

STATE OF ALASKA

COMMISSION ON JUDICIAL CONDUCT

In the matter of the proceeding)
pursuant to A.S. 22.30.011(a) in)
relation to:)
)
TIMOTHY D. DOOLEY,)
) **ACJC File No. 2016-009**
Judge of the Superior Court,)
SECOND Judicial District at)
NOME, Alaska)
_____)

**To: Timothy Dooley
c/o William Satterberg
709 4th Avenue
Fairbanks, AK 99701**

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, finds probable cause that Judge Timothy Dooley suffers from a disability that seriously interferes with the performance of judicial duties that is or may become permanent under AS 22.30.011(a)(2).

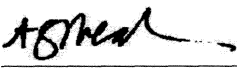
- (1) On January 26, 2016 Judge Dooley was medevaced from Nome to Anchorage suffering from a serious illness that has prevented him from serving as a judge since that date.
- (2) On June 10, 2016 Judge Dooley wrote to the Chief Justice requesting a petition to the Governor seeking medical retirement. On June 14, 2016 Chief Justice Stowers replied, acknowledging that he would write a letter to the Governor requesting the mandatory medical disability retirement as soon as he received a letter or other documentation from Judge Dooley's physicians explaining the nature of the medical disability and rehabilitation needs.
- (3) On June 28, 2016 Chief Justice Stowers wrote to Governor Walker requesting that the governor exercise his authority to place Nome Superior Court Judge Tim Dooley on mandatory retirement for medical disability and stating that Judge Dooley concurs with the request. A letter from Judge Dooley's treating physician accompanied that request.
- (4) On July 14, 2016 the Department of Law sent a legal memorandum to Governor Walker that concluded the statutes applicable to voluntary retirement for incapacity only apply to judges with 5 years of service pursuant to AS 22.25.010 (c), and that those judges who do not meet that requirement must go through the alternative procedure under AS 22.30.011 (d)(2) on recommendation of the Alaska Commission on Judicial Conduct.

(5) By letter dated August 22, 2016, Judge Dooley, through his attorney William R. Satterberg, requested that this Commission “qualify Judge Dooley for medical retirement”. The matter was set for the next regular Commission meeting on September 23, 2016.

(6) At its September 23, 2016 meeting, the Commission found probable cause based on Chief Justice Stowers’ letter to Governor Walker and the related materials. As Judge Dooley’s attorney requested expedited consideration of this matter, a formal hearing to determine medical disability was set for October 7, 2016 by teleconference.

Dated at Anchorage, Alaska this 28th day of September 2016.

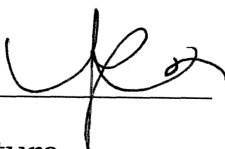
ALASKA COMMISSION ON JUDICIAL CONDUCT

By: 
Amy Gurton Mead
Chairperson

BY ORDER OF THE COMMISSION

RETURN

I served the above Complaint constituting a statement of probable cause for physical disability on Judge Timothy Dooley, the person to whom it is addressed, on the 18th day of September 2016, by fax and certified mail to his attorney William Satterberg.



Signature

Administrative Assistant
Title

Jessica Richter
Name