



JUDICIAL MARSHAL POLICY AND PROCEDURE MANUAL

Section: General Regulations		Policy and Procedure No: 200-03	
ETHICS AND CONDUCT			
DATE ISSUED: January 16, 2002	DATE EFFECTIVE: January 16, 2002	REVISION No: 4 15 SEP 06	PAGE: 1 of 8

1. Policy

The fundamental duty of a Judicial Marshal is to ensure the safety and security of all people, both free and incarcerated, who have occasion to utilize the facilities of the Judicial Branch.

Judicial Marshals shall follow all policies and procedures in the Judicial Marshal Services Policies and Procedures Manual.

Judicial Marshals shall follow all policies and procedures in the Judicial Branch's Administrative Policies and Procedures Manual.

If there is a conflict between the Judicial Marshal Services Manual and the Judicial Branch's Administrative Manual, then the provisions of the Judicial Branch's Administrative Policies and Procedures Manual shall take precedence.

Where such conflicts are identified, they shall be brought to the attention of the Director, Judicial Marshal Services, immediately by following the proper chain of command.

2. References and Authority

- A. Conn. Gen. Stat. §6-32f;
- B. Judicial Branch Administrative Policies and Procedures Manual §600;
- C. Judicial Marshal Policy and Procedures Manual.

3. Procedure

A. Ethics.

- (1) Judicial Marshals shall never act officiously or permit personal feelings, prejudices, animosities or friendships to influence the performance of their official duties.
- (2) Judicial Marshals shall execute their duties in a diligent, efficient, courteous and respectful manner, without fear or favor, malice or ill will, never employing unnecessary force or violence.

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- (3) Judicial Marshals shall not act in any manner so as to bring discredit upon the State or the Judicial Branch.
- (4) Judicial Marshals shall obey all laws of the Federal Government and the State of Connecticut and shall not violate the Judicial Marshal Services' code of conduct.
- (5) Judicial Marshals shall adhere to all Judicial Marshal Services' policies, procedures, operational rules, regulations, post orders, general orders, special orders, directives and lawful instructions.
- (6) Judicial Marshals shall recognize their identification badge, shield, uniform, and positions as symbols of public faith bestowed upon them and accept them, as a public trust. Judicial Marshals shall not use their identification badges, shields, uniforms, or positions for personal benefit or gain.

B. Administrative Work Rules.

- (1) Judicial Marshals shall report all work related personal injuries to their supervisor in accordance with the existing Administrative Policies and Procedures.
- (2) Judicial Marshals who are absent from work due to a medical condition shall comply with the existing Administrative Policy and Procedure in regard to the conditions for their return to work.
- (3) Judicial Marshals shall be at their designated work location, ready to work, promptly as scheduled and shall remain at such work location during scheduled work hours. Where operations are continuous a Judicial Marshal shall not leave his / her post at the end of their scheduled shift until they are properly relieved.
- (4) Judicial Marshals who are unable to report to work at their scheduled hour shall call in or report to their supervisor, or such supervisor's designee, within one-half (1/2) hour prior to the start of the scheduled shift and provide the reason for their tardiness or absence.
- (5) Judicial Marshals shall provide to the Chief Judicial Marshal a current address and telephone number and shall notify them, in writing, of any change in personal data immediately upon reporting to work by completing form JD-ES139 Personnel Activity Report.

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- (6) Judicial Marshals shall comply with all Judicial Branch policies and procedures with respect to requesting time off from work, whether such time off is paid or unpaid. No Judicial Marshal may take time off without having first received authorization from his or her supervisor.
- (7) Judicial Marshals shall report for duty and remain in authorized uniform throughout their shift.
- (8) Judicial Marshals shall carry the designated operational equipment they have demonstrated the required proficiency of and for which they possess a current certification, if such certification is required.
- (9) Judicial Marshals shall not carry equipment or items that have not been authorized by the Director, Judicial Marshal Services.
- (10) Judicial Marshals shall not fail or refuse to perform any of the duties contained in their job description or duties as assigned by supervisory staff.
- (11) Judicial Marshals shall be attentive to radio broadcasts. They shall acknowledge and respond to radio transmissions of disturbances, panic alarms, medical assistance needs, and all other calls for assistance.
- (12) Judicial Marshals shall comply with existing Policies and Procedures with respect to submitting of records and reports in a timely manner.
- (13) Judicial Marshals shall not make a false entry in, or alter any Judicial Branch report or record. No report or record may be destroyed without the authorization of the Director of Judicial Marshal Services.
- (14) Judicial Marshals shall not interfere with the productivity of co-workers or other Judicial Branch staff nor shall they cause any interruption of work.
- (15) Judicial Marshals shall not sleep or be inattentive while on duty.
- (16) Judicial Marshals shall not engage in games of chance, card playing, board or electronic games of any type, participate in pools

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for wagers, nor shall they read non work-related literature while on duty.

- (17) Judicial Marshals shall not sell, promote or offer for sale any tickets, chances or fund raising devices while on duty or in uniform.
- (18) Judicial Marshals shall not disclose confidential Judicial Branch matters nor release confidential information or any records or documents without first obtaining authorization from the Director, Judicial Marshal Services.
- (19) Judicial Marshals shall refer any inquiries from the media to the Chief Judicial Marshal, or to the Chief's designee. Such inquiries shall then be reported through the chain of command.
- (20) Judicial Marshals shall report all policy or procedure violations committed by a co-worker involving any individual, to their immediate supervisor. Such violations shall then be reported through the chain of command.
- (21) Judicial Marshals shall cooperate fully and truthfully in any inquiry or investigation conducted by the Judicial Branch including, but not limited to those authorized through the office of the Director, Judicial Marshal Services.

C. Laws, Regulations, and Policies.

- (1) Judicial Marshals shall comply with all federal and state laws; regulations and statutes; fire and safety regulations; Judicial Branch Policies, Procedures, and Directives; Judicial Marshal Services' Policies and Procedures.
- (2) Judicial Marshals shall follow all lawful orders or instructions. Should a given order or instruction conflict with a previous order or instruction, the Judicial Marshal shall inform his/her supervisor of the conflict and follow the order as directed.
- (3) Judicial Marshals shall adhere to all Judicial Branch policies in regard to smoking, eating or the drinking of beverages while on duty.

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D. Training.

- (1) Judicial Marshals shall comply with all training and certification requirements established by the Judicial Branch, as they may be modified from time to time.

E. Property, Equipment, and Vehicles.

- (1) Judicial Marshals shall not use Judicial Branch or other State property, including motor vehicles, for personal use.
- (2) Judicial Marshals shall not remove any Judicial Branch or other State property, including vehicles, from a Judicial Branch facility or other location without first obtaining permission from their supervisor.
- (3) Judicial Marshals shall be responsible for all uniforms, property and equipment assigned to them. Judicial Marshals shall not leave such items unattended and shall take every precaution to prevent damage, loss or theft of such items. Judicial Marshals shall immediately report to their supervisor if any such items are lost, missing, damaged, or stolen and shall submit a written report of the incident.
- (4) Judicial Marshals shall not allow the use of any uniforms, property or equipment assigned to them, except to assist other Judicial Marshal Services staff in the performance of their official duties.
- (5) Judicial Marshals shall not duplicate or misuse any keys, badges or identification cards.
- (6) Judicial Marshals shall possess and maintain the appropriate Connecticut motor vehicle operator's license for their assigned duties. Judicial Marshals shall report the suspension, revocation or non-renewal of such a license immediately to their supervisor. The supervisor will report such suspension, revocation or non-renewal of such a license through the chain of command.
- (7) Judicial Marshals shall adhere to all motor vehicle laws and regulations while operating a state vehicle.

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- (8) Judicial Marshals shall immediately report accidents or violations which occur while operating a state vehicle to their supervisor. The supervisor will report such accident or violation through the chain of command.
- (9) Judicial Marshals shall not allow unauthorized persons to enter a state vehicle.
- (10) Judicial Marshals shall secure any state vehicle assigned to them when not being operated.

F. On Duty and Off Duty Conduct.

- (1) Judicial Marshals are prohibited from engaging in the racial or sexual harassment of other workers, prisoners or members of the public in accordance with the existing Administrative Policy and Procedure.
- (2) Judicial Marshals shall not use the power of their appointment, badge, uniform or identification in personal disputes or affairs or for personal gain or to gain such advantage for another individual.
- (3) Judicial Marshals shall not solicit or accept a bribe, gratuity, gift, loan, reward or promise of future benefits for themselves or others in connection with their employment as a Judicial Marshal. Any such offer must be reported immediately to the Judicial Marshal's supervisor.
- (4) Judicial Marshals shall not solicit any favor, privilege or service of value as a condition of performing their assigned duties.
- (5) Judicial Marshals shall not solicit, receive or handle legal process, including indifferent person services, while on duty or off duty.
- (6) Judicial Marshals shall not enter into an inappropriate verbal or physical confrontation with a supervisor, a subordinate, a co-worker, or any other individual with whom he/she may come into contact with during the course of their work.
- (7) Judicial Marshals shall not use rude, insulting, offensive or profane language or offensive gestures while on duty or in uniform.

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- (8) Judicial Marshals shall not use excessive or unnecessary force. Judicial Marshals may only use the necessary level of force in accordance with existing policy.
- (9) Judicial Marshals shall respect and protect the rights of prisoners.
- (10) Judicial Marshals shall not perform personal errands or favors for, or exchange personal items, including money, with prisoners without supervisory approval.
- (11) Judicial Marshals shall not engage in undue familiarity with prisoners.
- (12) Judicial Marshals shall not assist or allow a prisoner to escape.
- (13) Judicial Marshals shall not enter the office, desk or locker of any co-worker without the authorization of that co-worker or unless directed to do so by their supervisor for just cause.
- (14) Judicial Marshals shall not engage in any unprofessional behavior or illegal act that could undermine the order, efficiency or discipline of the Judicial Branch or that could discredit the Judicial Branch.
- (15) Judicial Marshals shall not conduct any personal business while on duty nor shall they use state telephones to place or receive personal calls at any time except in cases of emergency and with supervisory approval.
- (16) Judicial Marshals shall not use or consume alcoholic beverage, illegal drugs or other intoxicant substances while on duty or in uniform and shall not use prescription drugs without a valid prescription.
- (17) Judicial Marshals shall not knowingly associate with any person engaged in unlawful activity, including gang related activities, nor shall a Judicial Marshal enter or frequent locations where violations of the law are known or suspected to occur.
- (18) Judicial Marshals shall report their arrest to their supervisor, no later than the next work day, and report the subsequent disposition of the case, including conviction, to their supervisor no later than the next workday after they receive notice of the action.

