

# **Tenth Judicial District Judicial Nominating Commission Minutes September 23, 2016 Meeting**

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**Date:** September 23, 2016

**Time:** 1:00 p.m.

**Location:** Johnson County Administration Building, 111 S. Cherry, Room 201, Olathe, KS

**In attendance:** Justice Lee Johnson, Chair; Hon. Stephen M. Howe, Secretary, Doug Brownlee, Joe Beveridge, Gregory Doring, Sam Turner, Judge Kevin Moriarty, and Vivian Jennings, John Parisi. Brett Milbourn, Tom Bath, Greg Musil, Anna Beth Surbaugh, James Griffith and Rick Guinn

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The meeting was called to order by Justice Johnson at 1:00 p.m. and a quorum declared. Anna Beth Surbaugh moved to approve the minutes of the November 21, 2014 meeting and Sam Turner seconded the motion, which passed unanimously, 14-0.

Based on the large number of new committee members, each member introduced themselves to the committee.

At 1:25 p.m. The meeting was then opened up for public comment. The following members of the public addressed the committee.

Amy Hill, spoke on behalf of the candidacy of Rhonda Mason. Ms. Hill has worked with Ms. Mason and based on this experience believes she has the skills and temperament needed to be an effective judge. Ryan Kriehauser was also present as an observer.

Being that no other members of the public wished to provide any further comments, the public comment portion of the meeting was closed.

The Committee then took a short break to take a group picture.

Judge Elliott made brief comments on the judicial process and his beliefs of what attributes are needed to be an effective and respected judge. He also thanked the committee members for their service.

Justice Johnson advised the committee that during the 2016 legislature session the statutes dealing with judicial nominating process were amended. Those amendments made this committee's actions subject to the Kansas Open Meetings Act. The committee then debated what effect this change would have on the established process used by the 10<sup>th</sup> Judicial Districts to select judicial candidates.

Judge Moriarty moved and Vivian Jennings seconded the motion to set forth the following position of the committee,

The Committee interpreted the new statute to permit information gleaned from the investigative teams as part of the official background check and therein can be discussed in executive session. The Committee further deemed that based on the structure of the statute, the language regarding the financial information is a separate and distinct item from the official background check of the candidate. The vote to approve this statement was unanimous, 14 to 0.

Justice Johnson advised the committee of other legislative changes impacting retention of records and records subject to the open records act.

Justice Johnson made the committee aware of statutory changes that impact how many applicants can be submitted to the Governor.

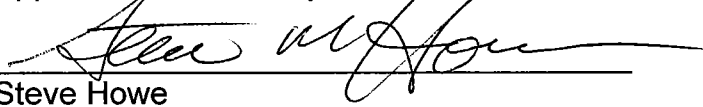
Based on the legislative changes Justice Johnson will be amending the rules of procedure to reflect the changes in the law. He will provide an updated copy prior to the October 14, 2016 interviews.

The committee then discussed how many applicants should be interviewed. Sam Turner moved to interview all applicants, Anna Beth Surbaugh seconded the motion. The committee then discussed Mr. Turner's motion. The committee then voted to approve the motion by a vote of 11 to 3.

The committee then discusses how long to interview each applicant and what the days agenda would look like. The committee agrees to 20 minute interviews. A random drawing was then held to determine which liaisons would be assigned to which interviewees.

The meeting was adjourned at 3:40 p.m.

Approved this 14th day of October, 2016.

  
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Steve Howe  
Secretary