

## MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

### MINUTES

February 27, 2020

**PRESENT:** Justice Clint Bolick, Chair; Barry Aarons; Peggy Baze; Shawn Cox; Jessica Everett-Garcia; Leonard Gilroy; Steve Perica; Amanda Reeve; Paul Senseman and Stephen Silverman.

**ABSENT:** Jason Barraza and Walt Opaska

Justice Clint Bolick called the meeting to order at 8:32 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 retirement of Judge Karen O'Connor and the resignation of Judges Jose Padilla and Erin O'Brien Otis.

#### 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.

David Palmer spoke on behalf of Suzanne Nicholls.  
Ray Woo spoke on behalf of Monica Bellapralu Edelstein.  
Elisa Donnadieu spoke on behalf of Julie Mata.  
David Hammond spoke on behalf of Michael Rassas.  
Melissa Brackman spoke on behalf of Suzanne Nicholls.  
Valerie Walker spoke on behalf of Julie LaFave.

#### Approval of Minutes

Justice Bolick asked if any member wished to submit changes or additions to the draft minutes of the January 10, 2020 screening meeting. It was moved that the minutes be approved as submitted. 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 January 10<sup>th</sup>, pursuant to the Commission's rules regarding conflict of interest of bias.

Stephen Silverman disclosed that he saw Julie Mata at a restaurant but only said hello.

Amanda Reeve disclosed that she met with Michael Rassas prior to the application period closing.

Barry Aarons disclosed that he met with David Garbarino and David McDowell prior to the application period closing.

### **Interview Questions**

A motion to go to executive session for the purpose of selecting interview questions was made at 8:53 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:21 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 10:38 a.m. to 12:13 p.m. the Commission interviewed David McDowell, Glenn Allen, Andrew Russell, Monica Bellapravalu Edelstein, Michael Rassas and Julie Mata.

The Commission recessed for lunch at 12:13 p.m.

Justice Bolick called the meeting back to order at 12:55 p.m.

### **Candidate Interviews**

From 12:57 p.m. to 2:04 p.m. the Commission interviewed Paula Eaton, Marvin Davis, Julie LaFave, Joshua Boyle, Suzanne Nicholls and Sigmund Popko.

Break at 2:04 p.m.

From 2:39 p.m. to 3:50 p.m. the Commission interviewed Francisca Cota, Michael Kielsky, Aryeh Schwartz, Stasy Click and David Garbarino.

### **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 – 9

Monica Bellapravalu Edelstein - 9

Joshua Boyle – 0  
Stasy Click – 5  
Francisca Cota – 5  
Marvin Davis – 9  
Paula Eaton - 0  
David Garbarino – 2  
Michael Kielsky – 2  
Julie LaFave – 9  
Julie Mata – 8  
David McDowell – 6  
Suzanne Nicholls – 9  
Sigmund Popko – 9  
Michael Rassas – 6  
Andrew Russell – 9  
Aryeh Schwartz – 9

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.

Stephen Silverman moved to add Glenn Allen to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

Barry Aarons moved to add Monica Bellapralu Edelstein to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

Steve Perica moved to add Stasy Click to the list. The motion was seconded and passed by a vote of 6-3-1 with Justice Bolick abstaining.

Leonard Gilroy moved to add Francisca Cota to the list. The motion was seconded and passed by a vote of 7-2-1 with Justice Bolick abstaining.

Leonard Gilroy moved to add Marvin Davis to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

Barry Aarons moved to add Julie LaFave to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

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

Leonard Gilroy moved to add David McDowell to the list. The motion was seconded and passed by a vote of 7-2-1 with Justice Bolick abstaining.

Amanda Reeve moved to add Suzanne Nicholls to the list. The motion was seconded and passed by 9-0-1 with Justice Bolick abstaining.

Paul Senseman moved to add Sigmund Popko to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

Shawn Cox moved to add Michael Rassas to the list. The motion was seconded and passed by a vote of 6-3-1 with Justice Bolick abstaining.

Barry Aarons moved to add Andrew Russell to the list. The motion was seconded and passed by a vote of 9-0-1 with Justice Bolick abstaining.

Leonard Gilroy moved to add Aryeh Schwartz to the list. The motion was seconded and passed by a vote of 9-0-1 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, Stasy Click, Francisca Cota, Marvin Davis, Julie LaFave, Julia Mata, David McDowell, Suzanne Nicholls, 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 5:29 p.m. The motion was seconded and passed unanimously.