

IN THE SUPREME COURT FOR THE STATE OF ALASKA

In the matter of the proceeding pursuant to  
A.S.22.30.011(a) in relation to:

VANESSA WHITE,

JUDGE (retired) of the Superior Court Third  
Judicial District at Palmer, Alaska

ACJC File No. 2019-002

Supreme Court No. S-17700

RECOMMENDATION TO ACCEPT AGREED FINDINGS OF FACT AND  
UNCONTESTED PUBLIC REPRIMAND

Procedures before the Commission

This matter was brought to the attention of the Alaska Commission on Judicial Conduct ("Commission") as part of a written complaint in February 2019. Staff began an investigation that resulted in a Notice of Formal Investigation to the judge, pursuant to Commission Rule of Procedure Rule 8A, on April 16, 2019. At its regular meeting on September 27, 2019 the Commission determined that it would hold a Probable Cause Hearing. The Probable Cause Hearing in this matter was held on November 21, 2019. At the conclusion of the Probable Cause Hearing, the Commission issued Formal Charges by a vote of 7 to 2. The attached Agreed Findings of Fact and Uncontested Recommendation for Discipline was presented

to the Commission at its public hearing, held as part of its regularly scheduled meeting, on January 10, 2020. At the conclusion of deliberations, the Commission unanimously voted to accept the Agreed Findings of Fact and Uncontested Recommendation for Discipline and recommend a public reprimand by the Alaska Supreme Court under Rule 406 of the Rules of Appellate Procedure.

SUBMITTED by the COMMISSION ON JUDICIAL CONDUCT, through its Executive Director, this 27<sup>th</sup> day of January 2020.



Marla N. Greenstein (Bar No. 9708048)  
Executive Director  
Commission on Judicial Conduct

Alaska Commission on Judicial Conduct  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
(907) 272-1033  
FAX (907) 272-9309

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding pursuant to  
A.S.22.30.011(a) in relation to:

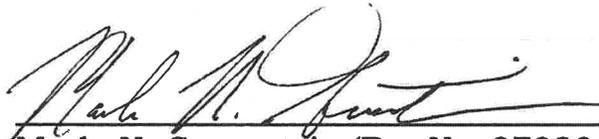
VANESSA WHITE,

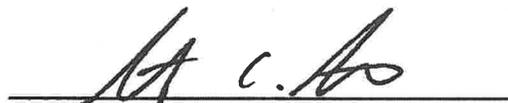
JUDGE (retired) of the Superior Court  
Third Judicial District at Palmer, Alaska

ACJC File No. 2019-002

**AGREED FINDINGS OF FACT AND UNCONTESTED  
RECOMMENDATION FOR DISCIPLINE**

The Alaska Commission on Judicial Conduct and Judge Vanessa White agree to the attached Findings of Fact. Judge White does not contest the Commission recommendation to the Alaska Supreme Court that Judge White receive a Public Reprimand for the conduct. *Approved by unanimous vote of the Alaska Commission on Judicial Conduct January 10, 2020.*

  
\_\_\_\_\_ for the Commission  
Marla N. Greenstein (Bar No. 9708048)  
Executive Director  
Commission on Judicial Conduct

  
\_\_\_\_\_ for Judge Vanessa White  
Stacey C. Stone (Bar No. 1005030)  
Holmes, Weddle & Barcott, PC

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding pursuant to  
A.S.22.30.011(a) in relation to:

VANESSA WHITE,

JUDGE (retired) of the Superior Court  
Third Judicial District at Palmer, Alaska

ACJC File No. 2019-002

FINDINGS OF FACT

The Alaska Commission on Judicial Conduct and Judge Vanessa White agree to the following findings of fact with regard to the above-referenced matter:

1. Judge Vanessa White was appointed to the bench on November 17, 2006 by Governor Frank Murkowski.
2. Judge White stood for retention in 2010, and again in 2016, and she received a favorable vote from the citizens of the State of Alaska during both elections.
3. Judge White retired from the bench in 2019 but has continued to serve in a pro tem capacity.
4. On or about January 29, 2018, Judge White held a status hearing in *Schaeffer-Mathis v. Mathis*, Case No. 3PA-11-02658CI. This matter was on remand from the Alaska Supreme Court.
5. At the subject status hearing, Judge White, with input from the parties, set a schedule for additional briefing on the student loan issue presented in the matter. The

FINDINGS OF FACT

parties agreed that a decision could be issued upon completion of the briefing and no further hearings were necessary.

