



# alaska judicial council

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ALASKA JUDICIAL COUNCIL

## Alaska Judicial Council Trial Judge Questionnaire

### 2012 Candidates for Judicial Retention

October 2011

David L. Zwink

Name

Palmer District Court

Court

1. Please estimate your workload during your present term.

a) $\frac{25}{75}$ % civil cases	b) $\frac{10}{150}$ # of jury trials/year
$\frac{75}{0}$ % criminal cases	$\frac{150}{0}$ # of non-jury trials/year
$\frac{0}{100}$ % court administrative work	$\frac{0}{100}$ # of administrative appeals/year
100 % Total	

The vast majority of the non-jury trials are either traffic trials with only an officer and a pro se defendant or small claims with both sides usually being pro se litigants.

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

I have not been on any formal committees nor had any administrative duties thus far this term.

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.

I have been with the Palmer court for many years. This new position as a District Court Judge has its challenges, but it also gives me the opportunity to see cases all the way through. That has given me the ability to interact with parties in a manner which, at least I hope, has been beneficial in getting the parties to find solutions for the issues that brought them into court in the first place. This appears to be equally true in both the criminal and the civil contexts.

The opportunity to do more criminal cases from beginning to end has increased my legal knowledge significantly, particularly regarding evidence rules and the laws regarding police interaction with citizens.

Whether I have made any specific contributions to the field of law, I cannot say, but I do think that I have set a good tone in the courtroom by striving to treat each person, attorney or pro se litigant, with respect and dignity as an individual, not merely as a party in a case.

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.

I was a party in my divorce case.

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.

Having been with the Palmer Court since 1990, I have watched it grow from a small courthouse with 3 judicial officers to a very busy one with many employees and many more judges. I think that I have been able to be of substantial assistance to the newer people on the bench here as well as continued to be a good link between the clerk's office and the judiciary.

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:** 3PA-10-3120 CR  
 v. Marjorie Labriola

**Attorneys Involved:**

<b>Name:</b> <u>Craig Sparks/ Eric Senta</u>	<b>Name:</b> <u>Jeremy Collier</u>
<b>Address:</b> <u>515 E. Dahlia St. #150</u>	<b>Address:</b> <u>550 S. Alaska St. #203</u>
<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>	<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>
<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>City, State, Zip:</b> _____	<b>City, State, Zip:</b> _____

**Case Number 2**

**Case Name:** State of Alaska **Case Number:** 3PA-10-3045 CR  
 v. Timothy Crosslin

**Attorneys Involved:**

<b>Name:</b> <u>Lindsey Burton</u>	<b>Name:</b> <u>Hannah Thorssin-Bahri</u>
<b>Address:</b> <u>515 E. Dahlia St. #150</u>	<b>Address:</b> <u>515 E. Dahlia St. #100</u>
<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>	<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>
<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>City, State, Zip:</b> _____	<b>City, State, Zip:</b> _____

**Case Number 3**

**Case Name:** State of Alaska **Case Number:** 3PA-11-004 CR  
 v. Melissa R. Mosquito

**Attorneys Involved:**

<b>Name:</b> <u>Shawn Traini</u>	<b>Name:</b> <u>Michael Horowitz</u>
<b>Address:</b> <u>515 E. Dahlia St. #150</u>	<b>Address:</b> <u>515 E. Dahlia St #100</u>
<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>	<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>
<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>City, State, Zip:</b> _____	<b>City, State, Zip:</b> _____

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:** Mike Pendergraft **Case Number:** 3PA-11-502 SC  
**v.** Larry and Susan Bowling

**Attorneys Involved:**

<b>Name:</b> <u>Danalyn Dalrymple</u>	<b>Name:</b> <u>Melinda D. Miles</u>
<b>Address:</b> <u>348 E. Elmwood Ave</u>	<b>Address:</b> <u>634 S. Bailey St. #105</u>
<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>	<b>City, State, Zip:</b> <u>Palmer, AK 99645</u>
<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>City, State, Zip:</b> _____	<b>City, State, Zip:</b> _____

**Case Number 2**

**Case Name:** Caroline Zola **Case Number:** 3PA-10-603 SC  
**v.** Daniel Locke, et al.

**Attorneys Involved:**

<b>Name:</b> <u>Jennifer S. Henderson</u>	<b>Name:</b> <u>Wayne E. Watson</u>
<b>Address:</b> <u>807 G St. #250</u>	<b>Address:</b> <u>310 K. St. #306</u>
<b>City, State, Zip:</b> <u>Anchorage, AK 99501</u>	<b>City, State, Zip:</b> <u>Anchorage AK 99501</u>
<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>City, State, Zip:</b> _____	<b>City, State, Zip:</b> _____

**Case Number 3**

**Case Name:** James Peet **Case Number:** 3PA-10-1138 CI  
**v.** L. Noah-Vermillion, et al.

**Attorneys Involved:**

<b>Name:</b> <u>James Peet (pro se)</u>	<b>Name:</b> <u>Gregory S. Parvin</u>
<b>Address:</b> <u>HC 66, Box 28040</u>	<b>Address:</b> <u>1075 S. Check St #212</u>
<b>City, State, Zip:</b> <u>Nenana, AK 99760</u>	<b>City, State, Zip:</b> <u>Wasilla, AK 99654</u>
<b>Name:</b> <u>Rod R. Sisson</u>	<b>Name:</b> _____
<b>Address:</b> <u>1007 W. 3rd #206</u>	<b>Address:</b> _____
<b>City, State, Zip:</b> <u>Anchorage, AK 99501</u>	<b>City, State, Zip:</b> _____

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: Kristine Green Case Number: 3PA-10-1104 CI  
 v. William Attwood

**Attorneys Involved:**

Name: <u>Patricia Hefferan</u>	Name: <u>Jon-Marc Petersen</u>
Address: <u>1451 W. Spruce Ave.</u>	Address: <u>360 N. Main St.</u>
City, State, Zip: <u>Wasilla, AK 99654</u>	City, State, Zip: <u>Wasilla, AK 99654</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 2**

Case Name: Robert Nelson Case Number: 3PA-10-920 CI  
 v. Sergey Oleynik

**Attorneys Involved:**

Name: <u>Gregory S. Parvin</u>	Name: <u>John R. Dean</u>
Address: <u>1075 S. Check St. #212</u>	Address: <u>1835 Bragaw #110</u>
City, State, Zip: <u>Wasilla, AK 99654</u>	City, State, Zip: <u>Anchorage, AK 99508</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

**Case Number 3**

Case Name: State of Alaska Case Number: 3PA-10-2964 CR  
 v. Ernesto A. Sosa

**Attorneys Involved:**

Name: <u>Lindsey Burton</u>	Name: <u>Joshua F. Fannon</u>
Address: <u>515 E. Dahlia St. #150</u>	Address: <u>550 S. Alaska St. #203</u>
City, State, Zip: <u>Palmer, AK 99645</u>	City, State, Zip: <u>Palmer, AK 99654</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	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: \_\_\_\_\_ 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: \_\_\_\_\_ 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: \_\_\_\_\_ Case Number: \_\_\_\_\_

v. \_\_\_\_\_

**Attorneys Involved:**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

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City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_