



## JUDICIAL ADVISORY BOARD MINUTES

April 29, 2020

The Judicial Advisory Board of the City of Mesa met via a virtual format streamed into the lower level meeting room of the Council Chambers, 57 East 1st Street, on April 29, 2020 at 4:31 p.m.

### BOARD PRESENT

Wade Swanson, Chairman\*  
Gordon Sheffield, Vice Chairman\*  
Michael Brown\*  
May Costa\*  
Kevin Humphrey\*  
Daniel Kiley\*  
Charles Wirken\*

### BOARD ABSENT

None

### STAFF PRESENT

Nicole Fazzio\*  
Agnes Goodwine  
Alfred Smith  
Sarah Staudinger\*  
Matt Tafoya

(\*Participated in the meeting through the use of video conference equipment.)

(Boardmember Kiley arrived in the meeting at 4:33 p.m.; he was excused from the remainder of the meeting at 4:42 p.m.)

#### 1. Approve minutes from the February 5, 2020 Board meeting.

It was moved by Vice Chairman Sheffield, seconded by Boardmember Wirken, that the February 5, 2020 Board meeting minutes be approved.

Upon tabulation of votes, it showed:

AYES – Swanson-Sheffield-Brown-Costa-Humphrey-Kiley-Wirken  
NAYS – None

Carried unanimously.

#### 2. Convene an Executive Session.

- a. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. [A.R.S. 38-431.03(A)(2)].

1. Information regarding Magistrate Reappointment Candidate and the Reappointment Process. (Interview questions and survey results)

It was moved by Boardmember Wirken, seconded by Boardmember Humphrey, that the Board enter into an Executive Session at 4:34 p.m.

Upon tabulation of votes, it showed:

AYES – Swanson-Sheffield-Brown-Costa-Humphrey-Kiley-Wirken

NAYS – None

Carried unanimously.

(At 5:06 p.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

(A brief recess occurred at 5:06 p.m.; the Judicial Advisory Board Meeting resumed at 5:09 p.m.)

3. Conduct a public hearing to receive comments on the reappointment of Magistrate Alicia Lawler.

Chairman Swanson declared the public hearing open at 5:09 p.m. for the purpose of receiving comments on the reappointment of Magistrate Alicia Lawler.

Presiding City Magistrate Matt Tafoya recommended the reappointment of Magistrate Lawler to another term. He advised he has personally observed her in the courtroom doing jury trials, motion hearings, Rule 11 hearings, Community Court, non-jury trials, and sentencings. He explained Magistrate Lawler has the demeanor to handle anything that comes into the courtroom. He advised that the lawyers that come before her have a high level of respect for her. He mentioned during the COVID-19 pandemic Magistrate Lawler has been covering various administrative judicial tasks and has not missed a day of work. He expressed his opinion that Magistrate Lawler does not rush through the system, makes her rulings with dignity, and he is honored to make this recommendation.

Chairman Swanson thanked Presiding Magistrate Tafoya for his service and the innovation he has brought to the City of Mesa during his many years of service.

Chairman Swanson stated there being no further citizens wishing to address the Board, he declared the public hearing closed.

4. Interview Magistrate Alicia Lawler for reappointment.

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

Chairman Swanson thanked Magistrate Lawler for her input.

5. Convene an Executive Session.

b. 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 Alicia Lawler for a two-year term.

It was moved by Boardmember Wirken, seconded by Boardmember Humphrey, that the Board enter into an Executive Session at 5:48 p.m.

Upon tabulation of votes, it showed:

AYES – Swanson-Sheffield-Brown-Costa-Humphrey-Wirken

NAYS – None

ABSENT – Kiley

Chairman Swanson declared the motion carried unanimously by those present.

(At 6:04 p.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

6. Discuss and make recommendations to the City Council on the reappointment of Magistrate Alicia Lawler.

Chairman Swanson stated the Board is proud to have Magistrate Lawler as part of the Mesa Municipal Court. He commented that Magistrate Lawler is poised and professional in handling all aspects of the courtroom and that the Board appreciates her fairness while delivering procedural justice in the courtroom.

It was moved by Boardmember Wirken, seconded by Boardmember Brown, that the Board recommend to the City Council the reappointment of Magistrate Alicia Lawler.

Upon tabulation of votes, it showed:

AYES – Swanson-Sheffield-Brown-Costa-Humphrey-Wirken

NAYS – None

ABSENT – Kiley

Chairman Swanson declared the motion carried unanimously by those present.

7. Approve granting Chairman Swanson the authority to draft a letter to City Council regarding the recommendation of Magistrate Alicia Lawler.

Chairman Swanson stated that pending no objection from the Board, Agenda Items 7 and 8 will be voted on in one motion.

It was moved by Boardmember Wirken, seconded by Boardmember Humphrey, that the Board approve granting Chairman Swanson the authority to draft a letter to City Council regarding the recommendation of Magistrate Alicia Lawler and to review and approve the minutes from today's meeting and forward to the City Council for acknowledgement.

Upon tabulation of votes, it showed:

AYES – Swanson-Sheffield-Brown-Costa-Humphrey-Wirken

NAYS – None

ABSENT – Kiley

Chairman Swanson declared the motion carried unanimously by those present.

8. Approve granting Chairman Swanson the authority to review and approve the minutes from today's meeting and forward to the City Council for acknowledgement.

See Agenda Item 7.

9. Scheduling of meetings and general information.

Next meeting:

Wednesday, May 6, 2020, 7:45 a.m. (if needed)  
Lower Level Council Chambers  
57 E. First Street

Wednesday, October 7, 2020, 7:45 a.m.  
Lower Level Council Chambers  
57 E. First Street

10. Adjourn.

Without objection, the Judicial Advisory Board adjourned at 6:11 p.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 29th day of April 2020. 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