

Task Force on Countering Disinformation
State Courts Building, Phoenix
Meeting Minutes: January 21, 2021

Members attending (telephonic unless otherwise noted): Aaron Nash (Chair) (in person), Hon. Bradley Astrowsky, Fredric Bellamy, Jessica Fotinos, Joe Hengemuehler, Patience Huntwork, Krisanne LoGalbo, Scott Ruston, Deborah Schaefer

Absent: Hon. David Fuller, Dawn Gilpin, Eduard Goodman

Guests: Shelly Bacon, Coconino County Superior Court; Lori Ford, public member

AOC staff: Alicia Moffatt

1. Call to order. The Chair called the meeting to order at 10:02 a.m.

The Chair welcomed members and made administrative comments.

The Task Force's comment to the Arizona Ethics Advisory Committee was submitted regarding attorneys responding to online complaints. Public comments to EO-19-0010 are posted online at <https://www.azcourts.gov/cld/Attorney-Ethics-Advisory-Committee/Proposed-Ethics-Opinions/EO-19-0010-Comments>.

The Task Force's rule petition to modify Judicial Code Rule 2.10 under Arizona Supreme Court Rule 81 was filed. The petition and subsequent comments can be viewed online at <https://www.azcourts.gov/Rules-Forum/aft/1171>. As petitioner, the Task Force will be able to respond to filed comments.

2. Approval of minutes. The Chair called for corrections to the December 9, 2020 meeting minutes. No corrections were offered.

Motion: A member moved to approve the December 9 minutes. The motion was seconded and approved unanimously. CDTF: 2021-1

3. Liaison updates.

Arizona Council for the Social Studies: The Chair, as task force liaison, updated the task force on the latest meeting:

- Teachers need professional development credits. Court-related content would be helpful.
- Resource: The AZ Bar Foundation's "Project Citizen" materials for grades 5-12 are online at <https://lawforkids.org/project-citizen> - a collaboration with the AZ Supreme Court.
- Resource: The Bar Foundation is updating materials for the "When You Turn 18" resources guide. Content will be online and can be provided in print. The Foundation can also supply gavel pencils. Contact is Diana Strouth.
- Resource: Education materials for middle and high school students is available through a bipartisan 501(c)(3) organization at <https://citizenshipcounts.org/>

Task force input for the liaison's follow-up:

- Members asked if teachers can use both in-person and recorded instructional sessions.
- Is statewide curriculum available for the task force to review, for help designing or updating educational materials?
- Can teachers use educational materials related to Constitutional rights and how judges are elected?

Civic Education Community Engagement Program (CE2): Task force liaison Judge Fuller was not present at the task force meeting to provide an update. Tabled to a future meeting.

4. Workgroup Reports. The members revisited the makeup of the task force workgroups and the recommendations each is working on in 2021. Members were encouraged to schedule the year's workgroup meetings to block their calendars for assignments and follow-up.

This year's task force will rely on individual and workgroup efforts to produce the items that will implement the recommendations within the 2020 report and recommendations. Members were encouraged to track progress and use task force time to gather input and direction, provide updates and status, and ask for help as needed. The Chair will send the latest list of workgroups and the list of recommendations each group is working through in 2021.

Members can take part in multiple workgroups at any time and workgroups can have subject matter experts attend some or all of their meetings, depending on the items they are researching or developing.

5. Conforming changes to the Arizona Code of Judicial Administration (ACJA) regarding disinformation. In the process of preparing the task force's rule change petition that was filed in January, Administrative Office of the Courts staff noted that the rule petition only addresses conduct by judicial officers. Conforming changes to the ACJA would make the guidance consistent for court staff and elected clerks, who are often the individuals responding to questions about judges and courts.

The members agreed that making the ACJA consistent with the goals of the rule petition promotes the task force's charge. The Chair will draft the Code section amendments and circulate to the members for review and input. The Chair noted that, to meet the submission guidelines, the task force will vote on the drafts at the February 17 task force meeting, which will require a quorum.

6. Call to the public. The Chair made a call to the public. Lori Ford addressed the task force.

7. Roadmap and comments for the good of the order. The next Task Force meeting will be February 17, 2021. Anticipate that meetings will remain virtual until further notice. Members will receive meeting details and Outlook calendar appointments by email.

On request from the members, the Chair will contact the Maricopa County and State Bar Associations for help with outreach that the task force submitted an ethics opinion comment and rule petition, to expand the public's knowledge of each and to obtain more public review and input. Krisanne LoGalbo will do similar outreach with the Pima County Bar Association. The Chair will inquire if the Chief Justice can note the rule petition filing when he meets with judicial leadership. Members requested links they can share for additional public outreach:

The time for comment has since closed on Proposed Ethics Opinion EO-19-0010. The legal community and the public can review the task force's rule petition and file comments at <https://www.azcourts.gov/Rules-Forum/aft/1171>.

Jessica Fotinos reminded the task force that the Conference of Court Public Information Officers (CCPIO) is hosting several webinars, including a session on disinformation that may take place in March. Arizona's Task Force will be a topic of discussion and CCPIO may be reaching out to task force to participate.

8. Adjournment. The meeting adjourned at 10:52 a.m.

Next meeting: Wednesday, February 17, 2021, 10:00 - Noon.

Arizona State Courts Building, Conference Room 230

1501 W. Washington St., Phoenix, AZ 85007

Link for remote audio/video attendance to be provided