



## JUDICIAL ADVISORY BOARD MINUTES

August 25, 2014

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 August 25, 2014 at 7:49 a.m.

### BOARD PRESENT

Peter Lesar, Chairman  
Phillip Austin  
David P. Brooks  
Margaret Downie  
Robin Harris  
Teresa Sanders

### BOARD ABSENT

Pat Esparza

### STAFF PRESENT

Michael Claspell  
Nicole Fazzio  
Kelly Gregan  
Debbie Spinner  
Matt Tafoya  
Paul Thomas

#### 1. Approve minutes from the June 23, 2014 and July 21, 2014 Board meetings.

It was moved by Boardmember Harris, seconded by Boardmember Austin, that the minutes from the June 23, 2014 and July 21, 2014 Board meetings be approved.

Chairman Lesar declared the motion carried unanimously.

#### 2. Items from citizens present.

There were no items from citizens present.

#### 3. Convene an Executive Session.

It was moved by Boardmember Brooks, seconded by Boardmember Downie, that an Executive Session be convened at 7:50 a.m. to discuss City Magistrate candidates and determine which candidates should be forwarded to the Mesa City Council for further consideration.

Chairman Lesar declared the motion carried unanimously.

- 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))

1. Appointment of Magistrates

(At 9:49 a.m., the Executive Session adjourned and the Board reconvened their Regular meeting.)

4. Discuss and take action on a recommendation to the City Council, identifying the recommended candidates for the two vacant positions of City Magistrate and summarizing the strengths and weaknesses of each recommended candidate.

It was moved by Boardmember Downie, seconded by Boardmember Austin that Charles Adornetto, Paula Burgess, Craig Fujii, Stephen Kupiszewski, Bruce Owens and Lisa Peters be recommended to the City Council as candidates for the two vacant positions of City Magistrate.

Chairman Lesar declared the motion carried unanimously.

Chairman Lesar explained that a list of the candidates and a summary of their qualifications would be forwarded to the City Council in a letter from the Board Chair. He requested that boardmembers describe the qualifications and characteristics of each recommended candidate in alphabetical order.

Boardmember Downie reported that she had the opportunity to perform reference checks for City Magistrate candidate Charles Adornetto. She stated that Mr. Adornetto has extensive experience as a judge in several of the limited jurisdiction courts. She noted that Mr. Adornetto is uniformly praised for being fair, hard-working and extremely intelligent. She further noted that she received excellent references from his fellow judges, and attorneys who have appeared before him and two staff members.

Boardmember Sanders reported on City Magistrate candidate Paula Burgess. She stated that Ms. Burgess has a depth of experience working as a Judge Pro Tem for the Mesa Municipal Court. She noted that she received excellent feedback from Ms. Burgess' judicial colleagues at the Mesa Municipal Court regarding Ms. Burgess' performance as a Judge Pro Tem. She added that Ms. Burgess has extensive experience with the paperless system utilized by the Mesa Municipal Court and would make a seamless transition.

Boardmember Brooks reported on City Magistrate candidate Craig Fujii. He stated that Mr. Fujii has been an attorney in private practice for several years. He noted that Mr. Fujii has an extensive record of community involvement and concern for those who are disadvantaged. He further noted that Mr. Fujii has served as a Judge Pro Tem for the Mesa Municipal Court for several years and that he is well respected by those who have appeared before him and by other judicial colleagues. He remarked that Mr. Fujii is well respected among others in the legal community for the strength of his work and for his integrity.

Chairman Lesar reported on City Magistrate candidate Stephen Kupiszewski. He remarked that Mr. Kupiszewski has ten years of experience as a Superior Court Commissioner which has resulted in a wealth of experience and knowledge and the ability to handle all types of cases. He noted that Mr. Kupiszewski has been identified as an excellent communicator who relates well to others. He further noted that Mr. Kupiszewski's references have shown that he is always prepared and has demonstrated the ability to manage a busy case load. He stated that Mr. Kupiszewski is a team player who is ready and willing to work with others to provide the best services to the court system.

Boardmember Harris reported on City Magistrate candidate Bruce Owens. He stated that Mr. Owens has been a Hearing Officer in the Town of Gilbert Municipal Court for several years. He remarked that he interviewed a number of Mr. Owens' references and that Mr. Owens is well known for handling the busiest docket in the Gilbert Municipal Court. He noted that Mr. Owens is well regarded for his exceptional team work, his ability to control his courtroom and is highly respected by not only his staff, but also by those attorneys who come before him in court. He further noted that Mr. Owens was praised for utilizing, where possible, a paperless system in the Gilbert Court and should have no trouble transitioning to the Mesa Municipal Court system.

Boardmember Austin reported on City Magistrate candidate Lisa Peters. He remarked that Ms. Peters' references included judges and attorneys who highlighted her exemplary legal reasoning skills and long history of service to the courts. He noted that Ms. Peters displays many positive attributes including quality case management, preparedness in the courtroom, excellent problem solving abilities and judicial acumen and demeanor that would benefit the Mesa Municipal Court. He further noted that Ms. Peters' interpersonal skills and demeanor lead her to run an efficient and effective court. He stated that outside the courtroom, Ms. Peters has been described as a model citizen with positive leadership skills and abilities.

Chairman Lesar stated that he would be composing a letter to the City Council identifying the six City Magistrate candidates in alphabetical order along with the feedback provided by each of the boardmembers today. He noted that the material provided to the City Council would also include the minutes from the Board's August 25, 2014 Executive Session.

5. Scheduling of meetings and general information:

Chairman Lesar stated that currently there are no judicial reappointments scheduled for the next reappointment cycle. He also remarked that the Board may need to convene if the City Council requests additional work of the Judicial Advisory Board such as a review of salary schedules or if there is another resignation in the Court that would require the Board to provide recommendations for that vacancy.

Chairman Lesar thanked the Judicial Advisory Board members for the time they have devoted to the selection and recommendation process.

6. Adjournment.

It was moved by Boardmember Austin, seconded by Boardmember Sanders, that the meeting of the Judicial Advisory Board be adjourned at 9:59 a.m.

Chairman Lesar declared the motion carried unanimously.

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 25<sup>th</sup> day of August 2014. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK