

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

Thursday, January 21, 2009  
1:00 pm – 3:00 pm  
Arizona State Courts Building – Room 230  
Phoenix, Arizona

**MEMBERS PRESENT:**

Honorable Roxanne Song Ong, Chair  
Mike Baumstark  
Honorable Peter Eckerstrom  
Arthur Wilkerson  
Honorable Penny L. Willrich (Ret.)

**PRESENT TELEPHONICALLY:**

Honorable Maria Avilez  
Joi Hollis  
Niccole King  
Lisa Loo  
Honorable Leslie Miller  
Justin Ruggieri

**MEMBERS ABSENT:**

Jesus Diaz  
Karin Humiston  
Honorable Mitchell D.K. Kalauli  
Honorable Marie Lorona  
Bryon Matsuda  
Brenetta Monyette Green  
Patricia Seguin  
Margarita Silva  
Honorable Eileen Willett

**STAFF:**

Theresa Barrett, Court Services Division, AOC  
Annette Mariani, Court Services Division, AOC

**Guest (s):**

Patricia Ferguson-Bohnee – Director, Indian Legal  
Clinic, Associate Clinical Professor of Law,  
Sandra Day O'Connor College of Law  
Salvador Ongaro, President, Los Abogados,  
Attorney, Davis & Miles, PLLC

**REGULAR BUSINESS**

1. **Call to Order:**  
Honorable Roxanne Song Ong called the meeting to order without a quorum present.
2. **Welcome, Introductions:**
  - a. Commission members present and on the telephone introduced themselves.

## **BUSINESS ITEMS/POTENTIAL ACTION ITEMS**

### **3. 2010 Meeting Schedule – Theresa Barrett**

The proposed meeting dates are:

April 22, 2010  
July 29, 2010  
October 21, 2010

After discussion: The April 22, and July 29<sup>th</sup> dates were agreeable to the group. The only conflict is October 21<sup>st</sup>. It was proposed that the Commission move the October meeting date to September 30, 2010.

**Motion:** Motion to approve the schedule was held until a quorum was present.

### **4. Native American Bar Association–Arizona Chapter (NABA-AZ) – Patricia Ferguson-Bohnee**

Ms. Ferguson-Bohnee provided information and highlights on the Native American Bar Association (NABA-AZ):

This organization was formed in 2007 by a small group of Native American attorneys to help fill a void. At the present there are no Native Americans who serve as federal court judges. NABA-AZ is moving forward in getting candidates into these roles because many of the Indian Law issues arise and are decided in the federal court. Some of the highlights presented by Ms. Ferguson-Bohnee included:

- Goals for the organization:
  - Foster professionalism and growth on federal court benches;
  - The advancement and improvement of the practice of Indian Law;
  - Awarding scholarships to Native American law students;
  - Promoting tribal sovereignty and,
  - Working on issues regarding legal, cultural and social matters affecting Native Americans.
- A website has been created and a strategic plan is currently being developed
- There are about 60 members. Current members work in firms; academia and government service and also include tribal attorneys.
- NABA-AZ has worked on several community service projects for example, promoting the Native vote in 15 or the 21 tribal reservation in the state of Arizona for the 2008 elections. This project was awarded an ASU's President's Award for Partnering.
- NABA-AZ participated in the Native American Health toy and food drive providing food for about 60 families in 2008.
- The third annual golf tournament to raise funds for student scholarships is scheduled for March 20, 2010. (Three \$20,000 scholarships are scheduled for this year with the deadline being February 12, 2010)
- In the fall of 2009, the first Seven-Generation dinner took place. The purpose of this dinner is to raise money for scholarships.
- Two CLE's were held last year with plans on holding two more this year. Topics will include healthcare and leasing.
- The annual meeting that was held last year included a panel that highlighted Native American Women and their contributions. This year at the State Bar on June 11, 2010, NABA-AZ will hold a panel entitled "Perspectives from the Field: The Evolution of Federal Indian Policy" which will include a discussion on change and political trend in Congress over the past 20 years with regard to Indian policy.
- NABA-AZ established the Sovereignty and Protection Committee. This committee works with the Indian Law Section to post a comment on adding Indian Law as a subject matter to the Arizona Bar Examination. Petition is currently on hold.

- NABA-AZ has been collaborating on the Diversity Task Force of the State Bar
- Members continue to establish and maintain relationships with sister bar associations.

Q. Would you have a figure as to how many Native American attorneys there are throughout the state that may or may not be part of NABA-AZ in the state?

A. Do not remember the numbers. There are however, both Indian and non-Indian members as part of NABA-AZ.

Q. How many law students of Native American background are you aware of in the various law schools?

A. ASU has about 30 and there are some at the Phoenix School of Law and U of A.

Q. What is the retention rate after graduation?

A. There are a few from ASU in the area and some are working in the Washington D.C. area, mostly on high profile policy matters.

Q. Are you aware of the number of state court judges?

A. Nationwide there are 35 Native American's who work in the state court system.

Judge Song Ong asked that any information regarding dates and events be sent to staff at AOC for compilation and distribution to all the commission members for further collaboration with other groups.

#### **5. Los Abogados – Salvador Ongaro, President. Attorney, Davis & Miles, PLLC**

Mr. Ongaro has been President of Los Abogados since January, 2009 and will be president this year. This organization has been around for since 1976 and is now one of the largest minority bar association in Arizona. There are about 200 members, mainly in Maricopa County. Work towards expanding membership down into southern Arizona is underway. Information shared:

- Vladimir Cordova Scholarship Program:
  - As part of this program a successful golf tournament was held in October 2009. This program awards cash scholarships to students at ASU. This program is looking to expand to all three law schools.
  - Another part of the program is the annual laugh fest. The eighth is scheduled for April 29, 2010. This is a comedy show that involves national talent, a reception and dinner with proceeds going towards scholarships.
- Los Abogados is also an advocacy association and efforts are continuously being made to get the word out to the general public and various organizations as to issues that affect Hispanic and Latinos in general as well as Hispanic lawyers. These efforts have led to the Hispanic Bar Association's selection of Los Abogados as the 2009-2010 Affiliate Organization of the Year.
- Members continue to work towards having representation in trial court and the appellate court commissions.
- The annual meeting is scheduled for this weekend January 22-24, 2010.
- Highlights from 2009 include:
  - A reception for Tucson students and attorneys was held in January 2009
  - A reception in Yuma was held in October, 2009 for Yuma attorneys and resulted in additional board members.
  - Members of Los Abogados took an active role in getting the word out in regards to Sonia Sotomayor's nomination for Supreme Court Judge. Press conferences were organized, commentaries were presented on television and radio programs and letters were written to Senator McCain and Senator Kyle requesting that they vote in favor of this nomination.
  - Seven luncheons were held in 2009 offering 4.25 hours of free CLE.

