

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-389

Judge: Bruce E. Staggs

Complainant: Claudia Aguilera

ORDER

The Complainant alleged a justice of the peace maintained a toxic work environment and solicited employees to donate to a poor litigant that appeared before him.

On June 7, 2023, Judge Staggs conducted an arraignment in CM2023000148 (*State v. Albert Rakhimov*). The defendant is a refugee. At the conclusion of the hearing, Judge Staggs commented to his staff that he was moved by the defendant's desire to support his family, and he had limited resources to do so. Judge Staggs stated he wanted to give Mr. Rakhimov some money, but he did not have cash on him. He inquired if staff would give him cash, and he indicated that he would pay them back. After collecting money from staff, Judge Staggs gave this money to Mr. Rakhimov in the courthouse lobby. Judge Staggs then went to get cash to pay back staff.

Judge Staggs' conduct violated the following provisions of the Code:

- Rule 1.2 which states, "A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."
- Rule 1.3 which states, "A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so."
- Rule 2.2 which states, "A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially."
- Rule 2.3(A) which states, A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

While Judge Staggs' actions appear to be born out of kindness and a motivation to help a litigant who is down on their luck, his actions were outside the

role of a neutral arbiter. The litigant's case was still pending before the court. The donation was made in the public portion of the courthouse where others could have viewed it and questioned the judge's impartiality. Additionally, while none of Judge Staggs' staff who were interviewed stated that they felt coerced to give money, it was improper for the judge to put his staff in that position where they may feel they could not say no his request. A judge needs to recognize the imbalance of power between himself and his staff.

Judge Staggs has submitted his resignation with an effective date of November 12, 2024. Judge Staggs has a significant discipline history with the Commission, including four prior public reprimands. His resignation factored into the Commission's decision not to pursue formal charges in this matter. Additionally, in light of the pending resignation, the Commission has chosen not to expend additional resources on further investigation and action regarding other allegations made in the complaint. However, the Commission reserves the right to further investigate and pursue any of the remaining allegations of this complaint should Judge Staggs return to the bench.

Accordingly, Cochise County Justice of the Peace Bruce E. Staggs is hereby publicly reprimanded for the conduct described above and pursuant to Commission Rule 17(a). The record in this case, consisting of the complaint, the judicial officer's response, and this order shall be made public as required by Commission Rule 9(a).

Commission members Denise K. Aguilar and Barbara Brown did not participate in the consideration of this matter.

Dated: October 28, 2024

FOR THE COMMISSION

/s/ Christopher P. Staring

Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on October 28, 2024.

CONFIDENTIAL

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

FOR OFFICE USE ONLY

2023-389

COMPLAINT AGAINST A JUDGE

Name: Claudia Aguilera

Judge's Name: Bruce E. Staggs

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.

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COMPLAINT AGAINST A JUDGE

Name: Claudia Aguilera Judge's Name: Bruce E. Staggs

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.

Dear Members of the Commission on Judicial Conduct:

I Claudia Aguilera, Court Manager for the Benson Justice Court, Precinct #3, submit the following complaint regarding Judge Bruce E. Staggs demonstrated repeated pattern of unprofessional, unethical, discriminating, retaliatory behavior that has created a hostile work environment for the Benson Justice Court. The hundreds of complaints filed against Judge Staggs, by former Benson Justice Court Managers, Benson Court employees, other Judicial Court employees and defendants, have resulted in five Public Reprimands. He has personally discriminated, harassed and retaliated against me, violating my Title VII civil rights, my FMLA rights and the Judicial Code of Conduct for Judicial Employees.

Canon 1.A judicial employee shall uphold and promote the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.

- 1.2- Promoting Confidence in the Judiciary
- 1.3- Abuse of Position

Canon 2.A judicial employee shall perform the duties of judicial employment impartially competently, and diligently.

- 2.2- Impartiality and Fairness
- 2.3- Bias, Prejudice, and Harassment
- 2.5- Competence, Diligence, and Cooperation
- 2.6- Assistance to Litigants
- 2.8- Professionalism

Canon 3- A judicial employee shall conduct activities outside of judicial employment to minimize the risk of conflict with the obligations of judicial employment.

- 3.4- Gifts and Extra Compensation

I have been employed with the Benson Justice Court since July 25, 2021, previously working for nineteen years with the Sierra Vista Justice Court #5. In the month of September 2017, former Cochise County Superior Court, Presiding Judge James Conlogue, requested my assistance with the Benson Justice Court by switching positions with former Court Manager, Anita Nelson. At this time, Judge Staggs was having issues with Ms. Nelson, therefore, I was asked to assist them by taking on the Court Manager position.

The tone of the Benson Justice Court work environment was hostile, with staff feeling divided and under pressure due to the incidents that had occurred between Judge Staggs and Ms. Nelson. I was put in a very difficult position following his directives and trying to correct issues with staff who felt that I was trying to take over Ms. Nelson's position. After three months of being

caught in the middle of the feud between Judge Staggs and Ms. Nelson, the 40 minute commute to work and personal medical issues, I made the decision to return to my position as Court Supervisor in Sierra Vista. As soon as I informed Judge Staggs that I had requested to return to my old position, he immediately expressed his disappointment; he was very discourteous and stopped communicating with me. I recently learned that during this time Judge Staggs spoke very poorly of me and that his behavior towards me was in a retaliatory manner. In Judge Staggs Judicial Public Reprimand #2018-143, filed by former Court Manager Christina M. Edminsten, page #9, Exhibit #4 you will find that Ms. Edminsten states that Judge Staggs treated and spoke very unkindly of me (See Exhibit 1-Public reprimand #2018-143). I believe his retaliatory behavior towards me was due to the fact that I did not stay with the Benson Justice Court #3. Judge Staggs violated Judicial Conduct Rules 1.2- Promoting Confidence in the Judiciary and 2.8 Professionalism.

I returned to my position in Sierra Vista and after four years Judge Staggs requested that I apply for the Benson Justice Court Manager position because former Court Manager, Samantha Reno had just resigned and had also filed a Judicial Commission complaint against him.

Immediately after starting my position at the Benson Justice Court I was tasked with having to complete the Triennial financial audit, three months of backlogged financial and statistical reports, managing and hiring staff, team building and preparing for the Benson Justice and Municipal Court Operational Review.

On October 2021, Judge Staggs violated Judicial Code of Conduct Rules 1.2, 2.5, 2.6 and 2.8 during the Operational review visit by AOC Operational Review Specialists Delia Carranza and Veronica Villa. Judge Staggs's demeanor towards both Ms. Carranza and Ms. Villa was very hostile. During my one-on-one interview with Ms. Carranza, Judge Staggs aggressively opened my office door, disrupting our interview to ask me a question regarding an officer that was standing right behind him. Once I provided the answer to his question he left my office. I was embarrassed with the way he had rudely entered my office and I apologized to Ms. Carranza for the interruption. That same week both Judge Staggs and I had an onsite overview meeting with Ms. Carranza and Ms. Villa. We discussed issues that needed more clarification and we were provided with some recommendations for issues that both auditors felt needed immediate attention. During our meeting, Ms. Carranza was trying to explain to Judge Staggs that his case worksheets should not be used as personal case notes and as part of a sentencing form. Judge Staggs took on an aggressive attitude towards Ms. Carranza and as well as with Ms. Villa when she was trying to explain to Judge Staggs that the Judgment forms should clearly and separately indicate the fine and fee amounts. I tried very hard to keep my composure and I tried to reassure both Ms. Carranza and Ms. Villa that I would continue to cooperate and comply with the operational review process. Judge Staggs's was unprofessional, uncooperative and failed to promote confidence in the Judiciary during the Operational review and the follow up that started in November 2022.

On November 10, 2022, both Judge Staggs and I had received an email from AOC Operational Review Specialist Lucia Luna, informing us of the follow-up review and the request for documentation to be provided to them by November 28, 2022. A week before my deadline, as I prepared the documents for the follow-up, I had requested Judge Staggs assistance in reviewing answers and assistance with locating some documentation that I needed to submit. I explained to him that I was having some problems with the court proceeding recordings and I informed him that I asked IT Director Candace Hardt to assist me with downloading the hearings and creating a zip file so that I could email them to AOC. I informed him that I had kept in contact with the auditors informing them of my issues with the recordings. I handed over my answers and documentation to Judge Staggs on November 21, 2022.

On Tuesday, November 22, 2022, Judge Staggs reviewed my documents and at 9:45p.m, he sent me an email stating that he was concerned that I had waited until the last minute to submit the requested information to AOC (**See Exhibit 2-Waiting until the last minute email**). I submitted my response to AOC before the requested date and yet Judge Staggs sent me an email stating I had waited till the last minute. During our follow-up exit meeting with Operational Review Specialists, Lucia Luna, Veronica Villa, Jennifer Jones and Catherine Clarich, Judge Staggs again displayed an aggressive and rude behavior towards the auditors. He disagreed with some of the items presented but did try to reassure them that he was doing everything he could to comply. After our meeting I stayed online to continue to discuss some of the financial findings and Judge Staggs left my office. I later kept in contact with Jennifer Jones regarding the follow-up finding **#35.1- If adjustments are made in AJACS during a month, by reversing a receipt or a journal voucher, then the amounts should not be manually deducted from the SABA when preparing the end of month remittance as the system has accounted for the adjustments. The court should refer to the AJACS training documentation “[End of Month Reconciliation](#)” for additional assistance. The court should work with the Cochise County Treasurer to identify the correct allocation of funds and to make the necessary corrections.** This finding was an issue not only in the Benson Justice Court Operational Review but also with two other Cochise County Courts. I was in collaboration with Deputy Court Administrator, Niltza Flores, Chief Deputy Clerk of the Treasurer, Maria Pitzlin, and AOC Operational Review Specialist Jennifer Jones trying to find a remedy to the finding.

On June 5, 2023, after our EOM report meetings, I had gone into Judge Staggs’s office to let him know that I was still working on this project. I explained to him that we were having a difficult time in finding a resolution. I commented to him that AOC Operational Review Specialist, Jennifer Jones had made a comment that she was not an accountant but that she knew that AJACS financial SABA report would indicate adjustments and therefore we did not need to make any manual adjustments. Judge Staggs interrupted me and immediately contacted Ms. Jones supervisor, Catherine Clarich, leaving her phone message, asking her for assistance with this matter. He stated that I had already spent too much time trying to find a resolution and that I needed to get back to my managerial duties and he requested that she please get someone else who had accounting experience. Ms. Clarich contacted both Judge Staggs and Ms. Flores regarding this call. Ms. Flores contacted Judge Staggs and informed him that she had requested my assistance with this issue. I had contacted Ms. Flores and informed her that I had tried to keep Judge Staggs in the loop but he tried to resolve the issue for us by contacting Ms. Clarich. I

was extremely embarrassed by his conduct and I asked Ms. Flores to please let Ms. Clarich and Ms. Jones know that I did not complain to Judge Staggs and that I did not ask him to do this for me. The whole issue was blown out of proportion.

I feel that Judge Staggs's excessive staff supervision, lack of communication and trust has destroyed the workplace culture. Judge Staggs consistently compares me to his former Court Managers and their job performances. His fear of potential complaints being filed against him has hindered his ability to trust, communicate, guide and motivate his staff. He constantly brings up every incident that has occurred with his former managers and employees in which led to his reprimands. Many times he has told me that he comes into work and looks for a manila envelope on his desk; fearing that it is another complaint filed against him. Many times he has made the comment to me that it is so unfair that anyone can file a complaint against him but that it would take a lot more work for him to file a complaint against an employee.

In the month of August 2021, I had conducted an interview for a court assistant vacancy. In the process of setting up the interviews, I asked Judge Staggs if he wanted to be part of the interview panel. Judge Staggs declined to be part of the interview panel and told me that I had full authorization to conduct the interview and make the selection. I made the selection for the employee and offered her the position. I informed Judge Staggs of my decision and he had no objection.

In the month of September 2021, I had to conduct another interview for a second vacancy. Two people were interviewed for this vacancy and during the interview, one of the candidates stated that she was grateful that Judge Staggs had told her to apply for the position. I personally felt she had the impression that she automatically had the position. Later on that day, Judge Staggs asked me how the interviews had gone; I told him that I was not too sure but that I was leaning towards one more than the other. I mentioned to him that one of the candidates had informed us that he had suggested that she applied. Very defensively, Judge Staggs informed me that she was a waitress and that he was very impressed with her customer service. He did not deny that he had made the suggestion to apply but he did state that he did not promise her anything. Judge Staggs did tell me that if I wasn't sure, that I should wait and do another interview. I wanted to clear up something with HR director Tracey Romero and shortly after the confirmation, I made my decision to hire and I offered the position to Bonnie Jankovic. I sent an email to Court Security Chief, Roberto Coronado and copied Judge Staggs, informing him of our new hire and I requested a building access card for Ms. Jankovic. When Judge Staggs saw the email he came charging into my office and was extremely upset with me because I made a decision without his authorization. I was confused with his accusation because he had given me full authority to conduct the interview and hire. He had no issues with my first hire and now he was very disturbed with this hire giving me the impression that it was because I did not offer the position to the candidate that he had suggested. He was so upset with me that he drafted a very aggressive letter accusing me of laughing, being unprofessional and exceeding my authority (**See Exhibit 3- Interview process**). Judge Staggs contacted Court Administrator, John Schow and

requested his input regarding this matter but I did not receive the letter from Judge Staggs. Judge Staggs violated Code of Conduct Rules 1.2, 1.3, and 2.8.

On October 12, 2021, Court assistant, Shayna Finch had requested guidance with a filing of a civil traffic citation that had not been filed within 10 days of issuance. Judge Staggs was in the courtroom at the time and I had informed Ms. Finch that I would ask Judge Staggs if he would approve the use of a new dismissal form that I had created. I let Ms. Finch know that she could continue the process if the form was approved. I sent Judge Staggs the email regarding the form and informed him that I had instructed Ms. Finch on the process. Judge Staggs replied to me in aggressive manner instructing me to never instruct staff to use a form without his authorization. **(See Exhibit 4-JP3-Dissmissal CVTR form email)**. After Judge Staggs received my response he apologized to me because he realized that his email displayed some aggression and after I clarified with him that I was asking him for his approval for the form. Judge Staggs's impulsive behavior has led him to make hasty decisions in which it negatively affects the work environment. Judge Staggs violated Code of Conduct Rules 1.2 and 2.8.

November 2022- January 2023 our office was dealing with staff issues and the operational review follow-up. Judge Staggs was displaying tension and frustration over employee issues, staff shortage and personal concerns regarding his public reprimand. Judge Staggs violated the Code of Conduct Rules 1.2 and 2.8 when he stopped the One-on-One communication, motivation, guidance and the opportunity to provide him with feedback. Instead he started to email his directives making me feel as if my input as a court manager was no longer valued.

In January 2023, Judge Staggs contacted Deputy Court Administrator Niltza Flores and Douglas Justice of the Peace Judge Alma Vildosola to request assistance for our court with input regarding court employee job duties and other court operations. Ms. Flores asked the Judicial Court Field Trainer Cynthia Navarro to come to our court and observe criminal court clerks Danele Douglas and Rhonda Barney in courtroom for court hearings.

On January 25, 2023, Ms. Navarro came to the Benson Justice Court to observe the clerks in the courtroom for Pre-Trial conference and it was through Ms. Navarro that I was informed of what she was doing there that day. Both criminal clerks were surprised and curious as to why they were being observed and they asked Ms. Navarro what she was doing. She informed them that she was asked to observe in order to provide input regarding their roles as courtroom clerks. Later on that day, Judge Staggs came into my office and I asked him why he did not let me know that he had requested to have Ms. Navarro come in to observe the clerks. He stated that he had not made that request and they, IT Director Candace Hardt and Field Trainer Cynthia Navarro, were there for a different reason. That same day as I was leaving for the day, I passed by Judge Staggs office to say good-bye and that I would see him tomorrow. He stopped me and said, "No you will be going to Douglas Justice Court to observe the court". Judge Staggs did not mention anything to me earlier, so I told him that I would not be able to go because we were short staffed

and I had to cover. This really upset him and he made the remark as to, “I know you will go if I tell you to”. I again told him that I really needed to be here as we would be down three clerks and that the date he had chosen was not a good date for me. He said, “Fine I will call Judge Vildosola and reschedule”.

On January 31, 2023, during our daily meeting Judge Staggs and I had a discussion regarding staff and me going to Douglas to observe. I informed Judge Staggs that the staff was pretty upset that he had asked Ms. Navarro to come and observe them. The feedback from staff was that they were offended and felt that he thought that they were not working hard enough. Judge Staggs denied that he had requested Ms. Navarro to come observe and he repeated that they were there for something else. When discussing my trip to Douglas, Judge Staggs informed me that he had rescheduled the date. I informed him that I had no problem in going to Douglas to observe but that it was a really bad time for me to do so, since we were really short staffed. Judge Staggs was really upset and stated that I was resisting his directive and that he was just trying to help out staff. He said he was offended that staff felt that way about him. I assured him that I agreed with him regarding my trip to Douglas but that it was just not a good time and stated that we could reschedule for a later date. During our Manager meeting on August 9, 2023, I asked Douglas Court Manager, Mayela Teran to please let me know what day would work best for her to have my criminal team and I come over for observation of courtroom hearings. Ms. Teran told me she would look at the calendar and get back with me. On August 15, 2023 during the Justice of the Peace Quarterly meeting, Ms. Teran provided me with some dates as to when would be a good time. I was unable to schedule this trip due to being placed on Administrative leave. Ms. Teran can confirm my request to go to the Douglas Court in order to observe her court proceeding practices.

On February 1, 2023, Judge Staggs sent me an email stating he was going to be stepping down (**See attached Exhibit-5 Stepping back, Chain of Command**). I went into Judge Staggs, office to speak to him shortly after receiving this email. He stated that he had enough and that he was really offended by staff thinking he did not feel that they worked hard enough. He told me he would step back and let me handle any issues regarding staff from that point on and he proceeded to forward all policies and procedures that he had created. After leaving his office I sent an email regarding a staff meeting (**See Exhibit 6-Staff -meeting**). I had to inform staff that Judge Staggs would be keeping his door closed and that if they had any questions to please come to me and I would address the issue. Staff was very upset as to how he was acting and disappointed that he did not address this new procedure directly with them. Judge Staggs remained with his door closed for about two weeks and would only speak to courtroom staff strictly about court cases. He then slowly began to keep his door open and began having a little more communication with staff. The lack of communication and inconsistency in employee treatment created by Judge Staggs threatened the health and productivity of our team and department.

On June 7, 2023, Judge Staggs violated the Code of Conduct Rules 1.2, 1.3 and 3.3 after conducting an arraignment on shoplifting charges for defendant Albert Rakhimov, case number CM2023000148. Judge Staggs came out of the courtroom and told staff that he was really moved by Mr. Rakhimov situation because he was a refugee from Russia that had no help and was trying to feed his family. Judge Staggs wanted to help him out by giving him some money but he didn't have much cash so he asked staff if we had any cash that he could borrow. He called Mr. Rakhimov to the front staff entrance and gave him the money he collected. Judge Staggs immediately went to the bank, came back and gave the staff their money back. Although, this was an act of kindness displayed by Judge Staggs, I feel it was inappropriate of him to ask staff to help him out with money as we felt obligated to contribute. I also feel that it was not appropriate to give Mr. Rakhimov the money in the lobby as it displayed an appearance of impropriety.

Judge Staggs also violated Code of Conduct Rules 1.2, 2.6, and 2.8 when handling a case for Ms. Brandy McNeamar. On August 4, 2023 the court received an email complaint from Ms. McNeamar regarding Judge Staggs' behavior towards her during her arraignment that was conducted on May 10, 2023 for case number CM2023000106-McNeamar, Brandy. Ms. McNeamar claims that Judge Staggs was mocking her and gossiping about her to court staff (**See Exhibit 7-McNeamar email**). Ms. McNeamar was very upset with the way Judge Staggs had handled her arraignment that she requested a change of Judge. Judge Staggs recused himself from this case.

Judge Staggs' improper demeanor has created a hostile environment for the Benson Justice Court. He has harassed, belittled and retaliated against me, causing me anxiety, stress and depression. He has violated my Title VII civil rights, FMLA rights, and the Code of Conduct Rules 1.2, 2, 2, 2.3 and 2.8.

On July 6, 2023 I sent a text to Judge Staggs informing him that I was on my way to work but that I had been dealing with a headache since Tuesday and I assured him that I would be in. He never acknowledged my text.

On Sunday, July 9, 2023, Judge Staggs sent me an email stating that he had been monitoring my time check-ins and that even though I was an exempt employee, I am required to work a minimum of 40 hours. He requested that I start recording my time through ADP (**See Exhibit 8-Email regarding 40 hours**).

On Monday, July 10, 2023, I came into work and upon reading the email I was completely shaken up by it. Shortly after, I received another email at 7:30a.m from Judge Staggs asking me to adjust my timecard to reflect that I had requested time off per my text that had been sent to him on July 6, 2023 (**See Exhibit 9-Email requesting to claim sick leave**). I was offended by

his email due to lack of communication, trust and confidence that he had in me. I was extremely upset and it affected my health and ability to focus on my job duties. I felt that I was on the verge of having a mental breakdown due to the stress that Judge Staggs has caused me these past two years. I made the decision to request two weeks off to think about my future with the court. Judge Staggs arrived to work around 10:30.a.m that morning and I went in to speak to him regarding this decision. Shortly after speaking to him, I logged off my computer and left the office. Upon arriving to my residence, I used my cell phone to log into ADP and submit my request for two weeks off, I contacted my doctor's office and scheduled an appointment, and sent Tracey Romero, HR Director an email informing her of what had occurred and requested information regarding a transfer (**See Exhibit 10-Email to HR 40 Hour Flex Schedule**).

On July 11, 2023, I received a text from Ms. Romero requesting that I call her once I had the chance to. I immediately called her back and discussed my situation. Later that morning, I realized that my request for time off had not gone through, I immediately logged back onto ADP and resubmitted the request and sent an email to Judge Staggs informing him of this issue (**See Exhibit 11-Leave request**).

On July 17, 2023, I received an email from Ms. Romero informing me of my FMLA approval, effective July 10, 2023 (**see Exhibit 12-AGUILERA Claudia- FMLA Approval July 2023**).

On July 24, 2023, I returned to work on this day with the intent of working things out. However, based on Judge Staggs's demeanor and responses I quickly realized that we were unable to compromise on any changes to improve our working relationship. I tried to explain to Judge Staggs that if he would have acknowledged my text on July 6, 2023, I could have explained to him why I was not required to clock in nor required to claim sick leave. Judge Staggs did not give me the opportunity to discuss the acknowledgment of the text because he told me that he did not have to respond to my text but that I did have to respond to his texts. Then further in our conversation he continued to belittle me by tapping his finger on his desk and made the statement of "all I knows is that if I was on that side of the desk I would be saying yes sir, no sir". I was completely offended by his demeanor. Therefore, I informed Judge Staggs that it was best that I move on. I courteously informed him that I had requested a transfer and I assured him that I would continue to perform my job duties to the best of my ability.

On July 26, 2023, I received an email from Judge Staggs accepting my verbal resignation and his request for my written resignation so that he can start recruiting for my position (**See Exhibit 13-Resignation Request**).

On July 27, 2023, I replied to Judge Staggs request for my official written resignation (**See Exhibit 14- Reply Resignation Request**). On the Pre-Action notice, Judge Staggs states that he interpreted my response as passive aggressive.

From July 27, 2023 up to August 21, 2023, I was performing with my daily tasks as assigned by Judge Staggs. I followed his directives of recording my time through ADP, I attended my daily meetings, I caught up with all work that had accumulated due to my FMLA absence, I submitted all my reports on time, I scheduled the manager meeting, started process of scheduling the Douglas observation trip, ordered supplies, delegated work to staff, and directed them to start cross training for the courtroom clerk for civil traffic and civil litigation cases.

On August 21, 2023, Judge Staggs and Tracey Romero called me into Judge Staggs's office to inform me that I was being placed on Administrative leave, I was completely blindsided and devastated to learn that Judge Staggs had made the decision to take this disciplinary action against me. I have made every effort to maintain a professional and respectful relationship with Judge Staggs. I had every intention to complete my responsibilities to the best of my ability in order to achieve a successful transition to another department.

On August 22, 2023, I submitted my response letter in regards to the allegations of the Pre-Action Notice. As stated on my response, I felt that the action is unjust and submitted in retaliation for my request to transfer and for not submitting my resignation as requested.

On August 31, 2023, I received the Pre-Action Notice Determination/Notice of Suspension. I believe that the decision to suspend without pay for 80 hours and place me in special observation for 180 days is, unjust, unfounded, in retaliation and in violation of my employee civil rights. Judge Staggs's responsibilities as my Supervisor are to communicate organizational needs, provide guidance, support, motivate, and identify developmental needs in order to obtain a healthy and successful environment. I believe that the suspension without pay and special observation for a period of 180 days is unjustified as it not only sets me up for failure, since Judge Staggs has never properly identified developmental needs, but it also affects my reputation and damages my chances to successfully transfer to another department.

On September 13, 2023, I filed an appeal for the disciplinary action of suspension without pay and six month observation period.

On September 25, 2023- I submitted my official written resignation with the final date of October 13, 2023.

On September 26, 2023, I received a call from HR Director, Tracey Romero informing me that she had received my resignation. I asked her for the status of the appeal hearing and she informed me that Judge Bannon the assigned hearing officer for the appeal had asked if we were willing to reach a settlement. She then informed me that the court really needed my assistance and she asked me if I was willing to train staff for the remaining time I had left at the Benson Justice Court. I informed Ms. Romero that I was willing to assist the court by training staff with

the condition that Judge Staggs withdrew the complaint filed against me. Judge Staggs agreed to withdraw the complaint and I immediately reported to work that day and started the clean-up and training (**See Exhibit 15-Email from Tracey regarding complaint withdrawn**).

On September 28, 2023- I received an email from HR Director Tracey Romero Confirming the withdrawal of the complaint and disciplinary action (**See Exhibit 16-Confirmation that Disciplinary Action Has Been Withdrawn**).

On September 29, 2023- I had submitted a PTO leave request for October 2, 2023, October 13, 2023 and October 16, 2023. Judge Staggs approved my request for October 13, 2023, and denied the two other requests. He sent me an email stating that he did not approve my PTO leave request for October 2, 2023, because I needed to be at work to train employee Sheri Minker (**See Exhibit 17- Time Off Requested**). I responded to Judge Staggs's email informing him that I had two separate appointment's that day and that I would not be able to come in. Judge Staggs was very upset and contacted Ms. Romero to inform him that he needed me to train staff and that was the condition for the withdrawal of the disciplinary complaint. After I read the email of my denied PTO leave request, I suffered an anxiety attack. Judge Staggs continues to harass me, even after all my efforts in trying to cooperate and leave on good terms.

On October 1, 2023- I received a text from Ms. Romero asking me if my appointments were FMLA related. She informed me that Judge Staggs was anxious about me training staff before I left the department. I informed her that I had suffered an anxiety attack and that I would be going to the doctor.

On October 2, 2023- I went to my doctor and he put me back on FMLA for another two weeks. That same day I informed HR that I was not going to be able to return and train. While speaking with Ms. Romero, Judge Staggs sent me an email instructing me to train Sheri Minker with financial of the court (**See Exhibit 18-Training Sheri Minker Both Senior Clerk & Court Manager Duties**). Ms. Romero insisted that I try to come in and train staff but I informed her that due to my stress and fear of retaliation created by Judge Staggs I could not return.

Judge Staggs has discriminated against me, violated federal laws, engaged in improper demeanor and perpetuated a hostile environment. He has not only affected my career, but the career of former Benson Justice court employees. I respectfully request that commission take appropriate action in this case. I beg that the commission consider a firmer disciplinary action against Judge Staggs rather than a letter of reprimand or warning letter for his repeated destructive behavior.

Sincerely,

Claudia Aguilera
Benson Justice Court Manager

Exhibit 1-Public reprimand #2018 x

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9 of 300

CHRISTINA M. EDMISTON

JUDGE BRUCE E. STAGGS

person who is retaliated against it affects the whole office environment. Judge Staggs' retaliation against A N and C A has created an environment of fear which is unproductive at best and has caused health and anxiety problems in myself and others. My complaint was never investigated, none of the clerks were interviewed to find out what was really happening.

4. September – December 2017 - When C A took over as court manager he treated her rudely and in a demeaning manner. He blamed her for decreasing filings and money. Her blamed her for 1 finding in the MAS audit. He blamed her for disorganization in the office. Once again, he tried to divide and conquer the office again pitting us against one another. He even called a meeting while she wasn't there to undermine her authority as Court Manager. He would talk unkindly about her behind her back and blamed her for court shortcomings long after she was gone. She stayed for three months and then asked to return to her position in Sierra Vista.

From: [Staggs, Bruce](#)
To: [Aguilera, Claudia](#)
Subject: Waiting To The Last Moment to Collect Data For AOC
Date: Tuesday, November 22, 2022 9:45:56 PM

Claudia,

I have finished collect the information which AOC is requested. It's late and I'm going home.

We will speak tomorrow about you waiting to the last moment to collect all this data.

Reflecting upon the matter I am very concerned that you have waited to the last moment collect the data. We are under the microscope of AOC for having such a bad audit. By not getting the recordings to them, in the time they have allotted, will not improve our reputation with AOC.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Staggs, Bruce

Exhibit # 7

From: Staggs, Bruce
Sent: Friday, October 1, 2021 8:12 AM
To: Schow, John
Subject: Concerns About Claudia
Attachments: Claudia.doc

John,

Please read the attached letter that I have composed to Claudia. I have not sent it. I want to get your input on how to handle the matter prior to taking any action.

Can you call me as soon as possible to discuss this matter?

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
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Exhibit #7

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

Claudia,

It is with great trepidation that I write this letter.

As you know, I've given you prodigious authority to run the administrative side of the court. I have done this because I have great respect for your knowledge and leadership capabilities. I believe that I have listened to all your suggestions to date, and have been very open to implementing them.

As you also know, I have been **VERY** clear that prior to implementing **ANY** change whatsoever, that you need to come to me, explain the change, explain how it will improve Benson Justice Court #3, and get my approval, **PRIOR**, to implementing any change.

As such, it was a shock to me to read the email you copied me on that you sent the Head of Security, Bobby Coronado, to find out that you hired a new employee, Bonnie Jankovic. You hired Ms. Jankovic without even discussing it with me, much less getting my approval. I feel strongly that you have exceeded your authority.

I questioned you on Monday, September 27, 2021, as to how the interviews went. I was under the understanding that you were not impressed with either candidate. I know that it has been difficult hiring an employee as the position has been open for a long time. As I left, I stated to you to not settle for an employee that you didn't feel good about and that we would continue to post the position and find the best employee that we could.

Claudia, what is of greater concern to me that, when I went and confronted you about the matter, you were very unprofessional and you just laughed it off. You basically said it was a closed matter because Bonnie was already hired. This is not acceptable to me.

I put this in writing, to document to you and to be very **CLEAR**, in the future you are to make **NO** changes whatsoever, without first discussing them with me and getting my approval to implement said changes.

Judge Bruce E. Staggs
Benson Justice of the Peace #3

September 30, 2021
Date

Staggs, Bruce

Exhibit #8

From: Schow, John
Sent: Tuesday, October 5, 2021 2:14 PM
To: Staggs, Bruce
Subject: RE: Concerns About Claudia
Attachments: Claudia (002).doc

Good Afternoon Judge,

I apologize for not getting to this sooner.

I made a couple of suggestions for changes to the letter, changing the bold all-caps to regular font and a suggested alternative to the last paragraph. I just think it will set the tone for positive future behaviors. Just suggestions, you of course are free to proceed as you wish. It appears you do not intend this to be a discipline, but rather a clear directive of your expectations.

Let me know how it goes.

r/
John

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, October 1, 2021 8:12 AM
To: Schow, John <jschow@courts.az.gov>
Subject: Concerns About Claudia

John,

Please read the attached letter that I have composed to Claudia. I have not sent it. I want to get your input on how to handle the matter prior to taking any action.

Can you call me as soon as possible to discuss this matter?

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



Exhibit #8

126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

Claudia,

It is with great trepidation that I write this letter.

As you know, I've given you prodigious authority to run the administrative side of the court. I have done this because I have great respect for your knowledge and leadership capabilities. I believe I have listened to all your suggestions to date and have been very open to implementing them.

As you also know, I have been very clear that prior to implementing any change whatsoever, that you need to come to me, explain the change, explain how it will improve Benson Justice Court #3, and get my approval prior to implementing any change.

As such, it was a shock to me to read the email you copied me on that you sent the Head of Security, Bobby Coronado, to find out that you hired a new employee, Bonnie Jankovic. You hired Ms. Jankovic without even discussing it with me, much less getting my approval. I feel strongly that you have exceeded your authority.

I questioned you on Monday, September 27, 2021, as to how the interviews went. I was under the understanding that you were not impressed with either candidate. I know that it has been difficult hiring an employee as the position has been open for a long time. As I left, I stated to you to not settle for an employee that you didn't feel good about and that we would continue to post the position and find the best employee that we could.

Claudia, what is of greater concern to me that, when I went and confronted you about the matter, you were very unprofessional, and you just laughed it off. You basically said it was a closed matter because Bonnie was already hired. This is not acceptable to me.

In the future, I would like you to discuss with me personnel related issues before making a decision. I value you as my manager and look forward to a good working relationship.

Judge Bruce E. Staggs
Benson Justice of the Peace #3

September 30, 2021
Date

Staggs, Bruce

Exhibit #9

From: Staggs, Bruce
Sent: Wednesday, October 13, 2021 8:07 AM
To: Aguilera, Claudia
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Thank you.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Wednesday, October 13, 2021 8:06 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Understood

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, October 13, 2021 7:33 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Claudia,

Do not ever instruct a staff member to use a form that has not been approved by me first.

As you have repeatedly been instructed, any change you want to make in this court has to be discussed between us first. Only when we are both in agreement of how we are to proceed, and are united in a course of action, do you implement a change and give direction to the staff.

Judge Staggs

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Tuesday, October 12, 2021 2:52 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: JP3-Dismissal CVTR by Judge 10-12-21

Judge Staggs,

I have attached a minute entry to cover the dismissal of citations that are not filed within 10 days. Do you want to use this form? I have instructed Shayna to use this form, send a copy to defendant and officer along with the police department.

Please advise,

Claudia Aguilera

Court Manager

Benson Justice & Municipal Court

From: Staggs, Bruce <bstaggs@courts.az.gov>

Sent: Wednesday, February 1, 2023 1:58 PM

To: Aguilera, Claudia <claguilera@courts.az.gov>

Subject: Judge Stepping Back, Chain of Command & Form Responsibilities

Claudia,

Per our conversation last night I decided to step back from any instructing to the staff regarding their duties, performance or lack of performance. It is all going to flow through you first from now on, via chain of command. I'm going to make a point to keep my door shut as much as possible. You can instruct the staff that should they have questions, that they must **always** come to you first. If you do not know how to answer the question or implement policy, you then need to come to me for direction.

In the future I intend to limit my actions in the court to fulfill my primary responsibility of sitting on the bench and then fulfill my secondary responsibility of making policy. It will be your responsibility to implement and then enforce said policy.

Commonly I receive Memorandums from AOC regarding Administrative Orders and form changes. On 1/20/2023, I received notification of changes of 2023 Poverty Guidelines and Updated Fee Waiver and Deferral Forms. Prior to beginning to write this email I downloaded the following forms: Poverty Guidelines 2023, Application Or Deferral Or Waiver Of Fees AOCDGF1F - 01 12-23, and Supplemental Application For Deferral Or Waiver Of Court Fees And Costs AOCDGF9F - 01 12 23 they are attached. Please forward them to the staff and instruct them to delete the old forms in their computers and replace them with the new forms.

From this point on, as the Court Manager, I am making you responsible for implementing the Administrative Orders and changing forms so they are up to date as AOC requires. I am also making you responsible for following up and making sure that the staff implement and utilize the new forms.

In the past I have downloaded all the forms, put our letterhead on them and have organized the forms for easy reference for the staff in their computers. Many times I have organized the file cabinets myself with the new forms.

Whenever I have done this and forwarded them to the staff, I have **ALWAYS** instructed them to remove all old paper forms from their desks, courtroom and file cabinets. I have further instructed them to delete the old files from their computers and begin using the new forms immediately. Many times this is **NOT** done because I believe they briefly scan the email and have good intentions of handling it later. Far too many times they never do. They are not reminded about it because the email has gone from “unread highlighted status” to “read status”. As such, many times they don’t add the forms to their computer and don’t delete the old forms. What’s worse is that we use outdated forms.

When you send the new forms and policies to the staff, you are instructed to send me a copy.

I will be sending you all the forms that I have on my computer so you will know what forms we are currently using and how I have organized them.

Should you have any questions please feel free to ask.

Judge Staggs



Judge Bruce Staggs

Justice of the Peace, JP-3

Magistrate, City of Benson

126 W. 5th Street, Suite #1

Benson, Arizona 85602

(520) 586-8100

(520) 586-8117 fax

bstaggs@courts.az.gov

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From: Aguilera, Claudia

Sent: Wednesday, February 1, 2023 4:01 PM

To: Barney, Rhonda <rbarney@courts.az.gov>; Douglas, Danele <ddouglas@courts.az.gov>; Ferraro, Diana <DFerraro@courts.az.gov>; Finch, Shayna <sfinch@courts.az.gov>; Jankovic, Bonnie <bjankovic@courts.az.gov>; Naegle, Donna <DNAegle@courts.az.gov>

Subject: Staff meeting

Please be advised will be having a staff meeting tomorrow, Thursday, February 2, 2023 at 1:00pm in the breakroom.

Let me know if you have any questions or concerns.

Thank you,

Claudia Aguilera, CCM

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602

☎ 520.586-8108

📠 520.586-8117

From: Brandy Mcnemar >
Sent: Friday, August 04, 2023 10:46 PM
To: Benson Justice Court <BensonJusticeCourt@courts.az.gov>
Subject: Re: Thank you for writing to us.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The courts haven't answered anything about rescheduling and I've messaged several times. The benson court told my husband that they were gonna fix the issue on their side because they didn't send off the Drs note or pass along my messages on time for the judge to reschedule. I let the court know DURING court when Staggs gave the date of the 25th that I will not be able to make it that day due to surgery!!! HE SAID JUST CALL TO RESCHEDULE IF I can't. When I asked for another judge and Staggs failed to pass that info along. Purposely I suspect. , otherwise the judge would have rescheduled with no issues. I communicated prior to even leaving the court room with the false charges. Which I explained to stags I have a recording stating what David my husband told the cop was a lie and staggs proceeded to mock me again and talk to Rhonda like It was all a joke. Explaining to her what he thought was so funny. Imagine being a court house and not being able to communicate simple things in order for court to run smoothly and fairly Staggs!

On Jul 28, 2023, at 5:16 PM, Benson Justice Court
<BensonJusticeCourt@courts.az.gov> wrote:

The Benson Justice Court has received your email, and we will attempt to respond within 24 hours. You may also try contacting the court by calling us at 520-586-8100

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Sunday, July 9, 2023 9:29 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Cc: Flores, Niltza <NFlores@cochise.az.gov>
Subject: 40 Hour Flex Schedule

Good morning, Claudia,

Last month while preparing and updating the Pro-Tempore manuals, and also this last week, I was coming in before 7:00 am and leaving after 6:00 PM. During this time, I noted that the times you were arriving, and departing were not in compliance with current Cochise County standards.

Most exempt employees do not have to clock in and out on ADP, however they are still required to work a full 40 hours per week and also take a full hour lunch. This also includes you as the Court Manager. Although you are exempt, you must still complete a full forty-hour work week for your flex 4 day/10 hour work schedule.

I understand there will be days where you may be running late however, during the time while preparing and updating the Pro-Tempore manuals, I noticed you arriving after 7:30 AM and leaving at 5:30 PM, on a daily basis. Arriving approximately at 7:30 AM, and leaving at 5:30 PM does not meet the standard of working 40 hours a week. A review of the DSX access log over the last 3 months confirmed this is happening on a frequent basis.

Although you are exempt, you must still complete your full 40 working hours for your flex 4 day/10 hour work schedule. Most exempt employees do not have to clock in and out on ADP, however, there are department heads who require their exempt employees to clock in and out.

So this issue does not have to be monitored in the future, beginning immediately, I would like for you to begin clocking in and out, while putting in at least a full 40 hours a week. You will be expected to clock in at 7:00 am and clock out at 6:00 pm, while taking a 1-hour lunch break, as all the other clerks do.

This will provide consistency with all current Cochise County and court standards.

As usual, should you have any questions, you can feel free to discuss them with me.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Monday, July 10, 2023 7:31 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Time Card

Claudia,

I went to approve your timecard this morning and see that you marked the time for Thursday July 6, 2023, when you called in regarding being late due to a migraine. Please complete your time card so I can approve.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
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From: [Romero, Tracey](#)
To: [Aguilera, Claudia](#)
Cc: [Schow, John](#)
Subject: RE: 40 Hour Flex Schedule
Date: Monday, July 10, 2023 4:28:57 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Claudia,

I would like to talk with you about a Deputy Clerk Supervisor position with the Clerk in Bisbee. It is not yet opened, so you won't see it on our job page. Otherwise, if you see something else that you may be interested in, please let me know.

<https://www.governmentjobs.com/careers/cochise/promotionaljobs>

Please feel free to call me at any time convenient for you, even if after hours.

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Monday, July 10, 2023 12:53 PM
To: Romero, Tracey <TRomero@cochise.az.gov>
Cc: Schow, John <JSchow@courts.az.gov>
Subject: Fw: 40 Hour Flex Schedule

CAUTION: EXTERNAL EMAIL*

Hi Tracey,

I am writing to you to inform you that I have requested two weeks of PTO to give me time to think about my future with the Benson Justice Court. As you can see from the email below Judge Staggs is questioning my time of hours I work on a weekly basis. I went into his office this morning to speak him regarding this issue. I have worked very hard for this department and have given no reason to doubt the time and effort of my work.

My working relationship with Judge Staggs has been strained and I have exhausted myself to the point to where it is now affecting my health.

Could you please advise me of what I need to do to request a department transfer?

Thank you,
Claudia Aguilera

From: Aguilera, Claudia
Sent: Monday, July 10, 2023 7:27 AM
To: >
Subject: FW: 40 Hour Flex Schedule

FYI- I am putting in my 2 weeks notice. I am so done with this man.

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Sunday, July 9, 2023 9:29 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Cc: Flores, Niltza <NFlores@cochise.az.gov>
Subject: 40 Hour Flex Schedule

Good morning, Claudia,

Last month while preparing and updating the Pro-Tempore manuals, and also this last week, I was coming in before 7:00 am and leaving after 6:00 PM. During this time, I noted that the times you were arriving, and departing were not in compliance with current Cochise County standards.

Most exempt employees do not have to clock in and out on ADP, however they are still required to work a full 40 hours per week and also take a full hour lunch. This also includes you as the Court Manager. Although you are exempt, you must still complete a full forty-hour work week for your flex 4 day/10 hour work schedule.

I understand there will be days where you may be running late however, during the time while preparing and updating the Pro-Tempore manuals, I noticed you arriving after 7:30 AM and leaving at 5:30 PM, on a daily basis. Arriving approximately at 7:30 AM, and leaving at 5:30 PM does not meet the standard of working 40 hours a week. A review of the DSX access log over the last 3 months confirmed this is happening on a frequent basis.

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So this issue does not have to be monitored in the future, beginning immediately, I would like for you to begin clocking in and out, while putting in at least a full 40 hours a week. You will be expected to clock in at 7:00 am and clock out at 6:00 pm, while taking a 1-hour lunch break, as all the other clerks do.

This will provide consistency with all current Cochise County and court standards.

As usual, should you have any questions, you can feel free to discuss them with me.

Judge Staggs



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From: [Aguilera, Claudia](#)
To: [Staggs, Bruce](#)
Cc: [Romero, Tracey](#); [Flores, Niltza](#); [Schow, John](#)
Subject: Leave request
Date: Tuesday, July 11, 2023 10:29:00 AM

Good morning Judge Staggs,

Per our discussion yesterday I verbally informed you that I needed to take a couple of weeks off as I need to decide my future with the Benson Justice court. After I left yesterday, I used my cell phone to submit my request for time off but I realized it did not go through. I have resubmitted it and I wanted to inform you that I am planning on filling for FMLA.

Thank you,
Claudia Aguilera

Timothy B. Dickerson
Presiding Judge



David Thorn
Associate Presiding Judge

John Schow
Court Administrator

Niltza Flores
Deputy Court Administrator

**SUPERIOR COURT OF ARIZONA
COCHISE COUNTY
OFFICE OF THE COURT ADMINISTRATOR**

July 17, 2023

Claudia Aguilera

Re: FMLA Leave

Dear Claudia:

On July 14, 2023, this office received the completed Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act. Your request for leave under the Family Medical Leave Act ("FMLA") is approved and is effective July 10, 2023. Your physician is estimating that it will be necessary for you to be absent through July 24, 2023. You had 480 hours of FMLA leave available as of July 10, 2023.

As of the start of the current pay period (July 9, 2023), you had hours of sick and PTO hours.

When you are ready to return to work, a note from your physician will be required. If you have any limitations, those limitations will need to be clearly defined on your release, and how long the limitations will be in effect. Please send your release directly to me before you return to the office.

If you have any questions, please do not hesitate to reach out to me at tr Romero@cochise.az.gov or 520-432-8503

Sincerely,

Tracey Romero
Judicial Human Resources Director

cc: Bruce Staggs, Justice of the Peace

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

July 26, 2023

Claudia Aguilera

Re: Acceptance of Resignation

Dear Claudia,

On Monday, July 24, 2023, we had a long discussion about the court. During this discussion you indicated that you were submitting your resignation for various reasons. This letter is to confirm my verbal acceptance of your resignation.

The court cannot be without a Court Manager for an extended period, and I will need your letter of resignation before I can start the recruitment process. I would hope that there will be some time for overlap to assist with training the new Manager.

Please submit your letter of resignation with your preferred ending date so that we can move forward with a recruitment. Your cooperation for a smooth transition is appreciated.

Sincerely,

Judge Bruce E. Staggs *BS*
Benson Justice of the Peace #3

July 26, 2023
Date

cc: John Schow, Court Administrator
Tracey Romero, Judicial Human Resources Director

From: [Aguilera, Claudia](#)
To: [Staggs, Bruce](#)
Cc: [Schow, John](#); [Romero, Tracey](#)
Subject: RE: Resignation
Date: Thursday, July 27, 2023 8:10:40 AM

Judge Staggs,

My official written resignation will be provided when that time comes. For now, I am performing duties as the court manager following the rules you have established.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, July 26, 2023 8:40 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Resignation

Claudia,

Please see attached.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Judge Staggs,

I spoke to Claudia and she will accept your request to return with the working hours of 8:00 – 5:00. She will get ready and report to the court soon.