6. The parties completed briefing on March 29, 2018, and thus, the matter became ripe for decision. On that date, after the clerk's office docketed Plaintiff's reply brief, the file was sent to Judge White's chambers. The file remained in chambers until February 7, 2019.

7. On or about October 11, 2018, the plaintiff filed a request for ruling. Due to a belief that the request pertained to a student loan dispute in a different case pending before her, Judge White believed that she had ample time to issue a ruling and instructed her judicial assistant to add the request to the file. She did not personally review the request.

8. On January 30, 2019, the plaintiff filed a second request for ruling. This second request triggered action by the judge, and the order was issued on February 7, 2019.

9. From October 1, 2018 through the action following the second request for ruling, Judge White signed seven pay affidavits indicating that to the best of her knowledge and belief, there was no matter referred to her which had been undecided for a period of six months or longer.

10. Prior to completing any pay affidavit throughout the course of her career, Judge White reviewed what is referred to as an under advisement report. This report is provided to Judge White by her assistant and created by the State's case management software. The underlying matter on remand, which is the subject of the Commission's

complaint, never appeared on Judge White's under advisement report due to an issue with the court's case management system.

11. Judge White previously experienced an issue with an outstanding ruling on a prior matter in which a case was remanded and, similar to the instant matter, the pending issue on remand did not appear on her under advisement report. In that instance, she contacted the Commission for guidance and was advised that the Commission was aware an issue existed with matters that were remanded. She was advised to correct the outstanding matter as soon as possible.

12. In the instant matter, Judge White took action to correct the outstanding matter following the second request for ruling, but did not report the issue to the Commission or any other entity.

13. Given the agreed-upon briefing schedule in the underlying court case, the failure to act on the October 11, 2018 Request for Ruling, and that the judge did not act on the matter until a Second Request for Ruling was filed, Judge White failed to dispose of the matter in a prompt and efficient manner in violation of the Alaska Code of Judicial Conduct 3B(8), which conduct stands to prejudice the administration of justice and may undermine the public's confidence in the integrity of the judiciary in violation of Alaska Code of Judicial Conduct Canons 1 and 2A.

IN THE SUPREME COURT FOR THE STATE OF ALASKA

In the matter of the proceeding pursuant to  
A.S.22.30.011(a) in relation to:

VANESSA WHITE,

JUDGE (retired) of the Superior Court  
Third Judicial District at Palmer, Alaska

ACJC File No. 2019-002

Supreme Court No. S-17700

Designation of Record

Attached are the materials relied on by the Commission on  
Judicial Conduct in making its recommendation. The materials  
include: Notice of Investigation April 16, 2019 with attachments,  
Judge White Affidavit, Palmer Clerk of Court Affidavit, Judicial  
Assistant Affidavit, and the formal charges issued on December  
12, 2019.

SUBMITTED by the COMMISSION ON JUDICIAL CONDUCT,  
through its Executive Director, this 27<sup>th</sup> day of January 2020.



Marla N. Greenstein (Bar No. 9708048)  
Executive Director  
Commission on Judicial Conduct

**RETURN**

I served the above on Judge's Counsel Stacey C. Stone on the 27th day of January 2020, by mail.