- The September 2009, luncheon was in honor of former judges and retiring judges.
- A workshop has been discussed that would gather information (pipeline) on minority and disadvantaged candidates into positions where they may be nominated into the spots that were left open by the retiring Hispanic judges. A proposal was submitted to the Martindale-Hubbell Legal Fellowship to fund this workshop. The focus audience of this workshop would be geared towards students so that the seed is planted as to what a career of a judge entails. Mr. Ongaro spoke of the importance of talking to students early on regarding the right direction to go and how to avoid any troublesome behaviors along the way (ethics, criminal background, integrity, etc.) Regardless of whether the fellowship is secured, Los Abogados would like to continue to work with this commission and others if resources allow, in collaborating on such an event.

DISCUSSION: An informal lunch for minority women students was conducted by judges in the Tucson area to encourage the students to think about careers on the judicial bench. As a follow up to this program, the concept of providing an opportunity for students to spend a few minutes with individual judges and pose questions on being a judge or pursuing a judicial position evolved. If anyone is interested in this concept in the Tucson area they may contact Judge Miller.

Once Mr. Ongaro has formulated the 2010 schedule of events for Los Abogados, Judge Song Ong asked if this could be emailed to the staff at the AOC for distribution and further collaboration where possible.

**6. Arizona Black Bar Association - Brenetta Monyette Green**

Ms. Monyette Green may not be able to join the meeting today. She did, however, have an announcement that Mr. Gerald Richard is going to be appointed as the incoming President of the Arizona Black Bar Association. Mr. Richard was the chair of the Commission for many years and was very instrumental in the various earlier projects.

**7. Approval of Minutes**

**Motion:** To approve the minutes of the October 15, 2009 meeting as written. The motion was seconded and approved. COM-010-01

**Motion:** To approve the 2010 proposed meeting schedule for the Commission on Minorities as follows: April 22, July 29 and September 30, 2010, from 1:00 – 4:00 pm. This motion was seconded and approved. COM-010-02

**8. National Consortium on Racial and Ethnic Fairness in the Courts – Theresa Barrett, Manager, Court Programs Unit, Administrative Office of the Courts**

The New Jersey Judiciary will be hosting the 22<sup>nd</sup> Conference and Annual Meeting of the National Consortium on Racial and Ethnic Fairness in the Courts from April 28, 2010- May 1, 2010. The theme for this year is “Transformative Tools for Delivering Justice in the 21<sup>st</sup> Century. Due to budgetary constraints we will not be able to send a representative to this meeting. In lieu of attendance, the Commission can provide an update (brochure) on what is being done here in Arizona and what the strategic plan will entail. Staff will compile this information and send out to the conference planners.

## 9. Workgroup Update

### **Over-Representation – Judge Song Ong for Jesus Diaz**

Mr. Diaz has suffered a health issue and is back and doing well. He wanted to convey his thankfulness for all communication sent to him regarding well wishes. This group is in the process of producing and distributing the 4<sup>th</sup> Statewide Report Card.

### **Cultural Competency – Judge Penny Willrich (Ret.)**

Discussions that took place during this brainstorming session were:

- What exactly should the focus be for this group for the next three years? One of the ideas was to work with Education Services on a training grant that they received regarding Domestic Violence. The workgroup was thinking that perhaps training on cultural competency and diversity could be “sprinkled” in with the domestic violence training. Communication with the manager at Education Services will be made so that the process of sharing information and ideas could move forward.
- A name change for this workgroup had been previously discussed. It was agreed that at this time the name will stay the same. The group will try to define what it means by cultural competency and multicultural competency and then bring that discussion to the commission as a whole
- Having a master calendar of all the training that is going on in various locations around the state in regards to cultural competency and that this calendar would be centrally located on the commission’s website so that others can view and draw from for future trainings. Best practices can then be established.

### **Diversity Workgroup – Judge Peter Eckerstrom**

This workgroup focused their meeting on the Chris Nakamura Workshop that will take place at the Minority Bar Convention on April 16, 2010 from 1:00 – 4:30 pm. Discussion items included:

- The timeline from the perspective of the Minority Bar Convention Planning Group was given to the Diversity Workgroup which is helpful for beginning their work.
- It was suggested that this year a piece be added on the struggles and achievements of the minority judges in Arizona both past and present. A panel of minority judges from different eras could be gathered to open up the dialogue of applying for judgeships.
- The workgroup also thought it would be helpful to have someone (perhaps a national speaker) present some data on the subject of minority judges so that the discussion is not all anecdotal. If a person is not found, it was also discussed that some information could be forthcoming that would be made available for this session.
- The workgroup worked on paragraphs (work statements) to be included in the brochure.
- One idea was to have a session on showcasing presiding judges and how to apply for nominating commissions.
- It is important to take a good look at how many people are needed and that all aspects of what the sessions are trying to convey are covered.
- The workgroup would like to focus on newer ideas without losing the traditional focus.

Suggestion: One person that could be asked to speak on the second session would be Amelia Cramer who chairs the Appointments Committee for the State Bar. Judge Areneta was also suggested as a possible panelist.

It was agreed that the facilitator is key to running the sessions smoothly. Discussion followed.

The workgroup now has the timeline, the work statements and topics and with all the great ideas and suggestions, the workgroup will be moving forward. Invitations need to be sent out within the next 2 weeks.

### **Collaboration and Outreach – Margarita Silva**

A conference call was scheduled for this group, but it seems there was technical difficulty with the call in line. No report at this time.

**10. Strategic Agenda - Theresa Barrett**

This time was allotted for a prioritization exercise should there have been an overflow of projects going on among the workgroups. With all projects seeming to be manageable and not problematic, the Commission will not need to participate in this exercise.

Update on the Arizona Judicial Branch Strategic Plan: Mike Baumstark, AOC

All of the input has been summarized and sent to the Chief Justice and the subcommittee charged with strategic plan development. The Arizona Judicial Council (AJC) reviewed and formally approved the plan. There is no formal name for the plan or a date for the State of the Judiciary Address at this time.

**11. NEXT MEETING**

The next full commission meeting is scheduled for Thursday, April 22, 2010, at the Arizona Courts Building, Conference Rooms 230 from 1:00 – 4:00 pm.

**Call to the Public – No responses**

**Adjourned at 3:00 p.m.**

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

Thursday, April 16, 2009  
11:00 am – 3:00 pm  
Arizona State Courts Building – Room 230  
Phoenix, Arizona

**MEMBERS PRESENT:**

Honorable Roxanne Song Ong, Chair  
Jesus Diaz, Vice-Chair  
Mike Baumstark  
Jonae Harrison  
Lisa Loo  
Margarita Silva  
Honorable Ann Scott Timmer

**PRESENT TELEPHONICALLY:**

Honorable Maria Avilez  
Joi Hollis  
Honorable Mitchell D.K. Kalauli  
Niccole King  
Honorable Leslie Miller  
Justin Ruggieri  
Honorable Paul Tang

**MEMBERS ABSENT:**

Wil R. Counts  
Karen Humiston  
Honorable Antonio Riojas  
Bryon Matsuda  
Patricia Seguin  
Honorable Rachel Torres Carrillo  
Arthur L. Wilkerson

**STAFF:**

Susan Pickard, Court Services Division, AOC  
Annette Mariani, Court Services Division, AOC

**Guest (s):**

Bruce Relf, COM Subcommittee Member  
Kristin Fasnacht, ASU, Intern  
Serena King, Fresh Start Community Services  
Jennifer Greene, Legal Services, AOC  
James Stipe, Indian Law Section, State Bar  
Janet Scheiderer, Court Services Division, AOC  
Helen Fenlon, Appellate and Trial Court  
Commission  
John Leavitt – Appellate and Trail Court  
Commission  
Dr. Ron Cox, ASU, Maricopa Commission  
Vanessa Haney, Administrative Services Division,  
AOC  
John Hinderaker, Pima County/Trial Court  
Appointments Commission  
Theresa Barrett, Court Services Division, AOC  
J.L. Doyle, Adult Services Division, AOC  
Kay Radwanski, Court Services Division, AOC

**REGULAR BUSINESS**

1. **Call to Order:**  
Honorable Roxanne Song Ong called the meeting to order without a quorum present.
2. **Welcome, Introductions:**
  - a. Possible New Collaborations: Susan Pickard, Staff

Susan shared that she recently attended Lectora training in order to gain knowledge about developing distance learning modules. This knowledge may be useful to the Commission in developing cultural competency or diversity modules for judges and court staff. After the class, Susan reported that she was approached by staff from Dependant Children's Services and the Education Services Divisions about possible collaborations to

develop training for members of the Foster Care Review Board, CASA Volunteers and Probation Officers.

Other ideas for developing training included: Interactive web sessions, standalone video presentations and CD self-paced learning sessions. It was suggested that these types of educational formats could be used for proposed focus groups. Costs could then be kept low using in-house staff.

At this point in the meeting a quorum was established.

b. Commission members present and on the telephone introduced themselves.

### 3. **Approval of Minutes**

**Motion:** To approve the minutes of the August 21, 2008 meeting with amendment. The motion was seconded and approved. COM-009-01

## **BUSINESS ITEMS/POTENTIAL ACTION ITEMS**

### 4. **Law Enforcement Coordinating Committee (LECC) Re-Entry Initiative Subcommittee Update: Bruce Relf, Collaboration and Outreach Subcommittee Member**

Mr. Relf provided information on the following topics:

- Fresh Start Community Services

Mr. Relf is the founder and CEO of the Fresh Start Community Services in Glendale, Arizona. This non-profit organization provides re-entry support to youth and adult ex-offenders in the Phoenix Metropolitan area. Services offered by Fresh Start include: resources, job training, education services, housing assistance, and other life skills resources. An update on this initiative was presented. Mr. Relf clarified that sex offenders are not eligible for their services.

- Weed and Seed Strategy

The Weed and Seed Program is a multi-agency community based strategy program that is strategically designated for high crime neighborhoods. Funded through federal monies this program has 11 sites and has proven to be very effective. Law enforcement will go in and “weed out” the bad element and “seed in” intervention and prevention. The program focuses on looking at ways to bring in various decision makers at all levels and encourages volunteers to attend the various subcommittee meetings.

- Re-Entry Initiative Subcommittee

Mr. Relf presented an update on the Weed and Seed Program’s Re-entry Initiative. Statistics on recidivism were also presented. It was noted that at the Maricopa County Attorney’s office, there is a division called the “speaker’s bureau.” The speaker’s bureau serves as a liaison between prosecutors and community. It was suggested that Mr. Relf could share information on the initiative with them in order to help disseminate it to the various communities served. It was also noted that judges could also circulate this information among their courts. Additionally, it was recommended to Mr. Relf that members from the legislative body be at the table, as funding issues may arise.

### 5. **Arizona Code of Judicial Administration (ACJA) § 1-107: Commission on Minorities in the Judiciary – Judge Roxanne Song Ong, and Jennifer Greene, AOC Legal Counsel**

The most recent proposed version of the code was given to all commission members for review. Jennifer Greene, Administrative Office of the Courts, Legal Counsel was present to help field questions. After making additional edits, the members tabled the vote.

**6. Strategic Planning – Janet Scheiderer, Director, Court Services, AOC**

Ms. Scheiderer presented information on the Strategic Planning process. She requested that the Commission provide their input for new strategic initiatives for consideration by incoming Chief Justice Rebecca Berch for her strategic plan. The new Chief Justice will need their input by August 2009, to begin implementation by 2010.

Next, Ms. Scheiderer reviewed the different tabs on the Stakeholders Collaboration Tools site with members. Tabs included:

Blog Page – Commission members can post information on discussion points addressed in their meetings that may be of interest to others.

Forums – This page contains the actual topics that have been identified in brainstorming sessions. Comments on the various topics can also be posted on this page.

Calendar - At the present time information on the calendar consists of the various committee's meeting dates.

*Q. How will this information be analyzed and become part of the initiatives?*

*A. A subcommittee of the Arizona Judicial Council appointed by the vice chief justice and composed of judges, court administrators, clerks, and public members will work on compiling all the information into a packet that will identify the various areas that will be developed.*

Instructions for those that are interested in registering for this site were provided to members. This information is being taken to all AJC standing committees, and the various associations - Limited Jurisdiction Court Administrators, Clerks of Court, and Superior Court Administrators Association.

In terms of brainstorming, it was suggested that the Commission revisit their Strategic Plan that was submitted to the AJC and continue from that point forward. Furthermore workgroups could meet and discuss issues covered in the Commission on Minorities Strategic Plan and be ready to discuss their ideas at the upcoming July 2009, meeting.

**7. Arizona Code of Judicial Administration (ACJA) § 1-107: Commission on Minorities in the Judiciary – Judge Roxanne Song Ong, and Jennifer Greene, AOC Legal Counsel**

The revisions that were discussed earlier in the meeting were incorporated into the code section by Jennifer Greene, and were again reviewed. The code was put to a vote with the following amendments:

- A1: Promote the use of treatment providers who are competent to meet the needs of a diverse population of court supervised individuals
- B1: Members shall be selected.....

**Motion:** To approve the Arizona Code of Judicial Administration § 1-107: Commission on Minorities in the Judiciary as amended. Motion seconded and approved unanimously. COM 009-02

**8. Presentation by the Indian Law Section of the State Bar of Arizona seeking support for Petition #R-08-0016: Petition to Amend Rule 35(b) to include Indian Law as one of the Subject Areas on the Arizona Bar Examination. – James Stipe, Indian Law Section Chairperson**

James Stipe introduced Rule Petition # R-08-0016. He explained to the members that he was seeking support for this petition which, if adopted, would include Federal Indian Jurisdiction and Tribal Governmental Immunity as subject areas on the Arizona Bar Examination. The comment deadline is May 20, 2009.