Claudia advised that she will need to take PTO for Friday, October 13th as she had already made other arrangements since she typically did not work Fridays at JP3.

With Claudia's resignation from JP3 having been received, I am glad that we can work together during this transition period. I have copied Claudia, John Schow and Christine Roberts on this correspondence.

Thanks again,

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

From: bruce brucestaggs.com <bruce@brucestaggs.com>

Sent: Tuesday, September 26, 2023 9:31 AM

To: Romero, Tracey <TRomero@cochise.az.gov>

Subject: Claudia

CAUTION: EXTERNAL EMAIL*

Tracey,

Per our discussion, if Claudia is willing to come into the court and train Sheri Minker regarding the duties of the Court Manager and Senior Clerk I am willing, in the interest of the court, to not have any disciplinary action taken that Claudia is docked any pay to be effective upon her presenting to the court. I am requesting that her hours be 8:00 AM - 5:00 PM, matching Sheri's hours, so Sheri can receive as much training as possible.

I am requesting that she present to the court this afternoon. If she wants to take a 1/2 hour lunch to make up hours for yesterday and this morning or if she wants to stay late to do any clean up she feels is necessary, she has my permission.

What is important is that Sheri gets as much training as possible.

Judge Staggs



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Great, thank you so much!

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Thursday, September 28, 2023 3:34 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>; Claudia Aguilera <caguilera1@cox.net>
Cc: Schow, John <jschow@courts.az.gov>
Subject: Confirmation that Disciplinary Action Has Been Withdrawn

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Claudia,

Per your request, this email on behalf of Court Administrator John Schow, confirms that the 80 hours of unpaid suspension time and special observation period that had recently been imposed by Judge Staggs, has officially been withdrawn, based on your return to work for an 8:00 – 5:00 Monday thru Friday schedule and agreement to train staff.

Please let me know if you have additional questions. Thank you.

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Monday, October 2, 2023 8:01 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Cc: Romero, Tracey <tromero@cochise.az.gov>
Subject: Re: Time Off Requested

Claudia,

Tracey has approved time off for Monday, October 2, 2023.

Judge

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From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, September 29, 2023 5:21:42 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Cc: Romero, Tracey <tromero@cochise.az.gov>
Subject: RE: Time Off Requested

Judge,

I have two Dr. Appointment for Monday so I will not be able to make it in. I am making every effort to cooperate but if this will cause a problem with the remaining time I have left with Benson Justice Court, please let me know so that we can make different arrangements.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, September 29, 2023 4:35 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Cc: Romero, Tracey <tromero@cochise.az.gov>
Subject: Time Off Requested

Claudia,

I have approved your request for time off on October 13, 2023, as it was made known to Tracey Romero regarding this, who then made it known to me, on September 26, 2023.

I did not approve your request for time off on October 02, 2023, as you are needed to train Sheri Minker, Senior Clerk, as much as possible in the short time left until your resignation on October 13, 2023, becomes effective.

I did not approve your request for time off on October 16, 2023, as your resignation is effective, end of day on October 13, 2023.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>

Sent: Monday, October 2, 2023 3:54 PM

To: Aguilera, Claudia <claguilera@courts.az.gov>

Cc: Schow, John <jschow@courts.az.gov>; Romero, Tracey <tromero@cochise.az.gov>; Minker, Sheri A <saminker@courts.az.gov>

Subject: Training Sheri Minker Both Senior Clerk & Court Manager Duties

Claudia,

Today I met with Sheri and asked her how the financial training went on Friday, September 29, 2023, when you were preparing the end of month financial reports. While Sheri did report the training that she received from you, she did not receive any trainings on end of month financial reports. It is imperative that Sheri receives as much financial training as possible.

One of the Senior Clerk job description duties is to perform the management duties of the Court Manager, when the Court Manager is not present.

Your primary directive until October 12, 2023, is to work closely with Sheri and train her as much as possible with regard to financial training.

I am directing you to go over the end of month financial training as soon as possible with Sheri. I do not want Sheri assigned to any other duties in the court but financial training, followed distantly by other Senior Clerk and Court Manager training.

You have a vast amount of knowledge that you can share with Sheri. I know that it is not possible to train Sheri in all her duties, in such a short amount of time. I am giving you this directive because I want Benson Justice Court to be in the best possible position when you leave the court, so that Benson Justice Court can operate at its highest potential. I truly hope that you feel the same.

Should you not understand this directive, you are free to ask questions.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson

126 W. 5th Street, Suite #1
Benson, Arizona 85602
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March 4, 2024

Resp
(Staggs)
3/04/24
23-389

Commission On Judicial Conduct
1501 W. Washington St., Suite 229
Phoenix, Arizona 85007

Attention: Mr. Brian A. Bohan

Re: 23-389

Dear Mr. Bohan,

I'm in receipt of your January 30, 2024, letter advising me of Complaint No. 23-389, made by Ms. Aguilera,

I want to start my response by stating that at no time have I ever retaliated against Ms. Aguilera. When Ms. Aguilera was hired at JP-3 she was given specific written directives that she resisted and then goals that she failed to accomplish.

I will address the complaints of Ms. Aguilera in the order they were made. I would like to reference page numbers and paragraphs specifically, but there are no page numbers on her Complaint.

Retaliation

Ms. Aguilera stated in her Complaint that when she submitted her resignation from Benson Justice Court #3 in 2017, following temporary assignment: *"As soon as I informed Judge Staggs that I had requested to return to my old position, he immediately expressed disappointment; he was very discourteous and stopped communicating with me."* I admit I was very disappointed because at that time Ms. Aguilera and I had a very good relationship, she had a lot of experience, and I didn't know who could replace her. She informed me that the main reason for her leaving was to be able to spend more time with one of her sons, so she could attend his baseball games. She also stated that the 45-minute commute each day was nonproductive for her, due to the time and financial expenses for gas. I fully supported her in this decision. I deny that retaliation ever occurred. Ms. Aguilera and I were on very good terms when she left. This is supported by the fact that staff and I kept in regular contact with her over the years due to her knowledge and experience. I am very confident that you can check previous emails regarding these communications. I feel that is even more supported and very important to note, that had this occurred, why would Ms. Aguilera have accepted the position as Court Manager in 2021, if she had experienced retaliation from the previously tenure here

in 2017? The very fact that Ms. Aguilera accepted the position to return to Benson Court #3, does not support this allegation.

Rude Behavior To AOC Operational Review Specialists

Aguilera stated: *"During my one-on-one interview with Ms. Carranza, Judge Staggs aggressively opened my office door, disrupting our interview to ask me a question regarding an officer that was standing right behind him."* I don't recall this ever happening. I am assuming that, since she claims that a police officer was standing behind me, I requested her to assign a search warrant number for a search warrant.

The only discrepancy that I had with the auditors was with their finding that I did not advise defendants the consequences of not appearing, following a plea of not guilty. I supplied my detailed script to the auditors that I reference every time I perform an Arraignment. Those warnings were present however they were separated later in the script. After multiple discussions, even though I felt it was not necessary, I moved those warnings to just after the defendants' rights, and just before the immigration warning. I supplied updated script to the auditors. Ms. Aguilera claims I was *"uncooperative"* yet I complied fully with all the auditor's various recommendations. I feel this is supported by the fact many office forms were changed by me personally before the auditors even left Benson Justice Court #3. I am attaching page two, of my fifteen-page Arraignment script as **Exhibit #A1**.

Email of November 22, 2022

Ms. Aguilera is an exempt employee as I am. As such we are not required to work an 8:00 AM to 5:00 PM schedule. There are times when it is required that we need to work extra due to special events, such as an audit. I have never required any Court Manager to work over 80 hours, in a two week pay period. If an exempt employee happens to work more hours in 40-hour week, they're always given time off the next week. Ms. Aguilera stated: *"A week before my deadline, as I prepared the documents for the follow-up, I had requested Judge Staggs assistance in reviewing answers and assistance with locating some documentation that I needed to submit"*. Ms. Aguilera admits that she waited until the last week to collect documents that she knew she was required to send to the auditors. Ms. Aguilera stated: *"I handed over my answers and documentation to Judge Staggs on November 21, 2022"*. This is not a true statement because if it was, I would not have had to stay late on November 22, 2022, to compile answers. I believe my primary responsibility as a judge is to fulfill duties on the bench, not administrative duties that the Court Manager is supposed to fulfill. I agreed to assist because the documents had to be turned in and we worked together as a team. When I was required to stay until 9:45 PM, and Ms. Aguilera left at her normal time, I was *"very concerned"* and sent the email to Ms. Aguilera informing her so. The email was not rude or retaliatory. It is attached as **Exhibit A-2**.

SABA Report

I have nothing to do with the SABA report. I don't approve it, nor sign it. Ms. Aguilera complained to me on numerous occasions that AOC wanted the report submitted in one format, while the Cochise County Treasurer's Office wouldn't approve the report in that format. My only involvement in this originally, was to contact Niltza Flores, Deputy Court Administrator to get her involved in the negotiations between AOC and Cochise County Treasurer's Office. Ms. Aguilera was correct when she stated: "*This finding was an issue not only that Benson Justice Court Operational review but also with two other Cochise County Courts*". When I was informed that the auditor made the statement that she was not an accountant, I was shocked. I contacted Ms. Catherine Clarich and requested her to assign an AOC accountant. My thinking was if the accountant in the Cochise County Treasurer's Office, could talk to an accountant at AOC, this would assist to resolve the long standing, multi-court challenge. As the Department Head, that had to sign off on the audit, I was informed that it was entirely within my authority to ask additional assistance from Ms. Clarich. Why Ms. Aguilera was "*extremely embarrassed*" by my contacting Ms. Clarich and getting her involved, I don't understand.

Vacant Court Clerk Position

When Ms. Aguilera first arrived, I instructed her that one of her duties was to be in charge of overseeing the court staff. I clearly instructed Ms. Aguilera at the very beginning of employment, and many more times after that, when she wanted to institute forms or policies that she had at JP-5 that she was comfortable with, that prior to making any form or policy changes, to council with me first, present the requested changes and get my approval. This had to be done prior to implementing any changes. We are a different court than JP-5 where she came from. The forms and policies that worked there, may not have worked here.

Currently I don't get involved in hiring process. I believe that the staff members should interview candidates because they know what their job duties are, know what it takes to accomplish them, and are qualified to make a decision if the candidate is going to be a good fit for the team. At no time, however, has a person ever been hired without my approval as this candidate was.

I deny that I "*came charging into*" her office at any time.

I took the time to contact the Cochise County Superior Court Administrator, Mr. John Schow, to get his input. I took his counsel and explicitly made all the changes he advised. As usual, I did not impose any discipline. Ms. Aguilera stated that the letter was "*aggressive*", yet I believe that I did exactly as Mr. Schow counseled and set a "*clear*

directive" of my expectations. If the letter was "aggressive" I am confident that Mr. Schow wouldn't have approved the letter.

Ms. Aguilera did not dispute but confirmed that I sent her a letter dated September 30, 2021, that stated: "*As I left, I stated to you to not to settle for an employee that you didn't feel good about and that we would continue to post the position and find the best employee that we could*". I instructed Ms. Aguilera that we "*would continue to post the position*", yet she infers that I was angry that I didn't hire the person that used my name and further infers that I abused my authority and wanted a specific person hired. I simply informed a waitress, that I had never met before, of the open position because of her exceptional customer service skills. By my instructing Ms. Aguilera to continue to post the position proves I didn't give authority to hire Ms. Jankovic, and also proves I didn't abuse my authority by instructing Ms. Aguilera to hire the waitress. It is attached as **Exhibit A3**.

Form Not Approved

In Ms. Aguilera's email dated October 12, 2021, she stated "*I have instructed Shayna to use this form, send a copy to defendant and officer along with the police department.*" This clearly indicates that she instructed Shayna to use the form. This violated the clear directive that I gave to her just two weeks earlier and had also given many times in the past. Ms. Aguilera stated: "*I let Ms. Finch know that she could continue the process if the form was approved.*" This also proves that Ms. Aguilera knew that she had to receive approval prior to making a change to a form.

Due to Ms. Aguilera once again not following policy and making a change without authorization, I sent her an email on October 13, 2021, with a clear directive of my expectations.

There was not a follow up discussion for me to apologize, nor for Ms. Aguilera to clarify that was "*asking for permission*" as she claims in her Complaint, because she clearly gave Ms. Shayna Finch permission to use the form in advance. My email was not "aggressive" but advised and set a "*clear directive*" of my expectations. It is attached as **Exhibit A4**.

I am also attaching 2022 Performance Evaluation Next Year's Goal #6 and 2023 Performance Evaluation Next Year's Goal #5. They are attached as **Exhibit A5 & A6**.

These were made as goals because Ms. Aguilera was making changes, without first advising me.

Stopped One-on-One Communication

Ms. Aguilera claims I stopped “*One-on-One communication*”. This never occurred. Ms. Aguilera was supposed to come into my office every morning to have a short one-on-one meeting to go over the day and to advise me of the day-to-day operation of the court. Ms. Aguilera constantly objected to these meetings and felt they were a waste of time. Ms. Aguilera refused to fill out and turn in monthly, the Daily Responsibility Report that clearly states that we were supposed to meet together each morning from 8:00 am to 8:10 am. Mr. Schow trained us to meet together weekly, for a meeting that was solely for Ms. Aguilera to advise me what she needed, to effectively manage the staff. Ms. Aguilera came to the first two and never came again, as she felt they were not necessary.

When Ms. Aguilera first started, I informed her of her responsibilities. These are attached as **Exhibit A7**.

To not have to check on Ms. Aguilera every day to see if she was fulfilling her work duties, I made up four reports that Ms. Aguilera was supposed to turn in, on a monthly basis. Ms. Aguilera always resisted both meeting together and turning in reports.

Goals were made later, because Ms. Aguilera was not following directives.

Reports are attached as **Exhibits A8-A11**.

2022 Performance Evaluation Next Year’s Goals #3 & #5 is attached as **Exhibit A12**.

2023 Performance Annual Evaluation Goal #5 is attached as **Exhibit A13**.

Court Administration Visiting JP-3

Throughout my tenor here I have often sought the advice from Superior Court Administration. I have developed a solid relationship with Niltza Flores, Deputy Court Administrator, as she has been assigned to work directly with the Cochise County Justice Courts. As the Presiding Justice of the Peace, I now work even more closely with her. Ms. Flores advised me that Douglas Justice Court, JP-2 had a well-run operation, and we could learn from them. In January of 2023, I contacted Judge Alma Vildosola and got permission to speak to her Court Manager, Mayela Teran. Following speaking with Ms. Teran, I was impressed by the way it appeared JP-2 was being run. I scheduled a date that was convenient with Ms. Teran, for Ms. Aguilera to visit and observe. When I discussed this with Ms. Aguilera, she was greatly opposed to it and didn’t feel that it was necessary. Ms. Aguilera advised that she couldn’t go due to being short staffed. I cancelled the appointment and instructed Ms. Aguilera to schedule a day, as soon as possible, to go and visit JP-2. Ms. Aguilera never complied with this directive. When asked about it repetitive times, Ms. Aguilera always replied that she was always too busy and that it was not a good time. Ms. Aguilera stated in her Complaint that on August 15, 2023, she finally secured some dates. Ms. Aguilera never shared any dates with me and never went to JP-2.

On January 25, 2023, Ms. Candace Hardt and Ms. Cynthia Navarro visited JP-3 regarding IT and logistical issues concerning the Deputy County Attorney. Ms. Aguilera and the Criminal Clerks assumed that they came to the court to observe them as they did their duties. They took great issue with this and felt that they were not being trusted. I advised both Ms. Aguilera and the Criminal Clerks that that I didn't request them to come. It is my firm belief that Ms. Aguilera could have assured the staff that the presence of Ms. Hardt and Ms. Navarro was not to observe staff, but to solve IT and logistical issues in order to improve the court operation with regard to interaction with the Deputy County Attorney. Ms. Aguilera didn't believe this, and she didn't take any action to assure the staff that they were not under scrutiny, nor that they were trusted to do their duties. This caused great distress, distrust and affected the morale of the court.

If I had asked Court Administration to come and observe the duties of my Criminal Clerks why would an IT employee have shown up? I ask that the Commission interview Ms. Flores, Ms. Navarro and Ms. Hardt to confirm my statements above.

Stepping Back

On January 31, 2023, I had a long discussion with Ms. Aguilera regarding the visit of Ms. Navarro and Ms. Hardt. I still couldn't convince her that I had not requested the staff to be observed. She distinctly informed me that she didn't believe me and that neither she, nor the staff, trusted me. I reflected on this overnight and due to the anger and mistrust of Ms. Aguilera and the staff, I made the decision to limit with the staff's interaction with me regarding coming into my chambers, multiple times hourly, to ask questions when they have been trained to follow the chain of command and go to Ms. Aguilera first. I also turned over to Ms. Aguilera the duty that a Court Manager is normally responsible for of keeping up to date on AOC forms. Commonly to assist Ms. Aguilera, I not only downloaded new AOC forms, but I placed the courts information on the forms, and then organized the new forms in the cabinets. I made Ms. Aguilera responsible for this and also the responsibility of making sure that the clerks deleted old forms from their computers, desks and the courtroom.

I sent Ms. Aguilera an email on February 1, 2023, which is attached as **Exhibit A14**.

I deny that I "*threatened the health and productivity of our team and department*". By stepping back, I allowed a cooling off period of time for the anger and mistrust to subside, so that we could move forward in the future. Time did indeed resolve this mistrust, and this is not an issue at this time. Currently, morale in the court has never been better.

McNeamar

I deny that I mocked or gossiped about Ms. McNeamar in the court.

If you didn't question my two criminal clerks regarding this issue, who were actually present in the courtroom, concerning the interactions between Ms. McNeamar and myself, I am requesting they be interviewed regarding this.

Improper Demeanor, Hostile Environment, Retaliation

I deny that I treated Ms. Aguilera improperly, created a hostile environment, retaliated against, violated civil rights, FMLA rights or Code of Conduct with respect to Ms. Aguilera.

Other Allegations

Ms. Aguilera made additional allegations in her Complaint that am I not going to specifically address. These were addressed in the documents that I sent to Cochise County Judicial HR on August 7, 2023, leading up to Ms. Aguilera being placed on Administrative Leave and ultimate Pre-Action Notice Determination/Notice of Suspension, on August 31, 2023. I am sending the Commission these documents, that will be attached as a separate email, with **Exhibits #1-64**.

History Of This Case

On November 29, 2022, Ms. Flores and I exchanged emails regarding revising the then existing cell phone policy. This was due to Ms. Aguilera being the worst offender and not following the then existing cell phone policy. It is attached as **Exhibit A15**.

The relationship between Ms. Aguilera and myself began to disintegrate on December 14, 2022, when I sent Ms. Aguilera an email advising her in advance, that I would be suspending the then 4/10-hour flex schedule, and also enforcing the then existing cell-phone policy. The enforcement of the phone policy was primarily due to Ms. Aguilera not setting the example and following the then existing phone policy. More often than not, when I walked into Ms. Aguilera's office, she was on her cell phone discussing non-business matters. Ms. Aguilera was very upset about the proposed changes and threatened to quit, especially if I did not allow her to have her cellphone with her in her office. It is attached as **Exhibit A16**.

A goal of Ms. Aguilera not using her cell phone was made on the 2023 Performance Evaluation Next Year's Annual Performance Goals #1. It is attached as **Exhibit A17**.

On December 15, 2022, I sent an email sent to Ms. Flores advising her that Ms. Aguilera stated that she would put in a two week notice if I implement the new policies. It is attached as **Exhibit A18**.

On December 29, 2022, I notified the staff that as of January 3, 2023, due to staffing challenges presented by all the staff not participating in the 4/10-hour flex schedule, and

also due to being understaffed at the time, I was suspending the 4/10-hour flex schedule. This made Ms. Aguilera very upset again and this created a great amount of friction between us, to the point that Ms. Aguilera stated to me that she didn't trust me, thought that I was out to get her and threaten a second time to quit. Instead of embracing and supporting the new policies, and then implementing them with a good attitude, Ms. Aguilera complained to the staff. This resulted in an office staff meeting being called, where the staff was advised why I was implementing it.

The December 29, 2022, email, is attached as **Exhibit A 19**. Please note that it is "cc'ed" to the Cochise County Presiding Superior Court Judge, Tim Dickerson. I passed the cell phone policy by Ms. Flores, and also by Judge Dickerson. Based on Judge Dickerson's input, the policy was changed so the staff could have their cell phones in in their purses or their desk drawers.

The revised cell phone policy is attached as **Exhibit A20**.

In early February 2023, Ms. Aguilera informed me that she felt that I was going to stab her in the back and that she couldn't trust me because I wasn't keeping my word by not allowing her to continue to be on a 4/10-hour flex schedule. Ms. Aguilera stated that being on a 4/10-hour flex schedule was one of the major reasons that she considered excepting the Court Manager position here at Benson Justice Court #3. In an attempt to gain back her trust, I agreed to allow Ms. Aguilera to go back on the 4/10-hour flex schedule. I told Ms. Aguilera that I would leave it up to her when started it again, but I would prefer that it be after she fulfilled the expectations and goals that were previously provided on her Annual Performance Evaluations, which still hadn't been accomplished for the last 2 years. Ms. Aguilera switched back to the 4/10-hour flex schedule immediately the very next Monday.

In early to mid-June, I had to be in the court for extra hours, on multiple days, while attending to additional responsibilities regarding being the Presiding Justice of the Peace. I was writing a training manual for new Pro-Tempore judges. I was arriving prior to 7:00 AM and leaving after 6:00 PM. each day. During this time, I noted that Ms. Aguilera was coming in after 7:00 AM, and leaving by 5:30 PM. This was occurring on a daily basis. Being on the 4/10 flex she should have been arriving by 7:00 AM and not leaving until 6:00 PM. I noted on the multiple occasions that when Ms. Aguilera went out for lunch, she took more than a ½ hour lunch. Ms. Aguilera was aware that 40 hours were required as I had previously sent out on December 14, 2022, the Cochise County Judicial System Policy #3000, titled Hours of Operation, Workweek, Work Schedule and Attendance, that stated: "*Except as otherwise provided in this policy, regular workweek for full-time CCJS employee shall be 40 hours.*"

I contacted Court Administration it was confirmed that each employee had to work at least 40 hours a week. I requested and received a DSX log for the previous three months. During this almost three-month time period, Ms. Aguilera arrived on only two occasions

prior to 7:00 AM. Once on June 19, 2023, at 6:52 AM, and once on June 19, 2023, at 6:59 AM. The majority of the time, Ms. Aguilera came in between 7:30-8:00 AM.

On July 9, 2023, I sent Ms. Aguilera an email advising that she would be required to work a full 40-hour workweek and that she would be required to clock in and out using ADP. The email is attached as **Exhibit A21**.

On July 10, 2023, Ms. Aguilera abruptly came into my chambers, was very angry and addressed me insubordinately. She stated once again, in a very loud tone, that she didn't trust me. She went on to further state that I was out to get her, that this was all due to me not liking that she had gone back to a 4/10 flex schedule, that I was a micro manager, that I didn't keep my word and finally, how dare I go behind her back and pull a DSX report. I pointed out to her that she had been here almost two years and hadn't even started creating a detailed job description for each clerk and a complete office policy manual. These were goals that she was originally given when she arrived. I did note that she had just begun overseeing the thing the records room, but it had just barely started. I also pointed out to Ms. Aguilera that she habitually did not follow my directives of:

1. Implementing policies and form changes without prior approval.
2. Attending our required daily short meeting to discuss the upcoming day.
3. Attending weekly "one on one" meetings, that John Schow proposed we do.
4. Turning in required monthly report regarding submitting mandatory reports to AOC and Cochise County.
5. Holding a monthly staff meeting.
6. Not monitoring staff returning phone calls and emails in a timely manner.

Ms. Aguilera stated that she couldn't take the stress anymore and was going to take two weeks off and abruptly left my chambers, banging the door on the wall. Ms. Aguilera left the court a short time later. On the way out she informed the staff that she would be gone for two weeks and instructed them not to call her. Ms. Aguilera left the court without receiving permission for time off.

I immediately notified Judge Dickerson and informed him of the situation. He was aware of what was going on, as I was keeping him informed of the tension between Ms. Aguilera and myself. I was instructed to contact Tracey Romero, Cochise County Judicial Human Relations and advise her of the matter. Following contacting Ms. Romero, I was instructed to put in writing a history of events.

On July 11, 2023, Ms. Romero verified by email that Ms. Aguilera left the court without permission. The email is attached as **Exhibit A22**.

On July 14, 2023, I sent Ms. Romero a history of events regarding Ms. Aguilera's conduct at Benson Justice Court #3. I informed Ms. Romero that should Ms. Aguilera return to

work that I wanted to know how best to prepare for taking disciplinary action, should it become necessary. The letter is attached as **Exhibit A23**

On July 24, 2023, Ms. Aguilera returned to work. Following an almost hour-long long conversation, I made a statement to Ms. Aguilera something to the effect of that if I was sitting in her position as the Court Manager on the other side of the desk, and she was sitting in my position, as the Department Director on my side of the desk, that if she gave me a directive, even if I didn't feel it was the best policy, as long as it was moral, ethical, and complied with the Arizona Rules of Court, I would say "*Yes ma'am*" and I would implement the directive immediately and with a good attitude. Ms. Aguilera's reply was "*I bow down to no one*". I was totally amazed and taken back by this remark. Ms. Aguilera indicated that she would be submitting her resignation and stated that she would be transferring, however Ms. Aguilera wouldn't tell me where she was transferring to. At that time, I felt that disciplinary action needed to be taken.

On July 25, 2023, I notified Ms. Romero and Mr. John Schow - Cochise County Superior Court Administrator, that Ms. Aguilera verbally stated she was going to resign.

On July 26, 2023, due to not receiving a written resignation, I requested assistance from Ms. Romero in drafting a resignation request. Later that day I received a resignation request draft letter from Ms. Romero, advising me to make any changes I wished to. I answered back that I was not requesting any changes. I was informed by Ms. Romero that Christine Roberts, Esq., Cochise County Chief Civil Deputy County Attorney, approved the draft. I am attaching **Exhibit A24**.

On July 26, 2023, I sent the resignation request letter to Ms. Aguilera. I am attaching **Exhibit A25**.

On July 27, 2023, I received a response stating: "*My official written resignation will be provided when the time comes. For now, I am performing duties as the Court manager following the rules you established.*" I immediately contacted Ms. Romero regarding the response. I requested assistance in drafting a letter for disciplinary action. I also contacted the Superior Court Deputy Administrator who stated that the response was passive aggressive and was disrespectful. I am attaching **Exhibit A26**.

On July 28, 2023, I was notified by Ms. Romero that Mr. Schow confirmed that I would have to draft the initial disciplinary action and that Ms. Romero could then assist with it later. I am attaching **Exhibit A27**.

On August 7, 2023, I sent documentation to Ms. Romero and requested assistance for Ms. Aguilera be placed on Administrative Leave and when she returned following that to be placed on Special Observation status. As stated above I am sending the Commission these documents, that will be attached as a separate email, as **Exhibits #1-64**.

On August 14, 2023, I was notified that I had enough documentation to put Ms. Aguilera on Administrative Leave and that a Pre-Action Notice must be provided to Ms. Aguilera. I am attaching Exhibit **A28**.

On August 15, 2023, I was notified that Ms. Roberts, Esq. had vetted both the Pre-Action Notice and Administrative Leave Notice. I am attaching Exhibit **A29**.

On August 21, 2023, with Ms. Romero in attendance, the Pre-Action Notice and Administrative Leave Notice were delivered to Ms. Aguilera. With Ms. Romero present Ms. Aguilera admitted to making the "*I bow down to no one*" comment. I am attaching Exhibits **A30 & A31**.

On August 22, 2023, Ms. Aguilera responded to the Pre-Action Notice. Ms. Aguilera admitted to making the decision to leave the court for two weeks and walking out of the court on July 10, 2023. Ms. Aguilera also admitted to telling the staff not to contact her for two weeks. This was before getting ADP approval.

I feel that is important to note that Ms. Aguilera did not respond to any allegations except to state: "*I have attached my employee assessment and documentation to serve as a response to the allegations.*" I am attaching Exhibit **A32**.

On August 30, 2023, Ms. Roberts, Esq. approved the Pre-Action Notice Determination/ Notice of Suspension.

On August 31, 2023, Ms. Aguilera was given the Pre-Action Notice Determination/ Notice of Suspension. Ms. Aguilera was advised that I was requesting that she be placed on Administrative Leave for 14 days without pay, and when she returned would be on Special Observation for 180 days. I am attaching Exhibit **A33**.

On September 13, 2023, Ms. Aguilera submitted her appeal and defended only a few of the allegations. I am attaching Exhibit **A34**.

On page two, paragraph one, Ms. Aguilera stated: "... *I have never resisted meeting with Judge Staggs for daily or weekly One-on-One meetings*". Ms. Aguilera also stated that it was her opinion the meetings were "*inefficient*". Ms. Aguilera also stated that instead of turning in her daily, monthly, and annual reports that she was directed to do, which would clearly show the work that she was performing, she instead turned in her own "*daily duty logs*" that she created. Ms. Ms. Aguilera submitted copies of her daily reports. These reports are clearly different from the reports that I directed Ms. Aguilera to turn in. These were only turned in during February 2023 and half of March 2023. I am attaching an example as Exhibit **A35**.

Ms. Aguilera's Performance Evaluations, which Ms. Aguilera signed off on, does not support that she was turning in the required reports, as goals were given on both regarding turning in reports. See Exhibits **A12 & 13** previously submitted.

On page two, last two paragraphs and page three, first paragraph, Ms. Aguilera does not deny being on her cell phone. The Performance Evaluations, which Ms. Aguilera signed off on, prove that goals and policy had to be made, due to her constant cell phone use. See Exhibits **A15-A20** previously submitted.

On page three, second and third paragraphs, Ms. Aguilera clearly stated that she believed that Ms. Hardt and Ms. Navarro came to Benson Court #3 to observe the staff. In actuality they came for a totally different reason. Believing this and sharing this belief with the court staff, promoted their believe in it, which created a hostile environment in the court. It also led to distress, distrust and effected the morale of the court.

On page three, fourth paragraph and page four, first paragraph, Ms. Aguilera confirms that she was directed, on January 25, 2023, to go to Douglas Justice Court #2 to observe their court. Ms. Aguilera confirms that she did not fulfill that direction. It was not until seven months later, on August 9, 2023, did she even inquire of Ms. Teran about making an appointment to visit Douglas Justice Court #2. Ms. Aguilera confirms that she never went to JP-2.

On page five, fourth paragraph, regarding took place when Ms. Aguilera abruptly left the court on July 10, 2023, she stated: *"I made the decision to request two weeks off ..."* This does not conform with Ms. Aguilera's August 22, 2022, response letter that stated: *"I made the decision to take two weeks off in order to decide my future with the court. As I left, I informed the staff I was leaving and requested that they please not try to contact me. I submitted my request for time off through ADP and contacted HR Director, Tracey Romero, to inform her of this incident."* Ms. Aguilera also stated: *"Upon arriving at my residence, I used my cell phone to log into ADP and submit the request for two weeks off, ..."* This does not conform with Ms. Romero's email dated July 11, 2023, that the request for time off came *"at some point last night."* Ms. Romero confirmed that Ms. Aguilera violated court policy by leaving Benson Justice Court #3 without requesting, or being granted, time off. See Exhibits **A22 & A32** previously submitted.

On page six, paragraph six, Ms. Aguilera discusses the August 21, 2023, meeting where she was advised that she was going to be placed on Administrative Leave. During this meeting, with Ms. Romero from HR present, when we discussed that Ms. Aguilera had made the *"I bow down to no one"* statement, Ms. Aguilera did not deny it. Ms. Aguilera also affirmed that the reason we have not worked well together in the past is because she did not agree with my directives and that we don't same vision for the court. Ms. Aguilera also stated that she could not see us working together in the future. I feel that it is **very**

important to note Ms. Aguilera did not mention any of this in her appeal, or more importantly, deny that it took place,.

On page five, last paragraph and page six, first paragraph Ms. Aguilera stated: *"I believe that the decision to suspend me without pay for 80 hours and place me in special observation for 180 days is, unjust, unfounded, in retaliation, and in violation my employee civil rights."*

Ms. Aguilera also stated this August 22, 2023, in her answer to the Pre-Action Notice. She also stated that it was in retaliation for her request to transfer and for not submitting her resignation.

Ms. Aguilera also stated in her Complaint: *"On August 22, 2023, I submitted my response letter in regards the allegations of the Pre-Action Notice. As I stated in my response, I felt that the action is unjust and submitted in retaliation for my request to transfer and not submitting my resignation as requested."*

I deny any retaliation whatsoever due to either Ms. Aguilera's request to transfer, or for not submitting her written resignation following verbally notifying me of it. Proof of this is my July 11, 2023, email to both Ms. Romero and Cochise County Security Manager, Bobby Coronado. In that email I asked that a video record be preserved documenting when Ms. Ms. Aguilera was coming and going from the court after being placed back on the 4-10 flex schedule. I stated: *"I am requesting this record be preserved should future discipline action be necessary."* I am attaching Exhibit **A36**.

Further proof is my email of July 11, 2023, to Ms. Romero, where I stated in the last paragraph; *"I am requesting that the entire event of Claudia leaving the court, prior to receiving approval for time off, be documented should future discipline action be sought."* I am attaching Exhibit **A37**.

Further proof is my email of July 14, 2023, to Ms. Romero that outlined the history of events. My second to the last sentence of that email states as follows *"At this time, I'm asking how to best to prepare for taking disciplinary action in the future, should it become necessary."* I am attaching Exhibit **A38**.

These three emails were documented before Ms. Aguilera requested to transfer and before she was requested to submit her resignation.

In Ms. Aguilera's August 22, 2023, response she stated: *"You stated that things could be worked out if I was willing to cooperate"*. This is additional proof that I was willing to give Ms. Aguilera a chance in the future if she was willing to follow directives, and that I was not acting out of retaliation. I am attaching Exhibit **A39**.

On page six, paragraph six, Ms. Aguilera cited the fact that she had received a reprimand by Judge Curfman. Just before Ms. Aguilera came to Benson Justice Court #3, she requested a transfer from her position at Sierra Vista Justice Court #5. This transfer request was following being placed on Administrative Leave while being in the midst of a major internal investigation. That investigation resulted in a letter of discipline being placed in Ms. Aguilera's file. Ms. Aguilera's being placed on Administrative Leave at JP-3, had nothing whatsoever to do with the reprimand she received at JP-5. It was cited in the Pre-Action Notice to establish the same pattern of insubordination and distain of authority for her superiors.

I am requesting that the Commission obtain the Cochise County Judicial HR records regarding this investigation. I am also requesting that the Commission investigator, in the interest of justice to find additional truth and to be fair and impartial, to interview the presiding judge and staff at Sierra Vista Justice Court #5, just as my staff was interview, regarding Ms. Aguilera's attitude and contempt for the overseeing of her job duties. This will show a pattern of conduct.

On September 21, 2023, Ms. Aguilera was informed by Ms. Romero, that her 14 days of Administrative Leave would commence on September 25, 2023, and that it would end on October 5, 2023.

On September 25, 2023, Ms. Aguilera submitted her formal resignation.

On September 26, 2023, at 7:43 AM, I advised Ms. Romero that both myself and another staff member had been feeling bad and had just tested positive for COVID-19. Ms. Aguilera's resignation was also discussed. I informed Ms. Romero that since Ms. Aguilera had not made a detailed job description as I had directed on multiple occasions, nor had trained anyone in her duties as a backup, that I was very concerned about the welfare of the court especially since I didn't know how long it would be until another Court Manager could be hired. I am attaching Exhibit **A40**.

Following discussion, feeling it was in the best interest of the court, I informed Ms. Romero that I would be willing to suspend the Administrative Leave without pay should Ms. Aguilera be willing to come to the court specifically to train the Senior Clerk, Sheri Minker, to take over her duties, until Ms. Aguilera left on October 13, 2023.

On September 26, 2023, at 8:09 AM, I sent an email to Ms. Romero, requesting to have Ms. Aguilera taken off Administrative Leave immediately. I requested that Ms. Aguilera report to JP-3 that afternoon to begin training Ms. Minker. I also advised Ms. Romero that since I would be out the office due to the COVID-19, there would not be any chance of any interaction between Ms. Aguilera and myself. I am attaching Exhibit **A41**.

On September 26, 2023, following Ms. Romero verbally informing me that Ms. Aguilera would only be willing to return to work to train Ms. Minker if she received written documentation that any disciplinary action would not be taken, I sent Ms. Romero an email at 9:31 AM that stated: *"Per our discussion, if Claudia is willing to come into the court and train Sheri Minker regarding the duties of the Court Manager and Senior Clerk I am willing, in the interest of the court, to not have any disciplinary action taken that Claudia is docked any pay to be effective upon her presenting to the court. I am requesting that her hours be 8:00 AM - 5:00 PM, matching Sheri's hours, so Sheri can receive as much training as possible."*

At 9:43 AM, Ms. Romero advised me that Ms. Aguilera would be reporting to the court.

Ms. Romero called back later and informed me that Ms. Aguilera needed a written statement specifically stating that any disciplinary action would be suspended.

At 10:56 AM I sent an email to Ms. Romero, stating: *"Per your follow up call, I am in agreement with suspending any disciplinary action going forward. I truly believe that this is what I stated previously."* At that time, I also informed Ms. Romero that I would be at a Leadership Conference in Flagstaff from October 9, 2023, through October 13, 2023. I am attaching Exhibit **A42**.

On September 26, 2023, at 11:51 AM, Ms. Aguilera came back to work. It was reported to me by Ms. Minker, that Ms. Aguilera came into the office and immediately went behind closed doors and was on the phone for most the day. Ms. Minker advised me that she received no training whatsoever from Ms. Aguilera, despite Ms. Minker going into Ms. Aguilera's office and requesting training.

On September 28, 2023, at the request of Ms. Aguilera, despite already having it in writing from myself, Ms. Romero set Ms. Aguilera an email on behalf of the Cochise County Court Administrator, John Schow, that stated: *"Per your request, this email on behalf of Court Administrator, John Schow, confirms that the 80 hours of unpaid suspension time and special observation period that had recently been imposed by Judge Staggs, has officially been withdrawn, based on your return to work for an 8:00-5:00 Monday through Friday schedule and agreement to train staff."* I am attaching Exhibit **A43**.

On September 29, 2023, Ms. Aguilera submitted a PTO the request for October 2, 2023, October 13, 2023, and October 16, 2023. I approved the request for October 13, 2023, as Ms. Romero had previously notified me, in her email of September 26, 2023, that Ms. Aguilera had a doctor's appointment scheduled. I denied the October 16, 2023, request because Ms. Aguilera's resignation was effective on October 13, 2023. I denied the October 2, 2023, because Ms. Aguilera specifically agreed to come back to train Ms. Minker as much as possible. If she had had a doctor's appointment prior to our agreement just three days earlier on September 26, 2023, Ms. Aguilera would have also made that

a stipulation of her returning to work, just as she did with the October 13, 2023, doctors appointment.

On September 29, 2023, at 5:21 PM, Ms. Aguilera responded and informed me that she was taking Monday, October 2, 2023, off. She stated *"I have two Dr. appointments for Monday so I will not be able to make it in. I am making every effort to cooperate but if this will cause a problem with the remaining time I have left Benson Justice Court, please let me know so we can make different arrangements."* I am attaching Exhibit **A44**.

Ms. Aguilera stated in her Complaint *"I responded to Judge Staggs's email informing him that had two separate appointment's that day and that would not be able to come in. Judge Staggs was very upset and contacted Ms. Romero to inform her that he needed me to train staff and that was the condition for the withdrawal of the disciplinary complaint. After I read the email of my denied PTO leave request, I suffered an anxiety attack. Judge Staggs continued to harass me even after all my efforts of trying to cooperate and leave on good terms."*

Ms. Aguilera claims I was *"very upset"* and I *"continued to harass her"*, yet I had no communication whatsoever with her. I was out of the court due to being on COVID-19 isolation protocol. I simply sent Ms. Aguilera an email denying her PTO request as it violated our agreement. I was not trying to upset or harass her. I was simply holding her accountable to the main condition of her returning to work, that being to train Ms. Minker.

On October 2, 2023, at 8:01 AM, I notified Ms. Aguilera that Ms. Romero had approved her time off on October 2, 2023.

On October 2, 2023, at 3:55 PM, following Ms. Minker informing me that she was not being trained, I notified Ms. Aguilera that I was giving her the *"primary directive"* to work closely with Ms. Minker and train her as much as possible, with regard to financial training. I am attaching Exhibit **A45**.

On October 2, 2023, at 4:42 PM, I was notified by Ms. Romero that Ms. Aguilera had submitted FMLA paperwork and would not be returning to work. I am attaching Exhibit **A46**.

I do not believe that Ms. Aguilera acted in good faith due to the following:

1. She negotiated any disciplinary action going forward to be suspended, in writing, in exchange for agreeing to train Ms. Minker. At that time Ms. Aguilera informed Ms. Romero, in advance, that she couldn't be in the court on her last day on October 13, 2023, due to doctor appointments.
2. She came into the court on September 26, 2023, and instead of training Ms. Minker, was on the phone most of the afternoon.

3. She gave hardly any training to Ms. Minker on September 26, 2023, September 27, 2023, or on September 29, 2023, which was the main condition of for dropping the Administrative Leave and Special Observation.
4. On September 28, 2023, following a specific request by Ms. Aguilera, she received an official communication from Court Administration confirming that the 80 hours Administrative Leave and the Special Observation had been officially withdrawn.
5. On September 29, 2023, she requested personal time off on October 2, 2023, for two doctor appointments, which were undisclosed just 3 days earlier.
6. She claimed an anxiety attack when time off for October 2, 2023, was denied.
7. She claimed harassment for the requested time off not being given.
8. On October 2, 2023, she went on FMLA.
9. When Ms. Romero attempted to persuade Ms. Aguilera to return to work to train Ms. Minker, Ms. Aguilera then claimed stress and retaliation.

It is important to note that for all intents and purposes, Ms. Aguilera was aware that I would be out of the office until her last day of work on October 12, 2023, due to COVID-19 isolation protocol restrictions and me attending the Leadership Conference. Based on that how could Ms. Aguilera claim future anxiety, harassment, or retaliation?

Using the civil standard of the preponderance of evidence, the average person would suspect, that based on the facts and Ms. Aguilera's vast knowledge of the system she has learned over the last 20+ years of employment, she negotiated to return to work under the false pretense of training Ms. Minker, requested additional written confirmation that the 80 hours of Administrative Leave and Special Observation period had been officially withdrawn, attempted to unilaterally change the agreement, then claimed harassment, stress and retaliation when it wasn't changed, and then went on FMLA for the last two weeks of employment.

Closing

It is my firm belief that I did exactly as I was instructed to, by both Cochise County Judicial HR and the Cochise County Attorney's Office. I submitted my documentation to them. Both Ms. Romero and Ms. Roberts felt that I had solid ground to proceed forward with discipline.

I have submitted documentation that Ms. Aguilera failed to do the following:

1. Create a detailed job description for each employee.
2. Create an office policy manual.
3. Reorganize the file room.
4. Fill out daily, weekly, monthly, and annual reports.
5. Meet together daily and weekly to discuss the court.
6. Comply with the cell phone policy.
7. Comply with not making policy or form changes without approval.

It is my firm belief that when I began to make Ms. Aguilera responsible for her conduct and duties, is when our relationship began to fail.

I have also documented that were many difficult circumstances surrounding Ms. Aguilera's tenor here, due to Ms. Aguilera not wanting to follow my directives and wanting to do things her own way.

I have further documented that if Ms. Aguilera would cooperate with my directives as the Department Head and the elected official, that I was willing to have her to return following Administrative Leave and Special Observation.


When Ms. Aguilera made the statement: "*I bow down to no one*", affirmed it with Ms. Romero in the room and also affirmed that the reason we have not worked well together in the past is because she did not agree with my directives, that we did not have the same vision, and also stated that she cannot see us working together in the future, is when I finally made the decision to proceed forward with discipline. This decision was not based on personal retaliation. It was based strictly on business because I came to the conclusion that the relationship couldn't continue to move forward.

I do not believe I have broken the Judicial Code of Conduct by holding Ms. Aguilera responsible for her actions by requesting Administrative Leave and Special Observation. I believe fully that I have proven that I have not retaliated in any way, as Ms. Aguilera has claimed so many times.

I ask that the Commission review all the documentation which I have compiled and to dismiss this Complaint.

I will be awaiting your ruling.

Respectfully,



Judge Bruce Staggs
Presiding Cochise County Justice of the Peace
Justice of the Peace, JP-3
Benson City Magistrate

RIGHTS

When you are charged with a criminal offense you have the following constitutional rights:

1. You have the right to **remain silent** and to be **presumed innocent** until proven guilty beyond a reasonable doubt. **Anything** you say **can and will be used against you** in a court of law.
2. You have the right to be present at **all future hearings**.
3. You have the right to the **assistance of an attorney** at all stages of the proceedings.
4. You have the right to a **bench trial** and in some cases, a **trial by jury**.
5. You have the right to **confront witnesses** against you and **cross examine** them as to the truthfulness of their testimony.
6. You have the right to **present evidence** on your own behalf and have the court **compel witnesses** of your choosing to appear and testify.
7. If you are found guilty at a trial, you have the right to a **direct appeal** to a higher Court.
8. If you are sentenced, you have the right to file a petition for **post conviction relief**.

Warnings per AZ Criminal Rule 14.4

Failure to appear for a hearing may result in:

1. A **new charge** being filed against you, which is a class 1 **misdemeanor**.
2. A **warrant** issued for your arrest.
3. If you **fail** to appear for a scheduled trial, the trial may be held in your **absence**.
4. If sentencing occurs 90 days after the trial, you may lose your right of a direct appeal

Immigration Warning

According to Federal law I cannot ask if you are a citizen of the United States so I have to read a immigration statement:

*"If you are not a citizen of the United States, pleading guilty or no contest to a crime may **affect** your immigration status. **Admitting** guilt may result in deportation even if the charge is later dismissed. Your **plea or admission** of guilt could result in your **deportation or removal**, could prevent you from ever being able to **get legal status** in the United States, or could **prevent you from becoming** a United States citizen."*

Attorney

The services of an attorney can be of great value in determining the following:

1. Whether the charge(s) against you meet(s) the **elements** of the State Statute.
2. Whether the **act(s)** you allegedly **committed** actually **amounted** to the crime(s) for which you are being charged.
3. Whether the **procedures used in investigating** the charge and **obtaining evidence** against you -- including **any confession** you may have made, was lawful.

From: Staggs, Bruce
To: Aquilera, Claudia
Subject: Waiting To The Last Moment to Collect Data For AOC
Date: Tuesday, November 22, 2022 9:45:56 PM

Claudia,

I have finished collect the information which AOC is requested. It's late and I'm going home.

We will speak tomorrow about you waiting to the last moment to collect all this data.

