

PIMA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

March 8, 2017

PRESENT: Justice Ann A. Scott Timmer, Acting Chair; Michael Boreale; Lynn Cuffari; Sherry Downer; Marian Hill; Julie Katsel; Gioia Sanderson; Richard Schaefer; Micah Schmit and Nanette Warner

ABSENT: John Barry; Michael Hennessy and Cassie Lundin

Justice Ann A. Scott Timmer called the meeting to order at 9:00 a.m. She welcomed the Commission members and the public in attendance. She 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 K.C. Stanford.

Public Comment

Justice Timmer asked for public comment on the applicants. She 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.

Mark Collins spoke on behalf of John Sundt.
Thomas Naifeh spoke on behalf of John Sundt.
Cynthia Osman spoke against Ken Sanders and Brian Kimminau.
Victoria Otto spoke on behalf of Kellie Johnson.
John Leavitt spoke on behalf of Baird Greene.
Richard Lambert spoke on behalf of Brian Kimminau.
Brad Thrush spoke on behalf of Brian Kimminau.
Jerold Tucker spoke on behalf of Renee Bennett.
Jennifer Himmelstein spoke on behalf of Keith Singer.
Edward Laber spoke on behalf of Renee Bennett.
Julie Davey spoke on behalf of Ken Sanders.

Approval of Minutes

Justice Timmer asked if any member wished to submit changes or additions to the draft minutes of the January 11, 2017 meeting. It was moved that the minutes be approved as amended. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Timmer inquired about any basis for additional disqualification or disclosure not previously mentioned, pursuant to the commission's rules regarding conflict of interest or bias. She explained the rules referencing the need to disclose any contact with the applicants and any disqualifications if necessary.

Micah Schmit disclosed that he works with Angela Woolridge and is recused from voting on her.

Nanette Warner disclosed that she met Renee Bennett at a social event but did not speak to her. She also disclosed that she knows Vincent Frey, Kellie Johnson, Nanette Morrow, Laurie San Angelo, Keith Singer, Angela Woolridge and Wayne Yehling in a professional capacity and she met with Keith Singer to discuss his previous interview.

Lynn Cuffari disclosed that her husband, who serves on the Commission on Appellate Court Appointments recommended Angela Woolridge.

Mike Boreale disclosed that he spoke to Keith Singer regarding his previous interview and application. He also disclosed that he has known Justin Castillo for many years and considers him a close personal friend, therefore is recused from voting on him.

Sherry Downer disclosed that she spoke with Keith Singer regarding his previous interview and she knows Baird Greene and some members of his family.

Marian Hill disclosed that she spoke to Keith Singer regarding his previous interview.

Gioia Sanderson disclosed that she works with Baird Greene and is recused from voting on him. She also disclosed that she spoke to Keith Singer regarding his previous interview.

Justice Timmer disclosed that she met John Smith at a public event but only said hello and she also spoke to Keith Singer regarding his previous interview.

Discussion and Selection of Applicants for Interviews

A motion to go into executive session was made at 10:20 a.m., the motion was seconded and passed unanimously.

The Commission returned to public session at 10:39 a.m.

Justice Timmer explained the process for discussion and selection of applications. She mentioned the need of diversity on the list of interviewees and nominees and asked for discussion regarding the applicants. The Commission members disclosed references and comments regarding all applicants in alphabetical order.

After further discussion, the Commission suggested a straw vote of all the applicants in alphabetical order. The Commission agreed and the results of the straw vote were:

Renee Bennett – 5	Nanette Morrow – 5
Justin Castillo – 4	Laurie San Angelo – 4
Vincent Frey – 6	Ken Sanders – 1
Baird Greene – 6	Keith Singer – 1
John Iurino – 7	John Smith – 3
Kellie Johnson – 8	John Sundt – 6

Brian Kimminau – 4
Reagen Kulseth – 3

Angela Woolridge – 8
Wayne Yehling – 6

It was agreed those applicants with a vote of three or more would warrant further discussion and possible nomination to the tentative interview list.

Selection of Applicants to be Interviewed

Justice Timmer opened the floor for individual nominations to a tentative interview list.

Marian Hill moved to add Wayne Yehling to the tentative interview list. The motion was seconded and passed by a vote of 7-2-1 with Justice Timmer abstaining.

Gioia Sanderson moved to add Kellie Johnson to the tentative interview list. The motion was seconded and passed by a vote of 7-2-1 with Justice Timmer abstaining.

Nanette Warner moved to add Baird Greene to the tentative interview list. The motion was seconded and passed by a vote of 7-1-2 with Gioia Sanderson and Justice Timmer abstaining.

Lynn Cuffari moved to add Angela Woolridge to the tentative interview list. The motion was seconded and passed by a vote of 8-0-2 with Micah Schmit and Justice Timmer abstaining.

Mike Boreale moved to add Vincent Frey to the tentative interview list. The motion was seconded and passed by a vote of 8-1-1 with Justice Timmer abstaining.

Marian Hill moved to add Nanette Morrow to the tentative interview list. The motion was seconded and passed by a vote of 7-2-1 with Justice Timmer abstaining.

Richard Schaefer moved to add John Smith to the tentative interview list. The motion failed by a vote of 3-6-1 with Justice Timmer abstaining.

Julie Katsel moved to add Renee Bennett to the tentative interview list. The motion was seconded and passed by a vote of 7-2-1 with Justice Timmer abstaining.

Lynn Cuffari moved to add Justin Castillo to the tentative interview list. The motion was seconded and passed by a vote of 6-2-2 with Mike Boreale and Justice Timmer abstaining.

Nanette Warner moved to add John Iurino to the tentative interview list. The motion was seconded and passed by a vote of 5-4-1 with Justice Timmer abstaining.

Sherry Downer moved to add Laurie San Angelo to the tentative interview list. The motion failed by a vote of 4-5-1 with Justice Timmer abstaining.

Richard Schaefer moved to add John Sundt to the tentative interview list. The motion was seconded and passed by a vote of 5-4-1 with Justice Timmer abstaining.

Mike Boreale moved to add Brian Kimminau to the tentative interview list. The motion failed by a vote of 4-5-1 with Justice Timmer abstaining.

After further discussion it was suggested to vote again on the applicants listed on the tentative interview list. The Commission agreed and the results of that vote were:

Renee Bennett – 5	Kellie Johnson – 9
Justin Castillo – 5	Nanette Morrow – 6
Vincent Frey – 7	John Sundt – 4
Baird Greene – 7	Angela Woolridge – 6
John Iurino – 4	Wayne Yehling – 8

Mike Boreale moved to interview all applicants that received 5 or more votes. The motion was seconded and passed by a vote of 8-1-1 with Justice Timmer abstaining. The interview list consists of **Renee Bennett, Justin Castillo, Vincent Frey, Baird Greene, Kellie Johnson, Nanette Morrow, Angela Woolridge and Wayne Yehling.**

Interview Schedule

The commission agreed to meet at 8:00 a.m. on April 20, 2017 for the interview meeting. Staff was instructed to schedule the interviews at 20 minute intervals.

Discussion of Due Diligence Assignments

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

Julie Katsel, Marian Hill, Richard Schaefer and Mike Hennessy agreed to contact the non-attorney references of each candidate.

Sherry Downer, Nanette Warner, Gioia Sanderson and Cassie Lundin agreed to contact judges.

Mike Boreale, Lynn Cuffari, Micah Schmit and John Barry 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 12:06 p.m.