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# Western District of North Carolina Student Intern Policy

## QUALIFICATIONS FOR APPOINTMENT OF STUDENT INTERN

The student intern shall be a junior, senior, or graduate student with good class standing.

- The Probation Office prefers students who have completed two courses in corrections, including one course in probation and parole or similar course work.
- The student intern shall have no convictions other than minor traffic infractions.

## APPLICATION AND SELECTION PROCESS

In an effort to obtain mature students who are sincerely interested in the correctional field, the following procedures have been formulated for the selection of student interns.

- Interested students are requested to forward to the Intern Coordinator:
  - A letter of interest
  - An intern application
  - A letter affirming qualification for internship from the appropriate faculty representative of the college or university
  - A copy of graduate and/or undergraduate transcripts
- All intern applications should be provided no later than one month prior to the term in which the internship is anticipated. Applicants shall be mailed to the Intern Coordinator.
- The Intern Coordinator will contact selected students and arrange for them to visit the Probation Office for the purpose of a personal interview with the Intern Coordinator, and management as requested by the Intern Coordinator, who will determine eligibility of the applicant and appropriate unit placement, if relevant. Selection of student interns will be made in advance of the beginning of the term or semester for which the student intern will serve.
- The Intern Coordinators for the Western District of North Carolina are as follows:
  - Asheville/Bryson City- Ariel Cashion
  - Statesville/Hickory- Alex Cashion
  - Charlotte- Chelsey Padilla

## **CONDITIONS OF APPOINTMENT**

All students who are selected for an internship will be required to sign a Non-Disclosure Agreement Form, specifying that they will maintain confidentiality of all case information during and after the course of their affiliation with the Probation Office. In addition, student interns will be required to sign an Acknowledgment of Risk form, acknowledging potential risks associated with their duties as a student intern.

A background investigation will be conducted at the appropriate Probation Office under the direction of the Intern Coordinator. The investigation will include, but not be limited to the following:

- Both ATLAS and local criminal history records checks of applicant (using employment J Code, run only by an ATAC with CUSPO or DCUSPO approval)
- FBI Fingerprint check (to be processed the first day of internship, or prior to the first day of internship)
- Inquiries/references from two previous employers
- A financial inquiry to include a credit check (optional)

All students selected for internship are considered volunteer employees of the judicial branch and are required to take the oath of office no later than the first day of appointment, or prior to the first day of appointment. Guide to Judiciary Policies and Procedures, Vol. 1, Ch. 10, Subch. 1308.2(e). For this reason, interns are also required to submit verification of employment eligibility under U.S. Immigration law.

Those students who are accepted will be required to complete an AO Form 78A.

At the time of appointment, student interns will be informed as to the specific length of their affiliation with the Probation Office, including dates of entry and termination by signing an Acknowledgment of Gratuitous Services and Waiver.

Intern Coordinators will review the district's Computer Resources Acceptable Use and Security Policy and obtain appropriate signatures of the User Memorandum of Agreement.

Intern Coordinators will review the Code of Conduct adopted by the Judicial Conference of the United States and obtain appropriate signatures of acknowledgment.

Interns will also be required to complete an Intern Emergency Notification form which will be kept by the Intern Coordinator with copies distributed to the designated Deputy Chief's Office and the Probation Officer Sponsor (if applicable).

## **STUDENT INTERN RESPONSIBILITIES**

In order for student interns to obtain maximum education benefits without compromising the Probation Office's operations, they are expected to comply with the administrative policies of the Probation Office throughout the duration of their internship.

- All student interns are expected to adhere to the Code of Conduct adopted by the Judicial Conference of the United States.
- All written communications prepared by student interns that are to be forwarded to the courts, law enforcement agencies, community agencies, etc., must be first given to the U.S. Probation Officer with whom the intern is working, for final advice and approval.
- Student interns should report to their field placement on the days assigned. In the event the student intern is late or cannot report to work, the Intern Coordinator (and Probation Sponsor, if applicable) should be notified as soon as possible.
- Student interns are encouraged to attend all general staff meetings as well as unit meetings on days when they are performing internship activities.
- Assist Probation Officers in the performance of tasks generally required of Probation Officers, under the direction, guidance, and supervision of the Intern Coordinator and/or Probation Officer Sponsor (if applicable).
- Refrain from personal relationships with offenders.
- Carry Probation Office identification with them at all times while performing duties of a student intern. This identification will be returned upon completion of the internship.
- Student interns experiencing any problems in the student intern program should address the issues with the Intern Coordinator or the person with whom they are working.
- Upon completion of the internship, each student will be mailed an evaluation form to be completed and mailed back to the probation office.
- All papers completed by the student intern that identify the Probation Office will be shared with the Probation Office and maintained in the Probation Office student intern file.
- Student interns shall serve without compensation from the Probation Office.