Reflecting upon the matter I am very concerned that you have waited to the last moment collect the data. We are under the microscope of AOC for having such a bad audit. By not getting the recordings to them, in the time they have allotted, will not improve our reputation with AOC.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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A-3

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

Claudia,

It is with great trepidation that I write this letter.

As you know, I've given you prodigious authority to run the administrative side of the court. I have done this because I have great respect for your knowledge and leadership capabilities. I believe I have listened to all your suggestions to date and have been very open to implementing them.


As you also know, I have been very clear that prior to implementing any change whatsoever, that you need to come to me, explain the change, explain how it will improve Benson Justice Court #3, and get my approval prior to implementing any change.

As such, it was a shock to me to read the email you copied me on that you sent the Head of Security, Bobby Coronado, to find out that you hired a new employee, Bonnie Jankovic. You hired Ms. Jankovic without even discussing it with me, much less getting my approval. I feel strongly that you have exceeded your authority.

I questioned you on Monday, September 27, 2021, as to how the interviews went. I was under the understanding that you were not impressed with either candidate. I know that is been difficult hiring an employee as the position has been open for a long time. As I left, I stated to you to not settle for an employee that you didn't feel good about and that we would to continue to post the position and find the best employee that we could.

Claudia, what is of greater concern to me that, when I went and confronted you about the matter, you were very unprofessional, and you just laughed it off. You basically said it was a closed matter because Bonnie was already hired. This is not acceptable to me.

In the future, I would like you to discuss with me personnel related issues before making a decision. I value you as my manager and look forward to a good working relationship.

Judge Bruce E. Staggs 
Benson Justice of the Peace #3

September 30, 2021
Date

Staggs, Bruce

From: Staggs, Bruce
Sent: Wednesday, October 13, 2021 8:07 AM
To: Aguilera, Claudia
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Thank you.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Wednesday, October 13, 2021 8:06 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Understood

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, October 13, 2021 7:33 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Claudia,

Do not ever instruct a staff member to use a form that has not been approved by me first.

As you have repeatedly been instructed, any change you want to make in this court has to be discussed between us first. Only when we are both in agreement of how we are to proceed ,and are united in a course of action, do you implement a change and give direction to the staff.

Judge Staggs

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Tuesday, October 12, 2021 2:52 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: JP3-Dismissal CVTR by Judge 10-12-21

Judge Staggs,

I have attached a minute entry to cover the dismissal of citations that are not filed within 10 days. Do you want to use this form? I have instructed Shayna to use this form, send a copy to defendant and officer along with the police department.

Please advise,

Claudia Aguilera
Court Manager

Benson Justice & Municipal Court

PERFORMANCE EVALUATION FORM

A-5

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

AG

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. Is my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

Responsibilities of JP-3 Justice Court Manager

Daily Basis

1. Meets with Judge Staggs on a daily basis to discuss upcoming day.
2. Checks compliance with courtroom being prepared for the day.
3. Checks compliance with phone calls returned by staff within 24 hours.
4. Checks compliance with emails being returned by staff within 24 hours.
5. Processes the daily deposit for monies that the Clerks received the previous day.
6. Processes the N-Court credit card payments for the previous day and adds to the daily deposit.
7. Processes the tax intercept payments for the previous day and adds to the daily deposit.
8. Processes restitution payments for the previous day.
9. Prints and shares with Judge Staggs the daily calendar for the next day.
10. Updates court calendar on website.
11. Writes Job Description for Court Manger duties, for at least 15 minutes daily.
12. Writes Court Policy Manual, for at least 15 minutes daily.
13. Checks compliance of staff writing Job Description for at least 15 minutes daily.
14. Monitors staff during the day.
15. Payment Order compliance for all cases in file room, for at least ½ hour a day.
16. Accomplishing any duties as assigned.
17. Emails Daily Responsibilities Report to Judge Staggs by 4:30 PM, each day.

Weekly Basis

1. Prepares agenda for weekly staff meeting.
2. Holds weekly staff meeting.
3. Writes up minutes of staff meeting and sends electronic report to Judge Staggs.
4. One-on-one with Judge Staggs

Monthly Basis

1. Prepares and turns in County Treasures Report.
2. Prepares and turns in State Remittance Report.
3. Prepares and turns in Bank Reconciliation Report.
4. Prepares and turns in the P-card (Credit card) Report.
5. Prepares and turns in Statistical Report.
6. Prepares Time Standards Report.
7. Prepares and turns in No Matters Pending Over Sixty Days Report.
8. Monitors staff compliance for Continuing Education requirements.
9. Discusses County Treasures Report, State Remittance Report, Statistical Report, Time Standards Report, Budget Report, number of monthly cases seen, and monthly County revenue collected with Judge Staggs

Annual Basis

1. Prepares and turns in annual MAS Report.
2. Prepares and turns in annual IT GAP Report.

3. Prepares and turns in annual Required Data Elements Report.
4. Prepares and turns in annual Budget Report.
5. Prepares and turns in annual Unclaimed Funds Report.
6. Prepares Employee Evaluations.
7. Verifies that all staff sign off on Office Policy Manual.
8. Verifies that all staff sign off on MAS following required annual training.
9. Verifies that all staff sign off on County automobile policy
10. Verifies that all staff have taken Bloodborne Pathogens training.
11. Verifies that all staff have taken Organizational Expectations & Standards of Conduct training.
12. Prepares Time Standards Report.
13. Prepares Expenditure Report.
14. Prepares Security Report.
15. Verifies that all Continuing Education requirements have been met.

NOTE: All reports, excluding the daily deposits, have to be discussed with the Judge prior to being turned in.

Daily Responsibilities Report - Month of _____

Responsibilities:

1. Meets with Judge Staggs from 8:00 - 8:10 am to discuss the court activities. If Judge is on the bench or not present at this time, it is the Court Managers responsibility to meet as soon as possible.
2. Checks compliance with courtroom being prepared in the AM and closed down in the PM.
3. Checks compliance with phone calls returned by staff within 24 hours.
4. Checks compliance with emails being returned by staff within 24 hours.
5. Processes the daily deposit for monies that the Clerks received the previous day.
6. Processes the N-Court credit card payments for the previous day and adds to the daily deposit.
7. Processes the tax intercept payments for the previous day and adds to the daily deposit.
8. Processes restitution payments for the previous day.
9. Prints daily calendar and places on Judge Staggs desk by 12:00 PM for next calendar day.
10. Updates court calendar on website.
11. Writes Job Description for Court Manger duties, for at least 15 minutes daily. Copied to Judge Staggs.
12. Writes Court Policy Manual, for at least 15 minutes daily. Copied to Judge Staggs.
13. Checks compliance of staff writing Job Description for at least 15 minutes daily. Copied to Judge Staggs.
14. Payment Order compliance for all cases in file room, for at least 15 minutes daily.
15. Monitors staff during the day.
16. Accomplishing any duties as assigned.
17. Emails Daily Responsibilities Report to Judge Staggs by 4:30 PM, each day.

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Weekly Report Responsibilities - Month of _____

Responsibilities:

1. Prepares agenda for weekly staff meeting and reviews with Judge Staggs.
2. Holds a weekly staff meeting.
3. Writes up minutes of staff meetings and sends electronic report to Judge Staggs.
4. One-on-one with Judge Staggs to discuss persona concerns.

Date Performed		
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Monthly Report Responsibilities - Month of _____

Responsibilities:

1. Prepares and turns in County Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in State Remittance Report by the 10th of each month, for the preceding month.
3. Prepares and turns in Bank Reconciliation Report by the 10th of each month, for the preceding month.
4. Prepares and turns in SABA report by the 10th of the each month, for the preceding month.
5. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
6. Prepares and turns in Statistical Report by the 20th of each month, for the preceding month.
7. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
8. Monitors staff compliance for Continuing Education requirements.
9. Check on and orders all supplies
10. Discusses County Treasures Report with Judge Staggs.
11. Discusses State Remittance Report with Judge Staggs.
12. Discusses Statistical Report with Judge Staggs.
13. Discusses Time Standards Report with Judge Staggs.
14. Discusses Budget Report with Judge Staggs.
15. Discusses number of monthly cases seen with Judge Staggs.
16. Discusses amount of County revenue collected with Judge Staggs.

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Annual Responsibilities Reports & Verifications – Year _____

Responsibilities:

1. Prepares and turns in annual MAS Report to Presiding Superior Court Judge, and Deputy Court Administrator by January 31st.
2. Prepares and turns in annual IT GAP Report by January 31st
3. Prepares and turns in annual Required Data Elements Report by January 31st.
4. Turns in annual Budget Report to Cochise County Court Administration by March 31st.
5. Prepares and turns in Unclaimed Funds Report by April 1st.
6. Prepares and turns in annual Employee Evaluation to Cochise County Court Administration by April 30th.
7. Verifies that all staff sign off on Office Policy Manual by July 1st.
8. Verifies that all staff sign off on MAS following required annual training by July 1st.
9. Verifies that all staff sign off on County automobile policy by July 1st.
10. Verifies that all staff have taken Bloodborne Pathogens training by July 1st.
11. Verifies that all staff have taken Organizational Expectations & Standards of Conduct training by July 1st.
12. Prepares and turns in Time Standards Report to AOC by July 31st. (Misdemeanors, Misdemeanors DUIs, Civil & Civil Traffic)
13. Prepares and turns in Expenditure Report to AOC by August 12th.
14. Prepares Security Report by September 30th.
15. Verifies that all staff have completed continuing education by November 1st.

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PERFORMANCE EVALUATION FORM

A-12

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

A-13

GOAL4: Detailed job descriptions for each staff member. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 5: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 6: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Case files and schedules are on the Judges desk a high percentage of the time.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 7: Staff all cross trained. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Staggs, Bruce

From: Staggs, Bruce
Sent: Wednesday, February 1, 2023 1:58 PM
To: Aguilera, Claudia
Subject: Judge Stepping Back, Chain of Command & Form Responsibilities
Attachments: Poverty Guidelines 2023 Federal 150%-225%.pdf; 1. Step 1 Packet #02 Application Or Deferral Or Waiver Of Fees AOCDGF1F - 01 12 23.pdf; 2. Step 2 Packet #02 Supplemental Application For Deferral Or Waiver Of Court Fees And Costs AOCDGF9F - 01 12 23.pdf

Claudia,

Per our conversation last night I decided to step back from any instructing to the staff regarding their duties, performance or lack of performance. It is all going to flow through you first from now on, via chain of command. I'm going to make a point to keep my door shut as much as possible. You can instruct the staff that should they have questions, that they must **always** come to you first. If you do not know how to answer the question or implement policy, you then need to come to me for direction.

In the future I intend to limit my actions in the court to fulfill my primary responsibility of sitting on the bench and then fulfill my secondary responsibility of making policy. It will be your responsibility to implement and then enforce said policy.

Commonly I receive Memorandums from AOC regarding Administrative Orders and form changes. On 1/20/2023, I received notification of changes of 2023 Poverty Guidelines and Updated Fee Waiver and Deferral Forms. Prior to beginning to write this email I downloaded the following forms: Poverty Guidelines 2023, Application Or Deferral Or Waiver Of Fees AOCDGF1F - 01 12-23, and Supplemental Application For Deferral Or Waiver Of Court Fees And Costs AOCDGF9F - 01 12 23 they are attached. Please forward them to the staff and instruct them to delete the old forms in their computers and replace them with the new forms.

From this point on, as the Court Manager, I am making you responsible for implementing the Administrative Orders and changing forms so they are up to date as AOC requires. I am also making you responsible for following up and making sure that the staff implement and utilize the new forms.

In the past I have downloaded all the forms, put our letterhead on them and have organized the forms for easy reference for the staff in their computers. Many times I have organized the file cabinets myself with the new forms.

Whenever I have done this and forwarded them to the staff, I have **ALWAYS** instructed them to remove all old paper forms from their desks, courtroom and file cabinets. I have further instructed them to delete the old files from their computers and begin using the new forms immediately. Many times this is **NOT** done because I believe they briefly scan the email and have good intentions of handling it later. Far too many times they never do. They are not reminded about it because the email has gone from "unread highlighted status" to "read status". As such, many times they don't add the forms to their computer and don't delete the old forms. What's worse is that we use outdated forms.

When you send the new forms and policies to the staff, you are instructed to send me a copy.

I will be sending you all the forms that I have on my computer so you will know what forms we are currently using and how I have organized them.

Should you have any questions please feel free to ask.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Staggs, Bruce

From: Staggs, Bruce
Sent: Tuesday, November 29, 2022 6:31 PM
To: Flores, Niltza
Subject: Cell Phone Policy Revision

Niltza,

Thank you. I have revised the document per your suggestions.

Claudia is not going to like the enforcement of it. **She is the worst offender** and now I'm noting the staff are following her example and using their phones more and more.

Judge Staggs

From: Flores, Niltza <NFlores@cochise.az.gov>
Sent: Tuesday, November 29, 2022 5:37 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Cell Phone Policy Revision

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Judge Staggs,

Please see below for my recommendations on the email communication. I have also attached my recommendations on the revised policy.

If you have any questions, please let me know.

Thank you,

Niltza Flores
Associate Court Administrator

Cochise County Superior Court – Court Administration
100 Quality Hill, Bisbee, Arizona 85603
☎ 520.432.8504
✉ nflores@cochise.az.gov

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Monday, November 28, 2022 4:24 PM
To: Flores, Niltza <NFlores@cochise.az.gov>
Subject: Cell Phone Policy Revision

CAUTION: EXTERNAL EMAIL*

Staggs, Bruce

From: Staggs, Bruce
Sent: Wednesday, December 14, 2022 10:21 PM
To: Aguilera, Claudia
Subject: Flex Schedule and Cell Phone Policy Revision
Attachments: Cellphone Policy 2022 12-15.docx; 3000 Hours of Operation Work Week and Work Schedules.pdf

Claudia,

Please be advised that the below is going to be sent out to the staff tomorrow. Wanted to you to be aware of it first.

Should you have comments or questions, please see me.

Judge

Dear Staff,

This year we have had many positive changes in this court, which have resulted in this great team. The positive changes have been for the betterment of the court and staff. With positive change also comes challenges which we have worked together to overcome and others that require attention.

This court has allowed staff who wanted to join a flex schedule to be able to do so. This flex schedule has been in place for months and I have noticed the positive morale it has provided this court, however, it has become difficult to maintain a staffed court with a vacant position, PTO/Sick and flex. I am in a position that I want to maintain the positive culture and morale in this court however, I also have to view the difficulties it is causing and how we are not maintaining the workflow needed. That is why this decision is difficult to make. Effective December 27, 2022, flex schedule will be suspended until further notice. I am hopeful that once we are fully staffed and in a good position with the workflow, that I can once again reinstate the flex schedule.

This leads me to the next challenge that requires attention.

As you are aware, we have a Cell Phone policy that was established on July 1, 2020. I understand we all have to tend to personal matters outside of this court, however, the cell phone usage has increased, causing distraction and loss of productivity during business hours. When we are working on court cases and we are distracted, it opens us up to clerical errors that can then lead to court liabilities.

Since this policy and positive change this court has had, the cell phone policy has not been taken into consideration. Effective immediately an updated policy will be enforced. All cell phones are to be left in the employee's personal vehicle or stored in the breakroom, with the ringer turned down to the lowest or silent position.

Alc

I have attached both the Cochise County Work Hours policy and the December 15, 2022, revised Cell Phone policy for your review and acknowledgment of this policy.

Please send back the email acknowledging that you have read and understand the policies.

Again, I want to continue to have the positive culture in this court with the great team we have. I understand these changes are difficult, since they were a difficult decision for me to implement.

If you have any questions, please let me know and I will be happy to discuss further.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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PERFORMANCE EVALUATION FORM

A-17

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

Staggs, Bruce

From: Staggs, Bruce
Sent: Thursday, December 15, 2022 1:44 PM
To: Flores, Niltza (NFlores@cochise.az.gov)
Subject: Phone Policy

Niltza,

The phone policy did not go over well with Claudia.

I am told that if I implement the new revisions, that she will put in her 2 week notice.

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
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bstaggs@courts.az.gov

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Staggs, Bruce

From: Staggs, Bruce
Sent: Thursday, December 29, 2022 7:59 PM
To: Aguilera, Claudia; Naegle, Donna; Ferraro, Diana; Douglas, Danele; Barney, Rhonda; Finch, Shayna; Jankovic, Bonnie
Cc: Aguilera, Claudia; Tim Judge Dickerson (TiDickerson@courts.az.gov)
Subject: Flex Schedule & Cell Phone Policy
Attachments: Hours of Operation Work Week and Work Schedules.pdf; Cellphone Policy 2022 12-29.docx

Dear Staff,

Dear Staff,

This year we have had many positive changes in this court, which have resulted in this great team. The positive changes have been for the betterment of the court and staff. With positive change also comes challenges which we have worked together to overcome, and others that require attention.

Previously I have allowed staff who wanted to join a flex schedule, to be able to do so. This flex schedule has been in place for months and I have noticed the positive morale it has provided this court, however recently, it has become difficult to maintain a staffed court with a vacant position, PTO/Sick and flex schedule. I am in a position that I want to maintain the positive culture and morale in this court however, I also have to view the difficulties it is causing and how we are not maintaining the workflow needed. That is why this decision is difficult to make. Effective January 3, 2023, flex schedule will be suspended until further notice. I am hopeful that once we are fully staffed, in a good position with the workflow and having each clerk caught up in their job positions, that I can once again be open to reinstating the flex schedule.

This leads me to the next challenge that has required attention for a substantial period of time.

As you are aware, we have a written Cell Phone policy that was established on July 1, 2020. I truly understand we all have to tend to personal matters outside of this court, however, the cell phone usage has increased, causing distraction and loss of productivity during business hours. When we are working on court cases and we are distracted, it opens us up to clerical errors, that can then lead to court liabilities.

Since the positive change this court has had, the cell phone policy has not been taken into consideration. Effective January 3, 2023, an updated policy will be enforced.

I truly believe that JP-3 as a whole, will be much more productive, once these policies are implemented and enforced. I hope that you feel the same. Again, I want to continue to have the positive culture in this court with the great team we have. I understand these changes are difficult, since they were a very difficult decision for me to implement.

I have attached both the Cochise County Work Hours policy and the December 29, 2022, revised Cell Phone policy, for your review and acknowledgment of these policies.

Please reply back to my email, acknowledging that you have read and understand these policies.

Benson Justice Court #3, Judicial Merit Rules/Policies and Administrative Policies

Policy Title: Cellphone Policy

Page 1 of 1

Adopted: July 1, 2020

Revised: December 29, 2022

The purpose of this policy is to outline the acceptable use of cellular ("cell phones") and other communication devices, including, but not limited to, Blackberries, mobile phones, iPhones, Smart phones, headphones and other wireless devices as well as ear buds attached to any of the previously listed devices (collectively referred to as "communication devices") in the Benson Justice Court. When clerks are at work, they're expected to be doing their jobs, not engaging in personal conversations, checking personal email, playing games, listening to audiobooks or sending text messages. The playing of soft, inoffensive music is permitted through the county issued computer.

1. Prohibited Uses:

- a. General. While in the workplace during working hours, employees are expected to focus on their work duties. Employees are not permitted to use any personal communication device while they are working. Prohibited uses includes, but is not limited to, use of communication devices to:
 1. Engaging in conversations
 2. Playing games
 3. Surfing the internet
 4. Checking personal email
 5. Listening to music or audiobooks
 6. Sending text messages.
- b. Driving. See the Cochise County vehicle policy for use in a County owned vehicle.

2. Permitted Uses:

Employees are permitted to use their communication devices while they are not working or on break. Use is permitted in the breakroom or outside the Courthouse, but only while the employee is at lunch or on break. Communication devices are **not** allowed to be used at any time at any workstation, common work area, storage room, bathroom or Courtroom.

3. Effective January 3, 2023, during working hours, all cell phones are to be left in the employee's desk drawer or in their purse, with the ringer turned down to the lowest or silent position.

4. Employees who violate this policy will be subject to disciplinary measures, up to and including termination, depending on the circumstances.

If you have any questions, please let me know and I will be happy to discuss further.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
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Staggs, Bruce

From: Staggs, Bruce
Sent: Sunday, July 9, 2023 9:29 PM
To: Aguilera, Claudia
Cc: Flores, Niltza (NFlores@cochise.az.gov)
Subject: 40 Hour Flex Schedule

Good morning, Claudia,

Last month while preparing and updating the Pro-Tempore manuals, and also this last week, I was coming in before 7:00 am and leaving after 6:00 PM. During this time, I noted that the times you were arriving, and departing were not in compliance with current Cochise County standards.

Most exempt employees do not have to clock in and out on ADP, however they are still required to work a full 40 hours per week and also take a full hour lunch. This also includes you as the Court Manager. Although you are exempt, you must still complete a full forty-hour work week for your flex 4 day/10 hour work schedule.

I understand there will be days where you may be running late however, during the time while preparing and updating the Pro-Tempore manuals, I noticed you arriving after 7:30 AM and leaving at 5:30 PM, on a daily basis. Arriving approximately at 7:30 AM, and leaving at 5:30 PM does not meet the standard of working 40 hours a week. A review of the DSX access log over the last 3 months confirmed this is happening on a frequent basis.

Although you are exempt, you must still complete your full 40 working hours for your flex 4 day/10 hour work schedule. Most exempt employees do not have to clock in and out on ADP, however, there are department heads who require their exempt employees to clock in and out.

So this issue does not have to be monitored in the future, beginning immediately, I would like for you to begin clocking in and out, while putting in at least a full 40 hours a week. You will be expected to clock in at 7:00 am and clock out at 6:00 pm, while taking a 1-hour lunch break, as all the other clerks do.

This will provide consistency with all current Cochise County and court standards.

As usual, should you have any questions, you can feel free to discuss them with me.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3

Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Tuesday, July 11, 2023 4:43 PM
To: Staggs, Bruce
Subject: RE: Claudia ADP Requests For Time Off Approved

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Judge,

Claudia did advise me that she made the original ADP entry to request time off at some point last night. You are correct, this was done after she left the court.

Thank you,

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Tuesday, July 11, 2023 4:37 PM
To: Romero, Tracey <TRomero@cochise.az.gov>
Subject: Claudia ADP Requests For Time Off Approved

CAUTION: EXTERNAL EMAIL*

Tracey,

Per your advisement I have approved the ADP requests for time off.

I want to document that the requests for time off, both for July 10, 2023 and July 11, 2023, were not approved, **before** the leave was started.

Proof is evident through the ADP website and I am also attaching screen shots as proof of when I received notice, today on July 11, 2023.

Please document that Claudia verbally admitted to you that she left the court, **prior** to allegedly making the attempt to request time off through the ADP app on her cell phone. If I am in error of understanding what we discussed, please inform me immediately.

I am requesting that the entire event of Claudia leaving the court, prior to receiving approval for time off, be documented should future discipline action be sought.

Tracey,

Judge Dickerson advised that I contact you about Claudia and give some background.

When Claudia was hired on July 21, 2021, I agreed to put her on a 4/10 flex schedule to assist her with travel, since she lives in Sierra Vista. On our first initial meeting, I provided Claudia with expectation and goals that I want completed with the 1st year of her being with the court.

The expectations and goals provided are as follows:

1. Implement a detailed office policy manual that the staff can review and sign off on each year.
2. Draft a detailed job description for each staff member.
3. Reorganize the file room.

When COVID-19 hit, Benson Justice Court went on flex schedule with 50% staff on one week and the other 50% staff off. The next week they rotated.

Following COVID-19 challenges, I allowed a 4/10-hour flex schedule. All the staff wanted the program initially, but some staff later withdrew not wanting to be on the flex schedule.

On December 14, 2022, I sent an email to Claudia advising her that I was going to end the 4/10-hour flex schedule. I also informed Claudia that I was going to start enforcing the existing phone policy that had been in effect since July 1, 2020. The enforcement of the phone policy was primarily due to Claudia not setting the example and following the existing phone policy. More often than not, when I walked into Claudia's office, she was on her cell phone. This was also a major point of contention with the former Court Manager, Samantha Reno. The staff, on more than one occasion asked me why Claudia could use her cell phone and they weren't permitted to. I requested her input on the upcoming policy changes. Claudia was very upset about the proposed changes and threatened to quit, especially if I did not allow her to have her cellphone with her in her office.

On January 3, 2022, due to staffing challenges presented by all the staff not participating in the 4/10-hour flex schedule, and also being understaffed, I suspended the 4/10-hour flex schedule. This made Claudia very upset and created a great amount of friction between us, to the point that Claudia stated to me that she didn't trust me, thought that I was out to get her and threaten to quit again.

In early February 2023, Claudia started turning in daily work logs. After a month of this, when asked why she kept doing this she stated she was covering herself, felt that I was going to stab her in the back and that she couldn't trust me because I wasn't keeping my word with regard to allowing her to continue to be on a 4/10-hour flex schedule. She

stated that allowing her to be on a 4-day work week was one of the major reasons that she considered excepting the Court Manager position.

Keeping my word is very important and personal to me. With her making this serious accusation against my integrity, I informed Claudia that she could return to a 4/10-hour flex schedule. I told Claudia that I would leave it up to her when she reinstated a 4/10-hour flex schedule, but I would prefer that it be after she fulfilled the expectations and goals that were previously provided and still hadn't been accomplished for the last 2 years. I was totally disappointed that Claudia switched back to the 4/10-hour flex schedule immediately the very next Monday. I didn't question her about it, to avoid contention.

In early to mid-June I had to be in the court for extra hours, on multiple days, while attending to additional responsibilities regarding being the Presiding Justice of the Peace and Pro-Tempore matters. I was arriving prior to 7:00 AM and leaving after 6:00 PM. I noted that Claudia was coming in, on a daily basis, after 7:00 AM and leaving by 5:30 PM each day. While Claudia brought lunch on multiple occasions she also went out for lunch on multiple occasions. I noted on multiple occasions that Claudia took more than a ½ hour lunch. I contacted Court Administration to ask about exempt employees and exceptions. I was advised that exempt employees were expected to work 40 hours a week, and at times exempt employees work over 40 hours a work, depending on the work and deadlines. Additionally, exempt employees take a 1-hour lunch and at times the lunch can be shorter, again, depending on the work that needs to be addressed. However, this is also dependent on the position of the exempt employee, the duties, and the requirements set by the direct supervisor or department head.

On June 13, 2023, not knowing how long this had been occurring, I requested a DNX log report.

On June 29, 2023, I received the DNX log report for the time period from April 1, 2023, to June 20, 2023. During this time period Claudia arrived on only two occasions prior to 7:00 AM. Once on June 19, 2023, at 6:52 AM and once on June 19, 2023, at 6:59 AM. The majority of the time, Claudia came in after 7:45 AM.

On July 6, 2023, Thursday morning, Claudia sent me a text and advised me that she was running late due to a migraine headache.

On July 9, 2023, I sent an email to Claudia advising her she was required to be working a full 40-hour work week. So this issue didn't have to be monitored in the future, I informed Claudia that she would be required to clock in and out, using ADP.

On July 10, 2023, at 7:30 AM, I sent Claudia an email advising her that when I went to approve her timecard, I noticed that the time that she missed on Thursday morning, July 6, 2023, due to a migraine, was not entered on her timecard as PTO. I requested her to edit her timecard so I could approve it.

At approximately 11:30 AM, Claudia came into my chambers and was very angry. She stated once again that she didn't trust me, literally yelling it. She went on to further state that I was out to get her, that this was all due to me not liking that she had gone back to a 4/10 flex schedule, that I was a micro manager, that I didn't keep my word and finally, how dare I go behind her back and pull a DSX report. I advised her that it had nothing to do with the flex schedule and that this new directive was made solely, due to the fact that I noted that she was not putting in the required 40-hour week. I informed her that I was not willing to continually be at the court early, Monday through Thursday, just to monitor what time she arrived. She countered that she only took a ½ lunch. I pointed out that might be true when eating in her office but that I observed that she took more than a ½ hour when going out for lunch. I also noted that even if she did take a ½ hour lunch at all times which would allow her to leave at 5:30 PM each night, she would still have to be in the court by 7:00 AM each morning. I accessed the DSX log report and read off the times to her that she came into the court. Claudia then told me again that I was not truthful and said that I once made a statement in a Justice of the Peace Quarterly meeting that due to Court Managers being exempt, I didn't care what hours a Court Manager put in. I told her that she forgot that the statement I made also included me stating as long as they fulfilled all their duties. I pointed out to her that she had been here almost 2 years and hadn't even started on the goals that she was originally given to complete, that being a detailed job description for each clerk and a complete office policy manual. I did note that she had begun overseeing the cleaning out the records room but it still wasn't finished. I also pointed out to Claudia that she habitually did not follow my directives of:

1. Attending our required daily short meeting to discuss the upcoming day.
2. Attending weekly "one on one" meetings, that John Schow proposed we do.
3. Turning in required monthly report regarding submitting mandatory reports to AOC and Cochise County.
4. Holding a monthly staff meeting.

I told Claudia that I knew that she wasn't used to having to report on her duties at JP-5 and knew that she didn't like having her duties being monitored by me, however I informed Claudia once again that it was my responsibility to oversee her duties and make sure they were being fulfilled properly. She responded again that I was micromanaging.

Claudia informed that she got my email about missing time on Thursday, July 6, 2023, and then proceeded to berate me for not answering her text. She then advised me that she took a short lunch that day and made up the time. Claudia informed me that she didn't have any intention of adjusting her timecard.

Claudia then stated that she couldn't take the stress anymore and was going to take 2 weeks off. I asked her if she was asking for the 2 weeks off, or telling me she was taking 2 weeks off. She stated that she was taking the two weeks off and abruptly left my chambers, banging the door on the wall.

I believe Claudia is a good Court Manager due to her vast amount of knowledge. She interacts well with the staff. I believe some of her greatest flaws however are that she resists being managed, opposes having her responsibilities monitored, resents authority, wants to do everything her own way, is not open to suggestion and is very critical of any change. With the everchanging dynamics in a Justice Court due to new laws, rules, and AOC constantly changing policies and requirements, it is critical that an employee, especially a Court Manager, be open to change and explore new and better ways of accomplishing business that would make a court more productive. It is my believe this is perhaps why she had insurmountable challenges at JP-5 with a change of leadership.

When I do question her as to why she does not follow my directives and policy, she gets upset and then friction ensues. Due to past judicial complaints by Court Managers, I have been forced to overlook many things. Instead of enforcing policy, I have just let them happen, choosing not to allow contention to occur, which could lead to another judicial complaint.

Following this major incident and insubordination, I do not believe that Claudia and I can work together in the future. She has made clear that she doesn't trust our relationship. I will await to see what Claudia decides as to her future here at Benson Justice Court #3, as she stated in her July 11, 2023, email. Should she wish to come back I will be seeking the aid of HR to start disciplinary action against Claudia for not following written directives and not even attempting to accomplish goals that were set for her when she first started two years ago.

I have over 30 emails and documents proving proof of my statements above.

At this time, I am asking now how best to prepare for taking disciplinary action in the future, should it become necessary.

I will be awaiting your reply.

Judge Bruce E. Staggs
Benson Justice of the Peace #3

July 14, 2023
Date

A-24

Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Wednesday, July 26, 2023 8:32 AM
To: Staggs, Bruce; Schow, John
Subject: RE: Claudia Aguilera
Attachments: AGUILERA Claudia 07.26.23 Draft.dot

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Good morning Judge,

Please review the attached draft and make any changes as you deem appropriate. I would like to run the final draft by Christine Roberts, our employment counsel with the County Attorney. Once you have your final draft ready, I can work with Christine to get it approved and finalized.

Thank you,

Tracey Romero, CPM

Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Tuesday, July 25, 2023 5:33 PM
To: Romero, Tracey <TRomero@cochise.az.gov>; Schow, John <JSchow@courts.az.gov>
Subject: Claudia Aguilera

CAUTION: EXTERNAL EMAIL*

Tracey,

Yesterday Claudia and I had a long discussion when she returned to work. At the end she indicated that she was submitting her resignation for various reasons. She also stated that she would be transferring but wouldn't tell me where.

I verbally accepted it and she indicated that she would be delivering her 2 week notice to me. I was under the impression that it would be delivered immediately.

She has not submitted it yet. Can you assist me by drafting an email that I can send to her requesting that she submit it with a date? I don't want to send anything that would violate any rule however I feel that it is essential to have her begin training someone ASAP, to fulfill her duties, if JP-3 is going to be without a Court Manager for an period of time.

I will be awaiting your reply.

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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A-25

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

July 26, 2023

Claudia Aguilera

Re: Acceptance of Resignation

Dear Claudia,

On Monday, July 24, 2023, we had a long discussion about the court. During this discussion you indicated that you were submitting your resignation for various reasons. This letter is to confirm my verbal acceptance of your resignation.

The court cannot be without a Court Manager for an extended period, and I will need your letter of resignation before I can start the recruitment process. I would hope that there will be some time for overlap to assist with training the new Manager.

Please submit your letter of resignation with your preferred ending date so that we can move forward with a recruitment. Your cooperation for a smooth transition is appreciated.

Sincerely,

Judge Bruce E. Staggs *BS*
Benson Justice of the Peace #3

July 26, 2023
Date

cc: John Schow, Court Administrator
Tracey Romero, Judicial Human Resources Director

From: [Aguilera, Claudia](#)
To: [Staggs, Bruce](#)
Cc: [Schow, John](#); [Romero, Tracey](#)
Subject: RE: Resignation
Date: Thursday, July 27, 2023 8:10:40 AM

Judge Staggs,

My official written resignation will be provided when that time comes. For now, I am performing duties as the court manager following the rules you have established.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, July 26, 2023 8:40 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Resignation

Claudia,

Please see attached.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Friday, July 28, 2023 12:15 PM
To: Staggs, Bruce
Subject: Special Observation Report
Attachments: Judicial Merit Rules 2021.pdf

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Judge,

I was able to speak with John. He confirmed that he felt you should start the initial draft and then I can help build the report if anything is need. I have provided the merit rules and I am happy to answer any questions that you may have. Please see Rule 8.3(D) for information on Special Observation.

Thank you,

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Monday, August 14, 2023 8:52 AM
To: Staggs, Bruce
Cc: Schow, John
Subject: RE: Claudia Aguilera

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Good morning,

After sharing your documentation with Christine Roberts and talking to her by phone, Christine feels that you probably have enough documentation to put Claudia on Administrative Leave. If you are considering serious discipline, you will also need to provide her with a Pre-Action Notice which must outline the charges or violations of misconduct. This Pre-Action notice notifies Claudia that serious discipline is being considered. It also sets the clock on the timeframe that she can request a meeting. At the meeting, she would have the opportunity to respond to your charges. After the meeting is completed, you would have time to review her responses and then decide on appropriate discipline. At that time, you could also place her on a special observation period.

Christine is very clear that she cannot support termination at this time as progressive discipline has not been followed. In the special observation plan, very specific due dates must be listed on the items or goals that have not yet been completed. If she is not meeting the deadlines in the special observation plan, then we can look at termination.

Please let me know if you have any questions.

Thank you,

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, August 11, 2023 4:20 PM
To: Romero, Tracey <TRomero@cochise.az.gov>
Cc: Schow, John <JSchow@courts.az.gov>
Subject: Claudia Aguilera

CAUTION: EXTERNAL EMAIL*

Tracey,

I would like to enquire of the status of my submission of documentation for Special Observation.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Tuesday, August 15, 2023 2:38 PM
To: Staggs, Bruce
Subject: Draft Admin Leave & Pre-Action Notices
Attachments: AGUILERA Claudia Pre-Action Notice (CJR edits 8.15.23).docx; AGUILERA Claudia DRAFT Letter Admin Leave 08.15.23.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Judge,

Attached are the draft Admin Leave and Pre-Action Notices. Both have been vetted by Christine Roberts. If you would like to make further edits, please let me know.

Please double check the following:

On the administrative leave notice, I was not sure if she was flexing with the 4/10 schedule or if she had returned to M-F. I have highlighted that paragraph so you can make any changes as necessary.

In addition, both letters are dated today. If you need to issue after today, please update the dates before issuing.

If I can be of further assistance, please let me know. If you will let me know once they have been issued, it is greatly appreciated.

Please also provide a copy of the merit rules and code of conduct with the letters. Thank you.

Merit Rules

- [Judicial Merit Rules \(PDF\)](#)
- [Code of Conduct for Judicial Employees](#)

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

A -30

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

August 21, 2023

Claudia Aguilera

Re: Pre-Action Notice

Dear Claudia,

This letter is an official Pre-Action Notice of Charges of Misconduct. Pursuant to the Cochise County Judicial Merit Rules of the Superior Court of Arizona in Cochise County (Judicial Merit Rules), Rule 8.5(A), this letter serves to:

- Provide you with notice of allegations, facts, and findings set forth below;
- Provide you with an opportunity to respond to the allegations and present pertinent facts; and
- Notify you that disciplinary action, up to and including termination, as outlined in Merit Rule 8 of the Judicial Merit Rules is being proposed.

You were hired within the judicial branch as a Court Specialist on January 22, 2002, later reclassified to a Justice Court Supervisor on May 23, 2004, before transferring to the Benson Justice Court as a Justice Court Manager on July 25, 2021. On July 16, 2021, you were previously given a Letter of Reprimand by Judge Kenneth Curfman. I am considering disciplinary action against you, up to and including termination, due to violations of the Judicial Merit Rules and Code of Conduct for Judicial Employees.

The charges of misconduct are set out below:

Charge 1: Performance deficiencies which include incompetency, inefficiency, neglect of duty, and failure to perform assigned job duties.

When you were hired as the Justice Court Manager for the Benson court, I discussed with you the importance of my expectations on completing the following goals:

1. Implement a detailed office policy manual that the staff can review and sign off on each year.
2. Draft a detailed job description for each staff member.

3. Reorganize the file room.

As of today's date, two full years after your transfer to JP3, these three goals have not yet been completed.

Charge 2: Performance deficiencies which include incompetency, inefficiency, neglect of duty, and failure to perform assigned job duties.

The following directives have been given to you over the past two years. You have failed to accomplish or have failed to follow:

1. Implementing policies without prior approval from me, the Department Director.
2. Not turning in daily, monthly, or annual reports.
3. Not meeting for "One-on-One" weekly meetings with me to discuss your concerns as a Court Manager. In our meetings with John Schow, he informed both of us of the importance of this.
4. Not meeting with me daily for a 5-minute meeting to discuss the day.
5. Not monitoring staff to make sure a next-day calendar is on my desk by 12:00 p.m., so that I can prepare for hearings occurring the next day.
6. Neither monitoring Time Standards, nor learning how to read a Time Standards Report.
7. Not adhering to the JP3 cell phone policy.
8. Not holding staff meetings monthly.
9. Not cross-training all staff members.
10. Not holding monthly Court Manager Zoom meetings with the other Court Managers.
11. Not monitoring staff on returning phone calls in a timely manner.
12. Not monitoring staff on returning emails in a timely manner.
13. Not monitoring staff on filing documents.

Charge 3: Engaging in disrespectful, uncooperative, and discourteous behavior, and violation of law or failure to comply with court rules, regulations, professional codes of conduct, Supreme Court and local court codes of conduct, policies, and procedures.

Specifically on July 10 and July 25, 2023, during our conversations when I spoke to you about not completing the goals identified at the time of your hire, and other performance deficiencies, you became argumentative, disrespectful, and ultimately walked out of the workplace telling staff that you would be out for two weeks and told them not to contact you.

These allegations, if sustained, violate the following:

- Judicial Merit Rules 8.2 Subsection 1, Violations of federal, state, or local laws; these rules; the Code of Conduct for Judicial Employees and applicable sections of the Arizona Code of

Judicial Administration; CCJS policies; departmental policies/procedures; applicable Administrative Orders; and county policies/procedures.

- Judicial Merit Rules 8.2 Subsection 5, Performance deficiencies which include incompetency, inefficiency, neglect of duty, failure to perform assigned job duties, or continued performance deficiencies after previous disciplinary action.
- Judicial Merit Rules 8.2 Subsection 6, Failure to be respectful, cooperative, or courteous.
- Judicial Merit Rules 8.2 Subsection 7, Insubordination, willful disobedience, failure to follow.
- Judicial Merit Rules 8.2 Subsection 21, Vulgar or disrespectful conduct.
- Judicial Merit Rules 8.2, Subsection 29, Violation of a professional standard of conduct applicable to the employee with respect to his or her employment duties.
- Code of Conduct for Judicial Employees, Canon 1, Rule 1.2, Promoting Confidence in the Judiciary.
- Code of Conduct Canon 1: A judicial employee shall uphold and promote the independence, integrity, and impartiality of the judiciary and shall avoid impropriety and the appearance of impropriety.
- Code of Conduct Canon 2: A judicial employee shall perform the duties of judicial employment impartially, competently, and diligently.

Per Judicial Merit System of the Superior Court of Arizona in Cochise County, Rule 8.5(C), if requested by the employee, the department director or designated representative shall meet with the employee prior to a final decision on the disciplinary action. The meeting should be held at a time that the employee is reasonably able to attend, but no less than three (3) working days after receiving written notice. If no meeting is requested, the employee may respond in writing within three (3) working days after receiving notice of the disciplinary action.

You may also respond in writing with the same time frame in addition to or in lieu of a pre-action meeting. If you would like to respond in writing, your response must be received in my office by close of business within three (3) working days of receiving this pre-action notice.

Please contact Judicial Human Resources Direction Tracey Romero at 520-432-8503 or tromero@cochise.az.gov if you would like to request a pre-action meeting. You are permitted to bring a representative, should you wish to do so, however your representative is not allowed to speak on your behalf. They are allowed simply for your moral support.

A-31

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

August 21, 2023

Claudia Aguilera

Dear Claudia:

This letter will serve to inform that you are being placed on Administrative Leave with Pay upon personal receipt of this letter and until further notice (Cochise County Judicial Merit Rule 8.6). This status is pending a formal inquiry into possible violations of the Code of Conduct for Judicial Employees; Judicial Merit Rules; Human Resources Policies; and other applicable policies.

While you are on administrative leave, you will remain an employee of the Benson Justice Court and must continue to observe all rules and regulations regarding conduct of judicial employees. You will continue to accrue all rights and benefits as an employee. It is in your and the court's best interest that, until such time as we have all the relevant information concerning possible misconduct, you do not proceed in your assigned duties. I ask for your full cooperation.

While on administrative leave, you are directed to remain at your residence during your regular work hours of Monday -Thursday 7:00 a.m. to 6:00 p.m. Your lunch hour will be from 12:00 – 1:00 p.m. each day and can be taken away from your residence. Since we may contact you during normal business hours, you must be available to provide information of services during these hours as directed by me. You must check in with me each workday between 8:00 a.m. and 8:30 a.m. If I am not available, please leave a voicemail message.

To leave your residence at any other time during the above-listed work hours, you must request sick leave or PTO. If you are not at your residence during business hours and sick leave or PTO leave have not been approved for this time, you will be considered absent without leave and will be placed on leave without pay. Furthermore, you may be disciplined.

You are directed not to contact Benson Justice Court Staff and/or Cochise County Judicial staff, other than myself, Ms. Romero, or Ms. Romero's designee, about this matter without my prior approval and you may not enter the Benson Justice Court. Further, you may not access any state/AJIN network computer; Cochise County computer; or state/county email from home or mobile devices without my approval.

Please immediately surrender your identification/access card, keys, and any other department-issued equipment.

Thank you for your cooperation in this matter.

Sincerely,

Judge Bruce E. Staggs 
Benson Justice of the Peace #3

8/21/2023
Date

cc: Tracey Romero, Judicial Human Resources Director
File

I, Claudia Aguilera, acknowledge receipt of the letter dated August 21, 2023, placing me on Administrative Leave.

Signature: _____

Date: 8/21/23

✓

Address where I will be during working hours:

Street: _____

City: _____

Cell
Home phone: _____

Cell: _____

August 22, 2023

Judge Bruce E. Staggs
Benson Justice Court #3
126 W. 5th Street, Ste. 1
Benson, Az. 85602

Dear Judge Staggs:

I am deeply saddened about the events that have led to your decision on submitting this disciplinary action against me.

Our relationship has been strained due to the lack of communication and confidence between each other. It has reached a point of becoming a toxic environment for the Benson Justice Court. The staff and I feel that we are never able to properly balance work/life because we are always prepared to be pulled into a new project. It has affected my confidence and caused me anxiety, stress and depression.

I have attached my employee assessment and documentation of events to serve as a response to the allegations.

I apologize if my expression of feelings and choice of words were interpreted as being disrespectful, uncooperative or discourteous. I assure you, that it was never my intention to come across as disrespectful or insubordinate.

On July 10, 2023, after receiving your email regarding my time record, I had reached a point of anxiety and felt that I needed to remove myself from the toxic environment. Due to the method in which this issue was communicated to me, I automatically felt the lack of trust and confidence you had in me. Your constant comparison of former managers affected my ability to align myself with your goals and gain your trust. I made the decision to take two weeks off in order to decide my future with the court. As I left, I informed the staff that I was leaving and requested that they please try not to contact me. I submitted my request for the time off through ADP and contacted HR Director, Tracey Romero to inform her of this incident. That same week, I went to the doctor and filed for FMLA.

When I returned on July 24, 2023, I attempted to speak to you with the intention of fixing our relationship. You were very guarded and short with me and this made me feel very unwelcomed. I expressed my feelings regarding my position with the Benson Justice Court and informed you that I had requested a transfer. I also informed you that I felt that it was in my best interest that I moved on and that I would continue to perform my job duties to the best of my ability.

On July 26, 2023, you sent me an email stating that you were accepting my verbal resignation and you requested that I submit my written resignation so that you would be able to recruit for my position.

On July 27, 2023, I responded to your email informing you that I would be submitting my official written resignation as the time came to do so. I also let you know that in the meantime I would perform my role as court manager following rules you have established.

I had not provided you with my resignation because I am waiting to hear back regarding the transfer request. I have exhausted every effort in trying to mend our working relationship but our vision and goals no longer align with the mission of the court.

Placing me on Administrative leave and submitting these allegations, contradict the statement you made to me yesterday on August 21, 2023. You stated that things could be worked out if I was willing to cooperate. This action has further severed our relationship as I feel that this could have been talked through without reaching this point.

I have worked very hard and dedicated my life to the Cochise County Judicial Courts. I make every effort to comply with the Code of Conduct, Judicial Merit Rules and the Benson Justice Court policy and procedures. I feel that I have cooperated with you and I have attempted to fulfill my duties as the Benson Justice Court manager to the best of my ability. I complete all my daily tasks and submit all reports within a timely manner. Unfortunately, I have not met your expectations nor reached the goals set for me within the timeframe expected. I feel that you don't take into consideration events that have occurred and have caused delay in completing some tasks. I understand and respect the chain of command and I know what my duties are as a Court manager. The constant changing of policy and procedure, lack of communication and distrust has caused a strain between us.

I requested a transfer prior to being placed on Administrative Leave with the hope of continuing my career with the Judicial system and reaching my retirement.

