



MINUTES

**City of Scottsdale
JUDICIAL APPOINTMENTS ADVISORY BOARD
Regular Meeting
6:00 p.m., Wednesday, January 17, 2018
North Corp Yard, Wrangler Conference Room
9191 E. San Salvador Drive
Scottsdale, Arizona 85258**

PRESENT: Judge Bruce Cohen, Chair
Judge Bradley Astrowsky, Vice Chair
Judge Max Covil, Board Member
Sandra Schenkat, Board Member
Stanley Morganstern, Board Member
Brian Adamovich, Board Member

ABSENT: James Padish, Board Member

STAFF: Lorelei Oien, Management Analyst
Sherry Scott, City Attorney's Office

GUESTS: Presiding Judge Joseph Olcavage
Judge James Blake
Judge Orest Jejna
Julia Dybas, Court Administrator
Judge Pro Tem Lori Patrick
James Austin Woods
Judge Statia Hendrix

CALL TO ORDER

The meeting was called to order at 6:05 p.m.

ROLL CALL

A formal roll call confirmed the presence of Board Members as noted above. Chair Cohen asked that all those in attendance introduce themselves.

1. REAPPOINTMENT OF BOARD MEMBER

Chair Cohen congratulated Judge Astrowsky on his reappointment to a second term.

2. APPOINTMENT OF NEW BOARD MEMBER

Chair Cohen welcomed Board Member Covil to the Board.

3. PUBLIC COMMENT

The purpose of this item is to give the public an opportunity to give comments or input regarding the performance and reappointment of Presiding Judge Joseph Olcavage and Associate City Judge Statia Hendrix.

Chair Cohen invited Judge Blake to provide his comments, which were recorded as follows:

“Mr. Chairman, members of the committee, my name is Jim Blake. I’ve been an Associated City Judge in Scottsdale since 2001 and I’m here to offer my support for the reappointment of both Judges Olcavage and Judge Hendrix. I’ve known both of them since 2001, Judge Olcavage first as an associate judge with me on the Court and now as Presiding Judge. I support his retention. He’s a very calming influence as a supervisor. Having been a supervisor myself at the County Attorney’s Office, it can be a very frazzled or harassing position. It’s nice to have someone who’s calm there. And when you have a problem, you can go to someone who doesn’t explode on you, doesn’t cause any issues, but says, you know, let’s settle down. Let’s talk about this and let’s resolve this issue. So I really appreciate his calming influence. He’s also been a very inventive judge. We have the Veteran’s Court and I help him when he is not available or is in a City meeting or something like that. I cover Veteran’s Court for him both here and in Tempe. We have the Homeless Court that he supports. I very much support his retention as a judge. He knows the law. He teaches. Just last week he was teaching at the Judicial College with the new judges, the JPs, helping them become better judges. And he has the highest ethical standards.

On Judge Hendrix, as I said, I’ve known her also since 2001. She was a prosecutor. She prosecuted in my court. I’ve known her as an associate judge. She is also innovative in how she does things, especially with DV Court. She has created her own DV Court that she does specially to handle. I’ve watched her in DV Court. I’ve been to some of her training on DV, because every so often you have to assist someone in that area, even though it’s a specialty court. She really cares about the defendants and breaking the cycle of violence, as those people who have done DV, you know, a lot of times it just keeps going on, unless someone can intervene. As felony people know, it gets a lot worse. And it’s nice to have someone who knows and intervenes in the misdemeanor courts to break that cycle. She’s very enthusiastic about her job. It’s nice to have people who aren’t as old as myself and Judge Jejna. And someone who’s still very enthusiastic and learning about the law. She – also like Judge Olcavage, she teaches. Both her and I teach at the Judicial Convention. As she you know, she does that with evidence. And of course, she is very knowledgeable of the law and ethical. I fully support their retention as judges. Mr. Chairman, members of the committee, I’d be happy to answer any questions you may have. Thank you for allowing me to speak and thank you for your service.”

Chair Cohen invited Julia Dybas to provide her comments, which were captured as follows:

“Good evening. Thank you so much for letting me speak. I also, Judge Cohen and member of the Board, I’m the Court Administrator and have been the Court Administrator at Scottsdale City Court since 2013 and I was the Deputy Court Administrator in – since 2008. I’ve worked at the Arizona Supreme Court prior to that and the Maricopa Superior Court prior to that. And I guess I

just want to come here and offer my support for both Judge Olcavage and Judge Hendrix and echo a couple of things that Judge Blake just mentioned. But in addition, one of the – my jobs at the Arizona Supreme Court was auditing courts, both superior, general and limited jurisdiction court. And kind of without a doubt, I really feel like the bench and Scottsdale City Court has had some of the highest standard judges in the state. And literally reviewed over 100 courts in the state. So it's a very impressive bench and both Judge Olcavage and Judge Hendrix bring a lot to the table.

"Judge Hendrix has recently worked with me on a national guideline for domestic violence. It's a publication. It's through the National Association for Court Management and then also a webinar we're developing. And this is all on her own time in addition to her – she doesn't ask for reduced calendar settings or anything like this. She's doing this on her lunch hours and after work and before time. She's bringing in speakers on domestic violence and issues. She does tons of trainings for all the Court staff and other staff in other courts across the state. Staff really, really appreciate her efficiency on the bench. She's just a very classy judge who is always just very judicial, appropriate, ethical and works extremely hard.

"Judge Olcavage, I can't say enough great things about. Honestly, I feel like the Court is without a doubt, one of the best limited jurisdiction courts in the State of Arizona. We've been recognized as that, as a high performing Court. We have been recognized as that for national awards and local awards. We are – been asked just recently by the Arizona Supreme Court to come speak in front of the Justice For All Task Force. It's a task force that has a ton of initiatives. We have got almost all of them implemented and always have. And so we were just asked to present to this very prestigious board on all the things we were doing. And they were extremely impressed. Judge Olcavage has always kept staff, the employees and the Court customers at the forefront. That's – when I first came on, that's one of the first thing he said. 'I care about the customers and the ease and how do we make things simpler and easier for them and more access to justice? And how do we make it more – the whole process less confusion and scary?' We've done videos. We've done more informational and signage, a lot of different things. And his second passion is staff. Staff love him, because he's constantly doing things, whether it's food activities or training or focus groups to find out what he can do, what I can do to make the Court a better place to work and a better place for our Court customers. So unequivocally, these are two outstanding individuals. I just hope you support them in their appointment. And I'm here to also answer any questions you may have."

