

MINUTES OF THE
JUDICIAL SELECTION ADVISORY BOARD

July 21, 2010 – 6:00 p.m.
Glendale Municipal Office Complex, B-3
5850 West Glendale Avenue
Glendale, AZ

MEMBERS PRESENT: Jerry Berntsen, Chair
Arthur Dobbelaere, Member
Judge Elizabeth Finn, Non-Voting Member
Leonard Fulcher, Member (via tele-conference)
Steven Keist, Member
Terrance Mead, Vice Chair
Judge Ann Scott Timmer, Member
Judge Randy Warner, Member

STAFF PRESENT: Katie Douglas, Judicial Selection Advisory Board Staff
Representative

MEMBERS ABSENT: No Board members were absent.

CALL TO ORDER

Chair Jerry Berntsen called the meeting to order at 6:04 p.m.

APPROVAL OF MINUTES FROM MAY 17, 2010 MEETING

Dr. Arthur Dobbelaere requested the word “two” be inserted into the following sentence: “Judge Timmer and Judge Warner will be eligible for three-year terms.” It now reads “Judge Timmer and Judge Warner will be eligible for two three-year terms.” Judge Randy Warner moved to approve the minutes as amended and Judge Ann Scott Timmer seconded the motion. It was voted unanimously to approve the minutes as amended.

BOARD ORGANIZATION

Jerry Berntsen’s initial term as Chair expires November 29, 2010. He is eligible to serve two additional one-year terms. Terrance Mead’s initial term as Vice Chair expires November 29, 2010, as well. He is also eligible to serve two additional one-year terms.

Judge Ann Scott Timmer moved to nominate Mr. Berntsen for a one-year term as Chair effective November 29, 2010. Dr. Arthur Dobbelaere seconded the motion and the motion carried unanimously.

Judge Ann Scott Timmer moved to nominate Mr. Mead for a one-year term as Vice Chair effective November 29, 2010. Steven Keist seconded the motion and the motion carried unanimously.

RECOMMENDED ADDITIONS AND CHANGES TO EXISTING PRESIDING JUDGE SURVEY

The survey subcommittee brought forth their proposed changes and additions to the Presiding Judge survey. The proposed changes/additions were as follows:

Recommended Additions to existing Sections:

Integrity Section

- Add “Acts to preserve the independence of the judiciary.”

Communications Skills Section

- Add “Timely informs judicial officers of issues affecting the administration of justice.”

Administrative Performance Section

- Add “Establishes and maintains standard work hours and times to effectively discharge judicial assignments.”
- Add “Establishes and maintains standard work hours and times to effectively discharge staff assignments.”

Recommended Change to existing section:

Administrative Performance Section - Question 29 on Survey A and Question 23 on Survey B

Currently reads: Exhibits impartiality in making judicial assignments.

Recommended change: Effectively and impartially makes judicial assignments.

Chair Jerry Berntsen brought up each proposed change for discussion by the Board. He stated after discussion with Judge Elizabeth Finn, the subcommittee agreed to recommend the above changes and additions as well as not to delete any part of the existing survey. After discussion by the Board, Chair Jerry Berntsen stated he felt these additions and changes filled the gap between the current City of Glendale Presiding Judge survey and the alternate example survey

which is used by the City of Phoenix. When discussion concluded, Vice Chair Terrance Mead moved to adopt the recommended changes and addition to the current Presiding Judge survey. Judge Randy Warner seconded the motion and it carried unanimously.

SUGGESTED CHANGES TO EXISTING FORMAT/CONTENT OF SURVEY RESULTS

The Board discussed changes that were suggested by Board Members during the January 13, 2009 meeting. They were to be brought back for further discussion. At the 2009 meeting, some members suggesting changing the “Summary Statistical Reports For All Glendale City Court Judges”. The suggested change was the report shall reflect the “summary” line only for each category, rather than the categories. Also suggested was breaking the summary report down by year, using one column for each year in which a survey was conducted. Ideally, this would result in a one page report reflecting multiple years.

Vice Chair Terrance Mead stated the revised report would indicate if there was consistency over the years, or whether results were better or worse than in preceding years. He further stated Glendale judges tend to score pretty high. He went on to say we don’t have a large number of judges in the pool and we’re looking at a better way to review them.

The Board decided to request that RIS create two samples of the adjusted summary report using existing survey results for their consideration. The first version would include the mean score for the summary line only in each category such as Legal Ability, Integrity, etc. and for each group such as Attorney, Lit/Wit/Pro/Per, etc. The second version would include the mean scores for each category and sub-category, including the summary line, and for each group such as Attorney, Lit/Wit/Pro/Per., etc. In both versions, prior years’ results would be presented in adjacent columns, with the result being presented in a one-page report. The number of prior years reflected in the report would be dictated by how many fit on one page. Once these sample reports are generated by RIS, they will be provided to the Board who will provide their comments back to Katie Douglas. If they are satisfied with the results, both versions would be used in the upcoming survey conducted on Presiding City Judge Elizabeth Finn. The Board would subsequently choose which they prefer to continue using in the future. If the Board requires further discussion on the revised summary survey, another meeting will be called prior to the January 2011 meeting.

The question of the cost of making the changes to the survey was raised to which Judge Finn stated the Human Resources department is responsible for covering the cost of the survey. Leonard Fulcher stated if the changes were cost-prohibitive, they should not be pursued. Katie Douglas stated she would consult with Jim Riggs of RIS on the matter.

Vice Chair Terrance Mead moved to adopt the changes as amended. Steven Keist seconded the motion and it passed unanimously.

PUBLIC COMMENT

There were no comments from the public at this time.

STAFF REPORT

Unless any unforeseen issues arise, the next order of business for the JSAB is to consider the reappointment of Judge Finn. Her current term expires March 25, 2011, which would require the Board to meet in January 2011.

FUTURE MEETING

A meeting will be scheduled for early January 2011.

ADJOURNMENT

Judge Ann Scott Timmer moved to adjourn the meeting at 7:00 p.m. It was seconded by Vice Chair Terrance Mead and the motion carried unanimously.

Submitted by:

Katie Douglas on behalf of Alma Carmicle
Board Liaison