<u>Aleta K D Bartimmo</u>	<u>Administrative Assistant</u>	<u>Aleta Bartimmo</u>
Signature	Title	Name

Alaska Commission on Judicial Conduct  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
(907) 272-1033  
FAX (907) 272-9309

# Notice of Investigation

April 16, 2019



# Alaska Commission on Judicial Conduct

510 L Street, Suite 585, Anchorage, Alaska 99501-1959  
(907) 272-1033 In Alaska 800-478-1033 FAX (907) 272-9309

Marla N. Greenstein  
Executive Director  
E-Mail: [mgreenstein@acjc.state.ak.us](mailto:mgreenstein@acjc.state.ak.us)

**CONFIDENTIAL**

April 16, 2019

Honorable Vanessa White  
Superior Court Judge  
435 South Denali Street  
Palmer, Alaska 99645

**Re: Complaint #2019-002**

Dear Judge White:

The Alaska Commission on Judicial Conduct will consider a complaint that may require action by the Commission. In 3 PA-11-02658CI the matter was ripe for decision on March 28, 2018. On October 5, 2018 attorney for the plaintiff filed a request for ruling. On January 28, 2019 the attorney filed a second request for ruling and you issued a ruling on February 7, 2019. Throughout this time frame you consistently received pay, implying that you filed signed pay affidavits stating that you had no matter under advisement for more than 6 months. Those pay affidavits would all be inaccurate.

Commission Rule 8A requires that you be provided notice of any investigation where the complaint is not dismissed at the conclusion of the staff investigation. This letter will serve as that notice. This notice is sent to enable you to provide any additional information that you believe is relevant to the Commission's concerns. You may also wish to appear at the Commission's next meeting, Friday, June 7<sup>th</sup>.

You may provide written comments or other materials to the Commission for its consideration prior to the meeting. There is a range of possible outcomes in this matter from dismissal, to informal and private admonishment, recommendation for counseling, or to proceed to a probable cause determination.

If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Marla N. Greenstein".

Marla N. Greenstein  
Executive Director

Encl: Oct 5, 2018 Request for Ruling & January 28, 2019 Second Request for Ruling

IN THE SUPERIOR COURT OF THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT PALMER

JACQUALINE SCHAEFFER, )  
 F/N/A: JACQUALINE SCHAEFFER-MATHIS )  
 Plaintiff )  
 vs. )  
 )  
 LINUS A.MATHIS, IV )  
 Defendant )

3PA-11-02658CI

**REQUEST FOR RULING**

Plaintiff, Jacqueline Schaeffer, respectfully requests a ruling on the issue of student loans. More than 6 Months have elapsed since the final pleading (Plaintiff's Reply Brief) was filed March 28th, 2018.

Dated this 5 day of October, 2018

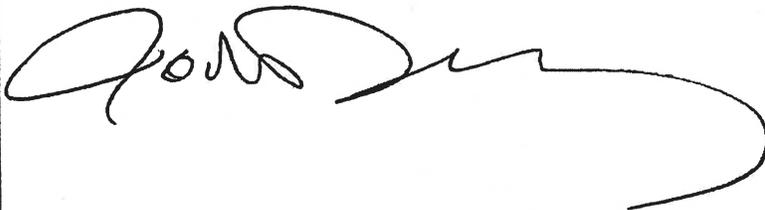
OTTERSON LAW & MEDIATION, P.C.

  
 J. Stefan Otterson, Bar #8811198  
 Counsel for the Plaintiff

**CERTIFICATE OF SERVICE**

**Jodie Dominguez**

I certify that I mailed via U.S. Post Office a true and exact copy of the foregoing this 5 day of OCTOBER, 2018 to:  
Darryl Jones  
226 W. Evergreen Ave.



*Schaeffer-Mathis v. Mathis*

Page 1 of 1

REQUEST FOR RULING

3PA-11-02658CI

OTTERSON LAW & MEDIATION, P.C.  
 425 G Street, Suite 714  
 Anchorage, AK 99501  
 (907)868-5050 Fax: (907)868-5060

IN THE SUPERIOR COURT OF THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT PALMER

JACQUALINE SCHAEFFER, )  
 F/N/A: JACQUALINE SCHAEFFER-MATHIS )  
 Plaintiff )  
 vs. )  
 )  
 LINUS A.MATHIS, IV )  
 Defendant )

3PA-11-02658CI

**SECOND REQUEST FOR RULING**

Plaintiff, Jacqueline Schaeffer, respectfully requests a ruling on the issue of student loans, which was remanded to this court on October 27, 2017. Ten (10) Months have elapsed since the final pleading (Plaintiff's Reply Brief) was filed March 28th, 2018.