I do not agree with any of the allegations that have been listed and I strongly feel that this action was taken in retaliation for my request to transfer to another department and for not submitting my official written resignation.

I am very grateful for the experience and knowledge I have gained here at the Benson Justice Court but I strongly believe that it is in the best interest of the department, that I be transferred.

Respectfully,

Claudia Aguilera

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

August 31, 2023

Claudia Aguilera

Re: Pre-Action Notice Determination / Notice of Suspension

Dear Claudia,

This letter is official notice of Pre-Action Determination pursuant to the Cochise County Judicial Merit Rules, Rule 8.5.

On August 21, 2023, you received a Pre-Action Notice setting out charges of inappropriate performance and misconduct. I received your written response on August 22, 2023. I have carefully considered the conduct that led to the Pre-Action Notice, including previous disciplinary actions outlined in the Pre-Action Notice. I have also considered mitigating factors such as your longevity with the court and your knowledge of justice court operations. I have determined the appropriate action to be Suspension without pay for Eighty (80) Hours.

You began your written response with *"I am deeply saddened about the events that have led to your decision on submitting this disciplinary action against me."* I would like to say that it also deeply saddens me that I am being forced to take this disciplinary action.

You stated: *"Our relationship has been strained due to the lack of communication and confidence between each other"*. Communication is the reason for the short daily meetings. More explicitly communication is the reason for the detailed weekly meeting that I have directed to occur. You are the one who does not feel these meetings are necessary. I have full confidence in your ability to be a Court Manager and have said this on multiple occasions. I have even given you high marks on your prior annual performance evaluations for the way you interact with the staff and the projects that you have completed. The "toxic environment" that you claim has resulted, is from your resistance to follow lawful directives. The "toxic environment" has resulted in the disrespectful language and attitude that has been displayed in the recent past. The "toxic environment" has resulted from you threatening to quit three times and saying that I'm out to get you and to stab you in the back. When you made the statement *"I bow down to no one"*, that was the final act of insubordination that I was willing to tolerate.

On August 21, 2023, with Tracey Romero from Judicial Human Resources present, when I related that you had made the “*I bow down to no one*” statement, you did not deny it. You also affirmed that the reason we have not worked well together in the past is because you did not agree with my directives. You also stated that you cannot foresee us working together in the future.

You stated: “*The staff and I feel we are never able to properly balance work/life because we are always prepared to be pulled into a new project.*” Except for changes that are required to implement new laws and rules, I don’t know what you are referring to and you didn’t cite new projects nor submit documentation to substantiate this.

You stated: “*I apologize if my expressions of feelings and choice of words are interpreted as being disrespectful, uncooperative or discourteous. I assure you, that was never my intention to come across as disrespectful or insubordinate.*” While the apology is appreciated, it is too late to just accept it and move on. As stated above, you have now threatened to quit three times. Each time when discussing your threat, you have been discourteous and disrespectful.

You stated: “*Your constant comparison of former managers affected my ability to align myself to your goals and gain your trust.*” If I ever compared you to my former Court Managers, it has been in a positive manner. I have even put it in writing.

In your 2022 Annual Performance Evaluation I stated the following:

1. Has the most experience as a court clerk in Cochise County. All the other courts contact her for her knowledge and understanding of the requirements of the job.
2. Is one of two Court Managers that has obtained the Certified Court Manager (CCM) certification.
3. Has come into a challenging position that was run by other court managers who were endorsed by HR that were either not qualified or had pre-existing prejudices towards the Judge. Previous managers CE, JM and SR did not have the knowledge to run the court, nor did they put their hearts and total effort into the position.
4. Has taken on the task of cleaning up the multiple mistakes previous court managers have made.

In your 2023 Annual Performance Evaluation I stated the following:

1. I believe that Claudia has a wealth of knowledge as a Court Manager.
2. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County.
3. She is much better qualified than the previous Court Managers at JP-3.
4. It is my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here.

You stated: *"I have exhausted every effort in trying to mend our working relationship but our vision and goals no longer align with the mission the court."* This is not a true statement. You have made almost no effort whatsoever to mend our working relationship.

Exhibits Attached with Your Written Response

1. 2023 Employee Annual Assessment – I have already commented about it above.
2. 40 Hour Flex Schedule – No comment. I don't know why it was submitted.
3. Leave Request – You left the court angry on July 10, 2023, without permission. You did not submit a request through ADP as is required before leaving.
4. Timecard – You were very angry and disrespectful that I did not return your text message on July 6, 2023, when I was in court. You later provided documentation that due to your exempt status that *"Absences of less than a full day do not need to be recorded in ADP."* I now understand that due to your exempt status you are not required to document missed time if it is less than a day.
5. Waiting To the Last Minute to Collect Data for AOC – No comment. I don't know why it was submitted.
6. Reason For Daily Meetings – I think my email of February 3, 2023, is very clear why it is necessary to meet with you. The written documentation you provided proves that you don't want to turn in the reports that I have created, but instead you choose to turn in your own reports. In discussion with you, it is so you can document what you are doing so I can't stab you in the back .
7. Resignation – I formatted the resignation request with the assistance and approval of Judicial Human Resources and Christine Roberts, Chief Civil Deputy with the Cochise County Attorneys office. Apparently when your transfer did not materialize, you decided not to turn in your resignation. I believe your response was written in a passive/aggressive manner and was disrespectful.
8. 40 Hour Flex Schedule – As discussed above, I directed that you work a full 40-hour work week. If you had accomplished all the goals you had been given, as much as two years ago, I would have no concern about you not putting in a full 40-hour work week. My experience is that most exempt employees put in more than 40 hours a week because management duties never seem to end. You were directed to use ADP so your time could be verified and so this issue wouldn't have to be addressed in the future. Your comment to your husband in this email chain, *"FYI- I am putting in my 2 weeks notice. I am so done with this man"*, truly reflects your true feelings toward me.

- 9. Meeting Together – You are providing evidence that you didn't attend our 8:00 AM meeting on February 2, 2023, and documenting that you take on the responsibility of updating court forms for the last two years.
- 10. Flex Schedule and Cell Phone Policy Revision - I don't know why this was submitted. It documents suspending the flex schedule and enforcing the longstanding cell phone policy. Your continued practice of being on your personal cell phone was the main reason I advised staff that the longstanding cell phone policy was going to be enforced.
- 11. Cojet – While you might have taken the course, the knowledge was never disseminated to me nor was I advised why JP-3 was out of compliance. Nothing whatsoever was done to pull casefiles from the file room to find out why JP-3 was out of compliance.
- 12. Disposition of Cases Clerk Procedure Policy – This is one of the very few written policies that you have written. The Compliance Audit Team required that it be written. It was not done as a byproduct of you managing staff on your own.
- 13. JP-3 Criminal Team Job Duties - I don't know it why was submitted but assume that it is to document that you passed your duty of making sure the next days calendar and case files are on my desk by 12:00 PM the day before. This has been a major point of contention since I have been here. I have advised you that it is your responsibility to make sure it is done. You do not follow up and verify that it is done daily.

Requested Actions

Per Merit Rule 8.3, Types of Disciplinary Action, the following disciplinary actions are available to a Department Director:

- A. Verbal Counseling
- B. Letter of Counselling
- C. Letter of Reprimand
- D. Special Observation.
- E. Suspension
- F. Involuntary Demotion
- G. Dismissal

In addition to the eighty (80) hours of Suspension without pay, I am placing you on a Special Observation for a period of 180 days. I feel this action is warranted due to your attitude, disrespect, and insubordination on multiple occasions. I also feel that it is warranted because you are not willing to follow the legal, moral, and ethical directives that I have given you. I feel it is warranted because by your own admission, you have freely admitted that your *"vision and goals no longer align with the mission the court"*.

You have the right to appeal this decision within ten (10) working days pursuant to Cochise County Judicial Merit Rules, Rule 9. Attached are copies of the rules to which I have referred herein.

Please direct any questions you may have to Tracey Romero, Judicial Human Resources Director, at 520-432-8503 or tr Romero@cochise.az.gov.

Respectfully,

Judge Bruce E. Staggs
Benson Justice of the Peace #3
Presiding Justice of the Peace

Attachments: Cochise County Judicial Merit Rules 8 and 9

cc: Christine Roberts, Chief Civil Deputy
Tracey Romero, Judicial Human Resources Director
John Schow, Court Administrator
Personnel File

Claudia Aguilera

RECEIVED

SEP 13 2023

APPEAL LETTER

COURT ADMINISTRATION

September 13, 2023

John Schow
Cochise County Court Administrator
Bisbee, Arizona

Re: Pre-Action Notice Determination/Notice of Suspension

Dear John Schow,

I am writing this appeal letter in response to the Eighty (80) hour suspension without pay and special observation for a period of 180 days that was handed to me on August 31, 2023. I would like to express my disappointment at the decision, as I believe it was made without considering all the relevant facts and circumstances. The excessive and unfair disciplinary action made was based on false accusations, retaliation, and in violation of my employee rights.

Judge Staggs has based his decision on charges of inappropriate performance due to resistance to follow his directive orders and misconduct.

- Not turning in daily, monthly, or annual reports
- Not meeting for "One-on-One" weekly meetings with him to discuss my concerns as a Court Manager.
- Not meeting with him daily for a 5-minute meeting to discuss the day.
- My opinion regarding meetings.
- Choosing to turn in the daily duty logs that I created instead of the ones he created.
- My claim of lack of communication and confidence between each other is due to my resistance to meet with him on a daily/weekly basis.
- My claim of a toxic environment is from my resistance to follow lawful directives and my disrespectful language and attitude.
- Letter of Reprimand by Judge Kenneth Curfman from the Sierra Vista Justice Court, received on July 16, 2021.
- Leave Request- I left the court angry on July 10, 2023, without permission. I did not submit a request through ADP as is required before leaving.

I would like to start off by stating that I have never resisted meeting with Judge Staggs for our daily or weekly One-on-One meetings. The reason for missed meetings is due to Judge Staggs or I being out on sick/vacation, conference meetings, Judge being on the bench at scheduled meeting time, and/or office interruptions. I offered my opinion of inefficient daily meetings and suggested weekly meetings instead. I respected Judge Staggs, decision to continue with our meetings on a daily basis and have made every effort to comply with his directive (See Exhibit 1-Monthly reports and Exhibit 2- Daily duty logs). All monthly reports listed on his worksheet have been completed in a timely manner and Judge Staggs is provided with a copy of each report when completed.

***Please note that I do not have access to my work computer so I am unable to provide all copies of monthly reports and logs.**

My claim of lack of communication and confidence between each other and of a created toxic environment is not due to my resistance to meet with him nor to my resistance to follow lawful directives. My claim of lack of communication and trust stems from incidents that have occurred and methods in which Judge Staggs has communicated his directives. The disconnection between Judge Staggs and I started in November 2022 when our office had been dealing with staff issues and the operational review follow-up. I feel that this was when Judge Staggs stopped the One-on-One communication, motivation, guidance, and the opportunity to provide him with feedback. Instead, he started to email his directives making me feel as if my input as a court manager was no longer valued.

On December 14, 2022, I received the suspension of the flex schedule and cell phone policy revision (See Exhibit 3- Flex and Cell Phone policy revision). I discussed the new policy with Judge Staggs and offered my opinion regarding the flex schedule and cell phone policy. A staff meeting was conducted to discuss these items. Staff members expressed their feelings and opinions and just as Judge Staggs feared this event caused office morale to decline. In this Pre-Action Notice Determination/Notice of Suspension on page 4, exhibit # 10, Judge Staggs, response is- I don't know why this was submitted. It documents suspending the flex schedule and enforcing the longstanding cell phone policy. Your continued practice of being on your personal cell phone was the main reason I advised staff that the longstanding cell phone policy was going to be enforced.

Judge Staggs never directly communicated his concern to me regarding his feelings about me constantly on my cell phone. Instead, he chose to reinforce policy for the entire office. When I expressed my feelings and explained to him why I needed to have my cell phone on my desk, he compared me to his former Court Manager, Samantha Reno by saying, "Oh no you are not on your phone nearly as much as Samantha was when she was here". I was under the impression that he would accept me having my phone on my desk rather than placing it in my drawer. I was

never accused of constantly being on my phone for personal reasons, or neglecting my job duties nor was I instructed to put my phone in a drawer after the cell phone policy was reinforced. Judge Staggs claims that I resisted following his directive but yet he marked "Met" cell phone policy goal on my 2023 employee evaluation assessment.

In the month of January 2023, tensions were really high as Judge Staggs was displaying tension and frustration over employee issues, staff shortage, and personal concerns regarding his public reprimand. He contacted Deputy Court Administrator Niltza Flores and Douglas Justice of the Peace Judge Alma Vidosola to request assistance for our court with input regarding court employee job duties and other court operations. Ms. Flores asked the Judicial Court Field Trainer Cynthia Navarro to come to our court and observe criminal court clerks Danele Douglas and Rhonda Barney in the courtroom for court hearings.

On January 25, 2023, Ms. Navarro came to the Benson Justice Court to observe the clerks in the courtroom for the Pre-Trial conference and it was through Ms. Navarro that I was informed of what she was doing there that day. Both criminal clerks were surprised and curious as to why they were being observed and they asked Ms. Navarro what she was doing. She informed them that she was asked to observe in order to provide input regarding their roles as courtroom clerks. Later on that day, Judge Staggs came into my office and I asked him why he did not let me know that he had requested to have Ms. Navarro come in to observe the clerks. He stated that he had not made that request and they, IT Director Candace Hardt and Field Trainer Cynthia Navarro, were there for a different reason. That same day as I was leaving for the day, I passed by Judge Staggs's office to say goodbye and that I would see him tomorrow. He stopped me and said, "No you will be going to Douglas Justice Court to observe the court". Judge Staggs did not mention anything to me earlier, so I told him that I would not be able to go because we were short-staffed and I had to cover. This really upset him and he made the remark, "I know you will go if I tell you to". I again told him that I really needed to be here as we would be down three clerks and that the date he had chosen was not a good date for me. He said, "Fine I will call Judge Vidosola and reschedule".

On January 31, 2023, during our daily meeting Judge Staggs and I had a discussion regarding staff and me going to Douglas to observe. I informed Judge Staggs that the staff was pretty upset that he had asked Ms. Navarro to come and observe them. The feedback from staff was that they were offended and felt that he thought that they were not working hard enough. Judge Staggs denied that he had requested Ms. Navarro to come observe and he repeated that they were there for something else. When discussing my trip to Douglas, Judge Staggs informed me that he had rescheduled the date. I informed him that I had no problem in going to Douglas to observe but that it was a really bad time for me to do so, since we were really short staffed. Judge Staggs was really upset and stated that I was resisting his directive and that he was just trying to help out staff. He said he was offended that staff felt that way about him. I assured him

that I agreed with him regarding my trip to Douglas but that it was just not a good time and stated that we could reschedule for a later date. During our Manager meeting on August 9, 2023, I asked Douglas Court Manager, Mayela Teran to please let me know what day would work best for her to have my criminal team and I come over for observation of courtroom hearings. Ms. Teran told me she would look at the calendar and get back to me. On August 15, 2023, during the Justice of the Peace Quarterly meeting, Ms. Teran provided me with some dates as to when would be a good time. I was unable to schedule this trip due to being placed on Administrative leave. Ms. Teran can confirm my request to go to the Douglas Court in order to observe her court proceeding practices.

On February 1, 2023, Judge Staggs sent me an email stating he was going to be stepping down (See attached Exhibit-4 Stepping back, Chain of Command). I went into Judge Staggs, office to speak to him shortly after receiving this email. He stated that he had enough and that he was really offended by the staff thinking he did not feel that they worked hard enough. He told me he would step back and let me handle any issues regarding staff from that point on and he proceeded to forward all policies and procedures that he had created. After leaving his office I sent an email regarding a staff meeting (See Exhibit 5-Staff meeting). I had to inform staff that Judge Staggs would be keeping his door closed and that if they had any questions to please come to me and I would address the issue. Staff was very upset as to how he was acting and disappointed that he did not address this new procedure directly with them. Judge Staggs remained with his door closed for about two weeks and would only speak to courtroom staff strictly about court cases. He then slowly began to keep his door open and began having a little more communication with staff. The lack of communication and inconsistency in employee treatment created by Judge Staggs threatened the health and productivity of our team and department.

For twenty-five years I have been a loyal, hard-working, and dedicated employee of the Cochise County Judicial system. As indicated on my Benson Justice Court employee assessment, my exemplary job performance serves as proof of my dedication to my position as a Court Manager. It also indicates goals accomplished, and expected goals to be completed within a year (See Exhibit 6-Aguilera assessment March 2023). In my assessment, you will see that Judge Staggs indicated that I had met the following goals.

- Phone policy goal.
- Meeting with Judge on a daily basis @8:00.a.m to plan out the work day.
- Schedule for the next business day with case files on the Judges desk by 12:00 noon.

These points clearly contradict Judge Staggs's allegations and conviction for performance deficiencies. Since starting my employment with Benson Justice Court, I successfully accomplished the immediate tasks of team building, case filing/financial clean up, and the 2021 operational review. My ability to communicate, organize, and delegate work to staff has been a major contribution to the department (See Exhibits 7-Policies, Instructions, and emails).

These exhibits are just a few of the many policies and procedures that I have created and implemented for the Benson Justice Court. My commitment to listening, assisting in problem-solving, and expressing my gratitude for staff and other department employees has always been one of my major traits. I am highly regarded by many Court Judges, Court Managers, Court staff, and other department Directors and employees. Just recently I was nominated for Applause Recognition for the month of August 2023 by staff member Donna Naegle (See Exhibit 8- Applause Recognition and Character letters).

On July 6, 2023, I sent a text to Judge Staggs informing him that I was on my way to work but that I had been dealing with a headache since Tuesday and I assured him that I would be in. He never acknowledged my text.

On Sunday, July 9, 2023, Judge Staggs sent me an email stating that he had been monitoring my time check-ins and that even though I was an exempt employee, I was required to work a minimum of 40 hours. He requested that I start recording my time through ADP (See Exhibit 9- Notification to HR-40 hours).

On Monday, July 10, 2023, I came into work, and upon reading the email I was completely shaken up by it. Shortly after, I received another email at 7:30a.m from Judge Staggs asking me to adjust my timecard to reflect that I had requested time off per my text that had been sent to him on July 6, 2023 (See Exhibit 10- Time Card Correction Request Email and Justice Court Manager Position Change in FLSA Status). I was completely offended by his email due to the lack of communication, trust, and confidence that he had in me. I was extremely upset and it affected my health and ability to focus on my job duties. I felt that I was on the verge of having a mental breakdown due to the stress that Judge Staggs has caused me these past nine months. I made the decision to request two weeks off to think about my future with the court. Judge Staggs arrived at work around 10:30 a.m. that morning and I went in to speak to him regarding this decision. Shortly after speaking to him, I logged off my computer and left the office. Upon arriving at my residence, I used my cell phone to log into ADP and submit my request for two weeks off, I contacted my doctor's office scheduled an appointment, and sent Tracey Romero, HR Director an email informing her of what had occurred and requested information regarding a transfer (See Exhibit 11-Email Notification to HR 40 Hour Flex Schedule).

On July 11, 2023, I received a text from Ms. Romero requesting that I call her once I had the chance. I immediately called her back and discussed my situation. Later that morning, I realized that my request for time off had not gone through, I immediately logged back onto ADP resubmitted the request, and sent an email to Judge Staggs informing him of this issue (See Exhibit 12-Leave request).

On July 17, 2023, I received an email from Ms. Romero informing me of my FMLA approval, effective July 10, 2023 (see **Exhibit 13-AGUILERA Claudia- FMLA Approval July 2023**).

On July 24, 2023, I returned to work on this day with the intent of working things out. However, based on Judge Staggs's demeanor and responses I quickly realized that we were unable to compromise on any changes to improve our working relationship. Therefore, I informed Judge Staggs that it was best that I move on. I courteously informed him that I had requested a transfer and I assured him that I would continue to perform my job duties to the best of my ability.

On July 26, 2023, I received an email from Judge Staggs accepting my verbal resignation and his request for my written resignation so that he could start recruiting for my position (See **Exhibit 14-Resignation Request**).

On July 27, 2023, I replied to Judge Staggs's request for my official written resignation (See **Exhibit 15- Reply Resignation Request**). On the Pre-Action notice, Judge Staggs states that he interpreted my response as passive-aggressive.

From July 27, 2023, up to August 21, 2023, I was performing my daily tasks as assigned by Judge Staggs. I followed his directives of recording my time through ADP, attended my daily meetings, caught up with all the work that had accumulated due to my FMLA absence, submitted all my reports on time, I scheduled the manager meeting, started the process of scheduling the Douglas observation trip, ordered supplies, delegating work to staff, and directed them to start cross training for the courtroom clerk for civil traffic and civil litigation cases.

On August 21, 2023, Judge Staggs and Tracey Romero called me into Judge Staggs's office to inform me that I was being placed on Administrative leave, I was completely blindsided and devastated to learn that Judge Staggs had made the decision to take this disciplinary action against me. I have made every effort to maintain a professional and respectful relationship with Judge Staggs. I had every intention to complete my responsibilities to the best of my ability in order to achieve a successful transition to another department. Judge Staggs alleges job performance deficiencies and misconduct, unjustly choosing to use as a stepping stone the reprimand previously given to me by Judge Curfman dated July 16, 2021.

On August 22, 2023, I submitted my response letter in regard to the allegations of the Pre-Action Notice (See **Exhibit 16-Response letter 8.22.23**). As stated in my response, I felt that the action was unjust and submitted in retaliation for my request to transfer and for not submitting my resignation as requested.

On August 31, 2023, I received the Pre-Action Notice Determination/Notice of Suspension (See **Exhibit 17-Aguilera Pre-Action Notice Determination-Notice of Suspension**). I believe that

the decision to suspend me without pay for 80 hours and place me in special observation for 180 days is, unjust, unfounded, in retaliation, and in violation of my employee's civil rights.

The reprimand received on July 21, 2023, is in violation of 'double jeopardy' prohibition. The facts are that the action was issued by a different department under a different job title, I was not transferred from Justice Court Precinct 5 to Justice Court Precinct 3, nor was this disciplinary action a condition for my employment to Benson Justice Court, plus the conditions of the reprimand have already been served. Second, the accusations of job performance deficiencies due to neglect of duty and failure to perform assigned job duties are completely untrue and I have provided enough evidence that indicate that I have performed my duties as directed. I did not receive the progress disciplinary action of a verbal/ written warning or counseling regarding these accusations. Furthermore, the accusation of me walking out of the job without permission is in violation of my FMLA rights and demonstrates that the decision for disciplinary action was taken in retaliation. On July 10, 2023, I verbally notified Judge Staggs that I would be requesting time off to decide my future with the court and left immediately due to health issues, I notified HR of the situation, I submitted my request on ADP with time approved by Judge Staggs and I was approved for FMLA. I made every effort to follow HR directives to comply with notification of absence. The decision to suspend was also made in retaliation for my request to transfer and for not submitting my resignation. I believe that Judge Staggs wrongfully submitted this disciplinary action shortly after informing him of my request to transfer to another department. This is not the first time that Judge Staggs has displayed actions of retaliation against me for leaving the Benson Justice Court. In Judge Staggs, State of Arizona Commission of Judicial Conduct Public reprimand #2018-143, page 9 Exhibit #4 of the complaint filed by former Court Manager, Chris Edminston, you will find that in the past, Judge Staggs has displayed retaliatory behavior against my character (**See Exhibit 18-AZ Commission on Judicial Conduct Public Reprimand Bruce Staggs 18-143**). The hundreds of complaints filed against Judge Staggs, resulting in five different reprimands demonstrate the repeated violation of the Judicial Code of Conduct rules.

- Rule 1.2, which requires a judge to "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety."
- Rule 2.8(B), states, "A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity

As noted in this reprimand, his comments have served to damage the relationships with court staff and diminished confidence in his position as a judicial officer. His responsibilities as my Supervisor are to communicate organizational needs, provide guidance, support, motivate, and identify developmental needs in order to obtain a healthy and successful environment. I believe that the suspension without pay and special observation for a period of 180 days is unjustified as

it not only sets me up for failure since Judge Staggs has never properly identified developmental needs, but it also affects my reputation and damages my chances to successfully transfer to another department.

I'm asking that you reconsider the disciplinary action of suspension of 80 hours without pay and special observation for a period of 180 days as I truly believe that the unjust and excessive action is based on false accusations, retaliation, and violation of my employee civil rights. Thank you for reviewing my appeal.

Sincerely,

Claudia Aguilera

February 1, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Assist Donna and Bonnie with processing DDS, MVD and FARE report and Donna's inbox during her absence.

Follow up Shayna situation

Process bond and overpayment refunds

Schedule staff meeting for tomorrow February 2, 2023.

Respond to employee inquires

Start End of the month report

Prepare Judicial certificate

Staggs, Bruce

From: Staggs, Bruce
Sent: Tuesday, July 11, 2023 4:42 PM
To: Romero, Tracey
Cc: Coronado, Robert
Subject: Video Footage

Tracey,

I am requesting that video footage be preserved that can document as to when Claudia Aguilar came into the court in the AM, when she left to take lunch, when she returned from lunch, and when she left for the day, for the period of time while Claudia was placed back on the current 4-10 day flex schedule.

I am requesting this record be preserved **should future discipline action be necessary.**

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Tuesday, July 11, 2023 4:43 PM
To: Staggs, Bruce
Subject: RE: Claudia ADP Requests For Time Off Approved

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Judge,

Claudia did advise me that she made the original ADP entry to request time off at some point last night. You are correct, this was done after she left the court.

Thank you,

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Tuesday, July 11, 2023 4:37 PM
To: Romero, Tracey <TRomero@cochise.az.gov>
Subject: Claudia ADP Requests For Time Off Approved

CAUTION: EXTERNAL EMAIL*

Tracey,

Per your advisement I have approved the ADP requests for time off.

I want to document that the requests for time off, both for July 10, 2023 and July 11, 2023, were not approved, **before** the leave was started.

Proof is evident through the ADP website and I am also attaching screen shots as proof of when I received notice, today on July 11, 2023.

Please document that Claudia verbally admitted to you that she left the court, **prior** to allegedly making the attempt to request time off through the ADP app on her cell phone. If I am in error of understanding what we discussed, please inform me immediately.

I am requesting that the entire event of Claudia leaving the court, prior to receiving approval for time off, be documented should future discipline action be sought.

I believe Claudia is a good Court Manager due to her vast amount of knowledge. She interacts well with the staff. I believe some of her greatest flaws however are that she resists being managed, opposes having her responsibilities monitored, resents authority, wants to do everything her own way, is not open to suggestion and is very critical of any change. With the everchanging dynamics in a Justice Court due to new laws, rules, and AOC constantly changing policies and requirements, it is critical that an employee, especially a Court Manager, be open to change and explore new and better ways of accomplishing business that would make a court more productive. It is my believe this is perhaps why she had insurmountable challenges at JP-5 with a change of leadership.


When I do question her as to why she does not follow my directives and policy, she gets upset and then friction ensues. Due to past judicial complaints by Court Managers, I have been forced to overlook many things. Instead of enforcing policy, I have just let them happen, choosing not to allow contention to occur, which could lead to another judicial complaint.

Following this major incident and insubordination, I do not believe that Claudia and I can work together in the future. She has made clear that she doesn't trust our relationship. I will await to see what Claudia decides as to her future here at Benson Justice Court #3, as she stated in her July 11, 2023, email. Should she wish to come back I will be seeking the aid of HR to start disciplinary action against Claudia for not following written directives and not even attempting to accomplish goals that were set for her when she first started two years ago.

I have over 30 emails and documents proving proof of my statements above.

At this time, I am asking now how best to prepare for taking disciplinary action in the future, should it become necessary.

I will be awaiting your reply.

Judge Bruce E. Staggs 
Benson Justice of the Peace #3

July 14, 2023
Date

When I returned on July 24, 2023, I attempted to speak to you with the intention of fixing our relationship. You were very guarded and short with me and this made me feel very unwelcomed. I expressed my feelings regarding my position with the Benson Justice Court and informed you that I had requested a transfer. I also informed you that I felt that it was in my best interest that I moved on and that I would continue to perform my job duties to the best of my ability.

On July 26, 2023, you sent me an email stating that you were accepting my verbal resignation and you requested that I submit my written resignation so that you would be able to recruit for my position.

On July 27, 2023, I responded to your email informing you that I would be submitting my official written resignation as the time came to do so. I also let you know that in the meantime I would perform my role as court manager following rules you have established.

I had not provided you with my resignation because I am waiting to hear back regarding the transfer request. I have exhausted every effort in trying to mend our working relationship but our vision and goals no longer align with the mission of the court.

Placing me on Administrative leave and submitting these allegations, contradict the statement you made to me yesterday on August 21, 2023. **You stated that things could be worked out if I was willing to cooperate.** This action has further severed our relationship as I feel that this could have been talked through without reaching this point.

I have worked very hard and dedicated my life to the Cochise County Judicial Courts. I make every effort to comply with the Code of Conduct, Judicial Merit Rules and the Benson Justice Court policy and procedures. I feel that I have cooperated with you and I have attempted to fulfill my duties as the Benson Justice Court manager to the best of my ability. I complete all my daily tasks and submit all reports within a timely manner. Unfortunately, I have not met your expectations nor reached the goals set for me within the timeframe expected. I feel that you don't take into consideration events that have occurred and have caused delay in completing some tasks. I understand and respect the chain of command and I know what my duties are as a Court manager. The constant changing of policy and procedure, lack of communication and distrust has caused a strain between us.

I requested a transfer prior to being placed on Administrative Leave with the hope of continuing my career with the Judicial system and reaching my retirement.

Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Tuesday, September 26, 2023 8:08 AM
To: Staggs, Bruce
Subject: RE: COID 19

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Good morning,

I'm so sorry to hear this.

I will reach out to Danele and let her know these instructions. Please retest on Sunday and follow up with me by text or phone on your results. My cell is 520-508-0441. If this test is negative and you can affirm that you have been fever free at that point for a full 24 hours without fever reducing medication, then I can release you back to the office for Monday.

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

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From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Tuesday, September 26, 2023 7:43 AM
To: Romero, Tracey <TRomero@cochise.az.gov>
Subject: COID 19

CAUTION: EXTERNAL EMAIL*

Tracey,

Both started feeling bad at work yesterday.

Judge Staggs

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Staggs, Bruce

From: Staggs, Bruce
Sent: Tuesday, September 26, 2023 8:09 AM
To: Romero, Tracey
Subject: Claudia

Tracey,

With Claudia submitting her resignation letter I would like to have Claudia taken off Administration Leave immediately.

I would like to have her report to the court this afternoon to train, Sheri Minker, Senior Clerk, as much as possible.

I am out and so we will not have any interaction.

When I return I have no interaction with Claudia except to say hello and she can continue to train Sheri behind closed doors. I will be giving her no assignments, except just to train Sheri.

Please post the Court Manager position as soon as possible.

Judge Staggs

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A-4/2

Staggs, Bruce

From: bruce brucestaggs.com <bruce@brucestaggs.com>
Sent: Friday, September 29, 2023 4:39 PM
To: Staggs, Bruce
Subject: Claudia Returning To Train Sheri Minker

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From: energy <Bruce@BruceStaggs.com>
Subject: Re: Claudia
Date: September 26, 2023 at 10:56:46 AM MST
To: Romero Tracey <TRomero@cochise.az.gov>

Tracey,

Per your follow up call, I am in agreement with suspending any disciplinary action going forward. I truly believe that this is what I stated previously.

Be aware that I will be out of the court October 9, 2023 through October 13, 2023 for the Leadership Conference in Flagstaff.

Judge Staggs



On Sep 26, 2023, at 9:43 AM, Romero, Tracey <TRomero@cochise.az.gov> wrote:

Judge Staggs,

I spoke to Claudia and she will accept your request to return with the working hours of 8:00 – 5:00. She will get ready and report to the court soon.

Claudia advised that she will need to take PTO for Friday, October 13th as she had already made other arrangements since she typically did not work Fridays at JP3.

With Claudia’s resignation from JP3 having been received, I am glad that we can work together during this transition period. I have copied Claudia, John Schow and Christine Roberts on this correspondence.

Thanks again,

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

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From: bruce [brucestaggs.com](mailto:bruce@brucestaggs.com) <bruce@brucestaggs.com>
Sent: Tuesday, September 26, 2023 9:31 AM
To: Romero, Tracey <TRomero@cochise.az.gov>
Subject: Claudia

CAUTION: EXTERNAL EMAIL*

Tracey,

Per our discussion, if Claudia is willing to come into the court and train Sheri Minker regarding the duties of the Court Manager and Senior Clerk I am willing, in the interest of the court, to not have any disciplinary action taken that Claudia is docked any pay to be effective upon her presenting to the court. I am requesting that her hours be 8:00 AM - 5:00 PM, matching Sheri’s hours, so Sheri can receive as much training as possible.

I am requesting that she present to the court this afternoon. If she wants to take a 1/2 hour lunch to make up hours for yesterday and this morning or if she wants to stay late to do any clean up she feels is necessary, she has my permission.

What is important is that Sheri gets as much training as possible.

Judge Staggs

Great, thank you so much!

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Thursday, September 28, 2023 3:34 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>; Claudia Aguilera <caguilera1@cox.net>
Cc: Schow, John <jschow@courts.az.gov>
Subject: Confirmation that Disciplinary Action Has Been Withdrawn

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Claudia,

Per your request, this email on behalf of Court Administrator John Schow, confirms that the 80 hours of unpaid suspension time and special observation period that had recently been imposed by Judge Staggs, has officially been withdrawn, based on your return to work for an 8:00 – 5:00 Monday thru Friday schedule and agreement to train staff.

Please let me know if you have additional questions. Thank you.

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.8487 tr Romero@cochise.az.gov

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Staggs, Bruce

From: Staggs, Bruce
Sent: Monday, October 2, 2023 8:01 AM
To: Aguilera, Claudia
Cc: Romero, Tracey
Subject: Re: Time Off Requested

Claudia,

Tracey has approved time off for Monday, October 2, 2023.

Judge

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From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, September 29, 2023 5:21:42 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Cc: Romero, Tracey <tromero@cochise.az.gov>
Subject: RE: Time Off Requested

Judge,

I have two Dr. Appointment for Monday so I will not be able to make it in. I am making every effort to cooperate but if this will cause a problem with the remaining time I have left with Benson Justice Court, please let me know so that we can make different arrangements.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, September 29, 2023 4:35 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Cc: Romero, Tracey <tromero@cochise.az.gov>
Subject: Time Off Requested

Claudia,

A-44

I have approved your request for time off on October 13, 2023, as it was made known to Tracey Romero regarding this, who then made it known to me, on September 26, 2023.

I did not approve your request for time off on October 02, 2023, as you are needed to train Sheri Minker, Senior Clerk, as much as possible in the short time left until your resignation on October 13, 2023, becomes effective.

I did not approve your request for time off on October 16, 2023, as your resignation is effective, end of day on October 13, 2023.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Staggs, Bruce

From: Staggs, Bruce
Sent: Monday, October 2, 2023 3:55 PM
To: Aguilera, Claudia
Cc: Schow, John; Romero, Tracey; Minker, Sheri A
Subject: Training Sheri Minker Both Senior Clerk & Court Manager Duties

Claudia,

Today I met with Sheri and asked her how the financial training went on Friday, September 29, 2023, when you were preparing the end of month financial reports. While Sheri did report the training that she received from you, she did not receive any trainings on end of month financial reports. It is imperative that Sheri receives as much financial training as possible.

One of the Senior Clerk job description duties is to perform the management duties of the Court Manager, when the Court Manager is not present.

Your primary directive until October 12, 2023, is to work closely with Sheri and train her as much as possible with regard to financial training.

I am directing you to go over the end of month financial training as soon as possible with Sheri. I do not want Sheri assigned to any other duties in the court but financial training, followed distantly by other Senior Clerk and Court Manager training.

You have a vast amount of knowledge that you can share with Sheri. I know that it is not possible to train Sheri in all her duties, in such a short amount of time. I am giving you this directive because I want Benson Justice Court to be in the best possible position when you leave the court, so that Benson Justice Court can operate at its highest potential. I truly hope that you feel the same.

Should you not understand this directive, you are free to ask questions.

Judge



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Staggs, Bruce

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Monday, October 2, 2023 4:42 PM
To: Staggs, Bruce
Cc: Schow, John
Subject: Claudia - FMLA Absence Thru 10/13/23

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Judge,

I know this will not be news that you want to hear. Claudia just submitted updated FMLA paperwork. Her physician is stating that she needs to be off work thru 10/13/23 for a medical condition protected by FMLA.

Please let me know if I can be of assistance in setting up training for Sheri with one of the other Managers.

Thank you,

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.8487 tromero@cochise.az.gov

Serving with Pride and Integrity

To: Court Human Resources – Cochise County

I do not make this request lightly however the relationship between Claudia and myself has deteriorated to the point where I do not believe we can effectively continue to manage the court staff that Benson Justice Court #3 without major changes being made. I have overlooked many things over the last two years due to fear of Judicial Complaints that have come from three previous Court Managers. Since Claudia has been employed here she has sought to do everything her own way and is very resistive following directives and office policy. This pattern was demonstrated under Judge Dickerson, Judge Call and Judge Curfman. Claudia was placed on Administrative Leave while undergoing an investigation at JP-5 that resulted in a letter of discipline being placed in Claudia's file. Due to Claudia not being able to get along with staff members and Judge Curfman, she transferred to JP-3.

When she arrived, Claudia requested to be able to run the administrative side of the court. Due to valuing the years in service, knowledge and training that Claudia has developed over the years, she was given complete control of the administrative side of the court, with a clear understanding of not to change any existing policy or to add any new policies, without first getting approval from me. Claudia has not followed that directive. I have now come to know and understand that Claudia resents authority and does not like to follow any directives that she disagrees with, does not totally agree with, or has not personally developed. While Claudia has never openly rebelled against any directive, she has not followed many directives, and when she does, she does so grudgingly with less than a superb attitude.

It was agreed with Claudia, before she was hired, that she would be allowed to be on a 4-day/10-hour flex schedule to assist her with travel, since she lives in Sierra Vista.

When COVID-19 hit, Benson Justice Court went on flex schedule with 50% of the staff being in the court for one week and the other 50% staff would be off. The next week they rotated.

Following COVID-19 challenges, I allowed the 4/10-hour flex schedule to continue. All the staff wanted to be on the 4/10-hour flex schedule initially, but some staff withdrew later, not wanting to be on it.

On December 14, 2022, I sent an email to Claudia advising her that I was going to end the 4/10-hour flex schedule. I also informed Claudia that I was going to start enforcing the existing phone policy that had been in effect since July 1, 2020. The enforcement of the phone policy was primarily due to Claudia not setting the example and following the existing phone policy. More often than not, when I walked into Claudia's office, she was on her cell phone. This was also a major point of contention with the former Court Manager, Samantha Reno. It is now my understanding that it was also a major challenge for Claudia at JP-5. The staff, on more than one occasion, asked me why Claudia could use her cell phone and they weren't permitted to.

As my Court Manager, I requested Claudia's input on the upcoming policy changes stated above. Claudia was very upset about the proposed changes and threatened to quit, especially if I did not allow her to have her cellphone with her in her office.

On December 29, 2022, I notified the staff that as of January 3, 2023, due to staffing challenges presented by all the staff not participating in the 4/10-hour flex schedule, and also being understaffed at the time, I was suspending the 4/10-hour flex schedule. This made Claudia very upset and created a great amount of friction between us, to the point that Claudia stated to me that she didn't trust me, thought that I was out to get her and threaten to quit again. At this time, our relationship began to deteriorate.

Instead of embracing and supporting the new policy and then implementing it with a good attitude, Claudia complained to the staff, which resulted in an office staff meeting being called where the staff was advised why I was implementing it.

In early February 2023, Claudia started turning in daily work logs. After a month of this, when asked why she kept doing this she stated she was covering herself, felt that I was going to stab her in the back and that she couldn't trust me because I wasn't keeping my word with regard to allowing her to continue to be on a 4/10-hour flex schedule. She stated that allowing her to be on a 4/10-hour flex schedule was one of the major reasons that she considered excepting the Court Manager position.

Keeping my word is very important and personal to me. With her making this serious accusation against my integrity, I informed Claudia that she could return to a 4/10-hour flex schedule. I told Claudia that I would leave it up to her when she reinstated a 4/10-hour flex schedule, but I would prefer that it be after she fulfilled the expectations and goals that were previously provided on her Annual Performance Evaluations, which still hadn't been accomplished for the last 2 years. I was totally disappointed that Claudia switched back to the 4/10-hour flex schedule immediately the very next Monday. To avoid further contention, I didn't question her about it.

In early to mid-June, I had to be in the court for extra hours, on multiple days, while attending to additional responsibilities regarding being the Presiding Justice of the Peace and being in charge of Pro-Tempore matters. I was arriving prior to 7:00 AM and leaving after 6:00 PM. each day. During this time, I noted that Claudia was coming in after 7:00 AM, and leaving by 5:30 PM. This was occurring on a daily basis. Previously Claudia brought lunch on multiple occasions, and she also went out for lunch on multiple occasions. I noted on the multiple occasions that when Claudia went out, she took more than a ½ hour lunch. Now being aware that Claudia was not working a 10-hour shift, I contacted Court Administration to ask about exempt employees and exceptions. I was advised that exempt employees were expected to work 40 hours a week, and at times exempt employees could be required to work over 40 hours a work, depending on the work and deadlines. Additionally, I was informed that exempt employees should take a one-hour lunch, however at times the lunch can be shorter, again, depending on the work that needs to be addressed. I was also informed that this is also dependent on the

position of the exempt employee, the duties, and the requirements set by the direct supervisor or Department Head.

On June 13, 2023, not knowing how long this had been occurring, I requested a DNX log report.

On June 29, 2023, I received the DNX log report for three months, from April 1, 2023, to June 20, 2023. During this almost three-month time period, Claudia arrived on only two occasions prior to 7:00 AM. Once on June 19, 2023, at 6:52 AM, and once on June 19, 2023, at 6:59 AM. The majority of the time, Claudia came in between 7:30-8:00 AM.

On July 6, 2023, Thursday morning, Claudia sent me a text and advised me that she was running late due to a migraine headache. Once again, I was in early working on Pro-Tempore documents and also preparing for morning prisoners. Due to being so busy I did not answer her back. I later learned that it was very upsetting to her that I didn't answer back.

On July 9, 2023, I sent an email to Claudia advising her she was required to be working a full 40-hour work week. I advised Claudia that in order not to have this issue monitored in the future, that she would be required to clock in and out, using ADP.

On July 10, 2023, at 7:30 AM, I sent Claudia an email advising her that when I went to approve her timecard, I noticed that the time that she missed on Thursday morning, July 6, 2023, was not entered on her timecard as PTO. I requested her to edit her timecard so I could approve it.

On July 10, 2023, at approximately 11:30 AM, Claudia abruptly came into my chambers, was very angry and addressed me insubordinately. She stated once again, in a very loud tone, that she didn't trust me. She went on to further state that I was out to get her, that this was all due to me not liking that she had gone back to a 4/10 flex schedule, that I was a micro manager, that I didn't keep my word and finally, how dare I go behind her back and pull a DSX report. I advised her that it had nothing to do with the 4/10 flex schedule, but that this new directive was made due to the fact that she was not putting in the required 40-hour week she had yet to accomplish the goals she had been given 2 years ago. I informed her that I was not willing to continually be at the court early, Monday through Thursday, just to monitor what time she arrived. She countered that she only took a one-half hour lunch. I pointed out that might be true when eating in her office, but that I observed that she took more than a one-half hour when going out for lunch. I also noted that even if she did take a one-half hour lunch at all times, which would then allow her to leave at 5:30 PM each night, she would still have to be in the court by 7:00 AM each morning. When she continued to argue about it, I accessed the DSX log report and read off the times to her that she came into the court. Claudia then told me again that I was not truthful and said that I once made a statement in a Justice of the Peace Quarterly meeting that due to Court Managers being exempt, I didn't care what hours a Court Manager put in. I told her that she forgot that the statement I made also included me stating I didn't care, as long as the Court Manager fulfilled all their duties. I pointed out

to her that she had been here almost 2 years and hadn't even started on the goals that she was originally given to complete, that being a detailed job description for each clerk and a complete office policy manual. I did note that she had begun overseeing the cleaning out the records room, but it still far from being finished. I also pointed out to Claudia that she habitually did not follow my directives of:

1. Attending our required daily short meeting to discuss the upcoming day.
2. Attending weekly "one on one" meetings, that John Schow proposed we do.
3. Turning in required monthly reports or annual reports.
4. Holding monthly staff meetings.

I told Claudia that I knew that she wasn't used to having to report on her duties at JP-5 and knew that she didn't like having her duties being monitored by me, however I informed Claudia once again that it was my responsibility to oversee her duties and make sure they were being fulfilled properly. She responded again that I was micromanaging.

Claudia informed that she got my email about missing time on Thursday, July 6, 2023, and then proceeded to berate me for not answering her text. She then advised me that she took a short lunch that day and made up the time. Claudia then informed me that she didn't have any intention of adjusting her timecard on ADP.

Claudia stated that she couldn't take the stress anymore and was going to take two weeks off. I asked her if she was asking to take the two weeks off, or telling me she was taking two weeks off. She stated that she was taking the two weeks off and abruptly left my chambers, banging the door on the wall. She left a short time later. On the way out she informed the staff that she would be gone for two weeks and instructed them not to call her.

On July 11, 2023, Claudia sent an email stated she was taking a couple weeks off and claimed that she had used her cell phone to submit a request for time off, but it didn't go through. She also informed me that she was going on FMLA. Following counsel from HR, I responded back that day that her request for time off was approved.

On July 24, 2023, Claudia returned to work. Following an almost hour-long long conversation, I made a statement to Claudia something to the effect of that if I was sitting in her position as the Court Manager on the other side of the desk, and she was sitting in my position, as the Department Director on my side of the desk, that if she gave me a directive, even if I didn't feel it was the best policy, as long as it was moral, ethical, and complied with court rules, I would say "Yes ma'am" and I would implement the directive immediately and with a good attitude. Claudia's reply was "I bow down to no one". I was totally amazed and taken back by this remark. I stated that following directives is not bowing down anyone but is required at any place of employment. I related to her I felt that one of her major problems was that she did not want to follow policy if she was not the one to come up with the policy. At that point she told me that she could see that our relationship was no longer going to work out and that she was going to submit her two-week resignation. She stated that she was going to transfer to another department. When she stated this, I asked her why for we even having this hour-long discussion, if

she knew so was going to transfer. Claudia replied she had not totally made up her mind, but now, following having this discussion, she was sure of she would be transferring and would be submitting her two-week resignation. I told her that I felt that this was the best course of action, and I would be awaiting it.

On July 26, 2023, having not received Claudia's resignation I contacted HR and was approved to send an email advising Claudia that I had accepted her verbal resignation and requested to receive her letter of resignation, so the court to move forward with recruitment in order to enable a smooth transition process.

