**UNITED STATES DISTRICT COURT**
**CENTRAL DISTRICT OF CALIFORNIA**
**OFFICE OF THE CLERK**

---

**MEMORANDUM**

**FROM:** Human Resources Office

**TO:** Incoming Externs, Interns and Volunteers

**SUBJECT:** **Instructions Regarding Paperwork/Background Check**

This memo is intended to accompany each packet sent to incoming externs, interns or volunteers to assist in completion of the required forms prior to starting their assignment.

The forms included in this packet must be completed by the individual and returned to the Human Resources Department in advance of the start of his/her assignment. This will allow for the required criminal background check to be completed prior to the start date. Pursuant to the Court's security policy, individuals will not be allowed to begin their duties or receive an identification badge until the criminal background check has been completed. It takes at minimum approximately 2-3 weeks for a background check to be completed. Therefore, **please return the completed documents as soon as possible.**

The forms with instructions are listed below:

- **Criminal Background Check Form** – This form needs to be completed by the individual as soon as possible before his/her start date. *It is imperative that a clear copy of two forms of identification are included.* Examples of acceptable forms of identification include a Driver's License, Social Security card, an unexpired U.S. Passport and Birth Certificate.

- **Fingerprint Form** – All externs, interns and volunteers must be fingerprinted in advance of their start date with the Court. Manual fingerprinting services can be provided by law enforcement agencies as well as other businesses and can be easily located through an internet search. **PLEASE DO NOT SUBMIT ELECTRONICALLY VIA LIVESCAN. The completed fingerprint form must be included with the rest of the materials returned to the Human Resources Department *as soon as possible***. Please do not wait until your first day to submit your fingerprints as this will delay the clearance from being received in a timely manner. **Identification cards WILL NOT be issued without background clearance.**

- **Current Address Form** – This form is completed by the individual.

- **Acknowledgment of Gratuitous Service and Waiver** – Form is completed by the individual. If the individual is not receiving a stipend and/or educational credit for their services, please complete form AO 196A. If the individual is in a cooperative education agreement receiving a stipend and/or educational credit from their institution, please complete the corresponding form (AO 196B).

- **Computer Security Manual** – The individual completes and submits the last page (receipt) but keeps the booklet. The job title should be included as "Extern, Intern or Volunteer" dependent on assignment. Do not be concerned about including phone numbers or log-in information, but do include the judge's or supervisor's name.

- **Internet Access Agreement** – The individual completes and submits the last page (receipt) but keeps the booklet. *Include the judge/supervisor name under "Department."*

- **Confidentiality Statement** – The individual must sign the back page and return it along with the other documents.

- **Employment Eligibility Verification (I-9)** – The individual is to complete section one only. **IMPORTANT:** You must provide one document from List A **OR** one document each from List B ***and*** List C. See page with the List of Acceptable Documents attached.

- **Social Media Policy** – Memorandum from the Chief Judge explaining the Court policy on the use of social media. The individual completes and submits the last page (acknowledgment) but keeps the memorandum.

- **Code of Conduct.** The Code of Conduct applies to all employees of the judicial branch including interns, externs, and other volunteer court employees. The individual completes and submits the acknowledgment page but keeps the policy information.

- **United States Court Appointment** – The individual must fill out his/her full legal name, date of entrance on duty (start date), duty station (city where externship, internship or volunteer assignment will take place), legal name in section B and sign as the appointee. The oath will be administered either in chambers or in the Human Resources office prior to commencing the assignment.

All completed documents, including the completed fingerprint card, must be returned to the Human Resources office. The address is:

U.S. District Court
Human Resources
312 N. Spring St, Room 535
Los Angeles, CA 90012

**NOTE TO EXTERNS**: If directed to return the completed packet and fingerprints to chambers, please do so and chambers staff will forward the documents to the Human Resources Office for processing.

If you have any questions, please call the Human Resources Office at (213) 894-2356.

Enclosures

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

# I.D. CARD APPLICATION/ BACKGROUND CHECK

Name: _____

Current Address: _____

_____

Telephone Number: _____

☐ Social Security Card Number _____ (photo copy attached)

☐ Driver's License Number _____ (photo copy attached)

Birth date: _____

Prior Names: _____

Judge/Supervisor: _____

Anticipated end date: _____

School attending (if applicable): _____

I agree to having a background investigation done prior to being issued an Identification Card (I.D.) by the U.S. District Court. I further agree to surrender any I. D. card issued to me to the Clerk of Court at the end of my assignment with the court.

Dated: _____ _____
Signature

***Note: This form and photocopies of Social Security Card and Drivers license must be sent to Human Resources, 312 N. Spring Street, Room 535, Los Angeles, CA 90012, as soon as possible, but no later than two (2) months prior to your starting date in your assignment.***

# UNITED STATES DISTRICT COURT
# CENTRAL DISTRICT OF CALIFORNIA

## EMERGENCY CONTACT AND MEDICAL INFORMATION

**PLEASE TYPE OR PRINT CLEARLY WHEN COMPLETING THIS INFORMATION**

### CURRENT ADDRESS

| | | |
|---|---|---|
| EMPLOYEE NAME | | DATE OF BIRTH |
| STREET ADDRESS | | APARTMENT NUMBER |
| CITY | STATE | ZIP CODE |
| HOME TELEPHONE | WORK TELEPHONE | EXTENSION OR DEPARTMENT |
| OPTIONAL: CELL PHONE NUMBER | OPTIONAL: PERSONAL E-MAIL ADDRESS(S) (TO BE USED IN AN EMERGENCY) | |

**LIST ANY MEDICAL INFORMATION (INCLUDING ALLERGIES OR DISABILITIES) WHICH MAY ASSIST US IN THE EVENT OF AN EMERGENCY:**

_____

_____

### EMERGENCY CONTACT

PLEASE MAKE SURE THAT THE PERSON TO BE NOTIFIED IN CASE OF AN EMERGENCY MAY BE REACHED DURING **REGULAR BUSINESS HOURS**. IF THE PERSON IS REGULARLY EMPLOYED, PLEASE PROVIDE A WORK TELEPHONE NUMBER AS WELL AS A HOME TELEPHONE NUMBER.

| | | |
|---|---|---|
| NAME | | RELATIONSHIP |
| STREET ADDRESS | | APARTMENT NUMBER |
| CITY | STATE | ZIP CODE |
| HOME TELEPHONE | WORK TELEPHONE | EXTENSION OR DEPARTMENT |

### OUT OF STATE CONTACT

| | | |
|---|---|---|
| NAME | | RELATIONSHIP |
| STREET ADDRESS | | APARTMENT NUMBER |
| CITY | STATE | ZIP CODE |
| HOME TELEPHONE | WORK TELEPHONE | EXTENSION OR DEPARTMENT |

### PHYSICIAN INFORMATION

| | | |
|---|---|---|
| NAME | | TELEPHONE NUMBER |
| STREET ADDRESS | | SUITE |
| CITY | STATE | ZIP CODE |

_____ _____

*Date Signed* *Signature of Employee*

AO 196A
(Rev. 11/10)

# ACKNOWLEDGMENT OF GRATUITOUS SERVICES AND WAIVER

I, _____ , hereby declare that my services to be performed from approximately _____ to _____ in the capacity of _____ to _____ in the United States _____ *(court or office)* are to be solely as a volunteer. I hereby waive any claim or right to receive salary or other compensation in consideration for the performance of duties assigned by _____ . I acknowledge that I am not entitled to receive civil service retirement credit or other related personnel benefits as a consequence of this voluntary employment, except that in the event of any personal injury incurred by me, I shall have those rights to compensation, if any, which may be provided by statute to persons rendering voluntary services to the United States. I further recognize that, as an employee of the United States, I retain no personal copyright privileges in any work product prepared by me in the course of this employment. Finally, I recognize that information which I obtain or to which I shall have access in the course of my employment is often of a confidential nature, and I agree to preserve the confidentiality of such information.