Dated this 28 day of January, 2019

OTTERSON LAW & MEDIATION, P.C.

  
 J. Stefan Otterson, Bar #8811198  
 Counsel for the Plaintiff

**CERTIFICATE OF SERVICE**

Jodie Dominguez

I certify that I mailed via U.S. Post Office a true and exact copy of the foregoing this 29 day of January 2019 to:

Darryl Jones  
 226 W. Evergreen Ave.  
 Palmer, AK 99645

By:   
 Tiffany Brookner

OTTERSON LAW & MEDIATION, P.C.  
 425 G Street, Suite 714  
 Anchorage, AK 99501  
 (907)868-5950 Fax: (907)868-5060

Judge White  
Affidavit



report contains a listing of each pending matter under my advisement and provides the date for which such will fall outside of the six-month period referenced in the pay affidavit.

6. With regard to the matter referenced in the Complaint, I first learned of a potential issue when my assistant brought the second request for ruling to my attention (which is attached to the Complaint as an exhibit).

7. The initial request for ruling (also attached to the Complaint as an exhibit) did not trigger any type of response, as in my experience attorneys routinely file requests for ruling regardless of timing. The filing of a request for ruling does not result in a matter that was not previously tickled on my under advisement report then being included on that report.

8. The underlying matter on remand which is the subject of the Commission's complaint never appeared on my under advisement report. It is my understanding the reason it did not appear is a result of the fact that the matter was before me on remand. The docketing protocol for remand orders does not routinely result in the matter appearing on the under advisement report.

9. After receiving the second request for ruling, my chambers took immediate steps to address the request, because, while requests for ruling are routinely filed, a second request is not common.

10. Upon review, I determined that the matter referenced in the second request for ruling was ripe for decision on March 28, 2018, and it had been longer than

six months that the issue was under my advisement. Therefore, I drafted an order on the matter without delay.

11. Only when I completed drafting my order, did I execute my last day of January 2019 pay affidavit, as to the best of my knowledge and belief there were no matters under my advisement that were pending for a period of more than six months.

12. I previously experienced an issue with an outstanding ruling on a prior matter in which a case was remanded and, like in the instant matter, the pending issue on remand did not appear on my under advisement report. In that instance, I contacted the Commission to self-report the issue and was advised by Ms. Greenstein that the Commission was aware an issue existed with matters that were remanded. Her recommendation was that I correct the outstanding matter as soon as possible.

13. Given my prior experience with this remand and docketing issue, and based on my knowledge that the Commission was aware of the issue, I took steps to issue a ruling on the outstanding motion in 3PA-11-02658CI without delay.

14. I take very seriously the need to execute accurate pay affidavits, and in the course of my career, have on multiple occasions delayed executing the same when I have determined that a matter has been under my advisement for a period of longer than six months.

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FURTHER YOUR AFFIANT SAYETH NAUGHT.

Vanessa White  
Vanessa White

SUBSCRIBED AND SWORN TO before me this 4<sup>th</sup> day of  
June, 2019, at Anchorage, Alaska

Shal A. [Signature]  
Notary Public in and for the State of Alaska  
My Commission Expires: November 19, 2019



Palmer Clerk of Court  
Affidavit

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT PALMER

Jacqueline D. Schaeffer-Mathis,  
Plaintiff,

vs.

Linus A. Mathis IV,  
Defendant.

