

October 17, 2003

Section: Local

Edition: Final Chaser

Page: B4

**JUDGE RELIEVES CONSTABLE OF DUTIES
SHE CHALLENGES MOVE, SAYS, 'I AM AN ELECTED OFFICIAL'**

Christina Leonard, The Arizona Republic

A Maricopa County judge recently stripped duties from a Phoenix constable, calling it an "imperfect" solution to an ongoing problem.

Annette Clark, a Democrat who unseated a Republican incumbent in the November 2000 election, will still make her \$48,000 a year salary but will no longer serve court papers.

County officials say **Clark** has created problems since her election but they have been able to do little to discipline her.

As a last resort, the county on Wednesday served **Clark** a letter saying her "services are no longer required" and asking her to return all badges, pagers and court paperwork. Superior Court Presiding Judge Colin Campbell made the decision.

County Administrator David Smith said the move is equivalent to placing her on administrative leave.

"If a person's on the payroll, they ought to be working, so it's not a good solution," Smith said. However, Smith called the decision "the last seemingly available remedy."

Clark has since asked county supervisors to provide her with legal representation, saying the county does not have the power to stop her from doing her job.

"What they're trying to do is get rid of an elected official with a stroke of a pen and taking the law and using it any way they want to," she said. "I am an elected official. And by law, I have to serve those papers."

Other constables will be assigned to perform her duties.

Complaints against **Clark**, who is assigned to East Phoenix Justice Court No. 2, range from harassing a casino worker in Nevada to failing to serve court papers on time. But dozens of informal complaints also have been lodged against her, alleging rude behavior and long, confusing conversations, officials say.

Administrators have taken extreme measures with **Clark**, taking away her car, suspending her cellphone and moving her office. Co-workers even took out a workplace-violence injunction against her.

In July 2002, a state ethics board recommended that **Clark** resign, but it had no authority to remove or suspend her.

County officials said they could not simply remove **Clark** from office. Residents would have to recall her.