_____
Name

_____
Date

_____
Witness

_____
Date

Pursuant to the authority vested in the Director of the Administrative Office of the United States Courts by 28 U.S.C. § 604(a)(17) and by delegation of this authority from the Director, I hereby accept and authorize the utilization of the gratuitous services described above.

_____ _____
Signature of the Court Unit Executive Date

Print Save As... Reset

AO 196B
(Rev. 11/10)

# ACKNOWLEDGMENT OF GRATUITOUS SERVICES AND WAIVER
## Cooperative Education Program

I, _____ hereby declare that the services I will perform from approximately _____ to _____ for the _____ _____ *(court or office)* are in connection with my participation in a cooperative educational program with _____. I further understand that _____ is acting solely as a host in this arrangement by providing a work-related educational experience. I hereby waive any claim or right to receive salary or other compensation, including fringe benefits, from the government as a result of my work-training services to _____, except that in the event of any personal injury incurred by me, I shall have those rights to compensation, if any, which may be provided by statute to persons rendering voluntary services to the United States. I further waive all right to any personal copyright privileges in any work product prepared by me in the course of my services to _____. Finally, I recognize that information which I obtain or have access to in the course of this educational experience may be of a confidential nature, and I agree to preserve the confidentiality of such information.

_____
Name

_____
Date

_____
Witness

_____
Date

Pursuant to the authority vested in the Director of the Administrative Office of the United States Courts by 28 U.S.C. § 604(a)(17) and by delegation of this authority from the Director, I hereby accept and authorize the utilization of the gratuitous services described above.

_____ _____
Signature of the Court Unit Executive Date

Print Save As... Reset

# UNITED STATES DISTRICT COURT

# CENTRAL DISTRICT OF CALIFORNIA

# COMPUTER SECURITY MANUAL

# Automation Usage and Security Procedures

The purpose of this document is to acquaint automation users with automation usage and security practices required by the Administrative Office of the United States Courts (AO).

Whereas, staff is the first and best line of protection from compromise of data on the various computer systems, all chambers and clerk's office users are responsible for applying the concepts and policies in this document while performing the tasks that relate to their jobs.

## Passwords

Sensitive and confidential information require protection from disclosure, alteration and loss. An important part of this protection is through password protection.

The password policy is as follows:

- Novell passwords must be at least seven characters and must contain at least one non-alphanumeric character; they must not be all alphabetic characters. Novell passwords must be changed every 90 days. The network will automatically notify and prompt users when it is time to change Novell passwords.

  SAMPLE: **wt29?mp**

- Lotus Notes e-mail passwords have the same requirements as Novell passwords: a minimum of 7 characters including at least one non-alphanumeric character. The passwords expire every 180 days with a grace login period of 15 days. Users will be informed of the expiration and asked to change their password. These requirements also apply to the Lotus Notes Internet password. Lotus notes will also determine the “strength” of your password and, if it is not “strong” enough, you will be prompted to choose a different password.

- Lotus Organizer Passwords, if used, may be the same as the Lotus Notes password.

- CM/ECF and CHASER passwords must be at least seven characters and must contain one numeric character. CM/ECF and CHASER passwords must be changed every 90 days. The computer will automatically prompt users when it is time to change CM/ECF and CHASER passwords.

  SAMPLE: **xu29pwq**

- Users may not use Novell and CM/ECF passwords that are identical.

- Passwords may not be single, meaningful words (words found in a dictionary), family names, birthdays, nicknames, place names or simple alphanumeric sets like"WXYZ" or "2468".

- Passwords may not be a user's name or login name.

- Passwords may not be a name or word with the order of the letters reversed.

- Passwords may not consist of a single, meaningful word with a number following it.

- Passwords may not be changed by merely adding or increasing a number.

- If passwords are "rotated," use at least 5 different passwords.

- Passwords <u>must not</u> be written down, posted in work areas, shared with others (including IT staff) unless required for relief coverage.

If you suspect a breach of security, change your password immediately and notify the IT department for assistance.

Passwords are monitored by IT for compliance with this policy.

# Automation Usage and Security Procedures

## Protection of Data Files and Court Information

The policy regarding protection of data files and court information is as follows:

- Make a back-up copy of all important files. Making back-up copies of important computer files is the single most important action to protect information from loss or unauthorized modification.

- If data is stored on the network, it will be automatically backed-up on a daily basis. It is recommended that sensitive and important documents stored on the network also be backed-up to the hard disk (C: drive). This provides security and access to the data in the event the network is not available.

- It is strongly recommended that users do not work from floppy disks. Copy files to the network (H: or S: drives), retrieve and modify the document, re-save it with the changes, and then copy the revised document back to the floppy disk. This will ensure that the data is stored in a secure manner.

- Protect sensitive data; printouts and program documentation with sensitive information should not left in plain sight. Sensitive information can be described as names, addresses, social security numbers and other information that can lead to identity theft. Budget and accounting material, benefit information and salary data, sealed cases, juvenile cases and draft legal opinions should also be considered as sensitive information. Any media used to store the information, whether it is paper, internal hard disks, external disks, Zip disks, CDs, DVDs, USB storage devices is susceptible to theft and should be password protected when possible.

- Teleworkers have the added responsibility of protecting judiciary information in a temporary work space, which can be a less secure environment than an office. The Court's telework policy states that teleworkers are responsible for the security and protection of all government records and data against unauthorized disclosure.

- Protect data; external storage devices left out and/or unlabeled may be picked up and used by others.

Immediately report loss of data or court information to the IT department for assistance.

## Software Policies

The software policy is as follows:

- In accordance with General Order No. 96-8, no personal software may be installed by a user on a court computer unless the software is approved, purchased and installed by the IT department.

- All copyright laws, regulations and policies will be strictly enforced; no outside software will be loaded without the prior authorization of the IT department.

- All standard computer configurations will be in compliance with the AO guidelines. Requests to modify the standard configurations due to unique needs must be directed to the IT department.

- The IT department will maintain an updated list of all software currently under license for the Court.

## Copyright and License Agreements

Software copyright and license agreements exist on almost all commercial software products:

- Do not bring unauthorized or personal software to work.

- Unauthorized reproduction of copyrighted software or documentation is against the law.

- Penalties for violation of copyright and license agreements include compensatory damages levied up to $100,000 per unauthorized copy and, under certain circumstances, individuals can be sentenced to up to five years in prison and fined $250,000.

# Automation Usage and Security Procedures

## Internet and Intranet Access

The Internet and Intranet policies are as follows:

- Internet access is authorized for all district and magistrate judges, and judicial staff as approved by their respective judge. Internet access is authorized for clerk's office staff as approved by the Clerk of Court.

- Use of the Internet services provided by the Court is subject to monitoring. Users of these services are therefore advised of this monitoring and agree to the practice. This monitoring may include a review of internet e:mail messages sent and received, and which Internet resources and sites are accessed.

- By participating in the use of the Internet systems provided by the Court, Users agree to be subject to and abide by the Court's Judicial and Clerk's Office Employee Internet Access Agreements. Willful violation of the general or specific provisions of the Internet Access Agreement Policy may result in disciplinary action, including termination.

- Intranet access is authorized to any federal court family WEB page or to the AO.

## Virus Protection

A virus can be introduced into the Court System in a variety of ways:

- Software used at home but brought into the office by an employee may be infected and may infect office computers and/or the network.

- A program may be infected intentionally by a disgruntled employee, member of the computer user group or computer shareware organization.

- Viruses may be downloaded, directly or indirectly, from published bulletin boards.

- Viruses may also be introduced to computers from commercial software companies whose production facilities are infected.

There is no real, practical way to completely prevent computers from being attacked. To minimize exposure to viruses, follow the rules below:

- All new software, diskettes and files should be tested with a virus scanning program. Request help from the IT department if you need assistance with this process.

- Write-protect diskettes, especially original software distribution diskettes, and store them securely.

- Do not share diskettes unless they were previously scanned for viruses.

- Do not load programs from outside the Court or download programs from computer bulletin boards unless authorized by IT staff.

- Do not disable the virus scanning software that is installed on the computer system.

