

Tenth Judicial District Judicial Nominating Commission Minutes January 7, 2013 Meeting

Date: January 7, 2013

Time: 4:00 p.m.

Location: Johnson County Courthouse, 100 N. Kansas, Room 319, Olathe, KS

In attendance: Justice Lee Johnson, Chair; Hon. Karen Arnold-Burger, Secretary, Edna Baginsky, Ron Ryckman, Charley German, Gregory Doring, Steve Howe, Brett Milbourn, Marcia Rinehart, Lee Smithyman, Richard Merker, Michelle Kinzer, Judge Kevin Moriarty, and Vivien Jennings.

Absent: Terry Presta

The meeting was called to order by Justice Lee Johnson at 4:02 p.m. and a quorum declared. Rick Merker moved to approve the minutes of the September 25, 2012 meeting and Greg Doring seconded the motion, which passed unanimously.

The Secretary then circulated the signature page for the Rules of Procedure and those in attendance signed.

At 4:07 p.m. the meeting was open for public comment. Sixteen members of the public appeared. Six spoke, all in support of applicant Rhonda Mason and increased diversity on the bench. After all people present were given an opportunity to speak, the public comment session was closed at 4:30 p.m..

The Commission then discussed the procedure that would be used to select two panels. After a thorough discussion of the various alternative methods, Charley German made a motion, seconded by Steve Howe to proceed as we have in the past and select our top three candidates and then select a fourth person to send up as the remaining member of the second panel after the Governor makes the first selection. The motion passed unanimously. Karen Arnold-Burger then made a motion seconded by Greg Doring that once the first panel was selected, we would vote anew on the fourth position, with all names (except the three already chosen) back in consideration, proceeding as outlined in the voting rules to select one nominee for the "fourth" position. The motion passed unanimously.

At 4:40 p.m. a motion was made by Judge Kevin Moriarty and seconded by Lee Smithyman to adjourn to executive session until 5:05 p.m. to discuss confidential information regarding the qualifications of applicants for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1). The motion passed unanimously.

At 5:05 p.m. the public meeting reconvened. At 5:06 p.m. a motion was made by Judge Kevin Moriarty and seconded by Ron Ryckman to adjourn to executive session until 5:15 p.m. to discuss confidential information regarding the qualifications of applicants for the position of Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1). The motion passed unanimously.

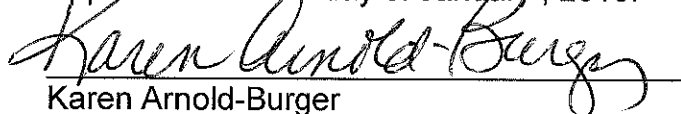
At 5:15 p.m. the public meeting reconvened. The Commissioners proceeded to fill out and sign ballots to determine who would be interviewed. Commissioners were allowed to vote for as many interviewees as they wanted. Justice Johnson tallied the ballots and then announced the vote totals. It was determined if Commissioners just wanted to consider candidates who received 7 or more votes (a majority of those present and voting) it would be interviewing 8 candidates. If it wanted to include those who received 6 or more votes, it would be interviewing 10 candidates. A discussion ensued. Vivien Jennings made a motion to interview all candidates who received 6 or more votes. Ron Ryckman seconded the motion. The motion passed 9 to 4.

The Secretary was directed to prepare an interview schedule similar to the one used for the last interview session the Commission held in September 2012. A random drawing was then held to determine which liaisons would be assigned to which interviewees. The assignments were as follows:

INTERVIEWEES	COMMISSIONER ASSIGNED	
	LAY	LAWYER
Stephanie Goodenow	Jennings	Merker
Paul Gurney	Jennings	Merker
Rhonda Mason	Presta	German
Timothy McCarthy	Presta	German
Mike McCulloch	Ryckman	Smithyman
Jackie Rokusek	Ryckman	Smithyman
Erica Schoenig	Rinehart	Arnold-Burger
Wayne Smith	Baginsky	Milbourn
Hon. Dan Vokins	Doring	Moriarty
Lisa Wetzler	Kinzer	Howe

The meeting was adjourned at 5:50 p.m.

Approved this 18th day of January , 2013.


 Karen Arnold-Burger
 Secretary