

**Commission on Minorities in the Judiciary**  
**MINUTES**

**Thursday, November 6, 2014**

2:00 p.m. – 4:00 p.m.

Conference Room 230

1501 West Washington Street

Phoenix, Arizona 85007

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**Present:** Judge Portley, Catharina Johnson, Mike Baumstark, Frankie Jones, Roxanne Song-Ong, Professor Patricia Ferguson-Bohnee, Judge Anna Huberman, John Vivian

**Telephonic:** Judge Gilberto Figueroa, Penny Willrich, Marian Zapata-Rossa

**Absent/Excused:** Judge Maria Avilez, Diandra Benally, Judge Alma Vildosola

**Presenters/Guests:** Mike Martinez

**AOC Staff:** Susan Pickard, Sabrina Nash

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**I. REGULAR BUSINESS**

**A. Welcome and Opening Remarks**

The November 6, 2014, meeting of the Commission on Minorities in the Judiciary (COM) was called to order at 2:05 p.m. by Judge Portley, Chair. Introductions were made. Judge Portley congratulated Judges Gilberto Figueroa, Alma Vildosola, and Dan Slayton on winning their respective retention/re-election campaigns. He also noted that Judge Ben Norris, who was not retained by the voters of Maricopa County, would be vacating his position on December 31, 2014.

**B. Approval of Minutes**

The draft minutes from the August 7, 2014, meeting of the COM were presented for approval.

**Motion:** To approve the August 7, 2014, meeting minutes, as presented. **Vote:** passed.

**II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS**

**A. Fifth Statewide Report Card on Equitable Treatment of Minority Youth Update**  
*(taken out of order)*

John Vivian, updated COM on the progress of the report card. He stated the subcommittee is awaiting data from David Redpath AOC. He also referred to two reports that compiled disproportionate minority contact (DMC) in Arizona: (1) Pima County's report measured DMC in that county and identified steps to address the issues; and (2) Arizona State University (ASU) professors Dr. Nancy Rodriguez and Dr. Marjorie Zatz, produced a statewide study on DMC in February 2014 that showed racial and ethnic minorities were more likely to receive more severe sanctions than their white counterparts. The ASU study contains data through 2010. Mr. Vivian

also handed out a 2011 report by the Office of Juvenile Justice and Delinquency Prevention that supports the findings of the previously mentioned studies about DMC. Mr. Vivian stated that a new feature of the report card would be trend analysis which will allow for better tracking of trends on equitable treatment of minority youth in the future.

**B. Bench Diversity Research Project Update**

Penny Willrich provided a project update to members. She shared that instead of a formal course on the Judicial Diversity Project each professor, at the three respective law schools, will be responsible for supervising a group of students who will help with the research. At the next workgroup meeting the discussion will focus on the research questions, what sources will be used to collect the information, and how the information will be gathered. Each professor is currently recruiting students by offering either independent study credit or credit for writing a substantial paper on an aspect of the study. Students can also choose to receive pro bono hours for participating in the research project in lieu of credits.

**C. Diversity Outreach**

Judge Portley shared an article written by Chief Justice Bales and published in the Arizona Republic regarding the merit selection system for selecting judges in Arizona. He then shared the published response by Mr. Michael Martinez, retired attorney and former president of the Hispanic National Bar Association disagreeing with the Chief Justice's opinion because the real problem is that the various trial and appellate court commissions were not racially diverse and the majority of the members were appointed by the Governor. Judge Portley also shared the Chief Justice's rebuttal letter to Mr. Martinez, which noted that although they differ in their views of how the judicial selection process works, they agree that Arizona should seek greater diversity in the state's judicial nominating commissions and among those appointed as judges. Judge Portley encouraged COM members to actively disseminate information about judicial and commission openings, and to encourage associates to apply for the openings.

**D. State Bar of Arizona Spring Training for Lawyers Chris Nakamura Judicial Appointment Workshop Update**

Judge Song Ong outlined the events tentatively scheduled for the 2015 Spring Training (March 19 – March 20, 2015) at the Desert Willow Conference Center. She noted the afternoon breakouts for the Chris Nakamura Workshop are still in the planning stages. Currently, the workshops are scheduled for Friday, March 20.

**E. Arizona Judicial Mentoring Program-in Partnership with Justice at Stake**

Judge Song Ong and Frankie Jones explained that the goal of the partnership with *Justice at Stake* is to build a pipeline of judges, support fair and inclusive practices for selecting quality judges, educate the public, and connect and strengthen institutions. The first step in building a pipeline of future judges is to link sitting judges in Arizona's merit selection jurisdictions with attorneys from a diverse range of demographic and professional backgrounds. These mentors will help to clarify the

formal and informal aspects of the judicial selection process, provide professional guidance and support, and increase awareness of what it's like to serve as a judge. In addition to pairing sitting judges with qualified mentees, the program will create opportunities for all mentees, mentors, and leaders from partner organizations to make connections and share knowledge. This program is a joint collaboration among several Arizona legal organizations and partner bars.

**F. 2015 Meeting Schedule**

Susan Pickard, COM staff presented the Commission members with the following proposed 2015 meeting dates:

- February 5, 2015
- May 7, 2015
- August 6, 2015,
- November 5, 2015

The question was raised regarding changing the meeting time from 2:00 – 4:00 pm to 1:00 – 3:00 pm to make it easier for commission members who traveled from outside Maricopa County.

**Action Item:** Commission staff will poll the members and report the finding to the Chair.

**III. OTHER BUSINESS**

**A. Next Meeting – February 5, 2015**

**B. Good of the Order/Call to the Public**

Professor Patricia Ferguson-Bohnee mentioned the National Asian Pacific American Bar Association (NAPABA) Convention starts this weekend. The NAPABA president elect is George Chin from Arizona. Also this weekend is the National NAVA Board meeting 11/8/2014.

Judge Portley stated that the AZ Black Bar had a successful scholarship fundraising event featuring Connie Rice who talked about challenges and opportunities of working with the LA Police Department, and highlighted the accomplishments she made once she began working with the LAPD and the community.

Meeting adjourned at 3:45 p.m.