**2.3 CODE OF ETHICS**

In an effort to ensure the highest ethical standards, the Canton Municipal Court has established the following

Code of Ethics for all Court personnel.

All employees of the Canton Municipal Court are expected to maintain the highest ethical and moral standards and to behave in a manner that inspires the public trust and confidence. Each staff member represents the Court during and outside of office hours with respect to the impression held by the public concerning the

Court and its services. Accordingly, it is expected that all Court employees exercise tact and prudent judgment when interacting with the public, whether of personal or official nature.

Court employees are not authorized to speak officially for the Court or to provide information concerning cases unless instructed or delegated to do so by the Judge or their designee. Court employees shall request approval from the Court Administrator prior to involvement in any public speaking engagements or public relations activities.

Only the Court Administrator or Judges of the Court may furnish professional letters of reference or recommendation for employment for court employees. Court employees may not use official court letterhead for any personal reason or purpose.

I. CONFIDENTIALITY OF COURT BUSINESS

A. Confidential Information and Work Product. Court employees regularly produce and have access to confidential information and work product. The following procedures apply to the access to, release of, and sharing of confidential information and work product.

1. Information regarding legal and administrative matters that are pending before the Court and are not a matter of public record are confidential. A Court employee shall not release any confidential information until it is publicly announced in the normal course of the Court’s business or its release is otherwise approved by the Court. A Court employee shall not share confidential information with anyone, including another Court employee, unless the other Court employee is permitted to have access to the confidential information.

2. Work product, such as legal memoranda, briefs and drafts of same, that is prepared during review of a legal or administrative matter pending before the Court, and that is not public record, is confidential. A Court employee shall not release any confidential work product until the legal or administrative matter is publicly announced in the normal course of the Court’s business or its release is approved by the Court or Judge for whom the work product was prepared.

3. An employee of the Court shall not exhibit or divulge the contents of any record to any person, except in the conduct of their official work assignments. Likewise, no Court employee shall remove, or cause to be removed; copies of any record

or report from any file or record, except in the performance of their official duties.

4. Court employees are further expected to refrain from participating in any discussion or gossip about a defendant or party to a case pending before the Court that may be perceived by others to be information obtained from Court records. Such discussions, although not a breach of confidentiality, may create the perception of impropriety, which must be avoided.

B. Personal Opinion. A Court employee shall not state a personal opinion regarding a

legal or administrative matter that has been decided by, is pending before, or may come before the Court where the personal opinion of the employee may be reasonably construed as the official opinion of the Court employee or as the official opinion of the Court.

C. Legal Advice. Unless admitted to the practice of law in the State of Ohio and acting within your official capacity, Court employees shall not engage in providing legal advice regarding a legal or administrative matter that has been decided by, is pending before, or may come before the Court.

D. Involvement in Court Matters. A Court employee shall not disclose to persons outside the Court the extent of the Court employee’s involvement in a legal or administrative matter that has been decided by the Court or is pending before the Court, but may discuss in general terms their job duties and the manner in which those duties relate to the overall operation of the Court.

II. IMPROPRIETY AND APPEARANCE OF IMPROPRIETY

A. Use of Position for Personal Gain or Benefit. A Court employee shall not solicit or accept anything of value for the personal benefit of the employee or employee’s immediate family or an organization with which the employee is associated unless:

1. The thing of value was conveyed for a reason unrelated to and not arising from the recipient’s holding or having held public office or public position; and

2. The thing of value was unrelated to matters before or affecting the Court.

B. Restraints on Solicitation or Acceptance of Gifts or Gratuities. A Court employee shall not solicit, accept, assign, or agree to receive anything of value from a party that is regulated by, doing or seeking to do business with, or interested in matters before the Court or from any personal under circumstances that could improperly influence the employee with respect to their duties or create the appearance of impropriety.

C. Improper Use of Position. A Court employee shall not use or attempt to use the authority or influence of their office or position to secure anything of value or the promise of anything of value.

D. Additional Compensation. A Court employee shall not solicit or accept any additional compensation or anything of value other than the employee’s compensation from the Court for performing the employee’s official duties.

E. Special Favors. A Court employee shall not discriminate against or otherwise give special treatment or anything of value to any person, whether or not for compensation, or permit family, social, or other relationships to influence or appear to influence official conduct or judgment.

F. Misuse of Office. A Court employee shall not use the resources, Court technology, property, personnel facilities, equipment, including but not limited to copy machine, fax, computer hardware and software, time or funds under the employee’s official control improperly to benefit the employee or any other person.

G. Interest in a Court Contract. No Court employee shall:

1. Authorize or use authority or influence of office to secure authorization of any contract in which the employee, a member of the employee’s family, or a business, organization, or person with which the employee is associated has an interest; or

2. Have an interest in the profits or benefits of a contract entered into by or for use of the Court.

III. PERSONAL ACTIVITIES AND OUTSIDE EMPLOYMENT

A. Personal Activities. A Court employee may engage in any lawful activities outside of employment with the Court, provided the activity does not interfere with the performance of the Court employee’s official duties, adversely reflect upon the Court employee’s position, or otherwise detract from the dignity of the Court.