CASE NO: 3PA-11-02658CI

**AFFIDAVIT OF CLERK**

STATE OF ALASKA                    )  
  )ss.  
THIRD JUDICIAL DISTRICT        )

JAMES H. KWON, being duly sworn upon oath, deposes and states:

1. I am the Clerk of Court in Palmer, Alaska, and I have knowledge of the matters set forth herein with respect to the above matter.
2. I have reviewed the original, physical case record and the electronic records for case captioned.
3. This affidavit shall serve as a synopsis of the log of clerical events upon issuance of an opinion in Supreme Court case no. S-15936. This log covers the dates between 10/17/2017 to 2/7/2019:
  - a. Receipt of the 'Return of Jurisdiction' filed on 12/8/2017.
  - b. 12/7/2017 – Notice Return of Jurisdiction is received.
  - c. 1/9/2018 - Case processed and routed to judicial chambers of Judge Vanessa H. White.
  - d. 1/10/2018 – Chambers issues 'Order Upon Conclusion of Appeal in Civil Case' based on remand and reversal in part. Court sets a status hearing on 1/29/2018.
  - e. 1/18/2018 – File returned to file room.
  - f. 1/22/2018 – File pulled and routed to judicial chambers.
  - g. 1/29/2018 – Status Hearing held in Courtroom 6.
    - i. Court orders and sets briefing deadlines for plaintiff and defense counsel.
    - ii. Plaintiff
  - h. 2/2/2018 – File returned to shelf.
  - i. 2/28/2018 – Non-opposed motion docketed by clerk's office and routed to chambers.
  - j. 3/1/2018 – Order granting non-opposed motion docketed and returned to file room.
  - k. 3/5/2018 – Plaintiff's Brief filed and docketed. Brief routed to chambers.

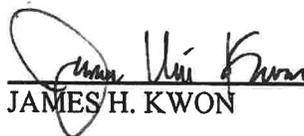
- l. 3/20/2018 – File routed to clerk’s office for docketing of Defendant’s Reply Brief.
  - m. 3/21/2018 – File returned to shelf awaiting Plaintiff’s Reply Brief.
  - n. 3/29/2018 – File routed to clerk’s office to docket filed Plaintiff’s Reply Brief. All briefs ordered at hearing on 1/29/18 confirmed and file routed to chambers.
  - o. 3/29/2018 – 2/7/2019 – File remained in judicial chambers.
  - p. 10/11/2018 - Plaintiff files Request for Ruling, court supervisor docket request and routes to chambers since file has remained in chambers. Generally, Request for Ruling docket entries require linking to a motion in CourtView, the court’s record on 1/29/18 indicates that no motions were outstanding in case record after remand. Docket is entered without link to any motion prior to routing to chambers.
  - q. 1/30/2019 – Plaintiff’s Second Request for Ruling filed, court supervisor docket request and routes to chambers since file has remained in chambers. Generally, Request for Ruling docket entries require linking to a motion in CourtView, the court’s record on 1/29/18 indicates that no motions were outstanding in case record after remand. Docket is entered without link to any motion prior to routing to chambers.
  - r. 2/7/2019 – Chambers staff docket ‘Supplemental Findings and Conclusions Upon Remand’ and file is routed to clerk’s office.
  - s. 2/7/2019 – Civil supervisor enters ‘Order After Remand from Appellate Court’ docket in record.
  - t. 2/13/2019 – File returned to case file room.
4. Based on the thorough review of the case by my office, I have determined the following:
- a. According to the hearing record and minute order issued on 1/29/2018, the court’s instruction as to how the Supreme Court’s remand and reversal in part was to be recorded in the court’s case management system may have been unclear.
  - b. Chambers support staff did not enter the proper case management codes into the system to ensure that the case would populate on a judicial under advisement report. This may have been a result of ambiguity of how the court was to treat the remanded case record.
  - c. As a result of the record, the entry of plaintiff and defendant’s briefs were entered into the case management system as informational docket codes without tracking. Without the correct tracking codes entered into the case management system, the briefs would not have populated on a judicial advisement report for review.
  - d. My review also uncovered an error in regards to the date of service listed for the initial filing of the Plaintiff’s Brief from 3/5/2018, which should

have been returned as a deficiency through the clerk's office. The date of service was 2 months ahead of the actual date of filing and listed as served on 5/5/2018.

5. In conclusion, all court chambers rely heavily on a case management report called the 'Judge's Under Advisement' report. In my time overseeing operations at the Palmer Court, it was apparent that the judicial officer presiding over this matter, Vanessa White, has established a consistent history of maintaining her reports in a timely and efficient manner. Due to the various factors outlined in this affidavit, the judicial officer may not have been aware that this matter was due for a decision or order.

FURTHER AFFIANT SAYETH NAUGHT.

DATED this 19<sup>th</sup> day of SEPTEMBER, 2019.

  
JAMES H. KWON

SUBSCRIBED AND SWORN to or AFFIRMED before me at Palmer, Alaska  
this 19 day of September, 2019.



  
Clerk of Court, Notary Public, or other persons  
authorized to administer oaths.  
My commission expires: w/o

# Judicial Assistant Affidavit

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT PALMER

Jacqueline D. Schaeffer-Mathis  
Plaintiff,

vs,

Linus A. Mathis IV,  
Defendant,

CASE NO: 3PA-11-2658 CI

AFFIDAVIT OF JUDICIAL  
ASSISTANT

STATE OF ALASKA            )  
  )ss.  
THIRD JUDICIAL DISTRICT )

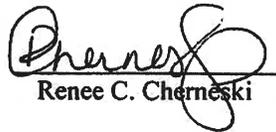
I, Renee Cherneski, being duly sworn upon oath, depose and states:

1. I was the Judicial Assistant for Judge Vanessa H. White from December 2014 to April 2019.
2. I have personal knowledge pertaining to the above-captioned case.
3. On or about January 9, 2018, chambers received the Supreme Court Order remanding the case and returning the jurisdiction to the Superior Court.
4. On January 10, 2018, Judge White issued the "Order Upon Conclusion of Appeal" and set a status hearing for January 29, 2018.
5. At the January 29, 2018 status hearing, Judge White set briefing deadlines for the parties.
6. Between March 5, 2018 and March 29, 2018, parties filed briefing. The issue was ripe for ruling on March 29, 2018.
7. At that time, while I was aware of the six-month deadline for rulings on regular motion practice, I was unaware that the same rule applied to remands from the Appellate Courts.
8. From March 29, 2018 to February 7, 2019 the file remained in Chambers, on Judge White's desk.
9. From March 29, 2018 to October 11, 2018, I intermittently spoke with Judge White about the file and its deadlines.
10. On October 11, 2018, the Plaintiff filed First Request for Ruling.
11. Upon receipt of that Request, I spoke with Judge White about the deadlines in the file. Judge White assured me that there was still time to rule on the motion and that the deadline to rule had not passed, as she had requested additional briefings from the parties.

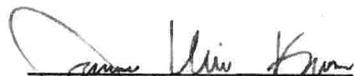
12. On January 30, 2019, the Plaintiff filed Second Request for Ruling.
13. Upon receipt of the Second Request, I spoke with Judge White again regarding deadlines and inquired as to the status of the written order. She again assured me that she had not surpassed the allotted time but would be working on the order.
14. Upon reviewing the file for this Affidavit, it became clear that Judge White had not in fact asked for additional briefing in this case. I believe that she had asked for additional briefing in a substantially similar case, based on conversations that we had after Plaintiff's Second Request for Ruling. I do not recall the case number for the similar case in which she had requested additional briefing.
15. From the time we received the remand from the Supreme Court and issued the order, we were aware that an order needed to be issued. I spoke with Judge White about the case on a fairly regular basis.
16. At no point in my conversations with Judge White did it appear that she believed she had exceeded the allotted time to issue an order.
17. On February 7, 2019, Judge White signed the "Order After Remand from Appellate Court".
18. The order was distributed on February 7, 2019.

FURTHER YOUR AFFIANT SAYETH NAUGHT

DATED at Palmer, Alaska, this 18<sup>th</sup> day of December, 2019.

  
Renee C. Cherneski

SUBSCRIBED AND SWORN to or AFFIRMED before me at Palmer, Alaska this 18<sup>th</sup> day of DECEMBER, 2019.

  
Clerk of Court, Notary Public, or other persons  
authorized to administer oaths.  
My commission expires: w/office



# Formal Charges

Issued: December 12, 2019

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding )  
pursuant to A.S. 22.30.011(a) in )  
relation to: )

VANESSA WHITE, )

Judge (retired) of the Superior Court,)  
THIRD Judicial District at )  
PALMER, Alaska )

**ACJC File No. 2019-002**

**To: Honorable Vanessa White  
c/o Stacey Stone  
Holmes, Weddle & Barcott, PC  
701 West 8<sup>th</sup> Avenue  
Anchorage, AK 99501**

**COMPLAINT**

The Alaska Commission on Judicial Conduct pursuant to Article IV, sec. 10 of the Constitution of the State of Alaska, AS 22.30.011, and Rule 11 of the Rules of the Alaska Commission on Judicial Conduct charges that Judge Vanessa White engaged in the following conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A and 3B(8) of the Alaska Code of Judicial Conduct.

- (1) On remand from the Alaska Supreme Court, Judge White held a status hearing in Schaeffer-Mathis v. Mathis 3PA-11-02658CI on January 29, 2018. At the conclusion of that hearing, the judge scheduled briefing with agreement of the

parties. The parties agreed an evidentiary hearing was not necessary and that Judge White could decide the remaining issue once briefing was completed. Briefing was completed and ready for decision on March 29, 2018. On that date the file was delivered to Judge White's chambers.

(2) On October 11, 2018 the Plaintiff filed a Request for Ruling, which stated that more than six months had elapsed since the date the matter was ready for ruling. That Request for Ruling was delivered to Judge White's chambers and was brought to her attention by her judicial assistant. However, Judge White did not read the Request for Ruling, review the file associated with the request, or make any effort to verify the assertion that six months had elapsed; but merely directed her judicial assistant to add it to the file. Judge White did not take any action in response to the Request for Ruling.

(3) On January 30, 2019 the Plaintiff filed a Second Request for Ruling in the matter. By this time the remanded issue had been pending for more than 10 months. This second request for ruling triggered action by the judge and the judge issued "Supplemental Findings and Conclusions Upon Remand" on February 7, 2019.

(4) From October 1, 2018 until the judge acted on the Second Request for Ruling, the judge signed approximately 7 pay affidavits stating that to the best of her knowledge and belief no matter currently referred to her for opinion or decision has been uncompleted or undecided for a period of more than six months.

(5) At no time did the judge take any action to report that her pay affidavits were inaccurate to the Alaska Commission on Judicial Conduct, the Clerk of Court, or any other administrative body; nor did the judge note the fact in the court file.

By signing pay affidavits that the judge should have known were not accurate, Judge White engaged in conduct that violates AS 22.30.011(a)(3)(C), (D), and (E) and Canons 1, 2A, 3B(8) of the Alaska Code of Judicial Conduct. The judge had notice first by her own briefing schedule, second by the delivery of the file to her office when the matter was ripe for decision, third by prompting from her judicial assistant, and fourth by the plaintiff's filing of the first Request for Ruling that action was likely required in the matter. The judge failed to dispose of this matter promptly and efficiently. By ignoring the Request for Ruling, either by mistake or by inattention, and by failing to acknowledge the inaccurate pay affidavits in a timely manner, the judge exhibited a disregard for the importance of prompt decision-making and her actions undermined the public's confidence in the integrity of the judiciary.

Commission Rule 11 (b) (4) (B) requires that a response be filed within twenty days.

Dated at Anchorage, Alaska this 12<sup>th</sup> day of December 2019.

ALASKA COMMISSION ON JUDICIAL CONDUCT

By: Erin B. Marston  
Honorable Erin Marston  
Chairperson

BY ORDER OF THE COMMISSION

Alaska Commission on Judicial Conduct  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
(907) 272-1033  
FAX (907) 272-9309

Alaska Commission on Judicial Conduct  
510 L Street, Suite 585  
Anchorage, Alaska 99501  
(907) 272-1033  
FAX (907) 272-9309

**RETURN**

I served the above Complaint constituting a statement of formal charges on Judge Vanessa White, the person to whom it is addressed, on the 12<sup>th</sup> day of December 2019, by certified mail to her attorney Stacey Stone.



Administrative Assistant

Aleta Bartimmo

Signature

Title

Name