On July 27, 2023, Claudia returned a passive/aggressive email and stated: *"My official resignation will be provided when that time comes. For now, I am performing duties as the Court Manager following rules you have established."*

Following Claudia's anger and insubordination on July 10, 2023, and July 24, 2023, and her remark that she "bows down to no one", and her passive/aggressiveness, I do not believe that Claudia and I can work together in the future. Claudia has made it clear that she doesn't trust our relationship.

Merit Rule 8.2 Cause for Discipline lists 38 causes for discipline. It is my belief that Claudia has repetitively violated the following:

5. Performance deficiencies which include incompetency, inefficiency, neglect of duty, failure to perform assigned job duties, or continued performance deficiencies after previous disciplinary action.
6. Failure to be respectful, cooperative or courteous.
7. Insubordination, willful disobedience, failure to follow.
9. Unapproved absence without leave; chronic or excessive absenteeism or tardiness in reporting to work, including abuse of sick leave.
29. Violation of a professional standard of conduct applicable to the employee with respect to his or her employment duties.

The following exhibits are supplied to as proof for the requested discipline.

The Cochise County Court Managers Job Description mentions many duties. Those duties that I believe Claudia is not fulfilling are as follows:

1. Submit periodic and special reports.
2. Ensuring the effective, efficient and timely completion of all work.
3. Serve as administrative support for Justice of the Peace.
4. Coordinate court calendar.
5. Act as courtroom clerk/bailiff.
6. Other duties as assigned.

See Exhibit # 1.

Claudia was hired on July 21, 2021. In our first initial meeting, I provided Claudia with my expectations and 3 major goals that I wanted to be completed within the 1st year of her being with the court. 2 years have passed and the goals have not been completed.

The 3 major expectations and goals provided were as follows:

1. Implement a detailed office policy manual that the staff can review and sign off on each year.
2. Draft a detailed job description for each staff member.
3. Reorganize the file room.

A Performance Evaluation, assessing Claudia's performance for the fiscal year 2020-2021, was not performed by me in 2021 because Claudia was hired on July 21, 2021. The Performance Evaluation for the fiscal year 2021-2022, signed on August 9, 2022, listed both the Next Year's Goal #7, reorganizing the file room and Next Year's Goal #8, writing a detailed job descriptions for each staff member.

The Performance Evaluation for the fiscal year 2022-2023, signed on March 30, 2023, also listed Goal #3, of reorganizing the file room and Goal #4, writing a detailed job descriptions for each staff member. These were also listed as Goal #1 and Goal #2 in Next Year's Goals.

The email dated February 3, 2023, also listed the office policy manual as Goal #3, the detailed job description as Goal #4, and organization of the file room as Goal #5.

See Exhibits #'s 2, 3 & 4.

The directives that Claudia has been given and failed to accomplish, or has distained to follow, are listed below:

1. Implementing policies without prior approval from me, the Department Director.
2. Not turning in daily, monthly or annual reports.
3. Not meeting for "One-on-One" weekly meetings with me to discuss her concerns as a Court Manager. John Schow has informed both of us of the importance of this.
4. Not meeting with me on a daily basis for a 5 minute or less meeting to discuss the day.
5. Not monitoring staff to make sure a next-day calendar is on my desk by 12:00 P.M., so I can prepare for hearings occurring the next day.
6. Not monitoring Time Standards nor learning how to read a Time Standards Report.
7. Not adhering to cell phone policy.
8. Not holding staff meetings on a monthly basis.
9. Educating all staff members to be cross trained.
10. Not holding monthly Court Manager Zoom meetings with other Court Managers.
11. Not monitoring staff on returning phone calls in a timely manner.
12. Not monitoring staff on returning emails in a timely manner.
13. Not monitoring staff on filing documents.

Documentation on the above is as follows:

1. Implementing policies without prior approval from the Department Director
 - a. Next Year's Goal #6, of the August 9, 2022, Performance Evaluation.
 - b. Goal #5, & Next Year's Goal #6 of the March 30, 2023, Performance Evaluation.
 - c. Email dated October 1, 2021.
 - d. Email dated October 5, 2021.
 - e. Email dated October 13, 2021.
 - f. Email dated April 18, 2023.
 - g. Credit card policy dated July 19, 2023 & revised July 26, 2023.
 - h. Email dated July 26, 2023, referencing email dated April 18, 2023.**Exhibit #'s 5-12.**

The above exhibits prove that Claudia has been informed that she is not to implement any policies without my approval yet she continues to do so. The latest being her credit card policy of April 18, 2023.

2. Not turning in daily, monthly or annual reports
 - a. Next Year's Goal #5, of August 9, 2022, Performance Evaluation.
 - b. Email dated July 28, 2021.
 - c. Email dated December 20, 2021.
 - d. Email dated August 11, 2022.
 - e. Email dated February 3, 2023, where Claudia preferred to turn in her own for monthly report instead of what I have previously directed.
 - f. Monthly reports turned in on July 27, 2023, for the months of January - June 2023.**Exhibit #'s 13-17.**

Claudia wants full control over the administrative side of the court. I have given her the authority to do so, with the understanding above that she is to meet with me often to advise me of the status of the court and to monitor what she is doing. I have developed simple reports that take moments each day to fill out. She has chosen not to fill out the reports that I have given her. Recently when she has chosen to turn in daily reports, instead of using the reports that I have requested to monitor the activities of the court. Instead Claudia fills out a report of her choosing, outlining what she has accomplished for the previous day. When we had the major confrontation in January 2023 regarding taking away the 4/10-hour flex schedule and she started turning in these reports. When asked why, she stated that it she was covering her back because she didn't trust me and that she believed that she was out to get me. On August 1, 2023 when she gave me her self made reports for July 31, 2023 and August 1, 2023, I once again told her that these reports took more time to complete and that I didn't require them, just as I documented in my February 3, 2023 email to her. Claudia's answer was, "*I prefer to turn them in*".

3. Not meeting for One-on-One's weekly meetings
John Schow can document that he informed Claudia and myself the importance of having weekly "One on One" meetings. I believe that only two "One on One" meetings have been held between Claudia and myself. Both Mr. Schow and myself have informed

Claudia that these weekly "One on One" meetings are strictly for her. They are for her to communicate to me how she feels the court is running, how she feels about our relationship and what she feels she needs to effectively operate the court. Claudia didn't want to come to these meetings as she felt that they were necessary nor important, were a waste of her time, felt that she had too much to do, felt she didn't have time for a weekly meeting, and were a waste of time. I took notes on the August 18, 2021, One-on-One meeting.

Exhibit # 18.

4. Not meeting on a daily basis
 - a. Next Year's Goal #3, dated August 9, 2022, Performance Evaluation.
 - b. Goal #5, dated March 30, 2023, Performance Evaluation.
 - c. Email dated February 3, 2003.
 - d. Daily reports turned in from 2/08/2023, following being taken off the 4/10-hour flex schedule, through May 1, 2023, when Claudia was allowed back on the flex schedule.
 - e. On August 1, 2023, Claudia started turning in daily reports again.

Exhibit #'s 19-23.

Claudia wants full control over the administrative side of the court. I have given her the authority to do so with the understanding above that she is to meet with me daily for a short, less than 5-minute meeting to advise me of the daily docket, of anything special happening in the court, and anything else of importance happening that day. Claudia feels that these short meetings are not necessary and are a waste of time.

5. Not monitoring staff for next-day calendar
 - a. Next Year's Goal #4, of August 9, 2022, Performance Evaluation.
 - b. Goal #6, of March 30, 2023, Performance Evaluation.
 - c. Justice Court Manager Job Duties.
 - d. Next Day Calendar On Judges Desk office policy.
 - e. Court calendar for August 4, 2023.

Exhibit #'s 24-27

Having the next day calendar and all files on my desk by 12:00 PM each day, for the next day hearings, is very important to me. It is important enough that I have placed it as a goal on Claudia's Performance Evaluations. I need this so I can prepare for any upcoming hearings and meetings. In the past this has been a major issue due to the frequency of not being on my desk and me having to ask for it. As a result I have informed Claudia that it is her personal responsibility to make sure this directive is fulfilled. Instead of doing this herself, she passes down the responsibility down to the Criminal Clerks. When it is not done and I alert Claudia, her usual response is "*What do you want me to do? I have told them it needs to be done.*"

I have not kept track of the multiple times this has occurring however while writing this document it occurred again on August 3, 2023. When I came into the court at 7:50 AM on Friday, August 4, 2023, an eviction file was on my desk, with the calendar on it that

showed that I had an eviction hearing in 2 hours, at 10:00 AM. I was told by staff the previous day, that I didn't have any court hearings. When I inquired as to why I had not received the calendar, I was told that it was simply overlooked. I had to see my normal morning prisoners, and by the time I was done, I only had approximately one-half hour to prepare my eviction hearing and finished preparation at 10:09 AM, thus, I made a party wait and started the eviction hearing late, which is unprofessional. Due to Claudia being on her flex schedule, she was not present in the court. but it is my belief that she should have reminded the Clerks or called in remotely to check on her responsibility.

7. Not monitoring Time Standards

- a. Email dated June 22, 2022.
- b. Email dated June 30, 2022.
- c. Email dated February 3, 2023.
- d. Cynthia Navarro can attest that I have sought explanation of the Time Standards report.

Exhibit #'s 28-30.

I have informed Claudia that adhering to Time Standards is very important and I want it done. I have given her the directive to learn the report and then to follow up on each file that we are not in compliance with to we can be in compliance. It is not happening. A Time Standards report was just submitted again this year and I don't know if Benson Justice Court #3 is in compliance or not.

8. Not holding monthly staff meetings

- a. Next Year's Goal #2, of August 9, 2022, Performance Evaluation.
- b. Goal #2, & Next Year's Goal #3, of March 30, 2023, Performance Evaluation.
- c. Email dated September 25, 2017.
- d. Email dated September 26, 2017.

Exhibit #'s 31-35.

I know this is a very important directive to follow for the moral of the staff and to allow staff to buy into the vision of the leaders of the court. It is important enough that I have placed it as Next Year's Goal #2, on the August 9, 2022, Performance Evaluation and Goal #2, & Next Year's Goal #3, of the March 30, 2023, Performance Evaluations. It is not being done. Staff meetings are held very intermittently.

9. Not adhering to cell phone policy

- a. Next Year's Goal #1, of August 9, 2022, Performance Evaluation.
- b. Goal #1, of March 30, 2023 Performance Evaluation.
- c. Email dated August 24, 2022, with cell phone policy dated July 1, 2020.
- d. Email dated August 25, 2022.
- e. Email dated November 29, 2022.
- f. Email dated December 14, 2022.
- g. Email dated December 15, 2022.
- h. Email dated December 29, 2022, with Cochise County Work Hours policy and the revised Cell Phone policy.

- i. Email dated January 3, 2023.
Exhibits #'s 36-44.

Claudia not adhering to the cell phone policy has been a major point of contention between us. It is important enough that I have placed it as Next Year's Goal #1 of both the August 9, 2022, Performance Evaluation and the March 30, 2023, Performance Evaluation. The staff frequently complains that they simply do not have enough time to complete their duties, yet some have time to be on their cell phones. The cell phone policy has been effect for years and like previous Court Managers, Claudia has chosen to simply disregard it. It is important enough that I have placed it as a goal on Claudia's Performance Evaluations. Claudia has threatened to quit in the past if the cell phone policy was enforced. Instead of embracing the policy and showing solidarity with me in the implementation of it, she has not, and has openly been against it. While she is much better than it has been in the past, I still occasionally see Claudia using her cell phone at her desk instead of going on break to use it.

10. Not all staff cross trained

- a. Next Year's Goal #9, of August 9, 2022, Performance Evaluation.
- b. Goal #7, & Next Year's Goal #4, Of March 30, 2023, Performance Evaluation'
- c. Court Managers Job Description
Exhibits #'s 45-47.

It is important that all staff be cross-trained. That includes Claudia herself. It is important enough that I have placed it as Next Year's Goal #9 of the August 9, 2022, Performance Evaluation, and Goal #7, & Next Year's Goal #4, of the March 30, 2023, Performance Evaluations.

Claudia has never been exposed to criminal court room experience in all her 20+ years of service. Her job description includes "*act as courtroom clerk/bailiff*". To my knowledge do not recall Claudia ever acting as a courtroom clerk. As such she knows very little of what transpires in the courtroom. I have mentioned this to Claudia on more than one occasion. I feel this is important for her to learn the duties in the courtroom in case we are short staffed and she can fill in. It is important to learn so she can train other staff members, should the need arise. It is important for her to learn so she can monitor the activities of the clerks in the courtroom. It is my firm belief that she cannot adequately manage the clerks, nor make informed decisions regarding policies, if she does not understand what transpires in the courtroom.

When I have advised Claudia that it is her duty to train all the clerks in the court, she feels that it is the primary responsibility of the Field Trainer and not hers. Her usual answer is that it is the Field Trainers responsibility to train the clerks and that she just doesn't have the time. Instead of her personally overseeing the complete training of the staff, she delegates the responsibility to other staff members to train staff.

Bonnie Jankovic has been employed at the court since November 11, 2021 and has yet to be cross-trained in any other duties except the front counter. She has asked on multiple occasions to assume greater duties. She is just now being exposed to doing Protective Orders and Civil Traffic in the courtroom, only because I have directed the Civil Clerk and Civil Traffic Clerks to have Bonnie accompany them into the courtroom to cross train. Claudia is not training her.

11. Not holding monthly Zoom meetings with other Court Managers
 - a. Goal #3 of Next Year's, March 30, 2023, Performance Evaluation.
 - b. February 21, 2023, Justice of the Peace Quarterly Meeting Agenda.
 - c. Email dated July 31, 2023.
 - d. Email dated August 1, 2023.**Exhibit #'s 48-51.**

When I became the Presiding Justice of the Peace of Cochise County, I informed Claudia that I wanted her to hold monthly meetings with the other Court Managers to accomplish 3 things:

1. Standardize the 6 Justice Courts as much as possible.
2. Learn what policies and procedures that the other courts are employing, that could assist all the courts to be more efficient.
3. To have each court take one aspect of the court (Criminal, Civil litigation, Civil Traffic, Financial, Protective Orders, General Policy, Forms, etc.) and compose a detailed written policy and procedure manual.

At the Quarterly Justice of the Peace meeting, with all the other Court Managers present, the topic of all the Court Managers getting together was formally presented by Claudia and discussed as a group. It was enthusiastically accepted. Claudia was supposed to set up Zoom monthly meetings immediately. I have questioned Claudia repeatedly about when she was going to call a meeting and always got the response that she was too busy but would schedule it sometime.

I felt this was important enough to make it Goal #6, Next Years March 30, 2023 Performance Evaluation.

Finally on August 1, 2023, Claudia set the first meeting. Once again Claudia has not followed my written directive but has done it her own way. Instead of holding a Zoom Meeting, using modern technology as I directed, she set up an in person luncheon meeting where all the Court Managers will have to leave their individual courts and attend in person.

12. Not monitoring staff on returning phone calls
 - a. Voice Mail Log July 10, 2023-July 19, 2023. 89 voice messages.**Exhibit #52.**

One of the biggest complaints that I receive in the courtroom, from Defendants, is that the court staff does not return phone calls and emails in a timely manner. I have been

appraised by Niltza Flores, that the most common complaint that she receives from defendants, is that the Justice Courts do not return phone calls and emails. I have discussed this matter with Claudia and staff multiple, multiple times. Phone calls are supposed to be returned normally within 24 hours and a maximum of 48 hours. Each Clerk is responsible to clear their own personal phone messages and Claudia has assigned the entire staff to be responsible to clear the general phone box.

A policy was made to quit accepting payments at the front counter at 4:00 PM, to allow the Clerks to close out their drawers to be ready to clock out at 5:00 PM each day. The Clerks are supposed to use this 4:00-5:00 time to concentrate on returning phone calls and emails. Not only is not being done, it is not being monitored.

We have 6 clerk stations and the Court Manager office. The stations are as follows:

1. Front Counter Clerk #1.
2. Front Counter Clerk #2.
3. Civil Clerk.
4. Civil Traffic Clerk.
5. Criminal Clerk #1.
6. Criminal Clerk #2.
7. Court Manager.

When the phone rings the Front Counter Clerk #1 is supposed to answer the phone. If she is on the phone, Front Counter Clerk #2 is supposed to answer the phone. Each succeeding clerk, is in direct view of the one before. If the phone keeps ringing the next clerk in line is supposed to look up and see if the clerk before her is busy on the phone, they are they are supposed to answer the phone. This goes down the line until the Court Manager is supposed to answer the phone. This policy is not being enforced or monitored by Claudia.

On July 19, 2023, having received another complaint, I checked with court staff regarding the status off the court phone messages in the general phone box. I was shocked to find that the general phone box was backed up with calls and hadn't been checked for 9 days, since July 10, 2023. There were 107 messages in the general phone box. Compounding this was an additional 26 calls from Defendants, who were calling back 2-4 times, because their calls were not returned in a timely manner. This is totally unacceptable to have phone calls backed up like this. I have advised Claudia to have to make one Clerk accountable to check to make sure the general phone box is cleared each day, but she prefers to make it a group effort. By making it a group effort and not making one staff member be ultimately accountable, and then not monitoring compliance, the result is over 130 messages not being returned in a timely manner.

As a direct result of this I immediately took action and called a staff meeting to discuss the challenge. Following the staff meeting and listening to the staffs input, I contacted IT and had the voice message updated with different instructions, changed the distribution of the calls and also changed which phones messages would be routed to each clerk

group when messages were left. I tasked a Clerk to do nothing but return calls. It took two complete days for that Clerk to take down the messages and then return the calls.

13. Not monitoring staff on returning emails

Claudia does not monitor staff compliance with returning emails, the same as not monitoring the volume of phone calls that JP-3 receives on a daily basis.

14. Not monitoring staff on filing documents

- a. Pictures of documents not filed.
- b. Judge Dickerson's "Copies Deemed Original" draft.
- c. Email dated August 2, 2023.

Exhibit #53-55.

The staff is constantly informing me that they don't have time to complete all their duties. At one point, filing got behind and a large amount of filing for the Criminal Clerks piled up. Most of this filing is from years past, prior to the current Criminal Clerks assuming their positions as Criminal Clerks. This has put enormous pressure on the Criminal Clerks. On multiple, multiple occasions I have informed Claudia that I wanted this addressed. Claudia's response has been "*I have told them, but they don't have time*".

Following the Front Desk Clerk clearing and returning all the phone messages I gave the Front Desk Clerk the task of organizing the two full bins of paperwork that had to be filed. After discussion it was decided to organize the paperwork by name and case number to get all the documents for each Defendant separated. It was also decided that due to the shear volume of these documents, and the enormous time it would take to look up each case in AJACS, to check whether or not a document had been scanned and had appropriate signatures, that they would all be scanned into AJACS, and we wouldn't worry whether or not there were duplicates.

When Claudia came back from FMLA she opposed having the Front Desk Clerk to do this duty, because it would put the Front Desk Clerk behind her duties, which would affect the other Front Desk Clerk.

On August 2, 2023, Claudia and I discussed this at length. Claudia informed me that she didn't want the Front Desk Clerk doing this assignment because a "Disposition Sheet" could be contained in the documents and that the Front Desk Clerk was not trained to know how to properly disposition the case. My suggestion was to show the Front Desk Clerk what a Disposition Sheet looks like and when the Front Desk Clerk came across one, the Disposition Sheet would be given to a Criminal Clerk, so it could be properly dispositioned. Claudia insisted that the Criminal Clerks be responsible for this duty.

Due to the vast quantities of documents that the Clerks have to file, and the time that it takes to do it, I contacted Judge Tim Dickerson, Presiding Cochise County Superior Court Judge. This resulted in Judge Dickerson writing an Administrative Order that allows a copy of a document to be deemed as an original. I showed this to Claudia. Due to this Administrative Order, we can file a copy of a document and we not need to wait for the

original. I showed the Administrative Order to Claudia. After a long discussion I gave into Claudia and agreed that the Criminal Clerks would be the ones to scan all the documents into AJACS. To save time I instructed that all the documents be scanned.

On August 2, 2023, to my concern, Claudia put out an email stating that, instead of just scanning in all the documents and saving time, the Criminal Clerks had to review everything in AJACS first, and then only scan in the last page document. This defeats the time saving measures that the Administrative Order gives us, will take much more time, and countermands my directive to scan all documents. Later, when a Clerk receives a disposition sheet, the entire file will have to be reviewed to verify that everything is in order, prior to closing a case.

On July 9, 2023, I sent Claudia an email advising her that she was now expected to work a full 40 hours a week, take a one-hour lunch break and begin clocking in on ADP. This was discussed on page 3 above.

Exhibit #56.

On July 10, 2023, Claudia abruptly came into my chambers. Following a heated discussion Claudia left the court without prior ADP submission and permission granted to miss work. This and the DNX report were discussed on pages 3 & 4 above.

Exhibit #57.

On July 11, 2023, Claudia sent an email stated she was taking a couple weeks off, claimed that she used her cell phone to submit a request for time off on July 10, 2023, but it didn't go through and that she was going on FMLA. I responded back that day that her request for time off, was approved. This was discussed on page 4 above. ADP records indicate that she did not request time off in ADP until July 11, 2023, at 10:00 AM.

Exhibit #'s 58-61.

On July 26, 2023, I sent Claudia an email requesting her letter of resignation.

Exhibit #62.

On July 27, 2023, Claudia returned a passive/aggressive email and stated: *"My official resignation will be provided when that time comes. For now, I am performing duties as the Court Manager following rules you have established."*

Exhibit #63.

On July 27, 2023, when Claudia turned in 6 months of Monthly Reports, she copied and highlighted an email dated January 7, 2022. Claudia pointed out to me that she wasn't required to clock in and out of ADP, and if she had an absence of less than a full day, it did not have to be recorded in ADP. This was in reference to my July 10, 2023, email where I instructed her to document the time missed coming in late, due to her migraine headache. Whenever I question why we are doing something and want to do it in a way that I feel is more efficient, or if I question that our policy is not in compliance, I have to prove it to Claudia that we are doing it incorrectly. Had Claudia brought this email to my attention, on July 10, 2023, when I requested that she document her absence of time in

ADP, I would have accepted it. To submit it to me on July 27, 2023, we she was back to working 40 hours a week, and also clocking in on ADP, was her way of showing me that she was right by not having to an absence of less than a full day, and I was wrong. I feel it was insubordinate. This was discussed on page 5 above.

Exhibit #64.

Closing


I believe Claudia has a vast amount of financial knowledge. She interacts well with the staff. I have given her high marks on her Annual Performance Evaluations for this. I believe some of her greatest flaws however are that she resists being managed, strongly opposes having her responsibilities monitored, resents authority, wants to do everything her own way, is not open to suggestion and is very critical of any change. With the everchanging dynamics in a Justice Court, due to new laws, rules and AOC constantly changing policies and requirements, it is critical that an employee, especially a Court Manager, be open to change and explore new and better ways of accomplishing business that would make a court more productive. It is my believe this is perhaps why she had insurmountable challenges at JP-5, following the change of leadership with two different Judges.

When I do question Claudia as to why she does not follow my directives and policy, she gets upset and then friction ensues. Due to past judicial complaints by Court Managers, I have overlooked many things. Instead of enforcing existing policy, I have permitted Claudia control the administrative side of the court, choosing not to allow contention to occur between us, which could lead to another judicial complaint.

Following Claudia's anger and insubordination on July 10, 2023, and July 24, 2023, her making it very clear that she doesn't trust our relationship, her passive/aggressiveness, and her remark that she "bows down to no one", are what has prompted me to seek a remedy to this situation. I do not believe that Claudia and I can work together in the future by continuing to allow her to operate as she has in the past.

At this time, I am requesting assistance to follow the necessary steps to place Claudia Aguilera, JP-3 Court Manager, on Administrative Leave and when she returns, on Special Observation status.

I will be awaiting your reply.

Judge Bruce E. Staggs 
Benson Justice of the Peace #3

August 7, 2023
Date

JOB ANNOUNCEMENT

Exhibit #1



JUSTICE COURT MANAGER

Justice Court Precinct #1, Bisbee

Salary \$46,888 plus a competitive benefits package

Full-time position

Position is Open until Filled

NATURE OF WORK: Under general supervision, manages court staff and office operations in a Justice Court.

MINIMUM QUALIFICATIONS: Bachelor's Degree and eight (8) years of increasingly responsible office experience with a minimum of five (5) years of increasingly responsible court experience or equivalent; **OR** any combination of academic education, professional training or work experience which demonstrates the ability to perform the duties of the position.

TYPICAL DUTIES: (Illustrative Only) Assist in preparation of budget; requisition supplies and equipment; monitor maintenance of the physical facility and security; prepare and **submit periodic and special reports**; maintain financial records to include reconciliation of bank accounts, including credit cards, online payment accounts and collections accounts in accordance with the Minimum Accounting Standards (MAS) ordered by the Supreme Court Administrative Office of the Courts; maintains employee records; determines work schedules; reviews, monitors and approves time sheets; authorizes leave, **ensuring the effective, efficient and timely completion of all work**; act as liaison between court and other agencies; address inquiries regarding court matters; **serve as administrative support for Justice of the Peace**; prepare legal forms; **coordinate court calendar**; **act as courtroom clerk/bailiff**; receive and receipt for fines, fees, bonds and other monies; jury management, and **other duties as assigned**.

KNOWLEDGE, SKILLS & ABILITIES:

Considerable knowledge of:

- Court procedures;
- Legal terminology;
- Modern office procedures;
- Business English, spelling and grammar;
- Bookkeeping and Accounting practices.
- Minimum Accounting Standards (MAS)

Considerable Skill in:

- Court data processing systems and office equipment;
- Interpreting and processing legal documents.

Ability to:

- Train and supervise employees;
- Plan, organize and direct the work of others;
- Prepare comprehensive reports;
- Establish and maintain effective working relationships with employees, other agencies, and the public;
- Follow written and verbal instructions;
- Develop measurement tools to evaluate work performance; and
- Communicate effectively verbally and in writing.

PHYSICAL DEMANDS/WORKING CONDITIONS:

Typically performs duties in an office environment and may lift materials and/or equipment 25 lbs. or less.

HOW TO APPLY: Applications may be submitted online at: www.cochise.az.gov and must be received no later than 5:00 p.m. on the closing date of the announcement to be considered. Resumes will not be accepted in lieu of a completed application. The applicant must clearly demonstrate on the application form that they meet the minimum qualifications for the position. For more information, please call (520) 432-8503.

Superior Court is an Equal Opportunity Employer

PERFORMANCE EVALUATION FORM

Treats others with dignity and respect.
Fully accepts responsibility.

RELATIONSHIPS WITH OTHERS

Values diversity and draws strength from a wealth of viewpoints. Demonstrates collaboration through mutual reliability, openness, and flexibility. Is an effective team member. Gets along well with others. Offers and accepts constructive feedback. Behaves professionally and exhibits a positive work attitude. Works and collaborates well with others. Values other viewpoints. Functions as a reliable, flexible team member.

<input type="checkbox"/> Needs Improvement	<input type="checkbox"/> Successful	<input checked="" type="checkbox"/> Superior	<input checked="" type="checkbox"/> Exemplary
Often does not demonstrate teamwork to fully support the team's goals.	Demonstrates teamwork to fully support the team's goals.	Frequently demonstrates teamwork that builds momentum and enthusiasm.	Consistently demonstrates teamwork that leads to maximum team results and strong team spirit.

EXAMPLES OF PERFORMANCE:

Is a very effective team member.
Gets along well with the staff.
Does accept constructive feedback.
Is very professional with regard to getting along with staff, positive work attitude, being a team member and reliable.
Needs some improvement to keeping an open mind and when formulating a new policy.
Needs some improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives when potential new policies are submitted to her.

SAFETY

Adheres to all County and Judicial safety and security policies and regulations. Remains aware of and reports potential safety hazards. Complies with all safety recommendations, postings, and requirements. Wears personal protective equipment as suggested and/or required. Is familiar with and enforces relevant OSHA regulations.

<input type="checkbox"/> Needs Improvement	<input type="checkbox"/> Successful	<input type="checkbox"/> Superior	<input checked="" type="checkbox"/> Exemplary
Does not work in a safe manner. Falls to wear appropriate personal protective equipment and/or does not take steps to resolve hazards in the workplace.	Works in a safe manner, using personal protective equipment as recommended and required. Is alert to the work environment for self and others.	Works safely, using protective equipment as required. Reports safety concerns to others. Fosters a safe work environment for self and others.	Consistently considers safety on the job as a top priority by ensuring the Court's compliance with safety regulations and suggesting and/or implementing new practices to improve safety in the workplace.

EXAMPLES OF PERFORMANCE:

Always makes sure the rules and policies are followed.

Annual Performance Goals
Define goals using the SMART criteria: Specific - Measurable - Attainable - Agreed Upon - Realistic - Time-Oriented

GOAL 1: Did not perform an evaluation on her last year and thus there were no goals to be met
Mid-Year Comments:

PERFORMANCE EVALUATION FORM

Year-End Comments:		
Outcome:	<input type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 2: Did not perform an evaluation on her last year and thus there were no goals to be met		
Mid-Year Comments:		
Year-End Comments:		
Outcome:	<input type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 3: Did not perform an evaluation on her last year and thus there were no goals to be met		
Mid-Year Comments:		
Year-End Comments:		
Outcome:	<input type="checkbox"/> Met	<input type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PERFORMANCE EVALUATION FORM

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

[Empty rectangular box]

GOAL 8: Detailed job descriptions for each staff member. Implementation by June 30, 2023.

GOAL 9: Staff all cross trained. Implementation by June 30, 2023.

I have reviewed this evaluation and discussed the contents with my supervisor. My signature indicates that I have been advised of my performance and does not necessarily imply that I agree with the contents of this evaluation. My comments are noted above.

An employee may request a review of their performance rating by the Judicial Human Resources Director. The request must be in writing and provide details on why you disagree with the review. The request for review must be received by the Judicial Human Resources Director no later than fifteen (15) days following the date the employee received the performance evaluation.

I would like my Overall Summary Rating to be reconsidered by the Judicial Human Resources Director; this review may be in coordination with the Court Administrator.

Evaluating Supervisor Signature _____

8/9/2022
Date

Employee Signature [Signature] _____

8/9/2022
Date

Department Director Signature _____

8/9/2022
Date

PERFORMANCE EVALUATION FORM

Exhibit #3

team's goals.	goals.	momentum and enthusiasm.	team results and strong team spirit.
EXAMPLES OF PERFORMANCE:			
Is a very effective team member. Gets along well with the staff and they respect her.			

SAFETY			
Adheres to all County and Judicial safety and security policies and regulations. Remains aware of and reports potential safety hazards. Complies with all safety recommendations, postings, and requirements. Wears personal protective equipment as suggested and/or required. Is familiar with and enforces relevant OSHA regulations.			
<input type="checkbox"/> Needs Improvement	<input type="checkbox"/> Successful	<input type="checkbox"/> Superior	<input checked="" type="checkbox"/> Exemplary
Does not work in a safe manner. Fails to wear appropriate personal protective equipment and/or does not take steps to resolve hazards in the workplace.	Works in a safe manner, using personal protective equipment as recommended and required. Is alert to the work environment for self and others.	Works safely, using protective equipment as required. Reports safety concerns to others. Fosters a safe work environment for self and others.	Consistently considers safety on the job as a top priority by ensuring the Court's compliance with safety regulations and suggesting and/or implementing new practices to improve safety in the workplace.
EXAMPLES OF PERFORMANCE:			
Always makes sure the rules and policies are followed.			

Annual Performance Goals
Define goals using the SMAART criteria: Specific - Measurable - Attainable - Agreed Upon - Realistic - Time-Oriented.

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 2: Holding a staff meeting once a month.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Formal staff meetings are hardly held at all.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 3: Reorganize file room. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

PERFORMANCE EVALUATION FORM

Exhibit #3

GOAL 4: Detailed job descriptions for each staff member. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 5: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 6: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Case files and schedules are on the Judges desk a high percentage of the time.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 7: Staff all cross trained. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. In my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

PERFORMANCE EVALUATION FORM

Exhibit #3

I have reviewed this evaluation and discussed the contents with my supervisor. My signature indicates that I have been advised of my performance and does not necessarily imply that I agree with the contents of this evaluation. My comments are noted above.

An employee may request a review of their performance rating by the Judicial Human Resources Director. The request must be in writing and provide details on why you disagree with the review. The request for review must be received by the Judicial Human Resources Director no later than fifteen (15) days following the date the employee received the performance evaluation.

I would like my Overall Summary Rating to be reconsidered by the Judicial Human Resources Director; this review may be in coordination with the Court Administrator

Evaluating Supervisor Signature

3/30/2023
Date

Employee Signature

3/30/2023
Date

Department Director Signature

3/30/2023
Date

From: Staggs, Bruce
Sent: Friday, February 3, 2023 9:16 AM
To: Aguilera, Claudia
Subject: RE: Reason For Daily Meetings

As you wish.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 9:13 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Reason For Daily Meetings

Judge,

I prefer to provide you with the list of what I have going on for the day. When we meet we can add more items discussed as it will serve us notes taken.

Thank you,

Claudia Aguilera, CCM

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, February 3, 2023 9:00 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Reason For Daily Meetings

Claudia,

Perhaps you are not understanding the reason for our daily meetings.

The meeting is not for you to check in with me as to what you are doing. I want the meeting to be able to know what is going to take place in the court on the day of the meeting. This meeting is even more important now that I am not involving myself with the staff.

In these meetings I want to discuss:

1. What is coming up in the future.
2. Going over reports such as time standards, financial, stats, etc.

3. What progress is being made with regards to organizing and updating the current office policy manual.
4. What progress is being made with regards to making detailed job description for each employee.
5. What progress is being made with regards to reorganizing the file room.
6. What progress is being made with regards to preparing for future events.
7. What our future goals are going to be in the court.
8. What improvements need to be made in the court to make us better.
9. Status of current employees on how they are performing their job duties.
10. Any problems that are arising in the court.
11. Status of Shayna.
12. What your needs are to assist you in your position.
13. Etc, etc, etc, etc.

This meeting is NOT a check on Claudia meeting to see if you are doing your work. It is not necessary to make up a list of what you are going to be doing on the day of the meeting as I feel this would be a waste of your productivity. Let me know verbally the day of the meeting, what you did the previously day and how the court is progressing.

If you have a meeting at 11:00 AM today we will meet on Monday.

Come in if you have any questions regarding the purpose of our meeting.

Judge

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 8:15 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: List of items for today

Judge,

I have to attend the meeting at 11:00am. I have attached the lists of what I have going on for today. Please let me know if you want to meet with me sooner.

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

PERFORMANCE EVALUATION FORM

Exhibit #5

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. In my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

Supervisor's Comments

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Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

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GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

Staggs, Bruce

Exhibit # 7

From: Staggs, Bruce
Sent: Friday, October 1, 2021 8:12 AM
To: Schow, John
Subject: Concerns About Claudia
Attachments: Claudia.doc

John,

Please read the attached letter that I have composed to Claudia. I have not sent it. I want to get your input on how to handle the matter prior to taking any action.

Can you call me as soon as possible to discuss this matter?

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Exhibit #7

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

Claudia,

It is with great trepidation that I write this letter.

As you know, I've given you prodigious authority to run the administrative side of the court. I have done this because I have great respect for your knowledge and leadership capabilities. I believe that I have listened to all your suggestions to date, and have been very open to implementing them.

As you also know, I have been **VERY** clear that prior to implementing **ANY** change whatsoever, that you need to come to me, explain the change, explain how it will improve Benson Justice Court #3, and get my approval, **PRIOR**, to implementing any change.

As such, it was a shock to me to read the email you copied me on that you sent the Head of Security, Bobby Coronado, to find out that you hired a new employee, Bonnie Jankovic. You hired Ms. Jankovic without even discussing it with me, much less getting my approval. I feel strongly that you have exceeded your authority.

I questioned you on Monday, September 27, 2021, as to how the interviews went. I was under the understanding that you were not impressed with either candidate. I know that is been difficult hiring an employee as the position has been open for a long time. As I left, I stated to you to not settle for an employee that you didn't feel good about and that we would to continue to post the position and find the best employee that we could.

Claudia, what is of greater concern to me that, when I went and confronted you about the matter, you were very unprofessional and you just laughed it off. You basically said it was a closed matter because Bonnie was already hired. This is not acceptable to me.

I put this in writing, to document to you and to be very **CLEAR**, in the future you are to make **NO** changes whatsoever, without first discussing them with me and getting my approval to implement said changes.

Judge Bruce E. Staggs
Benson Justice of the Peace #3

September 30, 2021
Date

Staggs, Bruce

Exhibit #8

From: Schow, John
Sent: Tuesday, October 5, 2021 2:14 PM
To: Staggs, Bruce
Subject: RE: Concerns About Claudia
Attachments: Claudia (002).doc

Good Afternoon Judge,

I apologize for not getting to this sooner.

I made a couple of suggestions for changes to the letter, changing the bold all-caps to regular font and a suggested alternative to the last paragraph. I just think it will set the tone for positive future behaviors. Just suggestions, you of course are free to proceed as you wish. It appears you do not intend this to be a discipline, but rather a clear directive of your expectations.

Let me know how it goes.

r/
John

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, October 1, 2021 8:12 AM
To: Schow, John <jschow@courts.az.gov>
Subject: Concerns About Claudia

John,

Please read the attached letter that I have composed to Claudia. I have not sent it. I want to get your input on how to handle the matter prior to taking any action.

Can you call me as soon as possible to discuss this matter?

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



Exhibit # 8

126 W. 5th Street
Suite #1
Benson, AZ 85602
[BensonJusticeCourt](mailto:JusticeCourt3@courts.az.gov)
[@courts.az.gov](mailto:JusticeCourt3@courts.az.gov)

Claudia,

It is with great trepidation that I write this letter.

As you know, I've given you prodigious authority to run the administrative side of the court. I have done this because I have great respect for your knowledge and leadership capabilities. I believe I have listened to all your suggestions to date and have been very open to implementing them.

As you also know, I have been very clear that prior to implementing any change whatsoever, that you need to come to me, explain the change, explain how it will improve Benson Justice Court #3, and get my approval prior to implementing any change.

As such, it was a shock to me to read the email you copied me on that you sent the Head of Security, Bobby Coronado, to find out that you hired a new employee, Bonnie Jankovic. You hired Ms. Jankovic without even discussing it with me, much less getting my approval. I feel strongly that you have exceeded your authority.

I questioned you on Monday, September 27, 2021, as to how the interviews went. I was under the understanding that you were not impressed with either candidate. I know that it has been difficult hiring an employee as the position has been open for a long time. As I left, I stated to you to not settle for an employee that you didn't feel good about and that we would continue to post the position and find the best employee that we could.

Claudia, what is of greater concern to me that, when I went and confronted you about the matter, you were very unprofessional, and you just laughed it off. You basically said it was a closed matter because Bonnie was already hired. This is not acceptable to me.

In the future, I would like you to discuss with me personnel related issues before making a decision. I value you as my manager and look forward to a good working relationship.

— *BS* —
Judge Bruce E. Staggs
Benson Justice of the Peace #3

September 30, 2021

Date

Staggs, Bruce

Exhibit #9

From: Staggs, Bruce
Sent: Wednesday, October 13, 2021 8:07 AM
To: Aguilera, Claudia
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Thank you.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Wednesday, October 13, 2021 8:06 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Understood

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, October 13, 2021 7:33 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: RE: JP3-Dismissal CVTR by Judge 10-12-21

Claudia,

Do not ever instruct a staff member to use a form that has not been approved by me first.

As you have repeatedly been instructed, any change you want to make in this court has to be discussed between us first. Only when we are both in agreement of how we are to proceed, and are united in a course of action, do you implement a change and give direction to the staff.

Judge Staggs

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Tuesday, October 12, 2021 2:52 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: JP3-Dismissal CVTR by Judge 10-12-21

Judge Staggs,

I have attached a minute entry to cover the dismissal of citations that are not filed within 10 days. Do you want to use this form? I have instructed Shayna to use this form, send a copy to defendant and officer along with the police department.

Please advise,

Claudia Aguilera
Court Manager

Benson Justice & Municipal Court

Aguilera, Claudia

Exhibit #10

From: Aguilera, Claudia
Sent: Tuesday, April 18, 2023 12:09 PM
To: Barney, Rhonda; Douglas, Danele; Ferraro, Diana; Jankovic, Bonnie; Naegle, Donna
Subject: JP3 Credit card authorization form.pdf
Attachments: JP3 Credit card authorization form.pdf

Good morning,

In order to improve our customer service I have made the decision to allow a customer to make a credit card payment by phone through the court. We will be taking credit card payments by phone for one time transactions. The Ncourt phone number and the bensonpay.com website will remain the main credit card payment method.

Attached is a new credit card information form that you will use when taking a credit card payment over the phone. Please make sure that you shred the form once the transaction has been approved and processed. I have contacted Ncourt requesting that they install the credit card readers on every clerks computers.

Please let me know if you have any questions or concerns.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

Exhibit #11

Benson Justice Court #3, Judicial Merit Rules/Policies and Administrative Policies

Policy Title: Credit Card Payments - Telephonic

Page 1 of 1

Adopted: July 19, 2023

Revised: July 26, 2023

Benson Justice Court Clerks are not authorized to accept telephonic credit card payments when Defendants call the court to make a monthly payment.

When Payment Orders are given to a Defendant, the Clerk is required to go over with them the payment options listed on the Payment Order as follows:

1. Telephonic - N-Court: **(855) 839-6015**
2. Website – www.bensonpay.com
3. Website - www.azcourtpay.com

Defendants are to be informed that should they wish to make a payment directly to Benson Justice Court #3, they must appear in person.

Should a Clerk be discussing the case with the Defendant, and it is more efficient timewise for the Clerk to take a credit card payment by telephone, they are authorized to do so.

Staggs, Bruce

Exhibit #12

From: Aguilera, Claudia
Sent: Wednesday, July 26, 2023 11:47 AM
To: Staggs, Bruce
Subject: FW: JP3 Credit card authorization form.pdf
Attachments: JP3 Credit card authorization form.pdf

Judge,

Please see the email below regarding the credit card payments by phone.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Aguilera, Claudia
Sent: Tuesday, April 18, 2023 12:09 PM
To: Barney, Rhonda <rbarney@courts.az.gov>; Douglas, Danele <ddouglas@courts.az.gov>; Ferraro, Diana <DFerraro@courts.az.gov>; Jankovic, Bonnie <bjankovic@courts.az.gov>; Naegle, Donna <DNAegle@courts.az.gov>
Subject: JP3 Credit card authorization form.pdf

Good morning,

In order to improve our customer service I have made the decision to allow a customer to make a credit card payment by phone through the court. We will be taking credit card payments by phone for one time transactions. The Ncourt phone number and the bensonpay.com website will remain the main credit card payment method.

Attached is a new credit card information form that you will use when taking a credit card payment over the phone. Please make sure that you shred the form once the transaction has been approved and processed. I have contacted Ncourt requesting that they install the credit card readers on every clerks computers.

Please let me know if you have any questions or concerns.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108

PERFORMANCE EVALUATION FORM

Exhibit #13

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

Staggs, Bruce

Exhibit #14

From: Aguilera, Claudia
Sent: Wednesday, July 28, 2021 8:31 AM
To: Staggs, Bruce
Subject: RE: Finances

Judge Staggs,

Thanks for the authorization, support and trust. I appreciate your patience with helping me transition into my new position.

V/r,

Claudia Aguilera

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
☎ 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, July 28, 2021 8:16 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Finances

Claudia,

Per our discussion this morning you have full authorization, with regard to financial reports, to organize & complete them in any way you feel is the easiest and most expeditious. It is my opinion that your most important responsibility, as a Court Manager, is to keep the finances of JP-3 in proper order and that the financial and statistical reports are submitted a timely manner. I have full trust that you know how to accomplish this, due to your many years as the Court Specialist, at JP-5.

I will share with you later the reports I want you to file with me so I can verify, on a monthly basis, that the financial and statistical reports are submitted timely.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3

Staggs, Bruce

From: Staggs, Bruce
Sent: Monday, December 20, 2021 4:06 PM
To: CIAguilera@courts.az.gov
Subject: Court Manager Duties and reports
Attachments: Court Manager Job Description.doc; Justice Court Manager Duties.doc; Daily Responsibilities Report.docx; Monthly Responsibilities Report.docx; Annual Responsibilities Report.docx

Claudia,

Per our discussion attached are the files that I said I would send you. Please review and we'll talk about them next Monday.

Judge



Judge Bruce Staggs
**Justice of the Peace, JP-3
Magistrate**, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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JOB ANNOUNCEMENT

Exhibit H/S



JUSTICE COURT MANAGER

Justice Court Precinct #1, Bisbee
Salary \$46,888 plus a competitive benefits package
Full-time position
Position is Open until Filled

NATURE OF WORK: Under general supervision, manages court staff and office operations in a Justice Court.

MINIMUM QUALIFICATIONS: Bachelor's Degree and eight (8) years of increasingly responsible office experience with a minimum of five (5) years of increasingly responsible court experience or equivalent; **OR** any combination of academic education, professional training or work experience which demonstrates the ability to perform the duties of the position.

TYPICAL DUTIES: (Illustrative Only) Assist in preparation of budget; requisition supplies and equipment; monitor maintenance of the physical facility and security; prepare and **submit periodic and special reports**; maintain financial records to include reconciliation of bank accounts, including credit cards, online payment accounts and collections accounts in accordance with the Minimum Accounting Standards (MAS) ordered by the Supreme Court Administrative Office of the Courts; maintains employee records; determines work schedules; reviews, monitors and approves time sheets; authorizes leave, ensuring the effective, efficient and timely completion of all work; act as liaison between court and other agencies; address inquiries regarding court matters; serve as administrative support for Justice of the Peace; prepare legal forms; coordinate court calendar; act as courtroom clerk/bailiff; receive and receipt for fines, fees, bonds and other monies; jury management, and other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

Considerable knowledge of:

- Court procedures;
- Legal terminology;
- Modern office procedures;
- Business English, spelling and grammar;
- Bookkeeping and Accounting practices.
- Minimum Accounting Standards (MAS)

Considerable Skill in:

- Court data processing systems and office equipment;
- Interpreting and processing legal documents.

Ability to:

- Train and supervise employees;
- Plan, organize and direct the work of others;
- Prepare comprehensive reports;
- Establish and maintain effective working relationships with employees, other agencies, and the public;
- Follow written and verbal instructions;
- Develop measurement tools to evaluate work performance; and
- Communicate effectively verbally and in writing.

PHYSICAL DEMANDS/WORKING CONDITIONS:

Typically performs duties in an office environment and may lift materials and/or equipment 25 lbs. or less.

HOW TO APPLY: Applications may be submitted online at: www.cochise.az.gov and must be received no later than 5:00 p.m. on the closing date of the announcement to be considered. Resumes will not be accepted in lieu of a completed application. The applicant must clearly demonstrate on the application form that they meet the minimum qualifications for the position. For more information, please call (520) 432-8503.