If a virus is introduced into the network or local computers, one or more of the following items may be noticed:

- Hard disk crashes,

- Files disappear,

- Files replicate unaccountably,

- Mystery file(s) appear,

- Data is changed or corrupted,

- Disk space mysteriously disappears,

- Memory capacity is reduced,

- Computer slows down or locks up, and

- Strange messages appear on the monitor.

Users can help identify the cause by:

- Staying calm,
- Discontinuing use of the computer,
- Writing down exactly what happened and what tasks you were performing, and
- Immediately calling the IT department to report the incident.

If a virus is located and removed, stay alert for reinfection.

## Personal Computer Protection

Users must protect desktop computer equipment as follows:

- Protect equipment; keep food, drink and electrical appliances away from computers, diskettes and computer keyboard.
- Protect work areas; politely challenge anyone that is not recognized as belonging in the work area.

## Electronic Mail

The policy regarding electronic mail (Lotus Notes) is as follows:

- Electronic mail from the Court's private data communication network is the property of the Court.
- Electronic mail from the Court's private data communication network should be primarily for official use; access to personal Internet web e-mail accounts is prohibited.
- Electronic mail may be monitored or accessed by management for various purposes (including backups).
- Before sending Electronic mail, staff should consider whether the message is essential or productive.

- Users are responsible for the maintenance of their e-mail. Due to a size limit of 450 MB, users should regularly clean up their in-boxes and sent mail folders by deleting messages or archiving.

- Electronic mail will not be used for the distribution of "chain letters."

- Electronic mail will not be used for the distribution of "jokes."

- Electronic mail will not utilized for the forwarding of non-business related messages with attachments from outside sources, including Executable files that have extensions (*.exe) and Image files (graphical), that have extensions (*.bmp, *.jpg, *.gif, *.tif).

If you have any doubts about the appropriateness of any electronic mail communication, seek the guidance of your supervisor or manager prior to transmission.

## Screen Savers

Screen saver programs protect unauthorized access to data while users are away from their desks.

The policy for screen saver programs is as follows:

- Screen saver programs are required for all staff; they must not be turned off for any reason.

- The maximum activation time for screen savers will be no more than 10 minutes.

# Automation Usage and Security Procedures

## General Automation Policies

All judicial and clerk's office staff are required to comply with the general policies outlined below. Noncompliance with these policies may result in immediate disciplinary action which may include suspension or termination.

- Do not write or send abusive e-mail messages.
- Do not swear, use vulgarities or any other inappropriate language in electronic mail.
- Creation, transmission or publication of any obscene, indecent images, data or materials is prohibited.
- Using the network in such a way that would disrupt the use of the network by other users is prohibited.
- Any malicious attempt to harm or destroy data, hardware or software is prohibited.
- Browsing, exploring or making other unauthorized attempts to view data, files or directories belonging to other users is prohibited.
- Forging mail, attempting to use other users' accounts, attempting to crack password files, attempting to alter system files, and similar misbehavior is prohibited.
- Do not remove from the Court premises any computer equipment.
- Do not move or disconnect any computer equipment; contact the IT department for hardware relocation.
- No personal computer equipment shall be connected to the Court's network.
- Blogging in support of activities that are illegal, offensive or disparaging to fellow employees, the public or the judiciary, or that gives the impression of pronouncing official judicial policy is prohibited.

# Automation Usage and Security Procedures

Acknowledgment of Receipt

1. I acknowledge that I have received and read the Automation Usage and Security Procedures for the United States District Court, Central District of California.

2. I acknowledge that it is my responsibility to conform to the standards and procedures outlined in this document.

3. I certify that I will abide by the policies outlined in this document.

4. I understand that non-compliance with the policies outlined in this document may result in disciplinary action which may include suspension or termination.

| | |
|---|---|
| Printed Name | Signature |
| Title | Date |
| Judicial Chambers of Department | Telephone Number |
| Novell Login ID (not password) | CM/ECF Login ID (not password) |
| Supervisor's Name | |

# UNITED STATES DISTRICT COURT
# CENTRAL DISTRICT OF CALIFORNIA

## CONFIDENTIALITY STATEMENT

One of the most important obligations of judicial employees is to ensure that nonpublic information learned in the course of employment is kept confidential. In the performance of job duties, employees may have access to files, records, draft materials, and conversations that are, under the Code of Conduct for Judicial Employees or by practice of the court, confidential. Canon 3D of the Code sets forth the minimum standard:

> A judicial employee should avoid making public comment on the merits of a pending or impending action and should require similar restraint by personnel subject to the judicial employee's direction and control. This proscription does not extend to public statements made in the course of official duties or to the explanation of court procedures. A judicial employee should never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor should a judicial employee employ such information for personal gain. A former judicial employee should observe the same restrictions on disclosure of confidential information that apply to a current judicial employee, except as modified by the appointing authority.

**1. Confidential Information**

Confidential information means information received in the course of judicial duties that is not public and is not authorized to be made public. This includes information received by the court pursuant to a protective order or under seal; expressly marked or designated by a judge to be kept confidential; or relating to the deliberative processes of the court or an individual judge. Examples of confidential information are:

(a) the substance of draft opinions or decisions;

(b) internal memoranda, in draft or final form, prepared in connection with matters before the court;

(c) the content or occurrence of conversations among judges or between a judge and judicial employees concerning matters before the court;

(d) the identity of panel members or of the authoring judge before release of this information is authorized by the court;

(e) the authorship of per curiam opinions or orders;

(f) the timing of a decision, order, or other judicial action, including the status of or progress on a judicial action not yet finalized (except as authorized in accordance with Section 2.C.);

(g) views expressed by a judge in the course of discussions about a particular matter before the court; and

(h) any subject matter the appointing authority has indicated should not be revealed, such as internal office practices, informal court procedures, the content or occurrence of statements or conversations, and actions by a judge or staff.

Information that is not considered confidential includes court rules, published court procedures, public court records including the case docket, and information disclosed in public court documents or proceedings.

# UNITED STATES DISTRICT COURT
# CENTRAL DISTRICT OF CALIFORNIA

## CONFIDENTIALITY STATEMENT

**2. Nondisclosure**

**A. Unauthorized disclosure.** To promote public confidence in the integrity of the judicial system and to avoid impropriety, illegality, or favoritism, or any appearance thereof, it is critical that confidential information not be disclosed by a judicial employee. No past or present judicial employee may disclose or make available confidential information, except as authorized in accordance with Section 2.C.

**B. Inadvertent disclosure.** Sometimes breaches of confidentiality do not involve intentional disclosure but are the result of overheard remarks, casual comments, or inadequate shielding of sensitive materials. Judicial employees should take care to prevent inadvertent disclosure of confidential information by avoiding:

(1) case-related conversations and other discussions of confidential information in public places within the court, such as the library, hallways, elevators, and cafeteria;

(2) case-related conversations and other discussions of confidential information at bar association meetings, law schools, other gatherings of noncourt persons, or in public places;

(3) exposure of confidential documents to the view of noncourt persons;

(4) visible display of confidential documents in public places such as a library, on public transportation, or in a photocopier or scanner to which noncourt persons have access;

(5) substantive discussions with counsel, litigants, or reporters about the merits of a matter before the court;

(6) use of writing samples from judicial employment without adequate redaction and approval of the appointing authority; and

(7) internet and other electronic exchanges (anonymously, pseudonymously, or otherwise) about the court or its cases.

**C. Authorized disclosure.** Confidential information is authorized to be disclosed in the following circumstances:

(1) pursuant to a statute, rule, or order of the court, or authorization from the appointing authority;

(2) pursuant to a valid subpoena issued by a court or other competent body; and

(3) to report an alleged criminal violation to the appointing authority or other appropriate government or law enforcement official.

**D. Continuing obligation.** Confidentiality obligations do not end when judicial employment ceases or when a matter is completed or a case is closed. Former judicial employees should observe the same restrictions on disclosure of confidential information that apply to current employees, except as modified in accordance with Section 2.C. Confidentiality restrictions continue to apply with respect to open as well as closed and completed matters.

