

AGENDA MATERIAL

DATE 12-6-22 ITEM NO. CC 42

Corrie Cotugno

From: John Peck [REDACTED]
Sent: Monday, December 5, 2022 1:45 PM
To: District1; DIST2; District3; District4; District5
Cc: Jan Leshar; Jeffrey Bergin; viroberts@scpima.gov; COB_mail
Subject: 12.6.2022 Agenda item

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To: Chair Sharon Bronson, Pima County Board of Supervisors
Supervisor Adelita Grijalva
Supervisor Steve Christie
Supervisor Rex Scott
Supervisor Matt Heinz

5 December 2022

From: Judge John Peck

On your agenda for tomorrow's scheduled Board of Supervisor's meeting you will find, amongst many other more weighty items, a recommended list of judges *pro tem* for your approval. Traditionally, sitting judges have been approved to be judges *pro tem* when their terms end, should they desire to continue the work and the need exists, and this because of their experience and commitment.

You will not find on that list before you two current judges who wished to continue their service to our community. They were on the original list prepared by the presiding judge of the Pima County Superior Court but were removed as a result of the lobbying efforts of a Pima County Consolidated Justice Court judge. That judge took it upon herself to politically engage in discussions with board members to persuade a majority to withhold their confirmation of these two judges. That canvassing, in turn, persuaded the Pima County Administrator to advise the Presiding Judge/Pima County Superior Court to remove those names from the list.

The two judges not on the list are Susan Bacal and John Peck.

Judge Bacal has been on the Pima County bench as a Tucson city magistrate and a Pima County justice of the peace for more than three decades. She is the longest-serving member of the Pima County Consolidated Justice Court, has acted as its associate presiding officer as needed, and has been honored by her peers throughout the state. She has been a mentor to dozens of new judges, is a valued resource to all levels of the court structure, and is widely respected for her judicial demeanor, both by colleagues and community members she has dealt with – in court and otherwise.

Judge Peck has been with the Ajo Justice Court for 10 years, as a judge *pro tem* appointed by the Board of Supervisors, and as presiding judge for the past eight years. As presiding judge of an independent (non-PCCJC) court he has also been responsible for budgets, personnel, and all courthouse functions. This October, Arizona Supreme Court Chief Justice Robert Brutinel presented him the singular award for promoting confidence and trust in the state's justice system. In September he was re-elected president of the statewide justice of the peace association by his peers.

The majority votes have been apparently been discussed and determined, and the decisions have been made. I am ashamed, not for Judge Bacal or myself but for a process that values backroom political maneuvering over proven judicial commitment, demeanor, experience, and accomplishment. Isn't the latter what we hope for in our judges?

No doubt the County Administrator and the Presiding Judge/Superior Court chose this route as a way to placate some of the involved parties, but it doesn't make the actions less shameful or less of a disservice to the communities you represent. We – and Judge Bacal has read this memo and concurs with it - would have preferred to have had a full, open discussion rather than a backroom conclusion if there were concerns about our candidacies.

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Thank you for your attention.

cc: **Jan Leshar, Pima County Administrator**
Hon. Jeffrey Bergin, Presiding Judge, Pima County Superior Court
Hon. Vince Roberts, Presiding Judge, Pima County Consolidated Justice Court
Clerk of the Board, Pima County Board of Supervisors