Mr. Stipe cited the following reasons for the rule change:

- With the ongoing growth in Arizona, communities are abutting the boundaries of lands entrusted to tribal governments. Arizona residents and developers may not understand the legal status of tribal governments.
- About ¼ of the land in Arizona is entrusted and there are about 22 tribal governments. This seems to indicate that at some point attorneys may be approached with cases that may involve tribal jurisdictional issues.
- Tribal governments have grown due to economic development. There has been more person to person and business to business contact.
- Attorneys are being approached about other areas in Indian Law such as: contractual, tort and family matters.
- Currently there are three states that include Indian Law questions in their bar examinations with successful results; New Mexico, South Dakota and Washington.

The Committee on Examination has submitted comments regarding this Petition that voiced their concern about Indian Law not being a mandatory course or core competency in law school.

Discussion/comments ensued:

Q. How will education be impacted?

A. Course materials from other states have been compiled and may be used in developing the curriculum. How the questions are written is not something that is controlled.

Q. Will there be a phase-in period within 1 or 2 years of notice?

A. Yes, As was seen in Washington, their Supreme Court changed the rule and then stated that there would be a period of 3 years prior to the test subject being included on the bar examination in order to give people ample notice.

Q. What is the level of support from the Native American Community?

A. There is great support. For most tribes this is a matter of legitimacy for their courts. The acceptance of this Petition may also encourage Native American law students to return to practice in tribal courts.

In closing Mr. Stipe noted that there have been cases in juvenile, civil and criminal courts that are impacted by tribal jurisdiction. Judges and attorneys who are not well versed in this area may be left scrambling for answers. It would be beneficial if the exam questions included general knowledge of Indian Law, providing attendees with the ability to identify when jurisdictional issues may be present in a case. The concern would be if the exam questions are too specific.

The issue of whether or not the Commission, as a standing advisory committee of the Arizona Judicial Council and thereby an arm of the Supreme Court, can make a formal comment was discussed. A member suggested that perhaps the Commission could make a comment that would support the increased knowledge of all practicing attorneys and judges as to Indian Law. Rather than a formal rule comment it was decided a letter should be drafted addressing concerns and comments mentioned. Justin Ruggieri, Lisa Loo and Judge Mitchell Kalauli will combine efforts to draft a letter that would be presented to the AJC as an advisory recommendation.

**Motion:** That COM send a letter to the AJC expressing support for including questions regarding Federal Indian Jurisdiction and Tribal Governmental Immunity on the bar examination. COM members authorize the chair to finalize the letter. Motion was seconded and approved.

COM 009-03

9. **Appellate and Trial Court Appointment Commission Subcommittee on Recruitment – Helen Fenlon, Subcommittee Chair.** Others present to support Ms. Fenlon and participate in the discussion were: John Leavitt, Vanessa Haney, Dr. Ron Cox, and John Hinderaker.

Helen Fenlon presented an update from the Subcommittee on Recruitment. She suggested as there seems to be a synergy in COM and her subcommittees charges, it seemed like a good match to combine efforts so that neither group is duplicating what the other is doing. The mission of the Appellate and Trial Court Appointment Commission is to examine issues and pursue activities relevant to the recruitment of a diverse applicant pool reflective of the gender, ethnic, racial, geographic and political diversity of Arizona. Activities being pursued by this subcommittee include:

- Looking at whether the job of diversifying the bench is being realized.
- Taking a closer look at the statistics from the State Bar of Arizona in regard to diversity.
- Asking the questions related to the appointment process:
  - Are the processes that are in place fair?
  - Are the questions neutral?
  - Are the commission members neutral in their decision making process?
- Taking a look at the education of the appointment commission members.
  - How do we articulate the whole process and what is appropriate behavior?
  - What is the perception of the applicants?
    - It was suggested that a survey could be developed to answer this questions. This would be an area in which the COM could help by determining what the questions could in included in the survey.
- Establishing a workgroup with members from the COM and minority bar organizations to aid in recruiting efforts. As it may not be perceived appropriate for those people seated on the Appellate Trial and Court Appointment Commission to be recruiting those they will nominate, Ms. Fenlon suggested this group would also explore why people are or are not applying for openings.
- Ms. Fenlon indicated her subcommittee could use help from the COM in identifying the strengths of the minority bars.
- Statistics on benchmarks could be shared with the COM.

In closing Ms. Fenlon noted that collaboration with other groups like COM is very important to her subcommittee in order for the direction given by Chief Justice McGregor to be realized. She thanked COM members for their time.

## 10. **Workgroup Update**

### **Cultural Competency – Jonae Harrison**

Ms. Harrison had to leave prior to her report. At her request, Judge Roxanne Song Ong reported out to members on her behalf. Although Ms. Harrison has not had the opportunity to attend the meetings as she would have liked, she is now in a better position to be more active and would like to continue to chair this workgroup. By acclamation COM agreed to have Ms. Harrison continue as chair of the workgroup.

### **Over-representation – Jesus Diaz**

Since the last commission meeting, both David Redpath and Jesus have made several presentations on the 3<sup>rd</sup> Statewide Report Card. Among these groups were:

- Committee on Juvenile Courts
- Juvenile Court Directors
- Juvenile Justice Commission (the annual strategic planning meeting)
- Juvenile Justice Advisory Commission (summary report)

Mr. Diaz then reported the following highlights from around the state:

- Two counties have approached the Over-representation Workgroup to look at their individual data. As a result, Yuma County has made a decision to start looking at these issues. When looking at this data the approach with the counties has been from an educational standpoint.
- The Maricopa Juvenile Court is collaborating with the Casey Family Programs to host an African American Youth Summit in the Juvenile Justice and Child Welfare System summit as a community call to action.
- The Arizona Superior Court in Pima County has approved a Diversity Policy. The step on how this policy will be implemented is outlined in the policy. It also allows for the appointment of a person that will oversee the court's compliance with this policy.

Mr. Diaz suggested supporting best practices by posting a link to "Pima's" policy on the COM website simply as a model/example and not as an endorsement. Staff will invite other courts to share their diversity policies for inclusion on this site.

#### Next Steps

- Line up more presentations - Target audiences will include: schools, prosecutors and public defenders, and in Pima County several community groups.
- Begin work on the 4<sup>th</sup> Statewide Report Card with the Juvenile Justice Services Division.

#### Collaboration and Outreach – Margarita Silva

This workgroup has not met. The state of the budget has put the proposed focus groups on hold at this time. It was proposed that a survey can take the place of the groups that were planning to conduct outreach efforts.

#### Diversity Workgroup – Judge Ann S. Timmer

This workgroup was participating in the Collaboration and Outreach focus group project. It may be time to turn their focus to the workgroup's goal. It was suggested possibly working with sister bars to find out what the needs are for applicants and why attorneys are not applying for judicial positions, etc.

Next, John Hinderaker reported on the Chris Nakamura Judicial Workshop that was held at the University of Arizona, James E. Rogers College of Law on January 30, 2009. The Workshop was well received by the 85 law school students and attorneys. The COM expressed their sincere thanks to the panel members, the U of A for the facility and set up services; Lewis and Roca, LLP for sponsoring the food and the Pima County Bar Association for sponsoring the materials.

Everyone was reminded that the Chris Nakamura Judicial Appointment Workshop is a product of COM. It was noted that COM leadership had not received progress reports or information regarding the January workshop prior to its presentation. Going forward, Judge Song Ong asked that notices and/or meeting minutes be forwarded to the COM to give ample opportunity for advertising and calendaring.

#### **11. NEXT MEETING**

The next full commission meeting is scheduled for Wednesday, July 15, 2009 at the Arizona Courts Building, Conference Rooms 119A/B, from 11:00 – 3:00 pm.

**Call to the Public – No responses**

**Adjourned at 2:55 pm**

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

Thursday, July 23, 2009  
11:00 am – 12:30 pm

Arizona State Courts Building – Room 119B  
Telephonic 602-452-3192, #1112 – combined with “GoToMeeting”

**MEMBERS PRESENT:**

Jesus Diaz, Vice-Chair  
Patricia Seguin

**PRESENT TELEPHONICALLY:**

Honorable Maria Avilez  
Honorable Peter J. Eckerstrom  
Niccole King  
Honorable Marie Lorona  
Bryon Matsuda  
Honorable Leslie Miller  
Margarita Silva  
Honorable Roxanne Song Ong  
Arthur L. Wilkerson  
Honorable Eileen Willett  
Honorable Penny L. Willrich (Ret.)

**MEMBERS ABSENT:**

Mike Baumstark  
Brenetta Monyette Green  
Joi Hollis  
Karin Humiston  
Honorable Mitchell D.K. Kalauli  
Lisa Loo  
Justin M. Ruggieri

**STAFF:**

Susan Pickard, Court Services Division, AOC  
Annette Mariani, Court Services Division, AOC

**Guest (s):**

Janet Scheiderer, Director, Court Services Division, AOC  
Theresa Barrett, Manager, Court Programs Unit, AOC

**REGULAR BUSINESS**

**1. Call to Order:**

Judge Roxanne Song Ong called the meeting to order with a quorum present at 11:05 a.m.

**2. Welcome, Introductions:**

- a. Because of the brevity of the agenda for this meeting, Judge Song Ong declared it a virtual attendance meeting. This means that while a conference room has been reserved for the meeting to allow for public attendance, Commission members should attend by phone. Annette Mariani made arrangements for a “GoToMeeting” web conference which allowed those participating telephonically to follow visual presentations online. Susan Pickard gave a brief explanation of the GoToMeeting screen as well as a few navigational pointers. All participants were able to login successfully.
- b. Judge Song Ong welcomed all current, reappointed and new members.

Reappointed Members: Judge Roxanne Song Ong, Jesus Diaz, Judge Maria Avilez, Mike Baumstark, Joi Hollis, Karin Humiston, Judge Mitchell D.K. Kalauli, Lisa Loo, and Patricia Seguin.

New Members: Judge Peter J. Eckerstrom, Brenetta Monyette Green, Judge Marie “Toni” Lorona, Judge Eileen Willett, and Judge Penny L. Willrich (Ret.).

Members whose terms expired: Judge Rachel Torres Carrillo, Will R. Counts, Jonae Harrison, Judge Ann Scott Timmer, Judge Paul Tang, and Judge Antonio Riojas. Ms. Pickard

shared that Judge Tang and Judge Scott Timmer had expressed interest in continuing their participation in the Commission's workgroups.

Judge Song Ong thanked all members whose terms expired for all their hard work and their willingness to serve.

c. Housekeeping Items:

- i. Members were asked to review the membership list for any changes, additions, etc.
- ii. There are two openings for Workgroup chairs; Cultural Competency and Diversity. Definitions for these workgroups can be found in the Commission's Strategic Plan (2006-2008). Members were asked to notify staff if they are interested in being considered for one of the openings.
- iii. A list of cultural awareness classes obtained from the Superior Court in Maricopa County was shared. The intent of this list was to provide examples of classes that the Commission could work with Maricopa staff and Education Services Division to develop distance learning classes. These classes were presented to judges, court staff, adult and juvenile probation officers and clerk staff. Members were asked to send staff any other offerings that might be appropriate for developing into distance learning programs for the Commission's consideration.
- iv. To publicize a current superior court judge pro tempore opening in Pima County and familiarize new members with the web site, staff demonstrated AZJudicialJobs for the members. This web site was recently updated by the AOC Human Resources Department to make it easier for applicants to find judge, commissioner and judge pro temp vacancy listings.
- v. Because Commission member's input is invaluable, Ms. Mariani spoke on the necessity and timeliness of RSVP's for Commission meetings. In order to provide adequate meeting space and to ensure that there are adequate phone lines available for our meetings, it is essential that members RSVP; sooner being better than later.
- vi. Judge Song reiterated the meeting meal policy. Commission staff makes arrangements for a catered lunch; ordering only for those who indicated his/her wish to participate in their RSVP. The fee for the catered lunch is \$5.00, which is collected at the beginning of the meeting.

**3. Approval of Minutes**

Members reviewed the minutes of the April 16, 2009 meeting of the Commission. Regrettably, the names of Patricia Seguin and Helene Fenlon were misspelled. "Summit" was added after "Juvenile Justice and Child Welfare System" in the second bullet of the Over-representation Workgroup Update to complete the sentence. Staff will make those corrections.

**Motion:** To approve the minutes of the April 16, 2009 meeting with amendments. The motion was seconded and approved. COM-009-04

**BUSINESS ITEMS/POTENTIAL ACTION ITEMS**

**4. Strategic Agenda Initiatives: Judge Roxanne Song Ong**

Most of the Commission's work aligns with Goal 1C "Fairness in the Judicial System" in the current court Strategic Agenda "Good to Great" 2005-2010, that was developed by former Chief Justice McGregor. In light of the passing of the gavel to Chief Justice Berch, Susan Pickard led the members through a strategic planning session. The session included a review of "Good to Great", the Commission's Strategic Plan and a list of proposed goals drawn from that plan. The members reviewed the proposed goal list, ensuring each goal fell within the subject matter of a workgroup and modified the language of the goals to better fit the current economic climate.

One goal that has been discussed at length over the last few years is the idea of holding town hall-style meetings. This goal involved members traveling to locations statewide to hold meetings with community leaders to introduce the Commission and begin a discussion about the needs of that community's persons of color. Due to budget constraints, this initiative was not accomplished. Still wanting to make this connection, members proposed other options for accomplishing this goal. The options included, but are not limited to: conducting a survey, developing a web seminar that would include online focus groups, or developing another type of communication mechanism such as "Twitter" or other forms of social media that could help the Commission connect with these community leaders.

Janet Scheiderer, Court Services Division Director, who is heading the development of the new Strategic Agenda, was on hand to answer questions.

- Q: What are the Chief Justice's directions in terms of categories and format that would be more preferable in getting the information across?
- A. The Chief Justice wants to validate all good thoughts and ideas keeping in mind the recognition of economic times and resource availability. There is a five-year time-frame in which to accomplish the goals. Broad categories allow for changes over time and flexibility in accomplishing goals. Recognizing the categories that these ideas fall within, aids in budget and resource development. This also assists management in recognizing appropriate grant opportunities.

After reviewing the proposed goals, the members prioritized the goals placing them into the four workgroup categories: Collaboration and Outreach; Cultural Awareness (previously named Cultural Competency); Diversity and Over-representation. The following is the approved submission for the Chief Justice's consideration:

| Commission on Minorities in the Judiciary<br>Proposed Goals   |
|---|
| <p><b><u>Collaboration and Outreach</u></b></p> <ol style="list-style-type: none"><li>1. Develop a mechanism for communicating with community leaders in all counties to facilitate court/community outreach (Social Media – Distance Learning)</li><li>2. Translate a "Guide to Arizona Courts" into Spanish and develop a condensed, more easily understood "Pocket Guide" that will be provided to the public via the Arizona Judicial Branch web site</li></ol>   |
| <p><b><u>Cultural Awareness</u></b></p> <ol style="list-style-type: none"><li>1. Partner with the Administrative Office of the Court, Educational Services Division staff to create or modify existing curriculum for continuing education of judicial officers and court staff regarding issues of diversity and cultural awareness to include working definitions (Distance Learning)</li></ol>   |
| <p><b><u>Diversity</u></b></p> <ol style="list-style-type: none"><li>1. Partner with the various bar associations to present the Chris Nakamura Judicial Appointment Workshop and events relate to improving bench diversity</li><li>2. Collaborate with Arizona State University College of Law (ASU), the University of Arizona, James E. Rogers College of Law (U of A), the Phoenix School of Law, student associations and local/state bar associations for persons of color to develop and provide seminars</li></ol> |

regarding availability and application for internships, clerkships and judgeships.

3. Participate in the American Bar Associate and State Bar of Arizona Mentor Programs by referring attorneys to the project for services and volunteering to mentor attorneys of color
4. Encourage and support the efforts of internship/clerkship programs e.g. the American Bar Association's Judicial Internship Opportunity Program (JIOP) and Minority Clerkship Program
5. Encourage the provision of educational programs e.g. The Color of Justice to Arizona students

**Over-representation**

1. Produce the 4th Bi-annual Ethical Treatment of Minority Youth Report Card
2. Provide technical assistance and support in collaboration with the Governor's Juvenile Justice Commission to local court jurisdictions who desire to address the issue of over-representation of youth of color in the juvenile justice system and child welfare system

**Motion:** To approve the Commission on Minorities in the Judiciary's proposed goals for submission to Chief Justice Berch. Motion was seconded and approved. **COM 009-05**

**5. Other Business**

The name the Cultural Competency Workgroup will be changed to Cultural Awareness. This change will help project inclusiveness.

Judge Leslie Miller announced that she has been selected to serve on the Board of Governor's Council as liaison to the Presidential Advisory Council. The Council works on pipeline issues and social justice issues.

Brief discussion of a possible name change for the Commission took place. It was discussed that the term "Minorities" may need to be replaced with other more inclusive terms or language.

**6. NEXT MEETING**

The next Commission meeting is scheduled for Thursday, October 15, 2009 at the Arizona Courts Building, Conference Rooms 230, from 11:00 – 3:00 pm.

Agenda Items to include:

- ✓ Reviewing dates for 2010 meetings
- ✓ Ideas for distance learning classes on Cultural Awareness

New members should arrive 15 – 20 minutes early for an orientation.

**Call to the Public – No responses**

**Adjourned at 12:30 pm**

**ARIZONA SUPREME COURT  
COMMISSION ON MINORITIES IN THE JUDICIARY (COM)  
MINUTES**

Thursday, October 15, 2009  
11:00 am – 3:00 pm  
Arizona State Courts Building – Room 230  
Phoenix, Arizona

**MEMBERS PRESENT:**

Honorable Roxanne Song Ong, Chair  
Jesus Diaz, Vice-Chair  
Honorable Peter Eckerstrom  
Brenetta Monyette Green  
Patricia Seguin  
Margarita Silva  
Arthur Wilkerson  
Honorable Penny L. Willrich (Ret.)

**PRESENT TELEPHONICALLY:**

Honorable Maria Avilez  
Joi Hollis  
Karin Humiston  
Honorable Mitchell D.K. Kalauli  
Justin Ruggieri

**MEMBERS ABSENT:**

Mike Baumstark  
Niccole King  
Lisa Loo  
Honorable Marie Lorona  
Honorable Leslie Miller  
Bryon Matsuda  
Honorable Eileen Willett

**STAFF:**

Susan Pickard, Court Services Division, AOC  
Annette Mariani, Court Services Division, AOC

**Guest (s):**

Melissa Ho – President, Asian American Bar  
Association  
Carol Mitchell, Court Services Division, AOC  
Elizabeth Evans, Maricopa County Superior Court  
Jeff Schrade, Director, Education Services  
Division, AOC  
Beth Asselin, Manager, Distance Learning,  
Education Services Division, AOC

**REGULAR BUSINESS**

1. **Call to Order:**  
Honorable Roxanne Song Ong called the meeting to order without a quorum present.
2. **Welcome, Introductions:**
  - a. Commission members present and on the telephone introduced themselves.
  - b. Collaborations: Judge Song Ong

As part of this year's initiative, the Commission on Minorities in the Judiciary (COM) had agreed to continue to partner with minority and ethnic bar associations around the state

in order to combine resources; especially during these economic times. There will be two presentations today; one from the Arizona Asian American Bar Association and one from the Arizona Black Bar. Staff at the AOC is in the process of inviting representatives from Los Abogados and the Native American Bar Association to present at subsequent meetings.

## **BUSINESS ITEMS/POTENTIAL ACTION ITEMS**

### **3. Arizona Asian American Bar Association – Melissa Ho, President**

Ms. Ho provided information on the Arizona Asian American Bar Association (AAABA):

Ms. Ho's term began in April 2009. This year there were 300 participants in attendance at the AAABA Installation and Scholarship Presentation. Mr. Jose Cardenas from Arizona State University was the guest speaker. In order to increase membership and collaborate with other sister bar associations, the Arizona Asian American Bar Association members have:

- Compensated for raised dues by opening their events to both members and non members.
- Co-hosted events with other bar associations.
  - Sponsored a dinner with John Phelps, Executive Director, Arizona State Bar. This event helped membership become aware of the various opportunities available.
  - Successfully collaborated with the Asian American Journal Association, Arizona Chapter. This event highlighted the overlap between what is reported and what the members experience in their professional life.
  - Collaborated with the National Asian Pacific American Bar Association (NAPABA). The NAPABA conference is scheduled for November 2009, and affords attendees an opportunity to network with sister bar organizations from other states.