**3. Acknowledgment**

To emphasize the importance of the duty of confidentiality, the court asks that you sign this statement as an acknowledgment that you have read it, understand it, and agree to abide by it, and further that you understand violations of these confidentiality obligations may result in disciplinary action.

_____ _____

*Signature* *Date*

# UNITED STATES DISTRICT COURT

# CENTRAL DISTRICT OF CALIFORNIA

# JUDICIAL EMPLOYEE (EXTERN / INTERN)

# INTERNET ACCESS AGREEMENT

**General Provisions**

In compliance with Judicial Conference Policy regarding Internet access for computers connected to the Data Communications Network (DCN), the following general and specific provisions apply to all judicial employees including Externs and Interns, of the Central District of California:

1. Use of the public Internet network accessed via computer gateways owned or operated on the behalf of the United States District Court for the Central District of California ("the Court"), imposes certain responsibilities and obligations on Court employees and officials ("Users"), and is subject to Court policies and local, state and federal laws. Acceptable use is ethical, reflects honesty, and shows restraint in the consumption of shared computing resources. It demonstrates respect for intellectual property, ownership of information, system security mechanisms, and an individual's right to freedom from harassment and unwarranted annoyance.

2. Use of the Internet services provided by the Court is subject to monitoring. Users of these services are therefore advised of this monitoring and agree to this practice. This monitoring may include a review of internet e-mail messages sent and received, and which Internet resources and sites are accessed. Users should further be advised that many external Internet sites also log who accesses their resources, and may make this information available to third parties.

3. By participating in the use of the Internet systems provided by the Court, Users agree to be subject to and abide by this Policy for their use. Willful violation of the general or specific provisions of the Policy may result in disciplinary action, including termination.

**Specific Provisions**

1. Users will not utilize the Internet network for illegal, unlawful, or unethical purposes or to support or assist such purposes. Examples of this would be the transmission (including uploading or downloading files) or viewing of violent, threatening, defrauding, obscene, or unlawful materials. Unless case-related, creating, downloading, viewing, storing, copying, and transmitting sexually-explicit or sexually-oriented materials is never appropriate and may be illegal in some cases.

2. Users will not utilize the Internet network equipment for partisan political purposes or commercial gain.

3. Unless for official business, judiciary employees, including Externs and Inters, should not use the network connection for commercial purposes (including shopping). It is also inappropriate to use the network connection in support of outside employment activities (including consulting for pay, sales or administration of business transactions, and sales of goods or services) or for illegal activities (such as gambling or hacking).

4. Users will not utilize the Internet systems or messaging services to harass, intimidate or otherwise annoy other persons.

5. It is not appropriate to use government systems to send or receive e-mails containing greeting cards, political statements, jokes, pictures, sexually-explicit or sexually-oriented materials and other items of a personal nature. Chain letters or other unauthorized mass mailings, regardless of the subject matter, likewise are inappropriate. Checking personal web e-mail accounts from the Court's private data communications network raises severe security risks locally and judiciary-wide and is prohibited.

6. Users will not utilize the Internet to disrupt other users, services or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer viruses, and sustained high volume network traffic which substantially hinders others in their use of the network. Logging onto video or audio sites, such as broadcast services or radio stations, degrades the performance of the entire network and is prohibited. Downloading music files consumes significant disk space on local computers and may be a violation of copyright law.

7. Users will only utilize the Internet network to access files and data that are their own, that are publicly available, or to which they have authorized access.

8. Because files or matters obtained over the Internet may contain destructive computer viruses that may be harmful to the Court's network, downloading attachments to e-mail or files obtained via the Internet (as opposed from the Intranet or DCN) shall be strictly limited to either: (1) items expressly requested by the Users from known senders, or (2) unrequested files transmitted to Users by known senders. Users shall not download and open any attachments to files, or open any e-mail, that is received or made available to the Users from an unknown Internet source.

9. Users will not remove Court scanning software. If the software is removed or not activated and use of the Internet has been or is being performed, the Users may lose their right to access the Internet and the DCN.

10. Users will refrain from monopolizing systems, overloading networks with excessive data, or otherwise disrupting the network systems for use by others. Video, sound or other large file attachments consume large amounts of network capacity. E-mail attachments, large files, and executable programs present two problems: first,

large attachments consume network capacity and storage space on both national and local e-mail servers and desktops, slowing down the network for everyone; and second, executable programs present a risk for infection by computer viruses.

11. Judiciary employees, including Externs and Interns, should only participate in chat rooms when directly relevant to their official duties and responsibilities. All other non-business related chat rooms are prohibited. When participating in a chat room, Users should not inadvertently give the impression of articulating official judiciary policy or positions. The use of peer-to-peer file sharing, chat rooms, and instant messaging for communicating with persons or entities outside the judiciary's private data communications network is prohibited.

12. It is not appropriate to use e-mail or the Internet to access, send or receive information on or in support of activities that are illegal or offensive to fellow employees or the public. Such activities include, but are not limited to, hate speech or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.

13. Blogging in support of activities that are illegal, offensive or disparaging to fellow employees, the public or the judiciary, or that gives the impression of pronouncing official judicial policy, is prohibited.

By signing this Agreement, I agree to abide by the general and specific provisions outlined and understand that use of the public Internet is a privilege that can be revoked if improperly used.

_____ _____

*Dated* *Employee Signature*

_____

*Print Name*

_____

*Chambers*

**UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA
EDWARD R. ROYBAL FEDERAL BUILDING
255 East Temple Street, Suite 650
Los Angeles, CA 90012

Chambers of
**George H. King**
Chief Judge

Tel: 213-894-5766

February 22, 2013

M E M O R A N D U M

To: All Judicial Assistants, Law Clerks, and Externs

From: Chief Judge George H. King

Re: Court Policy on the Use of Social Media

On July 21, 2010, by unanimous vote of the judges present at a regularly scheduled meeting of the full court, the court directed that the attached policy on the use of social media be distributed to all chambers staff. This policy, developed by the Judicial Council of the Ninth Circuit, is separate from (though similar to) the social media policy applicable to Clerk's Office employees, which was circulated to chambers staff for informational purposes in April.

All chambers staff hired in the future will receive a copy of this policy with the orientation materials provided by the court's Human Resources department.

Please review this policy, and retain a copy with your court employment records. In addition, please be advised that each judge may choose to impose additional policies regarding the use of social media by his or her own chambers staff.

Attachment

cc: All District and Magistrate Judges
Terry Nafisi, District Court Executive
Steve Cohen, Director, Chambers Support, Training, Employee Relations
w/Attachment

# Ninth Circuit

# SOCIAL MEDIA POLICY

The challenges and risks of social media are particularly acute for government employees who work in positions where discretion and confidentiality are imperative. Court employees work in such an environment. Court personnel are expected to keep sensitive information confidential, exercise discretion to avoid embarrassment to the Court, and take precautions to avoid unnecessary security risks for court personnel, especially the judges they serve.

The Court and the Judicial Council have set down this series of broad guidelines for court employees to consider as they navigate social media. It is recognized that judges are free to impose separate or additional policies on their personal staff.

1. **Think before you post.** Internet postings – whether they be text, photos, videos, or audio – remain accessible long after they are forgotten by the user. Beyond that, remember that nothing is "private" on the Internet despite people's best efforts to keep things private. Do not post anything on the Internet that you would not want to see or read on the front page of *The New York Times*. In short, when in doubt, don't post.

2. **Be aware of what's there.** Some social networking sites allow others to post messages and photos to your "page" – content that you may not even be aware of. If you participate in social networking, check regularly to make sure the content – whether posted by you or others – meets these guidelines.

