



**JUSTICE KATHRYN H. KING**  
**RESEARCH REPORT**

**PREPARED FOR THE STATE AND LOCAL ELECTION ALLIANCE**

**June 2024**

## **TABLE OF CONTENTS**

Executive Summary	<b>2</b>
Top Hits	<b>3</b>
Biography	<b>4</b>
Career	<b>7</b>
2024 Retention Election	<b>13</b>
On the Issues	<b>17</b>
Abortion.....	17
Civil Liberties.....	18
Crime and Public Safety.....	18
Education.....	20
Elections.....	21
Ethics and Transparency.....	22
Health Care.....	22
Housing.....	22
LGBTQ Rights.....	23
Transportation.....	23
Appendix I: Campaign Finance	<b>24</b>
Appendix II: Financial Disclosures	<b>25</b>
Appendix III: Areas For Additional Research	<b>29</b>

## **EXECUTIVE SUMMARY**

Justice Kathryn (Kate) Hackett King has served on Arizona's Supreme Court since her appointment by Gov. Doug Ducey in July 2021. King is the fifth woman to ever serve on the state's highest court. In announcing King's appointment, Gov. Ducey said, "Kate's strong belief in the separation of powers and experience serving in all three branches of government will serve the people of Arizona well." In November 2024, King will face her first retention election. King has been a member of the conservative Federalist Society since 2017. She is also a member of the Arizona Women Lawyers Association and a mentor with The Latina Mentoring Project.

Before she was appointed to the Supreme Court, King was a partner and attorney at BurnsBarton PLC from 2017-2021. King represented public and private employers and focused on labor and employment litigation, "including matters involving discrimination, harassment, retaliation, wage and hour issues, unfair labor practices and other employment matters," according to the Arizona Daily Sun. A press release said King also worked on cases related to disability law, drug testing, medical marijuana, restrictive covenants, torts, and breach of contract claims. "She routinely drafts employment agreements and other contracts and conducts investigations of allegations of discrimination, harassment and other workplace misconduct," the press release from Gov. Ducey's office stated.

King also served on the Arizona Board of Regents from 2020-2021, a role she was also appointed to by Gov. Ducey. The Board of Regents governs the state's three public universities. In February 2022, Ducey said, "During her time on the board, she established herself as an advocate for students and helped increase educational attainment and access."

Before joining BurnsBarton and the Board of Regents, King served as Gov. Ducey's deputy general counsel from 2015-2017. King reportedly advised Ducey on various constitutional, statutory, and other legal requirements of the Governor's Office, including the constitutionality of bills that came across his desk, the *Arizona Capitol Times* reported.

From 2006-2014, King practiced employment, commercial, and business law at Snell & Wilmer LLP. King once clerked for Arizona Supreme Court Justice Michael D. Ryan after law school (2007-2008), and she was a legal fellow for Senator Jon Kyl in 2005. King, who is a Republican, lives in Phoenix with her husband, fellow attorney Bill King, and her two children.

## TOP HITS

### RULED IN FAVOR OF ARIZONA 'S EXTREME 1864 ANTI-ABORTION LAW

**In 2024, King voted with the majority to Arizona's extreme 1864 ban on abortions.** In April 2024, the [Arizona Republic](#) reported: "Justices John R. Lopez IV, Clint Bolick, James P. Beene and Kathryn H. King voted to enforce the 1864 ban. Lopez wrote the majority opinion. Chief Justice Robert M. Brutinel and Vice Chief Justice Ann A. Scott Timmer voted against enforcing the ban, with Timmer writing the dissenting opinion. According to the [Associated Press](#), "The Arizona Supreme Court suggested in its ruling Tuesday that physicians can be prosecuted, though justices didn't say that outright. The [ACLU of Arizona](#) predicted that even though the legislature removed the near-total abortion ban, Arizona could still lose access to abortion care as early as September 26. Until then, a 15-week ban and other restrictions will continue to burden patients and providers."

### *2024 Retention Opposition*

**Multiple campaigns seek King's ouster over her abortion ruling.** In 2024, Progress Arizona launched a campaign to deny new terms to King and Justice Clink Bolick over their votes to enforce the strict 1864 abortion law. According to local NPR-affiliate [KJZZ](#), the National Democratic Redistricting Committee as well as Planned Parenthood Votes also plan to spend millions encouraging voters to oust state Supreme Court justices in several states, including in Arizona. Arizona Republicans are also trying to eliminate judicial retention elections altogether and in June 2024, they [passed](#) SCR 1044, a constitutional amendment to go on the November ballot that would let voters decide whether to end term limits and retention elections for Supreme Court justices.

### LITIGATOR AGAINST WORKERS

King has focused on employment law and commercial and business litigation as a private practice attorney at Snell & Wilmer LLP (2006-2014) and at BurnsBarton PLC (2017-2021), where she routinely represented private and public employers. In March 2020, the [Arizona Daily Sun](#) reported that as an attorney with BurnsBarton PLC, King focused on labor and employment law and litigation, including matters involving discrimination, harassment, retaliation, wage and hour issues, unfair labor practices and other employment matters. In July 2021, a [press release](#) from Gov. Ducey's office said King also worked on cases related to disability law, drug testing, medical marijuana, restrictive covenants, torts, and breach of contract claims. "She routinely drafts employment agreements and other contracts and conducts investigations of allegations of discrimination, harassment and other workplace misconduct," the press release stated. In July 2021, following her appointment to the Supreme Court, the [Arizona Daily Star](#) wrote, "Gov. Doug Ducey picked an attorney who represents employers in lawsuits filed by workers to be the newest Arizona Supreme Court justice."

## BIOGRAPHY

---

**King was born in 1980.** [Arizona Supreme Court, “Meet the Justices,” accessed [6/20/24](#)]

**King is a native Arizonan.** “Now, Hackett King, a native Arizonan, is a partner at a woman-owned law firm, BurnsBurton. Her background in law brings another element of diversity, she said.” [Arizona Capitol Times, [6/11/21](#)]]

**King attends St. Francis Xavier Church in Phoenix.** “After Communion, Arizona Supreme Court Justice Kathryn King, who attends St. Francis Xavier Church in Phoenix, administered the oath of admission to the State Bar of Arizona to all attorneys present. ‘The fire of the Holy Spirit is very relevant to applying the law as we do as judges,’ she said in an interview after the Mass. King, who was appointed to the court in July 2021, added that the Red Mass is ‘a nice opportunity for all of the legislators, lawyers and judges and those who are involved in the law to come together and celebrate in Christ before the legislative session begins.’” [Arlington Catholic Herald, 1/14/22]

**In high school, King witnessed her friend killed by an impaired driver and wrote a letter to the sentencing judge and gave an impact statement.** “She noted in her letter of interest that her first interactions with the courts were not as a lawyer but as a high school student who had witnessed her friend killed by an impaired driver. She wrote a letter to the sentencing judge and, as a crime victim, gave an impact statement during the defendant's sentencing. ‘These were emotionally-challenging experiences for me, but ultimately gave me insight, even from a very limited point of view, into the role and impact the judicial branch has on the lives of citizens each and every day,’ she wrote.” [AP, 7/8/21]

**King is a Republican.** “Kathryn H. King is a Republican who practices law at a private firm.” [Washington Examiner, 5/25/21]

## EDUCATION

**2006: King graduated from the University of Arizona’s law school.** “Kathryn Hackett King will fill the vacancy left by Jay Heiler while Karrin Taylor Robson will take a full-term position on the board that is responsible for presiding over the state's three public universities. King graduated from UA's law school in 2006 and has since concentrated her law practice in labor and employment litigation.” [The State Press, 3/12/20]

- **King served as the Note and Comment Editor on the Arizona Journal of International and Comparative Law.** “King graduated from Duke University with a Bachelor of Arts, majoring in Political Science and minoring in History. She then obtained her law degree from the University of Arizona James E. Rogers College of Law, where she served as the Note and Comment Editor on the Arizona Journal of International and Comparative Law.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

**King graduated from Duke University with a Bachelor of Arts, majoring in Political Science and minoring in History.** “King graduated from Duke University with a Bachelor of Arts, majoring in Political Science and minoring in History.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

**King was an alumna of the Xavier College Preparatory Class of 1999.** “Class of ‘99 alumna Kathryn Hackett King’s investiture for Arizona Supreme Court Justice took place on January 7, 2022.” [Xpress, [2/3/22](#)]

- **King said her Xavier education instilled “the knowledge, skills, confidence and direction that helped me pursue and enter into this new role” as a Supreme Court justice.** “While at Xavier, the school’s focus on encouraging and guiding young women in unique ways became clear to me ... I believe my Xavier education, and the greater Xavier community, instilled in me the knowledge, skills, confidence and direction that helped me pursue and enter into this new role,” King said.” [Xpress, [2/3/22](#)]

**King was a “student-athlete, ambassador and award winner in high school, receiving the school’s highest honor at graduation, the Regina Caeli Award for Service.”** “After graduating from Xavier, Justice King attended Duke University, earning a Bachelor of Arts with a major in political science and a minor in history before getting her law degree from the University of Arizona College of Law. She joined numerous boards and committees as she remained dedicated to community service, which was instilled in her throughout her time at Xavier. Justice King was a student-athlete, ambassador and award winner in high school, receiving the school’s highest honor at graduation, the Regina Caeli Award for Service.” [Arcadia News, [2/28/22](#)]

#### FAMILY

**King is married and the mother to a son and daughter.** “King was among seven nominees selected by a state court screening panel. She is married and the mother to a son and daughter.” [AP, 7/8/21]

- **She is married to Bill King, a lawyer and shareholder at Gallagher & Kennedy.** [KAWC, [7/9/21](#); Gallagher & Kennedy website, accessed [6/20/24](#)]
- **“Bill’s experience involves everything from catastrophic personal injury claims to complex commercial litigation disputes, including large-scale class action prosecution of claims for securities fraud, consumer fraud, professional liability, aiding and abetting liability, and qui tam cases, among others.”** “When defending the rights of plaintiffs, Bill’s experience involves everything from catastrophic personal injury claims to complex commercial litigation disputes, including large-scale class action prosecution of claims for securities fraud, consumer fraud, professional liability, aiding and abetting liability, and qui tam cases, among others. He is appreciated for devising unique, fact-driven arguments that, when combined with his understanding of the substantive legal issues, result in persuading opposing counsel, judges, and juries alike.” [Gallagher & Kennedy website, accessed [6/20/24](#)]

**King noted on her Supreme Court application that her maternal grandmother is Hispanic.** “King also noted on her application that her maternal grandmother is Hispanic.” [Arizona Daily Star, 7/9/21]

**King’s father was a lawyer in Phoenix.** “Hackett King grew up visiting her dad’s law practice in Phoenix where he would introduce her to female lawyers. Hackett King said that her dad only had one woman in his class in law school, and she dropped out.” [Arizona Capitol Times, [6/11/21](#)]

- **King said her father only had one woman in his class in law school and she dropped out.** “Hackett King grew up visiting her dad’s law practice in Phoenix where he would introduce her

to female lawyers. Hackett King said that her dad only had one woman in his class in law school, and she dropped out.” [Arizona Capitol Times, [6/11/21](#)]