B. Use of Social Media. Court employees are encouraged to use discretion and restraint relative to their use of social media platforms. Any and all content posted, discussed and/or distributed is subject to the provisions of the Court Code of Ethics and subject to employee disciplinary action. Court employees shall not comment, post, discuss or distribute any information related to any criminal, civil or administrative matter pending before this court or having been decided by this Court.

C. Outside Employment. A Court employee may engage in outside employment, including financial and business activities, provided the Court employee refrains from the following:

1. Engage in outside employment on Court time;

2. Use Court personnel, supplies, equipment, telephones or facilities while engaging in outside employment;

3. Use of the Court employee’s position, title, or other Court identification while engaging in outside employment;

4. Engage in outside employment with a person who is interested in legal or administrative matters pending before or regulated by the Court, or with a person who is doing or seeking to do business with the Court, unless the Court Administrator, in consultation with the Presiding and Administrative Judge, determines that the Court employee can withdraw from participation in the Court’s consideration of those matters that affect the interests of the person with whom the Court employee desires to engage in outside employment.

5. Use the Court employee’s relationship with other public officials or employees to secure a favorable decision or action by those public officials or employees regarding the Court employee’s outside employer, private business or financial interests;

6. Receive payment from an outside employer for services rendered on projects

that the Court employee has recommended in an official capacity with the Court;

7. Participate in decisions or make recommendations regarding legal or administrative matters pending before the Court involving business competitors of the Court employee or the Court employee’s outside employer, including, but not limited to, recommending the outside employer’s services to the Court;

8. Use the Court employee’s position, title, or authority in any other way to secure

a benefit for the Court employee or the Court employee’s outside employer;

9. Solicit or receive any payment from a person or entity other than the Court for performing duties that the Court employee is required or expected to perform in their official capacity with the Court.

IV. POLITICAL ACTIVITY

A. In order to maintain the non‐political, nonpartisan integrity of the Judiciary, Court employees may engage in political activity consistent with the provisions outlined in this section.

1. Limitations. A Court employee shall not participate in political activity on Court time or on the premises of the Court. A Court employee shall not use the Court employee’s official position, title, or other Court identification, including the name of the Court, in connection with political activity other than to promote

the Court employee’s own candidacy. A Court employee shall not use Court personnel, facilities, supplies, or equipment to engage in political activity.

2. Permissible Political Activity. Consistent with the Judicial Code of Conduct, permissible political activity includes, but is not limited to, any of the following:

a. Displaying or distributing campaign literature, badges, buttons, stickers, signs, or other forms of political advertising on behalf of any political party, campaign committee, or candidate for public office;

b. Solicit signatures for political candidacy;

c. Solicit membership or volunteers for a political party or campaign committee;

d. Solicit or receive funds for a political candidate.

e. Court Magistrates shall adhere to provisions of the Code of Judicial Conduct as it pertains to permissible political activity.

3. Prohibited Political Activity. A Court employee is prohibited from engaging in the following forms of political activity:

a. Acting as a leader or holding office in any political party.

b. Making speeches or other public appearances on behalf of any political party or candidate for public office unless the Court employee or member of the Court employee’s immediate family is a candidate for public office.

4. Candidacy for Public Office. A Court employee may be a candidate for appointment or election to any public office, subject to the following provisions:

a. The Court employee, upon publicly declaring candidacy for a public office, shall notify the Court Administrator and Presiding and Administrative Judge of same, in writing.

b. If the public office sought is designated or considered a part‐time position, the Court employee shall not be required to resign from employment with the Court, but the Court Administrator may place the Court employee on an unpaid leave of absence for the duration of the Court employee’s candidacy should the candidacy or campaign interfere with the employee’s Court capacity.

c. If the public office sought is designated or considered a full‐time position, the Court Administrator may place the Court employee on an unpaid leave of absence for the duration of the Court employee’s candidacy, request that the Court employee resign from employment with the Court, or terminate the Court employee’s employment.

d. A court employee who is placed on or required to take a leave of absence for the duration of the Court employee’s candidacy may use vacation leave or personal leave during the leave of absence.

5. Holding Public Office.

a. If a Court employee assumes a public office that is designated or considered a part‐time position, the Court employee may continue employment with the Court, except as provided in section (IV) (A) (6).

b. If the Court employee assumes a public office that is designated or considered a full‐time position, the Court employee shall resign from employment with the Court prior to assuming public office.

c. Upon notification, the Court Administrator shall recommend to the Judges of the Court whether the employee’s holding of the public office creates an incompatibility between the positions that requires the employee to resign from employment or have his or her employment terminated. The recommendation shall be based upon the totality of the circumstances, including but not limited to applicable legal authority and the duties and partisan nature of the public office. The Court shall make the final determination as to the effect of holding office upon an employee’s employment.

6. Incompatible Positions.

A Court employee’s candidacy for public office or status as a public official shall not relieve the Court employee from compliance with this rule or any applicable requirements of Ohio law. Notwithstanding any provision of this rule to the contrary, a Court employee shall resign their position with the Court, or may have their employment with the Court terminated, if the Court employee’s responsibilities as a public official are deemed incompatible with the Court employee’s position with the Court.

7. Political Discrimination Prohibited.

A Court employee shall not discriminate for or against other Court employees or applicants for employment at the Court because of political party affiliation, political contributions, or political activities permitted by this policy.