



MINUTES

Thursday, February 7, 2019
Conference Room 119A/B
Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Frankie Jones (Chair), Mike Baumstark, Paul Bennett, Patricia Ferguson-Bohnee, Edgardo Gonzalez, Judge John Hudson, Catharina Johnson, William Knight, Dawn Walton, Judge Alisha Villa,

Telephonic: Judge Roxanne Song Ong (Ret.), Judge Joan Wagener,

Absent/Excused: Judge Gilberto Figueroa (Ret.), Judge Evelyn Marez, Judge Maurice Portley (Ret.), Judge Penny Willrich (Ret.)

Guest/Presenter: Deborah Jones; Juvenile Justice Services Division

Staff: Theresa Barrett, Susan Pickard, Angela Pennington

REGULAR BUSINESS

Welcome and Opening Remarks

The February 7, 2019, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:06 p.m. by Frankie Jones, Chair.

Approval of Minutes from November 1, 2018

The draft minutes from the November 1, 2018 meeting were presented for approval.

<p>Motion: To approve the minutes from November 1, 2018 - Judge Roxanne Song Ong. Second: Mr. Mike Baumstark. Vote: Motion passed unanimously.</p>

BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

6th Annual Arizona Statewide Report Card

Deborah Jones, Juvenile Justice Services Division, AOC, was introduced and began her presentation on the 6th Statewide Report Card. The “report card” has been produced by the Juvenile Justice Services Division since 2004. The purpose is to measure over and underrepresentation of minorities at each of the key juvenile court process points from referral to disposition. The report card provides insight to disproportionate minority contact and identifies stages in need of improvement. Ms. D. Jones provided a PowerPoint presentation and explanation of the report to the committee. Discussion, comments, and questions ensued.

Based on comments and suggestions from the committee, Ms. Jones will update the Report card with the following edits:

- Add National Statistics for comparison purposes to the Appendix
- Add possible explanations for the improvements to the DMC over time to the Discussion (i.e. JDAI work, DMC County Coordinators) and mention continued efforts at reducing disparities because overrepresentation is still a concern as minority RRI's are not 1.
- In Direct File section, add statistics for the break out between mandatory verses discretionary filings.
- In Discussion of Limitations, add that data is limited to juveniles already in the system – does not includes those handled informally (school, law enforcement, etc.).
- Reword parts of Discussion section to emphasize minorities are still experiencing overrepresentation (RRI's are close to 1 but are not 1).
- Update Key Findings to state Hispanic, African American, and Native American youth experience overrepresentation at most all stages of the Court process.
- Historical Charts in the Appendix – Update colors and add more years of data for comparison.

Action Item: The Equitable Treatment of Minors report is referred to the subcommittee for correction and will be resubmitted to the committee at the May meeting for submission to the PJs and AJC in June.

Law Student Outreach Workgroup Update

Ms. F. Jones gave a brief update on the Law Student Outreach event, which will be taking place March 29, 2019. There was discussion about logistics, including room size, set up, speakers, and invitees – most notably that Northern Arizona University and several high schools will be included this year. It was stated that the exercise would be the same flu pandemic as last year with an additional first amendment issue. While the official agenda is still in progress, there was discussion about activities outside of the exercise for the students, such as a tour of the Supreme Court, and photo opportunities.

OTHER BUSINESS

Good of the Order/Call to the Public:

- Los Abogados, amongst others, is hosting a panel on diversity, March 7, 2019, at the University Club of Phoenix. Committee members were invited to attend.
 - The flyer will be circulated and put on our website.
- Will Knight thanked the committee stating that changes were able to be made to the commissioner hiring process based on work done by the committee.
 - He also reminded the committee that comments can be made on the hiring process, and he would be happy to assist with getting those comments forwarded
- The Arizona Minority Bar Scholarship Banquet will take place February 15, 2019.
- No members of the public were present, and no one answered the call to the public.

Adjournment

Motion: To adjourn the meeting. – Catharina Johnson **Second:** Patricia Ferguson-Bohnee **Action:** By unanimous vote, the meeting was adjourned at 2:36 p.m.

Next Meeting

Thursday, May 2, 2019

1:00 – 3:00 p.m.