#### AWARDS

**2011: King received the Consumer Litigator of the Year Award by the Volunteer Lawyers Program.** “Kathryn Hackett King, an associate at Snell & Wilmer, has received the Consumer Litigator of the Year Award by the Volunteer Lawyers Program, a joint project of the Maricopa County Bar Association and Community Legal Services.” [Arizona Republic, 6/18/11]

**2013: King was named a “Rising Star” in the Southwest Super Lawyers list.** “Snell & Wilmer was honored with 53 attorneys in Phoenix and Tucson selected for the 2013 Southwest Super Lawyers list. They are Robert C. Bates, [...] and Jeffrey L. Willis. In addition, 24 attorneys were selected Rising Stars: Sara J. Agne, David Barker, Damon L. Boyd, Brian J. Burt, Manuel H. Cairo, Franc E. Del Fosse III, Jason Ebe, Matthew P. Fischer III, Brett W. Johnson, Robert F. Kethcart, Kathryn Hackett King, Eric Kintner, Adam E. Lang, Michael T. Liburdi, Craig A. Logsdon, Carlene Y. Lowry, Gregory J. Marshall, Karlene E. Martorana, Julie E. Maurer, Anne M. Meyer, Sean J. O'Hara, Erin E. Szajn, Joseph A. Kroegar and Jon Saffer.” [Arizona Business Gazette, 5/9/13]

## CAREER

---

**King’s legal career was reportedly inspired by her father who routinely told her to “go out and help somebody today.”** “Kathryn Hackett King’s legal career was inspired by her father who routinely told her, ‘Kate, go out and help somebody today.’ ‘Those words really stuck with me,’ Hackett King said during her interview. “They have stayed with me true until today.” [Arizona Capitol Times, [6/11/21](#)]

**King has served in all three branches of government.** “Hackett King, like Bailey, has also served in all three branches of government. Before her current job in private practice, she was deputy general counsel to Gov. Doug Ducey from 2015 to 2017, advising him on the constitutionality of bills that came across his desk and the potential challenges under the state and U.S. constitutions.” [Arizona Capitol Times, [6/11/21](#)]

**King provided pro-bono legal services to nonprofits serving the homeless and through the Volunteer Lawyers Program of Community Legal Services.** “In addition, King is a member of the Arizona Women Lawyers Association and a mentor for the Latina Mentoring Project. She has provided pro bono legal services to non-profit organizations serving the homeless and through the Volunteer Lawyers Program of Community Legal Services. In 2011, the Volunteer Lawyers Program awarded her the Consumer Litigator of the Year for her pro bono representation.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

2005: U.S. SENATOR JON KYL AND THE JUDICIARY COMMITTEE

**During law school, King was a Legal Fellow for Senator Jon Kyl and an extern for federal Judge Earl Carroll of the United States District Court for the District of Arizona.** “King is returning to the Court that she clerked for after law school. She clerked for Arizona Supreme Court Justice Michael D. Ryan from 2007 to 2008. During law school, among other positions, she was a Legal Fellow for Senator Jon Kyl and an extern for federal Judge Earl Carroll of the United States District Court for the District of Arizona.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

2007-2008: ARIZONA SUPREME COURT JUSTICE MICHAEL D. RYAN

**2007-2008: King clerked for Arizona Supreme Court Justice Michael D. Ryan.** “King is returning to the Court that she clerked for after law school. She clerked for Arizona Supreme Court Justice Michael D. Ryan from 2007 to 2008. During law school, among other positions, she was a Legal Fellow for Senator Jon Kyl and an extern for federal Judge Earl Carroll of the United States District Court for the District of Arizona.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

2006-2014: SNELL & WILMER LLP

**King began her private practice career at Snell & Wilmer LLP, where she practiced employment law and commercial and business litigation.** “King began her private practice career at Snell & Wilmer LLP, where she practiced in the areas of employment law and commercial and business litigation.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

2015-2017: OFFICE OF GOV. DOUG DUCEY

**King served as the Governor’s Deputy General Counsel from 2015 to 2017, providing advice to staff, interacting with agency directors on complex legal matters, managing litigation and participating in the judicial appointment process.** “Kathryn Hackett King, the Governor's Deputy General Counsel, will be leaving the Governor's Office to join BurnsBarton LLP, a private-sector law firm specializing in employment and labor law. Kate has served in this position since January 2015. She has made significant contributions to the Governor's Office by providing advice to staff, interacting with agency directors on complex legal matters, managing litigation and participating in the judicial appointment process.” [Yellow Sheet Report, 8/28/17]

- **King “advised on various constitutional, statutory, and other legal requirements of the Governor’s Office.”** “She also worked as Deputy General Counsel in the Office of Governor Ducey, where she advised on various constitutional, statutory, and other legal requirements of the Governor’s Office.” [Arizona Supreme Court profile, accessed [6/18/24](#)]
- **Arizona Capitol Times: King advised Ducey on “the constitutionality of bills that came across his desk and the potential challenges under the state and U.S. Constitution.”** “Hackett King was Ducey’s deputy general counsel from 2015-17 and is a member of the Arizona Board of Regents. She’s also a partner at BurnsBurton PLC. [...] When she was with the Governor’s Office, Hackett King advised Ducey on the constitutionality of bills that came across his desk and the potential challenges under the state and U.S. Constitution.” [Arizona Capitol Times, [7/8/21](#)]

**Ducey: “Kate is without a doubt one of the most capable and ethical individuals I’ve had the pleasure of working with in state government.”** “Today, Governor Doug Ducey announced the appointment of Kathryn (Kate) Hackett King to fill a recent vacancy on the Arizona Board of Regents. [...] ‘Kate is without a doubt one of the most capable and ethical individuals I’ve had the pleasure of working with in state government,’ said Governor Ducey. ‘Her vast legal expertise in labor and employment law and passion for public service make her an ideal fit for this role. I am confident that she will bring the same level of integrity and excellence that she’s known for as an advocate for Arizona’s students, taxpayers and public universities.’” [Press release, Office of Gov. Doug Ducey, [3/11/20](#)]

2017-2021: BURNSBARTON PLC

**2017: King left her position as the Governor’s Deputy General Counsel to join BurnsBarton, a private-sector law firm specializing in employment and labor law.** “Kathryn Hackett King, the Governor's Deputy General Counsel, will be leaving the Governor's Office to join BurnsBarton LLP, a private-sector law firm specializing in employment and labor law. Kate has served in this position since January 2015. She has made significant contributions to the Governor's Office by providing advice to staff, interacting with agency directors on complex legal matters, managing litigation and participating in the judicial appointment process.” [Yellow Sheet Report, 8/28/17]

**King was a partner at BurnsBarton.** “She served as his deputy legal counsel from 2015 to 2017 before becoming a partner at BurnsBarton, a woman-owned law firm.” [KAWC, [7/9/21](#)]

**As an attorney with BurnsBarton PLC, King’s work included matters involving discrimination, harassment, retaliation, wage and hour issues, unfair labor practices and other employment**

**matters.** “Hackett King is an attorney with BurnsBarton PLC and focuses on labor and employment law and litigation, including matters involving discrimination, harassment, retaliation, wage and hour issues, unfair labor practices and other employment matters. She will fill the vacancy left by Jay Heiler as he concludes his eight-year term on the board.” [Arizona Daily Sun, [3/12/20](#)]

- **King also worked on cases related to disability law, drug testing, medical marijuana, restrictive covenants, torts, and breach of contract claims.** “King is currently a partner at BurnsBarton PLC, a woman-owned law firm made up of big firm attorneys. Her practice is dedicated to representing private and public employers in employment litigation and related civil matters. She has worked on a wide range of legal matters including those involving discrimination, harassment, disability law, wage and hour law, drug testing, medical marijuana, restrictive covenants, torts and breach of contract claims.” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]
- **King’s restrictive covenants cases dealt with “precluding workers from going into competition with the firm that had employed them.”** “King said she also has been involved in wage-and-hour law disputes and handling restrictive covenants like precluding workers from going into competition with the firm that had employed them.” [Sierra Vista Herald, [7/9/21](#)]
- **“She routinely drafts employment agreements and other contracts and conducts investigations of allegations of discrimination, harassment and other workplace misconduct.”** [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]
- **King represented private and public employers.** “Her work in private practice has focused on labor and employment law, representing private and public employers. In addition to representing clients in state and federal courts, she also represents clients in matters pending before state and federal administrative agencies. ‘I’m on the ground; I’m advising businesses and individuals about how to conform their conduct with respect to these evolving laws on the pandemic that create just a multitude of new questions all the time,’ she said.” [Arizona Capitol Times, [6/11/21](#)]
- **King represented clients in courts, as well as in matters pending before state and federal administrative agencies.** “Her work in private practice has focused on labor and employment law, representing private and public employers. In addition to representing clients in state and federal courts, she also represents clients in matters pending before state and federal administrative agencies.” [Arizona Capitol Times, [6/11/21](#)]
- **King represented clients before administrative agencies like the Equal Employment Opportunity Commission, the U.S. Department of Labor, the National Labor Relations Board, and Arizona’s Civil Rights Division.** “Regent King has a rich history in law, including serving as an employment and labor attorney, focusing on labor and employment law and litigation, including matters involving discrimination, harassment, retaliation, wage and hour issues, unfair labor practices, employment contracts and other employment matters at BurnsBarton PLC. She has represented clients in state and federal courts as well as before administrative agencies, including the Equal Employment Opportunity Commission, Arizona Civil Rights Division, U.S. Department of Labor and National Labor Relations Board.” [Arizona Board of Regents, Press release, [7/8/21](#)]

**In 2021, King said: “I’m on the ground; I’m advising businesses and individuals about how to conform their conduct with respect to these evolving laws on the pandemic that create just a multitude of new questions all the time.”** “Her work in private practice has focused on labor and employment law, representing private and public employers. In addition to representing clients in state and federal courts, she also represents clients in matters pending before state and federal administrative agencies. ‘I’m on the ground; I’m advising businesses and individuals about how to conform their conduct with respect to these evolving laws on the pandemic that create just a multitude of new questions all the time,’ she said.” [Arizona Capitol Times, [6/11/21](#)]

**BurnsBarton is a woman-owned law firm.** “Now, Hackett King, a native Arizonan, is a partner at a woman-owned law firm, BurnsBurton. Her background in law brings another element of diversity, she said.” [Arizona Capitol Times, [6/11/21](#)]

## 2020-2021: ARIZONA BOARD OF REGENTS

**2020: Gov. Doug Ducey appointed King to an eight-year term to fill a vacancy on the Arizona Board of Regents.** “Gov. Doug Ducey has appointed a former aide who now practices law in Phoenix as a member of the Arizona Board of Regents, the panel that oversees the state university system. Ducey’s office announced Wednesday his appointment of Kathryn Hackett King to an eight-year term to fill a vacancy on the board as well as his reappointment of Karrin Taylor Robson to a full eight-year term on the board.” [AP, 3/11/20]

- **King: “I am excited to get to work to help build upon the incredible legacies of our public universities to the benefit of students and the communities they call home.”** “Today, Governor Doug Ducey announced the appointment of Kathryn (Kate) Hackett King to fill a recent vacancy on the Arizona Board of Regents. [...] ‘I’m honored to be appointed by Governor Ducey to serve on the Arizona Board of Regents,’ said King. ‘Arizona’s universities have made their mark as world-class institutions of higher learning — preparing tens of thousands of students every year for success outside the classroom. I am excited to get to work to help build upon the incredible legacies of our public universities to the benefit of students and the communities they call home.’” [Press release, Office of Gov. Doug Ducey, [3/11/20](#)]

