

Alaska Judicial Council
Application for Judicial Appointment

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

Anchorage District Court

Date: June 19, 2008

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Patrick S. Hammers
Name as it should appear on bar survey: Patrick S. Hammers

* 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

2. How long have you been a resident of the State of Alaska immediately preceding the date of this application? **
15 years months
Total 15 years months

3. How long have you been engaged in the active practice of law immediately preceding the date of this application? **
14 years 6 months
Total 28 years 6 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.

College of St. Thomas (St. Paul, Minnesota)
commenced: August, 1969
graduated: April, 1973
degree: Bachelor of Arts
honors: Graduated cum laude

** 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.

William Mitchell College of Law (St. Paul, Minnesota)
commenced: August, 1975
graduated: January, 1979

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.

4/25/03: Ethics is not a multiple choice question
4/25/04-4/28/04: Enhancing judicial skills in domestic violence cases
11/1/04-11/5/04: Statewide masters and magistrate conference
1/13/06: Off the record-an informal bench/bar exchange
6/16/06: Attorneys representing multiple parties in litigation
6/27/06: How to avoid malpractice and ethical complaints

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.

I worked as a licensed insurance agent prior to and during a portion of law school.

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: Alaska Court System

Supervisor or name of contact person who can verify employment: Judge Jane Kauvar

Current address of this person: 101 Lacey Street, Room 203

City Fairbanks State Alaska Zip 99701

Dates of Employment: From January, 1999 To Present

Description: Magistrate/Standing Master

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

Employer: Municipality of Anchorage

Supervisor or name of contact person who can verify employment: Carmen Clark

Current address of this person: 303 K Street

City Anchorage State Alaska Zip 99709

Dates of Employment: From January, 1994 To January, 1999

Description: criminal prosecution

Reason for Leaving: To accept the magistrate position with the Alaska Court System

Employer: Hammers and Peloquin, Attorneys at Law

Supervisor or name of contact person who can verify employment: Applicant

Current address of this person: _____

City _____ State _____ Zip _____

Dates of Employment: From June, 1990 To June, 1993

Description: Steven Peloquin and I were engaged in the general practice of law. I was the managing partner. We practiced at Park Rapids, Minnesota

Reason for Leaving: We terminated our partnership so that I could move to Alaska.

Previous Employers (continued)

Employer: Hammers Law Office

Supervisor or name of contact person who can verify employment: Applicant

Current address of this person: _____

City Park Rapids State Mn. Zip _____

Dates of Employment: From June, 1982 To June, 1990

Description: I was engaged in the general practice of law.

Reason for Leaving: I formed a partnership with Steven Peloquin.

Employer: Dessert and Smith P.A. (I was an independent contractor)

Supervisor or name of contact person who can verify employment: The firm is no longer in existence

Current address of this person: _____

City Park Rapids State Mn. Zip _____

Dates of Employment: From June, 1981 To May, 1982

Description: general civil and criminal practice

Reason for Leaving: To open my own law office

Employer: Dosland, Dosland & Nordhougen

Supervisor or name of contact person who can verify employment: Curtis Nordhougen

Current address of this person: American Bank and Trust Company Building

City Moorhead State Minnesota Zip 56560

Dates of Employment: From June, 1979 To June, 1981

Description: general civil and criminal practice

Reason for Leaving: To move closer to family

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: _____

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>50</u>
		Criminal	<u>50</u>
		Other	<u> </u>
			= 100%

Comment: _____

(b)	Percent:	State	<u>99</u>
		Federal	<u>1</u>
		Other	<u> </u>
			= 100%

Comment: _____

(c)	Of practice in state courts, percent:	Supreme Court	<u> </u>
		Court of Appeals	<u> </u>
		Superior Court	<u>50</u>
		District Court	<u>50</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 5 Non-Jury 95

Comment: _____

(g) Approximate number of appellate matters handled: 0

Comment: I have heard applications for post conviction relief

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

Briefly describe type of matters heard:

(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:

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.

