

MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

April 1, 2015

PRESENT: Justice Robert M. Brutinel, Acting Chair; Barry Aarons; Robert Dalager; Leonard Gilroy; Bill Hughes; Donald Jarnagin; Barbara Marshall; Steven Perica; Amanda Reeve, Ron Reinstein; Diane Rosztoczy and Debra Stark

ABSENT: Manny Bustamante; Tommy Richardson and Don Vogel

Justice Robert Brutinel, Acting Chair, called the meeting to order at 9:28 a.m.

Introductions

Justice Brutinel introduced himself and noted a quorum of the Commission. He welcomed the Commission members and the public present.

Public Comment

Justice Brutinel explained to the public that the Commission would be screening applications for two vacancies on the Maricopa County Superior Court created by the retirement of Judges Brian Ishikawa and Carey Snyder Hyatt. He then asked for public comment on the applicants. 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.

Shane Marquis spoke on behalf of Ronee K. Steiner.
Christopher Charles spoke on behalf of Steven Keist.
Justin Fernstrom spoke on behalf of Edward Johnson.
Jon Sands spoke on behalf of Alison Bachus.
Major Clement Leslie spoke on behalf of Steven Keist.
Jeremy Mussman spoke on behalf of Stephen Hopkins.
Valerie Walker spoke on behalf of Julie Ashworth LaFave.
Herb Ely spoke on behalf of Lisa Vandenberg.
Tami Lewis spoke on behalf of Aryeh Schwartz.
Liz Penny spoke on behalf of Edward Johnson.
Julie Davis spoke on behalf of Edward Johnson.

Approval of Minutes

Justice Brutinel asked if any member wished to submit changes or additions to the draft minutes of the February 12, 2015 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Brutinel inquired about any basis for additional disqualification or disclosure not previously mentioned, pursuant to the Commission's rules regarding conflict of interest or bias.

Justice Brutinel disclosed that he served on a committee with Charles S. McMurry and worked with Gerald Williams.

Ron Reinstein disclosed that Kerstin G. LeMaire, Jeffrey Rueter and Laura Reckart have appeared in front of him. He spoke to Julie Ashworth LaFave and Aryeh Schwartz regarding the application process.

Leonard Gilroy disclosed that he spoke to Aryeh Schwartz regarding the application process.

Debra Stark disclosed that she spoke to Aryeh Schwartz regarding the application process.

Amanda Reeve disclosed that she knows Gerald Williams professionally and that she has worked with Julie Ashworth LaFave.

Barbara Marshall reminded the Commission that she is Laura Reckart's coworker and is recused from voting on her.

Discussion of Applicants and Interviews and Selection of Nominees

Justice Brutinel asked for discussion regarding the applicants. The Commission members disclosed references and comments regarding various applicants. He reminded the Commission and the public that he did not vote except in the event of a tie.

A motion to go into executive session was made at 10:04 a.m. the motion was seconded and passed unanimously.

The Commission returned to public session 10:15 a.m.

Kate King, Deputy General Counsel to Governor Doug Ducey, addressed the Commission and thanked them for an excellent slate of nominees. Ms. King added that the Governor enjoyed the process and appreciated the work done by the Commission. Finally Ms. King expressed the governor's desire to keep future lines of communication open.

After further discussion, the Commission suggested a straw vote be taken of all the applicants in alphabetical order. The Commission agreed and the results of the straw vote were:

Julie Ashworth LaFave – 9	Edith Lucero – 10
Alison Bachus – 11	Steven Lynch – 10
Michael Blair – 0	Edward Maldonado - 0
Theodore Campagnolo – 6	Julie Mata – 0
Eric Childs – 0	Charles S. McMurry – 0

Gregory Como - 11	Bernard Owens – 0
Jessica Cotter – 0	Laura Reckart - 3
Wendy Coy – 2	Denise Riden – 1
Michael Gottfried - 3	Jeffrey Rueter – 11
Stephen Hopkins – 10	Aryeh Schwartz - 9
Jason Johannes – 0	Shellie Smith – 11
Edward Johnson – 5	Ronee K. Steiner – 9
Brian Kaiser – 5	Alan Tavassoli - 1
Stephen Keist – 3	Lisa Vandenberg - 2
Kerstin G. LeMaire – 11	Gerald Williams - 4

The Commission then discussed the applications and candidate qualifications, as well as the number of candidates to send to the Governor.

Steve Perica moved that all applicants that received three or more votes be interviewed. The motion was not seconded.

A motion to interview all applicants that received five or more votes was made. The motion was seconded. After further discussion the motion was withdrawn and the Commission agreed on a second straw vote for all applicants that received more than three votes. The results of the second straw vote were:

Julie Ashworth LaFave – 7	Kerstin G. LeMaire – 11
Alison Bachus – 11	Edith Lucero – 10
Theodore Campagnolo – 6	Steven Lynch – 8
Gregory Como - 11	Laura Reckart - 4
Michael Gottfried - 1	Jeffrey Rueter – 11
Stephen Hopkins – 10	Aryeh Schwartz - 7
Edward Johnson – 5	Shellie Smith – 10
Brian Kaiser – 6	Ronee K. Steiner – 9
Stephen Keist – 4	Gerald Williams - 9

Selection of Applicants to be Interviewed

A Motion to interview all applicants with five or more votes from the second vote was made. The motion was seconded and passed unanimously.

Rob Dalager moved to add Laura Reckart to the interview list. The motion was seconded and passed with a vote of 7-3-2 with Barbara Marshall and Justice Brutinel abstaining.

The final interview list included the following applicants; **Julie Ashworth LaFave, Alison Bachus, Theodore Campagnolo, Gregory Como, Stephen Hopkins, Edward Johnson, Brian Kaiser, Kerstin G. LeMaire, Edith Lucero, Steven Lynch, Laura Reckart, Jeffrey Rueter, Aryeh Schwartz, Shellie Smith, Ronee K. Steiner, and Gerald Williams.**

Discussion of Interview Schedule and Interview Questions

The Commission then addressed the logistics of the pending interviews. It was agreed the interview meeting will begin at 8:30 a.m. on April 14, 2015. The Commission recommended 15 minute interviews with a possible hypothetical question. The Commission would use follow-up questions as necessary. Staff was directed to schedule interviews at 15-minute intervals and to make due diligence assignments.

Justice Brutinel encouraged Commission members to submit questions before the interview meeting. The members agreed to discuss the new material and select questions at the meeting on April 14, 2015.

Adjournment

Justice Brutinel thanked the members for their service. It was moved to adjourn the meeting. The motion was seconded and passed unanimously. The meeting adjourned at 10:55 a.m.

Respectfully submitted,

Rob Dalager
Commission Secretary