**The Board of Regents governs Arizona’s three public universities.** “She served as Ducey’s deputy general counsel from 2015 to 2017 and has been a member of the Arizona Board of Regents, which governs the state’s three public universities, since Ducey appointed her to that role in 2020.” [KTAR, [7/8/21](#)]

**Gov. Ducey: “Kate has long been a tireless advocate for education in Arizona...”** In a video statement, Ducey said: “During her time on the board, she established herself as an advocate for students and helped increase educational attainment and access. And she’s served, not just our kids, but all Arizonans... Kate has long been a tireless advocate for education in Arizona and she continues to serve the state in her new role on the Arizona state Supreme Court.” [YouTube, ABOR News, [2/17/22](#)]

## 2021 – PRESENT: ARIZONA SUPREME COURT

**2021: King was appointed to the Arizona Supreme Court by Gov. Doug Ducey.** “Governor Doug Ducey today announced the appointment of Kathryn Hackett King, a member of the Arizona Board of

Regents and University of Arizona College of Law graduate, to the Arizona Supreme Court.” [Press Release, Office of Gov. Doug Ducey, 7/8/21]

- **King was one of seven people nominated by the Commission on Appellate Court Appointments.** “Ducey noted King was one of seven people nominated by the Commission on Appellate Court Appointments. That panel has to screen all would-be justices and the governor is required to choose from that list.” [Arizona Daily Star, 7/9/21]

**King is the fifth woman to ever serve on the state’s Supreme Court.** “Gov. Doug Ducey on Thursday appointed Phoenix attorney Kathryn Hackett King to the Arizona Supreme Court. King becomes the fifth woman to ever serve on the state’s highest court, according to a press release from the governor’s office. Ducey’s five previous appointments were all men.” [KTAR, [7/8/21](#)]

**Arizona Daily Star: “Gov. Doug Ducey picked an attorney who represents employers in lawsuits filed by workers to be the newest Arizona Supreme Court justice.”** “Gov. Doug Ducey picked an attorney who represents employers in lawsuits filed by workers to be the newest Arizona Supreme Court justice. While Kathryn Hackett King is relatively unknown to the public, she previously worked on the governor’s staff. She served as his deputy legal counsel from 2015 to 2017 before becoming a partner at BurnsBarton, a female-owned law firm in Phoenix. And last year Ducey, her fellow Republican, tapped her to serve on the Arizona Board of Regents.” [Arizona Daily Star, [7/8/21](#)]

**Sierra Vista Herald: “With King’s pick, four of Ducey’s picks have no judicial experience.”** “With King’s pick, four of Ducey’s picks have no judicial experience. Clint Bolick was an attorney for the Goldwater Foundation, John R. Lopez IV was working in the attorney general’s office and Bill Montgomery was Maricopa County attorney. Ducey noted King was one of seven people who had been nominated by the Commission on Appellate Court Appointments. That panel has to screen all would-be justices and the governor is required to choose from that list.” [Sierra Vista Herald, [7/9/21](#)]

**King said she would bring a “fresh perspective of somebody coming from a complex civil litigation background” to the Supreme Court.** “The last few appointments to the Supreme Court have been lawyers from a predominantly of a criminal background,’ Hackett King said. ‘And so, what I bring is this new fresh perspective of somebody coming from a complex civil litigation background.’” [Arizona Capitol Times, [6/11/21](#)]

**Ducey: “Kate’s strong belief in the separation of powers and experience serving in all three branches of government will serve the people of Arizona well.”** “King brings a breadth of private and public experience to the bench, from her background in complex civil litigation to her work in all three branches of government. King is the fifth woman in Arizona history to serve on the Supreme Court. ‘Kate’s strong belief in the separation of powers and experience serving in all three branches of government will serve the people of Arizona well,’ said Governor Ducey. ‘I have witnessed her intelligence and wisdom firsthand, and I know she is well-respected in the legal field. I am delighted to appoint Kate to the Arizona Supreme Court.’” [Press Release, Office of Gov. Doug Ducey, [7/8/21](#)]

#### ASSOCIATIONS AND BOARDS

**2023-Present: King is chair of the Task Force on Rules of Procedure for Special Actions.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**Since 2007, King has periodically served as a member of the Arizona Women Lawyers Association.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**King is currently a mentor with The Latina Mentoring Project.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**King has been a member of The Federalist Society since 2017.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**King has been a member of the Arizona State Bar since 2006.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2016-2020: King was a member of Arizona’s Civil Rights Advisory Board.** King was a member from 2016-2020 and served as vice chair from 2019-2020. [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2018 & 2020: King was a volunteer judge for the U.S. Ninth Circuit Civics Contest.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2009-2015: King served on the board of directors for the University of Arizona Law College Association.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2010: King once served as an “Arizona Town Hall Recorder.”** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2006-2008: King was a “life skills trainer” for Catholic Charities Community Services.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

**2004-2006: King served on the Board of Directors for the Pima County Court Appointed Special Advocates (CASA) Support Council.** [Arizona Supreme Court profile, accessed [6/20/24](#)]

## 2024 RETENTION ELECTION

---

**King will be up for retention on the November 2024 ballot.** “Justices Kathryn Hackett King and Clint Bolick will be up for retention on the November ballot. On April 9, they were in the majority of the 4-2 opinion that upheld an 1864 law criminalizing most abortions, with no exceptions for rape or incest.” [KJZZ, [4/23/24](#)]

**King Planned to seek another term.** “Bolick is one of two justices due for a retention election in November 2024, and he has about a year to file formal notice if he wants another term, according to deadlines set in state law. The other is Justice Kathryn King, the newest member of the court, who was appointed in July 2021. King will seek another term next year, according to [court spokesperson Alberto] Rodriguez.” [Arizona Republic, [9/27/23](#)]

**The Arizona Commission on Judicial Performance Review sought public comments on Arizona judges up for re-election, including King.** “A hearing to take public comments on Arizona judges up for re-election next year is scheduled for Oct. 27 at the state court building near 15th Avenue and Washington before the Arizona Commission on Judicial Performance Review. Comments can also be made via email to [jpr@courts.az.gov](mailto:jpr@courts.az.gov) and the commission’s website. Two Supreme Court justices, a quartet of appellate judges and dozens more judicial officers who preside in Maricopa County Superior Court are on the list for review. The commission found in 2022 that Judge Stephen Hopkins did not meet performance standards, and he was later removed from the bench by voters.” [KJZZ, [10/11/23](#)]

**April 2024: King hadn’t yet established a campaign committee.** “Bolick and King have yet to establish campaign committees in response. But when the time comes, campaigning as a judge comes with ethical constraints tailored to uphold the appearance of an independent judiciary.” [Arizona Capitol Times, [4/26/24](#)]

**Associated Press: “Voters rarely deny a sitting judge another term; only six have been unseated since Arizona adopted its judicial retention election system in 1974.”** “A progressive group also launched a campaign targeting Justices Bolick and Kathryn King — both of them voted to restore the 160-year-old abortion ban and are up for retention election in November. [...] Voters rarely deny a sitting judge another term; only six have been unseated since Arizona adopted its judicial retention election system in 1974.” [Associated Press, [5/16/24](#)]

- **KJZZ: “Arizona voters have never unseated a Supreme Court justice.”** “Arizona voters have never unseated a Supreme Court justice. But after the state Supreme Court upheld a Civil War-era law that bans almost all abortions, down-ballot judicial retention elections in Arizona are attracting national attention.” [KJZZ, [5/20/24](#)]

**2024: The NDRC and Planned Parenthood Votes planned to spend at least \$5 million encouraging voters to oust state Supreme Court justices in several states, including Arizona.** “The National Democratic Redistricting Committee, along with the group Planned Parenthood Votes will spend at least \$5 million encouraging voters to oust state Supreme Court justices in several states this November, including in Arizona.” [KJZZ, [5/20/24](#)]

## PROGRESS ARIZONA CAMPAIGN AGAINST KING

**April 2024: Progress Arizona launched a campaign to deny new terms to Justices Clint Bolick and Kathryn King over their votes to allow enforcement of AZ’s strict 1864 law on abortion.** “Progress Arizona is launching a campaign to deny new terms to two of the state Supreme Court justices who voted earlier this month to allow the 1864 law on abortion to once again be enforced in Arizona. And they’re gearing up to kill a proposal by a Sierra Vista Republican to strip voters of that right. The organization that supports progressive causes wants to convince voters to exercise a seldom-used right to reject a bid by a judge to be retained in office. If they are successful, that would end the tenure of Clint Bolick and Kathryn King, both appointees of former Republican Gov. Doug Ducey. Neither would comment on the effort. It also would clear the way for incumbent Democrat Katie Hobbs to name their replacements.” [Daily Independent, [4/22/24](#)]

- **Progress AZ campaign lead Abigail Jackson said King’s vote was not in line with what Arizona voters wanted.** “The Progress AZ campaign is led by Abigail Jackson. She said Monday that the effort is getting a lot of traction. Jackson didn’t argue that the vote was unconstitutional, but said it is not in line with what Arizona voters want.” [KJZZ, [4/23/24](#)]
- **KJZZ: Progress Arizona “hoping to do the unprecedented and unseat the sitting Supreme Court justices.”** “Two Arizona Supreme Court justices are in the crosshairs of progressives this election season after they ruled to reinstate a territorial-era near total abortion ban in the state. Clint Bolick and Kathryn H. King are up for judicial retention votes this November — and now, the nonprofit Progress Arizona is mounting an organized campaign against them, hoping to do the unprecedented and unseat the sitting Supreme Court justices.” [KJZZ, [5/1/24](#)]

**Columnist Abe Kwok: “... the targeting of Arizona Justices Clint Bolick and Kathryn King is a proxy war against former Gov. Doug Ducey. Progressives’ grievances rightfully lie with him.”** Columnist Abe Kwok wrote, “The condemnation of the Arizona Supreme Court’s ruling on the 1864 abortion ban as ideological is farcical. It is especially rich coming from progressive groups using the opinion to demand the heads of two justices up for retention in November. [...] If anything, the targeting of Arizona Justices Clint Bolick and Kathryn King is a proxy war against former Gov. Doug Ducey. Progressives’ grievances rightfully lie with him.” [Arizona Republic, [5/30/24v](#)]

## ARIZONANS FOR AN INDEPENDENT JUDICIARY

**2024: PAC called Arizonans for an Independent Judiciary launched to defend King and Justice Bolick.** “A political action committee made of a bipartisan group of judges and attorneys is defending the process of how most judges in Arizona are retained. The PAC recently launched a voter education website. Timothy Berg with Arizonans for an Independent Judiciary said its members are concerned about efforts to not retain Justices Clint Bolick and Kathryn King. An initiative by Progress Arizona aims to oust the pair who joined on last month’s opinion allowing the 1864 near-total abortion ban to be enforceable. They were not the only justices to vote that way, but are the only ones up for retention. Voters decide whether to retain judges every 6 years after their appointment Berg acknowledged politics play a role in picking judges, but argued voters should look at a judge’s qualifications rather than how they rule on an individual case.” [KJZZ, [5/8/24](#)]

