

COMMISSION ON APPELLATE COURT APPOINTMENTS

MINUTES

September 29, 2016

PRESENT: Chief Justice Scott Bales, Chair; Joseph Cuffari; Buchannan Davis; William Ekstrom, Jr.; Joshua Hall; Harry Hengl; Monica Klapper; Tracy Munsil; Jonathan Paton; Benjamin Reeves; Mick Rusing and, Charie Wallace

ABSENT: Krista Carman; Phillip Masciola and Phillip Townsend

Chief Justice Bales called the meeting to order at 1:00 p.m. to screen applications for a vacancy on Division One of the Arizona Court of Appeals created by the retirement of Judge Maurice Portley.

Public Comment

Chief Justice Bales called for comment from the public on the applicants. He reminded the speakers that they are limited to five minutes per candidate and asked them not to repeat comments by previous speakers about the same candidate.

Christopher Whitten spoke on behalf of Randall Warner.
Randy Papetti spoke on behalf of David Weinzweig.
Dominic Lanza spoke on behalf of Cassie Bray Woo.
Bill Demlong spoke on behalf of Timothy Hyland.
Roger Lyman spoke on behalf of Jared Leung.
Dominic Draye spoke on behalf of Jennifer Perkins.
Doug Klint spoke on behalf of Pamela Petersen.
Michael Morrissey spoke on behalf of James Morse.
Steven Curran spoke on behalf of Jared Leung.
Pamela Svoboda spoke on behalf of James Beene.
William Knight spoke on behalf of James Beene.
Tennie Martin spoke on behalf of Mikel Steinfeld.

Approval of Minutes

Chief Justice Bales asked if any member wished to submit changes or additions to the draft minutes of the September 1, 2016 meeting. It was moved that the minutes be approved as amended. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Chief Justice Bales asked the Commission members if there were any disqualifications and/or disclosures. He explained the conflict of interest portion of the Rules of Procedure (Rule #4) and reminded the members that he does not vote unless there is a tie.

He then disclosed that apart from the disclosures mentioned in the meeting for Judge Gemmill's vacancy, he knows Pamela Petersen and Theresa Dwyer professionally.

Benjamin Reeves disclosed that he met with Jennifer Perkins to discuss the application process before she applied.

Discussion of Applicants and Interviews

The Commission discussed the applicants' qualifications in alphabetical order.

After further discussion, Chief Justice Bales opened the floor to nominations to a tentative interview list.

Mick Rusing moved to add James Beene to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Harry Hengl moved to add Timothy Hyland to the tentative interview list. The motion was seconded and passed by a vote of 10-1-1 with Chief Justice Bales abstaining.

Bill Ekstrom moved to add Paul McMurdie to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Mick Rusing moved to add Timothy Thomason to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Harry Hengl moved to add Randall Warner to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Monica Klapper moved to add Pamela Petersen to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Jonathan Paton moved to add Cassie Bray Woo to the tentative interview list. The motion was seconded and passed by a vote of 7-3-2 with Monica Klapper and Chief Justice Bales abstaining.

Tracy Munsil moved to add James Morse to the tentative interview list. The motion was seconded and passed by a vote of 10-0-2 with Monica Klapper and Chief Justice Bales abstaining.

Joe Cuffari moved to add Jennifer Perkins to the tentative interview list. The motion was seconded and passed by a vote of 7-4-1 with Chief Justice Bales abstaining.

Joe Cuffari moved to add David Weinzweig to the tentative interview list. The motion was seconded and passed by a vote of 11-0-1 with Chief Justice Bales abstaining.

Jonathan Paton moved to add Mikel Steinfield to the tentative interview list. The motion was not seconded.

Mick Rusing moved to close the nominations and make final the interview list consisting of **James Beene, Cassie Bray Woo, Timothy Hyland, Paul McMurdie, James Morse, Jennifer Perkins, Pamela Petersen, Timothy Thomason, Randall Warner** and **David Weinzweig**. The motion was seconded. After further discussion the motion passed by a vote of 10-0-2 with Monica Klapper and Chief Justice Bales abstaining.

The Commission decided that the meeting to conduct interviews on October 17, 2016 would begin at 7:30 a.m. and that interviews would be scheduled at 30 minute intervals. Chief Justice Bales explained that each Commission member would be placed on a team to conduct due diligence on the interviewees and that they are to report their findings on the interviews on October 17th.

At 1:57 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully Submitted,

Charie Wallace
Commission Secretary