

CITY OF SURPRISE
JUDICIAL SELECTION ADVISORY COMMISSION (JSAC) MINUTES

16000 N. Civic Center Plaza

Surprise, AZ 85374

Thursday, April 27, 2023, at 6:00 p.m.

- A. Call to Order – the meeting was called to order by Chair Carey at 6:00p.m.
- B. Roll Call – members present: Chair Carey, Vice-Chair Lang, Commissioners Furuya, Hanzel, Jessen, Stutzman, and Valles.
- C. Pledge of Allegiance
- D. Current Events and Reports – None.
- E. Staff Reports – None
- 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 April 26, 2022, Judicial Selection Advisory Commission meeting minutes – APPROVED

Motion: Stutzman

2nd: Jessen

Votes: 6 Yes Votes; 1 Abstain – Commissioner Furuya

Regular Agenda:

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

Chair Carey provided a brief overview of the yearly appointment and opened the item for discussion/nomination. Vice-chair Lang made a motion that the chair be retained as chair.

Motion: Lang

2nd: Stutzman

Votes: 5 Yes Votes; Abstain: Chair Carey and Commissioner Furuya

3. Consideration and action pertaining to the selection of a vice-chair for the Judicial Selection Advisory Commission

Chair Carey opened the item for discussion and nomination. Commissioner Jessen nominated Vice-Chair Lang as vice-chair of the commission.

Motion: Jessen

2nd: Carey

Votes: 5 Yes Votes; Abstain: Vice-Chair Lang & Commissioner Furuya

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

Chair Carey opened the item for discussion. Commissioner Furuya wanted to discuss that under code, something he was not aware of. The qualifications to sit on the commission who one, be a member of the Court of Appeals which he is, under Article 3 section 30-41, subsection B it states that all members shall be residents of Maricopa County. He is a resident of Coconino County. Is there a provision to allow for exception or waiver. If that is not the case, he would not be able to sit on the commission and would have work with the Chief Justice to nominate another appointee.

Chair Carey brought up that the item was noticed as a discussion and not as a consideration and action on the rules. If the City Attorney deems that it is appropriate for the commission to amend code. If vested on the commission it would be noticed on a future meeting.

Staff was directed to contact the City Attorney to determine the modification process if any or if there is a waiver process.

Judge Furuya relayed that it was very disappointing to him as he was excited to serve and is perfectly willing and happy to serve on the commission. In light of this issue, Judge Furuya registered an abstention on all actions.

Staff will get back to the commission after interacting with the City Attorney on the provision if any.

G. Other Business and Future Agenda Items

Staff was directed to agendaize the JSAC procedural rules as a consideration and action item instead of a discussion in the event the commission can amend the rules and is legally permissible.

Staff inquired about another meeting as there is no current judicial appointment or reappointments so the commission would not meet again until next year. Chair Carey suggested planning on the next annual meeting. That another meeting can be noticed at a later time.

Vice-Chair Lang commented that if the commission can do something about the issue, that the commission should have a meeting before next year, otherwise just wait.

Chair Carey inquired about the allowance of an electronic meeting by Zoom. Staff relayed they are in person.

H. Executive Session – NONE

I. Adjournment

Chair Carey commented that there is no other business to discuss and asked for a motion to adjourn.

Commissioner Jessen made the motion to adjourn. Seconded by Vice-Chair Lang. Chair Carey adjourned the meeting at 6:14pm.

Flynn Carey, JSAC Chair

ATTEST:

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 27, 2023.

Maria Aranda, JSAC Secretary