## GOP EFFORT TO ELIMINATE RETENTION ELECTIONS

**A pending GOP resolution to eliminate judicial retention elections could keep King on the bench even if voters choose not to retain him.** “A resolution awaiting approval from the state House could keep Arizona's Supreme Court justices on the bench, even if voters decide to reject them on the ballot in November. Democratic activists have encouraged Arizonans to vote against retaining Arizona Supreme Court Justices Clint Bolick and Kathryn H. King after they voted to enforce the 1864 abortion ban last week. But a Senate resolution would do away with Arizona's judicial retention elections, allowing superior, appellate and Supreme Court judges to essentially have lifelong terms. Currently, those judges are appointed through a merit selection process and face retention elections every four to six years. The resolution would instead require judges to face a retention election if they fail to meet performance standards, commit a crime or face personal financial issues like bankruptcy or foreclosure. [...] Gowan's resolution would apply retroactively, meaning any results from November's judicial retention elections would be thrown out. If voters chose not to retain Bolick and King but Gowan's resolution passed, they would remain on the bench.” [Arizona Republic, [4/19/24](#)]

**June 2024: Arizona Republicans approved constitutional amendment SCR 1044 for the November ballot that would let voters decide whether to end term limits and retention elections for Supreme Court justices and superior court judges.** “Voters in Arizona will decide on a constitutional amendment that will end term limits and retention elections for state supreme court justices and superior court judges on Nov. 5, 2024. The constitutional amendment, titled Senate Concurrent Resolution 1044 (SCR 1044), would be retroactive to Oct. 31, 2024, nullifying the results of the retention elections scheduled for Nov. 5. SCR 1044 was introduced on Feb. 5, 2024. It passed the Senate on March 6, 2024, by a 16-14 vote. The House amended the measure, and passed it by 31-29 on June 12, 2024, with all Republicans voting for it and all Democrats voting against it. The Senate passed the measure again on the same day by 16-10, with 16 Republicans voting for it and 10 Democrats voting against it (four Democrats did not vote). The amendment would end term limits for state supreme court justices and superior court judges, replacing them with terms of good behavior unless decided otherwise by a judicial review commission. It would also end retention elections at the end of judicial terms, providing these elections under certain circumstances, such as the judge or justice being convicted of a felony or a crime involving fraud and dishonesty, or a declaration of bankruptcy or foreclosure. Retention elections could also occur by a determination of the Commission on Judicial Performance Review.” [Ballotpedia News, [6/17/24](#)]

**Progress AZ also campaigned to kill Republican proposal to strip voters of the right to decide whether to retain judges in office or oust them.** “A political action group is launching a campaign to deny new terms to two of the state Supreme Court justices who voted to allow the 1864 law on abortion to once again be enforced in Arizona. The organization, called Progress Arizona, is also gearing up to kill a Republican legislator's proposal to strip voters of the right to decide whether to retain judges in office or oust them.” [Arizona Daily Star, [4/22/24](#)]

- **KJZZ: Republican lawmakers “considering a resolution that would also go to the ballot in the fall asking voters to get rid of judicial retention elections altogether, except in limited circumstances.”** “At the same time, Republican lawmakers are considering a resolution that would also go to the ballot in the fall asking voters to get rid of judicial retention elections altogether, except in limited circumstances. It's an idea that Democrats have pushed back against at the state Legislature.” [KJZZ, [5/1/24](#)]

- **Daily Independent: The proposal, if approved by voters, would be retroactive. “And that means King and Bolick would get to keep their seats — even if voters at the same election decided they should not.”** “The organization’s Abigail Jackson pointed out that the state Senate already has approved a proposal by Sen. David Gowan to alter that system that now gives voters a regular chance to oust judges. Instead, a judge or justice’s name would go on the ballot only if there had been some sort of incident, ranging from a felony conviction to personal bankruptcy, mortgage foreclosure, or if the Commission on Judicial Retention concluded their performance on the bench fell below standards. What’s more significant is that Gowan’s measure, if it were approved by voters in November, would be retroactive. And that means King and Bolick would get to keep their seats — even if voters at the same election decided they should not. SCR 1044 already was approved by the Senate on a 16-14 party-line vote. It now awaits debate in the full House. And, being a ballot measure, it would bypass Hobbs.” [Daily Independent, [4/22/24](#)]
- **Daily Independent: “This would be the first significant change in how judges are selected and retained since voters approved what is known as “merit selection’ in 1974.”** “This would be the first significant change in how judges are selected and retained since voters approved what is known as “merit selection” in 1974. Prior to that, judges were elected like all politicians. And that remains the case in counties of fewer than 250,000 residents. Under the new system, when a vacancy occurs, applicants are screened by special panels who make nominations to the governor who then must choose from that list. Voters then get to decide on a regular basis whether to retain or reject a request for a new term. If rejected, the process starts over again. Only six have been ousted in all that time, none from the Supreme Court. Members of the Arizona Judges Association want that changed and retained former state Sen. Jonathan Paton to lobby for them. Paton says most Arizonans are totally unfamiliar with the judges. And he pointed out in Maricopa County it is not unusual for the names of more than 50 superior court judges to be on the ballot.” [Daily Independent, [4/22/24](#)]
- **Daily Independent: The measure would essentially guarantee lifetime appointments – at least until mandatory retirement at age 70.** “What he got Gowan to sponsor would essentially be lifetime appointments — at least until mandatory retirement at age 70 — for any Supreme Court, Court of Appeals or superior court judge in larger counties unless they got into trouble and their names were placed on the ballot.” [Daily Independent, [4/22/24](#)]

### ABORTION

**2024: King voted with the majority in 4-2 ruling upholding Arizona’s 1864 ban on abortions.** “The Arizona Supreme Court ruled the 1864 territorial ban on abortions can be enforced, with four justices voting in favor of the ban, two voting against and one not voting. [...] Justices John R. Lopez IV, Clint Bolick, James P. Beene and Kathryn H. King voted to enforce the 1864 ban. Lopez wrote the majority opinion. Chief Justice Robert M. Brutinel and Vice Chief Justice Ann A. Scott Timmer voted against enforcing the ban, with Timmer writing the dissenting opinion.” [Arizona Republic, [4/9/24](#)]

- **AZ Mirror: Lopez, Beene, Bolick, and King "sought to establish legislative intent via the legislature’s history of anti-abortion stances and a provision added to the law’s underlying bill that explicitly stated the 15-week law doesn’t overrule the near-total ban from 1864.”** “In a 4-2 majority opinion, Justice John R. Lopez IV wrote that the 15-week gestational ban doesn’t create any permission or right to an abortion. Instead, the law functioned to restrict abortion to the degree that lawmakers were able to under the protections of Roe v. Wade. But since that ruling was overturned by the U.S. Supreme Court in Dobbs v. Jackson Women’s Health Organization, the 1864 law should be upheld instead. Lopez acknowledged that ambiguity exists because the 15-week gestational ban appears to limit abortion up to 15 weeks, in direct conflict with the 1864 law which prohibits virtually all abortions. To resolve that conflict, Lopez and Justices James Beene, Clint Bolick and Kathryn King sought to establish legislative intent via the legislature’s history of anti-abortion stances and a provision added to the law’s underlying bill that explicitly stated the 15-week law doesn’t overrule the near-total ban from 1864.” [AZ Mirror, [4/23/24](#)]
- **The 1864 law predates Arizona’s statehood and provides no exception for rape or incest, allows abortions only if the mother’s life is in jeopardy.** “The law predating Arizona’s statehood provides no exceptions for rape or incest and allows abortions only if the mother’s life is in jeopardy.” [Associated Press, [4/10/24](#)]
- **Associated Press: The court suggested in its ruling that physicians can be prosecuted, though justices didn’t say that outright.** “The Arizona Supreme Court suggested in its ruling Tuesday that physicians can be prosecuted, though justices didn’t say that outright. ‘In light of this Opinion, physicians are now on notice that all abortions, except those necessary to save a woman’s life, are illegal,’ and additional criminal and regulatory sanctions may apply to abortions performed after 15 weeks of pregnancy, the ruling said. The law carries a sentence of two to five years in prison upon conviction.” [Associated Press, [4/10/24](#)]
- **AP: “Lawyers for Planned Parenthood Arizona said they believe criminal penalties will apply only to doctors. But the penalties also apply to providing abortion pills — the most common method in the United States.”** [Associated Press, [4/10/24](#)]

**ACLU of Arizona: Even though the AZ Legislature removed the 1864 abortion ban, Arizonans could still lose access as early as September 26, 2024.** “The Arizona legislature passed a bill to remove the near-total abortion ban from the books, but this long-overdue repeal may not go into effect soon enough. Arizona could still lose access to abortion care as early as September 26. Until then, a

15-week ban and other restrictions will continue to burden patients and providers. [...] Already, the Arizona Supreme Court ruled that a pre-statehood, near-total abortion ban from 1864 is enforceable. This decision compelled state lawmakers to finally repeal this archaic ban, but that bill did not include an emergency clause that would make it effective immediately. Weeks after the legislative repeal, the Arizona Supreme Court delayed enforcement of the near-total ban to grant Attorney General Mayes time to consider appealing the decision. Depending on when the legislative session adjourns, Arizona may briefly lose access to abortion services after September 26.” [ACLU Arizona, “Abortion In Arizona,” accessed [6/13/24](#)]

**ACLU of Arizona: “Now, more than ever, the opportunity to enshrine the right to abortion in our state’s constitution has never been more necessary.”** “Arizona voters understand that everyone deserves the freedom to make their own healthcare decisions, including when to start or grow their family. Now, more than ever, the opportunity to enshrine the right to abortion in our state’s constitution has never been more necessary.” [ACLU Arizona, “Abortion In Arizona,” accessed [6/13/24](#)]

**Former President Trump urged the state legislature to quickly scrap the 1864 law.** “Some Republicans — including former President Donald J. Trump, who has taken credit for overturning Roe v. Wade — have urged the Legislature to scrap the 1864 law quickly, to try to head off a possible election-year backlash. But conservative politicians in Arizona and abortion opponents who filled the House gallery on Wednesday angrily denounced the repeal vote.” [The New York Times, [4/24/24](#)]

**Associated Press: The ruling coincides with a ballot measure which could mean potentially record-breaking voter turnout that favored Democrats.** “For Arizona specifically, the Supreme Court ruling collides with the ballot measure to set up potentially record-breaking voter turnout that’s expected to favor Democrats and could have significant implications for state politics, where Republicans hold a narrow majority in both the House and Senate. ‘If that issue gets onto the ballot, it is going to drive out the Democratic base, and potentially we lose the (state) House and Senate,’ Republican state Sen. Shawna Bolick, who is in a competitive race to hang on to her Phoenix district, said last month. Bolick was a sponsor of a failed bill in 2021 that would have subjected women and physicians to homicide charges in connection with abortions.” [Associated Press, [4/9/24](#)]