Superior Court is an Equal Opportunity Employer

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
4. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
5. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
6. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of November 2022

Date Performed	
1	12/08/22
2	12/14/22
3	12/05/22
4	12/22/22
5	12/14/22
6	12/05/22
7	
8	
9	
10	
11	

Annual Responsibilities Report

Responsibilities:

1. Prepares and turns in annual MAS Report to Presiding Superior Court Dickerson by January 31st.
2. Prepares and turns in annual IT GAP by January 31st.
3. Prepares and turns in annual Employee Evaluation to Cochise County Court Administration by April 30th.
4. Prepares and turns in annual Budget Report to Cochise County Court Administration by March 31st.
5. Prepares and turns in Unclaimed Funds Report by April 1st.
6. Prepares and turns in Expenditure Report to AOC by August 12th.
7. Prepares and turns in Time Standards Report to AOC by July 31st.
8. Prepares Security Report by September 31st.

Month of _____

Date Performed	
1	/ /
2	/ /
3	/ /
4	/ /
5	/ /
6	/ /
7	/ /

Staggs, Bruce

Exhibit #16

From: Staggs, Bruce
Sent: Thursday, August 11, 2022 8:30 AM
To: CIAguilera@courts.az.gov
Subject: Court Manager Reports To Judge
Attachments: Annual Responsibilities Report.docx; Daily Responsibilities Report.docx; Monthly Responsibilities Report.docx

Claudia,

Attached are the reports so you can have an electronic version.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in State Remittance report by the 10th of each month, for the preceding month.
3. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
4. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
5. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
6. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
7. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
8. Prepares Time Standards Report by the 15th of each month, for the preceding month.
9. Prepares Budget Report by the 15th of each month, for the preceding month.
10. Monitors staff compliance for Continuing Education requirements.
11. Backs up documents folder on computer.
12. Monitors compliance of staff backing up documents folder on their personal computer.

Month of _____

Date Performed	
1	/ /
2	/ /
3	/ /
4	/ /
5	/ /
6	/ /
7	/ /
8	/ /
9	/ /
10	/ /
11	/ /
12	/ /

Annual Responsibilities Report

Responsibilities:

1. Prepares and turns in annual MAS Report to Presiding Superior Court Dickerson by January 31st.
2. Prepares and turns in annual IT GAP by January 31st.
3. Prepares and turns in annual Employee Evaluation to Cochise County Court Administration by April 30th.
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7. Prepares and turns in Time Standards Report to AOC by July 31st.
8. Prepares Security Report by September 31st.

Month of _____

Date Performed	
1	/ /
2	/ /
3	/ /
4	/ /
5	/ /
6	/ /
7	/ /

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
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10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of January 2023

Date Performed	
1	02/08/23
2	02/10/23
3	02/03/23
4	02/24/23
5	02/15/23
6	02/01/23
7	02/15/23
8	02/15/23
9	02/01/23
10	
11	

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
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7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of February 2023

Date Performed	
1	03/03/23
2	03/10/23
3	03/03/23
4	03/20/23
5	03/15/23
6	03/07/23
7	03/15/23
8	03/15/23
9	03/01/23
10	
11	

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
4. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
5. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
6. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of March 2023

Date Performed	
1	04/06/23
2	04/11/23
3	04/04/23
4	04/20/23
5	04/15/23
6	04/17/23
7	04/15/23
8	04/15/23
9	04/01/23
10	
11	

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
4. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
5. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
6. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of April 2023

Date Performed	
1	05/04/23
2	Account closed 03/30/23
3	05/03/23
4	05/23/23
5	04/15/23
6	05/01/23
7	05/15/23
8	05/15/23
9	05/01/23
10	
11	

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
4. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
5. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
6. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of May 2023

Date Performed	
1	06/08/23
2	Account closed 03/30/23
3	06/07/23
4	06/19/23
5	06/15/23
6	05/05/23
7	06/15/23
8	06/15/23
9	06/01/23
10	
11	

Monthly Report Responsibilities

Responsibilities:

1. Prepares and turns in County & State Treasures Report by the 10th of each month, for the preceding month.
2. Prepares and turns in Bank reconciliation by the 10th of each month, for the preceding month.
3. Prepares and turns in the P-card (Credit card) report by the 13th of each month, for the preceding month.
4. Prepares and turns in Statistical Report by the end of the month, for the preceding month.
5. Prepares and turns in Revenue Report by the end of the month, for the preceding month.
6. Prepares and turns in No Matters Pending Over Sixty Days report, per ARS 11-424.02.
7. Prepares Time Standards Report by the 15th of each month, for the preceding month.
8. Prepares Budget Report by the 15th of each month, for the preceding month.
9. Monitors staff compliance for Continuing Education requirements.
10. Backs up documents folder on computer.
11. Monitors compliance of staff backing up documents folder on their personal computer.

Month of June 2023

Date Performed	
1	07/06/23
2	Account closed 03/30/23
3	07/05/23
4	07/25/23
5	07/25/23
6	07/06/23
7	07/25/23
8	07/25/23
9	07/25/23
10	07/25/23
11	07/25/23

Exhibit #18

August 18, 2021

Feels lost and her job is overwhelming because there is so much to do and catch up.

As completed all three months of finance reports.

Is very happy with the staff that we have time. Feels of all the clerks are helpful and they are all motivated to do a good job.

She is excited for the future.

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

Exhibit #20

GOAL 4: Detailed job descriptions for each staff member. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 5: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 6: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Case files and schedules are on the Judges desk a high percentage of the time.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 7: Staff all cross trained. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

From: Staggs, Bruce
Sent: Friday, February 3, 2023 9:16 AM
To: Aguilera, Claudia
Subject: RE: Reason For Daily Meetings

As you wish.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 9:13 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Reason For Daily Meetings

Judge,

I prefer to provide you with the list of what I have going on for the day. When we meet we can add more items discussed as it will serve us notes taken.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
☎ 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, February 3, 2023 9:00 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Reason For Daily Meetings

Claudia,

Perhaps you are not understanding the reason for our daily meetings.

The meeting is not for you to check in with me as to what you are doing. I want the meeting to be able to know what is going to take place in the court on the day of the meeting. This meeting is even more important now that I am not involving myself with the staff.

In these meetings I want to discuss:

1. What is coming up in the future.
2. Going over reports such as time standards, financial, stats, etc.

3. What progress is being made with regards to organizing and updating the current office policy manual.
4. What progress is being made with regards to making detailed job description for each employee.
5. What progress is being made with regards to reorganizing the file room.
6. What progress is being made with regards to preparing for future events.
7. What our future goals are going to be in the court.
8. What improvements need to be made in the court to make us better.
9. Status of current employees on how they are performing their job duties.
10. Any problems that are arising in the court.
11. Status of Shayna.
12. What your needs are to assist you in your position.
13. Etc, etc, etc, etc.

This meeting is NOT a check on Claudia meeting to see if you are doing your work. It is not necessary to make up a list of what you are going to be doing on the day of the meeting as I feel this would be a waste of your productivity. Let me know verbally the day of the meeting, what you did the previously day and how the court is progressing.

If you have a meeting at 11:00 AM today we will meet on Monday.

Come in if you have any questions regarding the purpose of our meeting.

Judge

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 8:15 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: List of items for today

Judge,

I have to attend the meeting at 11:00am. I have attached the lists of what I have going on for today. Please let me know if you want to meet with me sooner.

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

February 8, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process check request for restitution payment

Finish EOM report

Respond to employee inquires

February 9, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Weekend calendar

Budget meeting

Respond to employee inquires

February 10, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Process bond refund

Upload bank statements

Assist in processing citations in order to catch up.

Respond to employee inquires

Exhibit #22

February 13, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Revenue quarterly report

Upload calendar for the week

Assist in processing citations in order to catch up.

Respond to employee inquires

Exhibit #22

February 14, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Revenue quarterly report

Process restitution check and bill for Adobe fee.

Assist in processing citations in order to catch up.

Respond to employee inquires

February 16, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP -Claim error

Revenue quarterly report

Send weekend calendar

Assist in processing citations in order to catch up.

Respond to employee inquires

February 23, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP payments

Statistical report

Send weekend calendar

Assist in processing citations in order to catch up.

Respond to employee inquires

Exhibit #22

February 27, 2023

Review and respond to emails

Print out Fare payment reports

Print out/process/approve and receipt for Ncourt payments

Process TIP

Upload calendar

Respond to employee inquires

Exhibit #22

February 28, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Schedule interviews

Process refund

Respond to employee inquires- correct case errors

Exhibit #22

March 3, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Prepare Credit card log

Finish Processing refunds/batches

Start end of month report

Process weekend court date and time calendar

Respond to employee inquires- correct case errors

Exhibit #22

March 3, 2023

PTO leave

Exhibit A20

March 6, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Prepare Credit card log

Approve time cards

Post court calendar onto website

Process check requests

Respond to employee inquires- correct case errors

Exhibit #22

March 7, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Prepare Credit card log

Process ExhibitOne Bill

Process Judicial certificate

City Remittance report

Process State revenue report

Respond to employee inquires- correct case errors

Exh. b. & #22

March 8, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Weekend calendar

Prepare for interview tomorrow

Respond to employee inquires- correct case errors

March 9, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Interview

Respond to employee inquires- correct case errors

March 13, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Posted court calendar

Blocked calendar and sent out email to law enforcement

Worked on employee assessments

Respond to employee inquires- correct case errors

Exhibit #22

March 14, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Review budget with Judge

Work on employee assessments

Respond to employee inquires- correct case errors

March 20, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Approve timecards

Post court calendar

Stat report for February 2023

90 Day Bond review report

Work on employee assessments

Respond to employee inquires- correct case errors

March 21, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Welcome new employee and help her get settled in

Work on employee assessments

Respond to employee inquires- correct case errors

Exhibit

March 23, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Process restitution/bond refunds

Employee assessments

Respond to employee inquires- correct case errors

March 24, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Process TIP

Process restitution/bond refunds

Process unclaimed funds report

Employee assessments

Respond to employee inquires- correct case errors

March 27, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve and receipt for Ncourt payments

Post calendar

Process TIP

Process restitution

Process unclaimed funds report

Employee assessments

Respond to employee inquires- correct case errors

May 1, 2023

Review and respond to emails

Print out Fare payment reports

Prepare bank deposit

Approve time-cards

Process TIP-finalize

Print out/process/approve Ncourt payments

Respond to employee inquires

Start End of the month report

Prepare Judicial certificate

August 1, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve for Ncourt payments

Process TIP

Process restitution/bond refunds

Order supplies

Work on EOM report

Respond to employee inquires- correct case errors. Submit remedy ticket for charge

July 31, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve for Ncourt payments

Post web calendar

Process restitution/bond refunds

Respond to employee inquires- correct case errors.

August 2, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve for Ncourt payments

Process restitution/bond refunds

Prepare weekend court date and time schedule for Judges

Respond to employee inquires- correct case errors.

Prepare account payable for county demands in New world

Criminal Paperwork process

Exhibit #23

August 3, 2023

Review and respond to emails

Print out Fare payment reports

Process Deposit

Print out/process/approve for Ncourt payments

Process restitution/bond refunds

Respond to employee inquires- correct case errors.

Work on Monthly revenue report

Instructed Bonnie to go in courtroom to have her cross train for civil traffic case processing.

Spoke with staff regarding memo sent instructing criminal paperwork processing.

PERFORMANCE EVALUATION FORM

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

Exhibit #25

GOAL 4: Detailed job descriptions for each staff member. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 5: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 6: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Case files and schedules are on the Judges desk a high percentage of the time.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 7: Staff all cross trained. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

JOB ANNOUNCEMENT

Exhibit #25A



JUSTICE COURT MANAGER

Justice Court Precinct #1, Bisbee
Salary \$46,888 plus a competitive benefits package
Full-time position
Position is Open until Filled

NATURE OF WORK: Under general supervision, manages court staff and office operations in a Justice Court.

MINIMUM QUALIFICATIONS: Bachelor's Degree and eight (8) years of increasingly responsible office experience with a minimum of five (5) years of increasingly responsible court experience or equivalent; **OR** any combination of academic education, professional training or work experience which demonstrates the ability to perform the duties of the position.

TYPICAL DUTIES: (Illustrative Only) Assist in preparation of budget; requisition supplies and equipment; monitor maintenance of the physical facility and security; prepare and submit periodic and special reports; maintain financial records to include reconciliation of bank accounts, including credit cards, online payment accounts and collections accounts in accordance with the Minimum Accounting Standards (MAS) ordered by the Supreme Court Administrative Office of the Courts; maintains employee records; determines work schedules; reviews, monitors and approves time sheets; authorizes leave, ensuring the effective, efficient and timely completion of all work; act as liaison between court and other agencies; address inquiries regarding court matters; serve as administrative support for Justice of the Peace; prepare legal forms; coordinate court calendar; act as courtroom clerk/bailiff; receive and receipt for fines, fees, bonds and other monies; jury management, and other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

Considerable knowledge of:

- Court procedures;
- Legal terminology;
- Modern office procedures;
- Business English, spelling and grammar;
- Bookkeeping and Accounting practices.
- Minimum Accounting Standards (MAS)

Considerable Skill in:

- Court data processing systems and office equipment;
- Interpreting and processing legal documents.

Ability to:

- Train and supervise employees;
- Plan, organize and direct the work of others;
- Prepare comprehensive reports;
- Establish and maintain effective working relationships with employees, other agencies, and the public;
- Follow written and verbal instructions;
- Develop measurement tools to evaluate work performance; and
- Communicate effectively verbally and in writing.

PHYSICAL DEMANDS/WORKING CONDITIONS:

Typically performs duties in an office environment and may lift materials and/or equipment 25 lbs. or less.

HOW TO APPLY: Applications may be submitted online at: www.cochise.az.gov and must be received no later than 5:00 p.m. on the closing date of the announcement to be considered. Resumes will not be accepted in lieu of a completed application. The applicant must clearly demonstrate on the application form that they meet the minimum qualifications for the position. For more information, please call (520) 432-8503.

Superior Court is an Equal Opportunity Employer

Exhibit #26

Policy Title: **Next Day Calendar On Judges Desk Policy**

Page 1 of 1

Adopted: August 9, 2018

Revised:

It is the duty of the Court Manager to ensure that the "Next Day Calendar" is to be placed on the Judges desk by 12:00 pm, each and every day. The "Next Day Calendar" is to be accompanied by the Defendants case files for any hearing that is scheduled.

Adherence to this policy will allow the Judge to be prepared for hearings that will be taking place the following day.

Should the Court Manager be absent it is their duty to make sure that other court staff fulfill this responsibility.

Each Clerk is responsible to have the case file in the dated file cabinet, under the correct date. These case files shall be ready before 12:00 PM the day before the scheduled court hearing.

For Wednesday Arraignments, all case files shall be on the back cabinet under the correct date. These case files shall be ready before 12:00 PM the day before the scheduled court hearing.

If a Defendant is added to the calendar, the case file shall be added to the existing files and a new calendar shall be printed and replaced on the Judges desk.

Calendar Report

Exhibit #27

BENSON JUSTICE

Court Room	Session Start	Case Number	Appearance Reason	Party Role	Party Name	Hearing Result	Judge Name
COURT ROOM	08/04/2023 02:00 PM	J0203CF2023000089	PRELIMINARY HEARING	DEFENDANT	LEYVA, JESSIE FRANCISCO	CONTINUE D	STAGGS, HONORABLE BRUCE E.

Calendar Report

Exhibit #22

BENSON JUSTICE

Court Room	Session Start	Case Number	Appearance Reason	Party Role	Party Name	Hearing Result	Judge Name
COURT ROOM	08/04/2023 02:00 PM	J0203CF2023000089	PRELIMINARY HEARING	DEFENDANT	LEYVA, JESSIE FRANCISCO	CONTINUE D	STAGGS, HONORABLE BRUCE E.

Exhibit #28

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, June 22, 2022 10:12 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Re: Time Standards Reports Submission FY22

Please run the report.

We should have run them and discussed them on a monthly basis. Failure on my part.

Contact Cynthia for training on how to read them.

Only real thing we can do now is to clean up closed or dismissed cases unless we can get Ann to act on old cases.

Judge

Get [Outlook for iOS](#)

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Wednesday, June 22, 2022 9:59:20 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Time Standards Reports Submission FY22

Judge Staggs,

The time period for the time standard report are from July 1, 2021 thru June 30, 2022. I can run the report a week ahead but it will be missing a week work of information. I can try to explain them to you, I have not been properly trained on this report so I will be learning with you as well. Do you still want me to run the report or do you want to wait until after July 1st?

Please advise,

Claudia Aguilera
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Tuesday, June 21, 2022 6:30 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Time Standards Reports Submission FY22

Claudia,

Exh. bit # 28

Please run these reports and be prepared to explain them to me on Monday and advise me if we are out of any standards.

If we are out of any time standards we need to do what we can to come into compliance if we can.

Judge

From: Roberson, Wanda <wroberson@courts.az.gov>
Sent: Tuesday, June 21, 2022 9:28 AM
To: Presiding Superior Court Judges <PresidingJudges@courts.az.gov>; Superior Court Administrators <SuperiorCourtAdministrators2@courts.az.gov>; Juvenile Court Judges <JuvenileCourtJudges@courts.az.gov>; Juvenile Court Directors <JuvenileCourtDirectors@courts.az.gov>; Superior Court Clerks <SuperiorCourtClerks@courts.az.gov>; Justice Court Judges - All <JCJ-A@courts.az.gov>; Municipal Court Judges - All <MCJ-A@courts.az.gov>; Limited Jurisdiction Judges <LimitedJurisdictionJudges@courts.az.gov>; Limited Jurisdiction Court Administrators <LimitedJurisdictionCourtAdministrators@courts.az.gov>; Chief Clerks LJ Courts <ChiefClerksLJCourts@courts.az.gov>; Field Trainers <FieldTrainers@courts.az.gov>; Caseflow Manager <CaseflowManager@courts.az.gov>; JOLTS County Coordinators <JOLTSCountyCoordinators@courts.az.gov>; Dependency Users Group <DUG@courts.az.gov>
Subject: Time Standards Reports Submission FY22



Supreme Court of Arizona
 Administrative Office of the Courts
 Court Services Division
 1501 West Washington, Suite 410
 Phoenix, AZ. 85007

To: Superior Court Presiding Judges
 Superior Court Administrators
 Juvenile Court Judges
 Juvenile Court Directors
 Clerks of Superior Court
 Justices of the Peace
 Municipal Court Presiding Judges
 Limited Jurisdiction Court Judges
 Limited Jurisdiction Court Administrators
 Limited Jurisdiction Chief Clerks
 Field Trainers

Superior Court Caseflow Managers
JOLTS County Coordinators
Dependency Users Group

From: Michael Malone, Director, Court Services Division

Date: June 21, 2022

Re: Time Standards Reports Submission FY22

As a reminder, Time Standards reports for FY22 are due by July 31st, and your assistance is requested in ensuring timely reporting.

Reports should be run after July 1st for the report period of 7/1/2021 – 6/30/2022 and submitted to timestandards@courts.az.gov.

Please submit the Time to Disposition Summary Reports for the case types and report periods listed [here](#). Resource information about the time standards, including how to run the reports in AJACS, can be found [here](#).

If you have any questions about these reports, please contact Laura Ritenour at lritenou@courts.az.gov, 602-452-3675.

We appreciate your efforts to remain current with Time Standards reporting. Thank you in advance for your assistance.

Thank you,

Michael Malone
Director, Court Services Division
1501 W. Washington
Phoenix, AZ 85007
602.452.3334
602.452.3480 (fax)

Wanda Roberson
Administrative Assistant III to
Director, Michael Malone
Court Services Division
Arizona Supreme Court
1501 W. Washington, Ste. 410
Phoenix, AZ 85007
(602) 452-3196
wroberson@courts.az.gov

Cc: AOC Directors, AOC Support, Court Services, Paul Julien, Joe Kelroy

Staggs, Bruce

Exhibit #29

From: Aguilera, Claudia
Sent: Thursday, June 30, 2022 4:47 PM
To: Staggs, Bruce
Subject: FW: Emailing: J0203-AOC CRIMINAL MISDEMEANOR (TTD) Detail

Judge Staggs,

I reached out to Niltza and Cynthia for help regarding the time standard report. Since we have not been trained on how to read the reports and how to fix them I asked Niltza to take a look at the misdemeanor report. I sent her the one with the cases. This is what her response is.

I just wanted to keep you in the loop and let you know that I am working on it.

Let me know if you have any questions.

Thank you,

Claudia Aguilera
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
00520.586-8108
☐ 520.586-8117

-----Original Message-----

From: Flores, Niltza <NFlores@cochise.az.gov>
Sent: Thursday, June 30, 2022 4:37 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: RE: Emailing: J0203-AOC CRIMINAL MISDEMEANOR (TTD) Detail

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Claudia,

In reviewing the report and some of the cases in AJACS. It appears when the case was converted into AJACS due to the warrant needing to be quashed, it accounted for all that time. It doesn't look like the warrant triggered the case to be stayed. It seems as though when the case was converted into AJACS, it calculated all the days since the case was opened/initiated.

I can have Cynthia reach out to Adele to see if the converted cases cause this issue showing the incorrect days pending. This could be why the Time Standards out of compliance. This is not the case with all the cases on the report but with older ones I reviewed.

Thank you,

Niltza Flores
Associate Court Administrator

Cochise County Superior Court - Court Administration
100 Quality Hill, Bisbee, Arizona 85603
11520.432.8504
55nflores@cochise.az.gov

-----Original Message-----

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Wednesday, June 29, 2022 11:02 AM
To: Flores, Niltza <NFlores@cochise.az.gov>
Subject: Emailing: J0203-AOC CRIMINAL MISDEMEANOR (TTD) Detail

CAUTION: EXTERNAL EMAIL*

Here is the time standard for the misdemeanor.

Your message is ready to be sent with the following file or link attachments:

J0203-AOC CRIMINAL MISDEMEANOR (TTD) Detail

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

This E-mail is from an EXTERNAL address. DO NOT click on links or open attachments unless you trust the sender and know the content is safe. If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.

From: Staggs, Bruce
Sent: Friday, February 3, 2023 9:16 AM
To: Aguilera, Claudia
Subject: RE: Reason For Daily Meetings

As you wish.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 9:13 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Reason For Daily Meetings

Judge,

I prefer to provide you with the list of what I have going on for the day. When we meet we can add more items discussed as it will serve us notes taken.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Friday, February 3, 2023 9:00 AM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Reason For Daily Meetings

Claudia,

Perhaps you are not understanding the reason for our daily meetings.

The meeting is not for you to check in with me as to what you are doing. I want the meeting to be able to know what is going to take place in the court on the day of the meeting. This meeting is even more important now that I am not involving myself with the staff.

In these meetings I want to discuss:

1. What is coming up in the future.
2. Going over reports such as time standards, financial, stats, etc.

3. What progress is being made with regards to organizing and updating the current office policy manual.
4. What progress is being made with regards to making detailed job description for each employee.
5. What progress is being made with regards to reorganizing the file room.
6. What progress is being made with regards to preparing for future events.
7. What our future goals are going to be in the court.
8. What improvements need to be made in the court to make us better.
9. Status of current employees on how they are performing their job duties.
10. Any problems that are arising in the court.
11. Status of Shayna.
12. What your needs are to assist you in your position.
13. Etc, etc, etc, etc.

This meeting is NOT a check on Claudia meeting to see if you are doing your work. It is not necessary to make up a list of what you are going to be doing on the day of the meeting as I feel this would be a waste of your productivity. Let me know verbally the day of the meeting, what you did the previously day and how the court is progressing.

If you have a meeting at 11:00 AM today we will meet on Monday.

Come in if you have any questions regarding the purpose of our meeting.

Judge

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Friday, February 3, 2023 8:15 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: List of items for today

Judge,

I have to attend the meeting at 11:00am. I have attached the lists of what I have going on for today. Please let me know if you want to meet with me sooner.

Claudia Aguilera, CCM
 Court Manager

Benson Justice & Municipal Court
 126 W. 5th Street, Ste.1., Benson, Az. 85602
 ☎ 520.586-8108
 📠 520.586-8117

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

Exhibit #32

team's goals.	goals.	momentum and enthusiasm.	team results and strong team spirit.
EXAMPLES OF PERFORMANCE:			
is a very effective team member.			
Gets along well with the staff and they respect her.			

SAFETY			
Adheres to all County and Judicial safety and security policies and regulations. Remains aware of and reports potential safety hazards. Complies with all safety recommendations, postings, and requirements. Wears personal protective equipment as suggested and/or required. Is familiar with and enforces relevant OSHA regulations.			
<input type="checkbox"/> Needs Improvement	<input type="checkbox"/> Successful	<input type="checkbox"/> Superior	<input checked="" type="checkbox"/> Exemplary
Does not work in a safe manner. Fails to wear appropriate personal protective equipment and/or does not take steps to resolve hazards in the workplace.	Works in a safe manner, using personal protective equipment as recommended and required. Is alert to the work environment for self and others.	Works safely, using protective equipment as required. Reports safety concerns to others. Fosters a safe work environment for self and others.	Consistently considers safety on the job as a top priority by ensuring the Court's compliance with safety regulations and suggesting and/or implementing new practices to improve safety in the workplace.
EXAMPLES OF PERFORMANCE:			
Always makes sure the rules and policies are followed.			

Annual Performance Goals
Define goals using the SMART criteria: Specific - Measurable - Attainable - Agreed Upon - Realistic - Time-Oriented

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 2: Holding a staff meeting once a month.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Formal staff meetings are hardly held at all.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 3: Reorganize file room. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. In my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

Staggs, Bruce

From: Staggs, Bruce
Sent: Monday, September 25, 2017 10:04 AM
To: Claudia Aguilera (CAguilera@courts.az.gov); Edmiston, Chris; Naegle, Donna; Ferraro, Diana; Scott, Denise; Coultas, Kerrie
Subject: Staff Meeting

Dear Staff,

I felt we had a very productive staff meeting on 9/22/2017. As you all aware we're going to a reorganization in Benson Justice Court #3. As such policies **WILL** be changing. I ask you all that when new policies are presented that you take the time to thoroughly analyze the policy before coming to a snap decision whether it will, or will not, work. Just because we've done things a certain way the past doesn't mean that is most effective to continue doing those things in the future. At the same time I know that we're doing many things that are working and we will continue to do them.

From this point on **ALL** policies will be presented and discussed among the entire staff, at staff meetings, prior to any implementation. It is my professional opinion that any new policies or changes to existing policies will have the best chance of succeeding only after educated input and thorough discussion, from all staff members. It is also my professional experience that when all staff are directly involved in discussion regarding new policies or changes to existing policies, implementation is much more effective.

As a Department Director I really do not want to hear about problems. Should you have a challenge, first discuss it among your coworkers and then come **prepared** to a staff meeting with multiple solutions. We will discuss it as a group and then the decision will be made if we want to modify existing policy or add a new written policy.

I want you all to know that I completely value your opinions due to the previous experience and trainings you have all received.

I look forward to growing with you and becoming a much more efficient staff.

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602

From: Staggs, Bruce
Sent: Tuesday, September 26, 2017 8:21 AM
To: Claudia Aguilera - Benson Justice Court (CAguiler@courts.az.gov); Edmiston, Chris; Naegle, Donna; Ferraro, Diana; Scott, Denise; Coultas, Kerrie
Subject: Staff Meetings

Dear Staff,

We are going to be having a staff meeting every Friday from 9:00 AM–10:00 AM. I look forward to being able to cut the hour down to a lesser time period and later scaling the meetings down to a every two weeks to a month.

This is going to be a time to discuss, as a staff, how we can make our Court better. As I stated yesterday, I don't want to hear about a challenge by itself. What I want to hear is the challenge and multiple solutions that you have for it. We will discuss it as a staff and come to an solution using all our combined talents, knowledge and expertise to make our Court better.

Please present your topics of discussion to Claudia no later than Wednesday afternoon so we can place them on the agenda for an organized discussion.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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PERFORMANCE EVALUATION FORM

Exhibit # 36

Supervisor's Comments

I believe that Claudia is a fantastic Court Manager. She is the best that I have worked with in 8 years. She has the most knowledge and understanding of the Court Manager job description of the previous Court Managers that I have worked with. She has the best values and ethics of the different Court Managers that I have worked with. She has the most trust of the different Court Managers that I have worked with. I feel that I can communicate with her and can always depend on her. She has made the most positive improvements than all the other Court Managers combined. The staff at JP-3 all respect her and none are grumbling behind her back. I feel blessed to have her as my Court Manager.

Employee Comments

I am very fortunate and grateful to have been given the opportunity to be able to continue my Judicial career here with the Benson Justice Court. My goal is to exceed expectations on goals set during this performance review. I want to be able to develop strategies that will deliver positive results, build strong relationship with my co-workers and maintain a steady and positive attitude that will inspire and motivate others.

Next Year's Annual Performance Goals

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room. Immediate implementation.

GOAL 2: Holding a staff meeting once a month. Immediate implementation.

GOAL 3: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.

GOAL 4: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.

GOAL 5: Weekly/monthly/annual reports filled out for Judges review. Immediate implementation.

GOAL 6: Don't make changes in policy/procedure without advising Judge. Immediate implementation.

GOAL 7: Reorganize file room. Implementation by June 30, 2023.

PERFORMANCE EVALUATION FORM

Exhibit #37

team's goals.	goals.	momentum and enthusiasm.	team results and strong team spirit.
EXAMPLES OF PERFORMANCE:			
Is a very effective team member. Gets along well with the staff and they respect her.			

SAFETY			
Adheres to all County and Judicial safety and security policies and regulations. Remains aware of and reports potential safety hazards. Complies with all safety recommendations, postings, and requirements. Wears personal protective equipment as suggested and/or required. Is familiar with and enforces relevant OSHA regulations.			
<input type="checkbox"/> Needs Improvement	<input type="checkbox"/> Successful	<input type="checkbox"/> Superior	<input checked="" type="checkbox"/> Exemplary
Does not work in a safe manner. Fails to wear appropriate personal protective equipment and/or does not take steps to resolve hazards in the workplace.	Works in a safe manner, using personal protective equipment as recommended and required. Is alert to the work environment for self and others.	Works safely, using protective equipment as required. Reports safety concerns to others. Fosters a safe work environment for self and others.	Consistently considers safety on the job as a top priority by ensuring the Court's compliance with safety regulations and suggesting and/or implementing new practices to improve safety in the workplace.
EXAMPLES OF PERFORMANCE:			
Always makes sure the rules and policies are followed.			

Annual Performance Goals
Define goals using the SMART criteria: Specific - Measurable - Attainable - Agreed Upon - Realistic - Time-Oriented.

GOAL 1: Follow current office policy and not use cell phone at desk during work hours except on break in lunch room.		
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GOAL 2: Holding a staff meeting once a month.		
Mid-Year Comments:		
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Outcome: Formal staff meetings are hardly held at all.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 3: Reorganize file room. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

Staggs, Bruce

From: Staggs, Bruce
Sent: Wednesday, August 24, 2022 11:23 AM
To: CIaguilera@courts.az.gov
Subject: Cell Phone
Attachments: Cellphone Policy.docx

Claudia,

I am getting tired of seeing Shayna using her cell phone during work hours. I just went into the file room and she had it in her hand while pulling a record. On several occasions I have seen her go into the courtroom with it. There is NO REASON to have it in the courtroom. As I have discussed, I have caught her on it multiple times and she has tried to hide it. I have seen other staff members on their phones.

Should this continue I am going to institute a policy that their phones remain in their cars or we will have a box put on the table in the break room, where all phones are deposited when they arrive.

I am attaching the current cell phone policy that has been in effect since July 1, 2020, which most of the staff has chosen to disregard. Please implement the current policy to prevent a more strict policy from being imposed.

Lets discuss this.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Benson Justice Court #3, Judicial Merit Rules/Policies and Administrative Policies

Policy Title: **Cellphone Policy**

Page 1 of 1

Adopted: July 1, 2020

The purpose of this policy is to outline the acceptable use of cellular ("cell phones") and other communication devices, including, but not limited to, Blackberries, mobile phones, iPhones, Smart phones, headphones and other wireless devices as well as ear buds attached to any of the previously listed devices (collectively referred to as "communication devices") in the Benson Justice Court. When clerks are at work, they're expected to be doing their jobs, not engaging in personal conversations, checking personal email, playing games, listening to audiobooks or sending text messages. The playing of soft, inoffensive music is permitted through the county issued computer.

1. Prohibited Uses:

- a. General. While in the workplace during work hours employees are expected to focus on work. Thus, employees may not use any personal communication device while they are working. Personal communication devices should be turned off and stowed in one's desk. Prohibited uses includes, but is not limited to, use of communication devices to:
 1. Engage in conversations
 2. Play games
 3. Surf the internet
 4. Check personal email
 5. Listen to music or audiobooks
 6. Send text messages.
- b. Driving. See the county vehicle policy for use in a county owned vehicle.

2. Permitted Uses:

Employees are permitted to use their communication devices while they are not working, provided the use of those devices is confined to areas outside of the office, such as the lunch room or outside while the employee is at lunch or on break.

3. Violation of the Policy:

Employees who violate this policy will be subject to disciplinary measures up to and including termination, depending on the circumstances.

Staggs, Bruce

Exhibit #39

From: Aguilera, Claudia
Sent: Thursday, August 25, 2022 9:23 AM
To: Barney, Rhonda; Douglas, Danele; Ferraro, Diana; Finch, Shayna; Jankovic, Bonnie; Naegle, Donna
Cc: Staggs, Bruce
Subject: Cellphone Policy
Attachments: Cellphone Policy.docx

Good morning,

Attached please find the Benson Justice Court Cellphone Policy. The purpose of the cell phone policy is to form a work environment that is productive and free of distractions.

All employees must operate under this policy, regardless of position. It is the courts expectation that all cell phones will be off or on silent during normal business hours so normal workflow remains undisturbed. It is expected that employees will only use their personal cell phones for emergencies or while taking an unpaid break.

Please review policy and confirm via email verification. Let me know if you have any questions or concerns.

Thank you,

Claudia Aguilera

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602

☎ 520.586-8108

📠 520.586-8117

Benson Justice Court #3, Judicial Merit Rules/Policies and Administrative Policies

Policy Title: Cellphone Policy

Page 1 of 1

Adopted: July 1, 2020

The purpose of this policy is to outline the acceptable use of cellular (“cell phones”) and other communication devices, including, but not limited to, Blackberries, mobile phones, iPhones, Smart phones, headphones and other wireless devices as well as ear buds attached to any of the previously listed devices (collectively referred to as “communication devices”) in the Benson Justice Court. When clerks are at work, they’re expected to be doing their jobs, not engaging in personal conversations, checking personal email, playing games, listening to audiobooks or sending text messages. The playing of soft, inoffensive music is permitted through the county issued computer.

1. Prohibited Uses:

- a. General. While in the workplace during work hours employees are expected to focus on work. Thus, employees may not use any personal communication device while they are working. Personal communication devices should be turned off and stowed in one’s desk. Prohibited uses includes, but is not limited to, use of communication devices to:
 1. Engage in conversations
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 3. Surf the internet
 4. Check personal email
 5. Listen to music or audiobooks
 6. Send text messages.
- b. Driving. See the county vehicle policy for use in a county owned vehicle.

2. Permitted Uses:

Employees are permitted to use their communication devices while they are not working, provided the use of those devices is confined to areas outside of the office, such as the lunch room or outside while the employee is at lunch or on break.

3. Violation of the Policy:

Employees who violate this policy will be subject to disciplinary measures up to and including termination, depending on the circumstances.

From: Staggs, Bruce
Sent: Tuesday, November 29, 2022 6:31 PM
To: Flores, Niltza
Subject: Cell Phone Policy Revision

Niltza,

Thank you. I have revised the document per your suggestions.

Claudia is not going to like the enforcement of it. She is the worst offender and now I'm noting the staff are following her example and using their phones more and more.

Judge Staggs

From: Flores, Niltza <NFlores@cochise.az.gov>
Sent: Tuesday, November 29, 2022 5:37 PM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Cell Phone Policy Revision

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Judge Staggs,

Please see below for my recommendations on the email communication. I have also attached my recommendations on the revised policy.

If you have any questions, please let me know.

Thank you,

Niltza Flores

Associate Court Administrator

Cochise County Superior Court – Court Administration
100 Quality Hill, Bisbee, Arizona 85603
☎ 520.432.8504
✉ nflores@cochise.az.gov

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Monday, November 28, 2022 4:24 PM
To: Flores, Niltza <NFlores@cochise.az.gov>
Subject: Cell Phone Policy Revision

CAUTION: EXTERNAL EMAIL*

Niltza,

I am very confident you can make this communication be much more professional however this is my initial draft email which I want to send out to the employees with the policy attached. I'm attaching the old policy of July 1, 2021, and the proposed policy of December 5, 2022,.

Exhibit #40

Dear Staff,

As you are aware, we have a Cell Phone policy that was established on July 1, 2020. I have now made revisions to the Cell Phone policy that will be effective on December 5, 2022. I have attached the policy for your review and acknowledgment of this policy.

I understand we all have to tend to matters outside of this court however, the cell phone usage has increased causing distraction and loss of productivity during business hours. When we are working on court cases and we are distracted, it opens us up to clerical errors that can then lead to court liabilities.

The revision(s) to the policy include:

- Communication devices being stored in the employee's personal vehicle or Break Room during business hours.

~~The policy was established on July 1, 2020, due to the flagrant use of cell phones, during working hours.~~

~~Since that time cell phone use has gradually increased to where, once again, it a major distraction in the court and many productive working hours are being lost. Due to staff not voluntarily following the July 1, 2020, Cell Phone Policy, they Cell Phone Policy is being revised to require that cell phones to be stored in the employee's personal vehicle, or in the Break Room, during business hours.~~

~~It is a concern to me that this policy must be revised, however the previous policy was not being followed.~~

Judge Staggs

Niltza, please do your magic and make the policy and email more professional, which I am sure you can..

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1

Staggs, Bruce

From: Staggs, Bruce
Sent: Wednesday, December 14, 2022 10:21 PM
To: Aguilera, Claudia
Subject: Flex Schedule and Cell Phone Policy Revision
Attachments: Cellphone Policy 2022 12-15.docx; 3000 Hours of Operation Work Week and Work Schedules.pdf

Claudia,

Please be advised that the below is going to be sent out to the staff tomorrow. Wanted to you to be aware of it first.

Should you have comments or questions, please see me.

Judge

Dear Staff,

This year we have had many positive changes in this court, which have resulted in this great team. The positive changes have been for the betterment of the court and staff. With positive change also comes challenges which we have worked together to overcome and others that require attention.

This court has allowed staff who wanted to join a flex schedule to be able to do so. This flex schedule has been in place for months and I have noticed the positive morale it has provided this court, however, it has become difficult to maintain a staffed court with a vacant position, PTO/Sick and flex. I am in a position that I want to maintain the positive culture and morale in this court however, I also have to view the difficulties it is causing and how we are not maintaining the workflow needed. That is why this decision is difficult to make. Effective December 27, 2022, flex schedule will be suspended until further notice. I am hopeful that once we are fully staffed and in a good position with the workflow, that I can once again reinstate the flex schedule.

This leads me to the next challenge that requires attention.

As you are aware, we have a Cell Phone policy that was established on July 1, 2020. I understand we all have to tend to personal matters outside of this court, however, the cell phone usage has increased, causing distraction and loss of productivity during business hours. When we are working on court cases and we are distracted, it opens us up to clerical errors that can then lead to court liabilities.

Since this policy and positive change this court has had, the cell phone policy has not been taken into consideration. Effective immediately an updated policy will be enforced. All cell phones are to be left in the employee's personal vehicle or stored in the breakroom, with the ringer turned down to the lowest or silent position.

Exhibit 411

I have attached both the Cochise County Work Hours policy and the December 15, 2022, revised Cell Phone policy for your review and acknowledgment of this policy.

Please send back the email acknowledging that you have read and understand the policies.

Again, I want to continue to have the positive culture in this court with the great team we have. I understand these changes are difficult, since they were a difficult decision for me to implement.

If you have any questions, please let me know and I will be happy to discuss further.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

CONFIDENTIALITY NOTICE: *This email and all attachments are intended for use only by the named addressee(s) and should not be read by, or delivered to, any other person. Pursuant to Rule 123(e)(8), Arizona Rules of the Supreme Court, this communication is confidential between the author and the named addressee(s). Review or use of this email by other than the named addressee(s) is not authorized. If you received this email in error or without authorization, please inform the author at the above address and delete this email from your computer.*

Staggs, Bruce

Exhibit #42

From: Staggs, Bruce
Sent: Thursday, December 15, 2022 1:44 PM
To: Flores, Niltza (NFlores@cochise.az.gov)
Subject: Phone Policy

Niltza,

The phone policy did not go over well with Claudia.

I am told that if I implement the new revisions, that she will put in her 2 week notice.

Respectfully,

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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From: Staggs, Bruce
Sent: Thursday, December 29, 2022 7:59 PM
To: Aguilera, Claudia; Naegle, Donna; Ferraro, Diana; Douglas, Danele; Barney, Rhonda; Finch, Shayna; Jankovic, Bonnie
Cc: Aguilera, Claudia; Tim Judge Dickerson (TiDickerson@courts.az.gov)
Subject: Flex Schedule & Cell Phone Policy
Attachments: Hours of Operation Work Week and Work Schedules.pdf; Cellphone Policy 2022 12-29.docx

Dear Staff,

Dear Staff,

This year we have had many positive changes in this court, which have resulted in this great team. The positive changes have been for the betterment of the court and staff. With positive change also comes challenges which we have worked together to overcome, and others that require attention.

Previously I have allowed staff who wanted to join a flex schedule, to be able to do so. This flex schedule has been in place for months and I have noticed the positive morale it has provided this court, however recently, it has become difficult to maintain a staffed court with a vacant position, PTO/Sick and flex schedule. I am in a position that I want to maintain the positive culture and morale in this court however, I also have to view the difficulties it is causing and how we are not maintaining the workflow needed. That is why this decision is difficult to make. Effective January 3, 2023, flex schedule will be suspended until further notice. I am hopeful that once we are fully staffed, in a good position with the workflow and having each clerk caught up in their job positions, that I can once again be open to reinstating the flex schedule.

This leads me to the next challenge that has required attention for a substantial period of time.

As you are aware, we have a written Cell Phone policy that was established on July 1, 2020. I truly understand we all have to tend to personal matters outside of this court, however, the cell phone usage has increased, causing distraction and loss of productivity during business hours. When we are working on court cases and we are distracted, it opens us up to clerical errors, that can then lead to court liabilities.

Since the positive change this court has had, the cell phone policy has not been taken into consideration. Effective January 3, 2023, an updated policy will be enforced.

I truly believe that JP-3 as a whole, will be much more productive, once these policies are implemented and enforced. I hope that you feel the same. Again, I want to continue to have the positive culture in this court with the great team we have. I understand these changes are difficult, since they were a very difficult decision for me to implement.

I have attached both the Cochise County Work Hours policy and the December 29, 2022, revised Cell Phone policy, for your review and acknowledgment of these policies.

Please reply back to my email, acknowledging that you have read and understand these policies.

If you have any questions, please let me know and I will be happy to discuss further.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

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Exhibit #42

Cochise County Judicial System

Policy Title: Hours of Operation, Work Week, Work Schedules and Attendance

Policy Number: 3000

Effective: March 1, 2021

Last Reviewed/Updated: February 22, 2021

I. Hours of Operation

Cochise County Judicial System (CCJS) offices shall be open to serve the public Monday through Friday, 8:00 am to 5:00 pm, excluding observed holidays, unless otherwise modified by the Presiding Judge or Department Director.

II. Work Week

Except as otherwise provided in this policy, regular work week for full-time CCJS employees shall be forty (40) hours. Some positions will work a traditional eight (8) hours per day, Monday through Friday. Other positions may have a varied schedule.

III. Work Schedules

The Department Director shall determine the work schedules of employees, as well as any modifications, ensuring essential CCJS services are provided and that the work schedules are in accordance with all Federal or State Statutory or constitutional limitations relating to hours of work (e.g. Fair Labor Standards Act (FLSA)).

Alternate work schedules (9-80's, 4/10's, split shifts, flextime, etc.) may be authorized at the Department Director's discretion.

IV. Attendance

- A. All employees are required to be at work on time. If an employee is unavoidably detained or unable to report to work, the employee should notify the immediate supervisor or authorized department representative within one (1) hour of starting time unless otherwise specified by the department director. Failure to notify within this timeframe shall constitute an unauthorized absence without pay.
- B. Time off work with pay shall be allowed only as provided in this policy for compensatory time, paid holiday time or various paid leaves.
- C. Employees classified as exempt under the Fair Labor Standards Act are not entitled to overtime or compensatory time and are not required to use accrued leave time for absences of less than a full working day. Absences of less than a full working day must be approved in advance by the employee's immediate supervisor or designee.

- D. It is the responsibility of the employee to notify the supervisor when absence from assigned duties and/or work schedule is required. The Department Director may require the employee to provide verification of the reason for the absence. A disciplinary action may be used for serious or pervasive misconduct or repetitions of improper performance or conduct. Failure to report to work without **notification to the employee's supervisor** or designee concerning absence from work for one (1) day may result in disciplinary action. Absence from work for three (3) consecutive workdays without notification to the employee's supervisor shall be deemed job abandonment and cause for dismissal.

- E. Each employee is responsible for accurately reporting all hours worked in the approved County payroll reporting system. The supervisor or designee shall verify that all hours worked are properly recorded in the County payroll system.

Benson Justice Court #3, Judicial Merit Rules/Policies and Administrative Policies

Policy Title: **Cellphone Policy**

Page 1 of 1

Adopted: July 1, 2020

Revised: December 29, 2022

The purpose of this policy is to outline the acceptable use of cellular (“cell phones”) and other communication devices, including, but not limited to, Blackberries, mobile phones, iPhones, Smart phones, headphones and other wireless devices as well as ear buds attached to any of the previously listed devices (collectively referred to as “communication devices”) in the Benson Justice Court. When clerks are at work, they’re expected to be doing their jobs, not engaging in personal conversations, checking personal email, playing games, listening to audiobooks or sending text messages. The playing of soft, inoffensive music is permitted through the county issued computer.

1. Prohibited Uses:

- a. General. While in the workplace during working hours, employees are expected to focus on their work duties. Employees are not permitted to use any personal communication device while they are working. Prohibited uses includes, but is not limited to, use of communication devices to:
 1. Engaging in conversations
 2. Playing games
 3. Surfing the internet
 4. Checking personal email
 5. Listening to music or audiobooks
 6. Sending text messages.
- b. Driving. See the Cochise County vehicle policy for use in a County owned vehicle.

2. Permitted Uses:

Employees are permitted to use their communication devices while they are not working or on break. Use is permitted in the breakroom or outside the Courthouse, but only while the employee is at lunch or on break. Communication devices are **not** allowed to be used at any time at any workstation, common work area, storage room, bathroom or Courtroom.

