

If

much of being a judge is temperament, one of the newest additions to the bench is fully prepared to put on the robe.

Rosa Mroz picked up the gavel for the first time last August as a Superior Court Judge for Maricopa County. Though she assumed a packed docket of Family Law cases, you're unlikely to find someone as calm and even-tempered in the face of turmoil, says Teresita Mercado, a litigator at Squire, Sanders & Dempsey.

"Even-minded, patient, someone who always listens to all perspectives" is the way Mercado describes the new judge. The two worked closely as officers on the Arizona Asian American Bar Association (AAABA), and there's not much better praise for a judge than to say, as Mercado does, "I very much value her opinion."

Reflective and tempered are qualities found in Mroz by Emily Chang, a business and finance lawyer at Greenberg Traurig. Having served on the AAABA board with Mroz, Chang saw her reason things through.

"Her decisions and judgments are very tempered. She tends to reason through issues and kind of contemplate them. She's not a particularly reactive person. I think those are very important qualities for somebody sitting on the bench."

That temperament evolved over years of practice both private and public, from dealing with medical setbacks, from being a mother of two—and from the fact that her father was a diplomat.

In fact, Family Court seems an appropriate first assignment for Mroz, whose family history made such a lasting impact on the judge who started as a little girl from Taiwan.



Family Matters

Born in 1966, Mroz's journey took her to many cities before she set down in Phoenix. Those moves occurred because of her father's position in the Taiwanese diplomatic corps. And it was while her dad was stationed in Panama, along with his family, that an American President made a decision that would lead to tumult for Mroz's family.



Most Judge Rosa Mroz Takes the Bench

BY TIM EIGO
PHOTOGRAPH BY JOHN HALL

“Nixon was president at the time,” recalls Mroz, “and he had severed diplomatic ties with Taiwan. That was the one-China policy: He decided to recognize China instead of Taiwan.”

And when a superpower spoke, allies listened. “When the United States decided to just recognize China,” says Mroz, “everybody else around the world followed suit.” Her father was

way, “I remember saying to my husband, ‘I hope they have a McDonalds there.’”

It did, along with tremendous opportunity for the woman who was not yet 20.

Those opportunities began in 1986, when Mroz graduated with her accounting degree from ASU. She went on to become a

faced with the difficult decision of whether to return with his family to Taiwan. But a return seemed dangerous: “At that time,” says Mroz, “everybody in Taiwan was concerned that the Communists were going to come right over the Taiwan Strait and invade Taiwan. My dad was concerned about that, too, so he sent my mother, my brother and me to the United States, while he remained in Panama.”

In a heartbeat, equatorial heat was replaced with Illinois cold.

They stayed with an aunt for nine months, while Mroz was in third grade. Then they moved east to New York, first to Brooklyn until her father retired, and then to Queens. They opened a grocery store, and there they stayed until her eighth-grade year, when the family moved to Miami, “where all good New Yorkers go,” says Mroz with a laugh. In Florida, she attended high school.

Another distant move was in store when it came time to select a university. She began her undergraduate studies at the University of Hawaii, where she met her husband, Robert Mroz. (“Mroz” being Polish for “frost,” Judge Mroz finds it amusing to be married to Robert Frost.)

Meeting Robert would lead to her move to Arizona. He landed a job in the state, and Mroz came, as well, to continue her studies at Arizona State University. “All I knew about Arizona was cactus and snakes,” she says. As their plane descended onto the Phoenix run-

HON. ROSA MROZ

Superior Court Judge, Maricopa County

EDUCATION:

JD, Arizona State University School of Law, 1993; B.S. in Accounting, ASU, 1986

EXPERIENCE:

1987-90, Certified Public Accountant; 1991-92, clerkship with Arizona Supreme Court Justice James Cameron; 1993-94, clerkship with Arizona Court of Appeals Chief Judge Thomas Kleinschmidt; 1994-95, associate, Jennings, Strouss & Salmon; 1995-99, Deputy County Attorney, Maricopa County; 1999-2000, associate, Fennemore Craig; 2000-04, Assistant Attorney General, Arizona Attorney General's Office, Liability Management Section

FAMILY:

Husband Robert Mroz, a director at Navigant Consulting; children Sarah, 11, and Tommy, 10

"They tell you that after the surgery you'll see clearly when the bandages come off; I couldn't see anything. It was horrible."

Mroz was told repeatedly by the doctor that her eyesight would improve. He explained that because she had been very nearsighted, it would take longer to adjust. It never did, and she was unable to work.

