

MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

April 14, 2015

PRESENT: Justice Robert M. Brutinel, Acting Chair; Barry Aarons; Robert Dalager; Leonard Gilroy; Barbara Marshall; Steve Perica; Amanda Reeve; Ron Reinstein; Debra Stark; Don Vogel

ABSENT: Manny Bustamante; Bill Hughes; Donald Jarnagin; Tommy Richardson; Diane Rosztoczy

Justice Robert Brutinel, Acting Chair, called the meeting to order at 8:31 a.m.

Introductions

Justice Brutinel introduced himself and welcomed the Commission members and the public. He explained the purpose of the meeting is to interview for the positions created by the retirement of Judges Brian Ishikawa and Carey Snyder Hyatt.

Public Comment

Justice Brutinel asked for public comment on the candidates that will be interviewed for the Maricopa County vacancies. He reminded the speakers that they are limited to three minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Greg Garcia spoke on behalf of Stephen Hopkins and Aryeh Schwartz.
Joshua Carden spoke on behalf of Julie Ashworth LaFave.
DeDe Sandler spoke on behalf of Edward Johnson.
Ashley Kelly spoke on behalf of Edward Johnson.
C. Steven McMurry spoke on behalf of Gerald Williams.
Kate Frenzinger spoke on behalf Julie Ashworth LaFave.
Keith Berkshire spoke on behalf of Ronee Steiner.
Philip Hazlett spoke on behalf of Gerald Williams.

Approval of Minutes

Justice Brutinel asked if any member wished to submit changes or additions to the draft minutes of the April 1, 2015 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

Interview Questions

A motion to go to executive session for the purpose of selecting interview questions was made at 9:00 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:54 a.m.

Due Diligence Reports

Commission members delivered the due diligence reports for Kerstin LeMaire, Stephen Hopkins, Jeffrey Rueter, Julie Ashworth LaFave, Shellie Smith and Alison Bachus. Justice Brutinel asked that the rest of the reports be discussed after lunch.

Candidate Interviews

From 10:32 a.m. to 12:00 p.m. the Commission interviewed Kerstin LeMaire, Stephen Hopkins, Jeffrey Rueter, Julie Ashworth LaFave, Shellie Smith and Alison Bachus.

The Commission recessed for lunch at 12:00 p.m.

Justice Brutinel called the meeting back to order at 12:25 p.m.

Commission members delivered the due diligence reports for Edward Johnson, Laura Reckart, Edith Lucero, Gerald Williams, Steven Lynch, Ronee K. Steiner, Brian Kaiser, Theodore Campagnolo, Gregory Como and Aryeh Schwartz

Disqualifications and Disclosures

Justice Brutinel asked the Commission if there were additional disqualifications or disclosures since the screening meeting on April 1, 2015.

Barbara Marshall reminded the Commission that she is recused from voting on Laura Reckart.

Don Vogel disclosed that he is working on a case with Gregory Como.

Ron Reinstein disclosed that he saw Aryeh Schwartz at a social event and said hello.

Candidate Interviews

From 1:00 p.m. to 2:25 p.m. the Commission interviewed Edward Johnson, Laura Reckart, Edith Lucero, Gerald Williams and Steven Lynch

From 2:30 p.m. to 3:38 p.m. the Commission interviewed Ronee K. Steiner, Brian Kaiser, Theodore Campagnolo, Gregory Como and Aryeh Schwartz.

Discussion of Applicants and Interviews and Selection of Nominees

Justice Brutinel reminded the Commission of the constitutionally required balance of political affiliations among nominees. He explained he would only vote on a candidate in the event of a tie.

The Commission discussed the interviews and the qualifications of the candidates in alphabetical order. Justice Brutinel suggested that a non-binding straw vote would be helpful to focus discussion and determine if any strong consensus existed on the potential nomination list. The results of the straw vote were:

Julie Ashworth LaFave – 0

Alison Bachus – 8

Theodore Campagnolo – 6
Gregory Como – 8
Stephen Hopkins – 9
Edward Johnson – 6
Brian Kaiser – 0
Kerstin G. LeMaire – 8
Edith Lucero – 3
Steven Lynch – 7
Laura Reckart – 4
Jeffrey Rueter – 9
Aryeh Schwartz – 9
Shellie Smith – 3
Ronee K. Steiner – 2
Gerald Williams – 0

There was additional discussion regarding the candidates that received 3 or more votes. Julie Ashworth LaFave, Brian Kaiser, Ronee Steines, and Gerald Williams were eliminated from further discussion.

The Commission agreed on a second straw vote on all candidates that received 3 or more votes. The results of the second straw vote were:

Alison Bachus – 8
Theodore Campagnolo – 6
Gregory Como – 8
Stephen Hopkins – 9
Edward Johnson – 0
Kerstin G. LeMaire – 8
Edith Lucero – 4
Steven Lynch – 6
Laura Reckart – 5
Jeffrey Rueter – 9
Aryeh Schwartz – 9
Shellie Smith – 3

A motion to open the floor for individual nominations was made. The motion was seconded and passed unanimously.

Justice Brutinel opened the floor for individual nominations to a non-binding list of nominees to be sent to the Governor.

Debra Stark moved to add Alison Bachus to the list. The motion was passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Ron Reinstein moved to add Stephen Hopkins to the list. The motion was passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Don Vogel moved to add Theodore Campagnolo to the list. The motion was passed by a vote of 7-2-1 with Justice Brutinel abstaining.

Barry Aarons moved to add Kerstin G. LeMaire to the list. The motion was passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Amanda Reeve moved to add Jeffrey Rueter to the list. The motion was passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Barbara Marshall moved to add Gregory Como to the list. The motion was passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Leonard Gilroy moved to add Aryeh Schwartz to the list. The motion was passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Rob Dalager moved to add Laura Reckart to the list. The motion was passed by a vote of 7-1-2 with Barbara Marshall and Justice Brutinel abstaining.

Barry Aarons moved to add Steven Lynch to the list. The motion was passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Rob Dalager moved to close nominations. The motion was seconded and passed unanimously.

After further discussion it was moved that **Alison Bachus, Theodore Campagnolo, Gregory Como, Stephen Hopkins, Kerstin G. LeMaire, Steven Lynch, Laura Reckart, Jeffrey Rueter** and **Aryeh Schwartz** be adopted as the final nomination list for submission to Governor Ducey. The motion was seconded and passed unanimously.

Adjournment

Justice Brutinel thanked the members for their service. At 4:16 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully submitted,

Rob Dalager
Commission Secretary