

COMMISSION ON APPELLATE COURT APPOINTMENTS

MINUTES

January 23, 2017

PRESENT: Chief Justice Scott Bales, Chair; Krista Carman; Harry Hengl; Monica Klapper; Phillip Masciola; Benjamin Reeves; Mick Rusing and, Charie Wallace

ABSENT: Joseph Cuffari; Buchanan Davis; William Ekstrom, Jr.; Josh Hall; Tracy Munsil; Jonathan Paton and Phillip Townsend

Chief Justice Bales called the meeting to order at 9:29 a.m. to screen applications for two vacancies on Division One of the Arizona Court of Appeals created by the retirement of Judge Patricia Orozco and the appointment of Judge Andrew Gould to the Arizona Supreme Court.

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.

John Morris spoke on behalf of Jennifer Campbell.

Kenton Jones spoke on behalf of Jennifer Campbell.

Alan Zimmerman spoke on behalf of Mark Moran.

Matt Smith spoke on behalf of Rick Williams.

Approval of Minutes

Chief Justice Bales asked if any member wished to submit changes or additions to the draft minutes of the October 17, 2016 meeting. It was moved that the minutes be approved as submitted. 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.

Chief Justice Bales disclosed that he knows each applicant professionally. However, he disclosed that he knows the four superior court judges socially as well.

Ben Reeves disclosed that he met with Maria Elena Cruz to discuss the application process.

Charie Wallace disclosed that she met with Maria Elena Cruz to discuss the application process.

Phil Townsend disclosed that he knows Maria Elena Cruz and encouraged her to apply. He met with Rick Williams to discuss the application process.

Krista Carman disclosed that she has appeared in front of Mark Moran and knows Jennifer Campbell socially.

Chief Justice Bales explained to the public present that per our rules, members are required to recruit applicants.

Discussion of Applicants and Interviews

The Commission discussed the applicants' qualifications.

A motion to go into executive session was made at 9:48 a.m.

The Commission returned to public session at 9:51 a.m.

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

Harry Hengl moved to add Jennifer Campbell to the tentative interview list. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

Ben Reeves moved to add Maria Elena Cruz to the tentative interview list. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

Krista Carman moved to add Mark Moran to the tentative interview list. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

Phil Townsend moved to add Rick Williams to the tentative interview list. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

Krista Carman moved to add Kenneth Moyer to the tentative interview list. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

Cherie Wallace moved to close the nominations and make final the interview list consisting of **Jennifer Campbell, Maria Elena Cruz, Mark Moran, Kenneth Moyer** and **Rick Williams**. The motion was seconded and passed by a vote of 8-0-1 with Chief Justice Bales abstaining.

The Commission decided that the meeting to conduct interviews on February 21, 2017 would begin at 10:00 a.m. and that interviews would be scheduled at 20 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 February 21st.

At 9:57 a.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.