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ALASKA  
JUDICIAL COUNCIL

Alaska Judicial Council  
Application for Judicial Appointment

Anchorage Superior Court Judge

Date: April 7, 2004

Position(s) for which you wish to be  
considered

I. PUBLIC INFORMATION (Qs. 1-24 & 35)

PERSONAL

1. (a) State full name\* Craig F Stowers  
Name as it should appear on bar survey: \_\_\_\_\_  
\* 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  
\_\_\_\_\_

3. How long have you been a resident of the State of Alaska immediately preceding the date of this application? \*\* 26 years 5 months  
Total years 26 months 5

4. How long have you been engaged in the active practice of law immediately preceding the date of this application? \*\* 18 years 6 months  
Total years 18 months 6

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

**NONLEGAL EDUCATION**

5. 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.

Blackburn College, Carlinville, Illinois - B.A. - Honors 1975

(Biology; Liberal Arts)

**LEGAL EDUCATION**

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

School of Law, University of California, Davis, California - J.D. 1985

7. (a) Did you receive any honors in law school or belong to any honorary societies or groups?  
Yes If so, please give details.

Order of the Coif  
Graduated 5/144  
American Jurisprudence Awards in Torts, Criminal Law, and Administrative Law

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?  
Yes  No  Please describe:

Multiple courses, seminars, videotapes on trial practice, legal ethics, malpractice avoidance, risk management (CNA, ALPS, Alaska Bar Association), including serving as a seminar presenter for legal malpractice avoidance seminars and the 2002 Alaska Bar Association Convention (re: Expert Witnesses).

**MILITARY**

8. Have you served in the armed forces (reserves or otherwise)? 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. If so, state the details.

**NONLEGAL EMPLOYMENT**

9. Describe major nonlegal working experience, if any.

U.S. National Park Ranger - National Park Service  
District Ranger - Denali National Park (12/79 - 6/82)  
District Naturalist - Mt. McKinley National Park (11/77 - 12/79)  
Park Ranger - Colonial National Park (9/76 - 11/77)  
Seasonal Park Ranger - Colonial National Park (6-8/70 - 6-8/76)  
- Jewel Cave National Monument (6-8/70 - 6-8/76)

10. Describe major nonlegal business or professional experience, if any. If your association has been discontinued, please note whether there are unpaid debts or claims pending litigation.

None

## LEGAL EXPERIENCE

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

Judicial Law Clerk 8/85 - 8/86: U.S. Court of Appeals - Ninth Circuit;  
U.S. Circuit Judge Robert Boochever, Juneau AK  
Contact: Senior Circuit Judge Robert Boochever (626) 229-7200  
125 S. Grand Ave. Box 91510, Pasadena, CA 91109-1510  
End of one-year appointment

Judicial Law Clerk 9/86 - 9/87: Alaska Supreme Court;  
Justice Warren Matthews, Anchorage, AK  
Contact: Justice Warren Matthews (264-0618)  
303 K Street, 5th Floor, Anchorage, AK 99501  
End of one-year appointment

Attorney - Partner 9/87 - 3/95: Atkinson, Conway & Gagnon, Anchorage, AK  
Contact: Bruce Gagnon/John Conway (276-1700)  
420 L St., Ste. 500, Anchorage, AK  
Resigned to form my own law firm. Defense of medical and attorney malpractice cases, general litigation, insurance defense.

Attorney - Partner 4/95 - present: Clapp, Peterson & Stowers, Anchorage AK  
Contact: Matt Peterson (272-9463)  
711 H St., Ste. 620, Anchorage, AK  
Defense of medical, attorney and other professional liability cases, provide counsel and representation in professional ethics complaints, fee and licensing matters; complex civil litigation, insurance defense, insurance coverage and bad faith.

### Legal Employment During Law School:

Summer Law Clerk (Summer 1984) Burr, Pease & Kurtz; Anchorage AK  
Contact: Arden Page (276-6100)  
810 N Street, Anchorage, AK 99501

Research/Drafter (6/83 - 6/85) Alaska Code Revision Commission  
Alaska Corporations Code Revision Project  
Professor Daniel Fessler; Davis, California  
Professor Emeritus, School of Law - Dean's Office (503-752-0243)  
400 Mrak Hall Drive, Davis, CA 95616-0243  
John Abbott, Anchorage, Alaska (346-1039)  
Box 112306, Anchorage, AK 99511

Law Faculty Research Assistant (6/83 - 6/85 part-time)  
U.C. Davis School of Law - Professor Daniel Fessler (503-752-0243)  
400 Mrak Hall Drive, Davis, CA 95616-0243  
Corbin on Contracts Revision

12. 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>90</u>
Federal	<u>10</u>
Other	<u>          </u>
	= 100%

Comment: \_\_\_\_\_

(c) Of practice in state courts, percent:

Supreme Court	<u>3</u>
Court of Appeals	<u>          </u>
Superior Court	<u>95</u>
District Court	<u>2</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 to 5     6 to 16    \_\_\_\_\_ 16 to 30    \_\_\_\_\_ 31 or more

Comment: \_\_\_\_\_

(f) Percent of these trials which were: Jury 90    Non-Jury 10

Comment: \_\_\_\_\_

(g) Approximate number of appellate matters handled: 5 ;

Comment: \_\_\_\_\_

(h) Approximate number of arbitrations or administrative hearings: \_\_\_\_\_ None  
\_\_\_\_\_ 1 to 5     6 to 16    \_\_\_\_\_ 16 to 30    \_\_\_\_\_ 31 or more

Briefly describe type of matters heard:

Dispute between oil companies' rights/responsibilities as operation of oilfield; Alaska Bar Association Fee Arbitrations; Alaska Bar Association grievances; Alaska State Medical Board physician licensing or conduct matters; AK Div. of Occ. Licensing MD, DDS, psych. matters.

(i) Have you undertaken any pro bono work during this period?

Yes  No

Describe: AK ProBono Program, private pro bono & church related clients.

13. 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.

Supreme Court of Alaska - 1985

U.S. District Court for the District of Alaska - 1986

9th Circuit Court of Appeals - 1986

Supreme Court of the United States - 1990

### **PUBLIC SERVICE**

14. List bar associations, sections and committees of which you are or have been a member or officer.  
Alaska Bar Association (Law Examiners Committee; Statutes; Bylaws and Rules Committee);

Alaska Supreme Court Advisory Committee (ACPJI).

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

None.

16. Have you ever applied for a judgeship? Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed:

<b>Judgeship</b>	<b>Date</b>	<b>Nominated By Council (Y/N)</b>	<b>Appointed By Governor (Y/N)</b>
Alaska Superior Court	7/02	Y	N

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

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

18. List all other legal and any nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal. (Please indicate whether you participate in the organization's activities, or simply hold a membership.)

- American, Alaska, and Anchorage Bar Associations - participating member

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- Alaska Bar Assoc. Committees: Law Examiners (1988-1987); Statutes, Bylaws & Rules (1988-1994; 1998-2001); Ethics (2000-2003)

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- AK Supreme Court Advisory Committee: Civil Pattern Jury Inst. (1988-1989)

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- Abbott Loop Community Church - active member

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- Faith Christian Community Church - active member

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- Former Board Member: Anchorage Neighborhood Health Center

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- Brother Francis Shelter

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- Alaska Natural History Association

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19. 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 other than minor traffic offenses (those for which a fine of \$50.00 or less, and no other sanctions were imposed)? No
  
- (b) failed to answer any summons or other legal process served upon you personally at any time?  
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? No
  
- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? 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.

N/A

20. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? 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? If so, give particulars, including case numbers.

No.

- (b) Have you ever been sued by a client? If so, give particulars, including case numbers.

No.



- (c) Have you ever been a party in any other legal proceeding? If so, give the particulars. Include all legal proceedings in which you were a party in interest, including divorce/dissolution proceedings; a material witness; a named co-conspirator or correspondent; and any grand jury investigation in which you figured as a subject, or in which you appeared as a witness. 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).

Defendant in divorce matter, Stowers v. Stowers, Case No. 3AN-00-5736 CI

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

- (a) Are there any unsatisfied judgments against you? 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? 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? Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

No.

- (b) Have you ever made an assignment for the benefit of creditors? Has any petition in bankruptcy ever been filed by you? If so, state the circumstances, case number, and the outcome.

No.

**REFERENCES\***

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

(1) NAME: Brian Green, Ph.D. - Cornerstone Clinic  
ADDRESS: 1825 Academy Drive  
CITY/STATE/ZIP: Anchorage, AK 99507 PHONE: 522-7080

(2) NAME: Teresa A. Wakeen - Wakeen & Assoc.  
ADDRESS: 1415 Chipendale Road  
CITY/STATE/ZIP: Luthersville, MD 21093 PHONE: (410) 561-1511

(b) List the names, addresses, 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. (You should not list the Chief Justice of the Alaska Supreme Court.)

(1) NAME: Brian Shortell, Esq. - Retired Superior Court Judge/Mediator  
ADDRESS: 1328 W. 12th Avenue  
CITY/STATE/ZIP: Anchorage, AK 99501 PHONE: 868-1850

(2) NAME: Bruce Gagnon - Atkinson, Conway & Gagnon  
ADDRESS: 420 L Street, Suite 500  
CITY/STATE/ZIP: Anchorage, AK 99501 PHONE: 276-1700

(3) NAME: Ray Brown/Mauri Long - Dillon & Findley  
ADDRESS: 510 L Street, Suite 603  
CITY/STATE/ZIP: Anchorage, AK 99501 PHONE: 277-5400

\* **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. The applicant should not request a copy of the letter from the reference.

