

PARADISE VALLEY MUNICIPAL COURT

Bench Policy: BP.1

APPOINTMENT AND RETENTION OF VOLUNTEER JUDGES

I. STATEMENT OF PRINCIPLE

This policy shall govern the selection of volunteer judges of the Paradise Valley Municipal Court in conjunction with the appointment process established in Chapter 12, Article 12-2 of Paradise Valley Town Code.

II. QUALIFICATIONS OF JUDGES

Applicants seeking appointment shall meet the minimum qualifications for the position pursuant to law and qualifications set forth in Chapter 12, Article 12-2-3(d) of the Paradise Valley Town Code.

III. NOTICE OF VACANCY

On the occurrence of a vacancy or opening in this court for a volunteer judge, the Town's Human Resource Manager on direction of the Presiding Judge shall advertise the position. The position of volunteer municipal court judge shall be advertised state-wide in one or more newspapers of general circulation in the state, Town's website, and in available legal media in a manner such that qualified persons would be reasonably expected to become aware of the advertisement. The advertisement shall inform potential applicants that the volunteer judge position serves without salary or compensation.

IV. APPLICATION

All applications shall be submitted on a form approved by the Presiding Judge to the Human Resources Department. All applicants shall provide information on all aspects of their background, qualifications and experience relevant to the judicial position. Applicants shall be advised of the ethical restrictions on the practice of law contained in the Code of Judicial Conduct which relate to service of a judicial officer.

V. CREATION OF JUDICIAL SELECTION COMMITTEE

Upon learning of a judicial vacancy, the Presiding Judge shall establish an ad-hoc Judicial Selection Committee to seek advice in recommending to Town Council the best-qualified person(s) to appoint as a special judicial officer (appointed judge). This is foreseen under the Arizona Code of Judicial Administration Section 1-305D (3) a:

The judge shall establish a selection committee. In appointing that committee, the judge shall be sensitive to representation reflecting the racial, ethnic, gender and political diversity of the community

served by that judge's court. The process shall require that selection committee members disclose to each other and to the judge any cause for bias in favor or against any applicant reviewed. The judge shall assure that selection committee members are informed of their responsibility to recruit qualified applicants, including qualified minority and women applicants, who may not otherwise apply.

VI. APPOINTMENT AND OPERATION OF JUDICIAL SELECTION COMMITTEE

1. The Presiding Judge shall appoint a committee of no more than seven individuals to review all applications, interview selected applicants, and make recommendations for appointment.
2. The Judicial Selection Committee shall have the following members:
 - a. Two (2) members in good standing of the State Bar of Arizona who resides within the Town of Paradise Valley recommended by the President of the State Bar.
 - b. A municipal court judge from another Arizona city or town.
 - c. Two public members who are residents of the Town of Paradise Valley recommended by the Mayor.
 - d. The Court Director or Court Supervisor of the Town of Paradise Valley Municipal Court.
 - e. The Human Resource Manager of the Town of Paradise Valley.
3. Committee members should be encouraged to actively seek out and encourage applications from qualified individuals and may enlist in the aid of community groups and organizations in this effort.
4. Committee members shall be required to disclose to each other and the Presiding Judge any cause for bias in favor or against any applicant reviewed.
5. A committee member shall in no manner commit in advance to vote for any applicant.
6. The committee may be convened to preliminary evaluate applications in light of this policy and select those applicants to be interviewed.
7. Interviews shall be scheduled and applicants notified by the Town's Human Resource Manager or Court Director.
8. The Judicial Selection Committee shall be guided through the selection process and shall receive guidance on personnel law and procedures from the Town's Human Resource Manager.
9. On completion of interviews, the committee may elect to contact references given by the applicants. Ultimately, the committee shall recommend no more than three

applicants to fill the position. These recommendations shall be forwarded to the Presiding Judge with no indication of preference.

VII. DUTIES OF PRESIDING JUDGE

1. The Presiding Judge and two appointed judges currently serving the Paradise Valley Municipal Court (as selected by the Presiding Judge) will interview each applicant recommended by the Judicial Selection Committee.
2. Following the interviews, the Presiding Judge shall authorize a background check of each applicant prior to making a selection for recommendation to the council. This background check shall be consistent with the Town's background check process but may also consist of inquiries with the State Bar of Arizona, the Arizona Commission on Judicial Conduct and any other agency deemed necessary by the Presiding Judge.
3. Following the background checks, the Presiding Judge upon advice and consent of the two appointed judges, shall recommend one of the finalists recommended by the selection committee to Town Council for appointment.

VIII. EDUCATION

The Presiding Judge shall assure that all judges serving as judicial officers in the Paradise Valley Municipal Court receive orientation and on-going education appropriate to the judges' duties.

IX. EVALUATION

The Presiding Judge shall periodically evaluate appointed volunteer judges prior to the re-appointment of each judge. The evaluation shall be based upon information both by professional and public participants in the legal process. Any complaints received concerning a judge shall be considered prior to re-appointment.

EFFECTIVE DATE

January ____, 2018

APPROVED:

J. Tyrrell Taber, Presiding Judge