



**MINNESOTA
JUDICIAL BRANCH**

FIRST JUDICIAL DISTRICT

**ETHICS FOR COURT
EMPLOYEES**

Objectives

- Examine and discuss Judicial Council Policy 318:
Court Employee Code of Ethics
- Raise awareness of ethical issues in the workplace
- Explore ethical dilemmas at work and the potential impact of making unethical decisions
- Understand your responsibility in making ethical decisions and upholding justice in the court system

If we do not behave ethically...

What can happen?

What is at stake?

For You?

For Your Team?

For the Organization?

Why is it important to behave ethically?

Mission

- To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

Vision

- The general public and those who use the court system will refer to it as accessible, fair, consistent, responsive, free of discrimination, independent, and well-managed.

Minnesota Judicial Branch FY18-19 Strategic Plan

- Access to Justice
- Effective Administration of Justice
- Public Trust and Confidence

CODE OF ETHICS POLICY STATEMENT

Ethical, courteous, and respectful conduct by court employees is critical to the administration of justice and the public perception of the integrity of the Judicial Branch.

Judicial Council Policy 318

Court Employee Code of Ethics

- Abuse of Position and Conflict of Interest
- Confidentiality
- Political Activity
- Release of News Information
- Performance of Duties
- Duty to Report

Abuse of Position and Conflict of Interest

Employees shall not use or attempt to use their official positions to secure unwarranted privileges or exemptions for that employee or any other person.



Abuse of Position and Conflict of Interest

Employees shall not accept, agree to accept, dispense, or solicit any gift or favor based upon an understanding that the official actions of the employee would be influenced thereby.

Abuse of Position and Conflict of Interest

Employees shall not request or accept any compensation or fee beyond that received from their employer for work done in the course of their public employment.

However, employees may engage in **outside employment** as long as it does not conflict with the performance of their official responsibilities or violate this code and as long as they have received approval of their supervisor for outside employment

Abuse of Position and Conflict of Interest

Employees shall use the resources, property, and funds under their control judiciously and solely in accordance with prescribed legal procedures.



Policy 317 *Internet/Electronic Communications Policy*

Electronic communication devices such as telephone, Judicial Branch provided cellular phones, facsimile machines, mobile computing devices, Judicial Branch e-mail systems, and internet access are Judicial Branch property. Like other Judicial Branch resources, they are intended to be used for Judicial Branch business and other agency-sanctioned activities. **The Judicial Branch reserves the right to monitor all use of Judicial Branch provided cellular telephones, telephones, facsimile machines, pagers, mobile computing devices, e-mail, and internet resources. Any and all software, data or other information stored on a Judicial Branch-owned computer may be monitored, read, examined, seized or confiscated as necessary at the time of use, during routine post-use audits, and during investigations. Therefore, employees and judges should not expect that any facsimile, voicemail, or e-mail message either sent or received, or any internet activities will remain private.** (Similarly other Judicial Branch-owned property, including but not limited to locked/unlocked desk drawers and cabinets, vehicles, and equipment may also be seized, confiscated, and or searched as necessary.) Judges and employees should not expect that any personal property that is maintained and/or stored in Judicial Branch work sites would remain private. The Judicial Branch reserves the right to monitor any use of these systems, including use of these systems while the employee or judge is on his/her own time, to access any information on these systems, and to take any action it determines to be appropriate with respect to that information.

Abuse of Position and Conflict of Interest

Employees shall avoid conflicts of interest, or the **appearance** of conflicts, in the performance of their official duties.

Examples include but are not limited to: processing cases involving family, friends, and self; using one's position with the courts to manipulate case processing; or influencing the outcome of a case whether positively or negatively for any persons, including yourself.

Abuse of Position and Conflict of Interest

With the exception of uncontested petty misdemeanor traffic citations, all court employees shall notify their supervisor or appointing authority once they become aware they are a party, victim, or a witness in any case before the court within their regularly assigned court office.