3. **Speak for yourself, not your institution.** Court employees should abide by a simple rule: Unless you are representing the Court in an official capacity, you should not be speaking for the Court in any manner. Also remember that you are a representative of the Court and should conduct yourself in a way to avoid bringing embarrassment upon yourself and the Court. In the age of Facebook, YouTube and Twitter, many often do not think through the implications of what they post. Users often believe that their postings are private because of a social networking website's privacy features, or that their comments are untraceable because they were made under a screen name, but this information may not be private and could

06/25/2010

cause damage to your reputation and the Court's if it becomes public. If you are not speaking to someone directly or over a secure landline, you must assume that anything you say or write is available for public consumption.

4. **Safety first.** On social networking sites, many individuals list their occupations and/or places of employment. Considering the sensitive nature of the work that we do, Court employees are encouraged to discuss their place of employment in generic terms (federal appellate court) rather than identifying the Ninth Circuit Court of Appeals by name.

5. **Keep secrets secret.** Make sure to abide by all of the court's confidentiality and disclosure provisions. Employees are prohibited from disclosing directly or indirectly sensitive, non-public information to anyone outside the court, including the media and general public. Furthermore, Court employees should refrain from discussing any of the Court's internal processes and procedures, whether they are of a confidential or non-confidential nature.

6. **Remember the Code of Conduct,** including the confidentiality provisions. Any public postings are governed by the *Code of Conduct for Judicial Employees.* As Judiciary employees, we are expected to avoid impropriety and conduct ourselves in a manner that does not detract from the dignity and independence of the judicial system. As such, Judiciary employees are restricted from engaging in partisan political activity and fundraising activities that could compromise judicial independence. Please keep these policies and procedures in mind as you participate on social media sites.

7. **Observe security protocol.** Court employees must also take care to avoid doing anything that would compromise the security of the courthouse and personnel. To maintain security, do not post pictures of the courthouse (inside or outside), events, or the Court's judicial officers to a social media site in a non-official capacity. Also, be careful when disclosing your place of employment: social media sites are notoriously unsecure environments and knowledge of your place of employment could place employees in situations where pressure could be applied on them to corrupt the integrity of the judicial process.

Approved and adopted by the Ninth Circuit Court of Appeals on June 23,2010
Approved and adopted by the Ninth Circuit Judicial Council on June 24, 2010

06/25/2010

**UNITED STATES DISTRICT COURT**
**CENTRAL DISTRICT OF CALIFORNIA**

# SOCIAL MEDIA AND SOCIAL NETWORKING POLICY AND ACKNOWLEDGMENT OF RECEIPT JUDICIAL STAFF

1. I acknowledge that I have received and read the Memorandum of the Chief Judge regarding the Court Policy on the Use of Social Media.

2. I acknowledge that it is my responsibility to conform to the standards and procedures outlined in this document.

3. I certify that I will abide by the policies outlined in this document.

4. I understand that non-compliance with the policies outlined in this document may result in disciplinary action which may include suspension or termination.

5. I understand that the judge to whom I report may choose to impose additional policies regarding the use of social media by his or her own chambers staff.

| _____ | _____ |
|---|---|
| Printed Name | Signature |
| _____ | _____ |
| Title | Date |
| _____ | _____ |
| Supervising Judge | Telephone Number |

# Guide to Judiciary Policy

Vol 2: Ethics and Judicial Conduct
Pt A: Codes of Conduct

## Ch 3: Code of Conduct for Judicial Employees

§ 310 Overview
- § 310.10 Scope
- § 310.20 History
- § 310.30 Definitions
- § 310.40 Further Guidance

§ 320 Text of the Code

- Canon 1: A Judicial Employee Should Uphold the Integrity and Independence of the Judiciary and of the Judicial Employee's Office
- Canon 2: A Judicial Employee Should Avoid Impropriety and the Appearance of Impropriety in All Activities
- Canon 3: A Judicial Employee Should Adhere to Appropriate Standards in Performing the Duties of the Office
- Canon 4: In Engaging in Outside Activities, a Judicial Employee Should Avoid the Risk of Conflict with Official Duties, Should Avoid the Appearance of Impropriety, and Should Comply with Disclosure Requirements
- Canon 5: A Judicial Employee Should Refrain from Inappropriate Political Activity

---

### § 310 Overview

### § 310.10 Scope

(a) This Code of Conduct applies to all employees of the judicial branch, including interns, externs, and other volunteer court employees, except it does not apply to Justices; judges; and employees of the United States Supreme Court, the Administrative Office of the United States Courts, the Federal Judicial Center, the Sentencing Commission, and federal public defender offices.

(b) Justices and employees of the Supreme Court are subject to standards established by the Justices of that Court. Judges are subject to the Code of Conduct for United States Judges (Guide, Vol 2A, Ch 2). Employees of the AO and the FJC are subject to their respective agency codes. Employees of the Sentencing Commission are subject to standards established by the Commission. Federal public defender employees are subject to the Code of Conduct for Federal Public Defender Employees (Guide, Vol 2A, Ch 4). Intermittent employees [HR Manual, Sec 5, Ch 4.7] are subject to canons 1, 2, and 3 and such other provisions of this code as may be determined by the appointing authority.

(c) Employees who occupy positions with functions and responsibilities similar to those for a particular position identified in this code should be guided by the standards applicable to that position, even if the position title differs. When in doubt, employees may seek an advisory opinion as to the applicability of specific code provisions.

(d) Contractors and other nonemployees not covered above who serve the judiciary are not covered by this code, but appointing authorities may impose these or similar ethical standards on such nonemployees, as appropriate.

**§ 310.20 History**

(a) With the adoption of the Code of Conduct for Judicial Employees on September 19, 1995, the Judicial Conference repealed the Code of Conduct for Clerks (and Deputy Clerks), the Code of Conduct for United States Probation Officers (and Pretrial Services Officers), the Code of Conduct for Circuit Executives, the Director of the Administrative Office, the Director of the Federal Judicial Center, the Administrative Assistant to the Chief Justice, and All Administrative Office Employees Grade GS-15 and Above, the Code of Conduct for Staff Attorneys of the United States, the Code of Conduct for Federal Public Defenders, and the Code of Conduct for Law Clerks. JCUS-SEP 95, p. 74.

(b) This Code of Conduct for Judicial Employees took effect on January 1, 1996.

(c) In March 2001, the Conference revised Canon 3F(4). JCUS-MAR 01, pp. 10-12.

(d) The Conference revised the following provisions in March 2013: "Scope" (§ 310.10(a) and (d)); "Definitions" (§ 310.30(a)); Canon 1; Canon 3F(2)(a)(ii); Canon 4A; and Canon 5B. JCUS-MAR 13, p. 9.

## § 310.30 Definitions

(a) Member of a Judge's Personal Staff

As used in this code in canons 3F(2)(b), 3F(5), 4B(2), 4C(1), and 5B, a member of a judge's personal staff means a judge's secretary or judicial assistant, a judge's law clerk, intern, extern, or other volunteer court employee, and a courtroom deputy clerk or court reporter whose assignment with a particular judge is reasonably perceived as being comparable to a member of the judge's personal staff.

(b) Third Degree of Relationship

As used in this code, the third degree of relationship is calculated according to the civil law system to include the following relatives: parent, child, grandparent, grandchild, great grandparent, great grandchild, brother, sister, aunt, uncle, niece and nephew.

## § 310.40 Further Guidance

(a) The Judicial Conference has authorized its Committee on Codes of Conduct to render advisory opinions concerning the application and interpretation of this code. Employees should consult with their supervisor and/or appointing authority for guidance on questions concerning this code and its applicability before a request for an advisory opinion is made to the Committee on Codes of Conduct.

(b) In assessing the propriety of one's proposed conduct, a judicial employee should take care to consider all relevant canons in this code, the Ethics Reform Act, and other applicable statutes and regulations (*e.g.*, receipt of a gift may implicate canon 2 as well as canon 4C(2) and the Ethics Reform Act gift regulations).