## CIVIL LIBERTIES

**2022: King agreed with majority in ruling that an ad by state Sen. Wendy Rogers didn't defame a local modeling agency.** “In a divided opinion defining the legal boundaries of political speech, the Arizona Supreme Court on Tuesday ruled that an ad by state Sen. Wendy Rogers didn't defame a local modeling agency. Writing for the majority, Justice Clint Bolick acknowledged that people can sue politicians ‘for defamatory statements that rain shrapnel upon innocent third parties in the heat of political battle.’ But allowing Pamela Young of the Young Agency to win against Rogers would inflict ‘a serious chilling effect upon important, even if repugnant, political speech,’ Bolick stated. [...] Justices John Lopez, James Beene and Kathryn King joined Bolick in his conclusion.” [Arizona Republic, [2/1/22](#)]

## CRIME AND PUBLIC SAFETY

**As a member of the Arizona Civil Rights Advisory Board, King helped draft legislation creating a civil cause of action and remedy for human trafficking victims, which Gov. Ducey signed in 2021.**

“She was a member of the Arizona Civil Rights Advisory Board from 2016-2020, serving as Vice Chair from 2019-2020. In that role, she helped draft legislation creating a civil cause of action and remedy for human trafficking victims, which Governor Ducey signed in March 2021.” [Press Release, Office of Gov. Doug Ducey, 7/8/21]

**2023: King agreed with the majority in AZ Supreme Court Ruling that a defendant must meet a higher standard when seeking evidence from a victim of a crime.** “The Arizona Supreme Court this week sought to establish a standard a defendant must satisfy when seeking evidence from a victim of a crime, under limited circumstances, that preserves the rights of both parties guaranteed by the state and federal constitutions. The ruling, in a case called Draper v. Gentry, forced the state's high court to juggle the right to a fair trial and due process for the accused, as enshrined in the U.S. Constitution, with the rights to privacy for crime victims, as protected by Arizona's constitution. It stemmed from pre-trial litigation in a 2020 murder case. How potential evidence would be retrieved and handled was key to the case. In its split opinion issued Monday, the court majority found that a man accused of murder had to meet a higher burden to have a third party collect GPS tracking data from the truck of another man who was present at the crime scene, before presenting it to a judge for review. [...] Chief Justice Robert Brutinel, as well as Justices John Lopez, James Beene, William Montgomery, and Kathryn King, ruled that if the data were to be handled by a third party, then the higher standard is needed. Justice Clint Bolick and Vice Chief Justice Ann Timmer, partly dissenting, argued that the majority opinion inappropriately set too high of a standard with no legal justification.” [Arizona Republic, [8/4/23](#)]

**2022: King dissented in ruling that a man convicted of second degree murder by a Pima County jury was not prejudiced at trial due to a judicial error.** “A man convicted of attempted second degree murder for stabbing a six-inch long drill bit into the neck of an acquaintance in 2018 was not prejudiced at trial even though the judge committed a fundamental error, the Arizona Supreme Court ruled Tuesday. Pima County jurors deciding the fate of Sergio Fierro Jr. were told by the trial judge they could find Fierro guilty if they found he acted with an intent to kill, or knew that serious injury could result from his action. Jurors were also told they could convict Fierro if they believed he acted recklessly even if causing the victim’s death was not intended. But mere recklessness was not a correct criteria, according to a 29-page opinion authored by Justice Clink Bolick. ‘This same faulty instruction has been used repeatedly in prior cases,’ Bolick wrote for the majority in a rare 4 to 3 vote. [...] A dissent written by Justice John R. Lopez IV and joined by Justices Bill Montgomery and Kathryn King noted the three embrace the newly crafted jury instruction. However, they would have vacated Fierro’s conviction on the attempted second degree murder charge and order a new trial.” [Arizona Daily Independent, [9/28/22](#)]

**In 2015, as Gov. Ducey’s deputy general counsel, King claimed the state was in compliance with federal prison rape prevention laws but faced delay in auditing a juvenile facility before the deadline.** “The Justice Department said that for the second year in a row Arizona was unable to submit proof of compliance or assurances that it was meeting federal prison rape prevention laws. Arizona was one of just five states and the territory of the Northern Mariana Islands that did not submit the proper paperwork or meet a May 15 Justice Department deadline to show their compliance. One prisoner-rights advocate in the state said Arizona’s noncompliance is purposeful, but an official in Gov. Doug Ducey’s office insisted the state has met the standards – just not the paperwork deadline. ‘We requested a brief extension ... such an extension could not be granted,’ Kathryn King, deputy general counsel to the governor, said in a letter to federal officials in May. King noted that eight Arizona correctional facilities

passed Prison Rape Elimination Act audits this year, but that the state was unable to schedule an audit of a juvenile facility in time to meet the deadline.” [Cronkite News, [6/16/15](#)]

## EDUCATION

**King recused herself from a hearing on school mask mandates and a judge not appointed by Gov. Ducey heard the case.** “The Arizona Supreme Court on Tuesday unanimously upheld a lower court judgment that found the Republican-controlled Legislature violated the state constitution by including new laws banning school mask mandates and a series of other measures in unrelated budget bills. [...] Ducey has appointed four of the seven judges who heard Tuesday’s case. Newly appointed Justice Kathryn King recused herself from Tuesday’s hearing and an appeals court judge not appointed by Ducey heard the case.” [AP, 11/3/21]

**2020: King said Arizona’s universities made their mark as “world-class institutions of higher learning — preparing tens of thousands of students every year for success outside the classroom.”** “Today, Governor Doug Ducey announced the appointment of Kathryn (Kate) Hackett King to fill a recent vacancy on the Arizona Board of Regents. [...] ‘I’m honored to be appointed by Governor Ducey to serve on the Arizona Board of Regents,’ said King. ‘Arizona’s universities have made their mark as world-class institutions of higher learning — preparing tens of thousands of students every year for success outside the classroom. I am excited to get to work to help build upon the incredible legacies of our public universities to the benefit of students and the communities they call home.’” [Press release, Office of Gov. Doug Ducey, [3/11/20](#)]

**2009-2015: King served on the board of directors for the University of Arizona Law College Association.** From 2009-2015, King served on the board of directors for the University of Arizona Law College Association. [Arizona Supreme Court profile, accessed [6/20/24](#)]

## Arizona Board of Regents

**2020: Gov. Doug Ducey appointed King to an eight-year term to fill a vacancy on the Arizona Board of Regents.** “Gov. Doug Ducey has appointed a former aide who now practices law in Phoenix as a member of the Arizona Board of Regents, the panel that oversees the state university system. Ducey’s office announced Wednesday his appointment of Kathryn Hackett King to an eight-year term to fill a vacancy on the board as well as his reappointment of Karrin Taylor Robson to a full eight-year term on the board.” [AP, 3/11/20]

- **The Board of Regents governs Arizona’s three public universities.** “She served as Ducey’s deputy general counsel from 2015 to 2017 and has been a member of the Arizona Board of Regents, which governs the state’s three public universities, since Ducey appointed her to that role in 2020.” [KTAR, [7/8/21](#)]
- **King: “I am excited to get to work to help build upon the incredible legacies of our public universities to the benefit of students and the communities they call home.”** “Today, Governor Doug Ducey announced the appointment of Kathryn (Kate) Hackett King to fill a recent vacancy on the Arizona Board of Regents. [...] ‘I’m honored to be appointed by Governor Ducey to serve on the Arizona Board of Regents,’ said King. ‘Arizona’s universities have made their mark as world-class institutions of higher learning — preparing tens of thousands of

students every year for success outside the classroom. I am excited to get to work to help build upon the incredible legacies of our public universities to the benefit of students and the communities they call home.” [Press release, Office of Gov. Doug Ducey, [3/11/20](#)]

- **Gov. Ducey: “Kate has long been a tireless advocate for education in Arizona…”** In a video statement, Ducey said: “During her time on the board, she established herself as an advocate for students and helped increase educational attainment and access. And she’s served, not just our kids, but all Arizonans… Kate has long been a tireless advocate for education in Arizona and she continues to serve the state in her new role on the Arizona state Supreme Court.” [YouTube, ABOR News, [2/17/22](#)]

**As a regent, King tried to establish herself as an advocate for students and she helped advance board priorities that included the New Economy Initiative and increasing educational attainment.** “Arizona Board of Regents Chair Lyndel Manson, on behalf of the board, extended appreciation to Regent Kathryn Hackett King for her service on the board. Governor Ducey appointed Regent King to the state’s highest court today. ‘We are proud of Regent King’s appointment to our state’s highest court. Although we will miss her on the board, she will bring her considerable talent in law to the court. I appreciate Regent King’s service to the board during which time she established herself as an advocate for our students and helped advance our priorities including the New Economy Initiative and increasing educational attainment,’ said Arizona Board of Regents Chair Lyndel Manson.” [Arizona Board of Regents, Press release, [7/8/21](#)]

**2020: As a member of Arizona’s Board of Regents, King recused herself from discussions about leases for University of Arizona facilities.** According to minutes from a June 2020 meeting of the Board of Regents: “Regent King recused herself from items 20 and 21 on the Consent Agenda. Regent Penley separated the consent agenda into 3 motions.” According to meeting minutes, item 20 was described as: “Amendment to City of Phoenix Ground Lease (UArizona).” The minutes stated, “The board approved the University of Arizona (UArizona) amendment to the Ground Lease between UArizona and the City of Phoenix for the UA Cancer Center at the Phoenix Biomedical Campus (“PBC”), to accommodate the amendment to the UArizona Oncology Facility Lease Agreement with Dignity Health.” According to meeting minutes, item 21 was described as “Amendment to Dignity Lease (UArizona).” The minutes stated, “The board approved the University of Arizona (UArizona) First Amended and Restated Oncology Facility Lease Agreement (the “Dignity Lease”) with Dignity Health, to lease the entire building to Dignity to continue providing outpatient cancer treatment, and for other clinical uses.” [Arizona Board of Regents, [Minutes](#), 6/10/20-6/12/20]

- **2020: King recused herself from discussions and decisions related to the Mesa City Center project in Arizona State University’s Capital Improvement Plan.** “According to minutes for the September 2020 meeting of the Board of Regents’ Finance, Capital and Resources Committee, the FY 2022-2024 Capital Improvement Plans for ASU, NAU, and UArizona were reviewed. Specifically, the minutes stated, “The committee discussed the ASU, NAU, and UArizona Capital Improvement Plans (CIP). The ASU and UArizona CIPs were forwarded to the full board for approval, as described in the executive summaries. The items will be on the board consent agenda. Regent Taylor Robson and Regent King recused themselves from any discussion, consideration or action related to the Mesa City Center project in the ASU CIP.” [Arizona Board of Regents, [Minutes](#), 9/30/20-10/2/20]

- 2021: King recused herself from discussions about the state’s lawsuit against the Board of Regents regarding tuition and previous court rulings.** According to minutes from a January 2021 meeting of the Board of Regents: “Regent King recused herself from this item exited the meeting. General Counsel Jennie Pollock reviewed details of the State of Arizona, ex rel. Mark Brnovich v. Arizona Board of Regents lawsuit regarding tuition and previous court rulings. In November 2020, the Superior Court upheld the trial court’s dismissal of counts 1-5 but remanded and reversed the trial court’s decision on count 6. This stipulation being brought before the board will dismiss with prejudice the remaining count 6 resulting in an order from the Superior Court to end the litigation and dispose all claims filed against the board in the lawsuit regarding tuition. The stipulation also provides all parties will cover their own attorneys’ fees and costs. Upon motion by Regent Penley; seconded by Regent Manson, the board approved authorization to the board’s legal counsel to stipulate to dismissal on the board’s behalf in *State of Arizona, ex rel. Mark Brnovich, Attorney General, v. Arizona Board of Regents (Case Nos. CV 2017-012115; 1 CA-CV 18-0420; T-19-0002-CV; CV-19-0027-SA, CV-19-0247)*. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, DuVal, Mata and Rusk voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 1/28/21]