State of Alaska-admitted May/1992
 State of Minnesota-admitted April/1979
 United States District Court for the District of Minnesota-admitted May/1979

Public Service

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

Minnesota State Bar Association
 Alaska Bar Association
 Tanana Valley Bar Association
 Anchorage Bar Association

13. List legal publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).

None

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)
Park Rapids, Minnesota	4/17/89	no	
Walker, Minnesota	6/19/91	election	
Anchorage District Court	6/08/00	no	
Fairbanks District Court	9/18/02	no	

Judgeship	Date	Nominated By Council	Appointed By Governor
Homer District Court	10/27/04	No	
Anchorage District Court	4/28/07	No	
Kenai District Court	4/28/07	Yes	No
Anchorage District Court	4/18/08	No	

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.

I was elected to the Park Rapids, Minnesota school board in May, 1991

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 attend the St. Raphael Catholic Church.

I am a member of the Elks club in Fairbanks. Although I do need to get my dues paid.

I am a regular donor and volunteer at the Fairbanks Food Bank.

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.

Regarding 17(a): I received two speeding tickets in Minnesota over 25 years ago. The fines may have been over \$50.00. I can't remember.

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: Donald D. West

Address: 2616 Chief Alexander Drive

City/State/Zip: Fairbanks, Alaska 99709 Phone: 907-474-9378

Name: Robert D. Montgomery

Address: 1780 Blackburn Way

City/State/Zip: North Pole, Alaska 99705 Phone: 907-451-2935

- (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: Honorable Winston Burbank

Address: 101 Lacey Street, Room 202

City/State/Zip: Fairbanks, Alaska 99709 Phone: 907-452-9376

Name: Honorable Bethany Harbison

Address: 101 Lacey Street, Room 302

City/State/Zip: Fairbanks, Alaska 99709 Phone: 907-452-9212

Name: Susan Carney, Office of Public Advocacy

Address: 100 Cushman Street, Suite 502

City/State/Zip: Fairbanks, Alaska 99701 Phone: 907-451-5933

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. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases that 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: In the Matter of E.I.H **Case Number:** 4FA-08-25PR
v. _____ **Judge Name:** Patrick S. Hammers

Attorneys Involved:

Name: <u>Danielle S. Foster</u>	Name: <u>Alicia D. Porter</u>
Address: <u>100 Cushman Street, Suite 513</u>	Address: <u>P.O. Box 72425</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99707</u>

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

Case Number 2

Case Name: In the Matter of S.L. **Case Number:** 4FA-08-295PR
v. _____ **Judge Name:** Patrick S. Hammers

Attorneys Involved:

Name: <u>R. Poke Haffner</u>	Name: <u>Gabriel Quinnan</u>
Address: <u>100 Cushman Street, Suite 1</u>	Address: <u>529 5th Avenue, Suite 1</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99701</u>

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

Case Number 3

Case Name: Sate of Alaska **Case Number:** 4FA-06-3004
v. Randell J. Mailloux, II **Judge Name:** Patrick S. Hammers

Attorneys Involved:

Name: <u>Darren Watts</u>	Name: <u>William Spiers</u>
Address: <u>455 Third Avenue, Suite 150</u>	Address: <u>529 5th Avenue, Suite 1</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99701</u>

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. Please do not list cases pending in the trial courts. (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: Catherine A. Cory **Case Number:** 4FA-08-344 CI
v. Jeffrey A. Schend **Judge Name:** Patrick S. Hammers

Attorneys Involved:

Name: <u>Rita Allee</u>	Name: <u>Jason Weiner</u>
Address: <u>750 8th Avenue</u>	Address: <u>751 7th Avenue</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99701</u>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 2

Case Name: IN THE MATTER Of: C.N. **Case Number:** 4FA-08-240 PR
v. _____ **Judge Name:** Patrick S. Hammers

Attorneys Involved:

Name: <u>Gary Stapp</u>	Name: <u>Robin Fowler</u>
Address: <u>225 Wendell Avenue, Suite A</u>	Address: <u>100 Cushman Street, Suite 502</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99701</u>
Name: <u>Craig Partyka</u>	Name: <u>Jason Weiner</u>
Address: <u>714 4th Ave, Suite 200</u>	Address: <u>751 7th Avenue</u>
City, State, Zip: <u>Fairbanks, Alaska 99701</u>	City, State, Zip: <u>Fairbanks, Alaska 99701</u>

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: _____

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. Please choose a sample that reflects your ability to do legal research and analysis. 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. (Some reply briefs may not meet these requirements.)