## **RESPONSIBILITY OF THE INTERN COORDINATORS**

- The designated Deputy Chief will maintain overall responsibility for the supervision of the internship program.
- The Intern Coordinator or Probation Officer Sponsor, if applicable, will be designated for each student intern. The Intern Coordinator or the Probation Officer Sponsor will remain the same throughout the internship period. The Intern Coordinator or the Probation Officer Sponsor will perform the functions as described elsewhere in this policy.
- The Intern Coordinator in each Probation Office will provide guidance and supervision that is essential for the proper training and guidance of student interns.
- Assignments should include opportunities to observe court functions, violation of probation hearings, presentence investigation functions, field contacts of all varieties including visits to drug programs, local prisons, jails and community agencies.
- If any problems occur or concerns arise during the internship, the Intern Coordinator or Probation Officer Sponsor should immediately bring them to the attention of the designated Deputy Chief.
- If a performance evaluation is completed on the intern it must be approved in advance by the designated Deputy Chief. No performance evaluation should be distributed to an intern or to the faculty representative of the college or university without the approval of the designated Deputy Chief.

## **FORMS**

These forms will be used in conjunction with the Student Intern Program, and all original documents shall be sent to the HR Specialist. The HR Specialist will provide the designated DCUSPO with the applicants' forms.

- Application of Internship.
- Authorization of Release Information.
- Acknowledgment of Gratuitous Services and Waiver.
- Acknowledgment of Risk and Non-Disclosure Agreement.
- Personal Data for Critical Incident Form.

- A078.
- Fingerprint Card for FBI fingerprint check.
- I-9 U.S. Immigration compliance.
- Acknowledgment of Code of Ethics and Conduct.
- Student Intern's Evaluation of the U.S. Probation Office.

### **EXTENT AND NATURE OF DUTIES TO BE ASSIGNED TO STUDENT INTERNS**

An initial orientation and structured training program will be conducted by the Intern Coordinator.

#### **Student Interns Will Not:**

- Be placed in any situation with a defendant/offender that could jeopardize their safety. Specifically, an intern will not take UAs, be present during a search, or take photos or escort defendants/offenders within secured space without an officer present.
- Carry or possess firearms or Cap-Stun devices while performing duties as a student intern in the Probation Office.
- Drive government vehicles.
- Carry badges.
- Sign any document relating to any function of the Probation Office without an approving signature of a Probation Officer.
- Be responsible for the completion of presentence investigation reports.
- Be given sole responsibility for an offender caseload.
- Release confidential information.
- Use/access anything that requires a login and password other than Novell, DocuShare, PACTS, and Lotus Notes.
- Travel in the field during night supervision projects or after normal business hours.

# FEDERAL JUDICIAL BRANCH APPLICATION FOR EMPLOYMENT

If you need additional space, continue under "Remarks" listing item number

1. Name ( <i>Last, First, Middle Initial</i> )	2. Phone Number
3. Present Address ( <i>Street, City, State, Zip</i> )	
4. Email Address	
5. Other Names Previously Used for Employment Purposes	6. Date of Birth ( <i>complete only for law enforcement positions</i> )

### GENERAL

7. Are you a U.S. Citizen?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If no, give the Country of your citizenship _____
8. a. Were you ever a federal civilian employee?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, give highest civilian grade: _____ / _____ / _____ Pay Plan                      Grade                      Step
b. Are you receiving a federal civilian annuity payment?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
c. Are you receiving federal severance pay?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, give former agency contact/telephone: _____
d. Have you received a federal separation incentive payment in the past 5 years?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, state mo/yr received and former agency contact/telephone: _____
9. Do you have any relatives who are Judges, Officers or employees of the United States Courts?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, give their names, positions, and relationships to you. _____
10. Have you ever served on active duty with the military?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<i>(If selected, you will need to provide your DD-214 (copy 4), Certificate of Release or Discharge from Active Duty, so that your service may be verified and credited)</i>

### BACKGROUND INFORMATION

For questions 11, 12, and 13, your answers should include convictions resulting from a plea of nolo contendere (no contest), but omit (1) traffic fines of \$300 or less, (2) any violation of law committed before your 16<sup>th</sup> birthday, (3) any violation of law committed before your 18<sup>th</sup> birthday if finally decided in juvenile court or under a Youth Offender law, (4) any conviction set aside under the Federal Youth Corrections Act or similar state law, and (5) any conviction for which the record was expunged under Federal or state law.