After three months of reassurances, Mroz finally said, "This isn't right." She went to another doctor, who realized something was seriously wrong.

"I didn't know if they could fix it with the laser," says Mroz, "or with a

cornea transplant." A transplant would not cure the problem; it would merely return her eyes to their original condition. In addition to the rigors of surgery, Mroz says, was the fear: "I just wasn't sure if I wanted another doctor to touch my eyes after that."

Her description of the course of treatment is harrowing. She had numerous operations, her eye rejected one replaced cornea, and a new lens developed cataracts.

As a result of the many surgeries, however, "That eye is now doing well. I can see without any type of corrections. To read out of that eye I need reading glasses. The left eye is the one that's uncorrected right now. But I have a special lens that they put in so that I can see with correction with a contact lens."

Again with understatement, Mroz says, "Each time I go under the knife, it's scary." And her sense of humor shows as she talks about her children and admits with a laugh, "I would say that they don't trust eye doctors."

The incident led her to move to the County Attorney's Office, which was "very accommodating," Mroz says. While there, she prosecuted an array of burglaries, car thefts and drugs, as well as sex crimes.

And then her civil practice expanded when she moved to the Attorney General's Office. She explains that she did "insurance defense for the state."

"I worked for risk management, basically. Whenever anybody sued the state for any reason and wanted money, that's when I would help. My clients were mostly Child Protective Services and DPS, the Probation Department. I dealt with a lot of people suing the court and judges, things of that nature.

"There are also a lot of constitutional challenges to statutes. There are a lot of section 1983, civil rights violation allegations."

Having practiced both in a firm and as a government attorney, Mroz knows what it takes to succeed in each. And her decision to leave Fennemore Craig to join the A.G.'s Office was fueled by a desire for balance, especially because she had two small children. She knew the hours of research and writing needed, as well as the time needed to develop a practice, and found the cost it imposed a very personal one.

"At the time that I left [Fennemore], a friend of mine had just died from cancer, and she had been in a big firm. I was pregnant

certified public accountant, and she worked for both PriceWaterhouse and Motorola. She returned to ASU for the J.D., graduating in 1993.

Mroz clerked on the Arizona Supreme Court and the Court of Appeals, but Mroz also credits a federal judge—whose name she cannot even remember—as a great influence.

"I've wanted to be a judge since I became a U.S. citizen," she admits, recalling her 1982 swearing-in.

"A federal judge swore us in and talked about the responsibilities of being a citizen, how you have to be involved in the system, make sure that everything is working. He was so impressive. I thought, 'Wow, that is a way that I can be involved in making sure that the United States is as great as it is.'

"So I thought this is something that I can do. Law is very fascinating; it touches every aspect of everybody's life. So what better way than to be a judge, to be the person that can figure out the problems for people."

That revelation, Mroz says, has guided her career decisions since graduation. She understood that a judge needs a broad base of knowledge in many areas, and that led her to seek diverse experience.

Her husband has understood that desire, says Mroz.

"He understands all the different career moves I've made were made for a reason. I wanted to get as much broad-based experience as possible. You're not going to be in family court forever, or criminal court forever: You have to know a lot of different issues as a judge. So hopefully because of my job experiences, I've covered a majority of the issues."

Those career moves include stints at Jennings, Strouss & Salmon and at Fennemore Craig as an associate, where she worked in commercial litigation.

More challenges lay ahead, though. In 1995, Mroz encountered what she now dryly refers to as "eye issues." That is an understatement for what she faced—blindness.

While she was at JSS, Mroz "had undergone LASIK surgery and went blind. The focal point of my cornea got destroyed."

"I don't mean darkness-I-can't-see-a-thing. But I couldn't read, so it's virtually impossible to do litigation when you can't read.

with my daughter at the same time she was pregnant with her daughter. Right before she died, she said to me, ‘You don’t need the money, so why are you working so much that you’re not seeing your children?’”

Besides the personal balance, Mroz says she enjoys the need to “take the responsibility over my own decisions.” In a firm, she says, “You’re not in control. When you’re an associate, you’re waiting for a partner to tell you what to do and strategies. In the public sector, you get the big cases right away. You get to make the strategy decisions right away. You want to take something to trial; that’s what you do. You decide whether to take a deposition or not. You also bear the brunt of all the mistakes you make, too.”

Mroz describes herself as “a self-contained person,” one who enjoys jumping in with both feet.

And that is what she did when she assumed the bench. Never having practiced in family law, Mroz had some learning to do. But the diverse background she so carefully crafted served as a solid foundation from her first day as a judge.

