



**CITY OF SURPRISE**  
**Judicial Selection Advisory Commission Meeting**  
**16000 N. Civic Center Plaza**  
**Surprise, AZ 85374**  
 Tuesday, April 26, 2022 @ 6:00 PM  
**COUNCIL CHAMBERS OVERFLOW ROOM**

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Judicial Selection Advisory Commission Agenda

**CALL TO THE PUBLIC:**

**INSTRUCTIONS:** In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

**CONSENT AGENDA:**

**REGULAR AGENDA ITEM - NON-PUBLIC HEARING:**

- |    |          |   |                         |
|----|----------|---|-------------------------|
| 1. | Citywide | Consideration and action pertaining to the approval of the April 22, 2021 Judicial Selection Advisory Commission meeting minutes. | None<br>Human Resources |
| 2. | Citywide | Consideration and action pertaining to the selection of a Chair for the Judicial Selection Advisory Commission.                   | None<br>Human Resources |
| 3. | Citywide | Consideration and action pertaining to the selection of a Vice-Chair for the Judicial Selection Advisory Commission.              | None<br>Human Resources |
| 4. | Citywide | Discussion and review pertaining to the Judicial Selection Advisory Commission Procedural Rules.                                  | None<br>Human Resources |

- G. Other Business and Future Agenda Items
- H. Executive Session

For information purposes: Upon a public majority vote of a quorum (“Commission”), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

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SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 14, 2022 at 9:55 AM

**SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.**



**CITY OF SURPRISE**  
**Judicial Selection Advisory Commission Meeting**

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Council Meeting Date: April 26, 2022  
Submitting Department: Human Resources  
Staff Recommendations: None

Contact Person:  
District: Citywide

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Consent: No      Regular: Yes      Public Hearing: No      Report/Discussion: No

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**Agenda Wording:**

Consideration and action pertaining to the approval of the April 22, 2021 Judicial Selection Advisory Commission meeting minutes.

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**Motion:**

I move to approve the April 22, 2021 Judicial Selection Advisory Commission meeting minutes.

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**Background:**

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**Objective Analysis:**

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**Policy Compliant:**

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**Financial Impact:**

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**Budget Impact:**

**FTE Impact:**

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**ATTACHMENTS:**

1. JSAC Meeting Minutes 2021.04.22
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**CITY OF SURPRISE**  
**JUDICIAL SELECTION ADVISORY COMMISSION (JSAC) MINUTES**

16000 N. Civic Center Plaza

Surprise, AZ 85374

Thursday, April 22, 2021 at 6:00 p.m.

- A. Call to Order at 6:01 p.m.
- B. Roll Call - Members present: Chair Swann, Vice-Chair Lang, Commissioners Carey, Gaunt, Hanzel, Jessen, and Stutzman.
- C. Pledge of Allegiance
- D. Current Events and Reports – None
- E. Staff Reports – Commissioner Gaunt is not seeking re-appointment and Commissioner Hanzel’s term expires at the end of June. City Clerk is reaching out to coordinate processes to ensure the Commission is fully staffed.
- F. Judicial Selection Advisory Commission Agenda

Call to the Public: No comments from public.

Consent Agenda:

- 1. Consideration and action pertaining to the approval of the January 14, 2021 Judicial Selection Advisory Commission meeting minutes – APPROVED

Motion: Stutzman

2<sup>nd</sup>: Hanzel

Votes: 7 Yes Votes

Regular Agenda – Public Hearing:

- 2. Discussion and action pertaining to the recommendation to Surprise City Council for the reappointment of Presiding Judge Louis Frank Dominguez – RECOMMENDATION TO REAPPOINT

Public Comment – Elena Cano, Court Administrator - In support of the reappointment of Judge Dominguez and Judge Gaudreau

Public Comment – Statia Hendrix – Associate Judge at the City of Scottsdale - In support of the reappointment of Associate Judge Gaudreau

Public Comment – Presiding Judge Louis Frank Dominguez – In support of the reappointment of Associate Judge Gaudreau

Motion to go into executive session at 6:20pm

Motion: Lang

2<sup>nd</sup>: Jessen

Resume public meeting at 7:36pm

Commissioner Jessen – questions about what the council needs and will receive

Commission Carey – appreciate the detail of the information provided in the reappointment packets as it was helpful in understanding what the court does and how the court does it.

Motion: Jessen

2<sup>nd</sup>: Stutzman

Votes: 7 Yes Votes

3. Discussion and action pertaining to the recommendation to Surprise City Council for the reappointment of Associate Judge Catherine Anne Gaudreau –  
RECOMMENDATION TO REAPPOINT

Judge Gaudreau –indebted to Judge Dominguez for his initial recommendation of her initial appointment and his support of her tenure and thanked the commission for considering her reappointment.

Commissioner Gaunt – Judge Gaudreau provided significant information regarding any negative reports included in the packet and is convinced Judge Gaudreau has done a fantastic job as Associate Judge and has no concerns in regards to the items.

Chair Swann – shared the view.

Commissioner Stutzman – reiterated that the packets were outstanding and speaks to their commitment to the community, the time invested in requesting the reappointment, the passion for the community and their work, and for the work inside the courtroom and outstanding work outside of the courtroom. We are lucky to have you both.

Motion: Carey

2<sup>nd</sup>: Gaunt

Votes: 7 Yes Votes

Regular Agenda – Non-Public Hearing:

4. Discussion and review of the Judicial Selection Advisory Commission Procedural Rules.

No requests for amendments or pending issues.

G. Other Business and Future Agenda Items – NONE

H. Executive Session

Consideration and action to enter into executive session pursuant to A.R.S. 38-431.03(A)(1) for the purpose of evaluating, in accordance with Surprise City Code Sec. 30-44(c), Presiding Judge Louis Frank Dominguez.

Consideration and action to enter into executive session pursuant to A.R.S. 38-431.03(A)(1) for the purpose of evaluating, in accordance with Surprise City Code Sec. 30-44(c), Associate Judge Catherine Anne Gaudreau.

Motion: Lang

2<sup>nd</sup>: Carey

Votes: 7 Yes Votes

Discussion ensued during executive session which took place from 6:36 p.m. – 7:32 p.m. The delay was in waiting for legal counsel to attend by phone.

A. Adjournment

M: Stutzman

2<sup>nd</sup>: Hanzel

Chair adjourned meeting at 7:49pm.

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Peter Swann, JSAC Chair

ATTEST:

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Maria Aranda, JSAC Secretary

CERTIFICATION:

I, Maria Aranda, Secretary for the Judicial Selection Advisory Commission of the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Judicial Selection Advisory Commission Meeting of April 22, 2021.

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Maria Aranda, JSAC Secretary



**CITY OF SURPRISE**  
**Judicial Selection Advisory Commission Meeting**

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Council Meeting Date: April 26, 2022  
Submitting Department: Human Resources  
Staff Recommendations: None

Contact Person:  
District: Citywide

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Consent: No      Regular: Yes      Public Hearing: No      Report/Discussion: No

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**Agenda Wording:**

Consideration and action pertaining to the selection of a Chair for the Judicial Selection Advisory Commission.

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**Motion:**

I move to elect (name) for the position of Chair of the Judicial Selection Advisory Commission.

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**Background:**

Pursuant to Chapter 2 - ADMINISTRATION / Article VIII, Section 2-295, Number 11 - BOARDS, COMMITTEES AND COMMISSIONS of the Surprise Municipal Code: Chair/Vice-chair; elections. Each body must elect a chair and vice-chair.

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**Objective Analysis:**

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**Policy Compliant:**

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**Financial Impact:**

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**Budget Impact:**

**FTE Impact:**

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**ATTACHMENTS:**

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**CITY OF SURPRISE**  
**Judicial Selection Advisory Commission Meeting**

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Council Meeting Date: April 26, 2022  
Submitting Department: Human Resources  
Staff Recommendations: None

Contact Person:  
District: Citywide

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Consent: No      Regular: Yes      Public Hearing: No      Report/Discussion: No

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**Agenda Wording:**

Consideration and action pertaining to the selection of a Vice-Chair for the Judicial Selection Advisory Commission.

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**Motion:**

I move to elect (name) for the position of Vice-Chair of the Judicial Selection Advisory Commission.

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**Background:**

Pursuant to Chapter 2 - ADMINISTRATION / Article VIII, Section 2-295, Number 11 - BOARDS, COMMITTEES AND COMMISSIONS of the Surprise Municipal Code: Chair/Vice-chair; elections. Each body must elect a chair and vice-chair.

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**Objective Analysis:**

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**Policy Compliant:**

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**Financial Impact:**

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**Budget Impact:**

**FTE Impact:**

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**ATTACHMENTS:**

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**CITY OF SURPRISE**  
**Judicial Selection Advisory Commission Meeting**

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Council Meeting Date: April 26, 2022  
Submitting Department: Human Resources  
Staff Recommendations: None

Contact Person:  
District: Citywide

---

Consent: No      Regular: Yes      Public Hearing: No      Report/Discussion: No

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**Agenda Wording:**

Discussion and review pertaining to the Judicial Selection Advisory Commission Procedural Rules.

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**Motion:**

No motion.

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**Background:**

Pursuant to Chapter 30, Article III, Sec. 30-43, subsection (a), of the Surprise City Code: "The commission shall hold no less than one meeting each year for the purpose of reviewing the commission's operating procedures."

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**Objective Analysis:**

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**Policy Compliant:**

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**Financial Impact:**

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**Budget Impact:**

**FTE Impact:**

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**ATTACHMENTS:**

1. JSAC Procedural Rules
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**City of Surprise  
Judicial Selection Advisory Commission  
Procedural Rules**

Rule 1. Commission Officers

The Commission members shall elect officers as required by city ordinance or by-law. The chairman shall preside at all meetings of the Commission. In the chairman's absence, the vice chairman shall preside over the meetings.

Rule 2. Secretary

The Secretary to the Commission will be as designated by ordinance or rule. The duties of Secretary will include preparing and keeping minutes of all meetings, sending information packets to the members prior to a meeting, ensuring the meetings are duly posted as required and other duties as required to conduct the business of the Commission.

Rule 3. Duties of Commission Members

(A). A Commission member shall consider each application for judicial office in a fair, impartial and objective manner.

(B). Any Commission member who knows of any fact which may cause or appear to cause a conflict of interest with an applicant shall report such facts to the Commission for its determination of whether the member should deliberate concerning the applicant.

(C). A Commission member shall discourage any person or organization attempting to influence him/her with facts or opinions other than those relevant to the judicial qualifications of the applicant.

Rule 4. Commission Meetings

(A). All meetings of the Commission shall comply with the Arizona Open Meeting Law.

(B). Once a year the Commission shall review the Commission's procedural rules.

(C). The chairman shall issue a call for a meeting promptly upon being advised of the existence or anticipated existence of a judicial vacancy that has to or will have to be filled.

(D). A quorum for the Commission shall be four (4) members. The Commission may act on any matter by a majority vote of the members present and voting on the matter.

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(E). Any Commission member who is absent from three consecutive meetings without being excused by the chairman shall be considered to have abandoned their appointment and shall be removed from the Commission.

#### Rule 5. Recruitment of Applicants

Commission members shall actively seek and encourage qualified individuals to apply for judicial office. Commission members should be mindful that qualified persons often will not seek judicial appointment and, thus, it is incumbent on members to seek well-qualified persons and encourage them to apply.

#### Rule 6. Procedure for Recommendation for Reappointment

(A). The chairman shall notify the Commission in writing once apprised about the expiration of an existing term of a city judge.

(B). The Commission shall hold a meeting to determine whether to recommend the reappointment of a city judge whose term will be expiring.

(C). All interested members of the public are encouraged to comment on the reappointment of city judges.

(D). The process for reappointment is outlined in section 30-44 of Ordinance #09-41.

(E). The Commission's written recommendation concerning the reappointment of a city judge shall be delivered to the city council as required by the ordinance.

#### Rule 7. Preliminary Screening of Applicants for New Vacancies

(A). Upon receipt of the applications packets, the Commission shall meet in executive session for the purpose of reviewing the qualifications of the applicants.

(B). Those applicants who are selected to be interviewed shall become candidates. The names and applications of candidates will be made available pursuant to Arizona Supreme Court Rule 123 and the public records law.

#### Rule 8. Investigation of Applicants

Commission members shall conduct investigations into the background and qualifications of the applicants. Using the Application for Judicial Office as a guide, the Commission shall conduct a due diligence inquiry of those individuals, organizations and institutions mentioned in the application. The Commission, however, need not limit itself to the

Approved 6/7/10

application but may contact other individuals, institutions and organizations as it deems reasonable in its effort to obtain as much background information on an applicant as is reasonable.

Rule 9. Selection of Nominees.

(A). The Commission shall interview each candidate in accordance with the Arizona Open Meeting Law. The Commission shall vote on the candidates in the public meeting.

(B). Before proceeding to vote on the candidates, the Commission may elect to meet in executive session to discuss a candidate's qualifications for judicial office.

Rule 10. Transmittal to the Presiding Judge

Recommendations regarding the initial appointment of associate judges shall be made to the Presiding Judge as required by Section 30-45 of Ordinance #09-41.