

PIMA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

March 19, 2018

PRESENT: Justice John Pelander, Acting Chair; John Barry; Michael Boreale; Sherry Downer; Michael Hennessy; Marian Hill; Julie Katsel; Cassie Lundin; Richard Schaefer; Micah Schmit and Nanette Warner

ABSENT: None

Justice John Pelander called the meeting to order at 10:00 a.m. He welcomed the Commission members and the public in attendance. He explained the purpose of the meeting is to select applicants to be interviewed for a vacancy on the Pima County Superior Court created by the retirement of Judge Richard Fields.

Public Comment

Justice Pelander asked for public comment on the applicants. He asked the speakers to try and limit their comments to two-to-three minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Doug McClure spoke on behalf of Laurie San Angelo.

Steve Lautenschlaeger spoke on behalf of Gilbert Rosales.

Michael Aaron spoke on behalf of all applicants with family law experience.

Jose Rincon spoke on behalf of Michael Kelly.

Randall Smith spoke on behalf of Reagen Kulseth.

David Curl spoke on behalf of Michael Kelly.

Cody Barcom spoke on behalf of Reagen Kulseth.

Vanessa Moss spoke on behalf of Lee Ann Roads.

Steve Wilson spoke on behalf of Vincent Sottosanti.

Jeff Siegel spoke on behalf of Laurie San Angelo.

Kristen Kiernan spoke on behalf of Keith Singer.

Patricia Cummins spoke against John Assini.

Approval of Minutes

Justice Pelander asked if any member wished to submit changes or additions to the draft minutes of the December 18, 2017 meeting. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Pelander inquired about any basis for additional disqualification or disclosure not previously mentioned, pursuant to the commission's rules regarding conflict of interest or bias.

He explained the rules referencing the need to disclose any contact with the applicants and any disqualifications if necessary.

Micah Schmidt disclosed that he has previously worked in the same office as Reagen Kulseth, Casey McGinley, Lee Ann Roads and Vincent Sottosanti but not directly with any of them. He also disclosed that he volunteered as coach for mock trials with Casey McGinley for a few years.

Mike Boreale disclosed that he is recused from voting on Justin Castillo, who is a close friend. He also disclosed that he attended law school with Casey McGinley and that he spoke to Justin Castillo and Scott McDonald regarding the application process and encouraged them to reapply.

Nanette Warner disclosed that she knows everyone on the list professionally except for Regina Nassen and Jerald Wilson. She also disclosed that she spoke to Michael Kelly regarding the process and spoke to John Assini and Laurie San Angelo regarding their previous interview.

Michael Hennessy disclosed that he spoke to John Assini, Ryan Schmidt and Laurie San Angelo regarding the application process.

Cassie Lundin disclosed that she spoke to Michael Kelly regarding the application process.

Marian Hill disclosed that she spoke to Michael Kelly regarding the application process

Sherry Downer disclosed that she attended law school with Michael Kelly and spoke to him regarding the application process. She also disclosed that she spoke to John Assini regarding this process also.

Mike Boreale disclosed that he spoke with John Assini and Michael Kelly regarding the application process. He also disclosed that he has appeared before Lee Ann Roads.

Discussion and Selection of Applicants for Interviews

Justice Pelander explained the process for discussion and selection of applications. He mentioned the need of diversity on the list of interviewees and nominees and asked for discussion regarding the applicants.

The Commission suggested a straw vote of all the applicants in alphabetical order and it was agreed those applicants with a vote of 6 or more would warrant discussion and possible nomination to the tentative interview list. The results of the straw vote were:

John J. Assini – 5	Lee Ann Roads – 8
Michael Kelly – 9	Gilbert Rosales, Jr. – 10
Brian K. Kimminau – 0	Laurie B. San Angelo - 7
Reagen Kulseth – 7	Ryan C. Schmidt – 4
Mark D. Lammers – 8	Keith A. Singer – 3
Casey McGinley – 9	Vincent J. Sottosanti – 5
Regina Nassen – 7	Jerald R. Wilson – 0

The Commission discussed the qualifications and various references of the applicants in alphabetical order.

Mike Hennessy suggested a revote on Ryan Schmidt to add him to the list for further discussion. The Commission agreed and noted that if he receive 6 or more votes, he would warrant further discussion and possible nomination to the tentative interview list. The result of the revote for Ryan Schmidt was 5.

Selection of Applicants to be Interviewed

Justice Pelander opened the floor for motions and nominations to a tentative interview list.

Nanette Warner moved to interview all applicants with a majority vote and finalize the interview list consisting of **Michael Kelly, Reagen Kulseth, Mark Lammers, Casey McGinley, Lee Ann Roads, Gilbert Rosales** and **Laurie San Angelo**. The motion was seconded and passed by a vote of 8-2-1 with Justice Pelander abstaining.

Interview Schedule

The commission agreed to meet at 9:00 a.m. on April 19, 2018 for the interview meeting. Staff was instructed to schedule the interviews at 25 minute intervals.

Discussion of Due Diligence Assignments

After a brief discussion, the following due diligence assignments were agreed on:

Julie Katsel, Cassie Lundin, Marian Hill and John Barry agreed to contact the non-attorney references of each candidate.

Nanette Warner, Sherry Downer and Richard Schaefer agreed to contact judges.

Mike Boreale, Micah Schmit and Mike Hennessy agreed to contact the lawyer references of each candidate.

A motion to adjourn was made. The motion was seconded and passed unanimously.

The meeting adjourned at 11:44 a.m.