



MEMORANDUM

Date: December 30, 2022

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Appointment of Members of the Commission on Trial Court Appointments and the Trial Court Appointments Nominating Committee**

Introduction

This information is provided to assist members of the Board of Supervisors should individuals wish to make appointments of public, non-attorney members to the Pima County Trial Court Appointments Nominating Committee. The Pima County Trial Court Appointments Nominating Committee makes recommendations to the Governor of Arizona of individuals to serve on the Pima County Commission on Trial Court Appointments. The Commission on Trial Court Appointments makes recommendations to the Governor of individuals deemed qualified to serve as a Superior Court judge. Currently, nine of the ten non-attorney positions on the Pima County Commission on Trial Court Appointments are either vacant or are held by individuals serving until a successor is appointed.

Background

Pima County Superior Court Judges are initially appointed by the Governor from a pool of candidates recommended to the Governor by the Pima County Commission on Trial Court Appointments (Commission). In counties the size of Pima, the 16-member Commission includes five attorneys, ten non-attorneys and the Chief Justice of the Supreme Court who serves as Chair of the Commission. The Board of Governors of the State Bar of Arizona nominates attorneys and the Governor appoints from within this pool of attorneys, subject to confirmation by the Arizona State Senate. Ten non-attorneys represent the five supervisorial districts and are appointed by the Governor from a group of nominees recommended by the Trial Court Appointments Nominating Committee (Nominating Committee). The Nominating Committee is established by each Supervisor for his/her District by the appointment of seven members who reside in the district and who are not attorneys or elected or appointed government officials. Not more than four of the seven members of the each Supervisorial District Nominating Committee may be from the same political party.

The Commission on Trial Court Appointments

Arizona Constitution Article 6, Section 41 describes the process by which members of the Commission are appointed, the membership of the Commission and the terms of office.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of two hundred fifty thousand persons or more according to the most recent United States census which shall be composed of the following members:

1. The Chief Justice of the Supreme Court, who shall be the chairman of the commission. In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.
2. Five attorney members, none of whom shall reside in the same supervisorial district and not more than three of whom shall be members of the same political party, who are nominated by the board of governors of the state bar of Arizona and who are appointed by the governor subject to confirmation by the senate in the manner prescribed by law.
3. Ten non-attorney members, no more than two of whom shall reside in the same supervisorial district.

Current Non-Attorney Members of the Pima County Commission on Trial Court Appointments

Each Supervisorial District may have two (2) public, non-attorney members, who shall not be from the same party. Currently, the public, non-attorney members are:

Supervisorial District 1	
Nicole Barraza (I)	Appointed: 5/9/2022 Confirmed: 6/7/2022 Expires: 1/16/2023
Julie Katsel (R)	Appointed: 2/4/2022 Confirmed: 4/5/2022 Expires: 1/15/2024
Supervisorial District 2	
Cassia Lundin(D)	Appointed: 1/18/2016 Confirmed: 3/21/2017 Expires: 1/20/2020
Vacant Position	
Supervisorial District 3	
Vacant Position	
Vacant Position	

Supervisorial District 4

Michael Hennessy (D)	Appointed: 2/6/2018
	Confirmed: 3/6/2018
	Expires: 1/18/2021
Richard Schaefer (R)	Appointed: 3/24/2016
	Confirmed: 4/14/2016
	Expires: 1/20/2020

Supervisorial District 5

Vacant Position
Vacant Position

The Trial Court Appointments Nominating Committee

Arizona Constitution Article 6, Section 41.C. describes the nominating process that each member of the Board of Supervisors must follow when recommending representatives of his/her District to serve on the Nominating Committee.

C. At least ninety days prior to a term expiring or within twenty-one days of a vacancy occurring for a non-attorney member on the commission for trial court appointments, the member of the board of supervisors from the district in which the vacancy has occurred shall appoint a nominating committee of seven members who reside in the district, not more than four of whom may be from the same political party. The make-up of the committee shall, to the extent feasible, reflect the diversity of the population of the district. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment. The governor shall appoint two persons from each supervisorial district who shall not be of the same political party, subject to confirmation by the senate in the manner prescribed by law.

It is important to note, however, that Arizona Revised Statute 12-131 Commission on Trial Court Appointments; Notification; Appointment of Nonattorney Member; Time Limits notes:

D. Pursuant to Section 38-211, the governor may appoint a nonattorney member to a commission on trial court appointments without being forwarded an application from a nominating committee if any of the following applies:

The Honorable Chair and Members, Pima County Board of Supervisors

Re: **Appointment of Members of the Commission on Trial Court Appointments and the Trial Court Appointments Nominating Committee**

December 30, 2022

Page 4

1. A member of the board of supervisors does not appoint a nominating committee within twenty-one days of a vacancy occurring for a nonattorney member of the commission on trial court appointments.
2. The nominating committee does not provide public notice that a vacancy exists on the commission on trial court appointments within twenty days of appointment.
3. The nominating committee does not forward all applications to the governor within sixty days of providing public notice that a vacancy exists.

Current Members of the Trial Court Appointments Nominating Committee

Supervisorial District 1

Laura Penny (D)
Bridget Riceci (D)
Sue Sherrick (D)
Carole Siegler (R)
Sherry Terrell (D)
Vacant (I)
Vacant (R)

Supervisorial District 2

Sofia Blue (D)
Dana Moore (I)
Gabriel Morales (R)
Tom Murphy (R)
Eric Ponce (D)
Mary Soltero (D)
Vacant (Barbara Enos) (D)

Supervisorial District 3

Scott Cavell (R)
Tim Escobedo (D)
Mari Helen High (D)
Cazlin Robbins (D)
Walter Richter (I)
Tom Tronsdal (D)
Roxanne Ziegler (R)

Supervisorial District 4

Brian Abbott (R)
Jeff Abbott (R)
Peter J. Davis, Jr. (R)

The Honorable Chair and Members, Pima County Board of Supervisors
Re: **Appointment of Members of the Commission on Trial Court Appointments and the Trial
Court Appointments Nominating Committee**

December 30, 2022

Page 5

Boyd Drachman (R)
Mike Hennessy (D)
Jani Greenwald (D)
Jane Singer (D)

Supervisorial District 5

Paula Arnquist (I)
Montserrat Caballero (D)
Carolyn Campbell (D)
Alonzo Morado (D)
Ivy Schwartz (I)
Betty Villegas (D)
Vacant (G)

Recommendation

As noted earlier, this information has been provided to assist members of the Board of Supervisors should individuals wish to make appointments of public, non-attorney members to the Pima County Commission on Trial Court Appointments.

I recommend that each of you review the current membership of the Nominating Committee for your Supervisorial District. Should you wish to make any changes in the membership of the Nominating Committee for your Supervisorial District, please notify Melissa Manriquez, Clerk of the Board.

JKL/anc

c: Melissa Manriquez, Clerk of the Board
Monica Perez, Chief of Staff