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- (19) Judicial Marshals shall not hold other employment which conflicts with or compromises their ability to perform their duties.

G. Fitness For Duty.

- (1) Judicial Marshals shall not report to work impaired by or under the influence of alcohol, illegal drugs, non prescribed medications or any other intoxicant substance.
- (2) Judicial Marshals shall report for and remain at work at all times in a physical and mental condition suitable for the satisfactory performance of all assigned responsibilities and essential functions.
- (3) Judicial Marshals shall report to their supervisor or, if applicable, to the Judicial Branch's Americans With Disabilities Act Coordinator, any medical condition or use of medication that may affect their work performance or judgment.
- (4) All medication brought to the work site shall be reported by the Judicial Marshal bringing such medication to the Chief Judicial Marshal or his / her designee or, if applicable, to the Judicial Branch's Americans With Disabilities Act Coordinator, and shall be maintained in a secure manner.


4. **Exceptions.**

Any exception to the policy and procedures in this section requires prior written approval from the Executive Director of Superior Court Operations.

 <p style="text-align: center;"><i>State of Connecticut</i> JUDICIAL BRANCH COURT SUPPORT SERVICES DIVISION POLICY AND PROCEDURES</p>	POLICY NO. 2.11	EFFECTIVE DATE: December 10, 2005	PAGE 1 of 6
	SUPERSEDES: April 1, 2005		
APPROVED BY: William H. Carbone, Executive Director	TITLE: HUMAN RESOURCES EMPLOYEE CONDUCT		

1. **Policy** Each employee of the Court Support Services Division (CSSD) will engage in appropriate and ethical conduct while carrying out official duties and while engaged in off duty activities which directly reflect on the Division.

2. **Definitions**
 - A. **CSSD Employee** For purposes of this policy, CSSD Employee includes all persons employed by the Court Support Services Division where there is remuneration for such employment. Additionally, individuals who are considered to be volunteers or interns providing services are employees under this policy.
 - B. **Immediate Family** Husband, wife, father, mother, sister, brother, child or any other member of the employee's household.
 - C. **Less than Lethal Weapons** Baton, Oleoresin Capsicum (OC) spray authorized by CSSD.
 - D. **Dual Employment** A Judicial Branch employee who wishes to work for another State Agency or work in two positions within the Judicial Branch. All requests must be forwarded to the Judicial Branch Human Resource Management Unit, in accordance with Judicial Branch Policy 604, Dual Employment, <http://zeus/ADMINSVC/HRM/AdminPolicy/600/604.pdf>
 - E. **Secondary Employment** Work completed for financial gain outside of a CSSD employee's full time position and beyond the normal hours of work.
 - F. **Secondary Employment Request Form** An official CSSD form submitted by a CSSD employee requesting an opinion/ruling on secondary employment.
 - G. **Secondary Employment Review Committee** The reviewing body of all secondary employment requests. Membership will include the CSSD Manager of Human Resources (chair), a Deputy Director from the applicant's discipline, and a management level staff member who is familiar with the nature and scope of the applicant's secondary employment field.

 <p><i>State of Connecticut</i> JUDICIAL BRANCH COURT SUPPORT SERVICES DIVISION POLICY AND PROCEDURES</p>	POLICY NO. 2.11	EFFECTIVE DATE: December 10, 2005	PAGE 2 of 6
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3. **Standards of Conduct**

A. Each Division employee will:

- (1) Follow any lawful directive of a supervisor.
- (2) Comply with all federal and state laws, regulations and/or statutes, Judicial Branch Policy, CSSD Policies and Procedures, and lawful instructions, or directives.
- (3) Ensure that a safe, secure and sanitary work environment is maintained.
- (4) Report for work dressed in an appropriate manner in accordance with the Judicial Branch Dress Code (Attachment A).
- (5) Report to supervisor as required when leaving the worksite during working hours.
- (6) Report any arrest and the subsequent disposition, including conviction or loss of driver's license, to a supervisor on or by the next scheduled work day following the arrest and following the subsequent disposition.
- (7) Inform the supervisor in writing, of any change of address and/or telephone number within 48 hours.
- (8) Report to a supervisor any medical condition or any medication being taken which could place the employee or others at risk during the performance of a job duty (e.g. driving, the carrying of a less than lethal weapon). The CSSD employee will surrender their less than lethal weapons upon a CSSD supervisor's directive.
- (9) Act in a professional manner showing respect to other employees, the public and clients.
- (10) Maintain good stewardship of all state property and equipment.
- (11) Maintain appropriate demeanor at all times.



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JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
2.11

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APPROVED BY:

William H. Carbone, Executive Director


TITLE:

**HUMAN RESOURCES
EMPLOYEE CONDUCT**


- (12) Notify a supervisor when a friend or relative is, or becomes, a client or victim of a client of the CSSD where there could exist a conflict of interest.
- (13) Cooperate fully and truthfully in any inquiry or investigation conducted by the CSSD, or any law enforcement or regulatory agency.

B. The following are strictly prohibited:

- (1) Any act that jeopardizes the integrity of the CSSD, or the health, safety, or welfare of the public, staff or clients.
- (2) Excessive, inappropriate or unnecessary use of force on a client.
- (3) Intimate relationships between CSSD supervisors and subordinate staff within the direct chain of command.
- (4) Intimate relationships between CSSD employees and employees of CSSD contracted providers where a CSSD business relationship exists and the employee would be in a position of conflict.
- (5) Unauthorized possession of firearms within State owned or leased building or vehicle or carrying weapon on your person while on duty.
- (6) Bringing unauthorized items into a CSSD office which creates disruption and/or distraction to the workplace.
- (7) Removing state items out of CSSD offices without authorization by a supervisor.
- (8) Sleeping while on duty.
- (9) Unauthorized use of personal reading materials, computer games, or television while on duty.
- (10) Reporting to work under the influence of alcohol or illicit drugs.

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- (11) Entering into a work location when off duty unless authorized.
- (12) Engaging in abusive or obscene language, threats and/or intimidating behavior.
- (13) Engaging in any activity which would conflict with or impair the performance of duty.
- (14) Engaging in bartering or gambling with clients.
- (15) Engaging in abusive behavior (sexually, emotionally, or physically) toward the public, staff or clients.
- (16) Sexual harassment in any form towards any person.
- (17) Engaging in inappropriate sexual, financial, or inappropriate social relationships with clients, during their involvement with CSSD.
- (18) Releasing or disclosing the contents of any confidential information, records, or documents.
- (19) Disclosing information to clients about staff, or other clients.
- (20) Disclosing information about oneself which could compromise the professional staff-client relationship.
- (21) Falsification or unauthorized alteration of records, including job applications.
- (22) Failure to report an incident, or giving a false verbal or written report.
- (23) Engaging in any conduct or activity that constitutes, or gives rise to the appearance of a conflict of interest.
- (24) The use of recording devices, including tape recorders, cameras, and video cameras, except as authorized.
- (25) Acceptance of any gift as defined by the Connecticut Judicial Branch

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Administrative Policies and Procedures Manual, Section 603, pages 1-4,
 "Receipt of Gifts" <http://zeus/ADMINSVC/HRM/AdminPolicy/600/603.pdf>

- (26) Unauthorized appropriation or use of any property belonging to the Judicial Branch, public, staff or clients, to include the use of state cars, telephones and other equipment for personal business.

4. **Secondary Employment** Any CSSD employee who intends to be employed by an outside agency working with CSSD clients will be required to complete a Secondary Employment Request Form (Attachment B).
- (1) Completed Secondary Request Forms will be forwarded to the CSSD Manager of Human Resources.
 - (2) Upon receipt, the Manager of Human Resources will convene a Secondary Employment Review Committee meeting within thirty (30) business days.
 - (3) In reaching a decision the Secondary Employment Review Committee will consider factors including but not limited to the nature and scope of the proposed employment, potential conflicts of interest, and any potential conflicts with policy, practice or statutory guidelines.
 - (4) The Secondary Employment Review Committee may require an interview, in person, with the CSSD employee requesting secondary employment authorization.
 - (5) All final committee decisions will be communicated in writing to the employee within thirty (30) business days from the date of the Secondary Employment Review Committee's meeting.
 - (6) Employees may appeal their decision to the CSSD Director of Administration by submitting a letter of explanation in writing within thirty (30) days of the original decision. All decisions by the Director of Administration will be final.
5. **Supervision of Family Members** A CSSD employee will not be employed in any position that places the employee above or under the supervision of any immediate family member

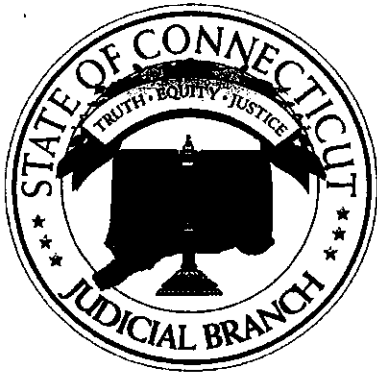
 <p style="text-align: center;"><i>State of Connecticut</i> JUDICIAL BRANCH COURT SUPPORT SERVICES DIVISION POLICY AND PROCEDURES</p>	POLICY NO. 2.11	EFFECTIVE DATE: December 10, 2005	PAGE 6 of 6
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or cohabitant, nor shall the employee be placed above or under the supervision of any immediate family member of the employee's spouse or cohabitant.

6. **Reporting Policy Violations** Each CSSD employee will report to a supervisor or appropriate personnel any policy violation or breach of professional conduct by a CSSD employee. It will be the responsibility of each employee to ensure that all CSSD Policies and Procedures are being followed. Failure to report policy violations may result in disciplinary action.

7. **References** American Correctional Association (ACA) 4th Edition Performance-Based Standards for Adult Probation and Parole Field Services, 4-APP-3B-05. September 2002. ACA, Lanham, Maryland.

8. **Exceptions** Any exception to this policy will require prior written approval from the Division's Executive Director.



State of Connecticut Judicial Branch **Dress Code**

Dress Code Initiative:

A goal of the Judicial Branch is to establish and solidify an excellent reputation among the citizens of Connecticut. One of the ways to accomplish this is for all staff to present a professional and respectful image to the Court and public. It is important that the Court and public have trust and confidence in Judicial Branch employees; and that those employees have a sense of pride and professionalism when conducting their duties and responsibilities. In order to accomplish this goal and foster public confidence, employees must always appear for work in attire that is appropriate and suitable to the work setting.