11. During the last 10 years, have you been convicted, imprisoned, on probation, or on parole? ( <i>Include felonies, firearms or explosives violations, misdemeanors, and all other offenses</i> )	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, provide in Section 19 the date, explanation of violation, place of occurrence, and name/address of police dept or court.
12. Have you been convicted by a military court-martial in the past 10 years?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, provide in Section 19 the date, explanation of violation, place of occurrence, and name/address of military authority or court.
13. Are you now under charges for any violation of law?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, provide in Section 19 the date, explanation of violation, place of occurrence, and name/address of police dept or court.
14. During the last 10 years, have you been fired from any job for any reason, did you quit after being told that you would be fired, did you leave any job by mutual agreement because of specific problems, or were you debarred from Federal employment by the Office of Personnel Management or any other Federal agency?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, provide in Section 19 the date, explanation of problem, reason for leaving, and employer's name/address.
15. Are you delinquent on any Federal debt? ( <i>Include delinquencies arising from Federal taxes, loans, overpayment of benefits, and other debts to the U.S. Government, plus defaults of Federally guaranteed or insured loans (e.g., student loan, home mortgage loan).</i> )	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, provide in Section 19 the type, length, and amount of delinquency/default, and steps being taken to correct the error/repay the debt.

### EDUCATION

16. a. Do you have a high school diploma or G.E.D. equivalent?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If yes, Date of Completion _____		
b. Name and location of colleges or universities	Dates Attended	Credit Hours	Degree	Date Received	Grade Point



**WORK EXPERIENCE**

(Start with your present position and work back 10 years. Include any military service. Use additional page if necessary.)

**A**

Dates of Employment (mm/dd/yyyy) From: _____ To: _____		Number of hours worked per week:	Exact Title of Your Position
Salary or Earnings Starting \$ _____ Per _____ Final \$ _____ Per _____		Pay Plan/Grade (If in federal Service)	Place of Employment City _____ State _____
Name and Title of Immediate Supervisor  Business Telephone: (Area Code and Phone Number)		Name and Address of Employer (firm, organization, etc.)	
Reason for Leaving			
Description of Work			

**B**

Dates of Employment (mm/dd/yyyy) From: _____ To: _____		Number of hours worked per week:	Exact Title of Your Position
Salary or Earnings Starting \$ _____ Per _____ Final \$ _____ Per _____		Pay Plan/Grade (If in federal Service)	Place of Employment City _____ State _____
Name and Title of Immediate Supervisor  Business Telephone: (Area Code and Phone Number)		Name and Address of Employer (firm, organization, etc.)	
Reason for Leaving			
Description of Work			

C

Dates of Employment ( <i>mm/dd/yyyy</i> ) From: _____ To: _____	Number of hours worked per week:	Exact Title of Your Position
Salary or Earnings Starting \$ _____ Per _____ Final \$ _____ Per _____	Pay Plan/Grade ( <i>If in federal Service</i> )	Place of Employment City _____ State _____
Name and Title of Immediate Supervisor  Business Telephone: ( <i>Area Code and Phone Number</i> )		Name and Address of Employer ( <i>firm, organization, etc.</i> )
Reason for Leaving		
Description of Work		

D

Dates of Employment ( <i>mm/dd/yyyy</i> ) From: _____ To: _____	Number of hours worked per week:	Exact Title of Your Position
Salary or Earnings Starting \$ _____ Per _____ Final \$ _____ Per _____	Pay Plan/Grade ( <i>If in federal Service</i> )	Place of Employment City _____ State _____
Name and Title of Immediate Supervisor  Business Telephone: ( <i>Area Code and Phone Number</i> )		Name and Address of Employer ( <i>firm, organization, etc.</i> )
Reason for Leaving		
Description of Work		

**APPLICANT CERTIFICATION**

I certify that, to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for not hiring me, or firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

SIGNATURE \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

## Personal Data Sheet for Critical Incident Response Team

**NAME:**

**Address (include directions):**

**Home Telephone Number:**

**Personal Cell Number:**

**Home Email Address:**

**Work Location:**

**Office Telephone Number:**

**Office Cell Number:**

**Supervisor:**

**Office Telephone Number:**

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**In the event of emergency, contact:**

**Name:**

**Relationship:**

**Address:**

**Home Telephone Number:**

**Personal Cell Number:**

**Home Email Address:**

**Employment:**

**Job Title:**

**Work Address:**

**Office Telephone Number:**

\*\*\*\*\*

**Next of Kin (other than above):**

**Name:**

**Relationship:**

**Address:**

**Home Telephone Number:**

**Personal Cell Number:**

**Home Email Address:**

**Employment:**

**Job Title:**

**Work Address:**

**Office Telephone Number:**

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**Special instructions regarding notification of family members, including minister's name and phone number:**

**PLEASE KEEP YOUR PERSONAL DATA SHEET UP TO DATE AS CHANGES OCCUR**

**ACKNOWLEDGMENT OF GRATUITOUS SERVICES AND WAIVER**

I, \_\_\_\_\_, hereby declare that my services to be performed from approximately \_\_\_\_\_ to \_\_\_\_\_ in the capacity of \_\_\_\_\_ to \_\_\_\_\_

in the United States \_\_\_\_\_ (*court or office*) are to be rendered solely as a volunteer. I hereby waive any claim or right to receive salary or other compensation in consideration for the performance of duties assigned by \_\_\_\_\_.

