

# PINAL COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

## MINUTES

January 22, 2014

**PRESENT:** Vice Chief Justice Scott Bales, Acting Chair; Laura Calvert; Christine Valenzuela; Dennis Manning; Brett Eisele; Irene Littleton; Martin Hermanson; Penny Fendley; Kate Milewski; David Mix; Stephen Cooper; James Dutson; Deanna Recker.

**ABSENT:** James Stephens

Vice Chief Justice Scott Bales called the meeting to order at 9:30 a.m. He introduced himself and welcomed the commission members and public in attendance. He then explained that they were meeting to select candidates to be interviewed for a vacancy on the Pinal County Superior Court created by the retirement of Judge Robert Carter Olson.

### Approval of Minutes

Vice Chief Justice Bales asked if any member wished to submit changes or additions to the draft minutes of the August 12, 2013 minutes. It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.

### Disqualifications and Disclosures

Vice Chief Justice Bales then asked for disqualifications and disclosures. He disclosed that he has met the court commissioners through court related events.

Christine Valenzuela disclosed she has appeared before Commissioner Craig Raymond as an involved party in a guardianship case.

Stephen Cooper disclosed he knows Commissioner Craig Raymond, Commissioner Lawrence Wharton, and has worked opposite Commissioner Dwight Callahan.

Dennis Manning disclosed that he has known Kelly Neal and Commissioner Delia Reeves Neal and their families for 50 years and has met Lawrence Wharton while Commissioner Wharton was running for Superior Court Judge. Mr. Manning then recused himself from voting on Commissioner Wharton.

Penny Fendley disclosed she worked on cases with Commissioner Craig Raymond about 10 years ago when he worked as a Deputy County Attorney and has also worked with Kathryn Pierce.

Kate Milewski disclosed she has appeared before and continues to appear before Commissioners Dwight Callahan, Craig Raymond, Delia Reeves Neal, and Lawrence Wharton. She worked with Kelly Neal, Kate Pierce, Craig Raymond, and Lawrence Wharton while employed at the County Attorney's Office. She has also worked opposite Kate Pierce.

Laura Calvert, Brett Eisele, Irene Littleton, Martin Hermanson, David Mix, James Dutson and Deanna Recker did not have any disclosures or disqualifications.

### **Public Comment**

Vice Chief Justice Bales explained the commission's practice of asking speakers to limit comments to three minutes and to avoid repeating comments made by an earlier speaker on behalf of a given candidate.

Bret Huggins spoke about all applicants.

### **Discussion of Applicants**

Vice Chief Justice Bales explained the tentative list process and the straw vote process for the applicants to be selected to be interviewed.

Martin Hermanson motioned to interview all applicants. The motion was not seconded.

There was further discussion regarding the applicants and a tentative interview list.

James Dutson moved not to include Kathryn Pierce in the list of candidates to be interviewed. The motion was seconded and passed by a vote of 7-5-1 with Vice Chief Justice Bales abstaining.

Dennis Manning moved to add Craig Raymond to the tentative interview list. The motion was seconded and passed by a vote of 8-4-1 with Vice Chief Justice Bales abstaining.

Dennis Manning moved to add Danielle Harris to the tentative interview list. The motion was seconded and passed by a vote of 9-3-1 with Vice Chief Justice Bales abstaining.

David Mix moved to add Dwight Callahan to the tentative interview list. The motion was seconded and passed by a vote of 11-1-1 with Vice Chief Justice Bales abstaining.

Irene Littleton moved to add Karl Eppich to the tentative interview list. The motion was seconded and passed by a vote of 11-1-1 with Vice Chief Justice Bales abstaining.

Dennis Manning moved to add Kelly Neal to the tentative interview list. The motion was seconded and passed by a vote of 11-1-1 with Vice Chief Justice Bales abstaining.

Dennis Manning moved to add Delia Reeves Neal to the tentative interview list. The motion was seconded and passed by a vote of 12-0-1 with Vice Chief Justice Bales abstaining.

Irene Littleton moved to add Lawrence Wharton to the tentative interview list. The motion was seconded and passed by a vote of 11-0-2 with Vice Chief Justice Bales and Dennis Manning abstaining.

### **Selection of Applicants for Interviews**

Irene Littleton moved that the tentative interview list be approved as the final list of candidates to be interviewed. The motion was seconded and approved by a 12-0-1 vote with Vice Chief Justice Bales abstaining.

The final interview list consists of the applicants; **Dwight Callahan, Karl Eppich, Danielle Harris, Kelly Neal, Craig Raymond, Delia Reeves Neal, and Lawrence Wharton.**

### **Interview Schedule**

The Commission then addressed the logistics of the pending interviews. It was agreed the February 27, 2014 interviews begin at 9:00 a.m. The Commission recommended 20 minute Interviews with a 10 minute break between each one. There was discussion regarding the need for a hypothetical question. It was agreed that a hypothetical question would not be used. The Commission will use follow up questions as necessary. Staff was directed to schedule interviews at 30 minute intervals and to make due diligence assignments.

Vice Chief Justice Bales encouraged Commission members to submit interview questions to staff. The members will discuss any new material and make a selection of questions at the meeting on February 27, 2014.

### **Adjournment**

Vice Chief Justice Bales thanked the members for their service. At 10:37 it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.

Respectfully submitted,

Brett Eisele  
Commission Secretary