

THE STATE BAR OF ARIZONA BOARD OF GOVERNORS' ANTI-DISCRIMINATION, HARASSMENT AND RETALIATION POLICY

It is the policy of the State Bar of Arizona that State Bar members, volunteers and staff are entitled to a professional and safe atmosphere free from discrimination, harassment, and retaliation. In support of this commitment, the State Bar prohibits unlawful discrimination, harassment, including sexual harassment, and retaliation while interacting with State Bar staff, Governors, volunteers, members, or while participating in State Bar Programs.

ANTI-DISCRIMINATION POLICY

In general, unlawful discrimination is a failure to treat people equally if the motivation for treating a person differently is based, at least in part, on a status protected under applicable law or policy.

The State Bar expressly prohibits any form of unlawful discrimination against State Bar members, Governors, employees, volunteers, consultants, vendors, or other individuals because of their race, color, religion, sex, national origin, citizenship, veteran status, age, physical or mental disability, or other impairment, marital status, sexual orientation, gender identity or expression, genetic information or any other consideration made unlawful by applicable federal, state, or local laws.

Discrimination will not be tolerated.

ANTI-HARASSMENT POLICY

The State Bar's policy is to maintain an environment free of unlawful harassment for all individuals.

Harassment is unwelcome conduct that is based on any statutory or regulatory protected categories, or other personal characteristics. Harassment does not have to be of a sexual nature, however, it may include offensive remarks about a range of personal characteristics or preferences. Under this policy, any unwelcome verbal or physical conduct that creates an intimidating, hostile, or offensive environment that interferes with the individual's work or opportunities to work with the State Bar constitutes harassment. Examples of this conduct include but are not limited to derogatory comments, epithets, slurs, negative stereotyping, and insulting or obscene gestures.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. It may involve individuals of the same or different gender. .

While simple teasing and offhand comments may not be actionable, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment.

DUTY TO REPORT

Governors have a duty to report any conduct that they believe violates this policy. If a Governor experiences or witnesses any discrimination or harassment that violates this policy, believes that he/she/they have been treated in an unlawful, discriminatory or harassing manner, or learn of such conduct by another Governor, the Governor must promptly report the incident to the President of the Board, or to the State Bar CEO/Executive Director – if because of the roles of the individuals or – circumstances]this is not an option, the Governor may report the conduct to another officer of the Board, who should then report the conduct to the President or the CEO/Executive Director to initiate an investigation.

RETALIATION IS PROHIBITED

Retaliation in the context of discrimination and harassment occurs when an adverse action is taken against an individual for engaging in protected activity. Protected activity consists of (1) opposing conduct reasonably believed to constitute discrimination, including harassment; (2) filing a complaint about such practice; or (3) testifying, assisting, or participating in any manner in an investigation or other proceeding related to a discrimination or harassment complaint. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and will not be tolerated.

Retaliation is prohibited against any person who reports in good faith conduct believed to be harassment or discrimination or who participates in an investigation of such reports. Any Governor who retaliates against a person for reporting harassment or discrimination or for participating in an investigation of a claim of discrimination or harassment will be subject to disciplinary action, including removal from the Board, as set forth in Rule 32, Ariz. R. Sup. Ct.

INVESTIGATION

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. Upon notice of a report of harassment, discrimination, or retaliation, the Board President or CEO/Executive Director shall coordinate with State Bar General Counsel to take immediate steps to initiate an investigation, which may, but is not required, to be conducted by an appropriate third party outside of the organization. The investigation may include, but is not limited to, individual interviews with the parties involved, and when necessary, the State Bar may interview individuals who observed the alleged conduct or have other relevant knowledge. The State Bar will maintain the confidentiality of the complaint and/or investigation to the greatest extent possible. All Governors have a duty to cooperate with any investigation conducted by the State Bar, regardless of whether the investigation is being conducted internally or by a third- party retained by the State Bar for this purpose.

Where allegations of discrimination or harassment are alleged against bar counsel, in the performance of their duties as established by court rules, a member or complainant may file a bar charge setting forth the bases for their claim. Pursuant to Rule 48(m), Ariz. R. Sup. Ct.,

when a bar charge is received by the Office of Lawyer Regulation alleging misconduct by bar counsel, Chief Bar Counsel shall transmit the charge to the Attorney Discipline Probable Cause Committee and direct the matter to the Committee's Chair. Beyond transmitting the charge to the Chair, the State Bar will have no involvement in the evaluation and ultimate decision of the Committee concerning the charge. The Committee will communicate directly with individuals concerning their charge.

RESPONSIVE ACTION

Conduct that violates this policy will be dealt with appropriately in the State Bar's sole discretion.

- Misconduct by a Governor shall be reported to the President of the Board and CEO/Executive Director. Allegations of misconduct by the President shall be made to the President-elect and CEO/Executive Director. .
- isconduct by a State Bar employee shall be handled in accordance with the policies set forth in the Employee Handbook of the State Bar.
- Misconduct by the CEO/ Executive Director shall be referred to the President of the Board of Governors.
- Misconduct concerning agents, vendors, consultants, or volunteers shall be referred to the CEO/Executive Director for appropriate action.
- Misconduct by a member of the State Bar shall be referred to the Office of Lawyer Regulation, where appropriate.
- Misconduct by a judicial officer shall be referred to the Commission on Judicial Conduct where appropriate.

At any time, allegations may be referred to law enforcement if it is believed that criminal conduct may have occurred.

At any time, allegations may be referred to another appropriate investigating entity (e.g. Office of Lawyer Regulation, Commission on Judicial Conduct, and the like).

The reporting party will be kept apprised of the status and disposition of the Complaint.

Amended by the Board of Governors on April 17, 2026