

COMMISSION ON MINORITIES IN THE JUDICIARY

Minutes

Thursday, February 5, 2015

1:00 p.m. – 3:00 p.m.

Conference Room 230

1501 West Washington Street

Phoenix, AZ 85007

Present: Mike Baumstark, Paul Bennett, Judge Anna Huberman, Catharina Johnson, Frankie Jones, Judge Maurice Portley, Judge Roxanne Song Ong (ret.), John Vivian

Telephonic: Judge Maria Avilez, Judge Alma Vildosola, Marian Zapata-Rossa

Absent/Excused: Diandra Benally, Patricia Ferguson-Bohnee, Gilberto Figueroa, Judge Dan Slayton, Judge Penny Willrich (ret.)

Presenters/Guests: Chief Justice Scott Bales, Vice Chief Justice John Pelander, Laura Beckman, ASU Doctoral Student, Gabriel Goltz, AOC Education Services Division, Mike Martinez

Administrative Office of the Courts (AOC) Staff: Susan Pickard, Sabrina Nash

I. REGULAR BUSINESS

A. Welcome and Announcements meeting began at 1:10 pm

B. Approval of Minutes

The draft minutes from the October 6, 2014, meeting were presented for approval.

Motion: To approve the October 6, 2014 meeting minutes as presented.

Moved by: Mike Baumstark **Seconded by:** Frankie Jones. **Vote:** unanimous.

II. BUSINESS AND POTENTIAL ACTION ITEMS

A. *Arizona Juvenile Justice System Disproportionate Minority Contact Assessment*

Laura Beckman, ASU Doctoral Student, presented the Arizona Juvenile Justice System Disproportionate Minority Contact Assessment authored by Dr. Nancy Rodriguez, Dr. Marjorie S. Zatz and herself. The data used in the assessment was collected from the Juvenile On-Line Tracking System (JOLTS). The researchers conducted an extensive review of probation case files and interviews with juveniles in Maricopa, Pinal and Gila counties. The review of data and case file information was broken down demographically by race, ethnicity and gender. In the case file review, researchers looked for family, psychological factors, victimization, peer influence, gang involvement, and school performance and attendance.

The main factors contributing to disproportionate minority contact in the three counties studied were:

- In Maricopa County - an ADHD or PTSD diagnosis, drug and/or alcohol use, gang involvement, parent/child relational problems, and lack of family insurance.
- In Pinal County - drug use, delinquency, school detention or expulsion, changes in family structure, CPS involvement, and having a warrant.
- In Gila County assault, domestic violence, having co-offenders, gang involvement, and having an older sibling involved with the courts.

Juvenile court officials were also surveyed. They would like to see more family centric services, support in the community, more focus on prevention and less reliance on detention, increased dialogue with local communities on juvenile justice, increased diversity and cultural training, and a more diverse court workforce.

Ms. Beckman stated that based on the assessment's findings the following recommendations are proposed to help reduce disproportionate minority contact:

- increase prevention and intervention programs such as services that address drug and alcohol abuse and promote healthy families;
- collaborate more with school districts to support educational and skill development;
- improve access to resources and services in remote and outlying areas; and
- improve intergovernmental relations by increasing communication and sharing best practices and resources.

B. Bench Diversity Research Project Update, Professor Paul Bennett

The project's goal is to determine the diversity of Arizona's courts. The research project team is currently deciding:

- whether to use current census categories or to ask respondents to self-identify;
- which questions to ask;
- how to go about asking those questions; and
- whether to use an electronic survey tool similar to Survey Monkey to ensure the anonymity of the judges.

The team has already decided to group questions regarding age, and years out of law school into five year increments to preserve the confidentiality of the judge's identities.

Discussion: A question was raised regarding using current racial/ethnic EEOC classifications versus creating new ones by allowing judges to self-identify. Professor Bennett reiterated that the goal of the research project is accurately capture how judges self-identify and to provide a snapshot of current bench diversity in Arizona.

C. Visit with Chief Justice Scott Bales, Arizona Supreme Court

The Chief Justice discussed the Court's strategic agenda highlighting the importance of access to justice, and diversity in judicial recruitment and the

nominating process. He reported that implicit bias training is being presented at new judge orientation and during other judicial training sessions. Chief Justice Bales shared that Governor Doug Ducey has expressed an interest gathering a larger pool of diverse candidates for judicial appointments.

D. Our Courts Arizona

Vice Chief Justice John Pelander, Arizona Supreme Court, and Gabriel Goltz, Education Services Division, AOC discussed *Our Courts Arizona*. Justice Pelander quoted a recent National Center for State Courts survey that showed only 21 percent of those polled could name all three branches of the government. The goal of *Our Courts Arizona* is to get judges out into their communities and speaking to adult groups about how judges are appointed or elected in Arizona; the rule of law, its meaning and how it impacts individuals; and the Bill of Rights. Justice Pelander hopes that these adult interactive sessions not only educate and inform, but also encourage minorities to participate more in all aspects of the judicial system, including applying to the bench. He asked that the names of any suggested adult groups for these presentations be forwarded to Gabe Goltz. He also noted the need for volunteer presenters.

E. State Bar of Arizona Spring Training for Lawyers Chris Nakamura Judicial Appointment Workshop Update, Judge Roxanne Song Ong (Ret.) stated that planning for the workshop is underway. The workshop will be held in two breakout sessions, each an hour and a half long. Ms. Frankie Jones outlined the breakout sessions, the first session being, *“So you want to be a Judge: Identifying and Encouraging Qualified and Diverse Judicial Candidates.”* The second session is titled: *“The Future of the Judiciary: Do Our Courts Look like Arizona?”* Commission members were encouraged to attend.

F. As a Judicial Applicant, I wish I had Known...

Susan Pickard, Staff, explained that an article by Judge Paul Tang discussing the dos and don'ts of applying for judicial office was once a part of the Chris Nakamura Judicial Appointment Workshop materials. Having become dated, the article has since been removed. She asked if members had any interest in developing a new article for inclusion in future workshop materials. No immediate interest was expressed.

G. 5th Statewide Report Card Update

Judge Maria Avilez, Sahuarita Municipal Court, shared that she'd received notice from David Redpath that the draft report card would be ready for workgroup review on February 13, 2015. The next workgroup meeting will be telephonic and held within the next couple of weeks.

H. Project Brainstorming

Judge Maurice Portley, Chair, shared his idea to include time on each agenda to consider possible projects. Members were invited to share their project ideas for commission consideration. Members did not have any immediate ideas to share, but we'll keep asking.

III. OTHER BUSINESS

A. Next Meeting – May 7, 2015

B. Good of the Order/Call to the Public

Meeting adjourned at 3:06 p.m.