

**ALASKA STATE LEGISLATURE  
HOUSE JUDICIARY STANDING COMMITTEE**

March 5, 2007

1:05 p.m.

**MEMBERS PRESENT**

Representative Nancy Dahlstrom, Vice Chair  
Representative John Coghill  
Representative Bob Lynn  
Representative Max Gruenberg

**MEMBERS ABSENT**

Representative Jay Ramras, Chair  
Representative Ralph Samuels  
Representative Lindsey Holmes

**COMMITTEE CALENDAR**

CONFIRMATION HEARING(S)

Board of Governors of the Alaska Bar

Donald McLean, D.D.S. - Wasilla

- CONFIRMATION(S) ADVANCED

Commission on Judicial Conduct

Henry K. Novak - Kenai

- CONFIRMATION(S) ADVANCED

Alaska Judicial Council

Charles M. Kopp - Kenai

- CONFIRMATION(S) ADVANCED

Violent Crimes Compensation Board

Gerad G. Godfrey - Eagle River

- CONFIRMATION(S) ADVANCED

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

DONALD McLEAN, D.D.S., Appointee  
to the Board of Governors of the Alaska Bar  
Wasilla, Alaska

POSITION STATEMENT: Testified as appointee to the Board of  
Governors of the Alaska Bar.

HENRY K. NOVAK, Appointee  
to the Commission on Judicial Conduct (CJC)  
Kenai, Alaska

POSITION STATEMENT: Testified as appointee to the Commission on  
Judicial Conduct (CJC).

CHARLES M. KOPP, Appointee  
to the Alaska Judicial Council (AJC)  
Kenai, Alaska

POSITION STATEMENT: Testified as appointee to the Alaska  
Judicial Council (AJC).

GERAD G. GODFREY, Appointee  
to the Violent Crimes Compensation Board (VCCB)  
Eagle River, Alaska

POSITION STATEMENT: Testified as appointee to the Violent  
Crimes Compensation Board (VCCB).

**ACTION NARRATIVE**

**VICE CHAIR NANCY DAHLSTROM** called the House Judiciary Standing  
Committee meeting to order at [1:05:55 PM](#). Representatives  
Gruenberg, Dahlstrom, Coghill, and Lynn were present at the call  
to order.

CONFIRMATION HEARING(S)

Board of Governors of the Alaska Bar

[1:06:10 PM](#)

VICE CHAIR DAHLSTROM announced that the committee would first  
consider the appointment of Donald McLean, D.D.S., to the Board  
of Governors of the Alaska Bar.

[1:07:22 PM](#)

DONALD McLEAN, D.D.S., Appointee to the Board of Governors of the Alaska Bar, relayed that he is a long-standing member of the community and has been a practicing dentist in Alaska for 29 years, and mentioned that he has been attending a long-distance legal education program in order to obtain an executive juris doctorate degree. He said he would like to put some of his knowledge, experience, and effort towards serving the state. In response to questions, he said he would not be sitting for the Alaska bar exam once he obtains the aforementioned degree.

[1:12:33 PM](#)

REPRESENTATIVE COGHILL made a motion to advance from committee the nomination of Donald McLean, D.D.S., as appointee to the Board of Governors of the Alaska Bar. There being no objection, the confirmation was advanced from the House Judiciary Standing Committee.

Commission on Judicial Conduct

[1:13:10 PM](#)

VICE CHAIR DAHLSTROM announced that the committee would next consider the appointment of Henry K. Novak to the Commission on Judicial Conduct (CJC).

[1:13:52 PM](#)

HENRY K. NOVAK, Appointee to the Commission on Judicial Conduct (CJC), relayed that he's always had an interest in the field of law and now runs a drug and alcohol treatment program that serves the communities of Kenai and Homer. He said he has had a lot of contact with the legal profession and is very familiar with concepts of confidentiality and ethics. He offered his belief that he would be an asset to the CJC. In response to comments and questions, he said he would do his best to ensure that the CJC maintains an ethical process.

[1:19:57 PM](#)

REPRESENTATIVE LYNN made a motion to advance from committee the nomination of Henry K. Novak to the Commission on Judicial Conduct. There being no objection, the confirmation was advanced from the House Judiciary Standing Committee.

Alaska Judicial Council

1:20:41 PM

VICE CHAIR DAHLSTROM announced that the committee would next consider the appointment of Charles M. Kopp to the Alaska Judicial Council (AJC).

1:21:23 PM

CHARLES M. KOPP, Appointee to the Alaska Judicial Council (AJC), recounted his educational history, and said that as police chief of the Kenai Police Department (KPD), he's been working closely with the judiciary and is familiar with and has an interest in all of the issues the AJC deals with. In response to questions, he said that with regard to appointments to the Alaska Supreme Court, for example, he would be looking for candidates that have integrity, are fair, and have [a suitable] judicial temperament and experience. He acknowledged that how the judiciary interprets the law has lately become a matter of public discussion, but said that he is confident that the AJC, as a group, will choose judicial candidates wisely. He said he is pleased with how the AJC has been set up and with the information the AJC has made available on its web site regarding the criteria that judicial applicants must meet.

MR. KOPP, in response to comments and questions, relayed that he would keep an open mind and give all judicial candidates an equal and fair hearing. He suggested that his resume illustrates that he is committed to the good of Alaskans, and said he sees his service on the AJC as being critical for the greater public good. He went on to say that the most important traits for a judge to have are a sense of fairness and an ability to communicate well, which, he acknowledged, also includes the ability to listen. In response to further comments, he indicated that his experience as a member of the Alaska Police Standards Council (APSC), as a police officer, and as acting city manager will stand him in good stead as a member of the AJC.

1:41:37 PM

REPRESENTATIVE LYNN made a motion to advance from committee the nomination of Charles M. Kopp to the Alaska Judicial Council. There being no objection, the confirmation was advanced from the House Judiciary Standing Committee.

Violent Crimes Compensation Board

1:42:37 PM

VICE CHAIR DAHLSTROM announced that the committee would last consider the reappointment of Gerad G. Godfrey to the Violent Crimes Compensation Board (VCCB).

1:44:11 PM

GERAD G. GODFREY, Appointee to the Violent Crimes Compensation Board (VCCB), relayed that he has served on the VCCB for four years, and that at the time he started his service, the VCCB was functioning at a bare minimum and there was a lot that needed to be done with regard to streamlining certain processes and establishing a comprehensive approach to the tasks set before it. He mentioned that of those seeking assistance from the VCCB, rural Alaskans are overrepresented as a population. To address this issue, the VCCB developed a three-year plan and has established a relationship with a sub agency of the U.S. Department of Justice (DOA). However, there is still a lot that needs to be done which would enable the VCCB to function more efficiently.

MR. GODFREY mentioned that he is anticipating that the VCCB will be dealing with over 1,000 claims a year. In one sense, this is a positive thing because it illustrates that the VCCB is doing its job, but it is also discouraging because it illustrates that there are a lot of victims of violent crime in the state. He mentioned that the court system, law enforcement entities, and healthcare providers are required by law to inform victims of violent crimes about the existence of the VCCB. The VCCB is an extremely motivated board, and will be focusing efforts to encourage religious entities to also disseminate information about the VCCB to those that may need it.

MR. GODFREY opined that the current VCCB board is in the process of setting a new standard for future boards to follow, and said that his hope is to be able to continue to serve so as to be able to "finish what we started." In response to questions, he relayed that when the VCCB receives funds from the state, primarily from garnished permanent fund dividends (PFDs), the federal government matches those funds at a rate of sixty cents on the dollar; that the VCCB's typical annual budget runs between \$1.5 million and \$2 million; and that most grants the VCCB applies for can probably be taken care of in-house. He mentioned that [there is] a problem in that the Council on Domestic Violence and Sexual Assault (CDVSA) is refusing to

submit grants for various victim advocacy programs, and relayed that he will be investigating that issue further and hopes that it can be resolved.

MR. GODFREY mentioned that the VCCB had requested an intern, both last year and this year, to compile the VCCB's statistical information for the benefit of the VCCB and the legislature. In response to a question, he indicated that it might be helpful if driving under the influence (DUI) crimes could be added to the statutory list of compensable crimes; the current board does compensate victims of such crimes, but future boards may decide not to.

[1:58:47 PM](#)

REPRESENTATIVE COGHILL made a motion to advance from committee the nomination of Gerad G. Godfrey to the Violent Crimes Compensation Board. There being no objection, the confirmation was advanced from the House Judiciary Standing Committee.

#### **ADJOURNMENT**

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at 1:59 p.m.