

Court of Appeals

STATE OF ARIZONA
DIVISION ONE
STATE COURTS BUILDING
1501 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

ANNI HILL FOSTER
JUDGE

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Peter Gentala, Esq.
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Thank you for reaching out to request information about the upcoming judicial retention election. In lieu of responding to the survey, my response attempts to address your inquiry.

When I accepted the opportunity to serve Arizona as a judge on Division One of the Court of Appeals, I also accepted the responsibility to guard the rights and protections promised to my fellow Arizonans by both the U.S.'s and Arizona's constitutions.

To fulfill that great responsibility, I strive to first look to the plain meaning of the language used by the Legislature or voters (propositions) when interpreting laws. I do so by reviewing the plain text in the context of other laws on the same subject. If the plain language leaves no question as to the meaning of the law, I end my analysis. Only if an ambiguity exists do I resort to other tools of interpretation. While not every case that comes across my desk directly implicates the constitution or a statute, I am mindful to do no harm to the law by overstepping the authority it bestows on me as a judge.

By following the application of these concepts, I admit that I have not always liked the result of cases I decided. But Arizona's founders expressly provided that no branch (legislative, executive or judicial) may exercise the powers of another. With this limitation in mind, a case result may be disappointing because the focus is not on the outcome. Rather, fidelity to the law and the great responsibility of guarding the protections of our constitutions serve as my guide in deciding cases.

Support for my statements may be found in the following decisions I authored: *Marsh v. Atkins*, 1 CA-CV 22-0555; *Do v. Board of Regents*, 1 CA-CV 22-0752; *Lane v. Scottsdale*, 1 CA-CV 24-0602; and *Guerriero v. Guerriero*, 1 CA-CV 24-0602. These decisions can be located within my judicial performance report at <https://jpr.azcourts.gov>.

Thank you again for your time and consideration. I enjoy serving Arizona as a judge and would appreciate the opportunity to continue to do so.

Sincerely,



Anni Hill Foster