

# Commission on Minorities in the Judiciary

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## MINUTES

Thursday, February 2, 2017  
Conference Room 230, Arizona State Courts Building  
1501 West Washington Street  
Phoenix, AZ 85007

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**Present:** Judge Maurice Portley, Chair, Dr. Joanne Basta, Mike Baumstark, Professor Paul Bennett, Domingo Flores, Jr., Judge Anna Huberman, Catharina Johnson, Frankie Jones, Judge Roxanne Song Ong (retired), Dr. John Vivian, Judge Joan Wagner

**Telephonic:** Judge Maria Avilez, Professor Patricia Ferguson-Bohnee

**Absent/Excused:** Judge Gilberto Figueroa (retired), Judge Alma Vildosola, Judge Penny Willrich (retired)

**Administrative Office of the Courts (AOC):** Deborah Kurth, David Redpath, Juvenile Justice Services Division (JJSD), Theresa Barrett, Julie Graber (Court Services Division)

**AOC Staff:** Susan Pickard, Karla Williams

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## I. REGULAR BUSINESS

Welcome and Opening Remarks. The February 2, 2017, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:06 p.m. by Judge Portley, Chair.

### Approval of Minutes from November 10, 2016

The draft minutes from the November 10, 2016, meeting of the COM were presented for approval.

**Motion:** Professor Bennett moved to approve the November 10, 2016, minutes as presented.

**Seconded:** Judge Wagner **Vote:** Unanimous.

## II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

### A. Disproportionate Minority Contact Study

David Redpath, Juvenile Justice Services Division (JJSD), provided a brief background on disproportionate minority contact (DMC) report cards. He stated that the statewide report cards identify disparity but do not explain why the disparity exists. An explanation for the potential causes of disparity has been a topic examined in some studies on statewide report cards. He reported that while DMC still exists at various decision points within the system reform efforts around the state, combined with other factors, has resulted in fewer minority youth being processed in the juvenile justice system.

Dr. Deborah Kurth, JJSD, stated that the American Institute for Research (AIR) contacted Arizona to see if there was interest in participating in a study looking at disparities among minority youth with a focus on Hispanic youth. AIR reached out to Arizona because we have the most complete and readily available data set in the nation. Arizona agreed to participate in the study to learn more about DMC across the state, at different decision points and further explore the factors that contribute to DMC. The study used data from calendar years 2013/2014 and included an analysis of a new decision point - deferred prosecution. The study also used new control variables such as; age, gender, involvement in dependent child

services, offense and number of prior offenses. Dr. Kurth stated that Arizona's relative rate indexes show the state is doing well, overall. The greatest disparities in the direct file and referral decision points. Finally, it was noted that the study results were presented to the Arizona Judicial Council along with the Fifth Statewide Report Card.

#### **B. State Bar of Arizona Spring Training Conference**

Frankie Jones reminded COM that the Spring Training Conference is fast approaching. The conference will be held March 30-31, 2017. Ms. Jones stated this year the Chris Nakamura Judicial Appointment Workshop has three sessions:

1. **The Faces of Our Judiciary** – will address diversity in the judicial community locally and nationally. Judge Portley will present the national Gavel Gap Report and Professor Bennett will present a summary of the Arizona survey.
2. **A Day in the Life: What Judges Really Do** – will provide a look at the responsibilities and roles of judges from appellate, general and limited jurisdictions. The presenters for this session are Judges Anna Huberman, Michael Hintze, and Kerstin Le Maire and former Chief Justice Rebecca White Berch.
3. **The Nuts and Bolts of Applications, Interviews, Resumes, Letters and Phone Calls** – will focus on the dos and don'ts in the judicial application process. Panelists for this session are; retired Judge Ronald Reinstein (trial court commission), Mike Liburdi (Governor's Office General Counsel), Judge Rosa Mroz (Maricopa County Superior Court) and Lanette Campbell (City of Phoenix Municipal Court Merit Selection Committee).

Judge Song Ong thanked Susan for her past and present willingness to assist with compiling materials for the Chris Nakamura Judicial Appointment Workshop.

#### **C. Draft COM Website**

Julie Graber, Court Services Division, presented the Commission on Minorities draft web site. Showcasing a new logo, Julie demonstrated how the current main page uses tiles to navigate users to meeting information, membership, resources, and archives. She highlighted the new Judicial Diversity Outreach tile which opens to a page that provides background and messages regarding the importance of diversity from previous Chief Justice Ruth McGregor, as well as information about Arizona's minority bar associations. The resources tile links to a page that contains FAQs, judicial qualifications and applications, and bar association's assistance and websites. Ms. Graber asked COM for their input on the website and suggestions for additional content. COM supported the work product presented.

#### **D. Brainstorming (Goals, Projects)**

At the request of Judge Portley, Judge Song Ong, facilitated a brainstorming session to generate ideas for future projects. Suggestions included:

- Work with Arizona's three law schools to connect law students, student groups with each other for collaboration of CLEs, reoccurring activities, and special events
- Consider adding a State Bar Minority Representative on COM
- Invite Professor Patricia Ferguson-Bohnee to share the "Stand Your Ground" video and information at a future meeting
- Highlight a successful person/situation at each COM meeting to reinforce the positive things that are happening in the courts
- Request an update on the "Our Courts" program for an upcoming COM meeting
- Revisit initiating an attorney mentor program for juvenile offenders in the juvenile courts
- Invite new Judicial Nominating Commissioner members to COM to share their experience and provide feedback
- Identify potential judicial applicants and encourage them to apply/reapply
- Conduct mock judicial interviews with potential applicants to the bench

### III. OTHER BUSINESS

#### **Bench Diversity Project/Next Steps (taken out of order)**

Professor Paul Bennett announced that the final Bench Diversity report was complete and ready for input from COM. The survey showed that:

- Bench diversity tended to reflect State Bar membership.
- Caucasian women made up a majority of the commissioners.
- Superior Court judges who ran for election usually were uncontested.
- There is greater diversity among judges who were appointed than those elected.

Professor Bennett informed members the next survey is ready for distribution and includes some minor changes from the last survey. He anticipates sending it out to judges around August 15, 2017. He closed with suggestions for additional areas for research:

- The Arizona Bar Exam has a high pass level and Arizona law schools have a more diverse population than the Arizona State Bar - where are the students going and why?
- Why is diversity important?
- Judges are using different criteria to express their diversity, should we consider expanding the diversity categories?

**Good of the Order/Call to the Public:**

**Adjournment:** The meeting adjourned at 2:57 p.m.

**Next Meeting:** Thursday, May 4, 2017; 1:00 p.m.  
Arizona State Courts Building, Conference Room 230

# Commission on Minorities in the Judiciary

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## MINUTES

Thursday, May 4, 2017

Conference Room 230, Arizona State Courts Building 1501

West Washington Street

Phoenix, AZ 85007

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**Present:** Judge Maurice Portley, Chair, Professor Paul Bennett, Professor Patricia Ferguson-Bohnee, John Vivian

**Telephonic:** Joanne Basta, Gilbert Figueroa, Catarina Johnson, Judge Roxanne Song Ong (retired), Judge Joan Wagener, Judge Penny Willrich (retired)

**Absent/Excused:** Judge Maria Avilez, Mike Baumstark, Domingo Flores, Judge Anna Huberman, Frankie Jones, Judge Alma Vildosola

**AOC Staff:** Susan Pickard, Karla Williams

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## I. REGULAR BUSINESS

Welcome and Opening Remarks. The May 4, 2017, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:05 p.m. by Judge Portley, Chair.

**Approval of Minutes from February 2, 2017 (taken out of order)** - The draft minutes from the February 2, 2017, meeting of the COM were presented for approval.

Minutes were approved as presented by consensus.

## II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS (taken out of order)

**A. Chris Nakamura Judicial Workshop at the State Bar's Annual Spring Training for Lawyers** - Judge Song Ong stated that the workshop was a success. She noted that participant comments were favorable regarding the new format of three one hour sessions as opposed to the single large session. She thanked Judge Portley and Professor Bennett for their "Gavel Gap" presentation which highlighted the diversity or lack thereof of the judiciary both locally and nationally. The second hour was about a day in the life of a judge which provided the participants with a look at what judicial jobs entail across the various jurisdictions. The panel of judges discussed the pros and cons of their positions, what they found challenging and what was satisfying about their jobs. The last hour was devoted to the nuts and bolts of the judicial hiring process from applications, resumes, interviews, when to ask supporters to write letters and make phone calls.

Judge Portley commented that the workshop was well put together and the participants were pleased with the sessions.

**B. Court Appointed Special Advocates (CASA) and Foster Care Review Board (FCRB) Community Outreach (taken out of order)** - Steve Lazere, Manager, Foster Care Review Board, mentioned that the FCRB has been around for forty years. The FCRB's primary goal is to insure that children who are placed in out-of-home care and are subject to dependency as part of the Department of Child Safety (DCS) find permanency as quickly as possible. He stated that the FCRB has minimal staff, but a large number of volunteers (approximately 600 statewide). Volunteers who sit on the board conduct administrative reviews on the progress of children in foster care. The FCRB provides volunteers with

information provided by DCS and other related documentation. Interested parties (e.g. biological and foster parents, probation officers, DCS case managers, and behavioral health practitioners) are also invited to the reviews to provide information on the well-being of the child. At the end of the review, FCRB volunteers make recommendations and observations that are sent out to all interested parties and to the juvenile court judge in charge. Mr. Lazere commented that the FCRB is recruiting diverse volunteers to bring insight on the many diverse backgrounds of foster care children. He asked for COM's assistance in reaching out to diverse groups, communities, and organizations for volunteers to aid in the recruitment. Professor Ferguson-Bohnee requested a presenter from the FCRB to present at a Native American Bar Association meeting. Judge Portley suggested contacting the AOC which is presenting the "Connecting Legacy Conference" on August 11, 2017. The conference may provide an opportunity for outreach. COM will provide information to the various minority bars and encourage them to talk to their members as a way to provide a service to their communities.

**Action Item:** Staff to forward information about FCRB to Arizona's minority bar presidents.

**C. Bench Diversity Project (taken out of order)** - Professor Bennett presented a draft of the 2017 survey and stated that he is replacing the questions about the person's age when he or she became a judge, what the person's prior judicial experience was (too narrow) and the whether the person used COM resources during the process of becoming a judge. Professor Bennett proposed the following replacement questions:

- Do you feel that your presence adds diversity to the Arizona bench? Yes or no, and if so in what way?
- What is your primary assignment; criminal, juvenile, family, probate or civil?
- What was your last position immediately before you were selected for your current position as a judicial officer?

The proposed replacement questions would give a clearer picture of the judicial pipeline, however the replacement questions or modifications of the questions is up to the AOC. Judge Portley mentioned that when the survey is approved it would be sent out through Survey Monkey to the judiciary for completion.

**Discussion** regarding the ability to provide multiple answers to a question, the capability to interpret multiple responses to a question, sending reminders to respond to survey.

Professor Bennett stated that he and his students have created a survey that asks random respondents about their attitudes regarding diversity for both the bench and the bar. Proposed questions are:

- How important is it to you that members of the Arizona Bench become more diverse?
- What categories do you think should be prioritized in an effort to diversify the Arizona Bench? Select as many as you like, if you select more than one category please rank your selections:
  - Sexual Orientation
  - Race/ethnicity
  - Gender
  - Religion
  - Educational background
  - Age
  - Political affiliation
  - Other
- If the members of the Arizona Bench were more diverse:
  - Do you think the quality of their decisions would improve, get worse, or make no difference?
  - Do you think the work environment for its members would improve get worse, or make no difference?
  - Do you think public satisfaction with the Arizona Bench would get worse, or make no difference?

When asked how the information would be used, Professor Bennett stated that the information would be used to inform decision-makers on what their peers (judges/lawyers) think about diversity.

He is asking COM to recommend that the Chief Justice approve the second Bench Diversity Survey and promote the random survey as proposed.

