



CITY OF SURPRISE
Judicial Selection Advisory Commission
16000 N. Civic Center Plaza
Surprise, AZ 85374

Wednesday, January 15, 2025 @ 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 approval of the May 15, 2024 Judicial Selection Advisory Commission meeting minutes. | Human Resources |
| 2. | Citywide | Consideration and action pertaining to the review of the Judicial Selection Advisory Commission Procedural Rules. | Human Resources |
| 3. | Citywide | Discussion and review of the reappointment process and timeline for Presiding Judge Louis Frank Dominguez. | Human Resources |
| 4. | Citywide | Discussion and review of the reappointment process and timeline for Associate Judge Catherine Ann Gaudreau. | Human Resources |
| 5. | Citywide | Discussion and possible action scheduling a future public input meeting and directing city staff to conduct a judicial performance survey of the current Presiding Judge, including inquiring on pending and past disciplinary actions and soliciting information on administrative performance from the Surprise City Court. | Human Resources |
| 6. | Citywide | Discussion and possible action scheduling a future public input meeting and directing city staff to conduct a judicial performance survey of the current Associate Judge, including inquiring on pending or past disciplinary actions and soliciting information on administrative performance from the Surprise City Court. | Human Resources |

- G. Other Business and Future Agenda Items
- H. Adjournment

POSTED: Monday, January 13, 2025 at 10:45am

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

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Consideration and action pertaining to approval of the May 15, 2024 Judicial Selection Advisory Commission meeting minutes.

Motion:

I move to approve the May 15, 2024 Judicial Selection Advisory Commission meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

None.

Budget Impact:

None.

FTE Impact:

ATTACHMENTS:

1. JSAC Meeting Minutes 2024.05.15
-

CITY OF SURPRISE
JUDICIAL SELECTION ADVISORY COMMISSION (JSAC) MINUTES

16000 N. Civic Center Plaza

Surprise, AZ 85374

Wednesday, May 15, 2024, 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, Jessen, Stutzman, and Valles; Excused absence: Commissioner Hanzel
- C. Pledge of Allegiance
- D. Current Events and Reports – Informational item regarding modification to City Code. Explanation was provided regarding modification of residency requirements for members.
- E. Staff Reports – Update regarding no requests for FY25 judges. Current judges will be up for reappointment in 2025. City code requires commission to meet before January 31, 2025.
- 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 27, 2023, Judicial Selection Advisory Commission meeting minutes – APPROVED

Motion: Jessen

2nd: Valles

Votes: 6 Yes Votes.

Regular Agenda Item: Non-Public Hearing

- 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

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. Vice-Chair Lang nominated Commissioner Furuya as vice-chair of the commission.

Motion: Lang

2nd: Carey

Votes: 5 Yes Votes; Abstain: Commissioner Furuya

4. Discussion and action pertaining to amending the Judicial Selection Advisory Commission Procedural Rules.

Chair Carey opened the item for discussion and gave an overview of the amendment at the City level regarding residency of commission members. Chair Carey asked for discussion ahead of a vote. Staff advised Chair Carey that the commission does not have authority to amend City Code. The meeting moved forward with Chair Carey asking if there are any procedural rules to discuss for amendment. There were no items to discuss and the meeting proceeded to the next item on the agenda.

G. Other Business and Future Agenda Items

Chair Carey opened the discussion by stating that per statute the commission is required to meet before January 31, of next year due to the current judges being up for reappointment in 2025. Chair Carey asked Staff for clarification of any constraints with other meeting requirements. Staff advised that the recommendation has go to Council and Staff would need sufficient time to place the meeting on Council's calendar.

Staff was directed to coordinate scheduling a meeting in January and up to two (2) meetings after January. JSAC members provided availability and requested Staff to coordinate the meetings.

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 Stutzman made the motion to adjourn. Seconded by Commissioner Jessen. Chair Carey adjourned the meeting at 6:13 p.m.



CITY OF SURPRISE
Judicial Selection Advisory Commission

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Consideration and action pertaining to the review of the Judicial Selection Advisory Commission Procedural Rules.

Motion:

None.

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."

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. JSAC Procedural Rules
-

**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.

Approved 6/7/10

(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.



CITY OF SURPRISE
Judicial Selection Advisory Commission

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Discussion and review of the reappointment process and timeline for Presiding Judge Louis Frank Dominguez.

Motion:

For discussion only.

Background:

Pursuant to Surprise Code Section 30-43 (b), the chair of the commission shall call for a meeting of the commission to begin the selection process for the appointment or reappointment of a current judge position no later than January 31 of the year in which the term of the current judge end or within 30 days of being notified that a vacancy exists, whichever is earlier. Presiding Judge Louis Frank Dominguez's current appointment expires June 30, 2025.

Objective Analysis:

This item will be discussion regarding the reappointment process and timeline for Presiding Judge Louis Frank Dominguez.

Policy Compliant:

This meeting is compliant with the requirements under Section 30-43 (b) of the Surprise Municipal Code.

Financial Impact:

None.

Budget Impact:

None.

FTE Impact:

None.

ATTACHMENTS:

1. Surprise, AZ Municipal Code Chapter 30 City Court Article III_Judicial Selection Advisory Commission

ARTICLE III. - JUDICIAL SELECTION ADVISORY COMMISSION

Sec. 30-40. - Establishment; purpose.

The judicial selection advisory commission is hereby established. The purpose of the judicial selection advisory commission is to evaluate and make recommendations with regard to the selection of the best qualified individuals for the position of presiding and associate city judge, and the performance of incumbent presiding and associate city judges applying for reappointment.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-41. - Membership.

- (a) The judicial selection advisory commission shall be composed of the following:
- (1) An appellate court judge to be recommended for appointment by the Chief Justice of the Arizona Supreme Court;
 - (2) A Superior Court Judge of Maricopa County to be recommended for appointment by the presiding judge of the Maricopa Superior Court;
 - (3) A member of the State Bar of Arizona who shall be appointed from among three nominees recommended by the state bar board of governors;
 - (4) A member of the Maricopa County Bar Association who shall be appointed from among three nominees recommended by the county bar board of directors;
 - (5) And three public members who are residents of the city, who shall be appointed pursuant to section 2-296. None of the public members shall be an employee of the city.
 - (6) There shall be no ex-officio members of the commission.
- (b) [Reserved.]
- (c) Voting members shall serve staggered terms of four years, which shall expire on July 1. In order to create staggered terms, the following members shall be appointed to an initial term that shall expire on the second July 1 following the appointment: the appellate court judge member, the state bar of Arizona member, and one public member.
- (d) [Reserved.]
- (e) Members shall serve without salary or compensation, but shall be reimbursed for travel and out of pocket expenses on the same basis as employees pursuant to City Code section 3-60.
- (f) Unless otherwise expressly stated in this article, the bylaws contained in 2-295 shall govern the operation of the commission.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09; Ord. No. 2011-07, § 9, 2-22-2011; Ord. No. 2023-22, § 1, 8-1-23)

Sec. 30-42 - Disclosure of conflict, ineligibility to vote.

- (a) At the earliest possible opportunity, a member shall disclose to the commission at a public meeting:
 - (1) Any relationship with an applicant (such as business, personal, or attorney-client) that results in an actual conflict of interest or prejudice;
 - (2) All applicants who constitute "relatives" under the Arizona Conflict of Interest Law (A.R.S. § 38-501 et seq.), as amended;
 - (3) All efforts to recruit a specific applicant/s; and
 - (4) Any information that could reasonably create the appearance of conflict of interest or appearance of prejudice.
- (b) Any member with a relationship with an applicant required to be disclosed under subsection (a) (1) and (a)(2) above shall be ineligible to vote.
- (c) Any member that discloses information as required under subsection (a)(3) and (a)(4) above may be declared ineligible to vote on a specific recommendation if such member announces an intent to abstain from voting on the item, or a majority of voting members present affirmatively vote to declare an actual conflict or prejudice to exist on the item.
- (d) Member participation in the selection and recommendation process under this Article shall not be limited on any application submitted by persons the member recruited to apply, as long as the member has disclosed to all commission members the nature of their efforts to recruit the applicant, and the member is not otherwise prohibited from participating under this section.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-43 - Meetings.

