



alaska judicial council

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REVISED Press Release

June 23, 2014

The Alaska Judicial Council Recommends that Alaskans Vote **“YES”** to Retain Thirteen Judges on the Ballot in 2014 and that Alaskans Vote **“NO”** Against Retaining Palmer District Court Judge William Estelle.

Alaskan voters will decide whether 14 judges should serve another term in office in the general election on November 4, 2014. To help voters make informed decisions about judges on the ballot, the Alaska Judicial Council has evaluated each of the judges standing for retention. The Public and Attorney members of the Alaska Judicial Council unanimously make the following recommendations to the voters.

Vote **“YES”** to retain

The Alaska Judicial Council unanimously recommends that Alaskans vote **“Yes”** to retain these thirteen judges on the ballot in 2014:

- Supreme Court Justice Craig F. Stowers;
- Superior Court Judge Louis James Menendez, Juneau (First Judicial District);
- District Court Judge Kevin G. Miller, Ketchikan (First Judicial District);
- Superior Court Judge Paul Roetman, Kotzebue (Second Judicial District);
- Superior Court Judge Andrew Guidi, Anchorage (Third Judicial District);
- Superior Court Judge Gregory Miller, Anchorage (Third Judicial District);
- District Court Judge Jo-Ann M. Chung, Anchorage (Third Judicial District);
- District Court Judge Brian K. Clark, Anchorage (Third Judicial District);
- District Court Judge Gregory Motyka, Anchorage (Third Judicial District);
- District Court Judge Stephanie Rhoades, Anchorage (Third Judicial District);
- District Court Judge Sharon A.S. Illsley, Kenai (Third Judicial District);
- District Court Judge John W. Wolfe, Palmer (Third Judicial District); and
- District Court Judge Ben Seekins, Fairbanks (Fourth Judicial District).

Vote “NO” against retention

The Alaska Judicial Council unanimously recommends that Alaskans in the Third Judicial District vote “No” against retention of the following judge:

- District Court Judge William L. Estelle, Palmer (Third Judicial District).
 - The Council recommends a “No” vote on Judge Estelle because he filed 16 untrue affidavits under oath, swearing that he had completed or issued decisions in all matters that had been pending before him for more than six months, when in fact he had not. He filed 12 of these affidavits between September 15, 2011 through February 28, 2012, relating to one undecided matter, and he filed 4 of these affidavits from January 15, 2013 through February 28, 2013 relating to a second undecided matter.
 - Because he signed the untrue affidavits swearing that he had no decisions or uncompleted matters outstanding for more than six months, Judge Estelle continued to receive his salary on time, contrary to state law that prohibits a judge from being paid on time if the judge has undecided matters outstanding for longer than six months.¹
 - The Judicial Council concluded that by filing the 16 untrue affidavits, Judge Estelle failed to conduct himself in a manner that promotes public confidence in the integrity and competence of the judiciary.

The Alaska Judicial Council is an independent citizens’ commission established in Article IV of Alaska’s constitution. The members include three non-attorneys who are appointed by the governor and confirmed by the legislature and three attorneys who are appointed by the Alaska Bar Association Board of Governors. By seniority they are:

- Kathleen Tompkins-Miller, public member from Fairbanks;
- Julie Willoughby, attorney member from Juneau;
- Ken Kreitzer, public member from Juneau;
- Aimee Oravec, attorney member from Fairbanks;
- Dave Parker, public member from Wasilla; and
- Jim Torgerson, attorney member from Anchorage. Mr. Torgerson did not participate in the discussion, decision, or vote on Judge Estelle to avoid a conflict of interest.

The Council members volunteer their time and serve staggered six year terms. The Chief Justice of the Alaska Supreme Court presides as chair ex officio, and only votes when his or her vote can change the result.

The Alaska Judicial Council conducts an in-depth evaluation of the judicial performance of each judge standing for retention. For its recommendations this year, the Judicial Council evaluated the 14 judges’ legal ability, impartiality and fairness, integrity, temperament, diligence, and overall performance. To obtain this information the Judicial Council:

¹ Attached is the affidavit form that all judges use every pay period.

- surveyed thousands of Alaskans including peace and probation officers, court employees, attorneys, jurors, social workers and guardians ad litem;
- solicited specific feedback from attorneys who appeared before the judges in recent cases;
- reviewed ratings and observations of the Alaska Judicial Observers, independent community-based volunteers;
- Tracked how often a judge was disqualified from presiding over a case and how often a trial judge was affirmed or reversed on appeal;
- examined any civil or criminal litigation involving the judge; APOC and court system conflict-of-interest statements filed by a judge; any disciplinary files or actions involving the judge; and whether a judge's paycheck was withheld for an untimely decision;
- listened to court proceedings, and interviewed judges, attorneys, court staff, and others as necessary;
- solicited feedback from the public about judges on its website and held a statewide public hearing.

The Alaska Judicial Council publicizes more information about the performance of judges than any other judicial evaluation in the country.

Alaskan voters can learn more about the Alaska Judicial Council's evaluation of judges by visiting the Council's website at: <http://www.ajc.state.ak.us/>.

The State of Alaska's Official Elections Pamphlets, published by the Division of Elections in October, will include the Council's recommendations and summaries of the Council's evaluations.



ALASKA COURT SYSTEM

AFFIDAVIT

For the pay period ending on the Select day of Select Month, Year.

I, being first duly sworn, state that to the best of my knowledge and belief no matter currently referred to me for opinion or decision has been uncompleted or undecided by me for a period of more than six months.

Signature _____ Date _____
Title _____ Address _____
Print Name _____

Subscribed and sworn to or affirmed before me at _____, Alaska, on _____

Signature of Notary Public, Clerk of Court, or
other person authorized to administer oaths.

My commission expires: _____

(notary seal)

I certify under penalty of perjury that the foregoing is true, that this statement is being executed at _____, Alaska, and that no notary public or other official empowered to administer oaths is available.

Date Signature

INSTRUCTIONS

This affidavit must be signed before a notary public, postmaster, or any other person authorized by AS 09.63.010 to administer oaths. If there is no one available who is authorized to administer oaths, you should sign and date the statement certifying that the affidavit is true (AS 09.63.020).

An affidavit must be completed at the end of each pay period. Pay periods end on the 15th day and the last day of each month. The completed affidavit must be sent to the Division of Finance in Juneau at the end of each pay period:

Mail:
P. O. Box 110204
Juneau, Alaska 99811-0204

Fax:
(907) 465-5639

Scan and Email:
doa.dof.pr.affidavit.mailbox@alaska.gov