### **Budgets & Tuition**

**As a member of Arizona’s Board of Regents, King voted to approve the FY 2022 annual budgets for Arizona State University, Northern Arizona University, and University of Arizona.** “Upon motion by Regent Taylor Robson, seconded by Regent Rusk, the board approved the FY 2022 annual budgets for Arizona State University, Northern Arizona University, University of Arizona and the ABOR Office as presented in the executive summary. Regents Penley, Manson, Taylor Robson, Shoopman, DuVal, King, Mata, Rusk and Hoffman voted in favor. None opposed and none abstained.” [Arizona Board of Regents, Minutes, 6/9/21-6/11/21]

**King voted in favor of approving the FY 2022 State Budget Request of the universities and board office.** According to minutes from a September 2020 meeting of the Board of Regents: “Upon motion by Regent Penley; seconded by Regent Shoopman the board approved the FY 2022 State Budget Request of the universities and board office, including a FY 2021 supplemental budget request for both support of in-state students and addressing the shortfall caused by the pandemic; the specific amount of that request to be worked out by executive director Arnold with the three presidents and approval by the chairman of the board. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, King, Mata, Rusk and Superintendent Hoffman voted in favor. None opposed and none abstained. Regent DuVal was not present for the vote.” [Arizona Board of Regents, [Minutes](#), 9/10/20]

**King voted in favor of the FY2021 annual budgets for Arizona State University, Northern Arizona University, and the University of Arizona.** According to minutes from a September 2020 meeting of the Board of Regents: “Lorenzo Martinez reviewed the board system office budget. Mr. Martinez noted that 20% of the \$30.5 billion budget is for operating costs, the rest is pass-through funding from the general fund for Arizona Teachers Academy, WICHE, etc. Details of revenue and expenses were provided. [A copy of the presentation can be found in the September 10, 2020 Document Files] Upon motion by Regent Penley; seconded by Regent Ridenour, the board approved the FY 2021 Annual Budgets for Arizona State University, Northern Arizona University, the University of Arizona as modified and presented orally and the ABOR office as presented in the executive summary. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, King, Mata, Rusk and Superintendent Hoffman

voted in favor. None opposed and none abstained. Regent DuVal was not present for the vote.” [Arizona Board of Regents, [Minutes](#), 9/10/20]

**2020: King voted to approve Northern Arizona University tuition increases for the 2020-2021 academic year.** According to minutes from a May 2020 meeting of the Board of Regents: “Upon Motion by Regent Penley, seconded by Regent Manson, the board approved Northern Arizona University’s nonresident and online tuition for the 2020-2021 academic year. This included: Increase tuition by 0.5 percent for all new nonresident undergraduate students under the pledge program for a base tuition of \$25,396 for new nonresident undergraduate students entering Fall 2020; For nonresident undergraduate students not on the pledge plan increase tuition by 3.0 percent to \$22,624; [...] For all nonresident graduate students, increase tuition 5.0 percent for a base tuition of \$25,708 at the Flagstaff campus and \$24,754 at NAU statewide, Yavapai and Yuma campuses; For online tuition, increase the per credit hour rate by 4.6 percent for undergraduate students for a per credit hour charge of \$455. The rates for graduate online students are unchanged at \$575 per credit hour. For mandatory fees increase: Increase the Arizona Financial Aid Trust (AFAT) by \$17 per year to \$79 for NAU Yavapai. This adjustment will make all of NAU’s branch sites with the same tuition and mandatory fees. By roll call vote: Regents Penley, Manson, DuVal, King, Ridenour, Shoopman, Taylor Robson, and L’Ecuyer voted in favor. None opposed and none abstained. The motion passed.” [Arizona Board of Regents, [Minutes](#), 5/7/20]

- **2020: King voted to approve Arizona State University tuition increases for the 2020-2021 academic year.** According to minutes from a May 2020 meeting of the Board of Regents: “Upon motion by Regent Penley, seconded by Regent Manson, the board approved ASU’s nonresident undergraduate and graduate base tuition and online tuition for the 2020-2021 academic year. This included: For nonresident undergraduate students at all ASU campuses increase base tuition no more than 5.0 percent, not to exceed \$30,240, except for freshman and sophomores in the Polytechnic School and New College, to not to exceed \$27,216. For nonresident undergraduate students at ASU Colleges at Lake Havasu City increase base tuition no more than 5.0 percent not to exceed \$10,886. [...] For nonresident and international graduate students, increase base tuition no more than 5.0 percent to not to exceed \$32,970 for graduate nonresident students and \$35,280 for graduate international students. For online tuition, increase the per credit hour rate no more than 5.0 percent for a per credit hour charge not to exceed \$557 for undergraduate students and \$559 for graduate students. [...] By roll call vote: Regents Penley, Manson, DuVal, King, Ridenour, Shoopman, Taylor Robson, and L’Ecuyer voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 5/7/20]
- **2021: King voted in favor of increasing tuition for graduate students at Northern Arizona University.** “Upon motion by Regent Taylor Robson; seconded by Regent Shoopman, the board approved for all graduate students at the Flagstaff campus, increase tuition 5 percent to \$11,004 for resident graduate students and \$26,994 for nonresident graduate students; for graduate students at all other NAU sites (NAU Yuma, Yavapai and Statewide), increase tuition 5 percent for base tuition of \$10,596 for resident graduate students and \$25,992 for nonresident graduate students. By roll call vote: Regents Taylor Robson, Shoopman, Ridenour, DuVal, King, Mata, Rusk and Manson voted in favor. None opposed and none abstained. Superintendent Hoffman was not present for the vote. The motion passed.” [Arizona Board of Regents, [Minutes](#), 4/14/21-4/16/21]

## **Student Visas**

**2020: King voted to approve Arizona Universities’ request to join a lawsuit challenging restrictions on student visas that would require students to take in-person classes.** “Pursuant to ABOR Policy 1-109, ASU, NAU and UA asked the board to ratify the prior authorization provided for the universities to join litigation against the U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) challenging restrictions on student visas that would require students to take in-person classes. Jennifer Pollock presented to the board. In March, 2020 ICE issued an order that allowed F-1 Visas student to be exempt from the order that required they attend a majority of their classes in person. This provided security for these students to continue their education remotely without fear of endangering their health or losing their immigration status and being deported. On July 6, 2020, ICE issued an order that rescinded the prior exception for F-1 Visa students. On July 8, 2020 MIT and Harvard filed suit against ICE, challenging the July 6 order. Arizona’s three state universities sought approval from ABOR General Counsel, Mrs. Pollock, to join the lawsuit with twenty west coast universities to challenge the July 6, 2020 order. Mrs. Pollock, consulted with the board chair and gave tentative approval. The action is subject to ratification from the board. The suit was filed on July 13, 2020. In the MIT and Harvard lawsuit the Department of Homeland Security (DHS) rescinded the July 6 order and reverted back to the March 2020 order allowing F-1 Visa students to continue their education remotely. At the time of the meeting, guidance for Arizona’s universities, from DHS has not been received in order to determine further action in litigation. Therefore universities are requesting ratification of prior authorization from the board to join the lawsuit. Upon motion by Regent Penley; seconded by Regent Ridenour, the board approved the request to ratify the prior authorization provided for the universities to join litigation against the U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) challenging restrictions on student visas that would require students to take in-person classes. Regents Penley, Manson, Shoopman, Ridenour, Taylor Robson, DuVal, King and Rusk voting in favor. None opposed, none abstained.” [Arizona Board of Regents, [Minutes](#), 7/21/20]

### **Scholarships**

**2020: King voted to approve \$6 million in grant funds that would fund 1,000 scholarships for college students.** According to minutes from a September 2020 meeting of the Board of Regents: “The board was asked to approve the allocation of scholarships funded by the \$6 million in grant funds for the Arizona Teachers Academy contingent on finalization of the agreement with the Governor’s Office and directed executive director John Arnold to finalize the Interagency Services Agreement with the Governor’s Office. [...] The grant will fund approximately 653 undergraduate scholarships, 105 postbaccalaureate scholarships and 242 graduate scholarships. Mr. Arnold detailed the allocation methodology between the institutions. Upon motion by Regent Penley; seconded by Regent Taylor Robson the board approved the allocation of scholarships funded by the \$6 million in grant funds for the Arizona Teachers Academy contingent on finalization of the agreement with the Governor’s Office and directed executive director John Arnold to finalize the Interagency Services Agreement with the Governor’s Office. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, King, Mata, Rusk and Superintendent Hoffman voted in favor. None opposed and none abstained. Regent DuVal was not present for the vote.” [Arizona Board of Regents, [Minutes](#), 9/10/20]

### **Title IX**

**2020: King voted in favor of changes to Board policies to comply with new Title IX regulations. Changes included giving universities the authority to create processes that complied with the new**

**regulations.** “Samantha Blevins presented the proposed revisions to ABOR Policy 1-119 ‘Nondiscrimination and Anti-Harassment’ to comply with Title IX regulations set by the U.S. Department of Education, effective August 14, 2020. A tri-university workgroup was formed to help implement the changes. The workgroup recommended creating a separate provision in board policy that specifically governs sexual harassment as regulated in Title IX of the education amendments in 1972. New language in the policy mirrors the new regulatory definition of harassment and delegates to the universities the authority to create a process that complies with the new regulations. Upon motion by Regent Penley; seconded by Regent Ridenour, the board approved for immediate implementation the proposed revisions to ABOR Policy 1-119 ‘Nondiscrimination and Anti-Harassment’ as presented in the executive summary. Regents Penley, Manson, Shoopman, DuVal, Ridenour, Taylor Robson, King and Rusk voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 8/20/20]

## ELECTIONS

**King placed a hold on a lower court order for the Cyber Ninjas’ records of their review of the 2020 vote count in Maricopa County to be released while the Supreme Court considered an appeal.** “Cyber Ninjas will not need to imminently release records of their review of the 2020 vote count in Arizona’s most populous county. Arizona Supreme Court Justice Kathryn King put a hold Tuesday on a lower court order for the records to be released by Aug. 31 while the high court considers an appeal. Republicans who control the Senate argue the records are not subject to public release because they’re maintained by the Senate’s contractors and legislative immunity applies.” [AP, 8/24/21]

**2022: King agreed with majority ruling that some of the state Senate’s documents from the review of the 2020 election can rightfully be shielded from public view, reversing a lower court order.**

“The Arizona Supreme Court said Wednesday that some of the Senate's documents from the review of the 2020 election can rightfully be shielded from public view, reversing a lower court order. But to keep those documents private, the Senate needs to provide better explanations of what is in the approximately 1,000 emails, texts and other communications the Senate has fought to keep secret for more than a year. Both The Arizona Republic and a left-leaning watchdog group called American Oversight sued the Senate for communications from the partisan election review last year. The cases were consolidated. The Senate turned over many documents as ordered by the Superior Court but argued about 1,000 of them are protected by ‘legislative privilege’ and therefore not subject to disclosure under the state Public Records Law. The unanimous Supreme Court opinion was written by Justice John Lopez, who was joined by Robert Brutinel, Ann Scott Timmer, James Beene, William Montgomery, Kathryn King and retired Justice John Pelander. Justice Clint Bolick recused himself from the matter because some of the communications on the privilege log were sent to his wife, Rep. Shawna Bolick, R-Phoenix.” [Arizona Republic, [8/31/22](#)]

