



## Cochise County Judicial System

---

Policy Title: Nepotism

Policy Number: 1003

Effective: March 1, 2021

Last Reviewed/Updated: February 22, 2021

---

The Cochise County Judicial System (CCJS) follows all provisions of A.R.S. § 38-481 pertaining to the employment of relatives.

- A. Members of an employee's immediate family, whether established by blood, marriage, or other legal action will be considered for employment on the basis of their qualifications. For the purposes of this policy, immediate family includes: spouse, parent, child, sibling, in-law, aunt, uncle, niece, nephew, grandparent, grandchild and members of household. This also applies to domestic partner and romantic relationships.
- B. Immediate family may not be hired if employment would:
  - 1. Create a supervisor/subordinate relationship with a family member;
  - 2. Have the potential for creating an adverse impact on departmental operations; or
  - 3. Create either an actual conflict of interest or the appearance of a conflict of interest.
- C. An employee or Elected Official may not participate in any interview, discussion or debate regarding the appointment, transfer, promotion, demotion, dismissal or removal of an employee who is an immediate family member, domestic partner, or romantic partner.
- D. No person shall be appointed, transferred or promoted to a position and no employee shall hold a position in the CCJS if that person or employee will be in the chain of supervision of a family member, household member or domestic partner. This also applies to romantic relationships.
- E. A Judicial Officer may not appoint a family member, household member or domestic partner to any position in the CCJS. This also applies to romantic relationships.
- F. If an employee is in one of the above prohibited positions, every effort will be made by the Department Director to transfer the affected employee to a comparable position for which the employee qualifies within the CCJS. If a like position is not available, then the affected employee shall resign or be terminated, without the right of appeal.

- G. Employees who become immediate family members or establish a romantic relationship may continue employment as long as it does not involve any of the above.
1. In the event that one of the conditions outlined above should occur, attempts will be made to find a suitable position within the CCJS to which one of the employees will transfer.
  2. In the event employees become immediate family members or establish a romantic relationship, the CCJS will make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale.
  3. If accommodations of this nature are not feasible, the employee will be permitted to determine which of them will resign.
  4. If the employees cannot make a decision, the Department Director will decide with sole discretion who will remain employed. The Department Director's decision is final and without the right of appeal.
- H. This policy does not apply to close relatives who already are employed by the CCJS as of the effective date of this policy. This waiver, however, may not be used as a basis for further exceptions subsequent to the effective date of this policy.