Arizona State Courts Building

Conference Room 119A/B



MINUTES

Thursday, May 2, 2019
Conference Room 119A/B
Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Frankie Jones (Chair), Professor Paul Bennett, William Knight, Judge Roxanne Song Ong (Ret.), Judge Alisha Villa

Telephonic: Judge Gilberto Figueroa (Ret.), Edgardo Gonzalez, Dawn Walton

Absent/Excused: Mike Baumstark, Professor Patricia Ferguson-Bohnee, Catharina Johnson, Judge Evelyn Marez, Judge Maurice Portley (Ret.), Judge Joan Wagener, Judge Penny Willrich (Ret.)

Guest/Presenter: Deborah Jones, Juvenile Justice Services Division; Stephen Silverman, Maricopa County Judicial Nominating Commission

Staff: Susan Pickard, Angela Pennington Administrative Office of the Courts (AOC)

REGULAR BUSINESS

Welcome and Opening Remarks

The May 2, 2019, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:06 p.m. by Ms. Frankie Jones, Chair.

The committee members and guests introduced themselves. Ms. Jones then decided to take the agenda out of order, and Stephen Silverman with the Maricopa County Judicial Nominating Commission began his presentation to the committee.

Impacts of the Bench Diversity Project

Mr. Silverman moderated a CLE at the beginning of March about diversity and recruitment of judicial positions at the Maricopa County Superior Court. He stated that while it was a successful event, he felt that he was, “preaching to the choir”, and that he needed to get this message out to a newer, wider audience. Mr. Silverman asked the commission if they might be able to tie this cause into the judicial conference. Ms. Jones mentioned that the lack of diverse candidates and methods of encouraging more diverse candidates are issues the commission is involved in. She asked the commission for feedback and input.

Comments/Concerns:

- Anxiety about the application and selection process, combine with the lack of transparency create barriers for potential judicial candidates.

- The Arizona Minority Judges Caucus is having a meeting the third week of June, and they are asking for agenda items. Mr. Silverman was offered an invitation to speak at that meeting.
- The opinion was expressed that judicial appointments and the non-appointment of diverse nominees may be impacting candidate diversity.
- Mr. Silverman told the commission he has approached both the Arizona Minority Bar Association and the Collaborative Bar with a proposed survey for their members about the types of barriers they perceive when applying for the bench.
 - Members recommended a follow up email to the organizations, and a secondary email to commission members so the commission members can encourage the bar associations to have their members complete the survey.
- Lack of information about when an attorney is “viable” to apply also plays a role.
 - Seminars or classes in law school to explain the pathways to the bench, increased judicial involvement and mentorship were suggested.
- Diversity and diversity training of the Nominating Commission are also very important to the diversity of the bench.

Approval of Minutes from February 2, 2019

The draft minutes from the February 2, 2019 meeting were presented for approval.

Motion: Judge Figueroa moved to approve the February 2, 2019, minutes. **Second:** Hearing Officer Alisha Villa. **Vote:** Motion passed unanimously.

BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

Law Student Outreach Workgroup (COM-LSOWG) Post-Event Review

Ms. Jones opened the discussion about the Law Student Outreach Event. She relayed the interest and excitement of the students that participated in the event. Comments from that day were overwhelmingly positive.

Comments/Concerns:

- Should the commission follow the students through their education?
 - Some members involved in the event traded information with the students, so they could continue the communication.
 - Contact information cards or note pads should be placed on the tables next year to facilitate future communications.
- Also, for next year, invite a full range of high school, undergraduate, and law school students, and attorneys, and judges.
 - Include students participating in the ASU High School Pipeline program and a comparable program at UA/Tucson.
 - Additional students may also be identified through Mock Trial programs, Maricopa County Teen Court, and guidance or career counselors.

6th Arizona Statewide Report Card

Deborah Jones, Juvenile Justice Services Division, spoke about the Equitable Treatment of Minority Report Card. She gave a brief overview of the changes and highlighted parts of the report card. Additional minor typos were identified which will be correct them after the meeting.

Motion: Judge Song Ong moved to approve the report with the noted corrections granting the chair authority to make the final approval. **Second:** By William Knight.
Vote: Motion passed unanimously.

OTHER BUSINESS

Good of the Order/Call to the Public:

- Professor Paul Bennett, University of Arizona, offered up a copy of the 1993 Equitable Treatment of Minority Report.
- The chair made the call to the public. No one spoke.

Adjournment

Motion: Judge Song Ong moved to adjourn the meeting **Second:** Dawn Walton **Action:**
By unanimous vote, the meeting was adjourned at 2:12 p.m.