- (a) The commission shall hold no less than one meeting each year for the purpose of reviewing the commission's operating procedures.
- (b) The chair of the commission shall also call for a meeting of the commission to begin the selection process for the appointment or reappointment of a current judge position no later than January 31 of the year in which the term of the current judge ends or within 30 days of being notified that a vacancy exists, whichever is earlier.
- (c) A quorum shall be four voting members.
- (d) The affirmative vote of a majority of the voting members present at a meeting and eligible to vote shall be required to take action, unless otherwise set forth herein.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-44. - Selection process.

(a) *Generally.*

- (1) All members shall consider all applicants in an impartial, objective manner, based only on the applicant's merit and without regard for race, religion, political affiliation or gender of the candidate.
- (2) In considering initial appointments or reappointments, the commission shall utilize the Arizona Supreme Court's Uniform Rules of Procedure for Commissions on Appellate and Trial Court Appointments, Rules 6, 7, 8, and 9; and the American Bar Associations Standing Committee on Judicial Independence, Report of the Commission on State Judicial Selection Standards, as guides.
- (3) For each applicant, the commission shall inquire of the Arizona Commission on Judicial Conduct and the Arizona State Bar for information on pending or past disciplinary actions.
- (4) Consistent with and in addition to the requirements of this chapter, the commission is authorized to develop such procedures as it deems reasonable to select and retain outstanding judges on the basis of merit.
- (5) Costs associated with the selection and recommendation process shall be reported to council and shall be paid by the city at the direction of council.

(b) *Application and advertising.*

- (1) All applicants for appointment or reappointment shall complete an application containing such information as the commission and human resource department deems necessary and appropriate to comply with the law and to provide relevant information about the ability of the applicant to perform the duties of a judge.
- (2) Applicants shall be given a meaningful opportunity to supplement their applications with a reasonable number of letters of recommendation.
- (3) The commission, with the assistance of the commission secretary shall advertise each vacant judge position consistent with Chapter 3 of this Code, and in a manner designed to provide reasonable notice of the opening, but shall at least publish notice once in the Arizona Attorney magazine, or similar monthly publication; or, alternatively, in a professional newspaper once a week for two successive weeks.
- (4) The commission, with the assistance of the commission secretary, shall solicit public and professional comment in a manner designed to elicit constructive appraisals of a judge's qualification and prior performance, but shall at least publish notice of the potential

reappointment once in the Arizona Attorney magazine, or similar monthly publication; or, alternatively, in a daily or weekly newspaper of general circulation once a week for two successive weeks.

(5) Commission members shall actively seek and encourage well-qualified individuals to apply.

(c) *Investigation and evaluation of qualifications.*

(1) In addition to any other material submitted to the commission, the commission shall consider the administrative performance and work load of the applicant, to the extent such does not conflict with judicial independence, including but not limited to: case aging, case load, the time to rule on matters, and rulings that have been reversed or affirmed on appeal.

(2) The commission shall not limit its investigation of applicants to documents and material submitted to the commission, but shall hold public hearings, personal interviews, and conduct such investigations into the background, performance, and qualifications of the applicants as the commission deems necessary and appropriate.

(3) The commission shall conduct at least one public hearing soliciting public input concerning the appointment or reappointment of a judge.

(d) *Interviews.*

(1) The commission shall personally interview at least three candidates for initial appointment as a city judge.

(2) The interview shall consist of an applicant presentation and commission follow-up questions and be limited to 90 minutes.

(3) Interview questions shall be drafted by the commission in advance with assistance from the commission secretary. Each applicant shall be given the interview questions and a copy of the material submitted to the commission in relation to the applicant, prior to the interview.

(4) Each applicant will be given an opportunity to present answers to the interview questions and response to materials submitted. The commission shall then ask follow-up questions if necessary.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-45. - Recommendation process.

(a) The commission shall vote on the candidates in an open meeting.

(b) Recommendations shall be made in writing no later than April 1, or within two business days of the final vote.

