



BOARD OF CERTIFIED REPORTERS

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

December 8, 2015

1:00 P.M.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Honorable Peter Swann

Telephonically Present:

Melissa Gonsalves
Honorable Douglas Gerlach
Michael Parrish
Terri Faust

Absent:

G. Allen Sonntag
Patricia Seguin

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Hal White
Debbie MacDougall
Anne Hunter
Wil Castor
Arnita Oliver

Guests:

Laura Clymer
Lilia Monarrez
Pam Griffin
Leslie Foldy
Danielle Griffin
Haley Westra
Jerry Coash, Jr.
Mary Meyer
Kathy Fink

CALL TO ORDER

Called to Order By: Acting Chair, Melissa Gonsalves

Time: 1:02 P.M.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: *Review and approval of the regular session minutes for the meeting of October 13, 2015.*

Individual Addressing the Board: Melissa Gonsalves

Discussion: None

Motion: Move to approve the regular session minutes for the meeting of October 13, 2015.

Motion Proposals: First Terri Faust
Second Judge Peter Swann

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: *Review, discussion and possible action regarding the Division Director dismissals of the following complaints:*

- *Complaint Number 15-C001*
- *Complaint Number 15-C002*
- *Complaint Number 15-C003*

Individual Addressing the Board: Debbie MacDougall

Discussion: Pursuant to ACJA § 7-201(H)(1)(g)(3), complaints dismissed by the Division Director are CONFIDENTIAL and not a matter of public record. If the Board wishes to address specific details regarding this matter, it is recommended the Board enter Executive Session to discuss matters confidential.

Complaint Numbers 15-C001 and 15-C002:

On October 2, 2015, Division Director Wilson dismissed complaint numbers 15-C001 and 15-C002 without prejudice upon determining the complaint falls outside the jurisdiction of the Board. Notice of the dismissal was forwarded to the complainant. The complainant requested Board review of the dismissal. The information presented in the request does not change the recommendation.

It is recommended the Board affirm the dismissal.

Motion: Move to enter into Executive Session.

Motion Proposals: First Judge Peter Swann
Second Melissa Gonsalves

Motion Results: Pass

Board Entered Executive Session:

1:17 P.M.

Return to Regular Session:

1:42 P.M.

Motion: Move to defer complaint numbers 15-C001 and 15-C002, until the next meeting and invite counsel from the Attorney General's Office to attend.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

Individual Addressing the Board: Debbie MacDougall

Discussion: Pursuant to ACJA § 7-201(H)(1)(g)(3), complaints dismissed by the Division Director are CONFIDENTIAL and not a matter of public record. If the Board wishes to address specific details regarding this matter, it is recommended the Board enter Executive Session to discuss matters confidential.

Complaint Numbers 15-C003:

On October 2, 2015, Division Director Wilson dismissed complaint number 15-C003 without prejudice upon determining the complaint falls outside the jurisdiction of the Board. Notice of the dismissal was forwarded to the complainant. The complainant has not requested Board review of the dismissal.

It is recommended the Board affirm the dismissal.

Motion: Move to affirm the dismissal.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

Motion: Move to have Melissa Gonsalves sign the Order on behalf of the Chair.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

2-B: Update regarding the status of pending complaints.

Individual Addressing the Board: Debbie MacDougall

Discussion: As of December 4, 2015, there are four open complaints, three of which have been presented on this agenda with dispositive recommendations under agenda item 2-A.

3) INITIAL CERTIFICATION AND ELIGIBILITY:

3-A: Review, discussion and possible action regarding pending initial certification applications for the following applicants:

1. *Celeste Paxton-Jones*
2. *Gary Bond*
3. *Jennifer Church*

Individual Addressing the Board: Anne Hunter

Discussion: It is recommended that the Board grant Initial Standard Certification to the following applicant:

1. Celeste Paxton-Jones

Motion: Move to accept staff's recommendation.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: It is recommended that the Board grant Initial Standard Certification to the following applicant:

2. Gary Bond

Motion: Move to accept staff's recommendation.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

Individual Addressing the Board: Anne Hunter

Discussion: It is recommended that the Board grant Initial Standard Certification to the following applicant:

3. Jennifer Church

Motion: Move to accept staff's recommendation.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

4) ADMINISTRATIVE ISSUES:

4-A: Review, discussion and possible action regarding the certification renewal application deadline pursuant to Arizona Code of Judicial Administration § 7-201 (G)(2).

Individual Addressing the Board: Wil Castro

Discussion: **Division recommends the Board establish the 2016-2018 renewal application deadline as February 28, 2016.**

The Division recommends that the Board establish the renewal application period starting December 29, 2015 through February 28, 2016. Division staff further recommends that applications submitted on or after February 1, 2016 be assessed an additional \$50.00. In the event that a certificate holder has filed a timely and complete application for renewal, the existing certification does not expire until the Board has acted on the application for renewal of certification.

Motion: Move to accept staff's recommendation.

Motion Proposals: First Judge Peter Swann
Second Melissa Gonsalves

Motion Results: Pass

4-B: Review, discussion and possible action regarding revisions to ACJA § 7-206.

Individual Addressing the Board: Mark Wilson

Discussion: Brief discussion is held regarding possible revisions to the code.

Motion: Move to go forward with changes and present to the Board at the next meeting.

Motion Proposals: First Judge Peter Swann
Second Michael Parrish

Motion Results: Pass

4-C: Review, discussion and possible action regarding interim Board meetings to address certification.

Individual Addressing the Board: Mark Wilson

Discussion: Discussion is held regarding the review and processing of clean applications.

CALL TO THE PUBLIC

Individuals Addressing the Board: Mary Meyer

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Melissa Gonsalves
Second

Motion Results: Pass

Time: 2:10 P.M.

Initials: AO