This policy is intended to describe guidelines on what is considered appropriate dress for our workplace. These guidelines are not intended to be all-inclusive, but rather should set the general parameters for workplace attire, and allow employees to use good judgment and common sense about items not specifically addressed.

Underlying Principles:

- Personal appearance and hygiene play an important role in projecting a professional image to the Court and clients we serve as well as in the community.
- Our appearance should always reflect what is appropriate for our job, work setting and personal safety.
- Our work may require us to meet with the public at a moment's notice and therefore staff should be dressed and groomed appropriately at all times. Dress down days are not permitted.

Appropriate Attire for Court:

Listed below is a general overview of acceptable attire for personnel who perform duties and responsibilities in a courtroom.

Court Attire – Men

- Business suit with dress shirt and tie
- Dress pants with dress shirt, tie and sports jacket
- Dress shoes, dress boots, loafers and socks

Court Attire - Women

- Dresses
- Suits with either slacks or skirts
- Skirt or dress slacks with a blouse or sweater or other top, or a blazer style jacket
- Dress shoes, loafers, dress boots, and dress sandals

Appropriate Attire for office, attendance at meetings, conferences and trainings:

Office/Meeting Attire- Men

- Could include the above Court attire
- A jacket/sports jacket is not required
- Slacks such as Dockers, khakis and corduroy are acceptable
- Dress shirts or other collared shirts and tie
- Dress shoes, dress boots, loafers, deck type shoes and socks

Office/Meeting Attire- Women

- Dresses
- Suits with either slacks or skirts
- Skirt or dress slacks with a blouse or sweater or other top or a blazer style jacket
- Slacks such as Dockers, khakis and corduroy are acceptable
- Dress shoes, loafers, boots, and dress sandals

Appropriate Attire for field work:

Listed below is a general overview of acceptable attire for personnel who perform duties and responsibilities in the field with safety being a primary concern.

Field Work Attire-Men

- Could include the above attire as listed for Court, office and attendance at meetings
- A collared shirt and tie are required. In situations where staff members believe that the required attire poses a safety concern, a clip-on tie will be provided.
- Slacks such as Dockers, khakis and corduroy are acceptable
- Dress shoes and boots, loafers and deck type shoes

Field Work Attire-Women

- Could include the above attire as listed for Court, office and attendance at meetings
- Slacks such as Dockers, khakis and corduroy are acceptable
- Dress shoes, loafers, boots and dress sandals

Inappropriate Attire:

The following is considered inappropriate attire for our workplace and should not be worn by men or women.

Inappropriate Attire

- Jeans of any color
- Torn or patched clothing
- Wrinkled or unclean clothing
- Halter tops, tube tops
- Tank tops
- Strapless sundresses
- Shorts
- T-shirts
- Sweatshirts
- Sweatpants
- Wind suits
- Athletic Attire (including leggings)
- Flip-flop sandals
- Sheer or revealing clothing (including any where midriff is exposed)
- Mini-skirts (three or more inches above knee)
- Sneakers
- Work/hiking boots

Compliance Procedure:

If employees are not sure if something is acceptable or unacceptable attire based on the examples provided in this document, they are advised to choose something else or inquire first with a supervisor. The Supervisors are responsible for ensuring compliance with the dress code policy and the appearance of employees under his or her supervision.

If an employee is not dressed appropriately, the supervisor should take the following steps after consultation with his or her Executive Director or their designee:

1. On the first occasion, an informal counseling should occur and the dress code policy should be reviewed. If the supervisor deems necessary, the employee may be sent home to change into appropriate clothing. Time spent in transit and changing into appropriate clothing will be considered working time.
2. On the second occasion, the employee should be sent home to change clothes immediately and should receive a formal counseling session. Time spent in transit and changing into appropriate clothing will not be considered working time.
3. Further violations may result in discipline in accordance with Branch guidelines and procedures.

Except as noted below, any exceptions to this policy require prior written approval from the employee's Executive Director.

Exceptions:

- As otherwise directed in the instructions for an event (i.e., training events that specify business casual)

- Participation in activities that require different attire (i.e., community service events, office moving days)
- Employees for whom specific job related attire is otherwise prescribed by the Judicial Branch (e.g. Judicial Marshals).
- Religious attire unless the court, with respect to attire worn in a courtroom, finds that in balancing the constitutional right to free exercise of religion with the constitutional right to a fair trial, it is essential to the conduct of a fair trial that the individual be barred from wearing the symbol(s) of his or her religion.
- Employees who request an accommodation due to disability.
- As otherwise authorized by the Chief Court Administrator.

Date Received by Human Resources: ____/____/____

Date of Secondary Employment Review Committee Meeting: ____/____/____

Date of In-Person Interview (If required): ____/____/____

Attached are the findings of the Secondary Employment Review Committee. Should the committee deny your request for secondary employment, you have the right to appeal. Your appeal must be submitted, in writing, to the Director of Administration within thirty (30) days from the date of the committee's decision.

