UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DISCLOSURE POLICY AND STATEMENT

EFFECTIVE DATE: MAY 5, 2014
(*All Clerks' Office employees must read and sign below.*)

The purpose of the Disclosure Policy and Statement is to advance the safety and integrity of the workplace and of individual employees and to mitigate the potential of inappropriate pressure upon individual employees to violate the Code of Conduct for Judicial Employees ("Code") and the law. The Judicial Conference of the United States established the Code to apply to Clerk's Office and other staff supervised by the Clerk's Office, including interns and volunteers. *Guide to Judiciary Policy*, Vol. 2, Part A, Chap. 3, § 310.10.

The Code of Conduct is designed to maintain the public's trust and confidence in the judicial system. To assist Clerk's Office employees in complying with the Code of Conduct, and in particular, Canon 3F, which governs conflicts of interest, this Disclosure Policy provides guidance regarding specific circumstances that raise the possibility of a conflict of interest, and when and how to report such a conflict to the Clerk of Court.

Further, in addition to potential conflicts of interest reportable under the Code, the Clerk's Office requires employees to report certain information regarding criminal cases or investigations in which an employee may be involved, as well as the issuance of certain restraining or protective orders against an employee. The public has a right to expect that employees of the Judiciary comply with all federal, state, and local laws. *See Guide to Judiciary Policy*, Vol. 2, Part A, Chap. 3, § 320.

What Must Be Disclosed?

The matters listed below ("**Reportable Events**") MUST be reported to the Clerk of Court. In addition, events not explicitly falling within the letter of the examples below must be reported if they are similar in nature to any of the Reportable Events or fall within the spirit of Canon 3F of the Code; employees who are unsure whether something qualifies as a Reportable Event should report it.

Reportable Events include actions involving the employee, as well as actions involving an Employee's Family or Household Member. A "**Household Member**" is defined as anyone who is neither related nor married to the employee but lives under the same roof. A "**Family Member**" is defined as an individual with any of the following relationships to the employee: (1) spouse, and parents thereof; (2) sons and daughters, and spouses (or domestic partners) thereof; (3) parents, and spouses (or domestic partners) thereof; (4) brothers and sisters, and spouses (or domestic partners) thereof; (5) grandparents and grandchildren, and spouses (or domestic partners) thereof; (6) domestic partner, and parents thereof; and (7) any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship. For detailed definitions of son, daughter, parent, and domestic partner, see 5 CFR 630.902.

Employees have no obligation to investigate whether a Family or Household Member has a Reportable Event. However, if an employee discovers that a Reportable Event has occurred involving any Family or Household Member, the required disclosure must be made. Information disclosed about any Family or Household Member is to be made in good faith, to the best of the employee's knowledge and belief.

What Is A Reportable Event?

CIVIL OR CRIMINAL CASES IN THE CENTRAL DISTRICT: Any civil or criminal action filed in, removed to, transferred to, or pending before this Court in which the employee or any Family or Household Member is or may be a party (or officer, director, or trustee of a party) or is likely to be a material witness, or might be so personally or financially affected by the outcome that the employee's ability to perform official duties in an impartial manner might reasonably be questioned. Clerk's Office staff working for a particular judge must also report cases assigned to that judge in which any Family or Household Member is acting as a lawyer. In addition, if the employee or any Family or Household Member is the target of a criminal investigation that may lead to the filing of a criminal action in this Court, the investigation must be reported.

OTHER CRIMINAL MATTERS INVOLVING EMPLOYEES: Any citation, arrest, summons, indictment, complaint, conviction (including convictions resulting from a plea of no contest), or term of imprisonment, probation, parole, or supervised release imposed on or issued to any employee for any misdemeanor, felony, firearms or explosives violation, or any other criminal offense **in any court of any jurisdiction**, EXCEPT: any violation of law committed before the employee's16th birthday; (2) any violation of law committed before the employee's18th birthday if finally decided in juvenile court or under a Youth Offender law; (3) any conviction set aside under the Federal Youth Corrections Act or similar state law; (4) any conviction for which the record was expunged under federal or state law; and (5) events involving only traffic violations or infractions requiring only the payment of a fine and no court appearance. In addition, if an employee is aware that he or she is the target of a criminal investigation that may lead to the occurrence of an event falling under this paragraph, the investigation must also be reported.