The NAPABA Trailblazers Award recognizes the outstanding achievements, commitment and leadership of lawyers who have paved the way for the advancement of other Asian Pacific American attorneys. This year the Honorable Roxanne Song Ong is the recipient of that award.

- Developed a website: [www.azasianbar.org](http://www.azasianbar.org).
- Established a Community Service Section where members collaborate with a group of Asian American doctors who conduct free health screenings by providing free legal advice. The goal is to provide information to the community so they know where they can seek additional resources, if needed.
- Acquired an intern to assist with archiving the past 15 years of association information.
- Had a joint event with ASU and Phoenix School of Law students attended by 60 participants.

Though the majority of membership is in Maricopa County, this is a statewide organization. Accordingly in an effort to broaden the group's reach, there was an event held in Pima County.

### **4. Arizona Black Bar – Brenetta Monyette Green, President**

Ms. Monyette Green provided information on the Arizona Black Bar Association (ABB):

The Arizona Black Bar Association (formally known as the Hayzel B. Daniels Association) is an established organization which is currently undergoing change. The recent focus of leadership has been to identify their strengths in order to provide better assistance to all the ABB members and members of the community. Some of the highlights include:

- The annual Hayzel B. Daniels Scholarship Banquet was held at the Phoenix Art Museum and received tremendous support from the various sister bars, the judiciary and from the community.

- Normally scholarships are given to 3<sup>rd</sup> year law students to assist them with their bar preparation courses. This year the scholarship was not awarded due to the difficult economic environment; however, it is anticipated the scholarship will be awarded again next year.
- An update of the ABB website is underway.
- Next year, the Arizona Black Bar is looking for a slate of new officers.

Q. Why did the membership decide to change the association's name?

A. The reason for name change was primarily administrative. It is much easier for those coming into town to find the ABB than expecting them to know that the Hayzel B. Daniels Bar Association is the Black Bar. The name change also focuses more clearly on who they are and how they function.

A quorum was reached at 11:37 a.m.

## 5. Approval of Minutes

**Motion:** To approve the minutes of the July 23, 2009 meeting as written. The motion was seconded and approved. COM-009-06

## 6. 2010 Meeting Schedule – Susan Pickard, Staff, AOC

A proposed meeting schedule for 2010 was presented. After review by the Commission members, it was agreed that the first date of January 21, 2010, could stand as proposed. The timeframe for this meeting will be 1:00 pm – 4:00 pm. Members were asked to email Susan Pickard with preferences/input on meeting dates in order to solidify the remainder of the proposed dates.

## 7. Court Interpreter Registry Update – Carol Mitchell, Court Services Division, Caseflow Management Unit, Administrative Office of the Courts

The issue of lack of Court Interpreters in the State of Arizona was raised many years ago by Commission members and the AOC has continued to make progress toward statewide goals and objectives. Since Ms. Mitchell's previous presentation a year ago, the following has occurred:

- An online database has been created; its purpose is to provide a statewide interpreter resource for Arizona's courts. This is a web-based product which allows interpreters to register. The website is: [www.interpreters.courts.az.gov](http://www.interpreters.courts.az.gov)
- The courts have access to the database through an assigned pass code. If a court is in need of a pass code they should contact Ms. Mitchell at [cmitchell@courts.az.gov](mailto:cmitchell@courts.az.gov).
- The information contained on the website is reviewed for completeness only. There are 63 approved registrants. Approval meaning - "only approved for completeness of information." Courts need to follow up with those individuals that have registered to see if that person fits their needs.
- Development and testing was completed and the website was launched in March, 2009. Input from various court interpreters statewide was used to develop the site.
- Ms. Mitchell presented this information at the national meeting of the National Association of Judicial Interpreters and Translators where it was well received.
- Courts are now able to search by: county, statewide, language, dialect or region. Courts can click on a name and view the interpreter's experience level and resume, if one is provided.
- If a person has a specific certification or trial experience this can be reflected by attaching their resume.
- Search capability is not open to the public at this time. A person can only access his or her own information and are not capable of viewing anyone else's information.
- To date, interpreters from 6 counties are registered.

A publicity effort to make community groups aware has been considered. There has been great success from the ListServ created. Contact has been made with the Immigration Lawyers Association.

Commission members suggested that the database be made available to all practicing attorneys in the state so that a bigger pool of potential users could be identified thus providing greater use of those registered. Bookmarks and business cards were given to all Commission members to share with others in their courts.

## **8. Statewide DMC Committee Goals and Initiatives - Jesus Diaz, Pima County Juvenile Court Center**

Mr. Diaz gave a brief background of the Statewide DMC Committee and how it has evolved. Ms. Helen Gandara, Bureau Section Chief, Scottsdale Police Department was to present with Mr. Diaz today but was unable. This subcommittee consists of a very diverse representation. Among them are: The Juvenile Justice Commission, the Administrative Office of the Courts (AOC), Scottsdale Police Department, Yuma County Juvenile Court, Maricopa Juvenile Court, Arizona Criminal Justice Commission, Arizona Children's Action Alliance, Arizona Department of Juvenile Correction, YMCA and other ad hoc members. The purpose of the subcommittee was to bring the appropriate state agencies and key decision makers together for a discussion on what DMC is and is not, to view data on a statewide and county level, and to facilitate the distribution of that data through the DMC Report Card. Facilitation in this case means more than presenting the data; it involves helping each county to understand what the data means.

### Goals for the subcommittee include:

1. Identify and monitor DMC for the State and all 15 counties
2. In partnership with each county, assess unique contributing factors to DMC, include disparate outcome
3. Promote and implement intervention strategies to reduce DMC and disparate outcomes
4. Evaluate and monitor DMC and DOC reduction activities at state and local level

Seven counties (Cochise, Apache, Coconino, Yuma, Pinal, Maricopa and Pima) have been reviewed, with eight counties remaining. The Department of Juvenile Corrections will also be reviewed for key points in the system. Packets for each individual county which was reviewed were passed around to the group. The measurement used is the Relative Rate Index (RRI) which is also used in the development of the annual DMC report card and is accepted by the Office of Juvenile Justice and many others.

### Next Steps:

- Continue to review the Department of Juvenile Corrections data.
- Prioritize and determine how follow up will be done with each county.
- Meet with court leadership, discuss issues and ask them to bring others into the discussion (community leaders, elected officials, etc.).
- Mr. Diaz has met with the statistician from the Juvenile Justice Services Division, AOC to collect information for the next report card. With data from three report cards available it may be possible to begin looking for trends.

Judge Song Ong thanked Mr. Diaz for all the hard work that the subcommittee has done over the years.

## **9. Commission Goals - Judge Roxanne Song Ong, Chair**

It was anticipated that this portion of the meeting would be designated to review the Chief Justice's Strategic Agenda and brainstorm projects to assist in meeting the goals therein. Because the Strategic Agenda is still under reviewed, Judge Song Ong encouraged the various

workgroups to get together and review the Commission's proposed goals for this discussion prior to next meeting scheduled for January, 2010.

**10. Classes Offered on Cultural Awareness - Elizabeth Evans, Training Team Leader, Maricopa County Superior Court**

Ms. Evans gave a presentation on the various classes that are offered through Maricopa County Superior Court (MCSC) relating to Cultural Awareness. Ms. Evans noted that education is a tool to advance the court's mission and vision. Moreover, included in Presiding Judge Barbara Mundell's Strategic Plan is a goal for the court being culturally competent.

Ms. Evans identified outcome categories for their cultural competence curriculums:

1. Create Awareness – This outcome category in MCSC is the diversity session included in their new employee orientation course.
2. Behavioral Change - It is believed that in order to change behavior, people have to start thinking differently before they can adapt their behavior accordingly. Also some people tend to respond to social science and statistics. One of the programs used by MCSC that relies on statistics is *Disproportionality*. MCSC partnered with a group from Arizona State University (ASU) to produce this evidence-based curriculum to persuade judicial and staff audiences that the behaviors of those in the courts can produce disproportionate results based on race and ethnicity. The course causes participants to question their roles in perpetuating disproportionality and tends to take them out of their comfort zone.
3. Social Cognition - This category operates under the premise that we all have initial anchoring ideas in our mind. As a result, there may be unconscious signals which shape our behavior. This type of course is designed to create the awareness that we all have biases and then give participants instructions on how to guard against them.
4. Neuroscience – This category looks at the biology of the brain and how certain physiological processes can produce behavior that can be defined as bias.
5. Tools - These courses do not fall into cultural competency or diversity. Rather, MCSC has contracted with a community college professor to teach beginning and intermediate Spanish language classes during the lunch hour. This class is designed for staff, judges and commissioners and is grounded in the context of their job at the court.

Ms. Evans noted that once you make training mandatory, staff tends to view it as if you are implying that they may be misbehaving and this creates a weakness in the education module. MCSC found that classes that were elective were not reaching the staff that we had hoped to reach. It is believed that if cultural competency topics are weaved into other course materials better results can be achieved.

A partnership was formed between MCSC and The Morris Institute to conduct a trend and environmental analysis. Court leadership then looked at how this information was going to impact their respective departments. This information was then taken to the Education Committee who developed the education priorities. The education priorities focused on Barriers to Justice.

In closing, Ms. Evans mentioned that future courses will be developed that will delve into economic, cultural, social, and education barriers.

It was noted that identifying your audience and your goals is important when putting together classes. One class does not serve everyone well. Moreover, addressing the various learning styles of individuals as well as providing a supportive environment is also important. Venues that have worked best for MCSC include electronic media, intranet presentations, lunch hour events, quarterly education days, etc.

Other comments included:

- Find out what works and then scale it up to the judiciary. There is a push for more long distance learning approaches. A blended approach is needed in order to keep a sustainable model across the judiciary.
- It is important to hone in on various learning styles regardless of the content. There is a central repository within the various training coordinators.
- How do we measure impact of training and what follow up is being done?
- As the Maricopa County Superior Court continues to partner with the Morris Institute, one of the goals includes the design of a measurement tool to make sure that they are investing their education dollars in the correct areas. Additionally, there are platforms like “train the trainer workshops” for training coordinators.
- Regarding DMC, if the decision points of the court were targeted in a training session and an additional cultural awareness component was presented for each of these decision points, would we be able to measure any gain in using the report card?

## 11. **Workgroup Update**

It was noted that the chair positions for the Cultural Competency (or Cultural Awareness) and Diversity Workgroups are vacant. Volunteers were requested.

Judge Song Ong asked that the workgroups plan on getting together prior to the January, 2010 meeting in order to report out to the whole commission.

### **Collaboration and Outreach – Margarita Silva**

This workgroup has not met. The state of the budget has put the proposed focus groups on hold at this time.

### **Diversity Workgroup – Margarita Silva reported**

Following the last Chris Nakamura Judicial Appointment Workshop, the workgroup had not met again but had agreed to work with the Collaboration and Outreach Workgroup on the focus groups.

### **Cultural Competency**

At the last COM meeting, there was discussion on changing the name of this workgroup. One of the names that mentioned was: Cultural Awareness. Ideas for the name change included:

- Keep the name as is
- Cultural Awareness
- Cultural Fluency
- Cultural Awareness and Education
- Cultural Education and Development
- Cultural Awareness and Proficiency

Discussion ensued regarding the possibility of combining workgroups. It was agreed that the group would like to hear some input from Lisa Loo on any additional thoughts that she would have on this issue. Discussion was tabled for next meeting.

### **Over-representation – Jesus Diaz**

Mr. Diaz gave a report as part of his earlier presentation. See Paragraph 8. Statewide DMC Committee Goals and Initiatives

## 12. **Other Business:**

Honorable Peter J. Eckerstrom agreed to chair the Diversity Workgroup  
 Honorable Penny L. Willrich (Ret.) agreed to chair the Cultural Competency (or new name) Workgroup

Note to the chairs:

- Minutes for these workgroups are not required but have proven helpful.
- If the chairs would like to meet at the State Courts Building, they are encouraged to contact Susan Pickard to investigate whether a conference room is available.
- The workgroups can also call in and request a conference call in number if needed.
- At the present time, there is the "Go To" meeting subscription that can also be used to facilitate meetings.

Commission members were asked to review the attached Membership List for any changes in their contact information and submit those changes to Ms. Pickard prior to the January 2010, meeting.

Christ Nakamura Workshop – Justin Ruggieri

Mr. Ruggieri is assisting with the Minority Bar Convention this year and inquired as to the feasibility changing the format of the Chris Nakamura Judicial Appointment Workshop. It was suggested that he speak to Judge Peter Eckerstrom who has agreed to head up the Diversity Workgroup. Judge Song Ong or Judge Ann Scott Timmer could also be contacted as a backup.

**13. NEXT MEETING**

The next full commission meeting is scheduled for Thursday, January 21, 2010, at the Arizona Courts Building, Conference Rooms 230 from 1:00 – 4:00 pm. Agenda items to include:

- ✓ Name change for Cultural Awareness Workgroup
- ✓ Commission Goals
- ✓ ACJA Section 1-107
- ✓ Presentations from Los Abogados and Native American Bar Association

**Call to the Public – No responses**

**Adjourned at 2:27 pm**