(c) The recommendation for initial appointment shall contain the names of the three best-qualified candidates in alphabetical order and summarize the qualifications of each final candidate.

(d)

The recommendation for reappointment shall specifically state that the commission does or does not recommend reappointment of the judge, and summarize the reasons for the recommendation.

- (e) Recommendations for appointment or reappointment shall be delivered as soon as possible after the vote of the commission as follows:
 - (1) Recommendations regarding the appointment or reappointment of the presiding judge shall be delivered to the city council.
 - (2) Recommendations regarding the reappointment of associate judges shall be made to the city council.
 - (3) Recommendations regarding the initial appointment of associate judges shall be made to the presiding judge. The presiding judge shall then personally interview each applicant submitted by the commission and recommend one candidate to city council for appointment no later than May 1, or within ten business days of the receipt of the recommendation by the commission.
- (f) Recommendations for appointment by the commission shall be used to fill any vacancies that arise within four months of the initial recommendation for appointment.
- (g) The names of final candidates and their applications shall be disseminated to the public or the media upon request, at any time after the recommendation is made. The release of this information shall be subject to redaction of home addresses, telephone numbers or other personal or confidential information.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-46. - Council decision.

The city council may accept or reject the recommendation submitted pursuant to this article. The city council may also refer a specific appointment or reappointment back to the commission for more investigation and findings.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)



CITY OF SURPRISE
Judicial Selection Advisory Commission

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Discussion and review of the reappointment process and timeline for Associate Judge Catherine Ann Gaudreau.

Motion:

For discussion only.

Background:

Pursuant to Surprise Code Section 30-43 (b), the chair of the commission shall call for a meeting of the commission to begin the selection process for the appointment or reappointment of a current judge position no later than January 31 of the year in which the term of the current judge end or within 30 days of being notified that a vacancy exists, whichever is earlier. Associate Judge Catherine Ann Gaudreau's current appointment expires June 30, 2025.

Objective Analysis:

This item will be discussion regarding the reappointment process and timeline for Associate Judge Catherine Ann Gaudreau.

Policy Compliant:

This meeting is compliant with the requirements under Section 30-43 (b) of the Surprise Municipal Code.

Financial Impact:

None.

Budget Impact:

None.

FTE Impact:

None.

ATTACHMENTS:

1. Surprise, AZ Municipal Code Chapter 30 City Court Article III_Judicial Selection Advisory Commission

ARTICLE III. - JUDICIAL SELECTION ADVISORY COMMISSION

Sec. 30-40. - Establishment; purpose.

The judicial selection advisory commission is hereby established. The purpose of the judicial selection advisory commission is to evaluate and make recommendations with regard to the selection of the best qualified individuals for the position of presiding and associate city judge, and the performance of incumbent presiding and associate city judges applying for reappointment.

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 - (4) A member of the Maricopa County Bar Association who shall be appointed from among three nominees recommended by the county bar board of directors;
 - (5) And three public members who are residents of the city, who shall be appointed pursuant to section 2-296. None of the public members shall be an employee of the city.
 - (6) There shall be no ex-officio members of the commission.
- (b) [Reserved.]
- (c) Voting members shall serve staggered terms of four years, which shall expire on July 1. In order to create staggered terms, the following members shall be appointed to an initial term that shall expire on the second July 1 following the appointment: the appellate court judge member, the state bar of Arizona member, and one public member.
- (d) [Reserved.]
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 - (3) All efforts to recruit a specific applicant/s; and
 - (4) Any information that could reasonably create the appearance of conflict of interest or appearance of prejudice.
- (b) Any member with a relationship with an applicant required to be disclosed under subsection (a) (1) and (a)(2) above shall be ineligible to vote.
- (c) Any member that discloses information as required under subsection (a)(3) and (a)(4) above may be declared ineligible to vote on a specific recommendation if such member announces an intent to abstain from voting on the item, or a majority of voting members present affirmatively vote to declare an actual conflict or prejudice to exist on the item.
- (d) Member participation in the selection and recommendation process under this Article shall not be limited on any application submitted by persons the member recruited to apply, as long as the member has disclosed to all commission members the nature of their efforts to recruit the applicant, and the member is not otherwise prohibited from participating under this section.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

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- (c) A quorum shall be four voting members.
- (d) The affirmative vote of a majority of the voting members present at a meeting and eligible to vote shall be required to take action, unless otherwise set forth herein.