3. Effective January 3, 2023, during working hours, all cell phones are to be left in the employee's desk drawer or in their purse, with the ringer turned down to the lowest or silent position.
4. Employees who violate this policy will be subject to disciplinary measures, up to and including termination, depending on the circumstances.

From: Staggs, Bruce
Sent: Tuesday, January 3, 2023 2:15 PM
To: Aguilera, Claudia
Subject: RE: Flex Schedule & Cell Phone Policy

3:30 PM today.

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Tuesday, January 3, 2023 8:24 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Cc: Barney, Rhonda <rbarney@courts.az.gov>; Douglas, Danele <ddouglas@courts.az.gov>; Ferraro, Diana <DFerraro@courts.az.gov>; Finch, Shayna <sfinch@courts.az.gov>; Jankovic, Bonnie <bjankovic@courts.az.gov>; Naegle, Donna <DNaegle@courts.az.gov>
Subject: RE: Flex Schedule & Cell Phone Policy

Judge,

Staff has requested to have a meeting regarding new policies. Please let us know when we can set meet.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Thursday, December 29, 2022 7:59 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>; Naegle, Donna <DNaegle@courts.az.gov>; Ferraro, Diana <DFerraro@courts.az.gov>; Douglas, Danele <ddouglas@courts.az.gov>; Barney, Rhonda <rbarney@courts.az.gov>; Finch, Shayna <sfinch@courts.az.gov>; Jankovic, Bonnie <bjankovic@courts.az.gov>
Cc: Aguilera, Claudia <claguilera@courts.az.gov>; Dickerson, Timothy <tidickerson@courts.az.gov>
Subject: Flex Schedule & Cell Phone Policy

Dear Staff,

Dear Staff,

This year we have had many positive changes in this court, which have resulted in this great team. The positive changes have been for the betterment of the court and staff. With positive change also comes challenges which we have worked together to overcome, and others that require attention.

PERFORMANCE EVALUATION FORM

Exhibit # 45

[Empty rectangular box]

GOAL 8: Detailed job descriptions for each staff member. Implementation by June 30, 2023.

GOAL 9: Staff all cross trained. Implementation by June 30, 2023.

I have reviewed this evaluation and discussed the contents with my supervisor. My signature indicates that I have been advised of my performance and does not necessarily imply that I agree with the contents of this evaluation. My comments are noted above.

An employee may request a review of their performance rating by the Judicial Human Resources Director. The request must be in writing and provide details on why you disagree with the review. The request for review must be received by the Judicial Human Resources Director no later than fifteen (15) days following the date the employee received the performance evaluation.

I would like my Overall Summary Rating to be reconsidered by the Judicial Human Resources Director; this review may be in coordination with the Court Administrator.

Evaluating Supervisor Signature _____

8/9/2022
Date

Employee Signature _____

8/9/2022
Date

Department Director Signature _____

8/9/2022
Date

PERFORMANCE EVALUATION FORM

Exhibit #46

GOAL 4: Detailed job descriptions for each staff member. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

GOAL 5: Meeting with Judge on a daily basis at 8:00 am, to plan out the work day. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Is much more in compliance than previously.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 6: Schedule for next business day, with case files, on Judges desk by 12:00 noon. Immediate implementation.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Case files and schedules are on the Judges desk a high percentage of the time.	<input checked="" type="checkbox"/> Met	<input type="checkbox"/> Not Met

GOAL 7: Staff all cross trained. Implementation by June 30, 2023.		
Mid-Year Comments:		
Year-End Comments:		
Outcome: Will not be completed by June 30, 2023.	<input type="checkbox"/> Met	<input checked="" type="checkbox"/> Not Met

The Overall Summary Rating is completed at year end and reflects the employee's total performance including performance factors and annual performance goals.

Overall Summary Rating			
Needs Improvement	Successful	Superior	Exemplary
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PERFORMANCE EVALUATION FORM

Exhibit #46

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. In my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

Claudia needs improvement to having an open mind, respecting other viewpoints, and understanding alternative perspectives, when potential new policies are submitted to her.

Employee Comments

Next Year's Annual Performance Goals

GOAL 1: Detailed job descriptions for each staff member.

GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County



JOB ANNOUNCEMENT

Exhibit #47

JUSTICE COURT MANAGER

Justice Court Precinct #1, Bisbee

Salary \$46,888 plus a competitive benefits package

Full-time position

Position is Open until Filled

NATURE OF WORK: Under general supervision, manages court staff and office operations in a Justice Court.

MINIMUM QUALIFICATIONS: Bachelor's Degree and eight (8) years of increasingly responsible office experience with a minimum of five (5) years of increasingly responsible court experience or equivalent; **OR** any combination of academic education, professional training or work experience which demonstrates the ability to perform the duties of the position.

TYPICAL DUTIES: (Illustrative Only) Assist in preparation of budget; requisition supplies and equipment; monitor maintenance of the physical facility and security; prepare and submit periodic and special reports; maintain financial records to include reconciliation of bank accounts, including credit cards, online payment accounts and collections accounts in accordance with the Minimum Accounting Standards (MAS) ordered by the Supreme Court Administrative Office of the Courts; maintains employee records; determines work schedules; reviews, monitors and approves time sheets; authorizes leave, ensuring the effective, efficient and timely completion of all work; act as liaison between court and other agencies; address inquiries regarding court matters; serve as administrative support for Justice of the Peace; prepare legal forms; coordinate court calendar; **act as courtroom clerk/bailiff**; receive and receipt for fines, fees, bonds and other monies; jury management, and other duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES:

Considerable knowledge of:

- Court procedures;
- Legal terminology;
- Modern office procedures;
- Business English, spelling and grammar;
- Bookkeeping and Accounting practices.
- Minimum Accounting Standards (MAS)

Considerable Skill in:

- Court data processing systems and office equipment;
- Interpreting and processing legal documents.

Ability to:

- Train and supervise employees;
- Plan, organize and direct the work of others;
- Prepare comprehensive reports;
- Establish and maintain effective working relationships with employees, other agencies, and the public;
- Follow written and verbal instructions;
- Develop measurement tools to evaluate work performance; and
- Communicate effectively verbally and in writing.

PHYSICAL DEMANDS/WORKING CONDITIONS:

Typically performs duties in an office environment and may lift materials and/or equipment 25 lbs. or less.

HOW TO APPLY: Applications may be submitted online at: www.cochise.az.gov and must be received no later than 5:00 p.m. on the closing date of the announcement to be considered. Resumes will not be accepted in lieu of a completed application. The applicant must clearly demonstrate on the application form that they meet the minimum qualifications for the position. For more information, please call (520) 432-8503.

Superior Court is an Equal Opportunity Employer

PERFORMANCE EVALUATION FORM

Supervisor's Comments

I believe that Claudia has a wealth of knowledge as a Court Manager. It is my belief that Claudia has the most knowledge and understanding of all the Court Managers in Cochise County. She is much better qualified than the previous Court Managers at JP-3. In my perception that Claudia has the most trust from the court staff, of the different Court Managers that have worked here. It is my experience that when Claudia is instructed to do something, even if she doesn't like it she does it. Claudia doesn't bring her home challenges to work. Claudia always gives her honest thoughts when discussing a matter.

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Employee Comments

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GOAL 2: Complete reorganization of the file room.

GOAL 3: Holding a staff meeting once a month.

GOAL 4: Staff all cross trained.

GOAL 5: Don't make changes in policy/procedure without advising Judge first, prior to implementation.

GOAL 6: Hold monthly Court Manager Zoom meetings with other Court Managers to not only make JP-3 a better court but to improve all Justice Courts in Cochise County

Justice of Peace Quarterly Meeting Agenda

Host: BENSON JUSTICE COURT

Location: Benson Justice Court and R&R Pizza
126 W. 5th Street, Suite 1, Benson, Arizona 85602
161 S. Huachuca, Benson, Arizona 85602

Date: February 21, 2023

Time: 11:00 a.m.

Agenda details

- | | |
|---|-------------------------------------|
| I. Call to Order | Judge Staggs |
| II. Ankle Monitoring Presentation | Rich Karwaczka / Commander Bradshaw |
| III. AJACS Access re: ADR | Niltza Flores |
| IV. Sealing of Court Records | Cynthia / All |
| V. Cellphones | Judge Ward |
| VI. Criminal Rule 6.1(b) (1) (c) – appointment of counsel | Judge Vildosola |
| VII. OSC Fee | Judge Curfman |
| VIII. Bonds accepted by any court and jail | Judge Curfman |
| IX. Monthly Court Manager meetings | Claudia Aguilera |
| X. Modifying Conditions of Release | Judge Staggs |
| XI. Adult Victim Name Redaction | Judge Staggs |
| XII. Other business | All |

XIII. Next Meetings:

- May 16, 2023 – Douglas
- August 15, 2023 – Bisbee
- November 21, 2023 – Sierra Vista

Staggs, Bruce

Exhibit #50

From: Aguilera, Claudia
Sent: Monday, July 31, 2023 12:06 PM
To: Davey, Jennifer; Rios, Raymi; De La Cruz, Leslie; Teran, Mayela; Valenzuela, Lizet; Navarro, Cynthia; Flores, Niltza
Cc: Staggs, Bruce
Subject: Manager meeting

Hello,

Hope this email finds you all well. I am writing to schedule a manager meeting to try to assist each court manger with questions or concerns regarding court policy, procedures and court issues. I would like to have this meeting prior to the Judges quarterly meeting set for August 15, 2023. Any issues that we might be concerned with, can be added to the Judges meeting agenda. We can have a lunch meeting either in Bisbee, Sierra Vista or Benson. I hope that we can meet either this week or next week, on a Wednesday or Thursday. Please let me know what location and day would work best for you all.

Wednesday, August 2, 2023 at 11:30am
Thursday, August 3, 2023 at 11:30 am

Wednesday, August 9, 2023 at 11:30 am
Thursday, August 10, 2023 at 11:30 am

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

Staggs, Bruce

Exhibit #51

From: Aguilera, Claudia
Sent: Tuesday, August 1, 2023 2:13 PM
To: Flores, Niltza; Davey, Jennifer; Rios, Raymi; De La Cruz, Leslie; Teran, Mayela; Valenzuela, Lizet; Navarro, Cynthia
Cc: Staggs, Bruce
Subject: RE: Manager meeting

Good afternoon,

Thank you all for your response. I have scheduled our first Manager meeting for Wednesday, August 9, 2023 at 11:30am. We will be meeting at Chili's in Sierra Vista.

Thank you and see you all soon.

Claudia Aguilera, CCM

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Flores, Niltza <NFlores@cochise.az.gov>
Sent: Tuesday, August 1, 2023 1:33 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>; Davey, Jennifer <jdavey@courts.az.gov>; Rios, Raymi <rarios@courts.az.gov>; De La Cruz, Leslie <ldelacruz@courts.az.gov>; Teran, Mayela <MTeran@courts.az.gov>; Valenzuela, Lizet <lvalenzuela@courts.az.gov>; Navarro, Cynthia <CynNavarro@courts.az.gov>
Cc: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: RE: Manager meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon –

I am available on Wednesday, August 9th.
Bisbee or Sierra Vista would work best.

Thank you,

Niltza Flores

Deputy Court Administrator

Cochise County Superior Court – Court Administration
100 Quality Hill, Bisbee, Arizona 85603

☎ 520.432.8504
✉ nflores@cochise.az.gov

Exhibit #51

From: Aguilera, Claudia <claguilera@courts.az.gov>
Sent: Monday, July 31, 2023 12:06 PM
To: jdavey@courts.az.gov; Rios, Raymi <rarios@courts.az.gov>; ldelacruz@courts.az.gov; Teran, Mayela <mteran@courts.az.gov>; Valenzuela, Lizet <lvalenzuela@courts.az.gov>; Navarro, Cynthia <cynnavarro@courts.az.gov>; Flores, Niltza <NFlores@cochise.az.gov>
Cc: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: Manager meeting

CAUTION: EXTERNAL EMAIL*

Hello,

Hope this email finds you all well. I am writing to schedule a manager meeting to try to assist each court manger with questions or concerns regarding court policy, procedures and court issues. I would like to have this meeting prior to the Judges quarterly meeting set for August 15, 2023. Any issues that we might be concerned with, can be added to the Judges meeting agenda. We can have a lunch meeting either in Bisbee, Sierra Vista or Benson. I hope that we can meet either this week or next week, on a Wednesday or Thursday. Please let me know what location and day would work best for you all.

Wednesday, August 2, 2023 at 11:30am
Thursday, August 3, 2023 at 11:30 am

Wednesday, August 9, 2023 at 11:30 am
Thursday, August 10, 2023 at 11:30 am

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
☎ 520.586-8117

This E-mail is from an **EXTERNAL** address. **DO NOT** click on links or open attachments unless you trust the sender and know the content is safe. If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.

Exhibits #52 Voice Mail Log

FROM _____ DATE 7/10

COMPANY _____ TIME 1:46pm

TEL. _____ FAX _____

NOTES Ticket - letter by mail - how to pay?

FROM _____ DATE 7/10

COMPANY _____ TIME 3:17pm

TEL. _____ FAX _____

NOTES Cant remember!

FROM _____ DATE 7/10

COMPANY _____ TIME 3:30 pm

TEL. _____ FAX _____

NOTES ticket - ext. to pay or credit
cant pay rn

FROM _____ DATE 7/11

COMPANY _____ TIME 7:25am

TEL. _____ FAX _____

NOTES ticket

FROM _____ DATE _____

COMPANY _____ TIME _____

TEL. _____ FAX _____

NOTES CT 202202388 Q's

FROM _____ DATE 7/11

COMPANY _____ TIME 9:24am

TEL. _____ FAX _____

NOTES Cant today - payment arrangement into on how to pay?

CIVIL LINE 3
2/1/11

Civil continued on

Detail™ Format

FROM	DATE 7/11	<input type="checkbox"/>
COMPANY	TIME 9:30am	
TEL.	FAX	
NOTES ?		

FROM	DATE 7/11	<input type="checkbox"/>
COMPANY	TIME 10:05am	
TEL.	FAX	
NOTES limit tomorrow - tuesen - video just pay 913489523143001		

FROM	(2X)	DATE 7/11	<input type="checkbox"/>
COMPANY		TIME 10:58	
TEL.	FAX		
NOTES Ticket - Q5 options to remove from record			

FROM	DATE 7/11	<input type="checkbox"/>
COMPANY	TIME 1:15pm	
TEL.	FAX	
NOTES CT - speeding DPS - Ext?		

FROM	DATE 7/11	<input type="checkbox"/>
COMPANY	TIME 1:16pm	
TEL.	FAX	
NOTES ticket mo ago - cant pay on a payment plan renew req.		

FROM	DATE 7/11	<input type="checkbox"/>
COMPANY	TIME 2:34pm	
TEL.	FAX	
NOTES Cant today 2:30pm no answer to telephone		

Voice Mail Log

73

FROM _____ DATE 7-11
COMPANY _____ TIME 3:14pm
TEL. _____ FAX _____
NOTES Dunna - Calling for Anna - ticket.
(2)X

72

FROM _____ DATE 7-11
COMPANY _____ TIME 3:47pm
TEL. _____ FAX _____
NOTES hold on license ticket needs to see

FROM _____ DATE 7/12
COMPANY _____ TIME 6:43pm
TEL. _____ FAX _____
NOTES ticket - park
914 272 6231 9208
how much? appra?

FROM _____ DATE _____
COMPANY _____ TIME _____
TEL. _____ FAX _____
NOTES identity thred. ticket
~~(2)X~~ (3X) 7/12 2:57pm Bennie ticket to?

FROM NO NAME DATE 7/12
COMPANY _____ TIME 11:15 am
TEL. NO # FAX _____
NOTES proof of insurance - enclosed

FROM _____ DATE 7/12
COMPANY _____ TIME 11:23 pm
TEL. _____ FAX _____
NOTES ticket - El. Paso - how much
DDS? Whats process

Detail™ Format

FROM _____ DATE 7/12
COMPANY _____ TIME 11:34 am
TEL. _____ FAX _____
NOTES 913475723189001
Q's - Sounds like waste of finite
how much?

FROM _____ DATE 7/12
COMPANY _____ TIME 1:03 pm
TEL. _____ FAX _____
NOTES 2X
called N unit
~~accounting~~ ext.? letter date to
pay

FROM _____ DATE 7/12
COMPANY _____ TIME 1:26 pm
TEL. 500.1 X
NOTES 8-22-1985 - plea faxed UPS
says not going down fax not working

FROM _____ DATE 7/12
COMPANY _____ TIME 1:34 pm
TEL. _____ FAX _____
NOTES ?
text message ... due

FROM _____ DATE 7/13
COMPANY _____ TIME 8:37 am
TEL. _____ FAX _____
NOTES CT 2023-001571 - late homeless
will pay on the 1st. where to pay?

FROM _____ DATE 7/13
COMPANY _____ TIME 2:05 pm
TEL. _____ FAX _____
NOTES letter - cart. fees? double check
She did ext. y does she use

Voice Mail Log

FROM _____ DATE 7/13
COMPANY _____ TIME 2:07 pm
TEL. _____ FAX _____

NOTES Send pymt he has made to
Las Cruces MVD - they say he didn't
pay ticket 2 yrs. ago - Needs Receipt.

FROM _____ DATE 7/14
COMPANY _____ TIME 9:32 am
TEL. _____ FAX _____

NOTES Status on citation - ~~not~~ turned in
Valid license

FROM _____ ? DATE 7/14
COMPANY _____ TIME 10:04 am
TEL. _____ FAX _____

NOTES traffic ticket already pd registration

FROM _____ DATE 7/14
COMPANY _____ TIME 10:15 am
TEL. _____ FAX _____

NOTES ~~GT~~ - ticket

FROM _____ DATE 7/28/14
COMPANY _____ TIME 10:24 am
TEL. _____ FAX _____

NOTES 6-24-1997
Community Service - (ND)
lft hold license

FROM _____ DATE 7/14
COMPANY _____ TIME 10:42 am
TEL. _____ FAX _____

NOTES

Voice Mail Log

FROM _____ DATE 7/15
COMPANY _____ TIME 1:46pm
TEL. ~~_____~~ FAX _____
NOTES ~~wants to make payment~~

~~FROM _____ DATE _____
COMPANY _____ TIME _____
TEL. _____ FAX _____
NOTES ~~have to pay ticket - out of the country - she paid & spoke to her~~~~

FROM _____ DATE 7/17
COMPANY _____ TIME 9:47am
TEL. _____ FAX _____
NOTES needs case #

FROM _____ DATE 7/17
COMPANY _____ TIME _____
TEL. _____ FAX _____
NOTES Ticket - mixed court, p. 2x 7/17 2:11pm
913489523149007 28-702.01A

FROM _____ DATE 7-17
COMPANY _____ TIME 10:49am
TEL. _____ FAX _____
NOTES can send pg

FROM _____ DATE 7/17
COMPANY _____ TIME 11:32am
TEL. _____ FAX _____
NOTES needs call back

Detail™ Format

FROM		DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	11:33 am
TEL.		FAX	
NOTES	Went to in country - payment plan?		

FROM		DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	12:24 pm
TEL.		FAX	
NOTES	A traffic station		

FROM	Lasso	DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	12:34 pm
TEL.		FAX	
NOTES	how much is traffic 914272623194005		

FROM		DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	1:21 pm
TEL.		FAX	
NOTES	Court Friday 21st game ordered to do DDS - did it. Wants to know if we get paid by school. What he suppose to do?		

FROM		DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	1:21 pm
TEL.		FAX	
NOTES	Class? options?		

FROM		DATE	7/17 <input type="checkbox"/>
COMPANY		TIME	3:29 pm
TEL.		FAX	
NOTES	ticket - how much?		

Voice Mail Log

FROM _____ DATE 7/17
COMPANY _____ TIME 5:56 pm
TEL. _____ FAX _____
NOTES *pay citation* (2) (3) *
7/18 12:10 pm 7/19 8:34 am

FROM _____ DATE 7/17
COMPANY _____ TIME 4:14 pm
TEL. _____ FAX _____
NOTES _____

FROM _____ DATE 7/17
COMPANY _____ TIME 4:23 pm
TEL. _____ FAX _____
NOTES *ticket - registration updated next
steps - already reviewed - new what*

FROM _____ DATE 7/17
COMPANY _____ TIME 5:41 pm
TEL. _____ FAX _____
NOTES *traffic she completed* (scribble) (scribble) (4) *
7/18 8:57 am
7/18 8:38 am
7/18 1:08 pm

FROM _____ DATE 7/18
COMPANY _____ TIME 8:46 am
TEL. _____ FAX _____
NOTES _____

FROM _____ DATE 7/18
COMPANY _____ TIME 8:17 am
TEL. _____ FAX _____
NOTES (2) *

Detail™ Format

FROM	DATE 7/18	<input type="checkbox"/>
COMPANY	TIME	
TEL.	FAX	
NOTES traffic ticket Hwy - 91 MPH Court date - contest 8.14.2023 Lives in MD (2)		

FROM	DATE 7/18	<input type="checkbox"/>
COMPANY	TIME 11:46 am	
TEL.	FAX	
NOTES Form to fill out questions		

FROM	DATE 7/18	<input type="checkbox"/>
COMPANY	TIME 11:28 am	
TEL.	FAX	
NOTES ticket - Qs.		

FROM	DATE	<input type="checkbox"/>
COMPANY	TIME	
TEL.	FAX	
NOTES		

FROM	DATE 7/18	<input type="checkbox"/>
COMPANY	TIME 1:03 pm	
TEL.	FAX	
NOTES		

FROM	DATE 7/18	<input type="checkbox"/>
COMPANY	TIME 3:01 pm	
TEL.	FAX	
NOTES payment order - DMV says hold registration what do we do did we get payment		

Voice Mail Log

FROM _____ DATE 7/18
COMPANY _____ TIME 3:27 pm
TEL. _____ FAX _____
NOTES Reschedule Curt ?

FROM _____ ? DATE 7/18
COMPANY _____ TIME 3:28 pm
TEL. _____ FAX _____
NOTES Calling for Sam

FROM _____ DATE 7/18
COMPANY _____ TIME 3:29
TEL. _____ FAX _____
NOTES _____

FROM _____ DATE 7/18
COMPANY _____ TIME 3:38 pm
TEL. _____ FAX _____
NOTES how much ticket - payment plan?

FROM _____ DATE 7/19
COMPANY _____ TIME 9:07 am
TEL. _____ FAX _____
NOTES payment - Curt Wan
didn't get email? about payment

FROM _____ DATE 7/11
COMPANY _____ TIME 10:15 a
TEL. _____
NOTES Call back

Main line
Start

Detail™ Format

FROM	DATE 7/11 <input type="checkbox"/>
COMPANY	TIME 11:33am
TEL.	FAX
NOTES <u>Am 2023 CO 021</u> <u>Plan - How to making pymt</u>	

FROM	DATE 7/11 <input type="checkbox"/>
COMPANY	TIME 12:44pm
TEL.	FAX
NOTES <u>hunk to pay</u>	

FROM	DATE 7/11 <input type="checkbox"/>
COMPANY	TIME 1:03 pm
TEL.	FAX
NOTES <u>Am 2022 COU 3.2</u> <u>telephonic</u>	

FROM	DATE 7/12 <input type="checkbox"/>
COMPANY	TIME 8:20am
TEL.	FAX
NOTES <u>message 10k</u> <u>He came in</u>	

FROM	DATE 7/12 <input type="checkbox"/>
COMPANY	TIME 8:21am
TEL.	FAX
NOTES <u>traffic - pay</u>	

FROM	DATE 7/12 <input type="checkbox"/>
COMPANY	TIME 8:30am
TEL.	FAX
NOTES <u>traffic cost - ext.</u>	



Voice Mail Log

FROM _____ DATE 7/13
COMPANY _____ TIME 1:09 pm
TEL. _____ FAX _____
NOTES Fine 11 yrs ago? - what else does he
do he paid online (2X)

~~FROM _____ DATE 7/13
COMPANY _____ TIME 1:30 pm
TEL. _____ FAX _____
NOTES mud - maximo las cruces - license suspended
total - paid 2 yrs. ago. Needs Receipt.
(2X?) (3X)~~

FROM _____ DATE 7/14
COMPANY _____ TIME 8:08 am
TEL. _____ FAX _____
NOTES ticket - how much
at what?

FROM _____ DATE 7/14
COMPANY _____ TIME 8:08 am
TEL. _____ FAX _____
NOTES wants to talk about
fines

FROM _____ DATE 7/14
COMPANY _____ TIME NUN
TEL. _____ FAX _____
NOTES paid ticket on line - DDS ← (2X)
Shouldn't have - supposed to pay
914302323152 0000 supposed to be cancelled
7/17 10:13 am

FROM _____ DATE 7/14
COMPANY _____ TIME 1:11 pm
TEL. _____ FAX _____
NOTES dropped case - paper to myst
address?

Detail™ Format

FROM 1 DATE 7/14
COMPANY _____ TIME 4:50 pm
TEL. _____ FAX _____
NOTES N. Kurt ~~for~~ needs Balance
to pay off.

FROM _____ DATE 7/14
COMPANY _____ TIME 8:03 am
TEL. _____ FAX _____
NOTES Call - appearance

FROM _____ DATE 7/17
COMPANY _____ TIME 10:19 am
TEL. _____ FAX _____
NOTES Please Call

FROM _____ DATE 7/17
COMPANY _____ TIME 11:19
TEL. _____ FAX _____
NOTES tickets - wants to pay

FROM _____ DATE 7/17
COMPANY _____ TIME 11:36 am
TEL. ? NO # _____ FAX _____
NOTES ext. counseling questions - has bill next
mo. - ext. another 2mo. needs date to be
criminal completed

FROM _____ DATE 7/17
COMPANY _____ TIME 11:38 am
TEL. _____ FAX _____
NOTES Rescheduling court date

Voice Mail Log

FROM DATE 7/17
COMPANY TIME 12:21pm
TEL. FAX
NOTES ticket

FROM DATE 7/17
COMPANY TIME 1:36pm
TEL. no # given FAX
NOTES Bonnie - N unit - needs to tell her he made payment
(X2) 7/17 1:40pm

FROM DATE 7/17
COMPANY TIME 2:53pm
TEL. FAX
NOTES received letter
0123194 00514 (X2) 7/17 / 2:56pm

FROM DATE 7/17
COMPANY TIME 2:58pm
TEL. FAX
NOTES speeding ticket - Q's

FROM DATE 7/17
COMPANY TIME 3:20pm
TEL. FAX
NOTES ticket has questions.

FROM DATE 7/17
COMPANY TIME
TEL. FAX
NOTES 7/17 unit hearing 2pm
DMV #10203
10203 2

Detail™ Format

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 9:09 am
TEL.	FAX
NOTES Past due... just let making sure no court already made report	

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 9:55 am
TEL. 9-13-1967 DOB	FAX
NOTES Any thing in the	

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 12:20 pm
TEL.	FAX
NOTES needs to pay	

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 1:01 pm
TEL.	FAX
NOTES 5-19-63 - make a payment	

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 2:42 pm
TEL.	FAX
NOTES ABSTRACT letter	

FROM	DATE 7/18 <input type="checkbox"/>
COMPANY	TIME 4:52 pm
TEL.	FAX
NOTES Sending info on his case hasn't got it yet	

Voice Mail Log

~~FROM _____ DATE 7/19~~
~~COMPANY _____ TIME _____~~
~~TEL. _____ FAX _____~~
~~NOTES Remove the Hold? b/y warrant cart~~

FROM _____ DATE 7/19
COMPANY _____ TIME 10:18a
TEL. _____ FAX _____
NOTES payment plan ticket

~~FROM _____ DATE 7/19~~
~~COMPANY _____ TIME _____~~
~~TEL. _____ FAX _____~~
~~NOTES collectors - almatog pd 2yrs:
asp. Mids Receipt
Bunnie handling~~

FROM _____ DATE 7/19
COMPANY _____ TIME 10:44am
TEL. ~~575~~ AX
NOTES 2020 ticket license suspended
letter of compliance emailed

FROM _____ DATE 7/19
COMPANY _____ TIME 10:49pm
TEL. _____ FAX _____
NOTES

FROM _____ DATE _____
COMPANY _____ TIME _____
TEL. _____ FAX _____
NOTES

Detail™ Format 7/19/2023

Emergency

FROM _____ DATE

COMPANY _____ TIME _____

TEL. _____ FAX _____

NOTES *Went 9th - ~~text~~. have to go?
went to school. DDS*

FROM _____ DATE 7/11

COMPANY _____ TIME 4:00 pm

TEL. _____ FAX _____

NOTES *Traffic ticket
ext. Wnt*

FROM _____ DATE 7/11

COMPANY _____ TIME 4:10 pm

TEL. _____ FAX _____

NOTES *Ext. Wnt. take class*

FROM _____ DATE 7/11

COMPANY _____ TIME 4:10

TEL. _____ FAX _____

NOTES *CT DDS ext. ? ~~options~~
Wnt?
27415 7.12.23 9am*

FROM _____ DATE 7/12

COMPANY _____ TIME 8:47 am

TEL. _____ FAX _____

NOTES *Q's ticket*

FROM _____ DATE _____

COMPANY _____ TIME _____

TEL. _____ FAX _____

NOTES *ticket - last mo.*

Exhibit # 53



Exhibit #50

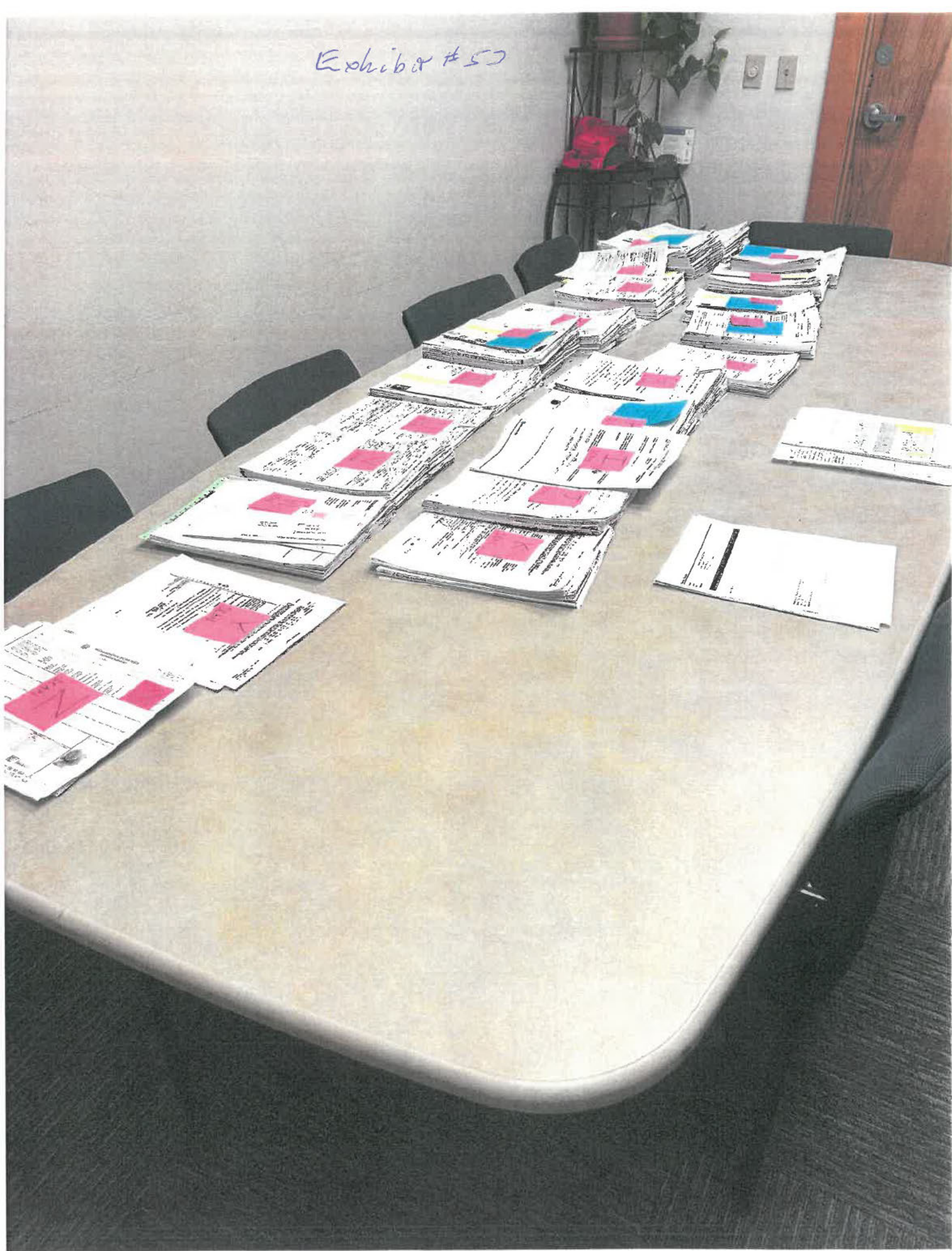


Exhibit # C3



**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE**

Administrative Order No. 2023-012

IN RE: COPIES DEEMED AS ORIGINAL DOCUMENTS IN CRIMINAL CASES

Rule 1.6(b)(1)(I), Rules of Criminal Procedure, states that only original documents be filed. Judges, judicial staff, and parties routinely use an electronic case management system to view scanned copies of documents. A scanned original and scanned copy generally look the same. Often a document which requires multiple signatures is signed at different times and locations and copies are emailed or faxed, so that there is not one copy with all original signatures. A single plea agreement may cover multiple cases; requiring the State and Defendant to sign multiple copies to have an original for each case. Court resources are wasted processing multiple copies of the same document. So long as the copy is legible, it is more efficient to file copies of documents rather than strictly complying with Rule 1.6.

IT IS ORDERED:

1. In criminal cases in the Cochise County Justice Courts and the Superior Court in Cochise County, copies of the following documents will be deemed to be originals and accepted for filing:
 - a. All forms useful or necessary for Initial Appearances or Arraignments, including but not limited to Conditions of Release, Right To Counsel Notice, Fingerprint Order, DNA Order, jail booking sheet.
 - b. All forms useful or necessary for the appointment and assignment of defense counsel, including but not limited to Financial Statement, and Indigent Defense Coordinator Referral.
 - c. All forms useful or necessary for setting hearings, including but not limited to Early Resolution Court Notice, Pretrial Release, and Hearing Notices.
 - d. All forms useful or necessary for a Change of Plea, Probation Violation Admissions or Sentencing hearings, including Plea Agreement; Notices concerning Right To Apply For Set Aside, Restore Civil Rights, and Seal records; Notice of Right to Appeal and for Post-Conviction Relief; Judgment of Guilt And Sentence Order; Guilty/No Contest Plea Agreement Proceeding; and Post Adjudication Court orders.
2. This order is effective as of January 1, 2023.

Dated this ____ day of July 2023.

Exhibit #54

Timothy B. Dickerson
Presiding Judge, Cochise County

Exhibit #55

Staggs, Bruce

From: Aguilera, Claudia
Sent: Wednesday, August 2, 2023 3:28 PM
To: Barney, Rhonda; Douglas, Danele; Ferraro, Diana; Jankovic, Bonnie; Minker, Sheri A; Naegle, Donna
Cc: Staggs, Bruce
Subject: Criminal paperwork in breakroom

Ladies,

The paperwork that is in the breakroom needs to be placed back into the bins by alphabet. The Criminal team, Danele and Rhonda will be responsible for working on two cases per day until this project until fully completed. They are to review the paperwork and scan only the paperwork that is needed (last page with signatures). They must review AJACS to ensure that everything was documented correctly and then place paperwork in files.

Please let me know if you have any questions.

Thank you,

Claudia Aguilera, CCM

Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602

☎ 520.586-8108

📠 520.586-8117

Staggs, Bruce

From: Staggs, Bruce
Sent: Sunday, July 9, 2023 9:29 PM
To: Aguilera, Claudia
Cc: Flores, Niltza (NFlores@cochise.az.gov)
Subject: 40 Hour Flex Schedule

Good morning, Claudia,

Last month while preparing and updating the Pro-Tempore manuals, and also this last week, I was coming in before 7:00 am and leaving after 6:00 PM. During this time, I noted that the times you were arriving, and departing were not in compliance with current Cochise County standards.

Most exempt employees do not have to clock in and out on ADP, however they are still required to work a full 40 hours per week and also take a full hour lunch. This also includes you as the Court Manager. Although you are exempt, you must still complete a full forty-hour work week for your flex 4 day/10 hour work schedule.

I understand there will be days where you may be running late however, during the time while preparing and updating the Pro-Tempore manuals, I noticed you arriving after 7:30 AM and leaving at 5:30 PM, on a daily basis. Arriving approximately at 7:30 AM, and leaving at 5:30 PM does not meet the standard of working 40 hours a week. A review of the DSX access log over the last 3 months confirmed this is happening on a frequent basis.

Although you are exempt, you must still complete your full 40 working hours for your flex 4 day/10 hour work schedule. Most exempt employees do not have to clock in and out on ADP, however, there are department heads who require their exempt employees to clock in and out.

So this issue does not have to be monitored in the future, beginning immediately, I would like for you to begin clocking in and out, while putting in at least a full 40 hours a week. You will be expected to clock in at 7:00 am and clock out at 6:00 pm, while taking a 1-hour lunch break, as all the other clerks do.

This will provide consistency with all current Cochise County and court standards.

As usual, should you have any questions, you can feel free to discuss them with me.

Judge Staggs



Judge Bruce Staggs
Justice of the Peace, JP-3

HISTORY REPORT

Location Group **Cochise County**
 Name of Report **Claudia Aguilera Access Log**

6/20/2023
3:16:24PM

Start Date 4/1/2023 Stop Date 6/20/2023
 Start Time 0 Stop Time 2400

Does Not Include All Events
 Does Not Include Events From All Devices
 Does Not Include Events From All Card Holders

#	TIME	Loc	EVENT	Dev.#	DEVICE	NAME	Code
Monday 4/3/2023							
1	7:58:55AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 4/4/2023							
2	7:57:36AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
Wednesday 4/5/2023							
3	7:57:07AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
Monday 4/17/2023							
4	7:11:52AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 4/20/2023							
5	7:31:27AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
Monday 4/24/2023							
6	7:45:14AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
7	7:45:26AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
8	1:07:04PM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 4/25/2023							
9	7:44:01AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
10	7:44:08AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 4/27/2023							
11	8:15:10AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
12	3:14:06PM	18	Access Granted	10 . 42	BSC11- Clerks/Judges Entry	Aguilera, Claudia: Courts-Benson Just	48207
13	5:30:04PM	18	Access Granted	10 . 42	BSC11- Clerks/Judges Entry	Aguilera, Claudia: Courts-Benson Just	48207
14	5:39:57PM	18	Access Granted	10 . 42	BSC11- Clerks/Judges Entry	Aguilera, Claudia: Courts-Benson Just	48207
15	6:42:56PM	18	Access Granted	9 . 42	BSC10- Jury & Courtroom Entry	Aguilera, Claudia: Courts-Benson Just	48207
Monday 5/1/2023							
16	8:21:03AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 5/4/2023							
17	8:04:32AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
18	1:26:27PM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 5/9/2023							
19	7:37:27AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
20	7:37:38AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 5/11/2023							
21	7:40:34AM	18	Access Granted	0 . 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
22	7:40:41AM	18	Access Granted	8 . 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207

HISTORY REPORT

Location Group **Cochise County**
Name of Report **Claudia Aguilera Access Log**

6/20/2023
3:16:24PM

Start Date 4/1/2023 Stop Date 6/20/2023
Start Time 0 Stop Time 2400

#	TIME	Loc	EVENT	Dev.#	DEVICE	NAME	Code
Monday 5/15/2023							
23	7:55:04AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
24	7:55:12AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
25	8:23:27AM	18	Access Granted	10, 42	BSC11- Clerks/Judges Entry	Aguilera, Claudia: Courts-Benson Just	48207
26	5:39:22PM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
27	5:39:28PM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Wednesday 5/17/2023							
28	7:25:31AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
29	7:25:39AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Monday 5/22/2023							
30	7:30:49AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
31	7:30:57AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
32	4:43:43PM	18	Access Granted	9, 42	BSC10- Jury & Courtroom Entry	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 5/23/2023							
33	7:55:45AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
34	7:55:53AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Wednesday 5/24/2023							
35	7:31:30AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
36	7:31:40AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 5/25/2023							
37	7:48:53AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 5/30/2023							
38	7:32:02AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
39	7:32:11AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
40	1:02:09PM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Wednesday 5/31/2023							
41	7:21:23AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
42	7:21:30AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 6/1/2023							
43	7:43:37AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
44	7:43:44AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
45	11:54:27AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Monday 6/5/2023							
46	7:26:43AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
47	7:26:52AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
48	1:04:21PM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 6/6/2023							
49	7:34:41AM	18	Access Granted	0, 42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
50	7:34:49AM	18	Access Granted	8, 42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207

Exhibit #57

HISTORY REPORT

Location Group **Cochise County**
Name of Report **Claudia Aguilera Access Log**

6/20/2023
3:16:24PM

Start Date 4/1/2023 Stop Date 6/20/2023
Start Time 0 Stop Time 2400

#	TIME	Loc	EVENT	Dev.#	DEVICE	NAME	Code
51	10:12:21AM	18	Access Granted	9.42	BSC10- Jury & Courtroom Entry	Aguilera, Claudia: Courts-Benson Just	48207
Wednesday 6/7/2023							
52	7:35:14AM	18	Access Granted	0.42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
53	7:35:24AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 6/8/2023							
54	12:03:28PM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
55	12:04:21PM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Monday 6/12/2023							
56	8:00:48AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 6/13/2023							
57	7:27:40AM	18	Access Granted	0.42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
58	7:27:51AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Thursday 6/15/2023							
59	6:52:49AM	18	Access Granted	0.42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
60	6:52:56AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Monday 6/19/2023							
61	6:59:55AM	18	Access Granted	0.42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
62	7:00:02AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
Tuesday 6/20/2023							
63	7:10:18AM	18	Access Granted	0.42	BSC1- Front Entrance	Aguilera, Claudia: Courts-Benson Just	48207
64	7:10:27AM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207
65	1:05:48PM	18	Access Granted	8.42	BSC9- Clerks Office	Aguilera, Claudia: Courts-Benson Just	48207

Staggs, Bruce

Exhibit #58

From: Aguilera, Claudia
Sent: Tuesday, July 11, 2023 10:29 AM
To: Staggs, Bruce
Cc: Romero, Tracey; Flores, Niltza; Schow, John
Subject: Leave request

Good morning Judge Staggs,

Per our discussion yesterday I verbally informed you that I needed to take a couple of weeks off as I need to decide my future with the Benson Justice court. After I left yesterday, I used my cell phone to submit my request for time off but I realized it did not go through. I have resubmitted it and I wanted to inform you that I am planning on filling for FMLA.

Thank you,
Claudia Aguilera

Exhibit #59

Browser tabs: Arizona | ADP Workforce Now | ADP Time & Attendance | X | ADP Time & Attendance | X | https://eetd2.adp.com/122budpstatic/applications/navigator/html5... | X | Westlaw Sign In Th... | X | Other favorite

Browser address bar: Login ADP Workfor... | Drop Box | Arizona Revised Sta... | Arizona Court Rules... | Westlaw Sign In Th... | New World | Other favorite



My Information | Manage My Employees | Alerts and Notification Widget | Manage Requests | X | +

Manage Requests

Time-Off | Multiple (5) | 6/12/2023 - 12/08/2023, S... | All | Export | Refresh | Go To

Details | Edit | Add Request | Approve | Refuse | Pending | Retract

Submit Date	Status	Employee	Start Date	End Date	Pay Code	Multiple Period Indic...	Assigned Manager
7/10/2023 11:10AM	Submitted	Naejle, Donna Ree	8/08/2023	8/08/2023	PTO		Aguilera, Claudia S
7/11/2023 1:05PM	Submitted	Aguilera, Claudia S	7/10/2023	7/10/2023	PTO		Staggs, Bruce Edwin
7/11/2023 1:06PM	Submitted	Aguilera, Claudia S	7/11/2023	7/13/2023	PTO		Staggs, Bruce Edwin
7/11/2023 1:07PM	Submitted	Aguilera, Claudia S	7/17/2023	7/20/2023	PTO		Staggs, Bruce Edwin

Request Detail

Time Off - Fixed

Submitted 7/07/2023 7:58PM

Staggs, Bruce

Exhibit #66

From: Staggs, Bruce
Sent: Tuesday, July 11, 2023 4:09 PM
To: Aguilera, Claudia
Cc: Romero, Tracey
Subject: Request Notification for Aguilera, Claudia S

Claudia,

Your request for time off is approved.

Judge Staggs

-----Original Message-----

From: eet_application@adp.com <eet_application@adp.com>
Sent: Tuesday, July 11, 2023 10:11 AM
To: Staggs, Bruce <bstaggs@courts.az.gov>
Subject: Request Notification for Aguilera, Claudia S

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The following request for Aguilera, Claudia S has been submitted:

Request Type: Time Off - Fixed

Request Start Date = 7/11/2023 Start Time = 7:00AM Request End Date = 7/13/2023 End Time = 5:00PM

Current Request Status: Submitted

Please logon to Time & Attendance to address this request.

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, notify the sender immediately by return email and delete the message and any attachments from your system.

Staggs, Bruce

Exhibit #62

From: Staggs, Bruce
Sent: Wednesday, July 26, 2023 8:40 PM
To: Aguilera, Claudia
Subject: Resignation
Attachments: Resignation.pdf

Claudia,

Please see attached.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

CONFIDENTIALITY NOTICE: This email and all attachments are intended for use only by the named addressee(s) and should not be read by, or delivered to, any other person. Pursuant to Rule 123(e)(8), Arizona Rules of the Supreme Court, this communication is confidential between the author and the named addressee(s). Review or use of this email by other than the named addressee(s) is not authorized. If you received this email in error or without authorization, please inform the author at the above address and delete this email from your computer.

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



Exhibit #62
126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

July 26, 2023

Claudia Aguilera

Re: Acceptance of Resignation

Dear Claudia,

On Monday, July 24, 2023, we had a long discussion about the court. During this discussion you indicated that you were submitting your resignation for various reasons. This letter is to confirm my verbal acceptance of your resignation.

The court cannot be without a Court Manager for an extended period, and I will need your letter of resignation before I can start the recruitment process. I would hope that there will be some time for overlap to assist with training the new Manager.

Please submit your letter of resignation with your preferred ending date so that we can move forward with a recruitment. Your cooperation for a smooth transition is appreciated.

Sincerely,

Judge Bruce E. Staggs
Benson Justice of the Peace #3

July 26, 2023
Date

cc: John Schow, Court Administrator
Tracey Romero, Judicial Human Resources Director

Staggs, Bruce

From: Aguilera, Claudia
Sent: Thursday, July 27, 2023 8:11 AM
To: Staggs, Bruce
Cc: Schow, John; Romero, Tracey
Subject: RE: Resignation

Judge Staggs,

My official written resignation will be provided when that time comes. For now, I am performing duties as the court manager following the rules you have established.