I acknowledge that I am not entitled to receive civil service retirement credit or other related personnel benefits as a consequence of this voluntary employment, except that in the event of any personal injury incurred by me, I shall have those rights to compensation, if any, which may be provided by statute to persons rendering voluntary services to the United States. I further recognize that, as an employee of the United States, I retain no personal copyright privileges in any work product prepared by me in the course of this employment. Finally, I recognize that information which I obtain or to which I shall have access in the course of my employment is often of a confidential nature, and I agree to preserve the confidentiality of such information.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

Pursuant to the authority vested in the Director of the Administrative Office of the United States Courts by 28 U.S.C. § 604(a)(17) and by delegation of this authority from the Director, I hereby accept and authorize the utilization of the gratuitous services described above.

\_\_\_\_\_  
Signature of the Court Unit Executive

\_\_\_\_\_  
Date



## Instructions for Employment Eligibility Verification

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-9  
OMB No. 1615-0047  
Expires 03/31/2016

**Read all instructions carefully before completing this form.**

**Anti-Discrimination Notice.** It is illegal to discriminate against any work-authorized individual in hiring, discharge, recruitment or referral for a fee, or in the employment eligibility verification (Form I-9 and E-Verify) process based on that individual's citizenship status, immigration status or national origin. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination. For more information, call the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) at 1-800-255-7688 (employees), 1-800-255-8155 (employers), or 1-800-237-2515 (TDD), or visit [www.justice.gov/crt/about/osc](http://www.justice.gov/crt/about/osc).

### What Is the Purpose of This Form?

Employers must complete Form I-9 to document verification of the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 6, 1986, to work in the United States. In the Commonwealth of the Northern Mariana Islands (CNMI), employers must complete Form I-9 to document verification of the identity and employment authorization of each new employee (both citizen and noncitizen) hired after November 27, 2011. Employers should have used Form I-9 CNMI between November 28, 2009 and November 27, 2011.

### General Instructions

Employers are responsible for completing and retaining Form I-9. For the purpose of completing this form, the term "employer" means all employers, including those recruiters and referrers for a fee who are agricultural associations, agricultural employers, or farm labor contractors.

Form I-9 is made up of three sections. Employers may be fined if the form is not complete. Employers are responsible for retaining completed forms. Do not mail completed forms to U.S. Citizenship and Immigration Services (USCIS) or Immigration and Customs Enforcement (ICE).

### Section 1. Employee Information and Attestation

Newly hired employees must complete and sign Section 1 of Form I-9 **no later than the first day of employment**. Section 1 should never be completed before the employee has accepted a job offer.

Provide the following information to complete Section 1:

**Name:** Provide your full legal last name, first name, and middle initial. Your last name is your family name or surname. If you have two last names or a hyphenated last name, include both names in the last name field. Your first name is your given name. Your middle initial is the first letter of your second given name, or the first letter of your middle name, if any.

**Other names used:** Provide all other names used, if any (including maiden name). If you have had no other legal names, write "N/A."

**Address:** Provide the address where you currently live, including Street Number and Name, Apartment Number (if applicable), City, State, and Zip Code. Do not provide a post office box address (P.O. Box). Only border commuters from Canada or Mexico may use an international address in this field.

**Date of Birth:** Provide your date of birth in the mm/dd/yyyy format. For example, January 23, 1950, should be written as 01/23/1950.

**U.S. Social Security Number:** Provide your 9-digit Social Security number. Providing your Social Security number is voluntary. However, if your employer participates in E-Verify, you must provide your Social Security number.

**E-mail Address and Telephone Number (Optional):** You may provide your e-mail address and telephone number. Department of Homeland Security (DHS) may contact you if DHS learns of a potential mismatch between the information provided and the information in DHS or Social Security Administration (SSA) records. You may write "N/A" if you choose not to provide this information.

