

Ann A. Scott Timmer
Arizona Supreme Court
1501 W. Washington Street
Phoenix, Arizona 85007

September 8, 2022

VIA REGULAR MAIL AND EMAIL

Cathi Herrod, Esq.
President
Center for Arizona Policy, Inc.
PO Box 97250
Phoenix, Arizona 85060-7250

Re: Response to 2016 Judicial Candidate Questionnaire

Dear Ms. Herrod:

This letter serves as part of my response to the 2022 Judicial Candidate Survey sent to me via letter dated August 22, 2022. I welcome the opportunity to share my judicial philosophy with voters, and I thank you for the opportunity. I completed the initial page online concerning "candidate info." The survey section asks for information that may raise an appearance of impropriety and impact my ability to participate with my colleagues in deciding certain cases. After reflection, I think the best way to respond to the survey questions is to do so directly by this letter, which will enable voters to form a more complete opinion of me in my judicial role.

First, I firmly believe that the role of a judge is to interpret a law or administrative rule as intended by the enacting body and to objectively apply that law or rule to the facts of a given case. It is not the province of a judge to create the law or rules as that role is reserved for others, such as the legislative and executive branches of government and, through the initiative process, the people of Arizona. As I often tell young lawyers who work with me at the court, when the governor appointed me I was given a robe and a gavel but not a crown, and therefore I have no license to solve societal problems as I see fit. Rather, my job is to decide cases after applying the rule of law established by those authorized to do so and within our constitutional framework.

Second, I believe a judge must decide cases fairly, objectively, and free from bias. Thus, as a justice who decides cases with six other justices, I strive to keep an open mind about

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issues until I have considered the arguments of all parties and the case has been thoroughly discussed by the entire court. I also start the decision-making process by consulting the law and then working towards a result rather than reaching a result and then consulting the law to justify it. Also, I endeavor to write decisions that entirely explain the court's reasons for a particular decision to ensure that all interested parties can see that the decision was grounded in the rule of law.

Third, and finally, I believe a judge must exercise judgment with humility and dignity. Thus, a judge must appreciate that he or she cannot decide a legal issue in a vacuum but must appropriately consider and apply sound legal precedent developed over the life of our legal system. Moreover, the judge must treat parties and other participants in the legal process with respect and courtesy. I am always aware that failure to do so would surely undermine people's trust in and respect for judges.

In conclusion, I hear from my own friends that they are sometimes frustrated by the lack of knowledge about the judges on the ballot for retention. I encourage them, and all voters, to learn more about judges, including me, by reviewing extensive information tabulated by the Judicial Performance Review Commission, which was established in 1992 by a constitutional amendment passed by the voters and includes eighteen public members, six attorneys, and six judges. This information can be found at the Commission's website, www.azjudges.info. Additionally, decisions authored by Supreme Court justices are posted on our court's website, www.azcourts.gov.

Again, thank you for the opportunity to share my judicial philosophy with voters.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ann A. Scott-Timmer". The signature is fluid and cursive, with a large initial "A" and "S".

Ann A. Scott-Timmer
Vice Chief Justice
Arizona Supreme Court