



The Law

For a more detailed look at the legislation governing a crime victim's right to leave work, please refer to:

A.R.S. § 13-4439

Right to leave work; scheduled proceedings; counseling; employment rights; nondiscrimination; confidentiality; definition.

For the complete text of the legislation, go to:
www.azleg.state.az.us/ars/13/04439.htm



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Crime Victim's Right to Leave Work

Uniting Law Enforcement in the Administration of Justice

Who is a Victim?

A victim is a person, whom a criminal offense has been committed, or if the person is killed or incapacitated, the person's immediate family or other lawful representative, except if the person is in custody for an offense or is the accused.

What is a Criminal Proceeding?

A criminal proceeding is any hearing, argument, or other matter scheduled by and held before a trial court.

A criminal proceeding DOES NOT include any deposition, lineup, grand jury proceeding or other matter not held in the presence of the court.



Information for Employers

The law requires a victim must provide an employer with a copy of the form or information received from law enforcement, as well as a copy of the notice of each scheduled criminal proceeding they wish to attend.

There is no limit on how much time a victim may take off work to exercise the right to attend proceedings. Again, a criminal proceeding is limited to the definition from the preceding section.

Information for Victims of Crimes

Arizona law states a crime victim may attend criminal proceedings, in cases pertaining to the crime, of which they are a victim.

If a crime victim works for an Arizona employer with 50 or more employees each work day, the victim has the right to leave work to attend these proceedings.

Employers **may not dismiss, revoke seniority, or discriminate** in any other manner against an employee who is exercising his or her right to attend a criminal proceeding, in which they are a victim.

A victim is NOT entitled to compensation from their employer, unless they claim accrued leave time, including vacation, personal, or sick time, which the employer may require them to do.

The law requires the court to take the victim's schedule into account, when setting future court dates.

Additionally, a victim's employer may limit the leave time, if the victim's leave time would create "undue hardship."

A victim should contact the Victim Services Unit of the Pinal County Attorney's Office, if an absence from work would cause "undue hardship" to the employer.



If you have any questions regarding the information contained in the brochure, please contact the Community Service Division of the Pinal County Attorney's Office at 520.866.6813.