

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

04/04/2011

HON. SALLY SCHNEIDER DUNCAN

CLERK OF THE COURT
L. Porter
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
VICTORIA ELISABETH WASHINGTON
JAMES LEO LOGAN
DANIEL B PATTERSON
LAWRENCE A HAMMOND
MARK I HARRISON

CAPITAL CASE MANAGER
OFFICE OF PUBLIC DEFENSE
SERVICES-CCC
VICTIM SERVICES DIV-CA-CCC

MINUTE ENTRY

8:45 a.m.

State's Attorney: Juan Martinez
Defendant's Attorney: Kirk Nurmi and Victoria Washington
Defendant: Present
Court Reporter: Scott Kindle

This is the time set for Capital Case Management Conference and oral argument.

LET THE RECORD REFLECT Larry Hammond and Mark Harrison are present on behalf of the Defendant for limited purpose only.

Mr. Nurmi stated his continued objection to remaining on the case.

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THE COURT FINDS that Mr. Nurmi has ethical obligations to continue representing the Defendant.

THE COURT FURTHER FINDS that, in order for Mr. Nurmi to represent the Defendant conflict free, he must be compensated at a reasonable rate otherwise his personal financial interests place him in a conflict with his client's right to receive effective representation.

THE COURT FURTHER FINDS that Mr. Nurmi recently left the Office of the Public Defender to go into private practice. Mr. Nurmi faces the unusual and challenging circumstance of building a practice at the same time that his ethical obligations require him to devote most of his attention to representing a capital defendant who is facing an imminent, firm and final trial setting. In order for Mr. Nurmi to fulfill his ethical obligations and effectively represent the Defendant, Mr. Nurmi will have to forego work opportunities necessary to build and sustain a private practice. The Office of Contract Counsel contract rate is inadequate.

IT IS ORDERED that Mr. Nurmi shall be compensated at the hourly rate of \$225.00 per hour.

IT IS FURTHER ORDERED the County is responsible for payment to Mr. Nurmi under A.R.S. §13-4013(A).

The State is requesting the original file of Rosemarie Kopanski be turned over to the State, in order for the State to make a copy.

LET THE RECORD REFLECT Defense counsel shall provide a new copy of the report to the State today.

IT IS ORDERED setting the next Capital Case Management Conference/Status on Facebook/Expert availability on June 10, 2011 for **April 11, 2011 at 8:30 a.m.** in this Division.

IT IS FURTHER ORDERED affirming Evidentiary Hearing set for **June 10, 2011 at 9:00 a.m.** in this Division.

IT IS FURTHER ORDERED affirming Final Trial Management Conference for **July 22, 2011 at 8:30 a.m.** in this Division.

IT IS FURTHER ORDERED affirming Trial set for **August 2, 2011 at 8:00 a.m.** in this Division.

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LAST DAY: 09/02/2011

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.
Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

9:02 a.m. Matter concludes.