Thank you,

Claudia Aguilera, CCM
Court Manager

Benson Justice & Municipal Court
126 W. 5th Street, Ste.1., Benson, Az. 85602
☎ 520.586-8108
📠 520.586-8117

From: Staggs, Bruce <bstaggs@courts.az.gov>
Sent: Wednesday, July 26, 2023 8:40 PM
To: Aguilera, Claudia <claguilera@courts.az.gov>
Subject: Resignation

Claudia,

Please see attached.

Judge



Judge Bruce Staggs
Justice of the Peace, JP-3
Magistrate, City of Benson
126 W. 5th Street, Suite #1
Benson, Arizona 85602
(520) 586-8100
(520) 586-8117 fax
bstaggs@courts.az.gov

Exhibit #64

Aguilera, Claudia

From: Romero, Tracey <TRomero@cochise.az.gov>
Sent: Friday, January 14, 2022 4:07 PM
To: Davey, Jennifer; Teran, Mayela; Aguilera, Claudia; MCGoffin, Brooklyn; Valenzuela, Lizet; Brown, Donna
Cc: Poppe, Janus; Vildosola, Alma; Staggs, Bruce; Ward, Trevor; Curfman, Kenneth; Adame, Ruben; Dickerson, Timothy; Flores, Niltza
Subject: RE: Justice Court Manager Position - Change in FLSA Status
Attachments: Change from Non Exempt to Exempt JP Managers.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm sorry, I realized that I had not included the acknowledgement form. Please sign and return to me today.

Thank you, I hope that you have a great weekend!

Tracey Romero, CPM

Judicial Human Resources Director

Arizona Superior Court in Cochise County – Court Administration

P.O. Box 204, Bisbee, AZ 85603

PHONE 520.432.8503 FAX 520.432.5835 tromero@cochise.az.gov

Serving with Pride and Integrity

From: Romero, Tracey

Sent: Friday, January 7, 2022 9:10 AM

To: jdavey@courts.az.gov; Teran, Mayela <mteran@courts.az.gov>; Aguilera, Claudia <claguilera@courts.az.gov>; Brooklyn McGoffin <bmcgoffin@courts.az.gov>; Valenzuela, Lizet <lvalenzuela@courts.az.gov>; Donna Brown <dobrown@courts.az.gov>

Cc: Janus Poppe <jpoppe@courts.az.gov>; 'Vildosola, Alma' <avildosola@courts.az.gov>; Staggs, Bruce <bstaggs@courts.az.gov>; Ward, Trevor <tward@courts.az.gov>; kecurfman@courts.az.gov; Hon. Ruben Adame <radame@courts.az.gov>; Dickerson, Timothy <tidickerson@courts.az.gov>; Flores, Niltza <NFlores@cochise.az.gov>

Subject: Justice Court Manager Position - Change in FLSA Status

Good morning,

Based on recent consultations between Judge Dickerson and our six Justices of the Peace, as well as review of the Justice Court Manager job duties and responsibilities, it has been determined that your position meets the Salary and Administrative Test to be FLSA exempt. This change will take effect at the start of the next pay period on Sunday, January 9, 2022.

This change means that you will no longer earn compensatory leave or overtime for any hours worked above 40 in a work week. In addition, you will no longer be required to clock in/out in ADP. Absences of less than a full day do not

need to be recorded in ADP. However, if you are absent for a full day, you will need to use sick or PTO for your absence that day. If you currently have a compensatory leave balance, it will be paid out.

If you should have any questions related to this change, please do not hesitate to contact me.

Thank you,

Tracey Romero, CPM
Judicial Human Resources Director
Arizona Superior Court in Cochise County – Court Administration
P.O. Box 204, Bisbee, AZ 85603
PHONE 520.432.8503 FAX 520.432.5835 tromero@cochise.az.gov

Serving with Pride and Integrity

January 15, 2025

Judge MR
1/16/25
23-389

Commission On Judicial Conduct
1501 West Washington St., Suite 229
Phoenix, AZ 85007

Re: Case # 123-389

Dear members of the Commission,

I'm in receipt of the Commission's proposed Public Reprimand and am filing a Motion for Reconsideration.

I wish to thank the Commission for allowing me extra time to make my response due to my wife's health.

Regarding Mr. Albert Rahkimov

In my response on March 4, 2024, to the Commission regarding Ms. Aguilera's complaint, I stated on page 7, "*Ms. Aguilera made additional allegations in her Complaint that I am not going to specifically address.*" I did not address giving funds to Mr. Albert Rahkimov, because it did occur and I didn't feel it was necessary to dispute it. I didn't notice at the time that Ms. Aguilera alleged that the monies were given to Mr. Rahkimov in the lobby of the courthouse.

Ms. Aguilera stated in her complaint "*Although, this was an act of kindness displayed by Judge Staggs, I feel it was inappropriate of him to ask staff to help him out with money as we felt obligated to contribute.*"

Due to Mr. Rahkimov's breakdown in the courtroom regarding his situation and informing me he was here on a VISA from Russia, didn't have a job and was not able to feed his family, I felt extreme empathy for him. Following Mr. Rahkimov's entering a not guilty plea, I instructed my criminal clerk privately by leaning down from the bench, to advise Mr. Rahkimov to remain in the courtroom, as that I would be addressing him following the end of the arraignments.

When the arraignments were finished I left the bench. When I checked my wallet, I was dismayed to find out I had only a small amount of cash on my person, as I usually carry more monies. I advised the staff of Mr. Rahkimov's dire situation. They all felt empathy for him. I informed the staff of my intention to assist Mr. Raknimov to feed his family and they thought it was a wonderful idea. I also informed them that I had only a small amount of cash on me and asked them if they wanted to assist by lending me monies to me, that I would immediately go to the bank and pay them back. Every staff member

was enthusiastic about the plan and all checked their monies. To the best of my memory every staff member contributed something except one, who was willing, but didn't have any monies on them. Ms. Aguilera even contributed and praised me for the idea afterwards. The Commission stated: *"Additionally, while none of Judge Staggs' staff who were interviewed stated that they felt coerced to give money, it was improper for the judge to put his staff in that position where they may feel they could not say no his request."* This proves that the staff did not feel "obligated to contribute" as Ms. Aguilera alleges in her complaint, or "coerced" as the Commission stated. One could understand being obligated to contribute if the monies were not paid back, but this wasn't the case. I immediately went to the bank afterwards and refunded the borrowed moneys.

Ms. Aguilera stated: *"I also feel that it was not appropriate to give Mr. Raknimov money in the lobby as it displayed an appearance of impropriety."* This is a totally untrue and hearsay statement. Ms. Aguilera was not even present when the money was given to Mr. Raknimov. Following collecting the monies, I had the clerk in the courtroom call Mr. Raknimov up to the courtroom door that leads to the hallway to my chambers. There were no defendants or other public people in the courtroom. Mr. Raknimov and the criminal clerk were the only people present. I opened the door to the courtroom and with the monies folded in half in my hand, simply shook his hand, and stated: *"Go feed your family"*. Mr. Raknimov started crying again and thanked me repeatedly. I have requested a video of the event to provide proof of what I have written is true, but am informed that due to the limited storage capacity, the video has been over written.

I wish to bring to the Commissions attention that I immediately recused myself from the case upon returning to my chambers so there could be no appearance of impropriety, impartially, bias or prejudice. Judge Kenneth Curfman was assigned the case. I am attaching my recusal, the Order appointing Judge Curfman to the case, the Register of Actions and the Guilty Plea as proof of this. These are labeled as Exhibit #'s 1-4.

Due to recusing myself immediately I do not believe that I violated:

1. Rule 1.2 which states, *"A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judicial, and shall avoid impropriety the appearance of impropriety."*
2. Rule 2.2 which states, *"A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially."*
3. Rule 2.3 (A) which states, *"A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice."*

Rule 1.3 states: *"A Judge shall not abuse the prestige of the judicial office to advance the personal or economic interests of the judge, or others, or allow others to do so."* Even though the economic interests of Mr. Rakhimov was advanced by myself and I did request a temporary loan from the staff, it definitely was not for the gain of myself as a

judge and thus not an abuse of the prestige of the judicial office. The average person would also not consider it an abuse but, I respectfully submit, come to the conclusion of just the opposite.

I know that I acted in good faith. I do not believe that I demeaned the office of a judge by doing it the way that I did. I know that there was no appearance of impropriety to the public, by handing Mr. Rakhimov monies when I shook his hand, because it couldn't be seen and no public were present.

The Arizona Commission on Judicial Conduct, Commission Rules, Rule #2 states: *The purpose of the commission is to administer the judicial discipline and incapacity system established by the constitution. The commission has jurisdiction over judges and former judges concerning allegations of misconduct occurring prior to or during service as a judge and allegation of incapacity during service as a judge.*"

Being retired and no longer a sitting judge, and due to the fact that I no longer have any authority over any person, I reached out to Mr. Rakhimov and informed him that it was being proposed that I be given a Public Reprimand for an allegation that I gave him monies in the lobby of the court in a manner that could be seen by others. Mr. Rakhimov immediately said that this was false and offered to write a statement regarding the truth of the matter. I am attaching his email as Exhibit #5.

It is well know that public trust in the judicial system is at an all time low. The Strategic Agenda 2024-2025 that Justice Timmer has put forth it, addresses this in Section 2., Public Trust and Confidence. While the law is not supposed to make a defendant feel good, if the opportunity to do so presents itself, a judge should make every effort to do so. I know that even though Mr. Rakhimov eventually plead guilty to a charge of shoplifting, he truly appreciates his experience and knows that the process was fair.

The proposed Commissions Reprimand Order, on page 1, paragraph 2, last sentence states: *"After collecting money from staff, Judge Staggs gave this money to Mr. Rakhimov in the courthouse lobby, ..."* and on page 2, paragraph 1, 3rd sentence states: *"The donation was made in the public portion of the courthouse where others could have viewed it and questioned the judge's impartiality"*. I am requesting that should the Commission rule that the Public Reprimand Order stay in place, that this language be corrected to reveal the truth that it wasn't given in the lobby, nor was it viewed by any public.

Regarding Toxic Work Environment

I assert once again that I have **never** created a hostile work environment in my conduct with Ms. Aguilera. I also assert that I have never retaliated against Mr. Aguilera. I have previously supplied multiple documents in my response to the Complaint that this never

occurred. Ms. Aguilera's vision of the court, and my vision, were never the same. Ms. Aguilera is the one that created the challenges in the court by not following the legal, moral and ethical directives that I gave as the elected official and as the Department Head. In my ten year tenure I have never written up an employee. This was mostly due to the fear of retaliation from staff, due to the tone that previous staff had set. When I made a decision that discipline was warranted with Ms. Aguilera, I followed the correct procedures by involving the Cochise Civil Counsel, Christine Roberts, the Judicial HR Director, Tracey Romero and the Cochise County Superior Court Deputy Administrator. Niltza Flores. All agree that action was warranted. All agreed that placing Ms. Aguilera on a two week suspension, followed by a one hundred eighty day Special Observation, was appropriate. There was no retaliation as Ms. Aguilera claims.

The proposed Commissions Reprimand Order, on page 1, paragraph 1, states: "*The Complainant alleged a justice of the peace maintained a toxic work environment ...*"

In the Complaint Ms. Aguilera never alleged a "*toxic work environment*" as the Commission has stated in the proposed Public Reprimand Order. On multiple occasions in her Complaint, Ms. Aguilera alleged a "*hostile work environment*", however Ms. Aguilera never alleged a "*toxic work environment*".

Ms. Aguilera and I had had communication challenges for a long period of time due to a different vision for the court. I reached out to by Superior Court Administrator, John Schow, for assistance and advice. He agreed to council with us and actually started coming to the Benson Justice Court on a weekly basis, to sit down with us and give us pointers for effective communication. He gave us books to read and assignments to complete which we went over with him each week. Mr. Schow suggested I purchase the 678 page book, "The Leadership Challenge", which I did and read and then discussed with him. Mr. Schow suggested that Ms. Aguilera and I meet weekly for a meeting dedicated solely for her to discuss what she needed as a Court Manager to effectively fulfill her duties. Ms. Aguilera attended these meetings until Mr. Schow quit having week meetings with us, feeling it wasn't necessary. I discussed this on page five on my previous March 4, 2024, answer to the Commission

The Commission has given me previous reprimands citing a hostile work environment following former employees filing complaints when they have left the court. To disprove this I requested that the Commission interview my entire staff. When no action was taken on the part of the Commission I arraigned with Mr. Schow to interview my staff. When the Commission learned of this, an interview was conducted by Ms. April Elliott with my staff, with Mr. Schow present. While Mr. Schow stated that he could not inform me specifically as to what the staff stated, he said that he felt that there was no evidence that I was creating a hostile work environment.

I am requesting that this misleading language of a “toxic work environment” be corrected to reveal the correct language of Ms. Aguilera’s allegations.

Regarding Delaying Further Action

I am requesting the Commission make a final ruling on all the allegations of this Complaint. Ms. Aguilera made her Complaint on October 4, 2023. The Commission interviewed the entire staff in early January of 2024, with exception of the new Court Manager, Sheri Minker, who could have shared personal knowledge of the detrimental conduct of Ms. Aguilera. The Commission has placed enormous stress on me for over a year by delaying a ruling, and then finally making a ruling, following being made aware of my resignation due to the health of my wife. I feel that it is unconscionable and not within the spirit of the Judicial Code Of Conduct, nor in the interests of justice, to have delayed ruling for an entire year and, now delaying any further ruling for an indefinite period of time. Every person has the right to a speedy trial process.

In closing, I want of reiterate that I followed all the proper procedures for discipline against Ms. Aguilera. This discipline was sanctioned by the Cochise County Civil Attorney, the Cochise County HR Manager and the Cochise County Superior Court Deputy Administrator.

In closing I am also requesting, in the interest of justice, per Judicial Conduct, Commission Rules, Rule 9, (c) (1), that should my Motion for Reconsideration be denied and a Public Reprimand be imposed, that my Motion for Reconsideration be made public.

Respectfully,

Judge Bruce Staggs, Emeritus

Exhibit #1

Judge Bruce E. Staggs
Justice of the Peace
Benson Justice Court #3
(520) 586-8100
Fax: (520) 586-8117



126 W. 5th Street
Suite #1
Benson, AZ 85602
BensonJusticeCourt@courts.az.gov

DATE: 06/07/2023

CASE NO. : CM2023 000 148

STATE OF ARIZONA
PLAINTIFF

ATTORNEY

ALBERT RAKHIMOV
DEFENDANT

ATTORNEY

ORDER

- | | COUNSEL FOR THE DEFENDANT OR THE DEFENDANT HAVING FILED A NOTICE OF CHANGE OF JUDGE.
- | | COUNSEL FOR THE STATE HAVING FILED A NOTICE OF CHANGE OF JUDGE.
- | | COUNSEL FOR THE PLAINTIFF OR PLAINTIFF HAVING FILED A NOTICE OF CHANGE OF JUDGE.
- | | THE COURT HAVING RECUSED ITSELF FOR CAUSE.
- | | MOTION OF CHANGE OF JUDGE; MOTION FOR JURY TRIAL; RESPONSE TO REQUEST FOR JURY TRIAL.
- | | IT IS ORDERED TRANSFERRING THIS CASE TO COURT ADMINISTRATION FOR REASSIGNMENT.
- | | THE HEARING / TRIAL DATE OF _____ IS HEREBY VACATED AND WILL BE RESCHEDULED AFTER REASSIGNMENT.
- | | THE HEARING / TRIAL DATE OF _____ HAS BEEN SET.
- | | THE HEARING / TRIAL DATE HAS NOT BEEN SET.

Judge Bruce E. Staggs *(Signature)*
Benson Justice of the Peace #3

03-04-2022

COCHISE COUNTY SUPERIOR COURT
OFFICE OF THE COURT ADMINISTRATOR

STATE OF ARIZONA, -vs- ALBERT RAKHIMOV,	Plaintiff, Defendant.	ORDER RE: REASSIGNMENT OF JUDGE	CASE NO: CM2023000148 Justice Court #3
---	------------------------------	---------------------------------------	--

Pursuant to Administrative Order No. 2022-034, In Re: Regular and Special Assignments of Judges, the HONORABLE BRUCE STAGGS recuses itself, AND a referral to the Court Administrator's office for reassignment,

This case is reassigned to the Honorable KENNETH CURFMAN, Justice Court Precinct Five, for all further proceedings.

PREVIOUS PRECINCTS: JP3 (Recusal)

DATED: June 8, 2023 (ss)

DISTRIBUTED: S.S.
Xc: Sierra Vista Justice Court (e)
Benson Justice Court (e)
Deputy County Attorney (e)
Albert Rakhimov, arakhimov548@gmail.com (e)
Court Admin/Case Mgmt. (e)

Exhibit #3

Date	Time	T Party	T A Y Description	T Comment	T Session D	T User ID	T Charge	T Y Loc
08/14/2023	03:00 PM	WALMART STORE	Disbursement # 86637 made for the amount of \$ 117.37	RESTITUTION FROM ALBERT KARKHNOV				
08/10/2023	10:04 AM	KARKHNOV ALBERT	Receipt# P06027874 generated for the amount of \$ 553.17				CLAGIN P RA	
08/10/2023	09:48 AM	KARKHNOV ALBERT	Receipt# 157323 suspended for \$4000 DCF DID NOT NEED PAYMENT CONTRACT WILL PAY 2% FULL TODAY				SHANAWA C	
08/10/2023	08:48 AM	KARKHNOV ALBERT	Payment Contract# PC4487-1 Terminated				DOUGLAS	
08/10/2023	08:44 AM	KARKHNOV ALBERT	Receipt# Receipt# generated for amount \$330				DOUGLAS	
08/10/2023	08:33 AM	KARKHNOV ALBERT	Contract# PC4487-1 created for the amount of \$ 556.37				DOUGLAS	12-1806A1 (M1) (1)
08/10/2023	08:33 AM	KARKHNOV ALBERT	TRF Approved			08/10/2023	DOUGLAS	
08/10/2023	07:24 AM	KARKHNOV ALBERT	Receipt# Receipt# generated for amount \$114.21				DOUGLAS	
08/10/2023	09:23 AM	KARKHNOV ALBERT	DISPOSITION SET 44-CHARGE ISSUED BY PROSECUTOR (DATE: 08/10/2023)				DOUGLAS	03-1806A1 (M1) (1)
08/10/2023	05:23 AM	KARKHNOV ALBERT	PLEA ENTERED	Plea Event- Case Worksheet			DOUGLAS	03-1806A1 (M1) (1)
08/10/2023	09:23 AM	KARKHNOV ALBERT	Case Level Fee/Fines Receivable 157318 generated for amount \$25.80				DOUGLAS	03-1806A1 (M1) (1)
08/10/2023	09:23 AM	KARKHNOV ALBERT	DISPOSITION SET 11-PLEA GUILTY/BSF SENT IMPOSED (DATE: 08/10/2023)				DOUGLAS	
08/10/2023	09:23 AM	KARKHNOV ALBERT	Fee/Fines Receivable 157317 generated for amount \$40				DOUGLAS	03-1806A1 (M1) (1)
08/10/2023	09:18 AM	WALMART STORE	WALMART CREDIT Allowed as Party on 8/10/2023 9:18:38 AM				DOUGLAS	03-1806A1 (M1) (1)
08/10/2023	09:18 AM	KARKHNOV ALBERT ET AL	HEARING HELD				DOUGLAS	
08/10/2023	09:08 AM	KARKHNOV ALBERT	APPEARANCE	DEFENDANT, JUDGE CLIFMAN, AND INTERPRETER V. MITCHELL ARE PRESENT FOR THE SENTENCING AND PLEA AGREEMENT ON THE RECORD.			DOUGLAS	12-1806A1 (M1) (1)
08/10/2023	04:03 PM	KARKHNOV ALBERT	ARREST RECORD FILED				DOUGLAS	12-1806A1 (M1) (1)
07/18/2023	03:46 PM	KARKHNOV ALBERT ET AL	SENTENCING SCHEDULED ON 08/10/2023 AT 9:00AM IN COURT ROOM	MAILED AND EMAILED TO DEF			DOUGLAS	
07/18/2023	03:44 PM	KARKHNOV ALBERT ET AL	HEARING HELD				DOUGLAS	12-1806A1 (M1) (1)
07/13/2023	11:15 AM		CORRESPONDENCE	THE DEFENDANT RETURNED FINGERPRINT ORDER ON 07/13/2023			DOUGLAS	12-1806A1 (M1) (1)
07/11/2023	12:01 PM		ORDER	FINGERPRINT ORDER			REARNEY	
07/11/2023	12:00 PM		PLEA AGREEMENT FILED				DOUGLAS	
07/11/2023	12:00 PM		PLEA AGREEMENT FILED				DOUGLAS	12-1806A1 (M1) (1)
06/08/2023	11:08 AM		JUDGE REASSIGN - RECUSAL	JUDGE CURFMAN HAS BEEN ASSIGNED			REARNEY	
06/07/2023	12:29 PM		JUDGE REASSIGN - RECUSAL	RECUSAL REQUESTED			REARNEY	
06/07/2023	09:57 AM	KARKHNOV ALBERT	MISCELLANEOUS	SPEDDY TRIAL DATE			REARNEY	12-1806A1 (M1) (1)
06/07/2023	09:57 AM	KARKHNOV ALBERT	PLEA ENTERED	Plea Event- Case Worksheet			REARNEY	12-1806A1 (M1) (1)
06/07/2023	09:57 AM	KARKHNOV ALBERT	PLEA ENTERED	Plea Event- Case Worksheet			REARNEY	12-1806A1 (M1) (1)
06/07/2023	09:55 AM	KARKHNOV ALBERT ET AL	PRETRIAL CONFERENCE SCHEDULED ON 07/11/2023 AT 10:00AM IN COURT ROOM				REARNEY	12-1806A1 (M1) (1)
06/07/2023	09:42 AM	KARKHNOV ALBERT	APPEARANCE	COURT CONVENEED, JUDGE STAGGS PRESIDING, THE DEFENDANT APPEARED IN PERSON FOR ARRANGEMENT, WE HAD A RUSSIAN INTERPRETER ON THE TELEPHONE TO INTERPRET THE HEARING, THE DEFENDANT WAS READ THE CHARGES, ADVISED OF RIGHTS AND WAIVED COUNSEL, THE DEFENDANT ENTERED A NOT GUILTY PLEA, CASE SET FOR PTC ON 07/11/2023 AT 10 AM, PRETRIAL SERVICES REQUESTED			REARNEY	12-1806A1 (M1) (1)
06/07/2023	09:38 AM	KARKHNOV ALBERT ET AL	HEARING HELD				REARNEY	12-1806A1 (M1) (1)
06/03/2023	03:48 PM	KARKHNOV ALBERT ET AL	ARRAIGNMENT SCHEDULED ON 06/07/2023 AT 9:00AM IN COURT ROOM				REARNEY	12-1806A1 (M1) (1)
06/02/2023	03:46 PM	KARKHNOV ALBERT ET AL	CITATION FILED				REARNEY	12-1806A1 (M1) (1)
06/02/2023	03:43 PM	KARKHNOV ALBERT	FINGERPRINT TICKLER				REARNEY	12-1806A1 (M1) (1)

<u>State Of Arizona</u> Plaintiff VS <u>ROSSIAN RAKHIMOV</u> Defendant	CASE NUMBER: <u>CM2023-000148</u>	PLEA AGREEMENT
--	---	-----------------------

The Defendant agrees to plead GUILTY (Criminal) to the following offense(s):

Count A ARS§13-1805A1 SHOPLIFTING [X] Misdemeanor Class 1

Count __ ARS§ _____ [] Civil [] Misdemeanor Class ____ [] Amended

On the following understandings, terms and conditions:

1. The Defendant agrees to a sentence of:

Fines Count A ~~\$606.00~~ Count __ \$ _____ Count __ \$ _____

Restitution: \$117.37 or Restitution Hearing to be scheduled.

DUI _____ days jail with _____ days to be suspended upon completion of counseling.

Alcohol Drug Domestic Violence counseling to be completed 2 9 months.

With \$ _____ suspended upon successful completion of the additional terms of sentencing.

Other: _____

FINAL TERMS OF SENTENCING MAY INCLUDE ADDITIONAL ADMINISTRATIVE FEES AS ASSESSED BY THE JUDGE, SUCH AS, COURT SECURITY FEES, TIME PAYMENT FEES, WARRANT FEES, ATTORNEY'S FEES OR JAIL FEES.

2. The following charge is dismissed, or if not yet filed, shall not be brought against the Defendant.

Count B ARS§13-1805A5 SHOPLIFTING/CONCEALMENT [X] Misdemeanor Class 1

Count __ ARS§ _____ [] Civil [] Misdemeanor Class ____

Count __ ARS§ _____ [] Civil [] Misdemeanor Class ____

3. This agreement, serves to **AMEND** the complaint, indictment, or information to charge the offense to which the defendant pleads, without the filing of any additional pleading. If the plea is rejected by the court or withdrawn by either party, or if the conviction is subsequently reversed, the original charges and any charges that are dismissed by reason of this plea agreement are automatically reinstated

4. Unless this plea is rejected by the court or withdrawn by either party, the Defendant hereby waives and gives up any and all motions, defenses, objections or requests which he or she has made or raised, or could assert hereafter, to the court's entry of judgment against him or her and imposition of a sentence upon him or her consistent with this agreement. The Defendant acknowledges by entering this agreement he or she will have no right to direct appeal (ARS 13-4033) and the only available review is pursuant to Rule 32, Rules of Criminal Procedure.

5. If the court decides to reject the proposed sentencing in the plea agreement after accepting the Defendant's plea, it must give each party an opportunity to withdraw from the plea.

6. If the court decides to reject the plea agreement provisions regarding sentencing and neither the State nor the Defendant elects to withdraw the plea agreement, then any sentence either stipulated to or recommended herein is not binding upon the court, and the court is bound only by the sentencing limits set forth in the applicable statutes.

8/12/23
KJ

7. I understand that if I am not a citizen of the United States, my decision to go to trial or enter into a plea agreement may have immigration consequences. Specifically, I understand that pleading guilty or no contest to a crime may affect my immigration status. Admitting guilt may result in deportation even if the charge is later dismissed. My plea or admission of guilt could result in my deportation or removal, could prevent me from ever being able to get legal status in the United States, or could prevent me from becoming a United States citizen. I understand that I am not required to disclose my legal status in the United States to the court.

8. I have read and understand the provisions of all pages of this agreement. I have discussed the case and my constitutional rights with my attorney if I have one. I understand that by pleading (guilty) (no contest) I will be giving up my right to a determination of probable cause, to a trial either by jury or by a judge, to confront, cross-examine, and compel the attendance of witnesses, to present witnesses on my behalf, my right to remain silent, my privilege against self-incrimination, the presumption of innocence and right to direct appeal. I agree to enter my plea as indicated above on the terms and conditions set forth herein. I fully understand that, as part of this plea agreement, if I am granted probation by the court, the terms and conditions thereof are subject to modification at any time during the period of probation. In the event that I violate any written condition of my probation, I understand that if I violate any of the written conditions of my probation, my probation may be terminated, and I can be sentenced up to the maximum term.

Benson Justice
SIERRA VISTA JUSTICE COURT PRECINCT NO. 5 ³

State of Arizona vs. <i>Rossian Rakhimov</i> Defendant	Case No. <i>CM-2023-000148</i>	Plea Agreement Acceptance
---	---------------------------------------	------------------------------

[Signature] The Defendant acknowledges that he/she has fully read and understands the plea agreement.
[Signature] Defendant wishes to give up his/her constitutional rights after having been advised of them.
[Signature] A basis in fact exists for believing the defendant is guilty of the offenses charged.
[Signature] The plea is voluntary and not the result of force, threat, or promises other than those contained in the plea agreement.
[Signature] The defendant may file a Rule 33 petition for post-conviction relief and if denied may file a petition for review.

On the basis of these findings, I conclude that the defendant knowingly, voluntarily, and intelligently pleads: Guilty/No Contest to the charge(s) written stated in the plea agreement, and I accept this plea.

8/10/23
 Date

[Signature]
 Judge

I certify that the Judge personally advised me of the nature of the charges, the range of penalties, and my constitutional rights as indicated above. I understand the constitutional rights which I give up by entering this plea, and I desire to plead guilty or no contest as indicated above. I desire to proceed without an attorney, or if represented, my attorney's signature appears below.

Assigned defense counsel _____ is relieved of any further responsibility in the above listed cases.

 Defendant

 Defense Counsel

Exhibit #4E

BENSON JUSTICE COURT #3 126 W. 5TH ST. STE #1 BENSON, AZ 85602 (520) 586-8100

STATE OF ARIZONA Plaintiff VS <i>Rossian</i> ALBERT RAKHIMOV Defendant	CASE NO. <u>CM2023 000 148</u>	JUDGMENT OF GUILT AND SENTENCE ORDER
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Defendant's date of birth: 05/10/1965 Prosecutor: Ann Roberts Defendant's counsel: N/A

- The Defendant knowingly, voluntarily, and intelligently waived the right to counsel after having been fully apprised of his/her right to counsel.
- The Defendant knowingly, voluntarily, and intelligently waived his/her right to a trial, with or without a jury, the right to cross examine witnesses, the right to testify or remain silent and the right to present evidence and call his/her own witnesses after having fully been advised of these rights. Immigration warning has been read to the Defendant.

- On this date the Defendant was convicted of the following:
1. ARS 13-1805A1 - Shoplifting Civil Misdemeanor Class \$ 400.00 Fine Amount
 2. ARS Civil Misdemeanor Class \$.00
 3. ARS Civil Misdemeanor Class \$.00

The conviction was obtained by:
 Guilty Plea No Contest Plea Change of Plea Bench Trial Jury Trial Civil Plea

- IT IS ORDERED that the Defendant is sentenced as follows:
- Fine: \$ 400 Restitution: \$ 117.37 Suspension fee: \$ 100.00 FTA warrant fee: \$100.00 \$125.00
- Security Fee: \$ 35.80 Time fee: \$ 20.00 Justice Court fee: \$ 20.00 Court appointed attorney fee: \$ 200.00 IDC \$ 25.00
- Jail Time: 10 day's 0 day's credit for time served 0 day's suspended upon successful completion of counseling
- Prison Fee \$500.00 Public Safety Fee \$500.00 Jail costs 1st day: \$ 318.06 Jail costs: 2nd day (\$61.91 per day) \$ 0
- Court Fees Jail fee Attorney fee Warrant fee Fees are suspended In the interest of justice per Plea Agreement
- Payment Order amount: \$ 0 Payment Order due in full on: / / Defendant paid \$ 0 on: / /
- DV counseling required 26 36 52 sessions. To be completed within 9 months Set compliance review hearing in 1 month
- Must provide proof of screening appointment within 5 business days. Failure to obey will result in Failure to Comply warrant being issued
- Complete DU/Drug counseling within 2 months Set compliance hearing for: Fines Restitution Counseling Screening
- \$ 0 of fine/sanction is suspended based on the following condition(s): 0

Other: _____

Judge: _____

Defendant: _____

8/10/23
Date

8/10/23
Date

Defendant fingerprint is mandatory pursuant to ARS 13-607A. I certify that the Defendant's fingerprint was permanently affixed to this document at the time of sentencing and in open Court. Clerk: _____

Fingerprint - right index finger

I certify that this above was () Handed () Mailed () E-mailed

Defendant's () Defendant's Counsel () Prosecution _____ Clerk

03-09-2023

3 Reason

COCHISE COUNTY JUSTICE COURT PRECINCT 5 <u>SIERRA VISTA</u> ARIZONA		
State of Arizona, Plaintiff, <i>Albert Rossian Rakhimov</i> Defendant. Date of Birth: <u>5/10/65</u>	Case Number <u>CM-2023-100148</u>	JUDGMENT AND SENTENCE ORDER

- The state is represented by Ann Roberts
- The defendant is present with counsel
- The defendant is present without counsel.
- WAIVER OF COUNSEL:** The defendant knowingly, intelligently, and voluntarily waived his/her right to be represented by counsel after being advised of the right to be represented by counsel including the right to have counsel appointed free of charge if the defendant is indigent.
- WAIVER OF JURY TRIAL:** The defendant knowingly, intelligently, and voluntarily waived his/her right to a trial by jury after having been advised of his/her right to same. The determination of guilt was based upon a trial to the court.
- WAIVER OF TRIAL:** The defendant knowingly, intelligently, and voluntarily waived his/her right to a trial with or without a jury, his/her right to confront and cross examine witnesses, his/her right to testify or remain silent, and his/her right to present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilty was based upon plea of guilty/no contest.
- JURY VERDICT:** The determination of guilt was based upon a verdict of guilty after a jury trial.
- BENCH TRIAL VERDICT:** The determination of guilt was based upon a trial to the court.

I CERTIFY THAT THE DEFENDANT'S FINGERPRINT WAS PERMANENTLY AFFIXED TO THIS DOCUMENT AT THE TIME OF SENTENCING AND IN OPEN COURT.



Date: 8/10/23 Judge's Signature _____

RIGHT FOREFINGER FINGERPRINT

Exhibit #5

From: Albert Rakhimov

Subject:

Date: January 9, 2025 at 10:32 PM

To: bruce@brucestaggs.com

RA

Dear Judicial Commission, My name is Albert Rakhimov. Judge Staggs informed me that a complaint had been filed against him for the compassion and sympathy he showed me when I appeared before his court at a desperate time in my life. When I appeared before the court, I was mentally and psychologically destroyed, confused and scared. And it was a really difficult time in my life and the life of my family. After Judge Staggs explained everything to me, I entered a plea of not guilty. After I signed the necessary forms, the court official told me to sit down and wait while Judge Staggs finished other official business. When Judge Staggs finished the proceedings, he left the courtroom and I sat in the courtroom for about 10 minutes until he returned. He opened the door behind where the clerk was sitting and motioned for me to come to the door. He shook my hand and said, "This is for you so that you can feed your family." I felt the money in his hand. I thanked him over and over again for his kindness. At that moment, there was no one else in the courtroom except Judge Staggs and one employee. That little bit of money helped me a lot at that time in my life and I am very grateful to him for that! If all people were like Judge Staggs, America would become an even greater and more powerful country! If you punish people for kindness and mercy, what can it lead to in the end? To chaos in the worldview and distortion of concepts of biblical values. Many empires have collapsed for these reasons... This is my personal opinion and I ask the Esteemed Commission to consider this in favor of Judge Staggs. Thank you in advance! With respect! Albert Rakhimov

Copies of this document were delivered on January 16, 2025, via electronic mail, to:

Hon. Bruce E. Staggs, Respondent
bruce@brucestaggs.com

Brian A. Bohan, Disciplinary Counsel
bbohan@courts.az.gov

By: /s/ Kim Welch
Kim Welch, Commission Clerk

Brian A. Bohan (Bar # 014342)
Disciplinary Counsel
Arizona Commission on Judicial Conduct
1501 West Washington Street, Suite 229
Phoenix, AZ 85007
Telephone: (602) 452-3200
Email: *bbohan@courts.az.gov*

STATE OF ARIZONA
COMMISSION ON JUDICIAL CONDUCT

Inquiry concerning)	
)	Case No. 23-389
Judge Bruce E. Staggs)	
Cochise County Justice Court)	RESPONSE TO JUDGE'S
Precinct 3 (Benson))	MOTION FOR
State of Arizona)	RECONSIDERATION
)	
Respondent)	

On October 28, 2024, the Commission on Judicial Conduct (Commission) publicly reprimanded Judge Bruce E. Staggs (Respondent) for violations of the Arizona Code of Judicial Conduct (Code). Respondent received an extension of time to file a Motion for Reconsideration, which was filed on January 16, 2025. Undersigned submits this response as directed pursuant to Commission Rule 23(b), respectfully requesting that the Commission deny the motion.

EVIDENTIARY LIMITATIONS FOR CHALLENGING THE REPRIMAND

Commission Rule 23(b)(1) states that “[a]bsent extraordinary circumstances, the Commission will only consider factual information and evidence provided to it before the date of the disposition order.” In the Motion for Reconsideration, Respondent noted that he chose not to “specifically address” certain allegations made by the Complainant

Claudia Aguilera in his initial response to the Commission dated March 4, 2024. The conduct regarding litigant Albert Rakhimov that formed the basis of the reprimand was not addressed by Respondent at all in his initial response. However, now in the Motion for Reconsideration, Respondent spends three pages addressing this conduct and taking issue with factual findings made by the Commission. Respondent does not set forth any “extraordinary circumstances” that would justify his failure to address the conduct previously. He chose not to do so, and his silence was treated as an admission. Rule 23(b)(1) should preclude him from coming forward now with new factual information and evidence.

However, in the event that the Commission does choose to find extraordinary circumstances to consider Respondent’s new evidence, the Commission should be aware of additional evidence that was recently submitted to the Commission by the Complainant, the former court manager for Respondent’s court. Although Complainant no longer works at the court, employees from that court have contacted her to advise that Respondent recently distributed a “questionnaire” to the staff inquiring as to his character, whether he created a “toxic work environment,” and whether prior CJC complaints were warranted. Complainant claims the staff feel they have still been put in an uncomfortable position by Respondent, despite the fact that he has resigned, to the extent that they have reached out to the Complainant to vent their frustrations. Purportedly, Respondent still expects to have the same judge privileges even though he is no longer a judge there, and told staff that he would still be working there, but for Ms. Aguilera’s complaint.

OPTIONS FOR CHALLENGING THE REPRIMAND

Commission Rule 23(b) sets forth the options by which either a complainant or a respondent judge may seek review of an informal disposition order. Either the complainant or respondent judge may file a motion for reconsideration within fifteen days of the date of the disposition order. Additionally, Rule 23(b)(2) offers only the respondent judge the option to file for a formal hearing, consistent with Rules 24-29, which generally govern formal proceedings. At a formal hearing, Disciplinary Counsel would be required to call witnesses and present evidence, and Respondent would be entitled to cross-examine those witnesses and present evidence in his own defense.

Respondent has specifically chosen to file a motion for reconsideration, thus waiving his right to a formal hearing, and all processes associated with a formal hearing. Therefore, Respondent's request that all remaining allegations and issues be brought to a conclusion is moot in light of the relief Respondent requested.

GOOD CAUSE EXISTS FOR THE IMPOSITION OF THE REPRIMAND

The Commission does not impose public discipline lightly. The Commission considered all relevant information and found that Respondent had violated the Code for the conduct set forth in the reprimand order. This was not a blanket adoption of all the Complainant's allegations raised in the complaint. The Commission factored in that Respondent was afforded notice and opportunity to be heard on all allegations. As noted, the Motion for Reconsideration addresses for the first time, Respondent's version of the allegations related to Mr. Rakhimov's case and the solicitation of cash from court employees to give to this litigant. Respondent **admits** in his Motion for

Reconsideration that in his response to the Commission, **“I did not address giving funds to Mr. Albert Rakhimov, because it did occur and I didn’t feel it was necessary to dispute it.”** (emphasis added). The Motion also spends time addressing allegations of a toxic work environment, even though the reprimand does not specifically make findings of such an environment.

Factors Supporting a Sanction

The Scope section of the Code sets forth several factors for the Commission to consider in determining whether a sanction is appropriate in a particular case. These factors are the seriousness of the transgressions, the facts and circumstances existing at the time of the transgression, the extent of any pattern of improper activity or previous violations, and the effect of the improper activity upon the judicial system or others. On balance, these factors support the issuance of the reprimand.

The reprimand addresses Respondent’s conduct surrounding asking his staff to provide cash to a litigant who was down on his luck. The public must have confidence in the independence, integrity, and impartiality of the judiciary. Respondent’s conduct in giving a litigant cash tarnishes that confidence, regardless of the physical location in the courthouse where the actual cash transfer occurred. Respondent’s actions went beyond that of a neutral arbiter. While a judge may feel sympathy for a litigant, they have a duty to remain impartial, and they cannot allow such sympathy or compassion to engage in conduct, such as Respondent did here, that can cause the public to question their impartiality. Additionally, Respondent took the added step of asking his staff to provide him with cash, when he did not physically have the cash on him. The

reprimand order specifically noted that while no staff member stated they felt coerced, a judge must recognize that a power imbalance exists at all times between the judge and his subordinate staff, such that they may feel reluctant to deny the judge's request. Respondent clearly failed to recognize this in the past, and from the contents of his Motion for Reconsideration, still fails to recognize the power dynamics inherent in the role of judge. This failure is evident from much of the conduct that formed the basis of Respondent's prior discipline with the Commission.

Respondent shows through his actions that, even now, he does not see the inherent power he holds over his employees, and how they are not truly free to act or speak when they are his subordinates. Asking them to respond to a questionnaire, which presumably would be returned to him, demonstrates the lack of understanding of the position his subordinates are in. Putting them in the awkward position of rating their superior is similar to the awkward position of being asked by the judge to give money to the judge for a homeless person. A simple analogy would be the archetypal question "does this dress make me look fat?" No matter the reasons, the question is perilous to the person who is expected to answer the question. It does not matter how noble the cause, or where in the courthouse the money was given. The question itself, especially in a workplace setting, is an undeniable use of his position of power to advance the economic interest of another – a clear violation of the Code. Respondent's letter from the homeless man, Respondent's dispute of the location where the money was given, Respondent's attempts to prove, by questionnaire, that he did not have a toxic environment, all demonstrate that he does not understand. His continued blame

shifting to Complainant, even when each of the disputed allegations were dropped, further shows his character and lack of understanding.

Thus, the transgressions are serious and are part of a larger pattern of Respondent's unwillingness or inability to truly understand his prior role as judge. This is Respondent's fifth public reprimand. In addition, early on, Respondent had two warnings and an advisory. In the past, the Commission had hoped that the imposition of public discipline would protect the public "by assuring that the judge will refrain from similar acts of misconduct in the future." See Commission Rule 5 (Purpose of Judicial Discipline). The Commission contemplated formal charges against Respondent in the past. The Commission also contemplated formal charges here, along with further investigation raised by other allegations in the complaint. However, the Commission gave significant weight to Respondent's resignation in declining to file such charges or pursue additional investigation, considering the limited resources of the Commission, and that Respondent would no longer be serving as a full-time judicial officer and exercising supervisory authority over staff. The Commission did reserve the right to revisit the additional allegations if necessary.

Aggravating and Mitigating Factors

Rule 19 of the Commission Rules sets forth 10 aggravating and mitigating factors for the Commission to also consider.

Nature, Extent and Frequency of the Misconduct: Respondent's conduct here in giving cash to a litigant appears to be an isolated incident. However, his request that staff provide him the cash is part of a larger pattern of misuse of Respondent's power

as a judicial officer. Given that aspect, more weight is given to this being an aggravating factor.

Judge's Experience and Length of Service on the Bench: Respondent was elected in 2014, and his first term began January 1, 2015. He served for nearly 10 years as a judicial officer and should be well-versed on the Code. His numerous involvements with the Commission suggest he should be aware of his responsibilities under the Code. Undersigned deems this an aggravating factor.

Whether the Conduct Occurred in the Judge's Official Capacity or Private Life: The conduct occurred in Respondent's official capacity, and undersigned deems this an aggravating factor.

Nature and Extent to Which the Acts of Misconduct Injured Other Persons or Respect for the Judiciary: Respondent's conduct tarnished the public confidence in the impartiality of the judiciary, and his conduct put court staff in an untenable position. Issues with staff can impact the public's perception and respect for the judiciary, and casts the judiciary in a negative light. This is an aggravating factor.

Whether and to What Extent the Judge Exploited His or Her Position for Improper Purposes: Undersigned does not deem this factor applicable.

Whether the Judge has Recognized and Acknowledged the Wrongful Nature of the Conduct and Manifested an Effort to Change or Reform the Conduct: Respondent's Motion for Reconsideration in which he addressed the allegations for the first time shows that he does not acknowledge the wrongful nature of his conduct. His challenge to the location of where the money was given, or how thankful the man was to receive

the money, or how the staff might report in a questionnaire that he did not create a toxic work environment reinforces his lack of understanding. This is an aggravating factor.

Whether There Has Been Prior Disciplinary Action Concerning the Judge, and if so, its Remoteness and Relevance to the Present Proceeding: Respondent has received four public reprimands in the past. This is an aggravating factor.

Whether the Judge Complied with Prior Discipline or Requested and Complied with a Formal Ethics Advisory Opinion: Undersigned does not deem this factor as applicable.

Whether the Judge Cooperated Fully and Honestly with the Commission in the Proceeding: While Respondent may have a different perception of the events surrounding the allegations in the complaint, and failed to initially address these allegations in his response to the Commission, undersigned does not believe that he intentionally deceived or mislead the Commission. This is a mitigating factor, although the Code itself requires judges to cooperate with the Commission, and the undersigned is not sure why this is considered a mitigating factor under our rules.

Whether the Judge was Suffering from Personal or Emotional Problems, or from Physical or Mental Disability or Impairment at the Time of the Misconduct: This was not raised as a defense by Respondent, and undersigned does not deem this factor applicable to this case.

While the aggravating factors clearly outweigh the mitigating factors numerically, the Commission is free to assign whatever weight it chooses to the factors.

Given the nature of the conduct, Respondent's experience, Respondent's prior disciplinary history, and the injury to the public perception of the judiciary, undersigned argues that the overall balance is in favor of upholding the sanction.

CONCLUSION

For the reasons set forth above, undersigned requests the Commission affirm the imposition of the public reprimand issued on October 28, 2024.

Dated this 31st day of January 2025.

COMMISSION ON JUDICIAL CONDUCT

Brian A. Bohan
Disciplinary Counsel

A copy of this document was served via U.S. mail and electronically on January 31, 2025, to:

Hon. Bruce E. Staggs, Respondent
P. O. Box 176
Saint David, AZ 85630
bruce@brucestaggs.com

By: /s/ Kim Welch
Kim Welch, Commission Clerk

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 23-389

Judge: Bruce E. Staggs

Complainant: Claudia Aguilera

**ORDER DENYING RESPONDENT JUDGE'S
MOTION FOR RECONSIDERATION**

The respondent judicial officer filed a Motion for Reconsideration of the Commission's reprimand decision as set forth in its previous order. Pursuant to Commission Policy 23, disciplinary counsel was requested to file a response to the motion, and did so.

On March 14, 2025, the Commission denied the Motion for Reconsideration. As provided in Commission Policy 23, the respondent judicial officer's Motion for Reconsideration, disciplinary counsel's response, and this Order denying the Motion for Reconsideration shall be made a part of the record that is posted to the Commission's website with the other public documents (the Complaint, the judicial officer's response and the Reprimand Order).

Commission members Roger D. Barton and Colleen E. Concannon did not participate in the consideration of this matter.

Dated: April 2, 2025

FOR THE COMMISSION

/s/ Christopher P. Staring
Hon. Christopher P. Staring
Commission Chair

Copies of this order were distributed to all appropriate persons on April 2, 2025.