

## JUDICIAL ADVISORY BOARD MINUTES

November 1, 2006

The Judicial Advisory Board of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on November 1, 2006 at 7:50 a.m.

### COMMITTEE PRESENT

Linda Rottman, Chairman  
Marlon E. Branham  
Michael B. Cowan  
David M. Talamante  
Joan Ruffennach  
Murray G. Snow

### COMMITTEE ABSENT

Stella Hunsaker

### STAFF PRESENT

Kathleen Broman  
Michael Claspell  
Pat Granillo  
Matt Tafoya  
Paul Thomas

### 1. Introduce new Boardmembers.

Chairman Rottman welcomed newly appointed Boardmembers Michael Cowan and David Talamante to the Judicial Advisory Board.

The Boardmembers introduced themselves and provided a short synopsis of their professional backgrounds.

### 2. Elect Chair and Vice Chair.

Boardmember Snow thanked Chairman Rottman for the efficient manner in which she has conducted the meetings during her tenure as Board Chairman.

It was moved by Boardmember Snow, seconded by Boardmember Ruffennach, that Boardmember Branham be appointed Chairman of the Judicial Advisory Board.

Chairman Rottman declared the motion to appoint Boardmember Branham Chairman of the Judicial Advisory Board carried unanimously by those present.

It was moved by Boardmember Rottman, seconded by Boardmember Ruffennach, that Boardmember Snow be appointed as Vice Chairman of the Judicial Advisory Board.

Chairman Branham declared the motion to appoint Boardmember Snow Vice Chairman of the Judicial Advisory Board carried unanimously by those present

3. Approve minutes from the March 1, 2006 Board meeting.

It was moved by Boardmember Ruffennach, seconded by Boardmember Rottman, that the minutes of the March 1, 2006 meeting be approved.

Chairman Branham declared the motion carried unanimously by those present.

4. Hear an update on the Mesa Municipal Court from Presiding City Magistrate Matt Tafoya.

Presiding City Magistrate Matt Tafoya and Court Administrator Paul Thomas addressed the Board relative to this agenda item.

Magistrate Tafoya distributed copies of a document entitled "National Center for State Courts 'Good to Great' Project Deliverables for Mesa, Arizona Municipal Court." He reported that the Mesa Municipal Court was able to obtain funding for the "Good to Great" Project, which includes the development of specific performance standards, and explained that Mesa is the only lower jurisdiction court in Arizona engaged in such a process. Magistrate Tafoya stated that the "CourTools," which have been identified as the model core performance measures, would be accessible via the Court's computer system so that any citizen could review the Court's performance in a variety of areas. He added that those areas consist of Court user satisfaction, compliance with Court orders, case processing, workplace excellence, process management index, and service quality.

Magistrate Tafoya indicated that the Mesa Municipal Court is one of only six courts invited to participate in a DUI pilot program implemented by Arizona Supreme Court Chief Justice Ruth McGregor. He advised that staff implemented the program three months ago and said that the statistics generated by the various courts are being transmitted to the Supreme Court for analysis. Magistrate Tafoya also noted that if the program proves to be successful, Justice McGregor might recommend its implementation on a Statewide basis.

In response to a question from Vice Chairman Snow, Magistrate Tafoya clarified that the Mesa Municipal Court maintains statistical data on each of the judges and said he would be happy to provide the Boardmembers with such information relative to the reappointment process. He noted that the data would include items such as the number of continuances or the age of a case. Magistrate Tafoya added that staff could issue monthly updates to the Board, if necessary.

Vice Chairman Snow stated that it is his understanding that other municipal courts may or may not maintain statistical data like Mesa. He commented that when the Boardmembers review the Mesa Municipal Court's statistical information, it would be important to remember that they are not necessarily comparing its performance to similar courts in the surrounding area.

Magistrate Tafoya further spoke regarding the construction of a new Mesa Municipal Court building. His comments included, but were not limited to, the following: that the City Council selected 1<sup>st</sup> Avenue and Pomeroy as the preferred site for the facility (as opposed to Hibbert and Main Street); that due to increased costs and inflation, the originally proposed 126,000

square foot building has been reduced in size to 84,000 square feet; that the facility would include 10 courtrooms, with support space for 12 courtrooms; that the building would also include two arraignment courtrooms, one in-custody courtroom and five trial courtrooms; and that the design phase of the project is expected to begin shortly, with construction scheduled to be completed in 2009.

