

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL
MINUTES

April 22, 2016

The meeting of the Arizona Prosecuting Attorneys' Advisory Council was called to order by APAAC Executive Director Elizabeth Ortiz, on behalf of Chair Sheila Polk who was travelling out of state and appeared telephonically, on Friday, April 22, 2016, at 1:00 p.m. at the APAAC office located at 1951 W. Camelback Road, Suite 202, in Phoenix, Arizona.

COUNCIL MEMBERS PRESENT

Sheila Polk	APAAC Chair, Yavapai County Attorney (telephonic)
John Belatti	Mesa City Prosecutor (telephonic)
Brad Carlyon	Navajo County Attorney (telephonic)
Ryan Glover	Glendale City Prosecutor (telephonic)
Vicki Hill	Phoenix City Prosecutor (telephonic)
Brian McIntyre	Cochise County Attorney (telephonic)
Bill Montgomery	Maricopa County Attorney (telephonic)
Tony Rogers	La Paz County Attorney
Lando Voyles	Pinal County Attorney (telephonic)

COUNCIL MEMBERS PRESENT BY PROXY

Brad Beauchamp	Gila County Attorney Proxy Sean Fuller
Mark Brnovich	Arizona Attorney General Proxy Paul Ahler (telephonic)
David Byers	Arizona Supreme Court Administrative Director Proxy Jerry Landau (telephonic)
Barbara LaWall	Pima County Attorney Proxy Kellie Johnson (telephonic)
Alan Merritt	Tucson City Prosecutor Proxy M.J. Raciti (telephonic)
Derek Rapier	Greenlee County Attorney Proxy Sheila Polk (telephonic)
Tobin Sidles	Oro Valley Town Prosecutor Proxy Sheila Polk (telephonic)
Michael Whiting	Apache County Attorney Proxy Sheila Polk (telephonic)

STAFF PRESENT

Elizabeth Ortiz	Executive Director
Diana Cooney	Office Manager

GUESTS PRESENT

Chris Michalsky	APAAC Law Clerk, Arizona Summit School of Law
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CONSENT AGENDA

Ms. Elizabeth Ortiz presented the consent agenda, including minutes from the March 31, 2016, Council meeting, for approval. Ms. Sheila Polk made a motion, seconded by Mr. John Belatti, to approve the consent agenda. Motion carried.

RULES COMMITTEE REPORT

Mr. Belatti reported that the Rules Committee previously met on February 4, 2016, and February 11, 2016, to review the Supreme Court's Rules Petitions. The Rules Committee referred four petitions for review and comment preparation by the chief deputies, who met on March 25, 2016, and provided input on a position for APAAC. The Rules Committee met again on April 1, 2016, to assign the duties of drafting comments to the petitions. Mr. Belatti presented the final draft comments to the Supreme Court's Rules Petitions for Council consideration and approval for filing by the May 20, 2016, deadline:

- **R-15-0038** – Petition to Amend Rule 16.4, Rules of Criminal Procedure. Mr. Belatti made a motion, seconded by Ms. Polk, to adopt the comment drafted by Mr. Belatti and revised by Mr. Ken Vick in opposition to this petition, for filing by APAAC. Motion carried, with Mr. Jerry Landau abstaining.
- **R-16-0007** – Petition to Amend Rule 8.4, Rules of Criminal Procedure. Mr. Belatti made a motion, seconded by Ms. Polk, to adopt the comment drafted by Mr. Belatti in support of this petition, for filing by APAAC. Mr. Belatti stated that a final revised draft will be provided Ms. Ortiz. Motion carried, with Mr. Landau abstaining.
- **R-16-0031**– Petition to Eliminate Rule 20 and add a new Rule 24.1, Rules of Criminal Procedure. Mr. Belatti presented the comment drafted by Mr. Steve Duplissis in support of this petition. Mr. Paul Ahler suggested the word "advise" in the second paragraph on page 4 be changed to "advice." Mr. Belatti made a motion, seconded by Ms. Polk, to adopt the comment, as revised, for filing by APAAC. Motion carried, with Mr. Landau abstaining.

2016 APAAC LEGAL ASSISTANT OF THE YEAR AWARD

Ms. Ortiz announced the 2016 Legal Assistant of the Year Award nominees. A roll call vote of the Council members was taken to determine the winner, who will be announced at the APAAC Legal Assistant Conference on April 29, 2016, in Prescott.

NEXT COUNCIL MEETING

The next Council meeting is scheduled for Thursday, May 26, 2016, at 1:00 p.m. in the APAAC office.

Ms. Ortiz reminded Council members that voting for the 2016 APAAC annual prosecutor awards will be held at the next Council meeting. Ms. Ortiz stated that APAAC will video

record each nominator as they advocate for their respective nominee. The edited video recording will be part of the awards luncheon presentation before the winners are announced at the APAAC Annual Prosecutor Conference in Tucson on June 15-17, 2016.

ADJOURNMENT

Ms. Ortiz declared the meeting adjourned at 1:35 p.m.