

# Alaska Judicial Council Recommendation

## Judge Daniel Schally, District Court, Valdez

### Judicial Council Recommendation 2012

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 Judge Schally to be **Qualified** and recommends unanimously that the public vote "YES" to retain him as a district court judge.

### Judicial Council Evaluation

The Judicial Council surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers and guardians ad litem 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	Peace Officer Survey	Juror Survey	Court Employee Survey	Social Workers Guardians ad Litem
Legal Ability	4.0	---	---	---	---
Impartiality	4.0	4.6	4.7	4.2	4.5
Integrity	4.2	4.8	---	4.2	4.5
Temperament	4.1	4.9	4.8	4.2	4.5
Diligence	4.1	4.8	---	4.2	5.0
Overall	4.0	4.7	4.7	4.3	4.5

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 Judge Schally on the categories summarized in the table above, using 5 as the highest rating possible. The attorney rating for Judge Schally on overall performance was 4.0. Peace and probation officers gave Judge Schally a rating of 4.7. Jurors rated him 4.7 overall, court employees gave him 4.3, and social workers and guardians ad litem rated him at 4.5.

**Recommendation: Vote "YES" to retain Judge Daniel Schally**

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