#### **D. Brainstorming (Goals, Projects)**

- Professor Ferguson-Bohnee to give a presentation on *Stand Your Ground* at the September 14, 2017 meeting.
- Invite Justice Pelander or Gabe Goltz to provide an update on the *Our Courts* program at the September 14, 2017 meeting.
- Invite law school and pre-law students from the three law schools, criminal justice students from Grand Canyon University to a January/February 2018 meeting of COM to meet the Chief Justice, network, learn about diversity in the courts and volunteer opportunities, and to meet a newly appointed judges to hear about the judicial hiring process.
- Highlight a successful person or situation at each COM meeting to reinforce the positive things that are happening in the courts and community.
- Invite new judicial officers to share their experience and provide feedback on the judicial process.

#### **Action Items:**

- Invite Justice Pelander and Gabe Goltz to give a presentation on *Our Courts*.
- Invite Professor Ferguson-Bohnee to give a presentation on *Stand Your Ground*.

The following ideas require further thought and research:

- Restart the attorney mentor program for juvenile offenders in juvenile courts. How do we attract and retain attorney mentors? Contact local bars?
- Develop a judicial mentor list for possible judicial candidates. How should we reach out? Potentially ask a presiding judge to ask their judges if they'd be willing to talk to lawyers about becoming a judge. Ethical dilemma (maintaining neutrality and the perception of neutrality in cases where the mentee is appearing before the mentor).
- Follow up on the information in Professor Bennett's survey that the number and diversity of law school graduates doesn't match Arizona's practicing attorneys, where are the graduates going and why? Why are they not staying in Arizona? Arizona's Bar score is higher than any other region. Students don't feel comfortable in Arizona, not enough diversity in their community. In-state v. out-of-state students where do they go? Is the population of younger lawyers different than the population of older lawyers?
- Cultural Competency Broadcast was a statewide broadcast produced February 2011. Can they be used by the law schools?

**Action Item:** Staff to check with Education Services to see if the Cultural Competency Broadcast still exists and is relevant.

### **III. OTHER BUSINESS**

**Good of the Order/Call to the Public:** No members of the public were present.

**Adjournment:** The meeting adjourned at 2:27 p.m.

**Next Meeting:** Thursday, September 14, 2017; 1:00 p.m.  
Arizona State Courts Building, Conference Room 230



## MINUTES

Thursday, September 4, 2017  
Conference Room 230  
Arizona State Courts Building  
1501 West Washington Street  
Phoenix, AZ 85007

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**Present:** Professor Paul Bennett, Professor Patricia Ferguson-Bohnee, Domingo Flores, Jr., Frankie Jones, William Knight, Judge Maurice Portley, Alisha Villa, Dr. John Vivian

**Telephonic:** Dr. Joanne Basta, Catharina Johnson, Judge Joan Wagener

**Absent/Excused:** Mike Baumstark, Judge Gilberto Figueroa, Dawn Lee, Judge Evelyn Marez, Judge Kristin McManus, Judge Roxanne Song Ong, Judge Penny Willrich

**Guest/Presenter:** Steve McCarthy, Ashley Halvorson, Amanda Chua

**AOC Staff:** Susan Pickard, Sabrina Nash

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## REGULAR BUSINESS

### Welcome and Opening Remarks

- The September 14, 2017, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:07 p.m. by Frankie Jones, Chair, without a quorum.
- Members introduced themselves for the benefit of newly appointed members.
- Judge Maurice Portley welcomed Ms. Jones to the chair position and offered encouragement.
- A quorum of members was achieved at 1:18.

**Approval of Minutes from May 4, 2017** - The draft minutes from the May 4, 2017, meeting of the COM were presented for approval.

**Motion:** To approved the May 4, 2017 minutes as presented.

**Vote:** Passed 9-0-1. (Mr. Knight abstained)

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## BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

**Stand Your Ground** – Professor Patricia Ferguson-Bohnee introduced the *Report and Recommendations from the National Task Force on Stand Your Ground Laws*, and *3 ½ Minutes, Ten*

*Bullets, Excerpts*, a 30-minute video that the members viewed. Professor Ferguson-Bohnee also distributed copies of the report.

Steve McCarthy, Capital Criminal Defense Unit, Maricopa County Public Defender's Office and LLM student at ASU, Sandra Day O'Connor School of Law, presented his draft research paper regarding stand your ground laws in Arizona. He discussed A.R.S. §13-411, noting that section D was added in 2006 and removed any requirement for an action to be connected to the home.

