

**Task Force on Countering Disinformation
State Courts Building, Phoenix
Meeting Minutes: January 15, 2020**

Members attending: Aaron Nash (Chair), MJ Abril (telephonic), Jessica Fotinos, Hon. David Fuller, Dawn Gilpin, Joe Hengemuehler, Patience Huntwork (arrived 10:25), Hon. Todd Lang (left 11:30; proxy Amy Love remained), Krisanne LoGalbo (telephonic), William Long, Scott Ruston, Deborah Schaefer (telephonic), Hon. Donald Watts (telephonic)

Absent: (all notified chair) Hon. Bradley Astrowsky, Fredric Bellamy, David Bodney, Pete Dunn, Eduard Goodman

Guests: Elizabeth Parker (telephonic), Lori Ford, Patrick Hansen, Lorraine Patterson, Malinda Sherwyn

AOC staff: Alicia Moffatt

1. Call to order. The Chair called the meeting to order at 10:03 a.m.

The Chair welcomed members and made administrative comments. Task Force members were shown Chief Justice Roberts' year-end report for the U.S. Supreme Court and where it referenced a need for greater civics education and judicial outreach. The members were also shown the 2019 public survey poll from the National Center for State Courts and were encouraged to review the materials in detail from the Task Force website.

2. Approval of minutes. The Chair called for corrections to the December 20, 2019 meeting minutes. None were offered.

Motion: A member moved to approve the minutes. The motion was seconded and passed unanimously. CDTF: 08

3. Discussions. The Chair invited workgroups to report their progress to the Task Force.

Workgroup 1. Dawn Gilpin presented the members an update on the survey approved at the December meeting. Response rate has been good, with a majority of respondents saying they believe they have experienced what they thought was disinformation. The survey deadline expires after the January Task Force meeting, so the workgroup will compile and review the results and report back in February.

Workgroup 2. Jessica Fotinos presented the workgroup's progress to the Task Force. The workgroup affirmed its initial recommendations. Communication and site visits with Arizona State University's departments and projects are pending scheduling. Members discussed scenarios and the expected process for making formal recommendations. The Chair directed members to the Report and Recommendations from the Court's recent Legal Services Task Force as a model for drafting recommendations.

A member asked if the Judicial Ethics Canons, last updated in 2009, would be a barrier to potential recommendations for outreach, education, and responding to disinformation. The chair and Jessica will contact Commission on Judicial Conduct Director Margaret Downie for input and review of the workgroup and Task Force efforts.

A member asked if the Task Force's recommendations will be presented to other committees, commissions, or task forces for consideration and input before submitting a final report and recommendations. The chair stated this is the preferred approach and will require having draft recommendations prepared in time for those committees, commissions, and task forces to consider them and give feedback before the Countering Disinformation Task Force's deadlines. This is one additional factor making it important for workgroups to start drafting recommendations for Task Force consideration.

A member suggested that the final report and recommendations include detail and direction where possible, to minimize other future workgroups or staffers having to do extensive curriculum or information development.

A member suggested that the workgroup focus on what public information officers (PIO) or those who fill that role can do and their limitations. Depending on the court, the person acting as PIO could be a judicial officer and subject to different rules and limits on what they can say.

Introductions and Workgroup renaming. Between workgroup presentations, members were introduced to Amy Love and MJ Abril. Amy is the new Communications Director for the Judicial Branch in Maricopa County and was present as Judge Lang's proxy. MJ Abril is the Interim Director of Court Security and Facilities for the Superior Court in Pima County and was recently appointed a full member of the Task Force.

The Chair noted that the Task Force agreed to collapse the initial four workgroups into three workgroups. To promote clarity, the members agreed by consensus that former Workgroup 4 would be renamed Workgroup 3 going forward.

Workgroup 3. Krisanne LoGalbo presented the workgroup's progress to the Task Force. The workgroup continues its research into national and local legislative efforts. A local attorney recently authored an article about the Federal Foreign Agents Registration Act and has agreed to talk to the workgroup about federal efforts in this area and how it may fit into the Task Force's work. The workgroup envisions templates that would guide judicial officers and staff with how to recognize and respond to disinformation but would like help in developing materials. The Chair noted that some recommendations can provide a starting point: outlines, broad topics or categories that curriculum and education developers could turn into materials with input from subject matters experts. As discussed earlier, the Task Force can produce complete information, resources, and materials where possible and recommend the development of others that will take more time or detail than provided for in the Task Force's timeline.

The workgroup had a conference call with Jesse Rutledge from the National Center for State Courts. The National Center has plans to serve many different roles related to disinformation

campaigns. He will provide more information when he presents to the Task Force in March. A member suggested that Arizona should leverage the resources available from the National Center and should also be diligent about maintaining local resources and solutions.

A member noted that while public information officers are a good resource for responding to questions and situations, they need accurate information, which requires that judicial officers, administrators, and others who have information remember to provide it quickly to their PIOs.

Regarding an earlier recommendation that every court have a social media or online presence, the members revisited the fact that individual courts will have limitations on what they can do, depending on who ultimately decides whether to have an online presence, and who controls their online presence and how often it can be updated.

Krisanne recommended the article “How to Score a Perfect 10” as a good resource from the legislative drafting arena that addresses how to verify sources and improve credibility in messaging.

Judge Fuller updated the members about the Administrative Office of the Courts’ “Our Courts AZ” education and outreach program. Presentation and educational materials already exist and are packaged for judicial officers to take information about courts and civics into the community. Those materials will be refreshed for today’s environment and adapted to school-age audiences, including references to disinformation and media literacy.

Amy Love advised the members that the Superior Court in Maricopa County will be developing a citizens academy that will bring the public in and provide information about courts and civics. Similar programs have been in place in other government agencies like the sheriff’s office and county attorney’s office.

Workgroup 2. After a lunch break, the members returned to Workgroup 2’s updates. Jessica Fotinos showed the members an example of a fraudulent document. A litigant in a criminal case copied and pasted a clerk’s office signature and stamp onto a document and presented it as an official document to refute information that appeared on a background check. In this instance, the person receiving the document recognized irregularities and contacted the clerk’s office, resulting in verification that the document did not originate from a court.

Scott Ruston referenced materials about foreign powers’ messaging. Because the information is voluminous, he will coordinate with the Chair to make the information available to the members online.

4. Roadmap. The Chair encouraged members to continue their workgroup meetings, to get future meeting dates on their calendars, and to start drafting recommendations to present to the Task Force. Members were encouraged to continue seeking out subject matter experts as presenters.

5. Call to the public.

Patrick Hansen, Lorraine Patterson, Lori Ford, and Malinda Sherwyn addressed the Task Force.

6. Adjournment. The meeting adjourned at 12:54 p.m.

Next meeting: Wednesday, February 19, 2020, beginning at 1:00 p.m.
Arizona State Courts Building, Conference Room 230
1501 W. Washington St., Phoenix, AZ 85007