Committee Chair Signature: _____

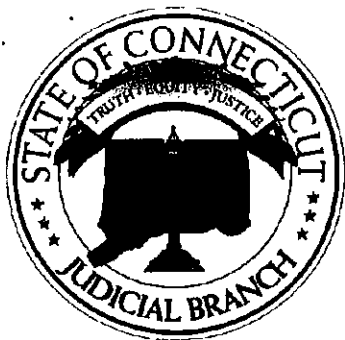
Date: ____/____/____

Deputy Director Signature: _____

Date: ____/____/____

Manager Signature: _____

Date: ____/____/____



Administrative Policy and Procedures Manual 602 CODE OF ETHICS

POLICY

All employees must comply with the Code of Ethics for Public Officials and State Employees as set forth in Chapter 10, Part 1, Connecticut General Statutes. However, judges of all courts are excluded with respect to their employment as judges since they are subject to the code of Judicial Conduct.

GENERAL INFORMATION

The Code of Ethics (Code), contained in the Connecticut General Statutes beginning with §1-79, provides specific guidance concerning both prohibitions and limits on the conduct of persons employed by the state. It defines those who are covered and the broad areas of included conduct. It establishes a State Ethics Commission (Commission) whose responsibilities include receiving required reports filed by those covered by the Code, investigating complaints, conducting hearings, and imposing sanctions. The Commission issues advisory opinions. An advisory opinion may be requested by any person subject to the provisions of the Code. Published in the Law Journal, the opinion is binding on the Commission and an absolute defense for the person who requests and relies on it in an action brought under the Code of Ethics. C.G.S. §1-81. In order to obtain an accurate understanding of official ethical concerns, employees should be aware of both the Code, as set forth in state statutes, administrative regulations and the advisory opinions of the Commission.

A. SUMMARY OF PRINCIPLE CODE PROHIBITIONS

Although a full discussion of employee ethics is beyond the scope of this manual, set forth below is a summary of the principle provisions of the Code of Ethics. The ethical rules are set forth in sections 1-84 through 1-86 of the General Statutes. Basically, these sections are intended to prevent one from using his or her public position or authority for personal financial benefit. (Section 1-86e sets forth prohibited activities by persons hired by the State as a consultant or independent contractor.)

The principal provisions of §1-84 prohibit the following:

- acceptance of outside employment which will impair independence of judgment as to official duties or require or induce disclosure of confidential information gained in state service. (Generally outside employment is barred if the private employer can benefit from the state employees official actions. For example, the individual in his or her state capacity has regulatory or contractual authority over the private entity. A state employee

is not prohibited, however, from using his or her expertise for private gain, as long as no provision of the Code is violated in the process.);

- use of public position or confidential information gained in state service for the financial benefit of the individual, his or her family, or an "associated business" (the terms "family" and "associated business" are defined in the Code of Ethics);
- solicitation or acceptance of anything of value based on an understanding that one's official action will be influenced thereby;
- entering into contracts with the State valued at \$100 or more, unless the contract has been awarded through an open and public process. There are a few exceptions to this prohibition. For example, contracts of employment as a state employee and contracts made by court appointment are exempt from the provision;
- acceptance of **any** gift or gifts from one known to be a registered lobbyist or lobbyist's representative. "Gift" under the Code does not include food and drink totaling less than fifty dollars per person in a calendar year, if consumed on occasions at which the lobbyist, or a representative of the lobbyist, furnishing the food and drink is in attendance. Among the other items excluded from the term are presents given by individuals incident to "major life events", ceremonial awards costing less than one hundred dollars, benefits costing less than ten dollars per person per occasion up to fifty dollars total in a calendar year, and gifts to the state. Also prohibited is acceptance of any gift or gifts from any person doing business with, seeking to do business with or directly regulated by the state employee's agency or department. (NOTE: the same exceptions to the lobbyist gift provision listed above also apply to this gift limitation.) Furthermore, the Judicial Branch has its own Receipt of Gift Policy (See Policy 603) which is more stringent than the Code of Ethics' provisions. Employees must comply with both the Code and Judicial's gift policy; and
- acceptance of any fee or honorarium given in return for a speech or appearance made or article written in one's official capacity, however, acceptance of the individual's necessary expenses is permissible.

Sections 1-85 (substantial conflict) and 1-86 (potential conflict) are distinct but related provisions to consider when a possible conflict is identified. If faced with taking official action which you can expect will directly affect your financial interests, distinct from others in your occupation or group (e.g., taking official action on the awarding of a contract to a private business you own) you have a substantial conflict of interest under §1-85 and **may not act** under any circumstances. However, if your financial interest is shared by the other members of your profession, occupation, or group (e.g., a public official/teacher acting on a matter that will result in a uniform financial benefit to all teachers) you **proceed under the rules** of §1-86. Specifically: (A) if one is a member of a regulatory agency, one must either be excused upon request or prepare, under penalty of false statement, a written statement (to be placed in the minutes of the individual's agency, with a copy to the Ethics Commission) describing the potential conflict and stating why, despite the situation, one can act fairly, objectively and in the public interest; or (B) if not a member of a regulatory agency, the individual must prepare a written statement, under penalty of false statement, which describes the potential conflict. The individual must deliver the statement to his or

her superior, who will assign the matter to another who is not subordinate to the individual with the conflict. (If one has no immediate superior, deliver the statement to the Ethics Commission for guidance on how to proceed.)

Under §1-86, if the financial effect on you, a family member, or an associated business is insignificant (i.e. less than \$100 in a calendar year), or no different than that of a substantial segment of the general public (e.g., a regulatory official approving an increase in residential electric rates), you **may act without** having to follow §1-86 procedures.

Each state employee must disclose to the Commission, within thirty days, any "necessary expense" payments that the individual receives in his or her capacity as a public official or state employee if lodging and/or out-of-state travel is included, unless provided by the Federal Government or another State Government.

