**2.04 CODE OF ETHICS**

This policy is intended to establish a code of ethics for employees of the Findlay Municipal Court to provide guidance in maintaining high ethical standards, and to enhance public confidence that the important matters involving the lives, liberty, and property of those who are served by this Court are decided in a fair and impartial manner.

The standards set forth in this policy shall not affect or preclude the application of other, more stringent standards required by law, such as the Code of Professional Responsibility for lawyers, the Code of Judicial Conduct for employees who perform judicial functions, and the Ohio Ethics Law for all. If an employee has a question regarding a proposed action, the employee should consult his/her FMC Appointing Authority or authorized designee for direction.

1. **Confidentiality of Court Business.**
2. **Confidential information.** Employees shall comply with the law regarding release of public records in a prompt and courteous manner. It is the employees’ responsibility to know and follow their FMC Appointing Authority’s policy for release of public records information. Information and work product regarding legal and administrative matters pending before the Court that are not a matter of public record may be confidential. An employee shall not share confidential information with anyone, including another employee, unless that employee is permitted to have access to the confidential information.
3. **Personal opinion.** An 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 reasonably be construed as the official position the official position of the Court, a judge, a magistrate, or another employee.
4. **Involvement in Court matters**. An employee shall not disclose to persons outside the Court the extent of the employee’s involvement in a legal or administrative matter that has been decided by or is pending before the Court. However, an employee may discuss in general terms the employee’s job duties and the manner in which those duties relate to the overall work of the Court.
5. **Conflict of Interest and Abuse of Position.**
6. **Impropriety and the appearance of impropriety.** An employee shall not engage in activity that is improper or gives the appearance of impropriety.
7. **Undue influence.** An employee shall not allow family, social, political, or other relationships to influence improperly the employee’s official conduct of judgment.
8. **Prestige of Court.**  An employee shall not lend the prestige of the Court to advance the private interests of the employee or others.

1. **Special position.** An employee shall not imply, convey or permit others to convey the impression that the employee is in a special position to influence the judgment of the Court, nor perform any discretionary or ministerial function in a manner that improperly favors any person, group, litigant, or attorney.
2. **Personal gain.** An employee shall not use confidential information for personal gain or for the gain of others.
3. **Gifts,** **bequests, favors and loans.** No employee shall accept or permit to be accepted on their behalf a gift, bequest, favor, or loan from any person likely to be engaged in a proceeding that ordinarily would come before the Court, from a person likely to do business with the Court, or from any other person under circumstances that might reasonably be regarded as influencing or appearing to influence the performance of the employee’s official duties.
4. **References and letters of recommendation.** Nothing in this rule shall prohibit an employee, based on personal knowledge, from serving as a personal reference or providing a personal letter of recommendation if it is clear that the recommendation is not made in an employee’s capacity as representative of the employer.
5. **Favoritism and Nepotism.** An employee shall not engage in favoritism, including nepotism, in connection with the recommendation as to hiring, discharge, or treatment of persons who are or may be under the employee’s supervision. “Nepotism” means the participation by an employee in any action relating to the employment or discipline of a member of the employee’s family, including advocating, authorizing, or otherwise causing the employment, appointment, promotion, transfer, or advancement of a member of the employee’s family, or supervising or managing any member of the employee’s family.
6. **Personal Activities.**
7. **Permissible activities.** An employee may engage in any lawful activity outside of employment with the Court, provided the activity does not interfere with the performance of the employee's official duties, adversely reflect upon the employee's position, or otherwise detract from the dignity of the Court.

**(2) Solicitation of funds.** An employee may solicit funds from persons outside the Court for educational, religious, charitable, fraternal, or civic organizations. In soliciting funds, the employee shall not solicit contributions on Court time; use Court personnel, supplies, equipment, or facilities in making solicitations; use the employee’s position, title, or other Court identification in soliciting contributions, or solicit funds from a person likely to be engaged in a legal or administrative matter pending before, or that ordinarily would come before, the Court.

1. **Outside Employment.**
2. **Primary employment.** The Court considers each full time employee’s employment with the Court to be the employee’s primary employment and deserving of the employee’s full attention. An employee shall not engage in outside employment on Court time, or use Court personnel, supplies, equipment, or facilities in the performance of such employment. An employee shall not engage in outside employment that detracts from the dignity of the Court or gives the appearance of impropriety.
3. **Interested parties.** An employee shall not engage in outside employment with a person or party that is a law firm, bar association or law enforcement agency, or that is interested in legal or administrative matters pending before or regulated by the Court.
4. **Use of position.** An employee shall not use his/her position, title, or authority in any way to secure a benefit for the employee or the employee’s outside employer.
5. **Political Activity.** An employee may engage in political activity not prohibited by law or Rules of Court.
6. **Limitations on political activity.** An employee shall not participate in any permissible political activity on Court time or on the premises of the Court. An employee shall not use the 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 employee’s own candidacy. An employee shall not use Court facilities, supplies, or equipment to engage in political activity.
7. **Holding public office.** An employee shall not hold any other public office without the express permission of the FMC Appointing Authority or authorized designee.
8. **Political / Confidential employees.** The law creates special categories of employees (political or confidential employees) whose elected supervisors may terminate them for disloyal political partisanship, activity or speech. An employee who falls into one of these categories may be terminated for his or her political partisanship, activity or speech.
9. **Procedure for Remedying Violations of this Chapter.**

1. Any employee who believes he or she has been the subject of political intimidation, coercion, discrimination or harassment, including but not limited to any of the conduct listed above should bring it to the Court’s attention by reporting it to the Director of Court Services or the Administrative Judge, either in writing or by email.

2. If, for some reason, an employee does not feel he or she can report the improper conduct to either of these individuals, the complaint may be filed with the Non-Administrative Judge.

3. All complaints will be handled in a timely manner, and the Court will address any violations of this policy in a prompt, appropriate manner.

*There will be no intimidation, coercion, threats, retaliation or discrimination against any employees for complaining about improper conduct.*

1. **Personal Integrity and Professionalism.**

1. Integrity**.** The professional attitudes and work habits of individual Court employees are of the utmost importance to the honor of the Court. Honesty and truthfulness are vital. Each employee shall contribute to the integrity of the court staff by striving to inspire mutual loyalty and trust.

An employee shall not knowingly make omissions on time cards or personnel records; misuse the telephone, facsimile machine, or copying machine, or take supplies home for private use. This scope of conduct even reaches to areas of proper judgment such as an employee is not to be dishonest about leave from work, whether it be the time of an appointment or nature of the leave requested, (e.g., calling off sick in lieu of personal day or vacation leave.)

“TIP Procedure” – It is the expectation of every FMC employee that if an infraction of any part of this handbook or a questionable or illegal act is observed by another employee, the employee who observed the act will provide an immediate “TIP”, anonymous or otherwise to his/her supervisor or the Clerk. The TIP may be in written or verbal form. Questionable acts include inappropriate or the mis-handling of Court money, receipts and/or deposits.

**2**. Professionalism**.** The court employee must serve the public by providing procedural assistance that is as helpful as possible without giving legal advice. The court employee must furnish accurate information in a professional, competent and cooperative manner. All court employees must be responsive in our services to the public in the most courteous and timely manner

Employees must be aware of the tone and content of conversations with both the public and fellow employees. Personnel should strive to preserve the dignity of our court as well as that of each individual and always remember that a positive public image is a priority focus while at work and outside of work.