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All employees must attest in Section 1, under penalty of perjury, to their citizenship or immigration status by checking one of the following four boxes provided on the form:

1. **A citizen of the United States**
2. **A noncitizen national of the United States:** Noncitizen nationals of the United States are persons born in American Samoa, certain former citizens of the former Trust Territory of the Pacific Islands, and certain children of noncitizen nationals born abroad.
3. **A lawful permanent resident:** A lawful permanent resident is any person who is not a U.S. citizen and who resides in the United States under legally recognized and lawfully recorded permanent residence as an immigrant. The term "lawful permanent resident" includes conditional residents. If you check this box, write either your Alien Registration Number (A-Number) or USCIS Number in the field next to your selection. At this time, the USCIS Number is the same as the A-Number without the "A" prefix.
4. **An alien authorized to work:** If you are not a citizen or national of the United States or a lawful permanent resident, but are authorized to work in the United States, check this box.

If you check this box:

- a. Record the date that your employment authorization expires, if any. Aliens whose employment authorization does not expire, such as refugees, asylees, and certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau, may write "N/A" on this line.
- b. Next, enter your Alien Registration Number (A-Number)/USCIS Number. At this time, the USCIS Number is the same as your A-Number without the "A" prefix. If you have not received an A-Number/USCIS Number, record your Admission Number. You can find your Admission Number on Form I-94, "Arrival-Departure Record," or as directed by USCIS or U.S. Customs and Border Protection (CBP).
  - (1) If you obtained your admission number from CBP in connection with your arrival in the United States, then also record information about the foreign passport you used to enter the United States (number and country of issuance).
  - (2) If you obtained your admission number from USCIS *within the United States*, or you entered the United States without a foreign passport, you must write "N/A" in the Foreign Passport Number and Country of Issuance fields.

Sign your name in the "Signature of Employee" block and record the date you completed and signed Section 1. By signing and dating this form, you attest that the citizenship or immigration status you selected is correct and that you are aware that you may be imprisoned and/or fined for making false statements or using false documentation when completing this form. To fully complete this form, you must present to your employer documentation that establishes your identity and employment authorization. Choose which documents to present from the Lists of Acceptable Documents, found on the last page of this form. You must present this documentation no later than the third day after beginning employment, although you may present the required documentation before this date.

#### **Preparer and/or Translator Certification**

The Preparer and/or Translator Certification must be completed if the employee requires assistance to complete Section 1 (e.g., the employee needs the instructions or responses translated, someone other than the employee fills out the information blocks, or someone with disabilities needs additional assistance). The employee must still sign Section 1.

#### **Minors and Certain Employees with Disabilities (Special Placement)**

Parents or legal guardians assisting minors (individuals under 18) and certain employees with disabilities should review the guidelines in the *Handbook for Employers: Instructions for Completing Form I-9 (M-274)* on [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central) before completing Section 1. These individuals have special procedures for establishing identity if they cannot present an identity document for Form I-9. The special procedures include (1) the parent or legal guardian filling out Section 1 and writing "minor under age 18" or "special placement," whichever applies, in the employee signature block; and (2) the employer writing "minor under age 18" or "special placement" under List B in Section 2.

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## Section 2. Employer or Authorized Representative Review and Verification

Before completing Section 2, employers must ensure that Section 1 is completed properly and on time. Employers may not ask an individual to complete Section 1 before he or she has accepted a job offer.

Employers or their authorized representative must complete Section 2 by examining evidence of identity and employment authorization within 3 business days of the employee's first day of employment. For example, if an employee begins employment on Monday, the employer must complete Section 2 by Thursday of that week. However, if an employer hires an individual for less than 3 business days, Section 2 must be completed no later than the first day of employment. An employer may complete Form I-9 before the first day of employment if the employer has offered the individual a job and the individual has accepted.

Employers cannot specify which document(s) employees may present from the Lists of Acceptable Documents, found on the last page of Form I-9, to establish identity and employment authorization. Employees must present one selection from List A **OR** a combination of one selection from List B and one selection from List C. List A contains documents that show both identity and employment authorization. Some List A documents are combination documents. The employee must present combination documents together to be considered a List A document. For example, a foreign passport and a Form I-94 containing an endorsement of the alien's nonimmigrant status must be presented together to be considered a List A document. List B contains documents that show identity only, and List C contains documents that show employment authorization only. If an employee presents a List A document, he or she should **not** present a List B and List C document, and vice versa. If an employer participates in E-Verify, the List B document must include a photograph.

In the field below the Section 2 introduction, employers must enter the last name, first name and middle initial, if any, that the employee entered in Section 1. This will help to identify the pages of the form should they get separated.

Employers or their authorized representative must:

1. Physically examine each original document the employee presents to determine if it reasonably appears to be genuine and to relate to the person presenting it. The person who examines the documents must be the same person who signs Section 2. The examiner of the documents and the employee must both be physically present during the examination of the employee's documents.
2. Record the document title shown on the Lists of Acceptable Documents, issuing authority, document number and expiration date (if any) from the original document(s) the employee presents. You may write "N/A" in any unused fields.

If the employee is a student or exchange visitor who presented a foreign passport with a Form I-94, the employer should also enter in Section 2:

- a. The student's Form I-20 or DS-2019 number (Student and Exchange Visitor Information System-SEVIS Number); **and** the program end date from Form I-20 or DS-2019.
3. Under Certification, enter the employee's first day of employment. Temporary staffing agencies may enter the first day the employee was placed in a job pool. Recruiters and recruiters for a fee do not enter the employee's first day of employment.
4. Provide the name and title of the person completing Section 2 in the Signature of Employer or Authorized Representative field.
5. Sign and date the attestation on the date Section 2 is completed.
6. Record the employer's business name and address.
7. Return the employee's documentation.

Employers may, but are not required to, photocopy the document(s) presented. If photocopies are made, they should be made for **ALL** new hires or reverifications. Photocopies must be retained and presented with Form I-9 in case of an inspection by DHS or other federal government agency. Employers must always complete Section 2 even if they photocopy an employee's document(s). Making photocopies of an employee's document(s) cannot take the place of completing Form I-9. Employers are still responsible for completing and retaining Form I-9.

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## Unexpired Documents

Generally, only unexpired, original documentation is acceptable. The only exception is that an employee may present a certified copy of a birth certificate. Additionally, in some instances, a document that appears to be expired may be acceptable if the expiration date shown on the face of the document has been extended, such as for individuals with temporary protected status. Refer to the *Handbook for Employers: Instructions for Completing Form I-9 (M-274)* or I-9 Central ([www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central)) for examples.

## Receipts

If an employee is unable to present a required document (or documents), the employee can present an acceptable receipt in lieu of a document from the Lists of Acceptable Documents on the last page of this form. Receipts showing that a person has applied for an initial grant of employment authorization, or for renewal of employment authorization, are not acceptable. Employers cannot accept receipts if employment will last less than 3 days. Receipts are acceptable when completing Form I-9 for a new hire or when reverification is required.

Employees must present receipts within 3 business days of their first day of employment, or in the case of reverification, by the date that reverification is required, and must present valid replacement documents within the time frames described below.

There are three types of acceptable receipts:

1. A receipt showing that the employee has applied to replace a document that was lost, stolen or damaged. The employee must present the actual document within 90 days from the date of hire.
2. The arrival portion of Form I-94/I-94A with a temporary I-551 stamp and a photograph of the individual. The employee must present the actual Permanent Resident Card (Form I-551) by the expiration date of the temporary I-551 stamp, or, if there is no expiration date, within 1 year from the date of issue.
3. The departure portion of Form I-94/I-94A with a refugee admission stamp. The employee must present an unexpired Employment Authorization Document (Form I-766) or a combination of a List B document and an unrestricted Social Security card within 90 days.

When the employee provides an acceptable receipt, the employer should:

1. Record the document title in Section 2 under the sections titled List A, List B, or List C, as applicable.
2. Write the word "receipt" and its document number in the "Document Number" field. Record the last day that the receipt is valid in the "Expiration Date" field.

By the end of the receipt validity period, the employer should:

1. Cross out the word "receipt" and any accompanying document number and expiration date.
2. Record the number and other required document information from the actual document presented.
3. Initial and date the change.

See the *Handbook for Employers: Instructions for Completing Form I-9 (M-274)* at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central) for more information on receipts.

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## Section 3. Reverification and Rehires

Employers or their authorized representatives should complete Section 3 when reverifying that an employee is authorized to work. When rehiring an employee within 3 years of the date Form I-9 was originally completed, employers have the option to complete a new Form I-9 or complete Section 3. When completing Section 3 in either a reverification or rehire situation, if the employee's name has changed, record the name change in Block A.

For employees who provide an employment authorization expiration date in Section 1, employers must reverify employment authorization on or before the date provided.

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Some employees may write "N/A" in the space provided for the expiration date in Section 1 if they are aliens whose employment authorization does not expire (e.g., asylees, refugees, certain citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or Palau). Reverification does not apply for such employees unless they chose to present evidence of employment authorization in Section 2 that contains an expiration date and requires reverification, such as Form I-766, Employment Authorization Document.

Reverification applies if evidence of employment authorization (List A or List C document) presented in Section 2 expires. However, employers should not reverify:

1. U.S. citizens and noncitizen nationals; or
2. Lawful permanent residents who presented a Permanent Resident Card (Form I-551) for Section 2.