**In the Supreme Court’s rejection of a recount, King said there was no “compelling reason” why David Mast, a Kari Lake supporter in Maricopa County, and Cochise County Supervisor Tom Crosby, who refused to certify election results, request should start with the Supreme Court rather than a lower court.** “The state Supreme Court Thursday rejected a request to order a recount of all mail-in ballots cast by Maricopa County voters in November's general election. The court's order came one week after David Mast, a Kari Lake supporter in Maricopa County, and Cochise County Supervisor Tom Crosby, who refused to certify his county's election results last year, filed their request for a special action. But their argument that Maricopa County used improper methods to verify voter signatures on their mail-in ballot envelopes fell flat with the high court. Justice Kathryn King wrote there was no

‘compelling reason’ for why the duo's request should start with the Supreme Court, indicating they should take their grievance to a lower court.” [Arizona Republic, 8/25/23]

## ETHICS AND TRANSPARENCY

**2022: King agreed in unanimous ruling that state legislators could ignore laws requiring public access to their meetings.** “State lawmakers are free to ignore laws they approved requiring public access to their meetings and there’s nothing that courts can do about it, the Arizona Supreme Court ruled Friday. In a unanimous ruling, the justices acknowledged that legislators applied the state’s Open Meeting Law to themselves. This law requires that all legislative committees conduct meetings publicly so ‘all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.’ In fact, Justice Ann Scott Timmer said lawmakers also approved rules that are substantially similar. But Timmer said the Arizona Constitution also gives the House and Senate the power to determine their own procedural rules. And that, she said, ‘necessarily means each house can interpret, amend, enforce or disregard those rules with almost limitless impunity.’” [Arizona Capitol Times, [12/30/22](#)]

**2021: As a member of Arizona’s Board of Regents, King voted to oppose HB2804, a bill to bring greater transparency to Board meetings.** “Brittney Kaufmann presented legislation affecting the University Enterprise. Ms. Kaufmann provided details of the bills and the affects they would have on the universities and its community. She recommended the board oppose HB2069 Genetic Testing; Private Property which would disrupt the work being done at the universities and private biomedical entities to conform with federal regulations. It is likely, this bill would render Arizona’s universities ineligible for federally funded biomedical research by not allowing access to biobanks that are designed to safely maintain de-identified specimens for research. Ms. Kaufmann also recommended the board oppose HG2804 Public Meetings; Executive Sessions which proposes severely limiting the use of executive session. Restrictions include the board’s privilege to receive appropriate legal advice during executive session and would require personnel reviews be discussed in public session. Upon motion by Regent Penley; seconded by Regent Shoopman the board voted to oppose the following bills, HB2069 and HB2804 in their current forms and work with the bill sponsors to amend the language as needed. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, DuVal, King, Mata, and Rusk voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 3/10/21]

## HEALTH CARE

### COVID-19

**King recused herself from a hearing on school mask mandates and a judge not appointed by Gov. Ducey heard the case.** “The Arizona Supreme Court on Tuesday unanimously upheld a lower court judgment that found the Republican-controlled Legislature violated the state constitution by including new laws banning school mask mandates and a series of other measures in unrelated budget bills. [...] Ducey has appointed four of the seven judges who heard Tuesday’s case. Newly appointed Justice Kathryn King recused herself from Tuesday’s hearing and an appeals court judge not appointed by Ducey heard the case.” [AP, 11/3/21]

**King disagreed with a ruling that said buyers of new homes were entitled to sue builders for hidden defects, even if they signed contracts waiving that right.** “Buyers of new homes are entitled to sue builders for hidden defects for up to eight years -- even if they have signed contracts waiving that right, the Arizona Supreme Court ruled Wednesday. In a ruling with wide implications, the justices said that the common law ‘implied warranty of workmanship and habitability’ recognizes the fact that home buyers are not experts in all the things that are required in constructing a house. [...] Wednesday's ruling was not unanimous. Justice Kathryn King said it runs afoul of the state's public policy favoring freedom to contract. And King, joined by Justice Clint Bolick, pointed out that right of implied habitability exists nowhere in state law. Instead, she noted, it was created by a 1979 ruling of the State Court of Appeals.” [Arizona Capitol Times, 9/28/22]

- **King said the ruling ran afoul of the state’s public policy favoring freedom to contract and pointed out that right of implied habitability exists nowhere in state law.** “Buyers of new homes are entitled to sue builders for hidden defects for up to eight years -- even if they have signed contracts waiving that right, the Arizona Supreme Court ruled Wednesday. In a ruling with wide implications, the justices said that the common law ‘implied warranty of workmanship and habitability’ recognizes the fact that home buyers are not experts in all the things that are required in constructing a house. [...] Wednesday's ruling was not unanimous. Justice Kathryn King said it runs afoul of the state's public policy favoring freedom to contract. And King, joined by Justice Clint Bolick, pointed out that right of implied habitability exists nowhere in state law. Instead, she noted, it was created by a 1979 ruling of the State Court of Appeals.” [Arizona Capitol Times, 9/28/22]

**2020: As a member of the Board of Regents, King voted in favor of giving Arizona State University authority to sue Facebook and an individual named “ASU COVID parties” for trademark infringement and false advertising.** “Upon motion by Regent Penley; seconded by Regent King, the board ratified the prior authorization to initiate litigation against John Doe aka ‘asu\_covid.parties’ an individual, and Facebook, Inc., a Delaware corporation for direct and contributory federal trademark infringement, false designation of origin and false advertising under Lanham Act Section 43(a), State Trademark Dilution under Arizona Revised Statutes Section 44-1448.01, and unfair competition and (2) extended such authorization to the board on behalf of itself and all universities under the governance of the board for similar actions. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, King, Mata, Rusk and Superintendent Hoffman voted in favor. None opposed and none abstained. Regent DuVal was not present for the vote.” [Arizona Board of Regents, [Minutes](#), 9/10/20]

- **2020: Federal court rejected the Board of Regents’ lawsuit against “Asu Covid parties,” an anonymous account that promoted “Covid parties” at ASU.** “The person behind an anonymous Instagram account that promoted ‘COVID parties’ for Arizona State University students has withstood a legal challenge from the university, after a lawsuit was rejected by a federal appeals court. The 9th U.S. Circuit Court of Appeals rejected a lawsuit filed by the Arizona Board of Regents in August 2020 contending the ‘ASU covid parties’ Instagram was trademark infringement and false advertising. A three-judge panel Friday cited the ‘implausibility of the allegations’ brought by the Arizona Board of Regents, the governing body for ASU. In rejecting the lawsuit, the judges agreed with a lower court's dismissal of the claims.” [Arizona Republic, [5/16/22](#)]

**2020: As a member of Arizona’s Board of Regents, King voted in favor of endorsing principles for University COVID-19 Response Planning that were derived from CDC guidelines.** “According to minutes from a June 2020 meeting of the Board of Regents: “The board discussed principles for university COVID-19 response planning. Nancy Tribbensee presented the principles. The principles reflect the board's commitment to student success and the health and wellbeing of students, employees, and the community. [...] Nancy Tribbensee mentioned that each university's response plan should address university specific proposals for testing, contact tracing, promoting behavior that reduces the potential for spread of the virus, education and direction for employees and students on issues related to public health, education, and direction for employees and students on university health services, counseling support services and disability resources, the university's commitment to working with local municipalities and the state to promote healthy behaviors and environments, and the university's commitment to timely and thoughtful communications with all stakeholders. Regent Penley thanked the universities for collaborating with Nancy Tribbensee and the board staff in developing these principles, deriving them from the CDC guidelines to provide an excellent learning environment for the state of Arizona. [...] Upon motion by Regent Penley, seconded by Regent Manson, the board endorsed the Board Principles for University COVID-19 Response Planning, as presented in the executive summary. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, DuVal, King, L’Ecuyer and Superintendent Hoffman voted in favor. None abstained and none opposed.” [Arizona Board of Regents, [Minutes](#), 6/10/20-6/12/20]

#### IMMIGRATION

**2021: As a member of Arizona’s Board of Regents, King voted in favor of supporting legislative efforts to provide certainty to DACA students “as well as other students who have completed an Arizona high school degree.”** “John Arnold presented two pieces of legislation for the board to consider. S1296 Collegiate athletics; compensation - requires institutions competing in sports to allow a student athlete to receive compensation for the use of that student athlete’s name, image or likeness. This bill aligns Arizona state law with NCAA guidelines. The second legislation involves an effort to repeal and amend portions of Proposition 300 which would eliminate the prohibition of Arizona high school graduates who have completed two years at an Arizona high school, and whose legal status is in question, to be eligible to receive resident tuition and financial aid. There currently is not a bill and the motion is conceptual. Position of support by the board is requested. [...] Upon motion by Regent Penley; seconded by Regent DuVal, the board approved continuing to work toward the success of each of our students and support our elected officials in creating a permanent legislative solution that will provide certainty to our DACA students as well as other students who have completed an Arizona high school degree, providing them greater access to higher education through in-state tuition rate eligibility. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, DuVal, King, Mata and Rusk voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 1/28/21]

#### LABOR ISSUES

**2020: As a member of Arizona’s Board of Regents, King voted in favor of authorizing universities to initiate lawsuit against the Department of Labor’s interim rule on prevailing wage and against DHS rule on narrowing eligibility for H1B visas.** “Pursuant to ABOR Policy 1-109, ASU, NAU, and UArizona requested that the board ratify the prior authorization for ASU, NAU and UArizona to initiate litigation against the Department of Labor’s New Interim Rule on Prevailing Wage and Against the Department of Homeland Security’s New Rule Narrowing Eligibility for H1B Visas. Jennifer Pollock

presented that this action is a request by the universities for ratification of the prior authorization for the universities to initiated litigation against the Department of Labor’s new interim rule on prevailing wage and against the Department of Homeland Security’s new rule on narrowing eligibility for H1B visas. The universities received prior authorization from ABOR General Counsel with consultation with the board chair to initiate the mitigation and that authorization is subject to ratification by the board pursuant to board policy. Upon motion by Regent Penley, seconded by Regent Shoopman, the board ratified the authorization to initiate litigation against the Department of Labor’s New Interim Rule on prevailing wage and against the Department of Homeland Security’s new rule narrowing eligibility for H1B visas as described in the executive summary. Regents Penley, Manson, Taylor Robson, Shoopman, Ridenour, DuVal, King, Mata and Rusk voted in favor. None opposed and none abstained.” [Arizona Board of Regents, [Minutes](#), 11/18/20-11/20/20]

