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ALASKA
JUDICIAL COUNCIL

**Alaska Judicial Council
Application for Judicial Appointment**

Position(s) for which you wish to be considered:

Superior Court Judge

Date: October 3, 2005

Fourth Judicial District

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Douglas Livingston Blankenship
Name as it should appear on bar survey: Douglas L. Blankenship
* Unless otherwise specified, this is how your name will appear on the bar survey.
- (b) Have you ever used or been known by any other name? If so, please identify
No other names used
2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>20</u> years | <u>3</u> months |
| Total | <u>24</u> years | <u>4</u> months |
3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
- | | | |
|-------|-----------------|-----------------|
| | <u>22</u> years | <u>3</u> months |
| Total | <u>24</u> years | <u>3</u> months |

Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.

Miami (Ohio) University
Ohio State University B.A. Political Science 1976

** See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

Gonzaga University School of Law J.D. 1980

6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?
 Yes No If yes, please give details.

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?
 Yes No
Please describe or list. Please do not attach individual certificates of attendance.

Ethics
Alaska Labor & Employment Law
Government Contracting

Military

7. Have you served in the armed forces (reserves or otherwise)? Yes No
If so, please provide the following information:

- (a) Dates of service: _____
(b) Branch of service: _____
(c) Rank at time of discharge: _____
(d) Type of military discharge: _____
(e) Awards or citations:

- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge? Yes No If so, state the details.

Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation.

Independent Petroleum Landman, 1981 - 1983 Performed title searches and negotiated oil and gas leases in Colorado, Northern Alaska, Wyoming, Montana, and other states for a variety of petroleum producers.

No debts, claims, or pending litigation

Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates, name of employer, name of supervisor or person who can verify employment, addresses, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) for each position listed below.**

The Council will ask for comments from your current and former employers about your employment and your judicial qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

Current Employer: Self-employed Blankenship Law Office

Supervisor or name of contact person who can verify employment: Staci L. Quinlan, Office Manager

Current address of this person: 100 Cushman Street, Suite 402

City Fairbanks State AK Zip 99701

Dates of Employment: From January 2, 1997 To Present

Description: Owner- Engaged in advising and representing clients in large variety of commercial law and litigation matters

Previous Employers: *(In chronological order, most recent first)*

Employer: State of Alaska - Attorney General Office

Supervisor or name of contact person who can verify employment: Charles Cole

Current address of this person: 406 Cushman Street, #2

City Fairbanks State AK Zip 99701

Dates of Employment: From December 1990 To January 1995

Description: See Attached

Reason for Leaving: See Attached

Employer: Birch Horton Bittner & Cherot

Supervisor or name of contact person who can verify employment: Bill Bittner

Current address of this person: 1127 W. 7th Avenue

City Anchorage State AK Zip 99501

Dates of Employment: From July 1987 To December 1990

Description: Commercial Law and Litigation

Reason for Leaving: Accept offer for appointment as Deputy Attorney General

continuation sheet

9. **Description:** *(continued)*:

Deputy Attorney General (1990-1991 Juneau)

As Deputy AG: supervised Anchorage and Fairbanks Civil Section office Chiefs, Chiefs Assistant Attorney General of Criminal Division, and Section Chiefs in Juneau Attorney General Office; Reviewed significant litigation and performance of outside counsel

Assistant Attorney General (1992-1995 Fairbanks)

As Assistant Attorney General - represented DNR in administrative proceedings concerning permitting and land use decisions and administrative appeals to the Superior Court; represented DNR in civil actions in Superior Court

Reason for Leaving: Returned to Fairbanks in 1992 at my insistence for two reasons: ii) expense of maintaining residences in Juneau and Fairbanks; ii) to practice law in Fairbanks. I left A.G.'s Office in 1996 to enter private practice.

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Previous Employers (continued)

Employer: Call Barret & Burbank
Supervisor or name of contact person who can verify employment: Winston Burbank
Current address of this person: Alaska District Court, 101 Lacey Street
City Fairbanks State AK Zip 99701
Dates of Employment: From July 1985 To July 1987
Description: Insurance Defense and Commercial Law & Litigation

Reason for Leaving: Accept position at substantially higher salary

Employer: Aronowitz & Helgeson
Supervisor or name of contact person who can verify employment: Bob Aronowitz 303-813-1177
Current address of this person: Aronowitz & Ford, LLC 1615 Downing Street
City Denver State CO Zip 80218
Dates of Employment: From _____ To _____
Description: Commercial Law and Litigation

Reason for Leaving: Left to return to Alaska

Employer: Birch Horton Bittner Pestinger & Anderson
Supervisor or name of contact person who can verify employment: Winston Burbank
Current address of this person: Alaska District Court, 101 Lacey Street
City Fairbanks State AK Zip 99701
Dates of Employment: From 1980 To 1981
Description: Teamster Defense work

Reason for Leaving: Moved to Colorado to take Bar Exam

Employer: City of Spokane Prosecutor's Office
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates of Employment: From June 1979 To May 1980
Description: Legal Intern responsible for prosecution of misdemeanors (DUIs, assaults, etc.) in Spokane Municipal Court