Chair Cohen asked about trends in the caseload coming into the Court. Ms. Dybas said there is a decline in photo enforcement. There is a slight increase in criminal overall and a little decline in DUIs. Chair Cohen noted that for a time, the Court and judges were stretched to the limits, however that issue has not surfaced for a while. Ms. Dybas stated that while those decreases are present, there is actually an increase in people coming to Court. They have implemented a compliance assistance program to assist people in getting out of default. If they come in and pay a small percentage, they are helped to get out of default and onto a payment plan, get their license back and hopefully back to work again. They offer several programs and four to five specialty courts. The Court offers interpreters from any language. There are also onsite treatment providers who perform assessments onsite.

Board Member Morganstern inquired as to the average monthly number of domestic violence cases. Ms. Dybas she did not know the number off the top of her head and that perhaps Judge Hendrix would be the better person to answer. Judge Hendrix sees the individuals every month. If they are following through with their programs, she may not see them for another month or two. If doing poorly, she may see them weekly.

Chair Cohen invited Judge Jejna to provide his comments, which were captured as follows:

"Good evening, Judge Cohen, members of the Board. It's again my pleasure to be here to speak on behalf of Judge Olcavage as well as Judge Hendrix. Judge Blake is a tough act to follow in terms of providing you with a plethora of information both of the judges as well as Julia, who provided you with some of the other technical side of things. So I try to think to myself, what is it different that I can tell you about both of the judges. I've known Judge Olcavage since my days of practice, when I practiced in the different courts in the state before I took the bench 17 years ago, and I've known him ever since. He's been a great individual as a mentor. Even after 17 years of being on the bench, I still look to Judge Olcavage for mentoring, whether it be myself or other judges on the bench and as well as some of our pro tem judges who appear in our Court handling our calendar. He's done a wonderful job. He's always an excellent person, a go-to guy who can give you practical knowledge, practical information and some guidance on some of the issues that we encounter in our Courts. And seemingly, there is always something new to encounter, regardless of circumstances.

"Judge Olcavage, I think, is also in the forefront of fair justice, the new implementation by the Supreme Court, where we are very closely monitoring and very closely listening to individuals who are taken into custody. There was obviously a time when sometimes the requirement for bonding and release conditions, as we now see after the Ferguson case, the Supreme Court has taken a stance where we take that a little bit more sensitively. Release conditions are more liberally applied at times. And so those are considerations that come into play. And I think Judge Olcavage has done an excellent job of implementing that philosophy in our Court, so that we follow the mandates of the supreme Court.

"Judge Hendrix is also a person who has practiced before me, when I was on the bench. And she handled a particular caseload with the City Attorney's Office. Wonderful judge from that perspective. Knows the law. Is extremely efficient. But the things that I can tell you different that the other two commentators have provided is that I think Judge Hendrix provides a special passion for the domestic violence calendar that she handles. Just to give you some mechanics. I know that there was an earlier question as to how many cases she handles per month. What will happen is for Judge Hendrix, not only will she handle cases that come right out of the box, let's say right out of arraignments that will go to her Court, but also what will happen is sometimes Judge Blake and I will cover Jail Court. A lot of our domestic violence cases come through the Jail Court. Whether they're in custody or out of custody, ultimately they pass through our hands and then move on to Judge Hendrix. Now a lot of times, it might be in a pretrial category, where the case is not yet resolved and then she'll take over the handling of it. Or it'll be a case where Judge Blake and I resolve it at the Jail Court level. But then Judge Hendrix continues on in the process.

"And again, I think the beauty of what Judge Hendrix is doing is she's trying in her best efforts by monitoring these individuals, having them come back for domestic violence review hearings. Quite frankly, some of the people pass with flying colors and do extremely well at doing the programs that they're required to do under the domestic violence laws. And then on the other side, unfortunately, there are those that don't do so well. And she does a wonderful job of reining those individuals in, providing them the appropriate guidance to bring about the success that's necessary in domestic violence cases. And so I think that the passion that she delivers is fantastic for our Court, so that we can serve our community and serve those individuals that are charged with those particular types of matters. And I think she fills a tremendous void in that particular

category. So hopefully I've given you a little smidgen – a little different of what the other two commentators were able to provide to you. I'm open for questions if you wish."

Lori Patrick submitted a written comment, which Chair Cohen read for attendees. "Judge Olcavage is a superior judge and an excellent presiding judge and leader. I've served as a pro tem judge for nearly ten years, and he is patient, wise and innovative. Judge Hendrix, too, is a great judge and mentor. I urge the JAAB to retain and reappoint both."

Chair Cohen invited James Austin Woods to provide his comments, which were recorded as follows:

"I was asked by Sandy to help her with her due diligence. Very small sort of way. She wanted me to go with her and observe Judge Hendrix in Court. So we went to Court and we in the morning observed a judge pro tem. And the judge did a fine job. Maybe make a couple of errors. But then in the afternoon, we observed Judge Hendrix. And she did not make a single mistake. In fact, she was quite fantastic, I'd say. So just echoing some sentiments, but I do feel that if you were to ask some defense attorneys what they think of the judge and you got something negative, it's worth reminding that Scottsdale's a difficult, you know, Court to win from defense attorney's standpoint. Sometimes the defense attorneys maybe take that out on a judge, instead of on maybe the prosecution or themselves. So I'd keep that in mind as well if reading the comments from other lawyers, having – being a public defender myself and one who prides himself on not taking things personally. When I have appeared before the judge with clients, I've found her to be firm, but fair. And that's about it.

There were no further public comments. Chair Cohen explained that the next portion of the meeting would address the surveys. Vice Chair Astrowsky proposed moving into executive session prior to discussion of the surveys. He would like the opportunity to get input concerning some of the issues that came up as well as follow up concerning advice that was provided by the City Attorney to board members before the meeting. Discussion ensued as to which items the Executive Session discussion would apply to.

EXECUTIVE SESSION

BOARD MEMBER ASTROWSKY MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS LEGAL ADVICE AND HOLD DISCUSSION PERTAINING TO THE INFORMATION PROVIDED BY THE CITY ATTORNEY TO BOARD MEMBERS CONCERNING ITEMS 7, 8 AND 10. BOARD MEMBER MORGANSTERN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT.