Mr. McCarthy presented statistics gathered from the Department of Public Safety (DPS) that indicate a decline in Arizona's murder rate since 2006. Of concern, is the increase in the murder rate of black persons between 2012 to 2015. Given their percentage of Arizona's population (roughly 4 percent), the percentage of black persons murdered during 2015 is an alarming 18.28 percent.

**Comments:**

- Do the statistics include all types of murder? Yes.
- It was suggested that, the presenter use a relative rate index to present the data from DPS.
- Do you know why the overall murder rate is decreasing? The reason, through this review, is unknown.
- Ms. Jones invited Mr. McCarthy to return to present his paper when it is finalized.
- The video mentioned that implicit bias could have been a factor in the case. Theresa Barrett noted that implicit bias training has been a focus for the COM. Training for judicial branch employees should be considered. Professor Ferguson-Bohnee stated that the ABA has implicit bias training resources in the form of a judicial video and toolkits. The Professor went further noting that NABA-AZ is considering bringing Sarah Redfield, a leading implicit bias speaker, to Arizona. Perhaps NABA-AZ and COM could coordinate events.

National Consortium on Racial and Ethnic Fairness in the Courts – With representatives from 50 states, Mike Baumstark and Ms. Jones attended this conference in May. The pre-conference, *The Voices of Ferguson*, was an open discussion regarding the event as well as the history that led up to it. Everyone at the conference received a book that included the history and statistics.

**Comments:**

- Theresa Barrett noted that the Task Force on Fair Justice for All was established in response to the Ferguson Report. The sixty-plus recommendations from the Task Force's report are in different stages of implementation, so implementation may not be consistent across the state yet.
- Ms. Jones presented a summary of Task Force's report and efforts at this conference during the State Reports session.
- Members noted the various programs that are being established around the state that stem from Task Force recommendations.

**Action Item:** Staff will ask Mr. Baumstark to share his impressions of *The Voices of Ferguson*, at the November next meeting.

Global Ties Arizona – Japanese Delegation – Ms. Jones reported that she, Judge Portley, and Mr. Baumstark met with Japanese guests of the Department of State's International Visitor Leadership Program. Information about the COM, and its charges and efforts were shared with Mr. Takahiro Akedo, Lecturer, Kanto Gakuin University; Ms. Manami Fukuichi, Attorney, Izamibashi Law Office; and Ms. Minhwa Lee, Reporter, Social Department, Press Bureau, Tokyo Broadcasting System Television.

Arizona Collaborative Bar (AZCB) Free Summer Mentoring CLE – Justice Ann Scott Timmer opened this COM co-sponsored event, the purpose of which was to assist young attorneys in determining their professional paths. This unique format successfully allowed one-on-one interaction between thirty to forty lawyers with 1-5 years' experience and ten mentors, who were judges and attorneys from different practice areas (public, private, large firm, and corporate).

Bench Diversity Project Update – Professor Paul Bennett reviewed the survey questions.

**Comments:**

- William Knight noted that the first report has been put to good use by AZCB organizations. It provided a lot of surprising information and has redirected the focus and resources for improved effectiveness.

Brainstorming Review

*Spring Law Student Event* – A workgroup was established to plan this event. Professor Bennett volunteered to chair the group. Members include John Vivian, Professor Ferguson-Bohnee, Mr. Knight, Judge Joan Wagener, and Ms. Jones.

**Comments:**

- Consider including undergraduate law majors and law-leaning students, including Grand Canyon University.
- Avoid mid to late April (finals).
- Student calendars will be gathered to assist in narrowing the event date.
- The students who presented at the COM November 2016, meeting, were thrilled to be invited and get a private tour with Judge Portley. It made a huge impression.
- Since the Bench Diversity Project Report was released, Los Abogados has been conducting further research, and has found that there is an issue with Hispanic matriculation to law school. To assist, Los Abogados has instituted an LSAT pipeline program to help students prepare and pay for the LSAT. Professor Bennett noted that UA and Harvard are the only law schools currently accepting the GRE which may make law school more accessible.

**Action Item:** Staff will contact Professor Bennett to set the first workgroup meeting.

*New Judicial Officer Input* – Staff was asked to begin inviting two newly appointed judges to each meeting to answer the questions:

- What do you wish you had known before you applied for a judicial appointment?
- If you had any “ah-ha” moments during the appointment process, what were they?

**Comments:**

- One of the major issues that the minority bars experience is finding a candidate who is experientially viable and interested. Most candidates are either one or the other. The attorneys who are experientially viable, cannot afford the pay cut.
- Better progress is being made in placing folks on the Judicial Nominating Commissions.
- Some discussions have indicated that the preference is to wait for an application process that is for more than one judge.

There was no longer a quorum of the members at 3:00, but the meeting continued.

*Attorney mentor program for juvenile offenders* – Not discussed this meeting.

*Judge mentors for potential judicial candidates* – This project was more clearly defined as the development of a list of judges who are willing to mentor attorneys considering a judicial career. The list could be shared with the AZCB organizations.

**Consensus:** To develop the judicial mentor list.

*Why are law school graduates leaving the state?* – This question was raised by the UA students, Shani Mehrotra and Jario Holguin, and their colleagues who presented at the November 02, 2016, meeting. Is the reason Arizona's higher uniform bar passage score?

**Consensus:** To move forward with research.

Success Spotlight - State Bar of Arizona Diversity and Inclusion Leadership Award (taken out of order)

*2017 Recipients - The Arizona Collaborative Bar Association (AZCB)* - Amanda Chua and Ashley Halvorson shared information about AZCB which is comprised of Arizona's affinity bar associations. The primary purpose of the AZCB is to make an annual commitment to one another to stay connected. The AZCB provides a pipeline of communication amongst the affiliated bar organizations and has resulted in the AZCB hosting meaningful professional development opportunities, including CLEs and networking events. A key goal of the AZCB is advancing diversity and inclusion in the Arizona legal community. For its efforts, the AZCB was selected for the State Bar of Arizona's 2017 Diversity and Inclusion Award presented annually at the State Bar convention.

In 2016, the ASU Sandra Day O'Connor College of Law, Indian Law Program was the recipient of this award.

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## OTHER BUSINESS

2018 Meeting Schedule – This item was tabled until the next meeting.

Good of the Order/Call to the Public: No members of the public were present.

Adjournment: The meeting adjourned by consensus at 3:22 p.m.

Next Meeting: Thursday, November 2, 2017; 1:00 p.m.

Arizona State Courts Building, Conference Room 230



## MINUTES

Thursday, November 16, 2017  
Conference Room 230  
Arizona State Courts Building  
1501 West Washington Street  
Phoenix, AZ 85007

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**Present:** Frankie Jones (Chair), Mike Baumstark, Professor Paul Bennett, Catharina Johnson, William Knight, Judge Roxanne Song Ong (Ret.), Judge Alisha Villa, Dr. John Vivian

**Telephonic:** Judge Maria Avilez, Natalie Carrillo (proxy for Joanne Basta), Judge Kristin McManus, Judge Maurice Portley (Ret.), Judge Evelyn Marez, Judge Joan Wagener, Judge Penny Willrich (Ret.)

**Absent/Excused:** Professor Patricia Ferguson-Bohnee, Judge Gilberto Figueroa (Ret.), Domingo Flores, Jr., Dawn Lee

**Guest/Presenter:** David Redpath

**AOC Staff:** Susan Pickard, Sabrina Nash, Angela Pennington

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## REGULAR BUSINESS

### Welcome and Opening Remarks

- The November 16, 2017, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:04 p.m. by Frankie Jones, Chair
- Members introduced themselves for the benefit of newly appointed members.

Approval of Minutes from September 14, 2017 - The draft minutes from the September 14, 2017, meeting of the COM were presented for approval.

Motion: To approved the September 14, 2017 minutes with the correction of Judge Song Ong's name.

Vote: Passed with William Knight and Judge Willrich abstaining.

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## BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

Governor's Office for Youth, Faith, and Families – Racial and Ethnic Disparity (RED) Training – David Redpath, AOC, Juvenile Justice Services Division

The W. Haywood Burns Institute is providing training and technical assistance to counties on an individual county basis to address perceived racial and ethnic disparities in the numbers of youth who violate probation. Beginning with Cochise, Maricopa, Pima, Pinal, and Yuma Counties, the Institute led data reviews and planning sessions. To date, the counties have:

- Cochise County
  - Implemented a delinquent risk assessment tool
  - Changed an automatic detention policy
- Maricopa County
  - Added options such as offering transportation to a hearing and allowing the youth to call-in to address the FTA detentions
- Pima County
  - Identified three zip codes in which there was a disparate number of African-American youth referrals. They are currently focusing their efforts on Palo Verde High School.
- Pinal County
  - Set five goals:
    1. Reducing the disproportionate rates of youth of color in detention and placed on probation,
    2. Reducing the disproportionate length of stay in detention for youth of color.
    3. Reducing the disproportionate rates of youth of color who are charged as adults.
    4. Creating partnerships with youth and families to address racial and ethnic disparities.
    5. Increasing cultural competency in Pinal County by confronting implicit and explicit bias through training and education of system staff and our stakeholders.

The counties continue to share progress at the quarterly JDAI meetings.

[New Judge Input for Chris Nakamura Judicial Appointment Workshop Materials](#)– Commissioner Marvin L. Davis, Superior Court in Maricopa County, discussed the insight he gained from the judicial and commissioner interview processes.

- The interview panel has already reviewed your application and checked with your references.
- In the interview, the questions may have nothing to do with your resume. The panel is looking to learn who you are.
  - What's your personality?
  - Are you easy to talk to?
  - Who are you outside of your career?
- Commissioner Davis recommends that a candidate be open and talkative, and share some personal life experiences.

Because Commissioner Davis received and accepted an offer to become a commissioner before he learned the outcome of his judicial interview, members posed questions about the Superior Court in Maricopa County commissioner list process.

- Prospective candidates are interviewed by the Presiding Judge, each division's presiding judge and the presiding commissioners.
- All accepted candidates are placed on a list, in no particular order, from which the Presiding Judge selects the next appointee.
- No one knows who is next on the list.
- Appointments to fill vacancies are made from the list until 6 – 12 months have lapsed or until depleted.
- The next candidate on the list receives a phone call and/or letter regarding the pending

appointment and is given time to accept or decline. If the candidate accepts, he/she has 45-60 days to get his/her work life in order.

The consensus of the members is that candidates fit in two categories; those that are viable, but not interested (qualified, but not interested in a pay cut), and those who are interested, but not viable (interested, but may not meet experience qualifications).

The Chris Nakamura Judicial Appointment Workshop should provide a transparent view of the judge and commissioner hiring processes.

Action Item: Invite Commissioner Mina Mendez to discuss her experience at a future meeting.

[The Voices of Ferguson](#) – Mike Baumstark, AOC, Executive Office, reported on a pre-conference session of the Consortium on Racial and Ethnic Fairness in the Courts Annual Conference. This session was held in a Ferguson church, four years after the Michael Brown shooting. The church became a neutral, safe place for the town's leadership and citizens to have the conversations needed to address the issues and challenges identified in the Ferguson Report and heal.

Mr. Baumstark shared some of the steps Arizona has taken in response to the Ferguson Report. Mr. Baumstark highlighted the establishment of the Task Force on Fair Justice for All and its progress, and the City of Phoenix, Court Assistance Program (CAP).

[Bench Diversity Project Update](#) – Professor Paul Bennett reviewed the survey questions.

[Spring Law Student Event Workgroup Update and Discussion](#) – Professor Paul Bennett reported that the workgroup met on December 21, 2017. While they are in early discussions, they are targeting spring 2018 for the event.

[Brainstorming Review](#) – This item was not discussed.

## OTHER BUSINESS

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[Good of the Order/Call to the Public](#): No members of the public were present.

[Adjournment](#): Motion: To adjourn the meeting.

Action: By unanimous vote, the meeting was adjourned at 3:07 p.m.

[Next Meeting](#): Thursday, February 1, 2018; 1:00 p.m.

Arizona State Courts Building, Conference Room 230