

MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

December 3, 2019

PRESENT: Justice Clint Bolick, Chair; Barry Aarons; Jason Barraza; Peggy Baze; Shawn Cox; Leonard Gilroy; Steve Perica; Amanda Reeve; and Stephen Silverman.

ABSENT: Jessica Everett-Garcia; Paul Senseman and Walt Opaska

Justice Clint Bolick called the meeting to order at 8:34 a.m.

Introductions

Justice Bolick introduced himself, welcomed the Commission members and the public present. He explained the purpose of the meeting is to interview for the position created by the appointment of Judge David Gass to Division One of the Arizona Court of Appeals.

Public Comment

Justice Bolick asked for public comment on the candidates that will be interviewed for the Maricopa County vacancy. He reminded the speakers that they are limited to two minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Andrew Turk spoke on behalf of Julie LaFave.

Mark White spoke on behalf of Julie Mata.

Cassie Woo spoke on behalf of Robert Brooks.

Ed Novak spoke on behalf of Monica Bellapralu Edelstein.

Melina Favors spoke on behalf of Stasy Click.

Louis Silverman spoke on behalf of Aryeh Schwartz.

Approval of Minutes

Justice Bolick asked if any member wished to submit changes or additions to the draft minutes of the November 4th screening meeting. It was moved that the minutes be approved as corrected. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Bolick asked the Commission if there were additional disqualifications or disclosures since the screening meeting on November 4th, pursuant to the Commission's rules regarding conflict of interest of bias.

Peggy Baze reminded the Commission she is recused from voting on Annielaurie Van Wie.

Interview Questions

A motion to go to executive session for the purpose of selecting interview questions was made at 8:54 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:39 a.m.

Due Diligence Reports

Commission members took turns to discuss the due diligence reports for all candidates in order of interviews.

Candidate Interviews

From 10:13 a.m. to 11:54 a.m. the Commission interviewed Monica Bellapralu Edelstein, Michael Rassas, Aryeh Schwartz, Stasy Click, Julie LaFave and Annielaurie Van Wie.

The Commission recessed for lunch at 11:54 a.m.

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

Candidate Interviews

From 12:42 p.m. to 3:03 p.m. the Commission interviewed David McDowell, Marvin Davis, Robert Brooks, Julie Mata, David Garbarino, Glenna Allen, Suzanne Nicholls, Sigmund Popko and Andrew Russell.

Discussion of Applicants and Interviews and Selection of Nominees

Justice Bolick reminded the Commission of the constitutionally required balance of political affiliations among nominees. He explained he would only vote on a candidate in the event of a tie.

The Commission discussed the interviews and the qualifications of the candidates in order of interviews. Justice Bolick suggested that a non-binding straw vote would be helpful to focus discussion and determine if any strong consensus existed on the potential nomination list. The results of the straw vote were:

Glenn Allen – 5
Monica Bellapralu Edelstein - 7
Robert Brooks – 8
Stasy Click – 7
Marvin Davis – 8
David Garbarino – 6
Julie LaFave – 7
Julie Mata – 5
David McDowell – 3
Suzanne Nicholls – 2
Sigmund Popko – 6
Michael Rassas – 4
Andrew Russell – 8

Aryeh Schwartz – 8
Annielaurie Van Wie – 1

After discussion of the straw vote, Justice Bolick opened the floor for individual nominations to a non-binding list of nominees to be sent to the Governor.

Leonard Gilroy moved to add Glenn Allen to the list. The motion was seconded and passed by a vote of 7-1-1 with Justice Bolick abstaining.

Steve Perica moved to add Monica Bellapralu Edelstein to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Leonard Gilroy moved to add Robert Brooks to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Stephen Silverman moved to add Stasy Click to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Barry Aarons moved to add Marvin Davis to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Barry Aarons moved to add David Garbarino to the list. The motion was seconded and passed by a vote of 7-1-1 with Justice Bolick abstaining.

Peggy Baze moved to add Julie LaFave to the list. The motion was seconded and passed by a vote of 7-1-1 with Justice Bolick abstaining.

Barry Aarons moved to add Julie Mata to the list. The motion was seconded and passed by a vote of 6-2-1 with Justice Bolick abstaining.

Amanda Reeve moved to add Suzanne Nicholls to the list. The motion was not seconded.

Stephen Silverman moved to add Sigmund Popko to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Stephen Silverman moved to add Michael Rassas to the list. The motion was seconded and passed by a vote of 5-3-1 with Justice Bolick abstaining.

Barry Aarons moved to add Andrew Russell to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Amanda Reeve moved to add Aryeh Schwartz to the list. The motion was seconded and passed by a vote of 8-0-1 with Justice Bolick abstaining.

Steve Perica moved to close nominations and finalize the tentative list of all who received 5 or more votes. The motion was seconded and passed unanimously.

The tentative list consisting of **Glenn Allen, Monica Bellapralu Edelstein, Robert Brooks, Stasy Click, Marvin Davis, David Garbarino, Julie LaFave, Julia Mata, Sigmund Popko, Michael Rassas, Andrew Russell** and **Aryeh Schwartz**, was adopted as the final nomination list for submission to Governor Ducey.

Justice Bolick thank the Commission members for their service.

Adjournment

A motion to adjourn was made at 4:05 p.m. The motion was seconded and passed unanimously.