

# **PIMA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS**

## **MINUTES**

**January 13, 2016**

**PRESENT:** Justice Ann A. Scott Timmer, Acting Chair; Lynn Cuffari; Sherry Downer; Michael Hennessy; Marian Hill; Troy Larkin; Gioia Sanderson; Carole Siegler and Nanette Warner

**ABSENT:** Michael Boreale, Cassia Lundin and Richard Schaefer

Justice Ann A. Scott Timmer called the meeting to order at 8:37 a.m. and welcomed the commission members and public present. She noted that the interviews will be followed by nominations to fill the judicial vacancy created by the appointment of Judge Christopher Staring to Division II of the Arizona Court of Appeals.

### **Public Comment**

Justice Timmer called for public comment on the candidates being interviewed. She reminded the speakers they were limited to a couple minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Colonel Patrick Donaldson spoke on behalf of John Smith.  
Michael McDonald spoke on behalf of Wayne Yehling.  
Chad Kasmar spoke on behalf of Kellie Johnson.  
Marya Wheeler spoke on behalf of Nanette Morrow.  
Mary Beth Tucker spoke on behalf of Janet Calkins Bostwick.  
Laura Udall spoke on behalf of Kellie Johnson.  
Malena Acosta spoke on behalf of Nanette Morrow.  
Kenneth Scott spoke on behalf of Nanette Morrow.  
Jonelle Vold spoke on behalf of Greg Sakall.

### **Approval of Minutes**

Justice Timmer asked if any member wished to submit changes or additions to the draft minutes of the screening meeting held on December 10, 2015. It was moved that the minutes be approved with corrections. The motion was seconded and passed unanimously.

### **Selection of Interview Questions**

A motion to go to executive session for the purpose of selecting interview question was made at 9:15 a.m. The motion was seconded and passed unanimously.

The commission returned to public session at 10:42 a.m.

### **Disqualifications and Disclosures**

Justice Timmer asked the Commission members if there were any changes to the disqualifications and disclosures since the December 10, 2015 screening meeting.

Gioia Sanderson disclosed that she worked with Cynthia Kuhn on this Commission.

Marian Hill disclosed that she worked with Cynthia Kuhn on this Commission.

Lynn Cuffari disclosed that she worked with Cynthia Kuhn on this Commission.

### **Investigation Reports**

Justice Timmer asked the Commission to disclose all due diligence reports after lunch.

### **Interviews of Applicants**

From 10:54 a.m. to 12:40 p.m. the Commission interviewed Kellie Johnson, Janet Calkins Bostwick, Greg Sakall and Anita Simons.

From 12:40 p.m. to 1:15 p.m. the commission recessed for lunch.

From 1:20 p.m. to 2:52 p.m. the Commission interviewed Cynthia Kuhn, Wayne Yehling, John Smith and Nanette Morrow.

### **Investigation Reports, Discussion of Applicants and Interviews**

Justice Timmer suggested to combine due diligence reports and the discussion of the applicants and interviews due to the time delay.

Justice Timmer reminded Commission members of the constitutionally required balance of political affiliations among nominees. She added that she would not be voting unless there was a tie.

The Commission discussed the due diligence reports, the interviews and the qualifications of the candidates in alphabetical order.

After further discussion, Justice Timmer asked the Commission if a straw vote was needed prior to nominations; the Commission did not believe so. Justice Timmer opened the floor for individual nominations and votes to create a tentative list of nominees.

Nanette Warner motioned to add Daniel “Greg” Sakall to the list. The motion was passed by a vote of 7-1-1 with Justice Timmer abstaining.

Mike Hennessey moved to add Kellie Johnson to the list. The motion was passed by a vote of 7-1-1 with Justice Timmer abstaining.

Gioia Sanderson moved to add Janet Calkins Bostwick to the list. The motion was passed by a vote of 8-0-1 with Justice Timmer abstaining.

Troy Larkin moved to add Wayne Yehling to the list. The motion was passed by a vote of 8-0-1 with Justice Timmer abstaining.

Lynn Cuffari moved to add Cynthia Kuhn to the list. The motion was passed by a vote of 7-1-1 with Justice Timmer abstaining.

Mike Hennessey moved to add John Smith to the list. The motion was not seconded.

Lynn Cuffari moved to add Nanette Morrow to the list. The motion tied with a vote of 4-4, Justice Timmer untied the vote and voted to add Nanette Morrow to the list.

Carole Siegler motioned to close nomination and finalize the list of nominees consisting of **Janet Calkins Bostwick, Kellie Johnson, Cynthia Kuhn, Nanette Morrow, Daniel “Greg” Sakall and Wayne Yehling**. The motion was seconded and passed with a vote of 8-0-1 with Justice Timmer abstaining.

### **Adjournment**

At 5:04 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully submitted,

Gioia Sanderson  
Commission Secretary