

# MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

## MINUTES

August 20, 2019

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

**ABSENT:** Jason Barraza; Warde Nichols and Walt Opaska

Vice Chief Justice Ann Scott Timmer called the meeting to order at 8:37 a.m.

### Introductions

Vice Chief Justice Timmer introduced herself, welcomed the Commission members and the public present. She explained the purpose of the meeting is to interview for the positions created by the retirement of Judges Janet Barton and Cari Harrison.

### Public Comment

Vice Chief Justice Timmer asked for public comment on the candidates that will be interviewed for the Maricopa County vacancies. She 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.

Adele Ponce spoke on behalf of Cassie Bray Woo.  
Kevin Wein spoke on behalf of Julie LaFave.  
Dawnese Hustad spoke on behalf of Julie Mata.  
Greg Como spoke on behalf of Aryeh Schwartz.  
Byron Sarhangian spoke on behalf of Robert Brooks.  
Ellen Dahl spoke on behalf of Michael Rassas.  
Jennifer Ryan-Touhill spoke on behalf of Julie Mata

### Approval of Minutes

Vice Chief Justice Timmer asked if any member wished to submit changes or additions to the draft minutes of the July 25, 2019 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

### Disqualifications and Disclosures

Vice Chief Justice Timmer asked the Commission if there were additional disqualifications or disclosures since the screening meeting on July 25, 2019, pursuant to the Commission's rules regarding conflict of interest of bias.

Leonard Gilroy disclosed that prior to the application period closing he spoke to Cassie Bray Woo, Robert Brooks, Julie LaFave, Michael Rassas, Aryeh Schwartz and Suzanne Nicholls regarding the application process.

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

Jessica Everett-Garcia disclosed that prior to the application period closing she met with John Blanchard, Cassie Bray Woo, Julie LaFave, Michael Rassas and Aryeh Schwartz regarding the application process.

Amanda Reeve disclosed that prior to the application period closing she met with Cassie Bray Woo, Marvin Davis and Suzanne Nicholls regarding the application process.

### **Interview Questions**

A motion to go to executive session for the purpose of selecting interview questions was made at 9:07 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 10:00 a.m.

### **Due Diligence Reports**

Commission members took turns to discuss the due diligence reports for Julie Mata, Sigmund Popko, Marvin Davis, Cassie Bray Woo, Aryeh Schwartz and Francisca Cota. The Commission agreed to complete the remaining reports after lunch.

### **Candidate Interviews**

From 10:45 a.m. to 12:22 a.m. the Commission interviewed Julie Mata, Sigmund Popko, Marvin Davis, Cassie Bray Woo, Aryeh Schwartz and Francisca Cota.

The Commission recessed for lunch at 2:23 a.m.

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

Commission members took turns to discuss the due diligence reports for David Garbarino, Julie LaFave, Michael Rassas, Suzanne Nicholls, Andrew Russell, Robert Brooks, Annielaurie Van Wie, John Blanchard and Glenn Allen.

### **Candidate Interviews**

From 1:10 p.m. to 3:48 p.m. the Commission interviewed Glenn Allen, David Garbarino, Julie LaFave, Michael Rassas, Suzanne Nicholls, Andrew Russell, Robert Brooks, Annielaurie Van Wie and John Blanchard.

### **Discussion of Applicants and Interviews and Selection of Nominees**

Vice Chief Justice Timmer reminded the Commission of the constitutionally required balance of political affiliations among nominees. She explained she 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. Vice Chief Justice Timmer 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 – 0  
John Blanchard – 10  
Cassie Bray Woo – 10  
Robert Brooks – 10  
Francisca Cota – 4  
Marvin Davis – 10  
David Garbarino – 7  
Julie LaFave – 9  
Julie Mata – 5  
Suzanne Nicholls – 8  
Sigmund Popko – 9  
Michael Rassas – 7  
Andrew Russell – 10  
Aryeh Schwartz – 10  
Annielaurie Van Wie – 8

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

Barry Aarons moved to add John Blanchard to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Steve Perica moved to add Cassie Bray Woo to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Paul Senseman moved to add Robert Brooks to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Leonard Gilroy moved to add Marvin Davis to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Amanda Reeve moved to add David Garbarino to the list. The motion was seconded and passed by a vote of 7-3-1 with Vice Chief Justice Timmer abstaining.

Paul Senseman moved to add Julie LaFave to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Amanda Reeve moved to add Julie Mata to the list. The motion was seconded and tied by a vote of 5-5. Vice Chief Justice Timmer untied the vote to 6-5.

Leonard Gilroy moved to add Suzanne Nicholls to the list. The motion was seconded and passed by a vote of 8-2-1 with Vice Chief Justice Timmer abstaining.

Stephen Silverman moved to add Sigmund Popko to the list. The motion was seconded and passed by a vote of 9-1-1 with Vice Chief Justice Timmer abstaining.

Shawn Cox moved to add Michael Rassas to the list. The motion was seconded and passed by a vote of 7-3-1 with Vice Chief Justice Timmer abstaining.

Barry Aarons moved to add Andrew Russell to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Leonard Gilroy moved to add Aryeh Schwartz to the list. The motion was seconded and passed by a vote of 10-0-1 with Vice Chief Justice Timmer abstaining.

Leonard Gilroy moved to add Annielaurie Van Wie to the list. The motion was seconded and passed by a vote of 8-1-2 with Peggy Baze and Vice Chief Justice Timmer abstaining.

Steve Perica moved to close nominations and finalize the tentative list. The motion was seconded and passed unanimously.

The tentative list consisting of **John Blanchard, Cassie Bray Woo, Robert Brooks, Marvin Davis, David Garbarino, Julie LaFave, Julia Mata, Suzanne Nicholls, Sigmund Popko, Michael Rassas, Andrew Russell, Aryeh Schwartz, and Annielaurie Van Wie** was adopted as the final nomination list for submission to Governor Ducey.

Vice Chief Justice Timmer thank the Commission members for their service and mentioned that this would be her last meeting as Justice Clint Bolick has been designated by the Court to Chair this Commission.

Justice Bolick thanked Vice Chief Justice Timmer and said he looked forward to working with the Commission.

### **Adjournment**

A motion to adjourn was made at 5:07 p.m. The motion was seconded and passed unanimously.