

APPENDIX 1

CODE OF ETHICS FOR PRAIRIE BAND POTAWATOMI NATION JUDICIAL EMPLOYEES

This Code of Conduct applies to all employees of the
Prairie Band Potawatomi Nation Tribal Court except Judges

RULE 1

A Judicial Employee Shall Uphold the Integrity and Independence of the Judiciary and of the Judicial Employee's Office

An independent and honorable judiciary is essential to justice in the Prairie Band Potawatomi Nation Tribal Court. A Prairie Band Potawatomi judicial employee shall observe high standards of conduct so that the integrity and independence of the judiciary may be preserved and the office of the judicial employee may reflect a devotion to serving the public. The provisions of this Code shall be construed and applied to further that objective. The standards of this Code shall not affect or preclude other standards which may be promulgated by order of the court.

RULE 2

A Judicial Employee Shall Avoid Impropriety and the Appearance of Impropriety in all Activities

A judicial employee shall not engage in any activities that would put into question the propriety of the judicial employee's conduct in carrying out official duties. A judicial employee shall not allow family, social, or other relationships to influence official conduct or judgment. A judicial employee shall not lend the prestige of the office to advance or to appear to advance the private interests of others. A judicial employee shall not use their public office for private gain.

RULE 3

A Judicial Employee Shall Adhere to Appropriate Standards in Performing the Duties of the Office

The official duties include all duties of the judicial employee's office prescribed by law or order of the Court. The following standards apply to the performance of these duties:

- A. A judicial employee shall respect and comply with the law at all times and shall act in a manner that promotes public confidence in the integrity and impartiality of the judiciary and the office of the judicial employee.
- B. A judicial employee shall be faithful to professional standards and maintain competence in the judicial employee's profession.

- C. A judicial employee shall be patient, dignified, respectful, and courteous to all persons with whom the judicial employee deals in an official capacity, including the general public, and shall require similar conduct of personnel subject to the judicial employee's direction and control. A judicial employee shall diligently discharge the responsibilities of the office in a prompt, efficient, nondiscriminatory, fair, and professional manner.
- D. Neither a judicial employee nor a family member residing in the employee's household shall accept a gift, bequest, favor or loan from any person whose interests have come or are likely to come before the judicial employee, nor from any person under circumstances that might be reasonably construed as influencing the performance of duties of the judicial employee's office.
- E. A judicial employee shall abstain from public comment about a pending or impending proceeding in court, and shall require similar abstention by personnel subject to the judicial employee's direction and control. This does not extend to public statements made in the course of official duties or to the explanation of court procedures. A judicial employee shall never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor shall such information be used for personal gain. A former judicial employee shall observe the same restrictions on disclosure of confidential information that apply to a current judicial employee.
- F. A judicial employee shall not engage in nepotism prohibited by law.
- G. A judicial employee shall never influence or attempt to influence the assignment of cases, nor perform any function of the court in a manner which improperly favors any litigant or attorney.
- H. A judicial employee shall not engage in the practice of law.

RULE 4

A Judicial Employee May Engage in Activities to Improve the Law, the Legal System, and the Administration of Justice

A judicial employee, subject to the proper performance of official duties, may engage in the following quasi-official activities:

- A. The judicial employee may speak, write, lecture, teach, and participate in other activities concerning court management, the legal system, and the administration of justice.
- B. The judicial employee may promote the development of professional organizations and foster the interchange of technical information and experience with others in the profession.

- C. The judicial employee shall be available to the public for speaking engagements and public appearances designed to enhance the public's knowledge of the operation of the court system.

RULE 5

A Judicial Employee Shall Regulate All Outside Activities to Minimize the Risk of Conflict of Interest with Official Duties, Avoid the Appearance of Impropriety, and Comply with Disclosure Requirements

- A. *Outside Activities.* A Judicial Employee may write, lecture, teach, and speak on subjects unrelated to the profession, and may engage in the arts, sports, and other social, civic, charitable, religious, cultural, and recreational activities, when such activities do not detract from the dignity of the office, interfere with the performance of official duties, or adversely reflect on the operation and dignity of the court or office the judicial employee serves. If such outside activities concern the law, the legal system, or the administration of justice, the judicial employee shall first consult with their supervisor to determine whether the proposed activities are consistent with the foregoing standards and the other provisions of this code.
- B. *Solicitation of Funds.* A Judicial Employee may serve as an officer, director, trustee or advisor of a civic or charitable organization and solicit funds for any such organization, subject to the following limitations:
1. A judicial employee shall not use or permit the use of the prestige of the office to solicit funds.
 2. A judicial employee shall not request subordinate staff to participate in or contribute to any civic or charitable activity, but may provide information to them about a civic or charitable fund-raising campaign.
 3. The judicial employee shall not request or accept funds from lawyers or persons likely to come before the judicial employee, the court, or the office the judicial employee serves, except as an incident to a general fund-raising activity.
- C. *Financial Activities.* Without the express permission of the court, a judicial employee may not carry on financial and business dealing, including service as a fiduciary. Such permission shall not be granted in any case where the activity would reflect adversely or impartiality, interfere with the proper performance of official duties, exploit official position, or involve frequent transactions with lawyers or persons likely to come before the office of the judicial employee or the court.

RULE 6

A Judicial Employee Shall Regularly File Reports of Compensation Received for Quasi-Official and Extra-Official Activities

A judicial employee may receive compensation and reimbursement of expenses for quasi-official and extra-official activities permitted by this Code if the source of such payments does not influence or give the appearance of influencing the judicial employee in the performance of

official duties or otherwise give the appearance of impropriety, subject to the following restrictions:

- A. *Compensation.* Compensation shall not exceed a reasonable amount nor shall it exceed that normally received by others for the same activity.
- B. *Expense Reimbursement.* Expense reimbursement shall be limited to the actual cost of travel, food, and lodging reasonably incurred. Any payment in excess of such an amount is compensation.
- C. *Public Reports.* A judicial employee shall make and file such reports as may be prescribed by Tribal Law or by the Rules of the Court.

RULE 7

A Judicial Employee Shall Refrain from Inappropriate Political Activity

- A. *Partisan Political Activity.* A judicial employee shall refrain from partisan political activity and shall not engage in the following activities:
 - 1. Act as a leader or hold any office in a partisan political organization;
 - 2. Make speeches for or publicly endorse or oppose a political organization, candidate, or event;
 - 3. Solicit funds for or contribute to a partisan political organization, candidate, or event;
 - 4. Become a candidate for a partisan political office;
 - 5. Active participation in partisan political activities.
- B. *Nonpartisan Political Activity.* A judicial employee may engage in nonpartisan political activity only if such activity does not tend to reflect adversely on the dignity or impartiality of the court of office of the judicial employee and does not interfere with the proper performance of official duties. A judicial employee may not engage in such activity while on duty or in the judicial employee's workplace.