

**MINUTES OF THE
SENATE JUDICIAL CONFIRMATION COMMITTEE**
Monday, June 14, 2010 – 2:00 p.m. – Room 450 State Capitol

Members Present:

Sen. Scott K. Jenkins, Chair
Sen. Jon J. Greiner
Sen. Karen Mayne
President Michael G. Waddoups

Members Absent:

Sen. Lyle W. Hillyard

Staff Present:

Ms. Esther D. Chelsea-McCarty, Associate General Counsel
Mr. Jerry D. Howe, Policy Analyst
Ms. Amanda K. Majers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Jenkins called the meeting to order at 2:03 p.m. Sen. Hillyard was excused from the meeting. The Committee introduced themselves to the candidate and the audience. The candidate, Mr. M. James Brady, introduced his family, friends, and colleagues to the Committee.

MOTION: Sen. Greiner moved to close the meeting for the purpose of discussing the character, professional competence, or physical or mental health of Mr. M. James Brady. The motion passed unanimously.

MOTION: President Waddoups moved to open the meeting. The motion passed unanimously.

2. Interview of Mr. M. James Brady

Mr. Brady was placed under oath by Mr. Howe. Mr. Brady provided a personal and professional background to the Committee. Mr. Brady answered questions from the Committee concerning the following: resume inconsistencies, litigation related to Mapleton City, community and charitable involvement, reasons for applying to be a judge, the Second Amendment and capital punishment, access to the court system, previous judicial applications to the Fourth District Court, professional character and past personal challenges, service as city prosecutor and mayor to Mapleton City, whether errant judicial behavior should be public or private, and appellate review.

President Waddoups inquired if there is anything in Mr. Brady's background if it were publically known would be an embarrassment to the state. Mr. Brady answered that there is not.

The Committee recessed briefly.

Dr. Wendell Gibby, Mapleton City resident, was sworn in by Mr. Howe and spoke concerning Mr. Brady's character in relation to his position as the city prosecutor and mayor of Mapleton City. He then answered questions from the Committee.

Mr. Richard D. Bradford, Bradford and Brady, was sworn in by Mr. Howe and provided a personal account of Mr. Brady's character and personal and professional history. Mr. Bradford answered questions from the Committee concerning the testimony of Dr. Gibby.

Minutes of the Senate Judicial Confirmation Committee
June 14, 2010
Page 2

Chief Dean L. Pettersson, Mapleton City Police Department, was sworn in by Mr. Howe and spoke concerning the character of Mr. Brady and the testimony of Dr. Gibby. Chief Pettersson answered questions from the Committee.

Mr. Robert Bradshaw, City Administrator, Mapleton City, was sworn in by Mr. Howe. Mr. Bradshaw spoke to the testimony of Dr. Gibby and to the character of Mr. Brady, recommending that Mr. Brady be confirmed by the Senate. Mr. Bradshaw answered questions from the Committee.

Mr. Brady responded to Dr. Gibby's testimony and answered questions from the Committee.

MOTION: Sen. Mayne moved to continue the interview of Mr. Brady on Wednesday, June 16 at 2:30 p.m.

3. Other Items / Adjourn

MOTION: President Waddoups moved to adjourn. The motion passed unanimously.

Chair Jenkins adjourned the meeting at 5:56 p.m.