

# MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

## MINUTES

February 10, 2016

**PRESENT:** Justice Robert M. Brutinel, Acting Chair; Leonard Gilroy; Bill Hughes; Barbara Marshall; Steve Perica; Amanda Reeve; Ron Reinstein; Debra Stark;

**ABSENT:** Barry Aarons, Robert Dalager; Warde Nichols; Tommy Richardson; Diane Rosztoczy and Paul Senseman

Justice Robert Brutinel, Acting Chair, called the meeting to order at 8:31 a.m.

### Introductions

Justice Brutinel introduced himself and welcomed the Commission members and the public. He explained the purpose of the meeting is to interview for the position created by the resignation of Judge Joseph Sciarrotta.

### Public Comment

Justice Brutinel asked for public comment on the candidates that will be interviewed for the Maricopa County vacancy. 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.

Jason Schechterle spoke on behalf of Kristin Culbertson.  
Gary Restaino spoke on behalf of Todd Lang  
Edmundo Robaina spoke on behalf of Kristin Culbertson.  
Peggy Baze spoke on behalf of Annielaurie Van Wie.  
Kristen Polin spoke on behalf of Annielaurie Van Wie.  
Helen White spoke on behalf of Bruce Brown.  
Joseph Mais spoke on behalf of Scott Minder.  
Charles Callahan spoke on behalf of Michelle Johnson.

### Approval of Minutes

Justice Brutinel asked if any member wished to submit changes or additions to the draft minutes of the January 28, 2016 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

### Interview Questions

A motion to go to executive session for the purpose of selecting interview questions was made at 8:53 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:30 a.m.

## **Due Diligence Reports**

Commission members delivered the due diligence reports for Annielaurie Van Wie, Todd Lang, Mark House, Kristin Culbertson, Erin O'Brien Otis, Max-Henri Covil, Bruce Brown, Lisa Vandenberg and Kimberly Demarchi. Justice Brutinel asked that the rest of the reports be discussed after lunch.

## **Disqualifications and Disclosures**

Justice Brutinel asked the Commission if there were additional disqualifications or disclosures since the screening meeting on January 28, 2016.

Walt Opaska disclosed that he ran into Kristen Culbertson at an event the previous week and said hello.

## **Candidate Interviews**

From 10:40 a.m. to 12:22 p.m. the Commission interviewed Annielaurie Van Wie, Todd Lang, Mark House, Kristin Culbertson, Erin O'Brien Otis and Max-Henri Covil.

The Commission recessed for lunch at 12:25 p.m.

Justice Brutinel called the meeting back to order at 12:56 p.m.

Commission members delivered the due diligence reports for Scott Minder and Michelle Johnson.

## **Candidate Interviews**

From 1:10 p.m. to 2:24 p.m. the Commission interviewed Bruce Brown, Lisa Vandenberg, Kimberly Demarchi, Scott Minder and Michelle Johnson.

## **Discussion of Applicants and Interviews and Selection of Nominees**

Justice Brutinel reminded the Commission of the constitutionally required balance of political affiliations among nominees. He explained he would only vote on a candidate in the event of a tie.

The Commission discussed the interviews and the qualifications of the candidates in alphabetical order. Justice Brutinel suggested that a non-binding straw vote would be helpful to focus discussion and determine if any strong consensus existed on the potential nomination list. The results of the straw vote were:

Bruce Brown – 0  
Max-Henri Covil – 0  
Kristin Culbertson – 8  
Kimberly Demarchi – 8  
Mark House – 7  
Michelle Johnson – 6  
Todd Lang – 7

Scott Minder – 6  
Erin O'Brien Otis – 7  
Annielaurie Van Wie – 5  
Lisa Vandenberg - 4

There was additional discussion regarding the candidates that received 3 or more votes. Bruce Brown and Max-Henri Covil were eliminated from further discussion.

A motion to open the floor for individual nominations was made. The motion was seconded and passed unanimously.

Justice Brutinel opened the floor for individual nominations to a non-binding list of nominees to be sent to the Governor.

Debra Stark moved to add Michelle Johnson to the list. The motion was passed by a vote of 6-2-1 with Justice Brutinel abstaining.

Amanda Reeve moved to add Scott Minder to the list. The motion was passed by a vote of 7-1-1 with Justice Brutinel abstaining.

Leonard Gilroy moved to add Mark House to the list. The motion was passed by a vote of 7-1-1 with Justice Brutinel abstaining.

Barbara Marshall moved to add Kimberly Demarchi to the list. The motion was passed by a vote of 8-0-1 with Justice Brutinel abstaining.

Ron Reinstein moved to add Todd Lang to the list. The motion was passed by a vote of 7-1-1 with Justice Brutinel abstaining.

Amanda Reeve moved to add Kristin Culbertson to the list. The motion was passed by a vote of 8-0-1 with Justice Brutinel abstaining.

Ron Reinstein moved to add Erin O'Brien Otis to the list. The motion was passed by a vote of 7-1-1 with Justice Brutinel abstaining.

Steve Perica moved to add Annielaurie Van Wie to the list. The motion was passed by a vote of 6-2-1 with Justice Brutinel abstaining.

Leonard Gilroy moved to close nominations. The motion was seconded and passed unanimously.

After further discussion it was moved that **Kristin Culbertson, Kimberly Demarchi, Mark House, Michelle Johnson, Todd Lang, Scott Minder, Erin O'Brien Otis** and **Annielaurie Van Wie** be adopted as the final nomination list for submission to Governor Ducey. The motion was seconded and passed unanimously.

## **Adjournment**

Justice Brutinel thanked the members for their service. At 2:42 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully submitted,

Rob Dalager  
Commission Secretary