Reason for Leaving: One-year internship for third-year law students

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates of Employment: From _____ To _____
Description: _____

Reason for Leaving: _____

10. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was:	Civil	<u>99</u>
	Criminal	<u>1</u>
	Other	<u> </u>
		= 100%

Comment: _____

(b) Percent:	State	<u>100</u>
	Federal	<u> </u>
	Other	<u> </u>
		= 100%

Comment: _____

(c) Of practice in state courts, percent:	Supreme Court	<u>5</u>
	Court of Appeals	<u> </u>
	Superior Court	<u>70</u>
	District Court	<u>25</u>
		= 100%

Comment: _____

(d) Frequency of appearance in court:
 Regularly Occasionally Infrequently Not at All

Comment: _____

(e) Number of trials (by court or jury) you conducted in the past 5 years:
 None 1-5 6-15 16-30 31 or more

Comment: _____

(f) Percent of these trials which were: Jury _____ Non-Jury 100

Comment: See Attached

(g) Approximate number of appellate matters handled: 3

Comment: _____

(h) Approximate number of arbitrations or administrative hearings:
 None 1-5 6-15 16-30 31 or more

Briefly describe type of matters heard:

Construction claim

(i) Have you undertaken any *pro bono* work through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.) during this period? Yes No

Describe:

continuation sheet-

(continued):

10(f). **Comment:** Trials consisted of a 4-day trial concerning existence of partnership and 2-day divorce property division and spousal maintenance trial

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Douglas L. Blankenship - Continuation Sheet
FAIRBANKS SUPERIOR COURT
JUDICIAL APPLICATION

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.

Colorado, 1981 United States 9th Circuit Court of Appeals
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Public Service

12. List bar associations, and sections and committees of which you are or have been a member or officer.

Alaska Bar Association, Business Law

13. List legal publications, if any (give title, subject and date of publications).

14. Have you ever applied for a judgeship? Yes No

Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed.

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)

15. Have you ever held public or political office, elective or appointive? Yes No

If so, state office, manner selected, and when and where held.

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

I have been a member of the Fairbanks Salvation Army Advisory Board since about 1987, except for the period of time I lived in Juneau. The Board meets monthly and is composed of approximately eighteen Fairbanks residents to assist the Fairbanks Corps in making decisions concerning the local chapter. I provide legal advice and services to the local Corps without compensation.

I am a member of Zion Lutheran Church in Fairbanks. In 1997, I was instrumental in assisting our church in helping Pastor Kuehnert establish the Open Arms Lutheran Child Development Center ("CDC") in Fairbanks. The CDC opened its doors in 1999. I have also served on the CDC Board of Directors. I provide legal services free of charge to the CDC.

I have assisted various charitable groups establish non-profit corporations without charging for my time. These organizations include Homeward Bound Pet Rescue & Referral, Inc. and Kids in Motion, Inc.

I have coached youth soccer from 1997-2004. I have also provided legal services to Fairbanks Youth Soccer Association without charge.

17. Indicate (Yes or No) whether you have ever:

- (a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions?

Yes No

- (b) failed to answer any summons or other legal process served upon you personally at any time? Yes No

- (c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial? Yes No

- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? Yes No

If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? Yes No

In particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office? Yes No

If so, give particulars, including case numbers.

- (b) Have you ever been sued by a client? Yes No

If so, give particulars, including case numbers.

- (c) Have you ever been a party in any other legal proceeding? Yes No

If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you? Yes No
Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree? Yes No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

- (b) Have you ever made an assignment for the benefit of creditors? Yes No

Have you ever filed any petition in bankruptcy? Yes No
If so, state the circumstances, case number, and the outcome.

References and Counsel Questionnaires*

- * **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You **should not** list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your **general character and background**.

Name: John Hill
Address: 3285 South Cushman Street
City/State/Zip: Fairbanks, AK 99701 Phone: 907-456-6217

Name: Pat Cole
Address: P.O. Box 71622
City/State/Zip: Fairbanks, AK 99707 Phone: 907-459-6760 or 590-3713

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your **professional competence and qualifications** for a judicial position.

Name: Charles Cole
Address: 406 Cushman Street, #2
City/State/Zip: Fairbanks, AK 99701 Phone: 907-452-1124

Name: Winston Burbank
Address: Alaska District Court, 101 Lacey Street
City/State/Zip: Fairbanks, AK 99701 Phone: 907-452-9370

Name: John Burns
Address: Borgeson & Burns, 100 Cushman Street, Suite 311
City/State/Zip: Fairbanks, AK 99701 Phone: 907-452-1666

References and Counsel Questionnaires (continued)

- (c) List the names, addresses, including zip codes, and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent cases that have gone to trial. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases which have gone to trial within the past three years. Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

Case Number 1

Case Name: TWS, Inc. *Case Number:* 4FA-00-1927 Civil
v. Joe B. Hall and Raymond Moore *Judge Name:* Pengilly

Attorneys Involved:

Name: <u>Richard Wright</u>	Name: _____
Address: <u>250 Cushman Street, Ste. 500</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Name: <u>Barry Donnellan</u>	Name: _____
Address: <u>551 Second Avenue, Ste. 215</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

Case Number 2

Case Name: Duszynski *Case Number:* 4FA-99-1979 Civil
v. Duszynski *Judge Name:* Pengilly

Attorneys Involved:

Name: <u>Dennis Cook, Cook Schuhmann & G</u>	Name: _____
Address: <u>714 4th Avenue, Ste. 200</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____

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

Case Number 3

Case Name: _____ *Case Number:* _____
v. _____ *Judge Name:* _____

Attorneys Involved:

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

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

References and Counsel Questionnaires (continued)

- (d) List the names, addresses, including zip codes, and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

Case Number 1

Case Name: Gregory Wagner Case Number: 4FA-03-181 Civil
 v. Richard Wagner, et al. Judge Name: Wood

Attorneys Involved:

Name: <u>David Bundy</u>	Name: <u>Charles E. Cole</u>
Address: <u>3201 C Street, Ste. 301</u>	Address: <u>406 Cushman Street, #2</u>
City, State, Zip: <u>Anchorage, AK 99503</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: <u>John J. Connors</u>	Name: _____
Address: <u>P.O. Box 75124</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99707</u>	City, State, Zip: _____

Case Number 2

Case Name: Slater Case Number: 4FA-03-2952 Civil
 v. King v. Shefchik Judge Name: Burbank / Olson

Attorneys Involved:

Name: <u>John Tiemessen/Clapp Peterson</u>	Name: <u>Joseph Paskvan, Paskvan & Rin</u>
Address: <u>411 Fourth Avenue, Ste. 300</u>	Address: <u>714 Fourth Avenue, Ste. 301</u>
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: <u>Fairbanks, AK 99701</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: Hendricks Case Number: 4FA-02-1337 Civil
 v. McConkey Judge Name: Savell

Attorneys Involved:

Name: <u>David Carlson, Clapp Peterson</u>	Name: _____
Address: <u>411 Fourth Avenue, Ste. 300</u>	Address: _____
City, State, Zip: <u>Fairbanks, AK 99701</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length; 15-25 pages for appellate positions) prepared solely by you within the last five years. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable.

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge? Yes No
- Have formal grievance procedures been brought against you? Yes No
- See Bar Rule 22(b) & (e) concerning public grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public grievance procedures against judges.
- Have you ever been held in contempt of court? Yes No

In each case, state in detail the circumstances and the outcome.

Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this judgeship.

Since opening my own firm in January 1996, my experience in litigation is in the civil arena. In addition to civil actions, the workload of a Superior Court Judge includes criminal, domestic relations and child in need of aid (CINA) matters. During my third year of law school I was employed as a municipal prosecutor where another law student and I conducted all the misdemeanor trials for the City of Spokane. Also, my first position out of law school was with Birch, Horton, Bittner, Pestinger and Anderson where I was principally hired to represent union members in criminal matters. I acknowledge that I will have somewhat of a learning curve concerning criminal matters but I believe I will be up to speed within a relatively short period. Also, the knowledge gained of the Rules of Evidence from my civil practice is just as applicable to criminal practice.

Good judges are dedicated to making correct decisions. I possess a strong work ethic and desire to be successful which will serve me well in making timely, impartial and correct decisions.

I recognize the importance of clear and precise written communication. Basic

Additional Comments (Continued)

principals in my and my associates legal writing is brevity (one word instead of two) and clarity (one idea per sentence).

I also recognize that along with the appointment to the Superior Court is the entrustment of great responsibility. A part of this responsibility is treating all persons coming before the court, the public and court employees courteously and with respect.

24. Please prepare a brief biographical statement (limited to 150 words) about your background, legal education, and legal experience. Your picture and a copy of this statement will be scanned and posted on the Council's website after the application deadline. In its Bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty. The Council will use this space for your scanned picture.

If you object to the posting of your picture on the Council's website, please indicate your objection below. If you object, we will not post your picture, although you still must submit twelve photographs of yourself with your application.

If you check this box we will not post your picture on the website.

Biographical Statement

Name Douglas L. Blankenship

Position(s) for which you wish to be considered:

Judge-Fairbanks Superior Court

Date: October 3, 2005

Douglas Blankenship has practiced law in Alaska for more than 20 years. During that time, Doug practiced in both the public and private sector. For the past 10 years, Doug has operated Blankenship Law Office serving a wide variety of clients in litigation and other matters. Prior to establishing his firm, Doug served as Deputy Attorney General in Juneau and as Assistant Attorney in Fairbanks. Before serving with the Alaska Department of Law, Doug was an associate with Call, Barrett & Burbank and Birck, Horton, Bittner & Cherot.

Doug obtained his J.D. from Gonzaga University School of Law in 1980 and his B.A. Political Science from Ohio State University in 1976.

Doug resides in Fairbanks with his wife of 20 years, Vicki, and three children ages 15, 12, and 11.