Executive Session was held from 6:27 to 6:55 p.m.

4. DISCUSSION OF JUDICIAL SURVEY RESULTS ON ASSOCIATE CITY JUDGE STATIA HENDRIX

Chair Cohen asked board members for comments on the survey results. Board Member Schenkat stated that she compared the results of 2013 to 2017, noting that Judge Hendrix's averages were higher in 2013, except for in the area of communications. Vice Chair Astrowsky agreed that attorneys rated her more poorly in 2017 overall in legal ability, integrity, communication skills. Chair Cohen pointed out that the Superior Court for Pinal County, Pima

County and Maricopa County use a similar type of process. The board that oversees the Superior Court looks at these categories. They analyze the categories of unsatisfactory and poor. If the total percentage in these categories is 25 percent or higher in any area, they believe that is a basis to bring someone in and ask them questions about their performance. In every category for Judge Hendrix, these numbers are 10 percent and 9 percent, with one being 14 percent, not coming close to the 25 percent threshold used by the Superior Court. Vice Chair Astrowsky said that in looking at the 2017 results from attorneys, the way the Judicial Performance Review Committee totals these amounts is to total the unsatisfactory and poor totals. If looking at the attorney legal ability summary, the total is 26 percent. For integrity (not total but for the category of avoiding pre-judge outcome of the case, the total is 37 percent). Communication skills were at 28 percent overall. Board Member Morganstern advised consideration for the very poor response to the survey. Board Member Adamovich noted that there are a total of 116 total surveys, so the trend is not a blip, and is consistent with the amount of surveys returned for other judges. Vice Chair Astrowsky noted that there is the 2013 data set to compare from. In 2013, there were 32 attorney responses. The current data set has 24 responses. The data set for attorneys in terms of legal ability in 2013 was 11 percent in the negative category, whereas 2017 reflected 26 percent. Board Member Schenkat said that there is an average four point average decrease in integrity, judicial temperament, administrative performance and legal ability. She asked whether the judges receive the survey results. Lorelei Oien, Management Analyst, confirmed that the judges receive their most recent results. Chair Cohen pointed out that the other categories (Defendant or witness, juror and staff), there is not a replication of the same types of concerns. This seems to be an issue more focused on the lawyers.

5. DISCUSSION OF JUDICIAL SURVEY RESULTS ON PRESIDING CITY JUDGE JOSEPH OLCAVAGE

Chair Cohen noted that Judge Olcavage's numbers are exemplary as far as the lack of negative survey returns. He invited comments from board members. Board Member Schenkat stated that communication skills is the only category under 3 points and questioned whether this is a consideration. Vice Chair Astrowsky did not see the concern, given the overall numbers in the category, which are overwhelmingly positive. Chair Cohen pointed out that the combined percentage of unsatisfactory and poor is only 8 percent for staff. Board Member Schenkat said the communication skills summary is 3.7 percent. Vice Chair Astrowsky cited the 3.5 percent for judicial temperament. Board Member Schenkat noted the survey responses reflecting inability to hear the judge speaking. There was general consensus that there has not been a significant increase in unsatisfactory totals.

6. DISCUSSION OF CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION RELATED TO JUDGE HENDRIX'S PERFORMANCE OR REAPPOINTMENT

Board Member Morganstern quoted from comments received as follows: "Courtroom runs very smoothly. She treats everybody equality. Fair and impartial. Very good with unrepresented litigants. No questions as to her legal ability and judicial temperament." One attorney who did not appear before her often, but had a number of associates who did commented: "None of the associates have registered any complaints about the way Judge Hendrix operates her courtroom." In summary, Judge Hendrix has been highly recommended for reappointment by the majority of people he has spoken to.

Board Member Schenkat made a statement as follows: "As the layperson appointed by the Scottsdale City Council, I take this assignment of investigating through direct communication with

the assigned attorneys and prosecutors very seriously. While it can be intimidating to be on a board with all professional lawyers or judges, I feel the City Council has trusted me to represent the citizens of Scottsdale and their interest in attempting to have a fair and just City Court. I will read direct quotes from those I surveyed, so that there is no generalization and each voice is heard. While most of the comments are flattering, a few are not.” She was assigned six people for Judge Hendrix and the comments include:

1. “She is not as patient as other judges. Sometimes she gives the appearance of not caring. When she first became a Judge, she was pro-prosecution. She still leans that way.”
2. “She is confident in her rulings. I feel she is inconsistent at times. She is usually not victim-friendly and doesn't punish violent offenders to the degree of the crime.”
3. “I have not really done much in front of Hendrix myself. Maybe others in my firm have. No strong opinion positive or negative. Scottsdale Court is one of the most efficient in the Valley, so please pass on that compliment.”
4. “She is fair and has a great temperament. I like her as a judge.”
5. “She is prompt, pleasant and treats everyone in Court well. She keeps it moving.”
6. “It is obvious she was a prosecutor. She advances issues that even the prosecutors don't bring up. She is respectful and courteous.”

Board Member Schenkat said she was unable to observe Judge Hendrix in trial, but did observe Judge Hendrix's walk-in proceedings. Her impression was that Judge Hendrix was compassionate to defendants, explaining court proceedings and attempting to be helpful. It is evident that Judge Hendrix would like to prevent defendants from being reoffenders. Chair Cohen noted that he had previously mentioned to City Council how seriously Board Member Schenkat takes her role on the board and the effort she puts into the process. He expressed appreciation for her work.

Board Member Adamovich reported on the comments he received as follows: “She was courteous. She was professional.” One person commented that she was one of the top two judges. “She is an asset to the City of Scottsdale.”

Vice Chair Astrowsky quoted from the comments received: “Very professional on the bench. Excellent demeanor. Very professional with pro pers as well as facilitating settlement. Fair sentencing. In the past, she demonstrated an extreme bias towards the State in all respects, but has improved to an acceptable level of bias. Significant leaning toward the State regarding substantive issues. Has knowledge of the case law, but has problems in applying that knowledge to a particular set of facts appropriately.”

Board Member Covil stated that he received mostly positive comments, including: “Very cordial. Very professional. Good temperament. Treats people appropriately and fairly. Fair in trial. Listens to both sides. Does not feel she is biased.” One criticism was that in her decisions on motions, she does not put the information in writing, instead just stating, “granted,” or “denied,” and does not give feedback. One person said they would like more information as to why she arrived at a particular decision. Other comments were: “Good job communicating with people, whether sophisticated or unsophisticated. Doesn't agree with the decisions that she makes, but feels that she is fair.”

Chair Cohen shared his conclusion from the comments received, including an improved perception. Previously, whether labeled rightfully or wrongfully as being pro-prosecution, such feedback was not as pervasive. There were comments from a number of people on substantive rulings that she tends to lean towards the State, however on sentencing, most described her as

fair or that she often takes into account mitigation. One lawyer, having appeared before Judge Hendrix frequently, was very outspoken and had negative comments such as “She never rules for the defense ever. She’s a rubber stamp for the prosecutor. You should never file a motion in front of her. It’s a waste of time.” This individual did acknowledge the fairness in sentencing. Overall, the comments were very favorable, describing her as very respectful and “Treats people fairly in her courtroom.”

7. DISCUSSION OF CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION RELATED TO JUDGE OLCAVAGE’S PERFORMANCE OR REAPPOINTMENT

Board Member Morganstern quoted from the comments received, “As the administrative judge, he knows the Court inside and out.” Everyone spoken to described him as “Fair and professional. There is absolutely no question about his legal ability, integrity or judicial temperament.” There were no negative comments.

Board Member Schenkat quoted from the comments received:

1. “I love Judge Olcavage.”
2. “I have known Judge Olcavage for over 20 years. I hold him in high regard. He handles the docket efficiently and keeps things running smoothly. I would give him the utmost recommendation for reappointment.”
3. “He listens very well. He gets the arguments. He properly applies the law. He is one of the best judges.”
4. “I feel I have had good experiences before Judge Olcavage. He is neutral and I have no issues with him.”

Board Member Adamovich said that the comments received were unanimously positive. One gentleman spent 25 minutes telling Board Member Adamovich why the City is lucky to have Judge Olcavage as a judge, recounting very detailed stories. It was a pleasure listening to the stories, as the gentleman had a lot of experience with the judge.

Vice Chair Astrowsky summarized his input by quoting one comment, “Judge O is the best.” All comments were consistent with this positive feedback.

Board Member Covil reported all positive feedback. One comment said, “Not enough good things to say about Judge Olcavage.” Another said that Judge Olcavage was his favorite judge in the State of Arizona. One person said, “His policies have been very successful. The Court runs well.” The commenter believes that Judge Olcavage should be retained.

Chair Cohen stated that he received similar positive feedback. One person told him a story about defendants who had mental health issues and how patient and fair Judge Olcavage was in dealing with them. Chair Cohen added that sometimes the greatest challenge presented to judicial officers is what to do with people who do not understand or have issues that interfere with their ability to participate in the way that is socially acceptable. How those people are treated is a good reflection on who a judge is.

8. DISCUSS QUESTIONS FOR INTERVIEWS OF JUDGE HENDRIX AND JUDGE OLCAVAGE

Chair Cohen asked for input on specific questions for Judge Hendrix. Board Member Schenkat said she will pose a question regarding the increase in negative ratings over year 2013. She would also like to ask about an item of personal information submitted by Judge Hendrix. Board Member Schenkat quoted from the submission: "I look forward to meeting and exceeding the goals of this assignment (related to being the DV judge), holding defendants accountable and keeping victims safe." Board Member Schenkat questioned whether keeping victims safe is the role of Judge Hendrix and not the responsibility of the police department. Another question is whether this is an objective statement to say: "Holding defendants accountable." Chair Cohen said Judge Hendrix should be given the opportunity to explain what she meant by the statement.

Vice Chair Astrowsky will ask a question regarding how difficult it is to take the bench, when one is associated with one side of the courtroom, related perceptions that come into play and what Judge Hendrix did to overcome these perceptions. Board Member Morganstern noted that Judge Olcavage made a comment in her application that taking on the domestic violence docket presented new and additional responsibilities and he would like to ask her what those are and how she is handling them.

9. INTERVIEW OF JUDGE HENDRIX

Chair Cohen welcomed Judge Hendrix to the meeting and invited her to provide a statement. Judge Hendrix's comments were captured as follows:

"Well, I don't really have much to say. I certainly think that I have a great job. And I'm really grateful for all of the opportunities that have come my way because of it. I appreciate so much that Judge Olcavage has allowed me most everything that I asked. He has voluntold me for several things, but they've really enriched my experience. And just do my best every day."

Chair Cohen invited questioned from board members. Board Member Schenkat explained that she compared the 2013 surveys to the 2017 surveys. For every category except for communication, the totals have decreased. She asked how Judge Hendrix feels about the change. Judge Hendrix's reply was recorded as follows: "I don't know. You know, I did look at the surveys briefly, but this is what I'll say. And these are the numbers that kind of stand out in my head. I believe there was 169 or 170 or 180 surveys sent to lawyers. And I think the return was 24. I don't even know how you get a true sample. I don't know how you get a true measure. And so it's very difficult answer, you know, based on that."

Board Member Schenkat noted that some of the averages went down to 3.4 and 3.5 in different categories. She suggested that Judge Hendrix consider reviewing the results for her own edification. Judge Hendrix said she was not certain what that really means and that it would be necessary to ask the person who made the comments to have some measure of the intent. Further comments were recorded as follows: "All I can say to you is that there's so much that has changed for me in those – since that original survey went out. I've grown in so many ways as a judge, learned a lot, accepted a lot of criticism, tried to do things differently, better. But you're never going to make anybody (sic) happy and I don't expect to. I couldn't and I shouldn't want to. And that's what I'll say about my performance."

Board Member Morganstern stated that he had practiced family law for many years and could appreciate the problems in the DV Court. Judge Hendrix's application indicated that as the DV Judge, she had to take on new and additional responsibilities. He asked her to enumerate those responsibilities. Judge Hendrix's comments were recorded as follows: "So I took all of the DV

caseload into my courtroom, but I still have my share of the DUI caseload. That did not change. And my share of the other cases. So now in addition to that, I have all of the DV cases. I hear all of the pretrial issues, all the trials and I took on the calendar that we call DV review, but it's basically the follow up after conviction, to make sure that court orders are followed, that the mandatory program is completed. You know, people need to be held accountable in certain areas. And so that's an additional calendar. So it was added responsibility, but it was what I wanted to do. And so that's what I meant by that."

Board Member Morganstern asked whether allocation of parenting time or child support orders can be issued in domestic violence cases. Judge Hendrix stated she could not issue such orders. These are misdemeanor domestic violence related charges and she is making a finding of guilt and sentencing. There is also a required program upon conviction and it is her job to ensure they complete the program and follow orders with regard to contact, alcohol programs, jail or other factors in the sentence.

Vice Chair Astrowsky noted the difficulty in transitioning from a practice area to the bench, having spent time on one side of the court. He asked "What, if anything, did you do to overcome perceptions, perhaps incorrect perceptions, that maybe just because you came from one area, that you automatically were going to be one-sided or biased?"

Judge Hendrix's comments were captured as follows:

"Well, and actually, that was the feedback that came my way at my first reappointment, which was only two years into the job. It wasn't even a full two years, because the whole process started – one of the first things that I did – and luckily Judge O was up for it and Judge Jejna also did it with me was – there was a woman who I had met at the judicial conference, who – she did this service where she would come and videotape you. I think you knew about this, too, Judge Cohen. And she would – well first, before she videotaped, she interviewed me and I told her what some of the concerns were, that there was this perception that just because I – well, it wasn't even a perception. Some people outright said it. 'She came from prosecution. She's prosecution oriented and these are the things that we've seen.' So I shared that with her. And she asked me some other questions and then she came and videotaped me on the bench in several different types of proceedings. And she asked me 'What is the most challenging type of proceeding for you?' And she came on those days. And then she followed up with me. We'd watch the videos together. She gave me some pointers about, you know, my facial expressions or you know, how I might, you know, move a little bit too much and what that sense that would give the people who were listening to me just some way – some little, small changes that I can make. Because really it wasn't about the rulings, because the rulings, I don't think, have changed all that much. But it was this feeling, I think, that some of the attorneys had and may still have. Who knows? But – so I did incorporate a lot of those changes. And then I do feel that over these last few years, I feel much more separate from what I did before than I – how I feel now than what I felt before. I do – I feel a difference in who I was and that practice that I had. And you know, I hear myself thinking about things in a different way than I did. So it did take a little bit of time. And I had to acknowledge that. You know, I didn't go to the bench, you know, absolutely removed from prosecution. It was a part of my life for 16 years. But it was an adjustment that I had to make. And I accept that and own that criticism. And I'm sure it still exists. And they're going to think what they're going to think, but I do think that I've made some changes there."

Vice Chair Astrowsky asked how she would respond to those who still maintain that perception. Judge Hendrix's comments were recorded as follows: "Well, you know, the fact of the matter is that there's a segment of the defense population that they're going to think that forevermore,

because that's how they knew me. That's how they see me. And so any time I make a ruling adverse to them or any time that I exert control in the courtroom, that's what it's going to be about. There's nothing I can do. I try to be fair. I try to give everyone equal time. I try to make the best rulings I can. I do not think that I favor one side over in the courtroom, but some people will think what they will think. Like I said, I can't make everybody happy and I don't want to. I mean, I – I mean, it just would be impossible."

Vice Chair Astrowsky asked about the standard practice concerning how substantive motions are ruled on. Are reasons provided on the record? Is there a simple statement, "Motion to suppress denied," or is a written ruling provided. Judge Hendrix's reply was recorded as follows: "All of it. It depends on the situation. Sometimes it's as simple as denied. Sometimes it's a little bit more explanation. Other times I need time to either go back and listen to something or reread something or maybe they're going to submit some additional information or a case and then I'll rule by minute entry. So it could happen any of those ways."

Vice Chair Astrowsky stated that he appreciates Judge Hendrix's point about the survey response rate. However, there is perhaps some value, even given that response rate when doing comparisons. For example, in the area of communication skills, her overall ratings in 2017 data were significantly worse than in 2013. He asked Judge Hendrix for any insight into the reasons behind this. Judge Hendrix's comments were captured as follow: "Like I said, I don't know that I can speak to that without knowing who the respondents are. But I'll tell you this. This is one thing I noticed about the surveys. Twenty-four lawyers responded. There were four who clearly were unhappy with me for some reason, because down both columns, everything was unacceptable. Everything, including takes the bench – you know, something about being prompt with, you know, unfair treatment to staff or things that are like, oh, that's absolutely not true. So you might think that I'm a poor communicator or I don't know the law, or you know, that I'm prosecution-minded or whatever. But to say that I don't start proceedings or I'm not efficient with my time, it's just not true. And it shows me that you have a beef that is just so strong that you're not even really paying attention. You're just going all the way down. And I think that's clear. So that turns into 18 percent feel this way. Eighteen percent. Really? Four of 24 of 170. So that's why it's very difficult for me with the surveys. I'm not saying that I don't give them any value at all. And I know they have to be sent, but I just don't know that it's an accurate or a fair measure of what really happens day to day."

Chair Cohen commented that he performed a wedding last year. One of groomsmen was a person Chair Cohen knew, but had not seen since the gentleman was a boy approximately 20 years ago. The gentleman asked whether Chair Cohen knew Judge Hendrix, indicating that he had appeared before her. Chair Cohen replied that he did know her. The gentleman commented, "She changed my life. I did something dumb. And it really was dumb. And I got charged and I ended up appearing in front of Judge Hendrix. And I contested it. And I knew it was dumb and I knew it was probably wrong, but I needed to express what I felt. And she let me express it. And then basically validated that what I did wasn't representative of who I was. And it changed my thinking on things." Chair Cohen commented that the experience changed the man's thinking about courts, compliance with law and not being defined by one act. Chair Cohen added that he and Judge Hendrix met after her last Board review. She was very gracious and a very good conversation took place. What was most impressive was how receptive she was to the input. Judge Hendrix responded to the comments as follows:

"And you know, honestly, I feel the same way that I felt after meeting with you and meeting Linda is that I know that there's always areas to improve and I'm very much interested in that. But despite what journey I take and how I work to make myself a better judge and – the surveys are

going to be the surveys. I mean it – you know, misdemeanor Court is a place where people – and I say lawyers mostly, because that’s what it is. They come with certain expectations. And if you are different or your way is different, or if your discretion takes you in a different direction, it’s very difficult for some to accept, but I feel very strongly that I have to do the job the way I think that it should be done. Not the way it’s been done before, but I have to do what I think is right by the people of Scottsdale, by victims and defendants. And sometimes that puts me in the crosshairs with certain people, but I can’t do it any other way. And so I’m sure that every time I come before this Board, there’s going to be a segment that thinks she doesn’t belong or her way is not the way we used to have it or we want to have it. I – you know, there’s not much I can do about that.”

Board Member Schenkat referred to the application under personal information, question number five, “Why are you seeking reappointment?” She quoted from the response, “Holding defendants accountable and keeping victims safe,” and asked for an explanation of the meaning of the statement. Judge Hendrix’s comments were recorded as follows:

“Well, and I think I was – if I didn’t write this clearly, I apologize. I think I was speaking directly to my role as DV Judge. That is the main goal of the Court. And that is the main reason why those cases are kept together, why they’re assigned to one judge, who has received the training. And it’s why we do the review process, so that I stay engaged with the defendant throughout the time that they are under the jurisdiction of the Court. And those are the two main goals. Defendant accountability and victim safety. Those are the reasons why we do it. I don’t mean like I’m physically going to their house to keep them safe, but keeping them safe through holding the defendant accountable, making sure the defendant receives and completes the treatment that is required by law, follows the Court’s orders with regard to you know, no contact. Or if this is other treatment or programs that have to be completed, that type of thing.”

Board Member Covil noted that Judge Hendrix’s application lists a number of activities for development. He asked which opportunity she is most excited to engage in in the coming years. Judge Hendrix’s comments were captured as follows: “Well, the way I see it, the DV Court is only in its earliest stages. There’s so many more things that we can and should be doing as a Court in that realm. But change is slow there. And Judge Olcavage is very supportive, but you know – so I’ve got lots of things that I’m thinking about for that DV Court. Like for example, I would love for the Court to have someone who is at least a part of the time available as a social worker or advocate that is able to meet with victims or other people who come to the Court looking for help or needing resources. I would like to include providers of our domestic nonviolence program in our weekly staffing prior to DV review. That’s very common in DV Courts. That’s a big change. This Court has never done that before. I’ve already taken steps to be more – in better communication with our probation officers, who handle our supervised cases. There’s so much more that we can be doing in that area. So that’s really my focus. The other things that I do certainly benefit the Court. The committees. Participating in judicial training and all that. I do enjoy it. And it’s exposed me to a lot, but the DV is really my focus, so it’s what I’m excited about.”

The interview concluded, Judge Hendrix was thanked for her time and left the meeting. Discussion ensued regarding questions for Judge Olcavage. Chair Cohen noted that there were survey comments about having difficulty hearing Judge Olcavage. Board Member Morganstern anticipated asking Judge Olcavage why he does not do jury trials. Board Member Covil stated he would like to ask about Judge Olcavage’s caseload compared to other judges.

10. INTERVIEW OF JUDGE OLCAVAGE

Chair Cohen invited Judge Olcavage to make a statement, which was captured as follows:

"What I try to focus on in my job is access to the Court and information to try and keep people from getting into more trouble than they're already in. I think a lot of people think that if they ignore the problem, then it's going to go away. That only makes it snowball on them. So we've done a number of innovations over the last few years to try and remedy that as far as possible. Number one, if you have a court case, whether it is an arraignment or all the way to trial, you're going to get a phone call from us reminding you of that court date. And we do that every time. So if you have an arraignment, pretrial, order to show cause, we're going to call you a few days before and say remember to show up to court, and hope we can reduce the number of people that don't show up. We have some educational videos that we did, where we teach you how to read a criminal complaint and a civil complaint, what the charges are, when your court date is, where to work on the ticket, what's going to happen to you if you don't show up in a criminal, which will be a warrant. What will happen if you don't show up in a civil case, which is going to be default and fines and a license suspension. And if you can't make it to court, how to file a motion to continue.

"We have something that most courts don't have. Well, starting January 2nd, we also put into our case management system a delay. So if we issue a warrant, because you don't show up for an arraignment or a pretrial, we're going to let you know that. The warrant will not issue for 14 days. You get a chance to come in and resolve it. Same with the civil, which believe it or not, can actually be worse than the criminal. Because in a civil case, what happens is you get defaulted. You owe money. It goes into collections. Motor Vehicle is notified. Your license is suspended. You don't know that. You get stopped. The next thing you know, you get a ticket for a suspended license, which is criminal. And if you didn't know this, your car gets towed in a suspended license case. So we now have implemented a 14-day delay in default. You're not going to be defaulted. We're going to let you know what's going to happen. Starting in February, we're going to also go to a delay in putting you into collections. I think we have it set for about 56 days. You're going to get two more notices. You have an opportunity to come in. We've established an online motion feature for access to Court, meaning people can write in and ask for motions to continue, more time to complete their educational programs, reset their jail. You can even quash your warrant. Doesn't mean it's going to be granted, but quite often, we do it and reset a new court date. That's also part of our queue. So if you're doing an arraignment, or a pretrial, an order to show cause, you finished your calendar.

"You have all these people that don't show up. We're going to go through each case first in a register of actions. Because if you called us or filed a motion, it's going to appear there. So even if you don't show up, somebody had an emergency, their car broke down, we can continue that, because we know that occurred. A lot of people do not show up for order to show cause. They don't do their educational programs. In a DUI and domestic violence, they're required by law, so we explored how to resolve that and try to do a front end approach, rather than a back end approach. We looked at what Phoenix used to do. They used to have screeners in-house. Tempe still does that. And when we experimented with it, what we found out happened is people got screened earlier and more people were complying, which means if more are complying, less warrants are going to go out. Now they have to go to the in-house screener. They have their option to go to anybody they want. But if they go to our in-house screener, they get it done and then they'll say, 'What's the most convenient location for you to do the classes?' They bring up a variety and they go to anybody they want to. But again, that avoids the ultimate warrants going out for them.

"Education-wise, we started advisory counsels at DUI arraignments. A DUI is probably the most serious event we have in terms of penalties. People don't understand that. So when we do an arraignment, we'll say at this table is a public defender, he's your advisory counsel. He can talk about DUI in general, your specific case, because the prosecutor gave him a copy of the police report or how Motor Vehicle works. What about license suspensions or restrictions? How does the interlock work? How does SR22 – he or she can answer all those questions. We also have, for people that can't pay their fines and then ignore and get thrown into collection, we have a citizens assistance program. You can come in. We'll take you out of collections. We'll try and set up a reasonable payment plan. We'll let Motor Vehicle know what you did to get your license reinstated, so you can keep working or get a job. If you're impoverished, we also have a community restitution program. Doesn't take care of all the fine. You can take care of all the fine in community restitution except for a surcharge, the State surcharges and the reimbursable costs. We have a number of programs to try to help people out, educate them, let them know what's going on. And even on the back end, after it's happened, we're going to start to line things to try and get them to come in and say here's what's going to happen. Eventually in terms of the defaults, we hope we can program our case management system that if you don't show up, not only are we going to tell you your license is going to be suspended, there could be a warrant for you, but this is what you're going to owe, including all fees and surcharges and your fees for collections. And hopefully that will inspire people to show up. So we're going to give them plenty of time to try and come in and resolve things before the penalties increase. So it's kind of an overview of what we're trying to do."

Board Member Morganstern asked why Judge Olcavage is no longer doing jury trials. Judge Olcavage's response was recorded as follows: "That is true. I was doing them for the first few years when I started. I had Court administration saying, 'When you get tied up in a jury, you're not available and we need you.' Well, that was fine at the time, because believe it or not, most of our DUI trials are taking a day to do. I can do them in a day. And we have an overtime budget. So if I went to 6 or 6:30, I could finish a trial. But for those of you that are involved in DUI, you know these days, it's taking two days to three days. So now I'd be tied up for two days or three days. If they want me, they can't get a hold of me. I tried to do one-day trials. So I set up a calendar. Well, you know, some reckless driving, theft, shoplifting are one-day trials. But we have to put money up to have the jury, because we contract with Superior Court so that you have the juries for so many months. You pay them for that. Well, I wasn't getting any one-day trials, so it's kind of throwing money down the drain. So I figured okay, I'll do something else instead. And what we replaced my jury calendar with was our DUI arraignment calendar. Well, all I do is the DUI arraignments, but that's where we have the public defender advising the citizens as to the consequences of the DUI."

Board Member Morganstern asked whether jury trials on the docket are being handled by a pro tem. Judge Olcavage said he replaced the jury trial docket with the DUI arraignment docket.

Board Member Schenkat noted that Judge Olcavage has all superior ratings on the surveys. In terms of communication, the rating went from 3.5 in 2013 to 2.9 in 2017. She asked whether he had a sense of why he received the low rating in this area. Judge Olcavage's response was recorded as follows: "Well, that is a little baffling. I know that 37 of Court staff responded and we have 60 total, although I was told that not everybody got the survey. Some of it went to junk mail. The only thing I can think of is I don't have direct communication with most of the staff. Maybe 12 to 15 people, such as the judges, Court administration, my bailiff. When we're talking about people in the front counter that are answering the phones, talking to the citizens, security, for instance, the people that process the motions that come in. And I'm not sitting beside them working with them like I do my bailiff or administration. My relationship with them is, 'Well, how

was your vacation? How's your family? Did you have a good day?' That type of stuff. So while I don't have a definitive answer, that would be my best answer."

Chair Cohen noted that there was feedback from some people regarding difficulty hearing him and asked whether a microphone is used in the courtroom. Judge Olcavage's response was captured as follows: "We're going to solve that problem, because they're going to get me a microphone that actually works. We have witnesses. And there is a mic that records and also broadcasts, but broadcasting is so poor, what we say is, 'This won't broadcast. It just records, so speak loudly.' So I mean, sometimes – and believe it or not, sometimes people can't hear me standing in front of me. And I think I'm yelling. And they say, 'We still can't hear you, Judge.' And to me, I'm yelling. The problem also is our bailiff sits next to me. And when they're doing work, you're kind of talking over each other. So one of the things we're looking for in the future, I know a lot of courts have a situation where the bailiffs are set apart from the bench, a little room, so you don't get all that noise. And we're eventually going to remodel the courtroom and that's one of the things we're working into it, more separation, so you can hear the person and you're not talking over people. But that won't happen until such time as we're able to remodel, which is a year down the road, but we are going to get a microphone to help that situation out, so I am aware of it, yes."

Chair Cohen commented that it is always a pleasure to see Judge Olcavage. The reputation of Judge Olcavage is incredible across the board. The respect that he has garnered from the community is incredible. Judge Olcavage described an instance where he was approached by a gentleman in a store, who thanked him for his patience in handling his father's DUI case.

The interview portion was concluded. Judge Olcavage was thanked for his participation and left the meeting.

11. DISCUSSION OF AND REAPPOINTMENT RECOMMENDATION REGARDING JUDGE HENDRIX

Board Member Morganstern stated he did not see any reason why Judge Hendrix should not be reappointed. Board Member Schenkat said her concern is that Judge Hendrix took the comments regarding being pro-prosecution perhaps a little too lightly and seemed to be defending the issue, rather than wanting to try even harder. She suggested more follow-up, as was done after the previous evaluation. Board Member Adamovich commented that Judge Hendrix has shown with her actions that she is working towards improving in terms of bringing someone in to help her evaluate her performance and is open to feedback. She is also realistic. Board Member Covil said she seemed to be expressing frustration. All of her involvement shows her dedication. She did seem to be sort of defensive, but in some of her comments, she acknowledged that there is always room to improve.

Vice Chair Astrowsky posed a scenario to Chair Cohen by asking the following question: "If you or I were to appear in front of the JPR Commission and have the responses that we heard today, what do you think would happen?" Chair Cohen suggested that Vice Chair Astrowsky address his own question. Vice Chair Astrowsky said there would be people voting against retention. He made the observation, because sometimes that process is compared with this one. However, perhaps this Board should not be as rigid as the JPR regarding people being able to be honest and voice frustration with return percentages, statistics, et cetera. He was slightly turned off by the flippant attitude expressed. It also important to observe trends, which in this case was a significant downward trend. If there was follow-up and work on this subsequent to the 2013

evaluation, why is there a significant downward trend? He does agree with Board Member Morganstern that he does not see a reason to not retain her. He questioned what could be done to help the situation. That being said, she seems to be the perfect person to be in the DV Court. She has unique qualifications, temperament, desire and interest, although he was disappointed by her presentation. Board Member Morganstern commented that her presentation echoes some of the comments received, such as, "It's my way or the highway."

Chair Cohen said he had a slightly different visceral reaction, perhaps having gotten to know her through and since the 2013 process. He sees her as someone that has grown into the role of being a judge. She seems more comfortable in the role, not comfortable in the sense of taking it for granted, but recognition that the mission is not to displease people, but also not to please them. The JPR recognizes that there are statistical problems with the surveys, because of response rate, however they do not accept this as a justification. However, years ago, that was the defense that was commonly raised. The direction from the JPR has been to assume it knows the limitations, but respond to the results anyway. Whether this position has transferred to the Scottsdale Court is unknown. He agrees with comments regarding appreciating her passion for the issue of domestic violence. Another factor is the reputation of the individual, which is especially relevant considering Judge Hendrix was a prosecutor prior to becoming a judge. Her fairness in sentencing is reflective of greater balance.

Board Member Schenkat asked whether the City Prosecutor is causing judges to be labeled in this way. Vice Chair Astrowsky said he does not see the connection. There have been meetings before where negative feedback was received regarding the City of Scottsdale Prosecutor's Office, but he does not see that issue connected to this.

Chair Cohen sought clarification on the question in terms of whether Board Member Schenkat feels there is a possibility that the reputation or belief of the City Prosecutor is rubbing off, because discretion is taken away from the judges, and therefore they are viewed harshly, because the Prosecutor's Office is very single-minded on certain things. Board Member Schenkat confirmed the understanding and noted that Chair Cohen at the last meeting said he was going to have a meeting with the City Attorney related to this question. Ms. Scott advised the Board that they need to stick to the agenda. To the extent that this topic is reasonably related to the reappointment recommendation for Judge Hendrix, then it is an appropriate conversation.

Chair Cohen stated he had a great meeting with the City Prosecutor's Office, but it was not in his capacity as the Chair. The meeting addressed procedural justice. The City Prosecutor's Office was very receptive. Board Member Schenkat commented that Judge Hendrix's positives outweigh the negative, but there is a negative component. All of it needs to be on the table to evaluate and help her improve. Chair Cohen said some of this relates to education and exposure about the limitation of the surveys. Board Member Morganstern commented that as an effective domestic violence judge, Judge Hendrix should be retained.

VICE CHAIR ASTROWSKY MOVED TO RECOMMEND REAPPOINTING JUDGE HENDRIX. BOARD MEMBER MORGENSTERN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT.

Ms. Scott advised that typically, the Board also takes a motion on how the recommendation is going to be conveyed to City Council. I.e., sending a member of the body down to be present and take questions or letting the minutes speak for themselves.

VICE CHAIR ASTROWSKY MOVED TO HAVE REAPPOINTMENT RECOMMENDATIONS SENT TO CITY COUNCIL VIA A LETTER DRAFTED BY STAFF AND THE CHAIR, AND NOTING THAT THE CHAIR WILL MAKE HIMSELF AVAILABLE TO COUNCIL MEMBERS FOR A MEETING AND WILL MAKE A STATEMENT DURING THE CITY COUNCIL MEETING. BOARD MEMBER MORGANSTERN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT.

Chair Cohen clarified that the process will apply to Judge Olcavage as well.

12. DISCUSSION OF AND REAPPOINTMENT RECOMMENDATION REGARDING JUDGE OLCAVAGE

Board Member Morganstern voiced his opinion that Judge Olcavage should clearly be reappointed and noted the absence of negative comments in his survey results.

VICE CHAIR ASTROWSKY MOVED TO RECOMMEND REAPPOINTING JUDGE OLCAVAGE. BOARD MEMBER MORGANSTERN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT.

13. TIMELINE FOR JUDGE OREST JEJNA'S JUDICIAL APPOINTMENT

Ms. Oien reported that the reappointment date is in 2020. Chair Cohen suggested that the review process timeline that has been used for Judge Hendrix and Judge Olcavage be used for Judge Jejna. The process begins four to five months before appointment with a meeting at approximately two to three months before the term is up. There was consensus to follow this timeline.

14. APPROVAL OF MINUTES OF PUBLIC MEETING CONDUCTED JUNE 8, 2017

Chair Cohen called for a motion to approve the minutes.

BOARD MEMBER SCHENKAT MOVED TO APPROVE THE MINUTES OF PUBLIC MEETING CONDUCTED JUNE 8, 2017. VICE CHAIR ASTROWSKY SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). BOARD MEMBER COVIL ABSTAINED. BOARD MEMBER PADISH WAS ABSENT.

15. APPROVAL OF 2017 JAAB ANNUAL REPORT

Chair Cohen called for a motion to approve the 2017 annual report. Board Member Schenkato requested two corrections. The Judge Jejna appointment was a 6-0 vote. However, only six members were present. She recused herself and did not vote for reappointment. Under the service dates, they should be January to December, however, she just happened to be reappointed in September.

BOARD MEMBER SCHENKAT MOVED TO APPROVE THE JAAB ANNUAL REPORT. BOARD MEMBER MORGANSTERN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). BOARD MEMBER COVIL ABSTAINED. BOARD MEMBER PADISH WAS ABSENT.

16. FUTURE AGENDA ITEMS

Chair Cohen stated that in the past, issues were brought to the Board that they engaged in. However, they were then advised as to the limitations of the charter. Unfortunately, the appointments are all stacked together and the Board goes for long periods of time without meeting. It is anticipated that the next meeting would include the specific mandate of reviewing Judge Jejna's reappointment.

17. ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Chair Cohen called for nominations. He thanked the Board members and staff for their work and partnership, noting that his term is complete.

BOARD MEMBER SCHENKAT MOVED TO ELECT BRADLEY ASTROWSKY AS CHAIR. CHAIR COHEN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT. VICE CHAIR ASTROWSKY ABSTAINED.

VICE CHAIR ASTROWSKY MOVED TO ELECT STANLEY MORGANSTERN AS VICE CHAIR. CHAIR COHEN SECONDED THE MOTION. THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ZERO (0). BOARD MEMBER PADISH WAS ABSENT. BOARD MEMBER MORGANSTERN ABSTAINED.

ADJOURNMENT

With no further business to discuss, and being duly moved and seconded, the meeting of the Judicial Appointments Advisory Board adjourned at 8:35 p.m.

SUBMITTED BY:

eScribers, LLC

Respectfully submitted,
Lorelei Oien
HR Management Analyst

Reviewed by,
Bruce Cohen
JAAB Chairperson