

37.04 SUPERVISION OF COURTS HEARING ORDINANCE VIOLATIONS

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Appendix B

Code of Conduct for Municipal Division Personnel

This code of conduct applies to all full-time, part-time and temporary court system employees for municipal divisions, who are identified in this code as "court professionals."

Code of Conduct 1: Avoiding Impropriety and the Appearance of Impropriety in All Activities.

1.1. Performing Court Duties

A court professional shall faithfully carry out all appropriately assigned duties striving at all times to perform the work diligently, efficiently, equitably, thoroughly, courteously, honestly, truthfully and with transparency.

A court professional shall carry out properly issued court orders and rules, not exceeding the court professional's authority.

A court professional shall make every reasonable effort to act in a manner consistent with his or her judge's obligations under the Missouri Code of Judicial Conduct found at Supreme Court Rule 2.

1.2. Avoiding Impropriety

A court professional shall avoid both impropriety and the appearance of impropriety.

A court professional shall avoid improper influences from business, family, position, party, or person.

A court professional shall avoid activities that would impugn the dignity of the court.

1.3. Bias, Prejudice, and Harassment

A court professional shall perform his or her duties without bias or prejudice.

A court professional shall not, in the performance of his or her duties, by words or conduct, manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, gender identity, religion, national origin, ethnicity, disability, age, sexual orientation, or marital status.

A court professional shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, including but not limited to race, sex, gender, gender identity, religion, national origin, ethnicity, disability, age, sexual orientation, or marital status, against parties, witnesses, lawyers, or others.

These restrictions do not preclude court professionals from making legitimate reference to personal factors or characteristics, when they are relevant to an issue in a proceeding.

1.4. Respect of Others

A court professional shall treat litigants, coworkers and all others interacting with the court with dignity, respect and courtesy.

1.5. Involvement in Actions Before a Court

A court professional shall notify their supervisor of the court whenever he or she, anyone in his or her family, or anyone with whom he or she has a close personal relationship has been arrested, named as a party, or is otherwise formally involved in any action pending in any court.

1.6. Avoiding Privilege

A court professional shall use his or her official position solely for its intended purpose.

A court professional shall not use his or her position (intentionally or unintentionally), to secure unwarranted privileges or exemptions for oneself or others.

A court professional shall not dispense special favors to anyone, whether or not he or she was offered remuneration.

1.7. Assisting Litigants

A court professional shall be responsive to inquiries regarding standard court procedures, but shall not give legal advice unless it is required as part of one's official position.

Code of Conduct 2: Performing the Duties of Position Impartially and Diligently.

2.1. Independent Judgment

A court professional shall avoid relationships that would impair one's impartiality and independent judgment.

A court professional shall be vigilant of conflicts of interest and ensure that outside interests are never so extensive or of such nature as to impair one's ability to perform court duties.

2.2. Personal Relationships

A court professional shall recruit, select, and advance personnel based on demonstrated knowledge, skills, abilities, and bona fide work-related factors, not on favoritism.

A court professional shall avoid appointing, assigning, or directly supervising, a family member, or attempting to influence the employment or advancement of a family member.

Where circumstances dictate that one must work directly with a family member, a court professional shall report the circumstance to their supervisor or the court, regularly assess the situation, and take remedial action at the earliest time practicable.

2.3. Misconduct of Others

A court professional should expect fellow professionals to abide by this code of conduct.

A court professional shall report to their supervisor or the court the behavior of any court professional who violates this code including, but not limited to, potential conflicts of interest involving one's duties and attempts to inappropriately influence one in performing one's duties.

2.4. Attempts at Influence

A court professional shall immediately report to their supervisor or the court any attempt to compel one to violate this code of conduct.

2.5. Properly Maintain Records

A court professional shall not inappropriately destroy, alter, falsify, mutilate, backdate or fail to make required entries on any records within the court's control.

2.6. Legal Requirements

A court professional shall maintain the legally required confidentialities of the court, not disclosing confidential information to any unauthorized person, for any purpose.

A court professional shall properly provide confidential information that is available to specific individuals authorized to receive such by reason of statute, court rule or administrative policy.

2.7. Discretion

A court professional shall be respectful of litigants, the public, applicants and employees' personal lives; disregard information that legally cannot or should not otherwise be considered; use good judgment in weighing the credibility of Internet data; and be cautious about verifying identities.

A court professional shall treat personal or sensitive information with the same discretion that one would wish others to have if one were involved in a similar case.

2.8. Proper Use of Public Resources

A court professional shall use the resources, property and funds under one's official control judiciously and solely in accordance with prescribed procedures.

Code of Conduct 3: Conducting Outside Activities to Minimize the Risk of Conflict with Official Position.

3.1. Outside Business

The court is a court professional's primary employment. A court professional shall avoid outside activities, including outside employment, business activities, even subsequent employment and business activities after leaving judicial service, that reflect negatively upon the judicial branch and on one's own professionalism.

A court professional shall notify their supervisor or the court prior to accepting work or engaging in business outside of one's court duties.

A court professional shall not request or accept any compensation or fee beyond that received from their employer for work done in the course of their public employment.

However, court professionals may engage in outside employment as long as it does not conflict with the performance of their official responsibilities or violate this code of conduct.

3.2. Compensation and Post Employment Restrictions

During or following one's employment with a court, a court professional shall not represent a commercial interest to, or do business with, that same court unless both the employment and commercial interest are fully disclosed to and approved by the court's appropriate management authority.

3.3. Avoiding Gifts

A court professional shall not solicit, accept, agree to accept, or dispense any gift, favor, or loan either for oneself or on behalf of another based upon any understanding, either explicit or implicit, that would influence an official action of the court.

3.4. Financial Disclosure

A court professional shall dutifully disclose all financial interests and dealings required by law, rule, or regulation.

Code of Conduct 4: Refraining from Inappropriate Political Activity.

4.1. Refraining from Inappropriate Political Activity

A court professional retains one's right to vote and is encouraged to exercise it as a part of citizenship.

Engaging in any political activity is done strictly as a private citizen and only in accordance with state law or court rules.

A court professional shall participate only during non-court hours, using only non-court resources. A court professional shall not use one's position or title within the court system to influence others.

Unless a court professional is elected to one's court position, one shall campaign during non-work hours or take an unpaid leave of absence upon declaring one's intent to run for office.

If elected, a court professional shall resign one's post with the court unless one is holding a political office that clearly does not hold a conflict of interest, nor does it interfere with one's ability to perform one's court duties.