



JUDICIAL ADVISORY BOARD MINUTES

February 2, 2011

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 February 2, 2011 at 7:46 a.m.

BOARD PRESENT

Phillip Austin
Daniel A. Barker
David P. Brooks
Peter Lesar
David M. Talamante

BOARD ABSENT

Kate Ali'varius

STAFF PRESENT

Kathleen Broman
Michael Claspell
Matt Tafoya
Paul Thomas

Vice Chairman Barker excused Chairman Ali'varius from the entire meeting.

1. Approve minutes from the October 6, 2010 Board meeting.

It was moved by Boardmember Brooks, seconded by Boardmember Talamante, that the minutes from the October 6, 2010 Board meeting be approved.

Vice Chairman Barker declared the motion carried unanimously by those present.

2. Items from citizens present.

There were no items from citizens present.

3. Review, discuss and take action on items related to the reappointment of Magistrate Valerye Boyer-Wells, whose term expires June 30, 2011.

a. Review Application for Reappointment and assign reference checks

Boardmember Lesar volunteered to contact the references listed in the Application for Reappointment.

Boardmember Brooks noted for the record that the Boardmembers were just provided a January 31, 2011 letter of recommendation from Arnold L. Jackson, one of the individuals listed as a reference by Magistrate Boyer-Wells. **(See Attachment 1)**

- b. Response from Commission on Judicial Conduct
- c. Survey results
- d. Court data

Vice Chairman Barker said that the above-referenced materials were also provided to the Boardmembers for their consideration.

4. Convene an Executive Session.

It was moved by Boardmember Austin, seconded by Boardmember Talamante, that an Executive Session be convened at 7:50 a.m. to discuss the reappointment of Magistrate Valerye Boyer-Wells.

Vice Chairman Barker declared the motion carried unanimously by those present.

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

- 1. Reappointment of Magistrate – Interview questions

(At 8:46 a.m., the Executive Session adjourned and the Board reconvened their regular meeting.)

5. Scheduling of meetings and general information.

Vice Chairman Barker referenced a January 11, 2011 Memorandum authored by Court Administrator Paul Thomas that included case statistics for Magistrate Boyer-Wells as compared to the Court average per judge. **(See Attachment 2)** He stated that under Item D, "Appeals filed," the average number of appeals for Magistrate Boyer-Wells was 39 as compared to 26 for the Criminal Court average. Vice Chairman Barker requested that staff provide additional information to the Board in an effort to explain the discrepancy.

Mr. Thomas responded that he would be happy to research the matter and provide follow-up material to the Board prior to their next meeting.

Presiding Magistrate Matt Tafoya remarked that the appeals numbers "rise and fall" and said that at the present time, he was unable to offer an explanation for the discrepancy.

Vice Chairman Barker indicated that the Board concurred with Mr. Thomas' suggestion and said he looked forward to reviewing additional material.

In response to a question from Boardmember Brooks, Mr. Thomas stated that any responses the Mesa Municipal Court has received back from the Court of Appeals or Superior Court with respect to the appeals filed against Magistrate Boyer-Wells' rulings would be distributed to the Board.

Vice Chairman Barker stated that the next meeting of the Judicial Advisory Board will be held on March 2, 2011 at 5:45 p.m. in the Lower Level Council Chambers, 57 East 1st Street, at which time the Board would conduct a Public Hearing/Interview of Magistrate Boyer-Wells.

6. Adjournment.

It was moved by Boardmember Lesar, seconded by Boardmember Brooks, that the meeting of the Judicial Advisory Board be adjourned at 8:50 a.m.

Vice Chairman Barker declared the motion carried unanimously by those present.

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 2nd day of February 2011. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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(attachments – 2)



TANNER COMMUNITY DEVELOPMENT CORPORATION (TCDC)

A Non-Profit 501 (c) (3) Organization, Affiliated with Tanner Chapel A.M.E. Church

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January 31, 2011

The Judicial Advisory Board
Mesa Human Resources Office
c/o Kathleen Broman
20 E. Main Street, Suite 130
P.O. Box 1466
Mesa, Arizona 85211-1466

Dear Judicial Advisory Board:

Please accept my recommendation of Judge Valerye Boyer-Wells in her quest to be reappointed as a Municipal Court Judge for the city of Mesa without any reservation.

I have lived in the Arizona community for over eighteen years, worked as a vice president for Honeywell, a diversified technology and manufacturing company, until my retirement and currently serve as the Executive Director & Chief Operating Officer of Tanner Community Development Corporation, a faith-based nonprofit community outreach organization. I am an ordained minister and work with a number of community initiatives, community coalitions, church programs, and serve on several boards. Therefore, as an established member of this community, I have observed and worked with Judge Boyer-Wells and can unequivocally attest to her strengths and personal character.

For over 10 years I have personally interacted with Judge Boyer-Wells in church, community and personal settings and have observed the following major strengths: (1) Critical thinking – identification and evaluation of evidence to guide problem solving and decision making; (2) Communication – listening and valuing input from all; (3) Leadership – providing clear direction, effectively influencing and executing, using mature and reliable judgment and fostering a learning environment; and (4) Delivering on Commitments – prioritizing, driving to results, and exceeding goals and objectives.

When I consider Judge Boyer-Wells' personal character, I think of doing what's right. Her interactions with her family, church and community display that she gains the confidence and trust of others by openly discussing issues, displaying consistent principled decision-making, fully listening and responding with integrity. Her ethics meet the highest standards regardless of the situation or the individuals involved.

Judge Boyer-Wells is a trusted leader in her community and church. She is an individual with strong problem solving skills and is always willing to go the extra mile. Her strengths and personal character along with her capacity to manage a large volume of work in an impartial manner should make her a valued asset. It's a distinct pleasure to support as well as recommend Judge Valerye Boyer-Wells to you.

Sincerely,

A handwritten signature in black ink that reads "Arnold L. Jackson".

Reverend Arnold L. Jackson
Executive Director & Chief Operating Officer

Rev. Dr. Benjamin N. Thomas, Sr.
Chairman & C.E.O.

Rev. Arnold Jackson
Executive Director & C.O.O.

Robert Young
Vice-Chairman

Judy Berry
Treasurer

Kerwin Brown
Director

Erich Buschmann
Director

L.C. DeMon Carey
Director

DelMonte Edwards
Director

Dr. Janet Felton
Director

Caroline Rosemond
Director

MEMORANDUM

TO: Michael Claspell, Deputy City Clerk
FR: Paul Thomas, Court Administrator
DATE: 1-11-2011
RE: Court Statistics for JAB

Below are case statistics for Judge Valerye Boyer-Wells as compared to the court average per-judge. Additionally, there is a breakdown of cases for all Mesa Municipal Court judges with exceptions relating to judicial assignments, which bear an influence on a comparative analysis of case load per-judge. Statistical period is from 7/1/2009 through 12/31/2010.

(1)

- A. Cases concluded:

Judge Boyer-Wells	2590
Criminal Court Avg.	2525

- B. Avg. No. of days case is pending:

Judge Boyer-Wells	67
Criminal Court Avg.	65

- C. Notices of change of judge:

Judge Boyer-Wells	4
Criminal Court Avg.	8

- D. Appeals filed:

Judge Boyer-Wells	39
Criminal Court Avg.	26

(2)

Cases concluded –Criminal Trial Judges.

Judge Robin Allen	2704
Judge Valerye Boyer-Wells	2590
Judge Michelle Lue Sang	2403
Judge Karl Eppich	2300
Judge Victor Ortiz	<u>2628</u>
Avg.	2525

Cases Concluded –Other

Judge Richard Garcia	4750 (High volume traffic division)
Judge Elizabeth Arriola*	2687 (In-custody initial appearance court only)

*Judge Arriola was off work with an extended illness 8 months within this statistical period)

c: Judge Valerye Boyer-Wells
Judge J. Matias Tafoya