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(a) *Generally.*

- (1) All members shall consider all applicants in an impartial, objective manner, based only on the applicant's merit and without regard for race, religion, political affiliation or gender of the candidate.
- (2) In considering initial appointments or reappointments, the commission shall utilize the Arizona Supreme Court's Uniform Rules of Procedure for Commissions on Appellate and Trial Court Appointments, Rules 6, 7, 8, and 9; and the American Bar Associations Standing Committee on Judicial Independence, Report of the Commission on State Judicial Selection Standards, as guides.
- (3) For each applicant, the commission shall inquire of the Arizona Commission on Judicial Conduct and the Arizona State Bar for information on pending or past disciplinary actions.
- (4) Consistent with and in addition to the requirements of this chapter, the commission is authorized to develop such procedures as it deems reasonable to select and retain outstanding judges on the basis of merit.
- (5) Costs associated with the selection and recommendation process shall be reported to council and shall be paid by the city at the direction of council.

(b) *Application and advertising.*

- (1) All applicants for appointment or reappointment shall complete an application containing such information as the commission and human resource department deems necessary and appropriate to comply with the law and to provide relevant information about the ability of the applicant to perform the duties of a judge.
- (2) Applicants shall be given a meaningful opportunity to supplement their applications with a reasonable number of letters of recommendation.
- (3) The commission, with the assistance of the commission secretary shall advertise each vacant judge position consistent with Chapter 3 of this Code, and in a manner designed to provide reasonable notice of the opening, but shall at least publish notice once in the Arizona Attorney magazine, or similar monthly publication; or, alternatively, in a professional newspaper once a week for two successive weeks.
- (4) The commission, with the assistance of the commission secretary, shall solicit public and professional comment in a manner designed to elicit constructive appraisals of a judge's qualification and prior performance, but shall at least publish notice of the potential

reappointment once in the Arizona Attorney magazine, or similar monthly publication; or, alternatively, in a daily or weekly newspaper of general circulation once a week for two successive weeks.

(5) Commission members shall actively seek and encourage well-qualified individuals to apply.

(c) *Investigation and evaluation of qualifications.*

(1) In addition to any other material submitted to the commission, the commission shall consider the administrative performance and work load of the applicant, to the extent such does not conflict with judicial independence, including but not limited to: case aging, case load, the time to rule on matters, and rulings that have been reversed or affirmed on appeal.

(2) The commission shall not limit its investigation of applicants to documents and material submitted to the commission, but shall hold public hearings, personal interviews, and conduct such investigations into the background, performance, and qualifications of the applicants as the commission deems necessary and appropriate.

(3) The commission shall conduct at least one public hearing soliciting public input concerning the appointment or reappointment of a judge.

(d) *Interviews.*

(1) The commission shall personally interview at least three candidates for initial appointment as a city judge.

(2) The interview shall consist of an applicant presentation and commission follow-up questions and be limited to 90 minutes.

(3) Interview questions shall be drafted by the commission in advance with assistance from the commission secretary. Each applicant shall be given the interview questions and a copy of the material submitted to the commission in relation to the applicant, prior to the interview.

(4) Each applicant will be given an opportunity to present answers to the interview questions and response to materials submitted. The commission shall then ask follow-up questions if necessary.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-45. - Recommendation process.

(a) The commission shall vote on the candidates in an open meeting.

(b) Recommendations shall be made in writing no later than April 1, or within two business days of the final vote.

(c) The recommendation for initial appointment shall contain the names of the three best-qualified candidates in alphabetical order and summarize the qualifications of each final candidate.

(d)

The recommendation for reappointment shall specifically state that the commission does or does not recommend reappointment of the judge, and summarize the reasons for the recommendation.

- (e) Recommendations for appointment or reappointment shall be delivered as soon as possible after the vote of the commission as follows:
 - (1) Recommendations regarding the appointment or reappointment of the presiding judge shall be delivered to the city council.
 - (2) Recommendations regarding the reappointment of associate judges shall be made to the city council.
 - (3) Recommendations regarding the initial appointment of associate judges shall be made to the presiding judge. The presiding judge shall then personally interview each applicant submitted by the commission and recommend one candidate to city council for appointment no later than May 1, or within ten business days of the receipt of the recommendation by the commission.
- (f) Recommendations for appointment by the commission shall be used to fill any vacancies that arise within four months of the initial recommendation for appointment.
- (g) The names of final candidates and their applications shall be disseminated to the public or the media upon request, at any time after the recommendation is made. The release of this information shall be subject to redaction of home addresses, telephone numbers or other personal or confidential information.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)

Sec. 30-46. - Council decision.

The city council may accept or reject the recommendation submitted pursuant to this article. The city council may also refer a specific appointment or reappointment back to the commission for more investigation and findings.

(Ord. No. 09-41, § 2(Exh. A), 12-10-09)



**CITY OF SURPRISE
Judicial Selection Advisory Commission**

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Discussion and possible action scheduling a future public input meeting and directing city staff to conduct a judicial performance survey of the current Presiding Judge, including inquiring on pending and past disciplinary actions and soliciting information on administrative performance from the Surprise City Court.

Motion:

I move to schedule a public input meeting on () and to direct staff to conduct a judicial performance review of the incumbent Presiding Judge.

Background:

Surprise City Code 30-44 describes the selection process for the City Judge position. The code authorizes the Judicial Selection Advisory Commission to "develop procedures as it deems reasonable to select and retain outstanding judges on the basis of merit." This agenda item is intended to discuss the selection process and to authorize city staff to gather information that will be presented to the Commission for use in the reappointment process.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

None.

FTE Impact:

ATTACHMENTS:

1. Dominguez 2021 Judicial Survey
-



City of Surprise Judicial Evaluation Survey

**NAME OF JUDGE: LOUIS FRANK DOMINGUEZ, PRESIDING JUDGE
SURPRISE CITY COURT**

The results of the survey will be reviewed by the Judicial Selection Advisory Commission and submitted to the Surprise City Council. Surveys must be received **no later than Monday, April 5, 2021.**

Please rate this judge according to the performance standards below. If you are not able to rate this judge in a particular area mark "no information".

JUDICIAL PERFORMANCE STANDARDS

The judge shall administer justice fairly, ethically, uniformly, promptly, and efficiently. The judge shall be free from personal bias in decision making, shall decide cases based on proper application of law and procedure to the facts and shall issue prompt, clear rulings and decisions that demonstrate competent legal analysis. The judge shall act with dignity, courtesy, and patience, and shall effectively manage the courtroom and discharge the administrative responsibilities of the office.

Section I: Integrity & Fairness	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	No Information
1. The Judge treated everyone the same without regard to age/race/gender/economic status	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. The Judge displayed basic fairness and impartiality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The Judge listened to all sides of the story before rendering a decision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. The Judge had the information necessary to make good decisions about the case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. The Judge provided clear instructions and answered all questions pertaining to the case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. The Judge exhibited personal integrity.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section I Comments

Section II: Communication Skills & Understanding of the Law	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	No Information
7. The Judge Gives clear and logical oral communications/instructions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. The Judge demonstrated a satisfactory knowledge of the law and procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section II Comments

Section III: Judicial Temperament	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	No Information
9. The Judge displays understanding and compassion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. The Judge treats everyone in the courtroom with courtesy and respect	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section III Comments

Section IV: Administrative Performance & Leadership	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	No Information
11. The Judge is punctual in conducting proceedings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. The Judge maintains proper control over courtroom	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. The Judge is a diligent worker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. The Judge consistently treats court staff with respect	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. The Judge interacts with other Judges in a constructive manner	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. The Judge promotes the exchange of ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. The Judge is receptive to feedback	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section IV Comments

Section V: Background Information

- | | |
|--|--|
| <p>A. Your role in the court business:</p> <ul style="list-style-type: none"> <input type="radio"/> Litigant to a court case <input type="radio"/> Witness in a court case <input type="radio"/> Lawyer <input type="radio"/> Juror <input type="radio"/> Staff | <p>B. Type of business that brought you before the court:</p> <ul style="list-style-type: none"> <input type="radio"/> Civil Traffic <input type="radio"/> Criminal <input type="radio"/> Order of Protection/Injunction against Harassment |
|--|--|

Please return survey to one of the following:

- Via email at: hr@surpriseaz.gov
- Via web link to: ???



