

MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

July 27, 2016

PRESENT: Justice Robert M. Brutinel, Acting Chair; Barry Aarons; Rob Dalager; Andrea Donnellan; Bill Hughes; Barbara Marshall; Walt Opaska; Amanda Reeve; Ron Reinstein; Paul Senseman;

ABSENT: Leonard Gilroy; Warde Nichols; Steve Perica; Tommy Richardson; and Andres Vasquez

Justice Robert Brutinel, Acting Chair, called the meeting to order at 8:30 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 positions created by the retirement of Judges J. Richard Gama, Crane McClennen and Roland J. Steinle, III.

Public Comment

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

Kim Spence spoke on behalf of Michael Blair.
Morgan Potton spoke on behalf of Michelle Johnson.
Doray Elkins spoke on behalf of Annielaurie Van Wie.
Tony Rice spoke on behalf of Michelle Johnson.
Colin Campbell spoke on behalf of Ronda Fisk.
Gary Restaino spoke on behalf of Todd Lang.
Lisa Andrews spoke on behalf of Erin O'Brien Otis.
Armando Nava spoke on behalf of Annielaurie Van Wie.

Approval of Minutes

Justice Brutinel asked if any member wished to submit changes or additions to the draft minutes of the June 29, 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 8:55 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:17 a.m.

Due Diligence Reports

Commission members delivered the due diligence reports for Michelle Johnson, Lisa VandenBerg, Michael Gottfried, Kimberly Demarchi, Scott Minder, Jessica Cotter, Ronda Fisk, Michael Anderson, Mark House, Annielaurie Van Wie, Todd Lang and Michael Mandell. 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 June 29, 2016.

Barbara Marshall reminded the Commission she is recused on Michael Anderson's application.

Andrea Donnellan disclosed that a defendant who appeared in Annielaurie Van Wie's court is distantly related through her brother-in-law's family.

Candidate Interviews

From 10:40 a.m. to 12:00 p.m. the Commission interviewed Michelle Johnson, Lisa VandenBerg, Michael Gottfried, Kimberly Demarchi, Scott Minder and Jessica Cotter.

The Commission recessed for lunch at 12:00 p.m.

Justice Brutinel called the meeting back to order at 12:30 p.m.

A motion to go into executive session was made at 12:34 p.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 12:45 p.m.

Commission members delivered the due diligence reports for Michael Blair and Erin O'Brien Otis.

Candidate Interviews

From 1:05 p.m. to 2:15 p.m. the Commission interviewed Ronda Fisk, Michael Anderson, Mark House, Annielaurie Van Wie and Todd Lang.

From 2:30 p.m. to 3:10 p.m. the Commission interviewed Michael Mandell, Michael Blair and Erin O'Brien Otis.

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:

Michael Anderson – 4
Michael Blair – 8
Jessica Cotter – 0
Kimberly Demarchi – 9
Ronda Fisk – 9
Michael Gottfried – 0
Mark House – 7
Michelle Johnson – 7
Todd Lang – 8
Michael Mandell – 7
Scott Minder – 9
Erin O'Brien Otis – 8
Annielaurie Van Wie – 9
Lisa VandenBerg – 8

There was additional discussion regarding the candidates that received 3 or more votes. Jessica Cotter and Michael Gottfried 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.

Barry Aarons moved to add Lisa VandenBerg to the list. The motion was seconded and passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Ron Reinstein moved to add Ronda Fisk to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Rob Dalager moved to add Michael Blair to the list. The motion was seconded and passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Barbara Marshall moved to add Annielaurie Van Wie to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Amanda Reeve moved to add Scott Minder to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Barbara moved to add Erin O'Brien Otis to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Paul Senseman moved to add Kimberly Demarchi to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Brutinel abstaining.

Ron Reinstein moved to add Michelle Johnson to the list. The motion was seconded and passed by a vote of 7-2-1 with Justice Brutinel abstaining.

Barbara Marshall moved to add Todd Lang to the list. The motion was seconded and passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Barry Aarons moved to add Michael Mandell to the list. The motion was seconded and passed by a vote of 7-2-1 with Justice Brutinel abstaining.

Amanda Reeve moved to add Michael Anderson to the list. The motion failed by a vote of 3-5-2 with Barbara Marshall and Justice Brutinel abstaining.

Ron Reinstein moved to add Mark House to the list. The motion was seconded and passed by a vote of 8-1-1 with Justice Brutinel abstaining.

Barry Aarons moved to close nominations. The motion was seconded and passed unanimously.

After further discussion it was moved that **Michael Blair, Kimberly Demarchi, Ronda Fisk, Mark House, Michelle Johnson, Todd Lang, Michael Mandell, Scott Minder, Erin O'Brien Otis Annielaurie Van Wie and Lisa VandenBerg** 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 3:36 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully submitted,

Rob Dalager
Commission Secretary