

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 22-460

Judge:

Complainant:

ORDER

February 22, 2023

The Complainant alleged a justice of the peace violated an anti-nepotism policy.

The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer.

The Commission reviewed all relevant available information and concluded there was not clear and convincing evidence of ethical misconduct in this matter. The complaint is therefore dismissed pursuant to Commission Rules 16(a) and 23(a).

Copies of this order were distributed to all appropriate persons on February 22, 2023.

CONFIDENTIAL

Arizona Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY

2022-460

COMPLAINT AGAINST A JUDGE

Name: _____ Judge's Name: _____

Instructions: Use this form or plain paper of the same size to file a complaint. Describe in your own words what you believe the judge did that constitutes judicial misconduct. Be specific and list all of the names, dates, times, and places that will help the commission understand your concerns. Additional pages may be attached along with copies (not originals) of relevant court documents. Please complete one side of the paper only, and keep a copy of the complaint for your records.

PLEASE SEE ATTACHED EX "A"

NAME:

JUDGE'S NAME:

COUNTY POLICY AND PROCEDURE

Subject:

Date:

Pages:

Replaces Policy Dated:

PURPOSE: To establish a policy regarding the employment of close family members.

SCOPE: This policy applies to all County employees and Elected Officials.

STATEMENT OF POLICY: The employment of close family members (spouses, children, brothers, sisters, parents, grand-parents, grand-children, parents-in-law, sons and daughters-in-law, nieces, nephews, aunts, uncles) are not permitted to work under the direct supervision of another such family member. The Appointing Authority, County Manager or Elected Official shall determine whether to permit the employment of close family members in the same department where there may be occasional or intermittent direction of one family member over another provided the family member being directed is not organizationally under the direct supervision of the other family member.

No employee shall:

- Participate in any County matter affecting, directly or indirectly, the financial interests of a close family member;
- Directly or indirectly, advocate, participate in, or cause the employment, appointment, evaluation, promotion, transfer, determination of compensation or discipline of a close family member;
- Have a close family member serve on the same appointive board, committee, or commission;
- Exercise contract management authority where a close family member is employed by or has contracts with persons doing County work over which the public servant has or exercises contract management authority;
- Use or permit the use of his or her position to assist a close family member in securing contracts with persons or departments, for whom the public servant exercises contracting authority.

Employees who become close family members after employment shall not continue to be employed in a manner that would violate this policy. One of the two employees must find another position in the County within 90 days or resign. Failure to obtain another position within this time period will result in termination of one of the affected employee by the County Manager, Appointing Authority or Elected Official.

I believe it is totally in violation of County policy for the _____ to be married to the _____. There are too many cases where there will be conflicts and decisions will be affected by the relationships or one of the elected officials must recuse themselves, thus costing the taxpayers money.

Exhibit "A"