**REFERENCES (continued)**

(c) List the names, addresses and phone numbers of attorneys 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.)*

**1**

**Case Name:** Wm. David Geest, et al.  
v. Jyme Schafer, MD

**Case Number:** 3AN-01-8814 CI  
**Judge Name:** Sen K. Tan

**Attorneys Involved:**

Name: George Kapolchok, Esq.  
Address: 1215 W. 8th Avenue  
Anchorage, AK 99501

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

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

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

**2**

**Case Name:** Tanya Thompson  
v. Anchorage Parking Authority

**Case Number:** 3AN-00-4462 CI  
**Judge Name:** John Reese

**Attorneys Involved:**

Name: Cris Rogers/David Houston  
Address: 517 W. Northern Lights Blvd.  
Anchorage, AK 99503

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

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

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

**3**

**Case Name:** \_\_\_\_\_  
v. \_\_\_\_\_

**Case Number:** \_\_\_\_\_  
**Judge Name:** \_\_\_\_\_

**Attorneys Involved:**

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

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

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

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

**REFERENCES (continued)**

(d) List the names, addresses and phone numbers of attorneys 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.)

**1** Case Name: Scott Yaskell  
v. Michael Singaas, MD

Case Number: 3AN-01-5400 CI  
Judge Name: Sen K. Tan

**Attorneys Involved:**

Name: George Kapolchok, Esq.  
Address: 1215 W. 8th Avenue  
Anchorage, AK 99501

Name: Howard A. Lazar, Esq.  
Address: 1007 W Third Ave., Suite 400  
Anchorage, AK 99501

Name: Roger F. Holmes, Esq.  
Address: 3948 Clay Products Drive  
Anchorage, AK 99517

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

**2** Case Name: Traci Colton, et al.  
v. Robert J. Klem, M.D.

Case Number: 1SI-00-153 CI  
Judge Name: Larry C. Zervos

**Attorneys Involved:**

Name: Donovan Flora, Esq.  
Address: 701 5th Avenue, Ste. 7200  
Seattle, WA 98104-7016

Name: Vance A. Sanders, Esq.  
Address: PMB 457, 617 Willoughby Ave.  
Juneau, AK 99801

Name: Howard A. Lazar, Esq.  
Address: 1007 W Third Ave., Suite 400  
Anchorage, AK 99501

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

**3** Case Name: Nicolette Pastos  
v. Assets, Inc.

Case Number: 3AN-01-10143 CI  
Judge Name: Mark Rindner

**Attorneys Involved:**

Name: Charles W. Ray, Esq.  
Address: 711 H Street, Suite 310  
Anchorage, AK 99501

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

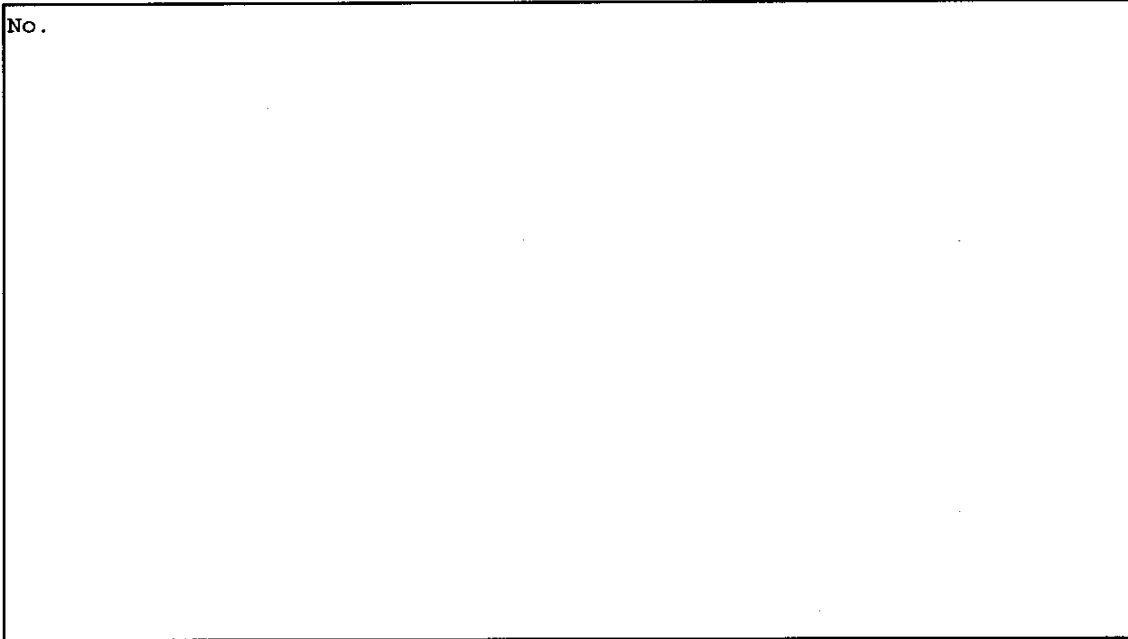
Name: Venable Vermont, Jr., Esq.  
Address: 1031 W 4th Ave., Suite 200  
Anchorage, AK 99501

