

Tenth Judicial District Judicial Nominating Commission Minutes March 8, 2017 Meeting

Date: March 8, 2017

Time: 8:00 a.m.

Location: Johnson County Administration Building, 111 S. Cherry, Room 202/204, Olathe, KS

In attendance: Justice Lee Johnson, Chair; Hon. Stephen M. Howe, Secretary, Doug Brownlee, , Gregory Doring, Sam Turner, Judge Kevin Moriarty, and Vivien Jennings, John Parisi. Brett Milbourn, Greg Musil, Annabeth Surbaugh, James Griffith and Rick Guinn

Absent: Joe Beveridge, Tom Bath

The meeting was called to order by Justice Lee Johnson at 8:09 a.m. and a quorum declared. Annabeth Surbaugh moved to approve the minutes of the February 22, 2017, meeting and Greg Musil seconded the motion, which passed unanimously, 12-0.

The committee then discussed setting dates for the next open magistrate position. The initial meeting to review applicants was set for April 18, 2017 at 1230p.m. The interviews would be set for May 8th 2017.

At 8:20 a.m., a motion was made by Greg Musil and seconded by Bret Milburn to adjourn to executive session until no later than 9:15 a.m. to discuss background checks of the applicants/interviewees for the position of Magistrate Judge of the Tenth Judicial District as allowed by K.S.A. 75-4319(b)(1) and (b)(4). The motion passed unanimously, 12-0.

At 9:15 a.m., the committee went back into open session. The committee then started the public comment session of the meeting. The committee heard from four local mediators who noted the use of mediation by Judge Trigg and its importance in the legal process. They hoped the new magistrate judge would use mediation.

At 9:25 a.m., the Commissioners proceeded to interview applicants. The morning round of interviews were completed at 11:50 a.m.

The committee took a short break to eat lunch. At 1:00p.m., the committee discussed the voting process and what was permitted pursuant to the judicial nominating committee rules.

At 1:20 p.m., the committee allowed for further public comments by the audience. At 1:30 p.m., the committee moved down the hall to room 203 to conduct the 1:30 interview by video conferencing. The committee moved back into the original meeting room to conduct the final interview.

At 2:30 p.m., the committee took a 10 minute break. At 2:40 p.m., the committee then came back into session to discuss how the voting would occur pursuant to the rules.

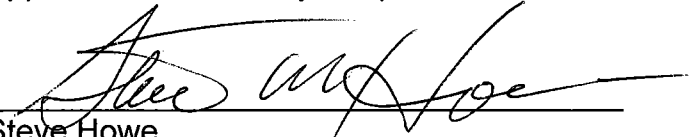
The committee then voted for the first time. None of the applicants received the 8 votes needed to be appointed as magistrate judge. After the vote, the committee discussed how many votes were needed to make it into the second round of voting. Judge Moriarty moved to take the top three candidates for the second round of voting, Greg Musil seconded the motion. The motion passed unanimously.

The committee then discussed the three remaining candidates and various board members expressed their views. The committee proceeded to casting its second ballot at 3:00 p.m. At the conclusion of the second ballot, it was determined that Robert Scott was selected as the new magistrate judge.

The committee discussed retaining their notes for the next magistrate position, since many of the same candidates may apply. Justice Johnson saw no issues with this retention of the notes by committee members. Judge Moriarty made a motion and was seconded by Greg Musil, to permit the committee members to retain their notes until the selection of the next magistrate judge. The motion passed unanimously

The meeting was adjourned at 3:10 p.m.

Approved this 18th day of April, 2017.



Steve Howe
Secretary