(c) Should a question remain after this consultation, the affected judicial employee, or the chief judge, supervisor, or appointing authority of such employee, may request an advisory opinion from the Committee. Requests for advisory opinions may be addressed to the chair of the Committee on Codes of Conduct by email or as follows:

Chair of the Committee on Codes of Conduct
c/o Office of the General Counsel
Administrative Office of the United States Courts
One Columbus Circle, N.E.
Washington, D.C. 20544

## § 320 Text of the Code

### Canon 1: A Judicial Employee Should Uphold the Integrity and Independence of the Judiciary and of the Judicial Employee's Office

An independent and honorable Judiciary is indispensable to justice in our society. A judicial employee should personally observe high standards of conduct so that the integrity and independence of the Judiciary are preserved and the judicial employee's office reflects a devotion to serving the public. Judicial employees should require adherence to such standards by personnel subject to their direction and control. The provisions of this code should be construed and applied to further these objectives. The standards of this code do not affect or preclude other more stringent standards required by law, by court order, or by the appointing authority.

### Canon 2: A Judicial Employee Should Avoid Impropriety and the Appearance of Impropriety in All Activities

A judicial employee should not engage in any activities that would put into question the propriety of the judicial employee's conduct in carrying out the duties of the office. A judicial employee should not allow family, social, or other relationships to influence official conduct or judgment. A judicial employee should not lend the prestige of the office to advance or to appear to advance the private interests of others. A judicial employee should not use public office for private gain.

### Canon 3: A Judicial Employee Should Adhere to Appropriate Standards in Performing the Duties of the Office

In performing the duties prescribed by law, by resolution of the Judicial Conference of the United States, by court order, or by the judicial employee's appointing authority, the following standards apply:

A. A judicial employee should respect and comply with the law and these canons. A judicial employee should report to the appropriate supervising authority any attempt to induce the judicial employee to violate these canons.

**Note:** A number of criminal statutes of general applicability govern federal employees' performance of official duties. These include:

- 18 U.S.C. § 201 (bribery of public officials and witnesses);

- 18 U.S.C. § 211 (acceptance or solicitation to obtain appointive public office);
- 18 U.S.C. § 285 (taking or using papers relating to government claims);
- 18 U.S.C. § 287 (false, fictitious, or fraudulent claims against the government);
- 18 U.S.C. § 508 (counterfeiting or forging transportation requests);
- 18 U.S.C. § 641 (embezzlement or conversion of government money, property, or records);
- 18 U.S.C. § 643 (failing to account for public money);
- 18 U.S.C. § 798 and 50 U.S.C. § 783 (disclosure of classified information);
- 18 U.S.C. § 1001 (fraud or false statements in a government matter);
- 18 U.S.C. § 1719 (misuse of franking privilege);
- 18 U.S.C. § 2071 (concealing, removing, or mutilating a public record);
- 31 U.S.C. § 1344 (misuse of government vehicle);
- 31 U.S.C. § 3729 (false claims against the government).

In addition, provisions of specific applicability to court officers include:

- 18 U.S.C. §§ 153, 154 (court officers embezzling or purchasing property from bankruptcy estate);
- 18 U.S.C. § 645 (embezzlement and theft by court officers);
- 18 U.S.C. § 646 (court officers failing to deposit registry moneys);
- 18 U.S.C. § 647 (receiving loans from registry moneys from court officer).

This is not a comprehensive listing but sets forth some of the more significant provisions with which judicial employees should be familiar.

B. A judicial employee should be faithful to professional standards and maintain competence in the judicial employee's profession.

C. A judicial employee should be patient, dignified, respectful, and courteous to all persons with whom the judicial employee deals in an official capacity, including the general public, and should require similar conduct of personnel subject to the judicial employee's direction and control. A judicial employee should diligently discharge the responsibilities of the office in a prompt, efficient, nondiscriminatory, fair, and professional manner. A judicial employee should never influence or attempt to influence the assignment of cases, or perform any discretionary or ministerial function of the court in a manner that improperly favors any

litigant or attorney, nor should a judicial employee imply that he or she is in a position to do so.

D. A judicial employee should avoid making public comment on the merits of a pending or impending action and should require similar restraint by personnel subject to the judicial employee's direction and control. This proscription does not extend to public statements made in the course of official duties or to the explanation of court procedures. A judicial employee should never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor should a judicial employee employ such information for personal gain. A former judicial employee should observe the same restrictions on disclosure of confidential information that apply to a current judicial employee, except as modified by the appointing authority.

E. A judicial employee should not engage in nepotism prohibited by law.

**Note:** *See also* 5 U.S.C. § 3110 (employment of relatives); 28 U.S.C. § 458 (employment of judges' relatives).

F. Conflicts of Interest

(1) A judicial employee should avoid conflicts of interest in the performance of official duties. A conflict of interest arises when a judicial employee knows that he or she (or the spouse, minor child residing in the judicial employee's household, or other close relative of the judicial employee) might be so personally or financially affected by a matter that a reasonable person with knowledge of the relevant facts would question the judicial employee's ability properly to perform official duties in an impartial manner.

(2) Certain judicial employees, because of their relationship to a judge or the nature of their duties, are subject to the following additional restrictions:

(a) A staff attorney or law clerk should not perform any official duties in any matter with respect to which such staff attorney or law clerk knows that:

(i) he or she has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(ii) he or she served as lawyer in the matter in controversy, or a lawyer with whom he or she previously practiced law had served (during such association) as a lawyer concerning the matter (provided that the prohibition relating to the previous practice of law does not apply if he or she did not work on the matter, did not access confidential information relating to the matter, and did not practice in the same office as the lawyer), or he, she, or such lawyer has been a material witness;

(iii) he or she, individually or as a fiduciary, or the spouse or minor child residing in his or her household, has a financial interest in the subject matter in controversy or in a party to the proceeding;

(iv) he or she, a spouse, or a person related to either within the third degree of relationship (as defined above in § 310.40), or the spouse of such person (A) is a party to the proceeding, or an officer, director, or trustee of a party; (B) is acting as a lawyer in the proceeding; (C) has an interest that could be substantially affected by the outcome of the proceeding; or (D) is likely to be a material witness in the proceeding;

(v) he or she has served in governmental employment and in such capacity participated as counsel, advisor, or material witness concerning the proceeding or has expressed an opinion concerning the merits of the particular case in controversy.

(b) A secretary to a judge, or a courtroom deputy or court reporter whose assignment with a particular judge is reasonably perceived as being comparable to a member of the judge's personal staff, should not perform any official duties in any matter with respect to which such secretary, courtroom deputy, or court reporter knows that he or she, a spouse, or a person related to either within the third degree of relationship, or the spouse of such person (i) is a party to the proceeding, or an officer, director, or trustee of a party; (ii) is acting as a lawyer in the proceeding; (iii) has an interest that could be substantially affected by the outcome of the proceeding; or (iv) is likely to be a material witness in

the proceeding; provided, however, that when the foregoing restriction presents undue hardship, the judge may authorize the secretary, courtroom deputy, or court reporter to participate in the matter if no reasonable alternative exists and adequate safeguards are in place to ensure that official duties are properly performed. In the event the secretary, courtroom deputy, or court reporter possesses any of the foregoing characteristics and so advises the judge, the judge should also consider whether the Code of Conduct for United States Judges may require the judge to recuse.

(c) A probation or pretrial services officer should not perform any official duties in any matter with respect to which the probation or pretrial services officer knows that:

(i) he or she has a personal bias or prejudice concerning a party;

(ii) he or she is related within the third degree of relationship to a party to the proceeding, or to an officer, director, or trustee of a party, or to a lawyer in the proceeding;

(iii) he or she, or a relative within the third degree of relationship, has an interest that could be substantially affected by the outcome of the proceeding.

(3) When a judicial employee knows that a conflict of interest may be presented, the judicial employee should promptly inform his or her appointing authority. The appointing authority, after determining that a conflict or the appearance of a conflict of interest exists, should take appropriate steps to restrict the judicial employee's performance of official duties in such matter so as to avoid a conflict or the appearance of a conflict of interest. A judicial employee should observe any restrictions imposed by his or her appointing authority in this regard.

(4) A judicial employee who is subject to canon 3F(2)(a) should keep informed about his or her personal and fiduciary financial interests and make a reasonable effort to keep informed about the personal financial interests of a spouse or minor child residing in the judicial employee's household. For purposes of this canon, "financial interest" means ownership of a legal or equitable interest, however

small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:

(a) ownership in a mutual or common investment fund that holds securities is not a "financial interest" in such securities unless the employee participates in the management of the fund;

(b) an office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;

(c) the proprietary interest of a policy holder in a mutual insurance company, or a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;

(d) ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(5) A member of a judge's personal staff should inform the appointing judge of any circumstance or activity of the staff member that might serve as a basis for disqualification of either the staff member or the judge, in a matter pending before the judge.

**Canon 4: In Engaging in Outside Activities, a Judicial Employee Should Avoid the Risk of Conflict with Official Duties, Should Avoid the Appearance of Impropriety, and Should Comply with Disclosure Requirements**

A. Outside Activities

A judicial employee's activities outside of official duties should not detract from the dignity of the court, interfere with the performance of official duties, or adversely reflect on the operation and dignity of the court or office the judicial employee serves. Subject to the foregoing standards and the other provisions of this code, a judicial employee may engage in such activities as civic, charitable, religious, professional, educational, cultural, avocational, social, fraternal, and recreational activities, and may speak, write, lecture, and teach. If such outside activities concern the law,

the legal system, or the administration of justice, the judicial employee should first consult with the appointing authority to determine whether the proposed activities are consistent with the foregoing standards and the other provisions of this code. A judicial employee should not accept a governmental appointment that has the potential for dual service to and/or supervision by independent branches of government (including state courts) or different governments during judicial employment.

B. Solicitation of Funds

A judicial employee may solicit funds in connection with outside activities, subject to the following limitations:

(1) A judicial employee should not use or permit the use of the prestige of the office in the solicitation of funds.

(2) A judicial employee should not solicit subordinates to contribute funds to any such activity but may provide information to them about a general fund-raising campaign. A member of a judge's personal staff should not solicit any court personnel to contribute funds to any such activity under circumstances where the staff member's close relationship to the judge could reasonably be construed to give undue weight to the solicitation.

(3) A judicial employee should not solicit or accept funds from lawyers or other persons likely to come before the judicial employee or the court or office the judicial employee serves, except as an incident to a general fund-raising activity.

C. Financial Activities

(1) A judicial employee should refrain from outside financial and business dealings that tend to detract from the dignity of the court, interfere with the proper performance of official duties, exploit the position, or associate the judicial employee in a substantial financial manner with lawyers or other persons likely to come before the judicial employee or the court or office the judicial employee serves, provided, however, that court reporters are not prohibited from providing reporting services for compensation to the extent permitted by statute and by the court. A member of a judge's personal staff should consult with the appointing judge concerning any financial and business activities that might reasonably be interpreted as violating this code and should refrain from any activities that fail to conform to the foregoing standards or that the

judge concludes may otherwise give rise to an appearance of impropriety.

(2) A judicial employee should not solicit or accept a gift from anyone seeking official action from or doing business with the court or other entity served by the judicial employee, or from anyone whose interests may be substantially affected by the performance or nonperformance of official duties; except that a judicial employee may accept a gift as permitted by the Ethics Reform Act of 1989 and the Judicial Conference regulations thereunder. A judicial employee should endeavor to prevent a member of a judicial employee's family residing in the household from soliciting or accepting any such gift except to the extent that a judicial employee would be permitted to do so by the Ethics Reform Act of 1989 and the Judicial Conference regulations thereunder.

**Note:** *See* 5 U.S.C. § 7353 (gifts to federal employees). *See also* 5 U.S.C. § 7342 (foreign gifts); 5 U.S.C. § 7351 (gifts to superiors).

(3) A judicial employee should report the value of gifts to the extent a report is required by the Ethics Reform Act, other applicable law, or the Judicial Conference of the United States.

**Note:** *See* 5 U.S.C. App. §§ 101 to 111 (Ethics Reform Act financial disclosure provisions).

(4) During judicial employment, a law clerk or staff attorney may seek and obtain employment to commence after the completion of the judicial employment. However, the law clerk or staff attorney should first consult with the appointing authority and observe any restrictions imposed by the appointing authority. If any law firm, lawyer, or entity with whom a law clerk or staff attorney has been employed or is seeking or has obtained future employment appears in any matter pending before the appointing authority, the law clerk or staff attorney should promptly bring this fact to the attention of the appointing authority.

D. Practice of Law

A judicial employee should not engage in the practice of law except that a judicial employee may act pro se, may perform routine legal work incident to the management of the personal affairs of the judicial employee or a member of the judicial employee's family, and may provide pro bono legal services in civil matters, so long as such pro se, family, or pro bono legal

work does not present an appearance of impropriety, does not take place while on duty or in the judicial employee's workplace, and does not interfere with the judicial employee's primary responsibility to the office in which the judicial employee serves, and further provided that:

(1) in the case of pro se legal work, such work is done without compensation (other than such compensation as may be allowed by statute or court rule in probate proceedings);

(2) in the case of family legal work, such work is done without compensation (other than such compensation as may be allowed by statute or court rule in probate proceedings) and does not involve the entry of an appearance in a federal court;

(3) in the case of pro bono legal services, such work (a) is done without compensation; (b) does not involve the entry of an appearance in any federal, state, or local court or administrative agency; (c) does not involve a matter of public controversy, an issue likely to come before the judicial employee's court, or litigation against federal, state or local government; and (d) is reviewed in advance with the appointing authority to determine whether the proposed services are consistent with the foregoing standards and the other provisions of this code.

Judicial employees may also serve as uncompensated mediators or arbitrators for nonprofit organizations, subject to the standards applicable to pro bono practice of law, as set forth above, and the other provisions of this code.

A judicial employee should ascertain any limitations imposed by the appointing judge or the court on which the appointing judge serves concerning the practice of law by a former judicial employee before the judge or the court and should observe such limitations after leaving such employment.

**Note:** *See also* 18 U.S.C. § 203 (representation in matters involving the United States); 18 U.S.C. § 205 (claims against the United States); 28 U.S.C. § 955 (restriction on clerks of court practicing law).

E. Compensation and Reimbursement

A judicial employee may receive compensation and reimbursement of expenses for outside activities provided that receipt of such compensation and reimbursement is not prohibited or restricted by this code, the Ethics

Reform Act, and other applicable law, and provided that the source or amount of such payments does not influence or give the appearance of influencing the judicial employee in the performance of official duties or otherwise give the appearance of impropriety. Expense reimbursement should be limited to the actual cost of travel, food, and lodging reasonably incurred by a judicial employee and, where appropriate to the occasion, by the judicial employee's spouse or relative. Any payment in excess of such an amount is compensation.

A judicial employee should make and file reports of compensation and reimbursement for outside activities to the extent prescribed by the Ethics Reform Act, other applicable law, or the Judicial Conference of the United States.

Notwithstanding the above, a judicial employee should not receive any salary, or any supplementation of salary, as compensation for official government services from any source other than the United States, provided, however, that court reporters are not prohibited from receiving compensation for reporting services to the extent permitted by statute and by the court.

**Note:** *See* 5 U.S.C. App. §§ 101 to 111 (Ethics Reform Act financial disclosure provisions); 28 U.S.C. § 753 (court reporter compensation). *See also* 5 U.S.C. App. §§ 501 to 505 (outside earned income and employment).

## Canon 5: A Judicial Employee Should Refrain from Inappropriate Political Activity

A. Partisan Political Activity

A judicial employee should refrain from partisan political activity; should not act as a leader or hold any office in a partisan political organization; should not make speeches for or publicly endorse or oppose a partisan political organization or candidate; should not solicit funds for or contribute to a partisan political organization, candidate, or event; should not become a candidate for partisan political office; and should not otherwise actively engage in partisan political activities.

