

COMMISSION ON APPELLATE COURT APPOINTMENTS

MINUTES

September 12, 2019

PRESENT: Chief Justice Robert Brutinel, Chair; Laura Ciscomani; Buchanan Davis; Bill Gresser; Tracy Munsil; Gerry Nabours; Jonathan Paton; Larry Suci; Kathryn Townsend; and Linley Wilson

ABSENT: Matthew Contorelli; Benjamin Reeves and Phil Townsend

Chief Justice Robert Brutinel, Chair, called the meeting to order at 8:30 a.m.

Introductions

Chief Justice Brutinel introduced himself and noted a quorum of the Commission. He welcomed the public and the Commission members.

He explained the purpose of the meeting is to interview for the vacancy the Arizona Court of Appeals, Division One created by unexpected passing of Judge Jon Thompson.

Public Comment

Chief Justice Brutinel asked for public comment on the candidates that will be interviewed for the Arizona Court of Appeals position. He explained to the speakers that they are limited to three minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Hugh Hegyi spoke on behalf of Veronika Fabian.
Brittany Walsh spoke on behalf of Matthew Mansfield.

Approval of Minutes

Chief Justice Brutinel asked if any members wished to submit changes or additions to the draft minutes of the August 26th meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Chief Justice Brutinel asked the Commission if there were additional disqualifications or disclosures since the screening meeting on August 26th and explained rules about what is required of Commission members in terms of disclosure and recruitment.

There were no additional disqualifications or disclosures.

Interview Questions

A motion to go to executive session for the purpose of selecting interview questions was made at 8:41 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:41 a.m.

Due Diligence Reports

Commission members discussed the due diligence findings for Joseph Goldstein, Veronika Fabian, Matthew Mansfield, D. Steve Williams, Benjamin Kreutzberg, William Ring and Brandley Carlyon.

Candidate Interviews

Chief Justice Brutinel admonished public that in fairness to all candidates, not to share questions to anyone until the end of the interviews.

From 10:01 a.m. to 11:35 a.m. the Commission interviewed Joseph Goldstein, Veronika Fabian, Matthew Mansfield and D. Steven Williams.

The Commission recessed for lunch at 11:40 a.m.

Chief Justice Brutinel called the meeting back to order at 12:40 p.m.

Candidate Interviews

From 12:42 p.m. to 2:00 p.m. the Commission interviewed Benjamin Kreutzberg, William Ring and Bradley Carlyon.

Discussion of Applicants and Interviews and Selection of Nominees

Chief Justice Brutinel reminded the Commission of the mandate the constitution requires of the members when selecting nominations and the requirement of balance of political affiliations among nominees. He explained he would only vote on a candidate in the event of a tie.

The Commission members took turns discussing the candidates' qualifications and interviews.

Chief Justice Brutinel opened the floor for individual nominations to a non-binding list of nominees to be sent to the Governor.

Jonathan Paton moved to add William Ring to the tentative list. The motion was seconded and passed by a vote of 9-0-1 with Chief Justice Brutinel abstaining.

Gerry Nabours moved to add Veronika Fabian to the tentative list. The motion was seconded and passed by a vote of 9-0-1 with Chief Justice Brutinel abstaining.

Laura Ciscomani moved to add D. Steven Williams to the tentative list. The motion was seconded and passed by a vote of 9-0-1 with Chief Justice Brutinel abstaining.

Kathryn Townsend moved to add Joseph Goldstein to the tentative list. The motion was seconded and passed by a vote of 9-0-1 with Chief Justice Brutinel abstaining.

Tracy Munsil moved to add Benjamin Kreutzberg to the tentative list. The motion failed by a vote of 3-6-1 with Chief Justice Brutinel abstaining.

Gerry Nabours moved to close nominations and finalize the tentative list consisting of **Veronika Fabian, Joseph Goldstein, William Ring** and **D. Steven Williams** and submit to Governor Ducey. The motion was seconded and passed by a vote of 9-0-1 with Chief Justice Brutinel abstaining.

Adjournment

Chief Justice Brutinel thanked the members for their hard work. At 2:13 p.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.