

Tenth Judicial District Judicial Nominating Commission Minutes June 6, 2012 Meeting

Date: June 6, 2012

Time: 2:00 p.m.

Location: Johnson County Courthouse, 100 N. Kansas, Room 337, 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, Terry Presta and Hon. Kevin Moriarty

Absent (Excused): Vivien Jennings.

The meeting was called to order by Justice Lee Johnson at 2:10 p.m. and a quorum declared. Steve Howe moved to approve the minutes of the April 26 meeting and Brett Milbourn seconded the motion, which passed unanimously.

At 2:25 the meeting was open for public comment. Four members of the public appeared, all expressing their support for applicant Dayna Terrell. After an explanation of the process from Justice Johnson, Commissioner Arnold-Burger asked the attendees if they had specific qualities they felt the commission should be looking for in a judge. Mr. Charles Scott, who indicated he was a practicing lawyer, said he believed it was important for judges to have experience in the courtroom, practicing law. They needed to know the practical application of the law. Another attendee expressed that applicants should have a breadth of experience and reflect the makeup of the community. He felt diversity was important. Another member expressed her concern that judges should understand the issues confronting senior citizens which would be a growing percentage of the population with the baby boomers entering their senior years. And finally, an attendee expressed her belief that judges should be well-rounded and patient. There being no more public comment, the public comment portion of the meeting was closed, although the meeting remained open to the public

A general discussion was had concerning whether the Commission should select four candidates or six. In other words, would it send three names to the Governor and then after his selection send a fourth name to add to the remaining two, or should it send 2 distinct panels of 3. Marcia Rinehart moved to submit a panel of three and then add a fourth name at the conclusion of the first selection. Charles German seconded the motion. It passed unanimously.

At 2:55 p.m. a motion was made by Marcia Rinehart and seconded by Michelle Kinzer to adjourn to executive session until 4:00 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 4:00 p.m. the public meeting reconvened. At 4:10 p.m. a motion was made by Marcia Rinehart and seconded by Michelle Kinzer to adjourn to executive session until 4:40 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 4:40 p.m. the public meeting reconvened. At 4:42 p.m. a motion was made by Marcia Rinehart and seconded by Michelle Kinzer 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.

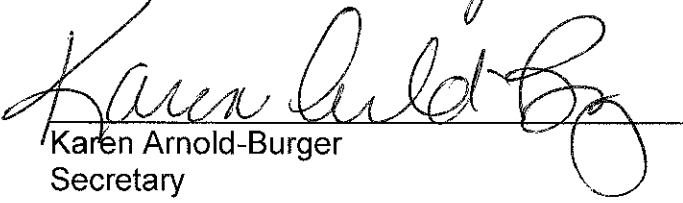
At 5:15 p.m. the public meeting reconvened. The Commissioners proceeded to fill out and sign ballots to determine who would be interviewed. Commissioners were allowed to vote for as many interviewees as they wanted. Justice Johnson tallied the ballots and then announced the vote totals. It was determined if Commissioners just wanted to consider candidates who received 7 or more votes (a majority of those present and voting) it would be interviewing 11 candidates. If it wanted to include those who received 5 or more votes, it would be interviewing 15 candidates. A discussion ensued. Terry Presta made a motion to interview all candidates who received 7 or more votes. Charlie German seconded the motion. The motion passed 11 to 2.

The Secretary was directed to prepare an interview schedule similar to the one used for the last interview session the Commission held in December 2008. A random drawing was then held to determine which liaisons would be assigned to which interviewees. The assignments were as follows:

Jon Bongewicz Robert Caldwell	Vivien Jennings Rick Merker
Christina Dunn Hon. Mike Farley	Terry Presta Lee Smithyman
Michael Joyce Tim McCarthy	Michelle Kinzer Steve Howe
Laura McConwell Keven O'Grady	Ron Ryckman Brett Milbourn
Hon. James Phelan	Charles German Greg Doring
Jacquelyn Rokusek	Edna Baginsky Hon. Kevin Moriarty
Dan Vokins	Marcia Rinehart Karen Arnold-Burger

The meeting was adjourned at 6:00 p.m.

Approved this 28 day of June 2012.


Karen Arnold-Burger
Secretary