Abuse of Position and Conflict of Interest

Employees should avoid initiating or repeating ex-parte communications from litigants, witnesses, attorneys or any other source to Judges or jury members unless necessary for legitimate procedural reasons associated with discharging official duties.

Employees shall not engage in communication regarding cases before the court unless necessary to discharge their official duties.



Confidentiality

For the purpose of this rule, confidential information includes, but is not limited to, information that must be kept confidential pursuant to the Minnesota Statutes, federal law, court rule or court order, unless otherwise ordered by a court, or by a person authorized to release such information and any information that is the work product of any Judge, Judicial Law Clerk, attorney employed by the Judicial Branch including, but not limited to notes, papers, memoranda and case file information.

Confidentiality

Employees shall not disclose to any unauthorized person confidential information.

Employees should also comply with the Minnesota Judicial Branch Personnel Policy on Employee Confidentiality (Policy 303).

Political Activity

Employees should comply with the Minnesota Judicial Branch Policy on Political Activity (Policy 320).



Release of News Information

No personnel rule is intended to restrict the rights of an individual employee to comment as a private citizen on a public matter. However, all media requests for information on Judicial Branch business should be referred to a supervisor or an employee designated to respond to such requests.

Performance of Duties

Employees shall not discriminate on the basis of, nor manifest by words or conduct, a bias or prejudice based upon race, color, religion, national origin, gender, or other groups protected by law, in the conduct of service to the court and public.

Performance of Duties

Employees shall enforce or otherwise carry out any properly issued rule or order of court and shall not exceed that authority except to perform other duties of their positions.

Employees shall promote ethical conduct as prescribed by this code and report any improper conduct by any persons to appropriate authorities.

Performance of Duties

Employees shall not intentionally alter, falsify, destroy, mutilate, backdate or fail to make required entries on any records within the employee's control, or give false information.

This provision does not prohibit alteration or expungement of records or documents pursuant to law, court rule or court order.



Performance of Duties

Employees have a duty to report suspicions, knowledge or evidence of theft, embezzlement, damage, misuse, or unlawful use of state property or public funds to their manager, supervisor or the Judicial Branch Internal Audit Unit. Employees may report orally, in writing, in person or anonymously.

Duty to Report

Employees shall disclose to MJC or District Administration, Human Resources and the Appointing Authority any arrests, criminal charges, or criminal convictions on the next business day following the arrest, criminal charge, or conviction; or as soon as practicable...

Top Ten Tips for Compliance with the Code of Ethics



Don't use MPA to look up information.
You can use public terminal or home PC but not
your work computer.

Top Ten Tips for Compliance with the Code of Ethics



Exercise caution in accepting gifts.

Top Ten Tips for Compliance with the Code of Ethics



Remember that all your emails (and Lync messages) could be public information!

Top Ten Tips for Compliance with the Code of Ethics



Appearance or perception matters as much as reality.

Top Ten Tips for Compliance with the Code of Ethics



Tell your supervisor if you are a party, victim, or witness in a case.

Top Ten Tips for Compliance with the Code of Ethics

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Avoid communication about cases before the court
unless necessary to do your job.

Top Ten Tips for Compliance with the Code of Ethics



Keep political activity out of the workplace

Top Ten Tips for Compliance with the Code of Ethics



Don't just check the missed box on the order –
go back to the judge!

Top Ten Tips for Compliance with the Code of Ethics



Be sure to report arrests and convictions.

Top Ten Tips for Compliance with the Code of Ethics

A large, 3D, golden number 1, centered on a white square background. The number is rendered with a metallic gold finish and a slight shadow beneath it, giving it a three-dimensional appearance.

Remember, maintaining an ethical workplace is everyone's responsibility; we all have duties to follow this policy and report known violations.

Conclusion

- Integrity of the Judicial Branch at stake
- Tough issues—not just right and wrong answers—many shades of grey
- Guidelines for **Judicial** Ethical Conduct can be found here:
https://www.revisor.mn.gov/court_rules/rule.php?name=prjudi-toh

When in doubt, ask!

Thank You