**CITY OF SURPRISE
Judicial Selection Advisory Commission**

Council Meeting Date: January 15, 2025
Submitting Department: Human Resources
Staff Recommendations: None

Contact Person:
District: Citywide

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

Agenda Wording:

Discussion and possible action scheduling a future public input meeting and directing city staff to conduct a judicial performance survey of the current Associate Judge, including inquiring on pending or past disciplinary actions and soliciting information on administrative performance from the Surprise City Court.

Motion:

I move to schedule a public input meeting on () and to direct staff to conduct a judicial performance review of the incumbent Associate Judge.

Background:

Surprise City Code 30-44 describes the selection process for the City Judge position. The code authorizes the Judicial Selection Advisory Commission to "develop procedures as it deems reasonable to select and retain outstanding judges on the basis of merit." This agenda item is intended to discuss the selection process and to authorize city staff to gather information that will be presented to the Commission for use in the reappointment process.

Objective Analysis:

Policy Compliant:

Financial Impact:

None.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Gaudreau 2021 Judicial Survey
-



City of Surprise Judicial Evaluation Survey

NAME OF JUDGE: **CATHERINE ANN GAUDREAU, ASSOCIATE JUDGE
SURPRISE CITY COURT**

The results of the survey will be reviewed by the Judicial Selection Advisory Commission and submitted to the Surprise City Council. Surveys must be received **no later than Monday, April 5, 2021.**

Please rate this judge according to the performance standards below. If you are not able to rate this judge in a particular area mark "no information".

JUDICIAL PERFORMANCE STANDARDS

The judge shall administer justice fairly, ethically, uniformly, promptly, and efficiently. The judge shall be free from personal bias in decision making, shall decide cases based on proper application of law and procedure to the facts and shall issue prompt, clear rulings and decisions that demonstrate competent legal analysis. The judge shall act with dignity, courtesy, and patience, and shall effectively manage the courtroom and discharge the administrative responsibilities of the office.

Section I: Integrity & Fairness	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	No Information
1. The Judge treated everyone the same without regard to age/race/gender/economic status	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. The Judge displayed basic fairness and impartiality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The Judge listened to all sides of the story before rendering a decision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. The Judge had the information necessary to make good decisions about the case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. The Judge provided clear instructions and answered all questions pertaining to the case	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. The Judge exhibited personal integrity.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section I Comments

Section II: Communication Skills & Understanding of the Law	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	No Information
7. The Judge Gives clear and logical oral communications/instructions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. The Judge demonstrated a satisfactory knowledge of the law and procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section II Comments

Section III: Judicial Temperament	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	No Information
9. The Judge displays understanding and compassion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Section III Comments

Section IV: Administrative Performance & Leadership	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	No Information
11. The Judge is punctual in conducting proceedings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. The Judge maintains proper control over courtroom	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
13. The Judge is a diligent worker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
14. The Judge consistently treats court staff with respect	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. The Judge interacts with other Judges in a constructive manner	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. The Judge promotes the exchange of ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
17. The Judge is receptive to feedback	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section IV Comments

Section V: Background Information

- | | |
|--|--|
| <p>A. Your role in the court business:</p> <ul style="list-style-type: none"> <input type="radio"/> Litigant to a court case <input type="radio"/> Witness in a court case <input type="radio"/> Lawyer <input type="radio"/> Juror <input type="radio"/> Staff | <p>B. Type of business that brought you before the court:</p> <ul style="list-style-type: none"> <input type="radio"/> Civil Traffic <input type="radio"/> Criminal <input type="radio"/> Order of Protection/Injunction against Harassment |
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