

### Judicial Advisory Board

3/20/2024

---

Meeting Date

5/15/2024

---

Date Minutes Were Approved

*John Burkholder*

John Burkholder (May 20, 2024 09:57 PDT)

---

Chair

### CERTIFICATION AND ATTESTATION

I hereby certify that the accompanying document is a true and correct copy of the minutes of the aforementioned meeting. I further certify that the meeting was duly called and held, and that the quorum was present.

*Ted Flores*

Ted Flores (May 20, 2024 08:53 PDT)

---

Staff Liaison





**CITY OF AVONDALE**

**JUDICIAL ADVISORY BOARD**

**Wednesday, March 20, 2024**

**5:30 p.m.**

*Physical Access to the Sonoran Conference Room will be available thirty (30) minutes prior to the meeting.*

**Avondale City Hall (Mojave Conference Room)**

**11465 W. Civic Center Dr. Avondale, AZ 85323**

**Online Meeting**

## **Minutes**

**The following Board Members were in attendance:**

Ashley Fitzwilliams  
Danielle Brown  
Frank Moskowitz  
John Burkholder  
Michael Kielsky  
Paul Lemmon

**The following staff members were in attendance:**

Ted Flores, HR Assistant Director

### **Public Session**

Called to order: 5:35 PM

#### **1. Approve minutes from February 14, 2024, JAB Meeting**

Board Member Fitzwilliams requested her name be corrected from Fitzwilliam to Fitzwilliams. With the correction, Board Member Lemmon motioned to approve the minutes, Chair Burkholder seconded, and the motion was carried unanimously.

#### **2. Review data provided by the City Court**

Chair Burkholder shared with the board that data suggests there is not enough volume to pursue surveying other parties.

Chair Burkholder inquired with staff if we had an idea of the number of private attorneys that have been present within the past six (6) months. Staff indicated that a request had been made and we are awaiting a report with an indication of how many private attorneys have been heard by Judge Jennings.



Vice-chair Moskowitz inquired with staff regarding the complaint process and if staff and/or the board can inquire about any complaints filed with the City or ethics committee regarding the presiding judge's conduct. Chair Burkholder stated that this should be part of the process and that he would work with staff to ensure a query is made to the ethics committee to determine if anything has been filed.

### **Discuss surveys and process for surveys in the reappointment process.**

Chair Burkholder stated to the board that he did not have edits to the surveys as the ones established set a good baseline for the Judge's performance and would help indicate any trends and keep them consistent.

Board Member Lemmon agreed with Chair Burkholder's approach to the survey.

Chair Burkholder requested staff reduce the section for comments to the survey, specifically for litigants, can be reduced from three (3) pages to two (2), which he believes may get a better response from those being seen by Judge Jennings.

Board Member Fitzwilliams inquired on what cannot rate may indicate. Chair Burkholder explained it may be due to the respondent not being able to answer specifically on those questions, including staff who may have not been with the Judge long enough to feel comfortable evaluating. Chair Burkholder recommended keeping the option for staff to be able to mark "can't rate."

Staff explained surveys will be issued the week of April 1<sup>st</sup> and will remain open for one (1) month. Staff discussed the intent to have paper surveys available for litigants and a QR code option to take the survey via SurveyMonkey. The survey will be in both English and Spanish for the litigants. Board member Fitzwilliams requested a QR code for attorneys as this may be easier for them. Chair Burkholder agreed with the proposal, however, wanted to staff to ensure there are not multiple surveys submitted for one (1) attorney. Staff explained the attorney and staff surveys will be sent via email so those surveyed can complete the survey via SurveyMonkey.

### **3. Discuss interview questions.**

Staff reminded the board of the tentative timeline for the reappointment process.

Vice-chair Moskowitz recommended asking the judge a question about how the Judge manages his caseload and the expectations of fairness with his constituents feeling like they have been heard for the matter. Vice-chair Moskowitz reiterated the question intends to determine how the Judge navigates his schedule to ensure everyone feels they have had their opportunity to speak on the issue.

Chair Burkholder recommended a question about photo enforcement and how the Judge plans to navigate this with the caseload and workloads of staff.

Vice Chair Moskowitz recommended working it into another question specific to having the Judge speak about how he keeps up with legal trends and developments.



Staff recommended twelve (12) questions total to ensure the Judge has adequate time to respond.

Chair Burkholder recommended removing any questions related to controversial cases and how those are navigated. Due to the caseload, there is not a high likelihood there are a lot, if any, of controversial cases.

Chair Burkholder requested number four on the interview questions be highlighted for further consideration on how to write the question.

Vice-chair Moskowitz recommended asking a question to Judge Jennings related to resources and what resources the Judge may need to improve the performance of his duties. Chair Burkholder recommended adding policies to the question which was supported by the remainder of the board.

Chair Burkholder inquired with staff if the board asked a question about the Judge's vision for the upcoming term in the previous reappointment process. Chair Burkholder recommended asking a question about presiding Judge Jennings's vision for the court.

Board Member Fitzwilliams inquired with the board on the tenure of presiding Judge Jennings. Staff advised the board that Judge Jennings has been the presiding Judge for approximately seven (7) years. Board Member Fitzwilliams recommended asking a question about the presiding Judge's original goals as they were appointed and how they have been successful throughout their tenure.

Chair Burkholder recommended meeting to discuss survey results to determine if the board wants to ask any questions specific to the results received through the surveys conducted.

#### **4. Schedule Next Meeting.**

The board discussed the next meeting and agreed to meet on May 15, 2024, at 5:30 p.m.

#### **5. Adjournment**

Board Member Lemmon motioned to adjourn the meeting, Board Member Fitzwilliams seconded the motion, and the motion was carried unanimously.

#### **The meeting adjourned at 6:30 p.m.**

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.