

JUDICIAL NOMINATING COMMISSION

Open Session/Public Comment Hearing

October 1, 2007

Minutes

A meeting of the Judicial Nominating Commission was held on October 1, 2007 in open session at 5:15 p.m., at the Department of Administration, Conference Room A, Providence, Rhode Island, pursuant to the notice of the meeting to all Commissioners and to the public, as required by **RIGL § 42-46-6**.

The following Commissioners, constituting a quorum, were present and participated throughout the meeting: Stephen J. Carlotti, Chairperson, William Rampone, Valentino Lombardi, Dennis Coleman, Faye Sanders, Patty Allison Fairweather and C. June Tow.

Commissioners absent: Solomon Solomon.

Also present: Heather L. Correia, Legal Assistant to the Commission.

Mr. Carlotti presided over the meeting and Ms. Correia acted as recording secretary.

Mr. Carlotti welcomed the audience and gave a brief explanation of the voting process. He explained that Michael Coleman's name had been removed from the list because he failed to update his application by not submitting a copy of his 2006 tax returns. Mr. Carlotti advised the public that each applicant is responsible for submitting a complete application, including the attachments. He then opened the floor for public comment and reminded everyone to keep their remarks to five (5) minutes. The following persons were recognized and heard:

Judge Forte and Wayne Montague spoke on behalf of Patricia Asquith; Judge Lipsey and Deborah Tate spoke on behalf of Edward Newman; Judge McGuirl and Douglas Bernon spoke on behalf of Sharon O'Keefe; Judge Keough and William Rose spoke on behalf of Alton Wiley, Jr.; Former Attorney General Jeffrey Pine and Susan Lusi spoke on behalf of Richard Updegrave, Jr.; Robert Barge and Tania Cabral spoke on behalf of Denise Aiken.

Following the testimonies Mr. Carlotti explained that the Commission would convene for a short time in Executive Session to review the public comments and further discuss the qualifications of the applicants. A motion to retire to the JNC office for this purpose was made, seconded and voted on unanimously.

The executive portion of this meeting shall be closed to the public in accordance with RIGL § 42-46-4 in order to discuss matters allowed to be exempt from discussion at open meetings under subdivision (1) of §42-46-5(a), namely, the “job performance, character, or physical or mental health of a person or persons.”

The Commission reconvened in open session at 6:30 p.m. in Conference Room A. Upon motion made and seconded, members voted unanimously to seal the minutes of the preceding executive session.

Pursuant to RIGL §§42-46-4 and 42-46-5, as permitted under §42-46-7(c) the minutes of the preceding Executive Session shall be kept closed and sealed.

Mr. Carlotti explained that the voting process will be conducted on written ballots in lieu of verbal votes and that the written voting ballots will be of public record. After one round of voting the following five candidates received the required number of votes and their names will be forwarded to Governor Carcieri, in alphabetical order, for his consideration, along with copies of their applications, financial information, background investigative reports and letters of recommendation:

**Denise Aiken
Patricia Asquith
Edward Newman
Sharon O’Keefe
Alton Wiley, Jr.**

(Copies of the voting records are attached hereto as Exhibit A)

There being no further business in open session, upon motion made by Mr. Lombardi and seconded by Ms. Sanders, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Heather Correia
Legal Assistant

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Patty A. Fairweather, Esq.

Name	Yes
Denise Aiken	✓
Patricia Asquith	
Edward Newman	✓
Sharon O'Keefe	✓
Richard Updegrave, Jr.	
Alton Wiley, Jr.	✓
TOTAL VOTES	

11

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Dennis M. Coleman, Esq.

Name	Yes
Denise Aiken	✓
Patricia Asquith	✓
Edward Newman	✓
Sharon O'Keefe	✓
Richard Updegrove, Jr.	
Alton Wiley, Jr.	✓
TOTAL VOTES	

1

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Stephen J. Carlotti, Chairperson

Name	Yes
Denise Aiken	<input checked="" type="checkbox"/>
Patricia Asquith	<input checked="" type="checkbox"/>
Edward Newman	<input checked="" type="checkbox"/>
Sharon O'Keefe	<input checked="" type="checkbox"/>
Richard Updegrove, Jr.	<input checked="" type="checkbox"/>
Alton Wiley, Jr.	<input type="checkbox"/>
TOTAL VOTES	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

①

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: William Rampone, Esq.

Name	Yes
Denise Aiken	yes
Patricia Asquith	yes
Edward Newman	yes
Sharon O'Keefe	yes
Richard Updegrove, Jr.	reserve
Alton Wiley, Jr.	yes
TOTAL VOTES	

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

①

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: D. Faye Sanders

Name	Yes
Denise Aiken	✓
Patricia Asquith	✓
Edward Newman	✓
Sharon O'Keefe	✓
Richard Updegrove, Jr.	
Alton Wiley, Jr.	✓
TOTAL VOTES	

①

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Herbert J. Brennan, D.O. *HB*

Name	Yes
Denise Aiken	X
Patricia Asquith	X
Edward Newman	
Sharon O'Keefe	X
Richard Updegrove, Jr.	X
Alton Wiley, Jr.	X
TOTAL VOTES	

1

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: C. June Tow

Name	Yes
Denise Aiken	✓
Patricia Asquith	✓
Edward Newman	
Sharon O'Keefe	✓
Richard Updegrove, Jr.	✓
Alton Wiley, Jr.	
TOTAL VOTES	

#1

JUDICIAL NOMINATING COMMISSION VOTING BALLOT

FAMILY COURT - MACKTAZ SEAT

October 1, 2007

PLEASE VOTE FOR FIVE (5) CANDIDATES

Commissioner: Valentino Lombardi, Esq.

Name	Yes
Denise Aiken	✓
Patricia Asquith	✓
Edward Newman	✓
Sharon O'Keefe	✓
Richard Updegrove, Jr.	
Alton Wiley, Jr.	✓
TOTAL VOTES	