## LGBTQ RIGHTS

**King represented Jami Snyder, director of Arizona’s Medicaid agency, in a case brought by two transgender teenagers challenging the state’s exclusion on paying for transition-related surgeries.** “Two Arizona transgender teenagers asked a U.S. district judge to certify a class of young Arizonans on Medicaid who need male chest reconstruction surgery, saying they all face discrimination under the state’s blanket exclusion on paying for transition-related surgeries. [...] Counsel for the teens and for defendant Jami Snyder, director of Arizona’s Medicaid agency, did not immediately respond to requests for comment Tuesday. The teens are represented by Brent P. Ray and Andrew J. Chinsky of King & Spalding LLP, Daniel C. Barr and Janet M. Howe of Perkins Coie LLP, Asaf Orr of the National Center for Lesbian Rights, and Abigail K. Coursolle and Catherine McKee of the National Health Law Program. Jami Snyder is represented by David T. Barton and Kathryn Hackett King of Johnston Law Offices PLC.” [Law360, 1/12/21]

## TRANSPORTATION

**In a ruling invalidating a voter-approved sales tax to fund transportation projects, King wrote that the illegal two-tier sales tax structure was not allowed under state law.** “A voter-approved sales tax in Pinal County that is designed to fund transportation projects is invalid because it improperly exempts larger transactions, the Arizona Supreme Court ruled Tuesday. The tax voters approved in 2017 adopts an illegal two-tier sales tax structure that isn’t allowed under state law, Justice Kathryn King wrote in the ruling that invalidated the tax. She said the county complied with state law when it adopted the tax voters later approved. The tax exempts sales over \$10,000 from the .5% tax, which attorneys for the Goldwater Institute said means that lower-income citizens are taxed more heavily for routine purchases than people who buy new cars or jewelry.” [AP, [3/8/22](#)]

**APPENDIX I: CAMPAIGN FINANCE**

---

**Rules governing sitting judges prohibit them from soliciting donations to convince voters to keep them on the bench.** [Daily Independent, [4/22/24](#)]

**2024 SUPREME COURT RETENTION RACE**

**A candidate search conducted in Arizona’s Spotlight campaign finance database for donations to “Kathryn King” returned no results.** [Arizona Secretary of State, Election Funds Portal, accessed 6/20/24]

**KING DONATIONS TO OTHER CANDIDATES**

Federal Contributions

**A donor search conducted using databases maintained by the Federal Election Commission for contributions from Kathryn King from Phoenix, Arizona, or from her husband, William King, did not return any matching results.** [Federal Election Commission databases, accessed 6/20/24]

Arizona Contributions

*Kathryn King*

<b>Kathryn King – AZ Statewide Contributions</b>		
<b>Date</b>	<b>Recipient</b>	<b>Amount</b>
8/10/18	Ducey for Governor	\$500
5/31/18	Ducey for Governor	\$100
1/16/18	Ducey for Governor	\$100
<b>TOTAL:</b>		<b>\$700</b>

[Arizona Secretary of State, Election Funds Portal, accessed 6/20/24]

*William King*

<b>William King – AZ Statewide Contributions</b>		
<b>Date</b>	<b>Recipient</b>	<b>Amount</b>
10/19/18	Kelli Butler for Arizona (D)	\$100
<b>TOTAL:</b>		<b>\$100</b>

[Arizona Secretary of State, Election Funds Portal, accessed 6/20/24]

## APPENDIX II: FINANCIAL DISCLOSURES

---

### EMPLOYERS/ SOURCES OF PERSONAL COMPENSATION

**2024: King didn't report compensation greater than \$1,000 outside of her job on the Arizona Supreme Court** Her spouse disclosed compensation over \$1,000 from a law firm. [Arizona Secretary of State Kathryn King Financial Disclosure Statement, [2024](#)]

- **2023: King didn't report compensation greater than \$1,000 outside of her job on the Arizona Supreme Court.** Her spouse disclosed compensation over \$1,000 from two law firms. [Arizona Secretary of State Kathryn King Financial Disclosure Statement, [2023](#)]

**2022: King reported compensation greater than \$1,000 from law firm, Arizona Board of Regents, and as a Judicial Officer.** According to Kathryn King's 2021 Financial Disclosure Statement, King received compensation greater than \$1,000 for her work as an attorney for BurnsBarton PLC, as well as her work as a regent for the Arizona Board of Regents. She also disclosed earning over \$1,000 from her job as a judicial officer at the Arizona Supreme Court. Her spouse also earned over \$1,000 as an attorney. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement [2022](#)]

- **2021: King reported compensation greater than \$1,000 from law firm and Arizona Board of Regents.** According to Kathryn King's 2020 Financial Disclosure Statement, King received compensation greater than \$1,000 for her work as an attorney for BurnsBarton PLC, as well as her work as a regent for the Arizona Board of Regents. Her spouse also earned over \$1,000 as an attorney. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement [2021](#)]

### PROFESSIONAL, OCCUPATIONAL AND BUSINESS LICENSES

**2021-2024: King licensed by State Bar of Arizona.** For 2021-2024, King disclosed her license from the State Bar of Arizona. Her spouse, William King, has the same license. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

### PERSONAL CREDITORS & DEBTORS

**2021-2024: King reported no personal debtors.** King marked "NA" for all years regarding personal debtors. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

- **2021-2024: King's spouse owed debt to Nelnet Loan Service of Lincoln, Nebraska.** For 2021-2024, King disclosed her spouse had a personal creditor, Nelnet Loan Service of Lincoln, Nebraska. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

### GIFTS

**2022: King reported a gift from BurnsBarton PLC.** According to King’s 2022 Financial Disclosure Statement, King received a gift valued at over \$500 from BurnsBarton PLC. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement [2022](#)]

**2023: King reported gifts from State Bar of Arizona and Jason Quintel.** According to King’s 2023 Financial Disclosure Statement, King received gifts valued at over \$500 from the State Bar of Arizona (investiture), and Jason Quintel. [Arizona Secretary of State Kathryn King Financial Disclosure Statement, [2023](#)]

#### NONPROFIT, TRUST OR BUSINESS POSITIONS

**2021-2022: King listed positions with law firm and Arizona Board of Regents.** According to King’s 2021 and 2022 statements, she disclosed her position as a “regent, governing board of Arizona’s public university system” at the Arizona Board of Regents. She also disclosed her position as a law firm partner at BurnsBarton PLC. King’s spouse was a law firm partner at Bonnett Fairbourn Friedman & Balint. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement [2021](#), [2022](#)]

**2023-2024: King listed spouse’s status as a law partner.** According to King’s 2023 statement, her spouse worked as a law firm partner at two Arizona law firms: Bonnett Fairbourn Friedman & Balint, and Gallagher & Kennedy. In 2024, King’s spouse only worked as a law firm partner at Gallagher & Kennedy. [Arizona Secretary of State Kathryn King Financial Disclosure Statement, [2023](#), [2024](#)]

#### FINANCIAL INTERESTS

**2021-2024: King disclosed mutual fund/IRA holding in Fidelity account worth between \$25,001 and \$100,000.** According to her disclosure statements, King disclosed a Fidelity mutual fund/IRA valued between \$25,001 and \$100,000. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

**2021-2024: King disclosed an Arizona State Retirement System retirement plan worth between \$25,001-\$100,000.** According to her disclosure statements, King disclosed a government retirement plan with the Arizona State Retirement System valued between \$25,001 and \$100,000. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

**2021-2024: King disclosed a Vanguard mutual fund/ retirement fund valued at over \$100,001.** According to her disclosure statements, King disclosed a mutual fund/retirement fund with Vanguard Target Retirement valued at over \$100,001. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

**2021-2024: King disclosed 529 accounts with John Hancock for each of her two minor children valued between \$25,001-\$100,000.** According to her disclosure statements, King disclosed 529 accounts with John Hancock for each of her two minor children valued between \$25,001 and \$100,000. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

The following table highlights the holdings of King’s spouse:

<b>Name</b>	<b>Description</b>	<b>Years</b>	<b>Approximate Value</b>
AOR-iShares Core Growth	Exchange Traded Funds	2021, 2022	\$1,000-\$25,000
		2023, 2024	\$25,001-\$100,000
CVS	Stocks	2021-2024	\$1,000-\$25,000
Intel	Stocks	2021-2024	\$1,000-\$25,000
Visa	Stocks	2021-2023	\$1,000-\$25,000
		2024	\$25,001-\$100,000
Growth Fund of America	Mutual Fund	2021, 2022, 2024	\$100,001+
		2023	\$25,001-\$100,000
Goldman Sachs	Mutual Fund	2021-2024	\$25,001-\$100,000
Lord Abbett	Mutual Fund	2021-2024	\$25,001-\$100,000
MFS Growth Fund	Mutual Fund	2021, 2022	\$100,000+
		2023, 2024	\$25,001-\$100,000
MFS International Diversification Fund	Mutual Fund	2021-2024	\$25,001-\$100,000
PGIM Jennison Growth Fund	Mutual Fund	2021, 2022	\$100,000+
		2023, 2024	\$25,001-\$100,000

[Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

## REAL PROPERTY OWNERSHIP

**2021-2024: King did not report owning any property other than primary residence.** According to King’s Financial Disclosure Statements, King did not report owning any property other than her primary residence or property she used for personal recreation. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2021](#), [2022](#), [2023](#), [2024](#)]

## TRAVEL EXPENSES

**2022: King disclosed between \$1,000 and \$25,000 for a Federalist Society for Law and Public Policy Studies—State Court Justices Summit.** The event took place in Park City, Utah. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement [2022](#)]

**2023: King disclosed between \$1,000 and \$25,000 for a National Conference of Bar Examiners and a judicial conference at the Georgetown Center for the Constitution.** The events took place in New Orleans, Louisiana and Sarasota, Florida respectively. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2023](#)]

**2024: King disclosed between \$1,000 and \$25,000 for a judicial conference at Georgetown Center for the Constitution.** The event took place in Sarasota, Florida. [Arizona Secretary of State, Kathryn King Financial Disclosure Statement, [2024](#)]

### **APPENDIX III: AREAS FOR ADDITIONAL RESEARCH**

---

Below is an outline of the outstanding sources that were not reviewed for June 2024 version of this report due to their volume, but should be prioritized for a future update:

**Case records from private practice.** Before she was appointed to the Supreme Court, King was a partner at BurnsBarton PLC from 2017-2021, where she focused on employment and labor law. King also practiced employment, commercial and business law as an attorney at Snell & Wilmer LLP from 2006-2014. A public request for and review of the records and transcripts of notable cases King worked on could provide insight into her career history that has not yet been reported on by the media.

**Arizona Board of Regents decisions.** Very little has been uncovered by the media about King's time on the Board of Regents and the kinds of decisions she may have helped make. A request for and review of records, meeting minutes for the Board of Regents could help fill in the unknown details about King's views and decisions on educational issues.

**Decisions by the Arizona's Civil Rights Advisory Board.** King was a member of the Arizona Civil Rights Advisory Board from 2016-2020 and served as vice chair from 2019-2020. A request for records of decisions and discussions during her time on the board could produce useful information for a future update of this report.

**Communications during her stint with Gov. Doug Ducey's office.** From 2015-2017, King was deputy general counsel for Gov. Doug Ducey. A public records request for email communications from or mentioning King during that time period could produce useful information for a future update of this report.

**Bill King's legal career.** King's husband Bill has also [practiced](#) law in Arizona for nearly 20 years. A review of Bill King's legal career was not done for this report. A future update could include background on and coverage of notable cases Bill may have worked on.