Also, whenever a gift to the state incidentally benefits a public official or state employee in the amount of fifty dollars or more and is donated by an individual or entity regulated by, doing business with, or seeking to do business with the recipient agency, the individual's superior shall certify in writing to the Ethics Commission, **prior** to the acceptance of the benefit, that the gift in fact facilitates state action or functions and is sanctioned by the recipient agency notwithstanding any potential conflict of interests. An example of such a gift to the state is when a regulated entity pays the cost for a state regulatory employee to take a course relevant to his or her area of expertise.

B. COMPLAINTS

A complaint may be made by any person or by the Commission. The Commission, if it finds sufficient evidence, investigates an alleged violation. It has subpoena powers and can use the services of the State Police. If a preliminary hearing indicates probable cause, the Commission initiates a hearing by a judge trial referee appointed by the Chief Court Administrator. These latter hearings are open to the public. There can be an appeal from the referee's decision to the Superior Court either by the respondent or by the Commission. If the respondent prevails, the respondent has a cause of action against the complainant for double damages, provided the complaint was made with the knowledge that it was without foundation in fact. C.G.S. §1-82.

Unless and until there is a finding of probable cause, the complaint and any investigation are confidential except on the request of the respondent. However, this prohibition does not prevent reporting the possible commission of a crime to the Chief State's Attorney. C.G.S. §1-82a.

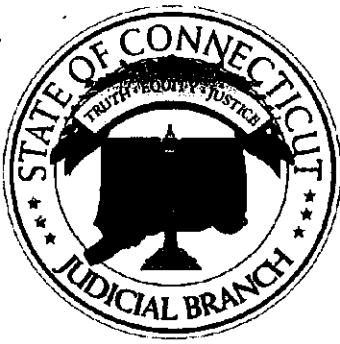
C. SANCTIONS

If the Commission finds a violation, it can order, among other things, that the respondent stop the violation, comply with the Code, and pay a civil penalty of up to \$2,000.00 for each violation. In addition, it can report its findings to the Chief State's Attorney, since an intentional violation of the Code is a misdemeanor (punishable by a fine of up to \$2,000 or imprisonment of up to one year, or both) or, if a person is believed liable for damages in the amount of an advantage illegally obtained and knowingly received, it shall immediately inform the Attorney General who may bring a civil action to recover compensatory and punitive damages. C.G.S. §§1-88 and 1-89.

PROCEDURES

Employees are urged to familiarize themselves with the provisions of the Code of Ethics in order to assess areas of individual applicability. If a supervisor or employee is confronted with a potential conflict of interest, offer to pay expenses from other than the State Judicial Branch or has a question about the propriety of any action the supervisor or employee wishes to take, he/she should send it to his/her Executive Director. The Executive Director shall forward it, together with the Executive Director's recommendation and additional information, if any, to the Executive Director of Court Operations. The Executive Director of Court Operations, the Attorney/Legal Services and the Director of Human Resources shall decide the question with a majority vote prevailing. They may consult the Ethics Commission if any of them deem it appropriate provided they give advance notice to the employee whose conduct is involved. If the employee opposes the consultation, has not yet engaged in the conduct and agrees not to engage in the conduct in the future, the matter will not be pursued. The Executive Director and the employee shall be informed of the decision. The Executive Director of Court Operations, Attorney/Legal Services and Director of Human Resources may act through a designee appointed on an ad hoc basis.

Questions? – Human Resources - (860) 706-5280



Administrative Policy and Procedures Manual 603 RECEIPT OF GIFTS

POLICY

Generally, Judicial Branch employees are prohibited from accepting gifts, as defined in this policy, from those who have business with or are regulated by the Judicial Branch. However, judges of all courts are excluded with respect to their employment as judges.

GENERAL INFORMATION

The Judicial Branch, which is responsible for the equitable administration of justice, must be sensitive to practices that may be construed as encouraging favoritism. The practice of accepting gifts, regardless of innocent intentions, often leads to the perception that employees may be more favorably disposed and responsive to those individuals who show their "appreciation" in a tangible manner. Consequently, the acceptance of gifts must be prohibited except in clearly defined and justifiable situations.

Specific aspects of this policy are derived from two sources:

- (1) The **Code of Ethics for Public Officials**, which applies (1) to Family Support Magistrates, permanent and non-permanent employees and (2) to members of their immediate family when the gift is presented from a lobbyist or person acting on behalf of a lobbyist; and,
- (2) A separate **Judicial Branch policy**, which applies to permanent employees and establishes a more restrictive, "zero dollar" provision.

PERSONS FROM WHOM OFFICIAL/EMPLOYEE CANNOT ACCEPT A GIFT

No public official or state employee who occupies a permanent position may knowingly accept, directly or indirectly, any gift or gifts from any person the employee knows or has reason to know (1) is doing business with or seeks to do business with the Judicial Branch; or (2) is engaged in activities, including the practice of law, that are directly regulated by the Judicial Branch. Additionally, no employee may knowingly give, directly or indirectly, any gift or gifts in violation of this policy.

Non-permanent ("Temporary") employees are subject to restrictions under the Code of Ethics for Public Officials but not the more stringent Judicial Branch policies.

EXCLUSIONS FROM THE DEFINITION OF GIFT BASED ON RELATIONSHIPS WITH THE DONOR AND THE TYPE OF GIFT

The Judicial Branch policy and the Code of Ethics differ in several areas with respect to what is excluded from the definition of a "gift." These differences are based on the closeness of the relationship between the donor and the employee or official and on the type of gift received. Unless a more stringent requirement is imposed by the Judicial Branch, the Code of Ethics provisions governs a Judicial Branch employee. Employees are strongly encouraged to review the statutes regarding specific gifts that family support magistrates and permanent and non-permanent Judicial Branch employees are allowed to receive or are prohibited from receiving.

EXCLUSIONS FROM THE DEFINITION OF GIFT

The Code of Ethics defines "gift" as "anything of value, which is directly and personally received, unless consideration of equal or greater value is given in return." The definition then lists sixteen exceptions. See Conn. General Statutes § 1-79(e). However, employers are permitted to adopt more stringent limitations on the receipt of gifts and the Judicial Branch has done so. While the Branch recognizes most of the sixteen exceptions, it does **NOT** recognize the following Code of Ethics exemptions, and therefore such items can not be received as gifts from a person (1) known to be a registrant or anyone known to be acting on behalf of a registrant, or (2) a person known or whom the employee has reason to know (a) is doing or seeking to do business with Judicial or (b) is engaged in activities which are directly regulated by Judicial:

1. Printed or recorded informational material germane to the employee's state action or functions. However, such material can be made as a gift to the Judicial Branch subject to the Code of Ethics' rules on gifts to the State.
2. Food or beverage or both, costing less than \$50 in the aggregate per recipient in a calendar year, consumed on an occasion or occasions at which the person paying, directly or indirectly, for the food or beverage, or his/her representative is in attendance. However, if the employee is at a conference and food or beverage or both is provided at a reception for all conference attendees and the reception does not qualify as a necessary expense, the employee may attend if (a) the employee's attendance facilitates networking at the conference, (b) the \$50 limit is not exceeded, and (c) the reception sponsor or the sponsor's representative is present.
3. Food or beverage or both costing less than \$50 per person and consumed at a publicly noticed legislative reception to which all members of the General Assembly or members from a particular region of the State are invited. See C.G.S. §1-79(e)(10) and (11).
4. Gifts costing less than \$100 in the aggregate or food or beverage provided at a hospitality suite at a meeting or conference of an interstate legislative association, by a persons who is not a registrant or is not doing business with the State.
5. Gifts with a value of not more than \$10, provided the aggregate value of all such things provided by the donor to the recipient pursuant to C.G.S. § 1-79(e)(16) in any calendar year does not exceed fifty dollars. However, if the donor is a relative, close personal friend or Judicial Branch employee and the gift is not otherwise prohibited under the Code of Ethics, such gifts may be accepted.

Set forth below are a few of the more significant exceptions to the definitions of a gift contained in the Code of Ethics that the Judicial Branch does recognize:

1. services provided by a person volunteering his or her time;
2. a gift from (a) the recipient's spouse, fiancé or fiancée, (b) the parent, brother or sister of such spouse or such individual, or (c) the recipient's child or the spouse of such child;
3. goods or services (a) which are provided to the state (i) for use on state property, or (ii) to support an event or participation by a public official or state employee at an event, and (b) which facilitate state action or functions. As used herein, "state property" means (i) property owned by the state, or (ii) property leased to an agency in the Executive or Judicial Branch of the state;
4. a certificate, plaque or ceremonial award costing less than \$100; and
5. a gift, including but not limited to, food or beverage or both, provided by an individual for the celebration of a major life event. (A major life event does not include an annual event, such as a birthday.)

It should be noted that a public official or state employee may receive payment or reimbursement for "necessary expenses" as defined in the Code of Ethics for an article, appearance or speech, or for participation at an event in his or her official capacity. Requirement for reporting the receipt of a "necessary expense" to the Ethics Commission are summarized in policy 602, which discusses the Code of Ethics.

PROCEDURES

If a gift is provided and the donor's identity is known, the donor should be contacted, notified of the gift policy, and asked to retrieve the gift. If the gift is anonymous, it should be disposed of as follows:

- leave flowers in a public area
- discard food

If the value of the gift equals or exceeds \$10, notify the State Ethics Commission, inform them of the gift and the donor, if known, and the Commission may approve donating the item to a charity.

Alleged violations of this policy should be reported to the appropriate division Executive Director. Harassment of, or retaliation against, an individual who reports such information will not be tolerated. Individuals who are found to have been in violation of this policy will be subject to appropriate disciplinary action. If acceptance of a gift amounts to a violation of the Code of Ethics, individuals also will be subject to the sanctions set forth in Policy 602 concerning the Code of Ethics.

If an individual has a question concerning the applicability of the Judicial Branch "zero dollar" gift policy, the individual should send it to his/her Executive Director who shall forward it to the Executive Director of Superior Court Operations with any recommendation or information the Executive Director wishes to add. The Executive Director of Superior

Court Operations, the Attorney/Legal Services and the Director of Human Resource Management shall decide the question with a majority vote prevailing. The Executive Director and the employee shall be informed of their decision. The Executive Director of Superior Court Operations, Attorney/Legal Services or the Director of Human Resource Management may act through a designee appointed on an ad hoc basis.

In the case of a question regarding the gift provisions of the Code of Ethics, the procedure in Policy 602, Code of Ethics, will be followed.

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