B. Nonpartisan Political Activity

A member of a judge's personal staff, lawyer who is employed by the court and assists judges on cases, clerk of court, chief probation officer, chief

pretrial services officer, circuit executive, and district court executive should refrain from nonpartisan political activity such as campaigning for or publicly endorsing or opposing a nonpartisan political candidate; soliciting funds for or contributing to a nonpartisan political candidate or event; and becoming a candidate for nonpartisan political office. Other judicial employees may engage in nonpartisan political activity only if such activity does not tend to reflect adversely on the dignity or impartiality of the court or office and does not interfere with the proper performance of official duties. A judicial employee may not engage in such activity while on duty or in the judicial employee's workplace and may not utilize any federal resources in connection with any such activity.

**Note:** *See also* 18 U.S.C. chapter 29 (elections and political activities).

# UNITED STATES DISTRICT COURT
# CENTRAL DISTRICT OF CALIFORNIA

## ACKNOWLEDGMENT OF RECEIPT - CODE OF CONDUCT HANDBOOK

I hereby acknowledge that a Code of Conduct for Judicial Employees handbook was given to me on this date. I understand that it is my responsibility to read and review the information and guidelines therein. I also understand that it is my responsibility to bring any questions or concerns I may have to the attention of my supervisor for clarification.

_____
*Print Employee Name*

_____ _____
*Signature of Employee* *Date Signed*

AO 78A (Rev. 10/13)

# United States Courts Appointment

**A**

Judge's Staff:
☐ Yes ☐ No

_____
*(Name of Court)*

_____ is appointed.
*(Name of appointee - First, Middle, Last)*

_____ _____ _____
*(Position title)* *(Date of entrance on duty)* *(Duty station)*

(Vice _____ ; Sep _____
*(Previous incumbent)* *(Mm/dd/yyyy)*

_____ _____
*(Signature of appointing officer)* *(Title of appointing officer)*

(Note: Appointing officer, please indicate the grade or level recommended _____ )

**B**

I do solemnly swear (or affirm) that

A. OATH OF OFFICE
I will support and defend the constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE GOVERNMENT
I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE
I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

D. AFFIDAVIT AS TO EMOLUMENT FROM FOREIGN OFFICE
I will not accept, nor am I accepting any present emolument, office or title, of any kind whatever, from any King, Prince, or foreign state.

E. AFFIDAVIT AS TO PERSONAL HISTORY AND EXPERIENCE AND QUALIFICATIONS STATEMENTS
The information given concerning personal history, experience and qualifications is true and correct to the best of my knowledge and belief.

_____
*(Signature of appointee)*

Subscribed and sworn (or affirmed) before me this _____ day of _____ 20 _____

in _____ , _____
*(City)* *(State)*

_____
*(Title of official administering the oath)*

_____
*(Signature of official administering the oath)*

*(SEAL)*

(Note: The words "So help me God" in the oath and the word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavits; only these words may be stricken and only when the appointee elects to affirm the affidavits.)

APPOINTMENT IS NOT COMPLETE UNTIL OATH OF OFFICE IS ADMINISTERED.

Print Save As... Reset

# FINGERPRINT CARD INSTRUCTIONS

**Fingerprint Card** – All externs and law clerks must be fingerprinted **in advance** of their start date with the court. The fingerprint form must be taken to a law enforcement agency or place of business so the fingerprints can be completed. The law clerk or extern can go to **ANY** place of business that can conduct this service. It cannot be submitted via livescan. The extern or law clerk is to complete all areas at the top of the form with their personal information. The box marked (MNU) is for placement of the Driver's License or Identification Card number. Please send the completed fingerprints to the address below.

## COURT ADDRESS

U.S. District Court
Attn: Human Resources
312 N. Spring St, Room 535
Los Angeles, CA 90012

# APPLICANT

* See Privacy Act Notice on Back

FD-258 (REV.12-10-07)

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK

LAST NAME NAM FIRST NAME MIDDLE NAME

FBI LEAVE BLANK

SIGNATURE OF PERSON FINGERPRINTED

ALIASES AKA

ORI

RESIDENCE OF PERSON FINGERPRINTED

DATE OF BIRTH DOB
Month Day Year

CITIZENSHIP CTZ

| SEX | RACE | HGT. | WGT. | EYES | HAIR |
|---|---|---|---|---|---|
| | | | | | |

PLACE OF BIRTH POB

DATE

SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

YOUR NO. OCA

LEAVE BLANK

EMPLOYER AND ADDRESS

FBI NO. FBI

CLASS

ARMED FORCES NO. MNU

REF.

REASON FINGERPRINTED

SOCIAL SECURITY NO. SOC

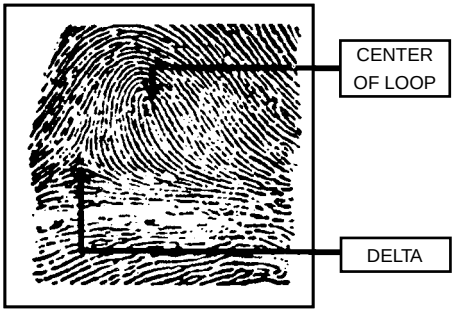
MISCELLANEOUS NO. MNU

| 1. R. THUMB | 2. R. INDEX | 3. R. MIDDLE | 4. R. RING | 5. R. LITTLE |
|---|---|---|---|---|
| 6. L. THUMB | 7. L. INDEX | 8. L. MIDDLE | 9. L. RING | 10. L. LITTLE |

| LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY | L. THUMB | R. THUMB | RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY |
|---|---|---|---|

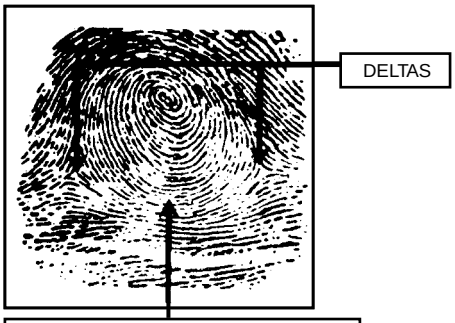
# FEDERAL BUREAU OF INVESTIGATION
# UNITED STATES DEPARTMENT OF JUSTICE
## CJIS DIVISION/CLARKSBURG, WV 26306

1. LOOP




THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL




THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH

ARCHES HAVE NO DELTAS

FD-258 (REV. 12-10-07)

# APPLICANT

## THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.*
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STSTES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.*
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

Please review this helpful information to aid in the successful processing of hard copy criminal and civil fingerprint submissions in order to prevent delays or rejections. Hard copy fingerprint submissions must meet specific criteria for processing by the Federal Bureau of Investigation.

**Ensure all information is typed or legibly printed using blue or black ink.**
**Enter data within the boundaries of the designated field or block.**
**Complete all required fields.** (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)

- The required fields for hard copy fingerprint cards are: originating agency identifier number - date of birth - place of birth - name - sex fingerprint impressions - any applicable state stamp - Other (race, height, weight, eye color, hair color)

* criminal fingerprint cards also require an arrest charge and date of arrest.
* civil fingerprint cards also require a reason fingerprinted and date fingerprinted

**Do not use highlighters on fingerprint cards.**
**Do not enter data or labels within 'Leave Blank' areas.**
**Ensure the 'Reply Desired' field is checked when applicable (**criminal only**).**
**Ensure fingerprint impressions are rolled completely from nail to nail.**
**Ensure fingerprint impressions are in the correct sequence.**
**Ensure notations are made for any missing fingerprint impression (i.e. amputation).**
**Do not use more than two retabs per fingerprint impression block.**
**Ensure no stray marks are within the fingerprint impression blocks.**

Training aids can be ordered online via the Internet by accessing the FBI's website at: fbi.gov, click on 'Fingerprints', then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Identification and Investigative Services Section's Customer Service Group at (304) 625-5590 or by e-mail at <liaison@leo.gov>.

## PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, security, licensing, and adoption, may be predicated on fingerprint-based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

**Routine Uses:** The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System (Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

**Additional Information:** The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

## INSTRUCTIONS:

* 1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.

2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS". THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI.

3. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.

** MISCELLANEOUS NO. - RECORD: OTHER ARMED FORCES NO. PASSPORT NO. [FP], ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).