“I feel like I can handle the cases,” she says. “I used to be a CPA, so it’s not like I’ve never heard of how to split up money or read a balance sheet or a tax return. I also spent four years at the County Attorney’s Office, mostly in child crimes issues, so I’ve already had a lot of involvement with police officers and CPS. And in my civil practice, I worked at the AG’s Office defending CPS. So these are things I’ve seen before, just in a different setting.”

Mroz’s extended family—the Asian American community—also serves as a foundation, she says. That support was evident in the words spoken at her investiture by Judge Paul Tang of Pima County. He presented the new judge with *The Giving Tree*, a book by Shel Silverstein, which is now proudly displayed in a plexiglass case in Mroz’s office. But the book’s presentation had a story beyond the one in its pages.

The book was given in memory of Judge Thomas Tang, who started the Asian American bar in Arizona. The man who once sat on the bench in Maricopa County and later on the Ninth Circuit wanted to provide guidance and role models for young lawyers. After his death, his widow Dr. Pearl Tang began a tradition of passing on the book so loved by her husband. Each Asian American judge who is appointed or elected to a court of general jurisdiction in Arizona gets the book, but must pass it on to the next judge: The most recent judge is the keeper of the book until the next Asian American judge is appointed.

Thus far, Mroz is only the third judge to be so honored. She follows Judges Ken Lee and Paul Tang in Pima County. (The tradition had not begun when Judge Brian Ishikawa took the bench in Maricopa County.) And with her investiture, Mroz became the first Asian American woman to be named to such a court.

“I think it’s a great tradition,” says Mroz. “It binds us all together.”

That sense of belonging is strengthened, she says, by groups such as AAABA, in whose ranks Mroz served as Treasurer for about seven years.

“I think it’s great to be able to network and see people who are like you and have a similar life experience as you, and maybe draw some support and strength from them.”

One whose experience Mroz will draw on is Judge Roxanne K. Song Ong, who has been a Phoenix Municipal Court Judge for 19 years—and an Asian American woman for even longer. As such, Song Ong was the state’s first Asian American woman judge, and she says she’s “thrilled” that Mroz is the second.

“So now our club has grown to two,” says Song Ong. “We’ve had a very good relationship, so it’s only going to build and be enhanced by her being on the bench.”

Song Ong knows what it takes to excel on the bench, and she says, “She’ll be outstanding in every respect. She has a heart for people; I think that’s vital for any judicial position. Not only does she have compassion, but she has firmness and fairness. She’s extremely knowledgeable about the law. So she’s got this people thing, and she’s got this knowledge. So you put the two together, it’s a wonderful combination for a jurist.”

JoAnn Garcia is also excited by the appointment of Mroz. She has worked with Mroz closely, both in AAABA and at the County Attorney’s Office.

“Not only did we have the Asian backgrounds in common,” says Garcia, who has Filipino heritage, “but I soon discovered that she is very thought-provoking, very analytical, extremely bright and very funny. She has a delightful sense of humor. And she’s always been able to look at whatever the situation is—whether it’s pretty profound or something that’s pretty light—in a very balanced fashion. That’s why I always thought she’d make a good judge.”

Garcia is now a public defender, and she says, “I don’t care where she is, whatever setting she’s in: She’s just got this very funny, friendly aura about her.”

That humor was demonstrated at the County Attorney’s Office, says her friend Rachel Mitchell, now the Bureau Chief of Major Crimes in the Southeast Division. In 1995, Mroz was known as someone who helped her colleagues ease job pressure through humor.

“She’s known for pranks. When we were in Sex Crimes, it’s a very high-pressure situation. This one attorney would always lose her badge or her pager. So we took her pager and duct-taped it underneath her metal desk. Rosa sat in her office setting it off to make it vibrate. The attorney would go crazy trying to figure out what the noise was.”

That light-heartedness is tempered by a judicial temperament, said Mitchell at Mroz’s investiture. “She’s often the last person to talk, but she’s usually the wisest in the crowd.” She adds that Mroz also has a sense of doing right. “That’s her focus. She had the correct view of prosecuting, which is to do justice.”

Thomas Tang would be pleased by that focus. Mroz’s copy of *The Giving Tree* is inscribed by Dr. Pearl Tang with words that have guided Mroz in her work with AAABA: “Happiness and fulfillment come with giving.” On the court and in mentoring younger lawyers, Mroz is sure to have many opportunities for such happiness. 