



Board of Supervisors Memorandum

June 22, 2021

Pima County Commission on Trial Court Appointments

Introduction

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 a nominating committee that is established by each Supervisor for his/her District. All ten non-attorney positions on the Commission are either vacant or are held by individuals serving until a successor is appointed.

Background

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.

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 Commission.

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.

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

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

Supervisorial District 1

Marian Hill - term expires 1/21/2019
Julie Katsel - term expires 1/20/2020

Supervisorial District 2

Cassia Lundin - term expires 1/20/2020
Vacant Position

Supervisorial District 3

Vacant Position
Vacant Position

Supervisorial District 4

Michael Hennessy - term expires 1/18/2021
Richard Schaefer - term expires 1/20/2020

Supervisorial District 5

Vacant Position
Vacant Position

Recommendation

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.

The Honorable Chair and Members, Pima County Board of Supervisors

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I would recommend each member form a nominating committee as prescribed by law and have the committee advertise for non-attorney appointments to the Pima County Commission on Trial Court Appointments and then forward those along with a recommendation for appointment of two members from each district of opposite parties to the Governor.

Sincerely,

A handwritten signature in black ink, appearing to read "C.H. Huckelberry". The signature is fluid and cursive, with the first name "C.H." and the last name "Huckelberry" clearly distinguishable.

C.H. Huckelberry
County Administrator

CHH/anc- June 1, 2021

c: Jan Leshar, Chief Deputy County Administrator
Julie Castañeda, Clerk of the Board