rm. 304</u>	Address: <u>900 W. 5th Ave. Suite 525</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: State of Alaska Case Number: IKE-11-377CR  
 v. Stephanie Hill

Attorneys Involved:

Name: <u>Stephen R. West</u>	Name: <u>Leif A. Thompson</u>
Address: <u>415 Main St. Rm 304</u>	Address: <u>306 Main St., Suite 304</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Ketchikan, AK 99901</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Haynes v. Cowan Case Number: IKE-07-514 CI  
 v. \_\_\_\_\_

Attorneys Involved:

Name: <u>Michael Heiser</u>	Name: <u>Wayne Watson</u>
Address: <u>300 Mill St. Suite 20</u>	Address: <u>310 W. St. Suite 306</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Anchorage, AK 99501</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

- 8. Please list your three most recent non-jury trials 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 trials. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: Biggerstaff Case Number: IKE-10-689 CI  
 v. Biggerstaff

**Attorneys Involved:**

Name: <u>Leif Thompson</u>	Name: <u>H. Clay Keene</u>
Address: <u>306 Main St., Suite 304</u>	Address: <u>540 Water St., Suite 302</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Ketchikan, AK 99901</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

Case Name: McGillis Case Number: IKE-10-876 CI  
 v. McGillis

**Attorneys Involved:**

Name: <u>Blake Chupka</u>	Name: <u>Loren Stanton</u>
Address: <u>306 Main St. STE322</u>	Address: <u>P.O. Box 5558</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Ketchikan, AK 99901</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

Case Name: Clark Case Number: IKE-07-273 CI, IKE-10-274 CI  
 v. Clark

**Attorneys Involved:**

Name: <u>David Roseudin</u>	Name: <u>Leif Thompson</u>
Address: <u>1289 Tongass Ave.</u>	Address: <u>306 Main St. Suite 304</u>
City, State, Zip: <u>Ketchikan, AK 99901</u>	City, State, Zip: <u>Ketchikan, AK 99901</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

- 9. Please list your three most recent cases, including case names and numbers, which did not go to trial, but on which you did significant work (such as settlement conference, hearings, motion work, etc.). Please list the names, current addresses, including zip codes and suite numbers where applicable, of each attorney involved in these cases. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: Hoke Case Number: 1JU-11-935 CI  
 v. Alaska School Activities Association

**Attorneys Involved:**

Name: Fred Triem  
 Address: Box 129  
 City, State, Zip: Petersburg, AK 99833

Name: James Brennan  
 Address: 1227 W. 9th Ave Suite 300  
 City, State, Zip: Anchorage, AK 99501

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

**Case Number 2**

Case Name: Atkinson Case Number: IKE-07-404 CI  
 v. Metlakatla Indian Community

**Attorneys Involved:**

Name: Cynthia Ducey  
 Address: 1007 W. Third Ave. Suite 400  
 City, State, Zip: Anchorage, AK 99501

Name: Sherman W. Ernouf  
 Address: 3606 Rhone Cir. STE 1  
 City, State, Zip: Anchorage, AK 99508

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

**Case Number 3**

Case Name: In re: S.L. Case Number: IKE-10-9CN  
 v. \_\_\_\_\_

**Attorneys Involved:**

Name: Hanna Sebold  
 Address: Box 110300  
 City, State, Zip: Juneau, AK 99811

Name: Sam McQuerry  
 Address: 415 Main St. Suite 204  
 City, State, Zip: Ketchikan, AK 99901

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

- 10. *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, of each attorney involved in these cases. (Attach additional pages if necessary.)

**Case Number 1**

Case Name: Joe Miller Case Number: 1JU-10-1007 CI

v. State, Division of Elections, et al.  
Lieutenant Governor Attorneys Involved:

Name: John Tiemessen  
Address: 411 Fourth Ave. Suite 300  
City, State, Zip: Fairbanks, AK 99701

Name: Joanne M. Grace  
Address: 1031 W. 4th Ave Ste 200  
City, State, Zip: Anchorage, AK 99501

Name: Timothy McKeever  
Address: 701 W. 8th Ave Suite 700  
City, State, Zip: Anchorage, AK 99501

Name: Michael Barnhill  
Address: P.O. Box 110200  
City, State, Zip: Juneau, AK 99811

**Case Number 2**

Case Name: State of Alaska Case Number: IKE-04-1312CR

v. Rachelle Waterman Attorneys Involved:

Name: Stephen West  
Address: 415 Main St. Room 304  
City, State, Zip: Ketchikan, AK 99901

Name: Steven M. Wells  
Address: 1029 W. 3rd Ave. Suite 110  
City, State, Zip: Anchorage, AK 99501

Name: Jean Seaton  
Address: 304 Lake St. Room 202  
City, State, Zip: Sitka, AK 99835

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

**Case Number 3**

Case Name: Machin Case Number: IKE-09-365 CI

v. Ketchikan Gateway Borough Attorneys Involved:

Name: Brian J. Stibitz  
Address: 500 L St. Suite 300  
City, State, Zip: Anchorage, AK 99501

Name: Scott Brandt-Erichsen  
Address: 1900 First Ave. Suite 215  
City, State, Zip: Ketchikan, AK 99901

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_