In response to a question from Boardmember Rottman, Magistrate Tafoya stated that pending completion of the new Municipal Court building, staff might utilize the basement of the old facility to accommodate an in-custody/arraignment center.

Chairman Branham thanked Magistrate Tafoya and Mr. Thomas for the informative presentation.

5. Review notebooks and discuss policies, schedule and Work Plan for the Board.

Deputy City Clerk Michael Claspell reported that he prepared individual notebooks for each of the Boardmembers and reviewed the contents of the information contained in the notebooks. He pointed out that the notebooks include a roster of the Boardmembers' names, phone numbers, e-mail addresses and term expirations; the ordinance which resulted in the creation of the Board; the Board's procedures and guidelines; a listing of the current terms of the Mesa City Court Magistrates; and the Judicial Advisory Board Work Plan.

6. Review and consider items related to the reappointment of a magistrate:

a. Review reappointment schedule

Mr. Claspell indicated that the Judicial Advisory Board would consider Magistrate Norine Richardson for reappointment in 2007 and noted that the reappointment would be for a four-year term. He stated, for the benefit of the new Boardmembers, that the term for new appointments and the first reappointment is two years and that subsequent reappointment terms are four years.

Mr. Claspell briefly reviewed the reappointment process and commented that in January, staff would prepare a letter, which is signed by the Board's Chairman, to formally invite Magistrate Richardson to apply for reappointment to the Mesa Municipal Court. He stated that in addition, Chairman Branham would also sign the Board's letter that is sent to the Arizona Commission on Judicial Conduct to solicit the number of complaints or reprimands, if any, which may have been filed against Magistrate Richardson.

Vice Chairman Snow stated that if the Board authorized at today's meeting that the procedures outlined by Mr. Claspell be undertaken in early January, in his opinion, there would be no reason for the Board to convene on January 3, 2007 as tentatively scheduled.

Mr. Claspell said that he did not foresee a problem with Vice Chairman Snow's suggestion. He explained that at the January 3<sup>rd</sup> meeting, he intended to distribute Magistrate Richardson's courtroom schedule, as well as the interview questions. He noted, however, that he could send those items to the Boardmembers via the U.S. mail or e-mail. Mr. Claspell added that if the Board chooses to cancel the January meeting, he asked that everyone be prepared to modify and finalize the interview questions at the February 7<sup>th</sup> meeting.

It was moved by Vice Chairman Snow, seconded by Boardmember Rottman, that staff be authorized to complete the various procedures for the reappointment of Magistrate Norine Richardson (as identified in the Board's Work Plan for the January 3, 2007 meeting), that the January 3, 2007 meeting be cancelled, and that at the February 7, 2007 meeting, the Board be prepared to discuss and finalize the interview questions for said reappointment.

In response to a question from Boardmember Ruffennach, Senior Human Resources Analyst Kathleen Broman clarified that staff would provide the Boardmembers with several years' worth of interview questions from which the Board could select questions for the upcoming interview.

Chairman Branham called for the vote.

Chairman Branham declared the motion carried unanimously by those present.

7. Convene an Executive Session.

- a. Discussion or consideration of employment, assignment, appointment, promotion or resignation of a public officer, appointee or employee of the City. (A.R.S. 38-431.03A(1)).

(The Board did not convene an Executive Session.)

8. Scheduling of meetings and general information:

Chairman Branham stated that the next meeting of the Judicial Advisory Board would be held on February 7, 2007 at 7:45 a.m. in the Lower Level Council Chambers, 57 East 1<sup>st</sup> Street.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

It was moved by Boardmember Rottman, seconded by Boardmember Cowan, that the meeting of the Judicial Advisory Board be adjourned at 8:23 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Judicial Advisory Board meeting of the City of Mesa, Arizona, held on the 1<sup>st</sup> day of November 2006. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK