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OPEN MEETINGS - ARIZONA

Welch v. Cochise County Board of Supervisors

Supreme Court of Arizona - September 2, 2021 - P.3d - 2021 WL 3924147

County resident brought action against county board of supervisors, and its individual members, alleging violations of open-meeting laws and conflict-of-interest statute in connection with board's appointment of board member as a justice of the peace, and seeking relief including, inter alia, an order declaring member's appointment null and void, an injunction requiring the board to open position to public applications, various writs of mandamus, including to remove board members, and penalties against individual board members.

The Superior Court granted board's motions to dismiss for lack of standing and failure to state a claim. Resident appealed. The Court of Appeals reversed and remanded. Petition for review was granted.

The Supreme Court held that:

- Open-meeting and conflict-of-interest laws broadly confer standing based upon party's interest in preserving the values of transparency and accountability that the laws enshrine;
- County resident had standing to challenge alleged violation of open-meeting law by county board;
- Resident had standing to challenge alleged violation of conflict-of-interest law by board;
- Board's ratification of appointment did not moot open-meeting claim.

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