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

**WRITING SAMPLE**

23. Attach as Appendix A 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. **Please do not submit longer writing samples.** Make sure the sample contains sufficient facts to make it understandable. Please do not submit coauthored writing samples.
24. 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? Have formal grievance procedures been brought against you? 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? In each case, state in detail the circumstances and the outcome.

No.



**ADDITIONAL COMMENTS (Non-Confidential)**

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

This is my second application for consideration by the Judicial Council and the Governor for nomination and appointment to the position of Superior Court Judge in Anchorage. In my prior application dated July 5, 2002, I explained, and I now reaffirm, that I place very high value on conducting myself in accordance with, and encouraging in others, the highest standards of professionalism and ethical conduct in my law practice (and indeed, in all aspects of my life), and that I would continue to adhere to and promote those standards as a Superior Court Judge. Encompassed within this broad affirmation is a commitment to always treat professional colleagues, the Court, and the public with consideration, respect, and integrity, understanding that we are professionals and representatives of a noble system of justice, and not simply competitors in the business of law.

After I applied for the 2002 judgeship, I received an enormous number of calls and visits from attorneys, judges, and others encouraging me in my decision to apply to serve as Superior Court Judge. I was extremely gratified and humbled by the outpouring of support, with the results of the 2002 bar poll, and with the Judicial Councils' nomination of my name to the previous Governor. Many of the comments I received complimented my practice in dealing with all involved, even under adversarial circumstances, in a manner that promotes courtesy, respect, cooperation, and trust. I again pledge to make every effort to bring these qualities and aspirations to all that I would be called to do as a Superior Court Judge. By modeling these characteristics and encouraging their practice by all who appear before the Court, I would hope to see a positive turn in the public's perception of and respect for the Court and our justice system.

I would like to emphasize the importance of bringing real world litigation, trial, business, and counseling experience to the bench. I would hope to bring and apply a broad and deep base of experience to my service as a judge. I would always seek to make decisions with consideration of high respect for the rule of law, and with a commitment to principles of reason and justice. Of equal importance, I would work hard, make timely decisions, and hope to be a model of prudence and common sense on the bench.

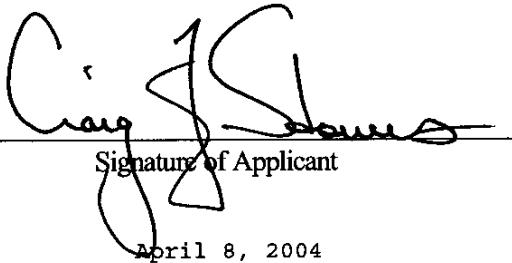
I have a particular interest and aptitude for mediation and other forms of alternative dispute resolution, which I would hope to apply and develop as a judge. I would want to encourage parties to consider availing themselves of ADR earlier in the litigation process.

If I am privileged again to be favorably considered for nomination and appointment as Superior Court Judge, I promise to adhere to the highest standards of conduct, and to give the best of my abilities and efforts to insure that parties, counsel, and the public receive fairness and timely justice in their experience with the justice system of Alaska.

**CERTIFICATION AND WAIVER**

I hereby certify that, to the best of my knowledge, the information provided on this application is true and complete; and that I am a citizen of the United States and of the State, and am licensed to practice law in Alaska (Ak. Const. Art IV; § 4).

I waive any privilege of confidentiality I may have with respect to information concerning my qualifications for judicial office that the Judicial Council may desire to obtain. I specifically authorize the Council to obtain and examine my personnel files from current and past employers, including all files maintained by the Alaska Court System, and to obtain information, records and documents regarding me from any credit reporting agency, any law enforcement agency, any bar association, any occupational licensing board, any educational institution, and any disciplinary body, including specifically the Alaska Bar Association and the Alaska Judicial Conduct Commission. I further authorize these institutions, organizations, and individuals, and any other institutions, organizations and individuals to make available to the Council all confidential and non-confidential documents, records and information concerning me that the Council may request.



Signature of Applicant

Craig F. Stowers

Typed Name

April 8, 2004

Date

Subscribed and sworn to before me this 8<sup>th</sup> day of April, 2004.



Notary Public, State of Alaska

My Commission expires: 3-13-05

