

Minutes of the Advisory Task Force on Composition of Judicial Districts

February 11, 2019

The meeting was called to order on February 11, 2019 at 1 pm CDT by Chairman Telford Forgety. Chairman Forgety joined Russell Johnson and John Fine via video conference from Knoxville, TN. Bo Burk, J.B. Cox, Craig Fickling, Kim Helper, and Kim Nelson appeared in person at the AOC in Nashville. Mark Davidson and John Ryder joined the group via teleconference.

Chairman Forgety welcomed Senators Mike Bell and Jon Lundberg who were in attendance. Other guests and active participants introduced themselves and were also welcomed by Chairman Forgety.

Russell Johnson moved to allow electronic participation by Task Force Members under Tenn. Code Ann. §8-44-108. The motion was seconded by J.B. Cox and carried upon a full roll call vote. Craig Fickling moved to approve the minutes from the January 14, 2019 meeting, the motion was seconded by Bo Burk, and carried upon a full roll call vote.

Chairman Forgety opened a dialogue about the format for the public hearings. Discussion followed about pre-registration for speakers as well as how to allocate time for those wishing to be heard at the hearing, including those who did not pre-register to speak. Rachel Harmon stated that the AOC can handle pre-registration. John Ryder suggested five minutes per speaker. J.B. Cox questioned whether five minutes was enough and encouraged transparent dialogue in both directions. Ultimately, the Task Force members, without objection, adopted a recommendation that each speaker be given five minutes with a provision that questions from the Task Force may follow the presentation. Chairman Forgety raised the issue of security at public hearings associated with the previous indigent representation task force. The AOC advised that, unless the hearing location already had existing security such as a courthouse, no additional security was present.

Chairman Forgety discussed the need to disseminate information about our hearings and asked for any additional suggestions of groups or individuals to add to the list compiled at the October 29, 2018 meeting. Without objection, the list was expanded to include the Public Defender's Conference, Mark Goins, the State Coordinator of Elections, the Speakers of the House and Senate, the chairs and vice chairs of the House and Senate Judiciary Committees, as well as the chairs of the Judiciary subcommittees.

John Ryder questions how the Task Force would handle any written comments submitted. Rachel Harmon suggested utilizing a link on the Task Force website to allow the submission of written comments. The link would also be included in the letter Chairman Forgety prepares and sends to interested parties about the public hearings. Without objection, the draft letter presented by Chairman Forgety was approved with a few tweaks, including the link to the website.

Chairman Forgety asked the Task Force members if a presentation on the redistricting efforts in Kentucky and Virginia would be helpful. Some Task Force members felt it would be useful but shared concerns about the timing of any presentation considering the Task Force's schedule. Without objection, the Task Force asked the AOC to reach out to Kentucky and Virginia about a possible presentation. The Task Force will revisit the issue when the AOC has more information to determine whether it would be practical towards the work of the Task Force with its time constraints.

Discussion followed on the criteria the Task Force should use as it moves forward with its work. Chairman Forgety referred to the prior meeting presentation by Dan Hall which discussed the use of common interests as one potential area to study. Chairman Forgety encouraged members to look at statistical data collected by the U.S. Census Bureau which is available online. During the information gathering process, members acknowledged the common interests may be broader than information generated data. Without objection, the Task Force members agreed to post information on the website regarding the question of common interests within the community.

Another area for the Task Force's consideration is the impact on collateral interests. Members shared organizations/interests that may fall within this category, including Drug Task Forces, Child Advocacy Centers, Recovery Courts, grants, and child support. Craig Fickling addressed the need to look at funding which may be unique to individual counties within a district, such as the 1250 funds available to some Public Defender's Offices. He encouraged members to consider the effect of detaching counties without those resources from counties that may have more resources. To assure that the cited agencies have an opportunity to provide input, Chairman Forgety asked for information on child support and drug task forces from the Tennessee District Attorneys General Conference. Chelsea Curtis with the Public Defender's Conference stated her conference could provide information about the 1250 money. Without objection, the Task Force asked Chairman Forgety to reach out to these groups as well.

Chairman Forgety asked members to consider setting a timetable for reaching various Task Force goals. The Task Force, upon motion by J.B. Cox, seconded by Craig Fickling approved the following dates by roll call vote:

August 19, 2019: Preliminary Report
November 18, 2019: Adoption of Final Report

The Task Force discussed various methods for disseminating the report while recognizing the cost associated with printing a report. Rachel Harmon advised the AOC could publish the report on its website which would meet the requirements of the public chapter. Russell Johnson moved and J.B. Cox seconded a motion that the report be published on the website. The motion was approved by roll call vote.

J.B. Cox moved for a Task Force meeting after each public hearing, his motion was seconded by Kim Nelson and approved. Additional Task Force meetings were scheduled for March 25, 2019, April 29, 2019, June 4, 2019 and July 29, 2019.

Under old business, Chairman Forgety reported he reached out to State Senator John Stevens about holding an additional public hearing in West Tennessee but did not receive a response. The Task Force will maintain its April 15' 2019 in Jackson, TN.

A brief discussion was held on several pending bills which may touch on the issue of redistricting or affect the judicial districts in the State.

With no further business, the Task Force meeting adjourned at 2:51 p.m. CDT.

Respectfully Submitted:

Kim Helper