OTHER CRIMINAL MATTERS INVOLVING FAMILY OR HOUSEHOLD MEMBERS: Any citation, arrest, summons, indictment, complaint, conviction (including convictions resulting from a plea of no contest), or term of imprisonment, probation, parole, or supervised release imposed on or issued to any Family or Household Member for any felony, misdemeanor involving violence or the threat of violence, or any firearms or explosives violation, in any court of any jurisdiction, EXCEPT: any violation of law committed before the individual's 16th birthday; (2) any violation of law committed before the individual's 18th birthday if finally decided in juvenile court or under a Youth Offender law; (3) any conviction set aside under the Federal Youth Corrections Act or similar state law; and (4) any conviction for which the record was expunged under federal or state law. In addition, if any Family or Household Member is the target of a criminal investigation that may lead to the occurrence of an event falling under this paragraph, the investigation must also be reported.

RESTRAINING OR PROTECTIVE ORDERS INVOLVING EMPLOYEES: Any domestic violence restraining order, child custody protective order, workplace violence restraining order, civil harassment restraining order, elder abuse restraining order, or restraining order prohibiting gang members from participating in certain activities (gang injunction), whether emergency, temporary or permanent in nature, imposed on or issued against any employee by **any court of any jurisdiction**. In addition, employees who are *protected by* such an order must inform both the Clerk of Court and the United States Marshal Service, so that management may help ensure a safer and more secure workplace for all employees.

RESTRAINING OR PROTECTIVE ORDERS INVOLVING FAMILY OR HOUSEHOLD MEMBERS: Any restraining order prohibiting gang members from participating in certain activities (gang injunction), whether emergency, temporary or permanent in nature, imposed on or issued against any Family or Household Member, by any court of any jurisdiction.

MISDEMEANORS OR CRIMINAL INVESTIGATIONS RELATED TO FAMILY OR HOUSEHOLD MEMBERS: An employee should consider whether the following information might embarrass or discredit the Court, or pose a possible conflict of interest, and if so, the information should be reported: any citation, arrest, summons, complaint, conviction (including convictions resulting from a plea of no contest), or term of imprisonment, probation, parole, or supervised release imposed on or issued to any Family or Household Member, for any misdemeanor, EXCEPT: (1) any violation of law committed before the individual's 16th birthday; (2) any violation of law committed before the individual's18th birthday if finally decided in juvenile court or under a Youth Offender law; (3) any conviction set aside under the Federal Youth Corrections Act or similar state law; (4) any conviction for which the record was expunged under federal or state law; and (5) events involving only traffic violations or infractions requiring only the payment of a fine and no court appearance. In addition, if an employee is aware that any Family or Household Member is the target of any criminal investigation covered by this paragraph that may embarrass or discredit the Court, or pose a possible conflict of interest, the employee should report the investigation.

How Is Disclosure Made?

Disclosure must be made **in writing** to the Clerk of Court.

When Must Reportable Events Be Disclosed?

Disclosure must be made **within 48 hours** from the date any Reportable Event becomes known to the employee. If the disclosure deadline would fall on a weekend or holiday, disclosure may be made on the next business day.

What Happens After Disclosure?

Disclosure of Reportable Events will be used to determine whether the employee's current work assignment is appropriate. Such determination will be made on an individual basis. The employment suitability factors in Title 5, Code of Federal Regulations, part 731, will be used as an aid in the evaluation process to determine the employee's suitability for his or her current work assignment. See 5 CFR 731.202. Note that in many instances, no adjustment of the employee's work assignment will be required. If the disclosure creates security concerns for the Court, the necessary steps will be taken to maintain the safety of judicial officers and court employees.

Information disclosed will not be shared with other individuals without the employee's consent, except when necessary to allow the employee's supervisor(s) and/or manager(s) to assist with the determination of the employee's suitability for his or her current work assignment. Disclosed information will be managed discreetly and will be confidentially maintained by the Clerk of Court in the Human Resources Department, separate from personnel files.

What Happens If An Employee Fails To Disclose A Reportable Event?

Failure of an employee to make a timely and full disclosure may result in adverse action, including termination of employment.

Acknowledgment:

Your signature below indicates that you have read, understand, and agree to comply with the disclosure requirements of this Disclosure Policy and Statement.

_____	_____
Print Name	Department
_____	_____
Signature	Date