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.

I have been doing the work of a district court judge for many years. My duties as a magistrate and standing master require that I be in court on a daily basis. In fact, I am in court for the better part of every day. I have experience in presiding over jury trials, forcible entry and detainer proceedings, adoptions, domestic violence hearings, uncontested divorce proceedings, guardian and conservator proceedings, mental commitments, children in need of aid cases, delinquency cases, court trials, small claims cases, change of name, probate matters and petitions to revoke probation. A large portion of my work load involves presiding over contested cases. I have 15 years of experience in working under pressure with a large volume of cases.

I have over 28 years of experience in working in both the private and public sectors. In private practice I worked on everything from probating estates to personal injury actions. I had many jury trials as an assistant Anchorage municipal prosecutor. I was a valued employee as is evidenced by the attached letter that was written to me by Municipal Attorney Richard McVeigh. I have been entrusted by my current supervisors to

Additional Comments (Continued)

provide the Fairbanks community with several of the same services that a district court judge would provide. This would include presiding over jury trials, forcible entry and detainer proceedings and calendar call.

I have ties to the Anchorage community. I was a prosecutor for the city for five years. My wife, Cheryl, worked at the Anchorage Pioneer home. We lived in Eagle River and my children attended the Chugiak High School. My son, Phillip, worked in Anchorage while going to school. We have many friends who live in the Anchorage area. My son and his family work and live in the Wasilla area. Although I have lived in Fairbanks for almost 10 years, I still have substantial contacts with Anchorage.

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview has no bearing on the Council's determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview

Private Interview

25. Please prepare a brief biographical statement (**limited to 150 words**) about your background, legal education, and legal experience. Please do not list personal information about minor children. 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. **To be fair to all applicants, the Council will strictly enforce the 150 word limit.**

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.

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4545

Rick Mystrom, Mayor

OFFICE OF THE MUNICIPAL ATTORNEY

October 13, 1994

Patrick S. Hammers
P.O. Box 671162
Chugiak, Alaska 99567

Dear Patrick:

Before I leave office I wanted to drop you a note and thank you for the wonderful job that you are doing for the Prosecutor's Office. While we haven't had the opportunity to spend a lot of time together, I have kept up with your progress and you are just an outstanding employee. I hope you will stay in the Department and would expect to see you promoted to the highest levels within the Department. Keep up the good work and thank you for the support that you have given me while I was Municipal Attorney.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dick", written in dark ink.

Richard L. McVeigh
Municipal Attorney

Biographical Statement

Name Patrick S. Hammers

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

Fairbanks District Court

Date: February 3, 2009

Family:

Married for 36 years to Cheryl. We have three grown children.

Education:

William Mitchell College of Law, J.D., 1979

College of St. Thomas, B.A. (cum laude), 1973

Work History:

STATE OF ALASKA

Magistrate - January, 1999 - September, 2007

Standing Master - September, 2007 - November, 2008

Magistrate IV - November, 2008 to the present

I have presided over jury trials, calendar call, forcible entry and detainer proceedings, small claims cases, traffic court, petitions to revoke probation hearings, guardianships and conservatorships, adoptions, mental commitments, search warrant applications, arraignments, domestic violence cases, children in need of aid, delinquency and default divorce cases.

MUNICIPALITY OF ANCHORAGE

Assistant Municipal Prosecutor - January, 1994 - January, 1999

PRIVATE PRACTICE

June, 1979 - July, 1993

Community Service:

Fairbanks Food Bank

Judicial Outreach:

Judge Burbank and I have flown to Ruby, Hughes, Allakaket, and Nulato. We try to visit a different village every spring.