



JUDICIAL ADVISORY BOARD MINUTES

March 2, 2016

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 March 2, 2016 at 5:45 p.m.

BOARD PRESENT

David P. Brooks, Chairman
Phillip Austin
Margaret Downie
Pat Esparza
Robin Harris
Peter Lesar

BOARD ABSENT

Teresa Sanders

STAFF PRESENT

Michael Claspell
Nicole Fazzio
Kelly Gregan
Matt Tafoya
Paul Thomas

(Chairman Brooks excused Boardmember Sanders from the entire meeting.)

1. Approve minutes from the February 1, 2016 meeting.

It was moved by Boardmember Austin, seconded by Boardmember Downie, that the minutes from the February 1, 2016 Board meeting be approved.

Chairman Brooks declared the motion carried unanimously by those present.

2. Conduct a public hearing to receive comments on the reappointment of Presiding Magistrate Matt Tafoya.

Chairman Brooks declared the public hearing open at 5:46 p.m. for the purpose of receiving comments on the reappointment of Presiding Magistrate Matt Tafoya.

Chairman Brooks stated that Boardmembers were provided correspondence from Timothy Ruggiero regarding the reappointment of Presiding Magistrate Tafoya. He acknowledged that the Boardmembers had reviewed the information.

Court Administrator Paul Thomas addressed the Board and commented on the progress that has taken place at the Mesa Municipal Court. He stated that the new facility is a national model and the court staff regularly hosts tours for various groups. He further stated that the progress the Court has made is attributed to the leadership and experience of Presiding Magistrate Matt Tafoya.

Mr. Thomas noted that a Veteran's Court had been established at the Mesa Municipal Court and has been active for approximately one year. He shared with the Board that the Veteran's Court has seen very positive results and that the Mesa Municipal Court is now in the planning stages to become the site for a Regional Veteran's Court that would include Scottsdale, Tempe, Chandler and Gilbert.

Mr. Thomas stated that the mental health population places a significant demand on the Court and Court resources. He explained that Rule 11 proceedings require a pre-evaluation at the local court; that if a doctor finds something relevant to the competency of a defendant, the case must be sent to Superior Court where a long process to determine competency includes two doctors and multiple hearings; and that the process to determine competency was taking up to nine months.

Mr. Thomas shared with the Board that an alternative proposal was made to handle Rule 11 cases at the Mesa Municipal Court. He stated that under this proposal, Mesa judges would be sworn in as Superior Court Judge Pro Tems, which in turn could reduce the time frame from nine months to approximately 60 days. He noted that as a misdemeanor court, nine months to obtain a competency determination was unreasonable. He commented that the idea was presented to the Supreme Court, which vigorously supported it. He also noted that Mesa is now a pilot program for this effort and the first two hearings were held on March 1st.

Mr. Thomas emphasized that as ideas and concepts come forward from Court staff, the Presiding Magistrate must be receptive to taking risks and allowing innovations to take place.

Mr. Thomas stated that Presiding Magistrate Tafoya has a great deal of experience and understands the process and is willing to take some risks in order to innovate. He shared that he expects the Mesa Court will have a national reputation within the next year for some of the innovations that have taken place. Mr. Thomas concluded that he vigorously supports the reappointment of Presiding Magistrate Tafoya

3. Interview Presiding Magistrate Matt Tafoya for reappointment.

The members of the Judicial Advisory Board posed selected interview questions to Presiding Magistrate Tafoya.

Chairman Brooks thanked Presiding Magistrate Tafoya for his input.

4. Conduct a public hearing to receive comments on the reappointment of Magistrate Robin Allen.

Chairman Brooks stated that Judge Allen withdrew his application for reappointment.

5. Interview Magistrate Robin Allen for reappointment.

Chairman Brooks stated that Judge Allen withdrew his application for reappointment.

6. Convene an Executive Session.

It was moved by Boardmember Esparza, seconded by Boardmember Harris, that an Executive Session be convened at 6:33 p.m. to discuss the reappointment of Presiding Magistrate Matt Tafoya.

Chairman Brooks 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 items for Presiding Magistrate Tafoya

(At 7:16 p.m., the Board adjourned the Executive Session and reconvened their regular meeting.)

7. Discuss and make recommendations to the City Council on the reappointment of Presiding Magistrate Matt Tafoya for a four-year term and Magistrate Robin Allen for a four-year term.

Boardmember Lesar shared that the Board reviewed Presiding Magistrate Tafoya's application, survey material and references in evaluating his performance. He stated that Presiding Magistrate Tafoya is hardworking, honest, professional, and fair in his dealings with both those under his leadership and with the Mesa community as a whole. He further stated that Presiding Magistrate Tafoya is very involved in the community and sees a greater good beyond the court system. He noted that Presiding Magistrate Tafoya understands what he can do to enhance the City of Mesa and surrounding areas as he collaborates to improve court services and systems, not only for Mesa citizens, but also for citizens around the state.

Boardmember Lesar remarked that the Board also believes Presiding Magistrate Tafoya puts a personal face on the court system and functions with kindness, openness and a willingness to listen. He further explained that the Board believes that Presiding Magistrate Tafoya is an excellent representative for the City of Mesa who leads a large court system with friendly, accessible, and organized services. He concluded by saying that because the court system in Mesa processes a considerable volume of cases and contains a substantial number of employees, the Board encouraged Presiding Magistrate Tafoya to continue to explore ways to improve his communication skills and be more connected with those he leads at all levels, and, in particular, court staff.

Boardmember Harris thanked Presiding Magistrate Tafoya and expressed appreciation for his efforts. He also stated that he would provide his full support for the reappointment of Presiding Magistrate Tafoya.

Chairman Brooks thanked the Board and City staff for their work. He noted that Presiding Magistrate Tafoya's leadership is a benefit to the Court and the Court is fortunate to retain high quality managers.

It was moved by Boardmember Austin, seconded by Boardmember Esparza, that Presiding Magistrate Matt Tafoya be reappointed for a four-year term.

Chairman Brooks declared the motion carried unanimously by those present.

Chairman Brooks stated that a letter to the City Council would be drafted with a recommendation to reappoint Presiding Magistrate Tafoya.

8. Adjournment.

It was moved by Boardmember Esparza, seconded by Boardmember Austin, that the meeting of the Judicial Advisory Board be adjourned at 7:24 p.m.

Chairman Brooks 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 March 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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