Next Meeting

Thursday, September 5, 2019

1:00 – 3:00 p.m.

Arizona State Courts Building

Conference Room 119A/B



MINUTES

Thursday, September 12, 2019
Conference Room 329/330
Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Frankie Jones (Chair), Honorable Lisa I. Abrams, Honorable David Cunanan, Professor Patricia Ferguson-Bohnee, Honorable Geri Hale, Catharina Johnson, William Knight, Judge Alisha Villa, Honorable Joan Wagener, Dawn Walton

Telephonic: Associate Dean Alfred Ray English

Absent/Excused: Mike Baumstark, Professor Paul Bennett, Honorable David Gass, Edgardo Gonzalez, Judge Evelyn Marez, Judge Maurice Portley (Ret.), Honorable Alicia M. Skupin, Judge Roxanne Song Ong (Ret.), Judge Penny Willrich (Ret.)

Guest/Presenter: Alicia Moffatt, Communications Specialist, AOC; Aaron Nash, Communications Director, AOC, Eileen Sullivan, Arizona Asian American Bar Association

Staff: Angela Pennington, Stacy Reinstein (AOC)

REGULAR BUSINESS

Welcome and Opening Remarks

The May 2, 2019, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:10 p.m. by Frankie Jones, Chair.

After noting the number of new faces at the meeting, the committee members and staff were asked to go around the table and introduce themselves.

Approval of Minutes from May 2, 2019

The draft minutes from the May 2, 2019 meeting were presented for approval.

<p>Motion: To approve the May 2, 2019, minutes by Mr. William Knight. Second: by Ms. Catarina M. Johnson. Vote: Motion passed unanimously.</p>

BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

Update: National Consortium on Racial and Ethnic Fairness in the Courts

Ms. Jones attended the National Consortium on Racial and Ethnic Fairness in the Courts in May. This year's theme was "Pursuing the Dream: Continuing the Struggle for Racial and Ethnic Justice in

America.” Ms. Jones discussed the consortium and the corresponding activities, discussions, and exercises that took place.

Comments/Concerns:

- The disparity between the defendants in court, and the makeup of the judge, jury, and staff, i.e. “no one looks like me.”
- The use of binary pronouns and properly addressing the transgender community in the courts.

[Planning for 2020 Chris Nakamura Judicial Workshop](#)

The workshop will take place in Tucson at the 2020 State Bar Convention. Members of the commission will attend the State Bar Convention planning meetings to finalize details.

For the upcoming event, there will be a panel which will discuss the survey completed by all members of the bench. There will be discussion about the make up of the bench and how that compares to the population of Arizona. The commission would also like to have multiple judges available to conversations in a round robin style environment. There is also the possibility of doing mock interviews to help attendees better understand the process of becoming a judge.

Comments/Concerns:

- For future sessions of the workshop, the Collaborative Bar holds an annual reception which could provide an opportune forum.
- To increase the exposure of open positions within the judiciary and increase participation on the judicial boards and commissions, the committee would like to create an ad hoc workgroup.

<p>Motion: To create a new ad hoc workgroup; motion made by Judge David Cunanan. Second: by Judge Geri Hale. Vote: Motion passed unanimously.</p>
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[Planning for 2020 Legal Futures Event](#)

Ms. Jones gave new commission members an overview of the 2019 Legal Futures Event. Preliminary planning and discussion of the 2020 event took place. Possible dates for the event, age ranges and schools of potential invitees were considered.

OTHER BUSINESS

[News & Announcements:](#)

- NABAz is having their annual dinner September 14, 2019.
- Los Abogados is having their annual gala October 5, 2019.
- The Arizona Black Bar has their annual scholarship dinner on September 27, 2019.

[Good of the Order/Call to the Public:](#)

- Aaron Nash, Communications Director, Administrative Office of the Courts (AOC), spoke to the commission.
- No one answered the call to the public.

[Adjournment](#)

Motion: To adjourn the meeting was made by Judge Lisa Abrams. **Second:** by Judge Hale. **Action:** By unanimous vote, the meeting was adjourned at 2:49 p.m.

Next Meeting

Thursday, November 7, 2019

1:00 – 3:00 p.m.

Arizona State Courts Building

Conference Room 119A/B



MINUTES

Thursday, November 7, 2019
Conference Room 329/330
Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Frankie Jones (Chair), Honorable Lisa I. Abrams, Mike Baumstark, Professor Paul Bennett, Honorable David Cunanan, Honorable David Gass, Catharina Johnson, William Knight, Honorable Alicia M. Skupin, Honorable Alisha Villa, Honorable Joan Wagener, Dawn Walton

Telephonic: Judge Roxanne Song Ong (Ret.)

Absent/Excused: Associate Dean Ray English, Professor Patricia Ferguson-Bohnee, Edgardo Gonzalez, Honorable Geraldine Hale, Judge Evelyn Marez, Judge Maurice Portley (Ret.), Judge Penny Willrich (Ret.)

Guest/Presenter: Honorable Sharron Sauls, Kyrene Justice Court; Dr. Tammi Walker, University of Arizona

Staff: Angela Pennington, Stacy Reinstein (AOC)

REGULAR BUSINESS

Welcome and Opening Remarks

The November 7, 2019, meeting of Commission on Minorities in the Judiciary (COM) was called to order at 1:09 p.m. by Frankie Jones, Chair.

Ms. Jones offered congratulations to Judge Gass on his appointment to the Court of Appeals.

Approval of Minutes from September 12, 2019

The draft minutes from the September 12, 2019 meeting were presented for approval. A correction to show Associate Dean Ray English as appearing telephonically instead of in person was noted.

<p>Motion: To approve the September 12, 2019 minutes with the correction by Hon. Lisa Abrams. Second: by Hon. Joan Wagener. Vote: Motion passed unanimously.</p>

BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

Update: 2020 Arizona State Bar Convention – Chris Nakamura Judicial Workshop: Enhancing Diversity on the Bench

Ms. Jones spoke about the 2020 Arizona State Bar Convention at which the Chris Nakamura Judicial Workshop will be held the second week of June. Professor Paul Bennett will present the second diversity survey and Judge Maurice Portley (Ret.) will give updates on the statistics. Round robin discussions with various members of the bench will be offered in lieu of a panel discussion. Judge Roxanne Song Ong suggested a presentation on Judge Diane Johnson's research on the historical background of Arizona's women judges, and will discuss with Prof. Bennett if this can be incorporated. Judge Gass would like to prepare and distribute a survey on the Diversity Mentorship Program at this event.

Planning for the 2020 Legal Futures Event

The committee has chosen Friday, April 3, 2020 for the 2020 Legal Futures Event. There was discussion about what program should be provided this year. A brief overview of the last two years events was provided for the benefit of the new committee members.

Commission members discussed the idea of a second Legal Futures Event in Southern Arizona. Mike Baumstark was sought for, and granted, approval. Judge Joan Wagener suggested the Training Center in Pima County. Ms. Jones recommended October 2020 for the Southern Arizona Legal Futures Event. Schools being notified about the April Legal Futures Event will be given the option to attend one or both events.

Proposed Changes: Bench Diversity Survey

Professor Bennett has been working with Dr. Tammi Walker, University of Arizona, and their law students on changes to the diversity survey. Changes include adjustments to the order of the questions, more inclusive gender options, and the ability to pick more than one race. It was suggested to add space for judges to delineate their time on the bench if they have been on more than one bench.

Judicial Diversity Study

Dr. Walker addressed the Commission and asked for a letter of support for the University's upcoming application for a grant from the National Science Foundation on Judicial diversity. Dr. Walker requested the Commission's help with the study to demonstrate the scope of underrepresented minorities in the judiciary. There was discussion as to the content of the letter and if the Commission could endorse Dr. Walker and her colleague. The members agreed to view the content of the letter before endorsement.

OTHER BUSINESS

Good of the Order/Call to the Public:

- Judge Gass requested assistance with and will continue work on the Diversity Mentorship Program.
 - Mr. Will Knight offered his assistance in contacting the sister bar associations.
- The Sandra Day O'Connor College of Law will be hosting a reentry summit on December 4th to address the barriers for individuals exiting the prison system. Commission Staff, Stacy Reinstein, will distribute this invitation on behalf of Dawn Walton.

- The Arizona Minority Bar Association is having their scholarship banquet in Pima County, February 28, 2020.
- No one answered the call to the public.

Adjournment

Motion: To adjourn the meeting by Lisa Abrams. **Second:** by William Knight **Action:**
By unanimous vote, the meeting was adjourned at 2:18 p.m.

Next Meeting

Thursday, February 6, 2020
1:00 – 3:00 p.m.
Arizona State Courts Building
Conference Room 119A/B