Reverification does not apply to List B documents.

If both Section 1 and Section 2 indicate expiration dates triggering the reverification requirement, the employer should reverify by the earlier date.

For reverification, an employee must present unexpired documentation from either List A or List C showing he or she is still authorized to work. Employers CANNOT require the employee to present a particular document from List A or List C. The employee may choose which document to present.

To complete Section 3, employers should follow these instructions:

1. Complete Block A if an employee's name has changed at the time you complete Section 3.
2. Complete Block B with the date of rehire if you rehire an employee within 3 years of the date this form was originally completed, and the employee is still authorized to be employed on the same basis as previously indicated on this form. Also complete the "Signature of Employer or Authorized Representative" block.
3. Complete Block C if:
  - a. The employment authorization or employment authorization document of a current employee is about to expire and requires reverification; or
  - b. You rehire an employee within 3 years of the date this form was originally completed and his or her employment authorization or employment authorization document has expired. (Complete Block B for this employee as well.)

To complete Block C:

- a. Examine either a List A or List C document the employee presents that shows that the employee is currently authorized to work in the United States; and
  - b. Record the document title, document number, and expiration date (if any).
4. After completing block A, B or C, complete the "Signature of Employer or Authorized Representative" block, including the date.

For reverification purposes, employers may either complete Section 3 of a new Form I-9 or Section 3 of the previously completed Form I-9. Any new pages of Form I-9 completed during reverification must be attached to the employee's original Form I-9. If you choose to complete Section 3 of a new Form I-9, you may attach just the page containing Section 3, with the employee's name entered at the top of the page, to the employee's original Form I-9. If there is a more current version of Form I-9 at the time of reverification, you must complete Section 3 of that version of the form.

### **What Is the Filing Fee?**

There is no fee for completing Form I-9. This form is not filed with USCIS or any government agency. Form I-9 must be retained by the employer and made available for inspection by U.S. Government officials as specified in the "**USCIS Privacy Act Statement**" below.

### **USCIS Forms and Information**

For more detailed information about completing Form I-9, employers and employees should refer to the *Handbook for Employers: Instructions for Completing Form I-9 (M-274)*.

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You can also obtain information about Form I-9 from the USCIS Web site at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central), by e-mailing USCIS at [I-9Central@dhs.gov](mailto:I-9Central@dhs.gov), or by calling 1-888-464-4218. For TDD (hearing impaired), call 1-877-875-6028.

To obtain USCIS forms or the *Handbook for Employers*, you can download them from the USCIS Web site at [www.uscis.gov/forms](http://www.uscis.gov/forms). You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by contacting the USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired), call 1-800-767-1833.

Information about E-Verify, a free and voluntary program that allows participating employers to electronically verify the employment eligibility of their newly hired employees, can be obtained from the USCIS Web site at [www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify), by e-mailing USCIS at [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov) or by calling 1-888-464-4218. For TDD (hearing impaired), call 1-877-875-6028.

Employees with questions about Form I-9 and/or E-Verify can reach the USCIS employee hotline by calling 1-888-897-7781. For TDD (hearing impaired), call 1-877-875-6028.

### Photocopying and Retaining Form I-9

A blank Form I-9 may be reproduced, provided all sides are copied. The instructions and Lists of Acceptable Documents must be available to all employees completing this form. Employers must retain each employee's completed Form I-9 for as long as the individual works for the employer. Employers are required to retain the pages of the form on which the employee and employer enter data. If copies of documentation presented by the employee are made, those copies must also be kept with the form. Once the individual's employment ends, the employer must retain this form for either 3 years after the date of hire or 1 year after the date employment ended, whichever is later.

Form I-9 may be signed and retained electronically, in compliance with Department of Homeland Security regulations at 8 CFR 274a.2.

### USCIS Privacy Act Statement

**AUTHORITIES:** The authority for collecting this information is the Immigration Reform and Control Act of 1986, Public Law 99-603 (8 USC 1324a).

**PURPOSE:** This information is collected by employers to comply with the requirements of the Immigration Reform and Control Act of 1986. This law requires that employers verify the identity and employment authorization of individuals they hire for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States.

**DISCLOSURE:** Submission of the information required in this form is voluntary. However, failure of the employer to ensure proper completion of this form for each employee may result in the imposition of civil or criminal penalties. In addition, employing individuals knowing that they are unauthorized to work in the United States may subject the employer to civil and/or criminal penalties.

**ROUTINE USES:** This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The employer will keep this form and make it available for inspection by authorized officials of the Department of Homeland Security, Department of Labor, and Office of Special Counsel for Immigration-Related Unfair Employment Practices.

### Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 35 minutes per response, including the time for reviewing instructions and completing and retaining the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue NW, Washington, DC 20529-2140; OMB No. 1615-0047. **Do not mail your completed Form I-9 to this address.**



# Employment Eligibility Verification

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-9  
OMB No. 1615-0047  
Expires 03/31/2016

**▶ START HERE.** Read instructions carefully before completing this form. The instructions must be available during completion of this form.  
**ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work-authorized individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

<b>Section 1. Employee Information and Attestation</b> ( <i>Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.</i> )					
Last Name (Family Name)		First Name (Given Name)		Middle Initial	Other Names Used (if any)
Address (Street Number and Name)			Apt. Number	City or Town	State      Zip Code
Date of Birth (mm/dd/yyyy)	U.S. Social Security Number [ ][ ]-[ ][ ]-[ ][ ][ ][ ]		E-mail Address		Telephone Number

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

I attest, under penalty of perjury, that I am (check one of the following):

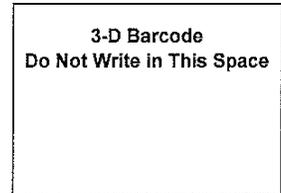
- A citizen of the United States
- A noncitizen national of the United States (*See instructions*)
- A lawful permanent resident (Alien Registration Number/USCIS Number): \_\_\_\_\_
- An alien authorized to work until (expiration date, if applicable, mm/dd/yyyy) \_\_\_\_\_. Some aliens may write "N/A" in this field. (*See instructions*)

For aliens authorized to work, provide your Alien Registration Number/USCIS Number **OR** Form I-94 Admission Number:

1. Alien Registration Number/USCIS Number: \_\_\_\_\_

**OR**

2. Form I-94 Admission Number: \_\_\_\_\_



If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: \_\_\_\_\_

Country of Issuance: \_\_\_\_\_

Some aliens may write "N/A" on the Foreign Passport Number and Country of Issuance fields. (*See instructions*)

Signature of Employee:	Date (mm/dd/yyyy):
------------------------	--------------------

**Preparer and/or Translator Certification** (*To be completed and signed if Section 1 is prepared by a person other than the employee.*)

I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator:			Date (mm/dd/yyyy):	
Last Name (Family Name)		First Name (Given Name)		
Address (Street Number and Name)		City or Town	State	Zip Code



*Employer Completes Next Page*



**Section 2. Employer or Authorized Representative Review and Verification**

*(Employers or their authorized representative must complete and sign Section 2 within 3 business days of the employee's first day of employment. You must physically examine one document from List A OR examine a combination of one document from List B and one document from List C as listed on the "Lists of Acceptable Documents" on the next page of this form. For each document you review, record the following information: document title, issuing authority, document number, and expiration date, if any.)*

Employee Last Name, First Name and Middle Initial from Section 1:

List A Identity and Employment Authorization	OR	List B Identity	AND	List C Employment Authorization
Document Title:		Document Title:		Document Title:
Issuing Authority:		Issuing Authority:		Issuing Authority:
Document Number:		Document Number:		Document Number:
Expiration Date (if any)(mm/dd/yyyy):		Expiration Date (if any)(mm/dd/yyyy):		Expiration Date (if any)(mm/dd/yyyy):
Document Title:				
Issuing Authority:				
Document Number:				
Expiration Date (if any)(mm/dd/yyyy):				
Document Title:				
Issuing Authority:				
Document Number:				
Expiration Date (if any)(mm/dd/yyyy):				

**3-D Barcode  
Do Not Write in This Space**

**Certification**

I attest, under penalty of perjury, that (1) I have examined the document(s) presented by the above-named employee, (2) the above-listed document(s) appear to be genuine and to relate to the employee named, and (3) to the best of my knowledge the employee is authorized to work in the United States.

The employee's first day of employment (mm/dd/yyyy): \_\_\_\_\_ (See instructions for exemptions.)

Signature of Employer or Authorized Representative		Date (mm/dd/yyyy)	Title of Employer or Authorized Representative	
Last Name (Family Name)		First Name (Given Name)	Employer's Business or Organization Name	
Employer's Business or Organization Address (Street Number and Name)		City or Town	State	Zip Code

**Section 3. Reverification and Rehires (To be completed and signed by employer or authorized representative.)**

A. New Name (if applicable) Last Name (Family Name) First Name (Given Name) Middle Initial	B. Date of Rehire (if applicable) (mm/dd/yyyy):
--------------------------------------------------------------------------------------------	-------------------------------------------------

C. If employee's previous grant of employment authorization has expired, provide the information for the document from List A or List C the employee presented that establishes current employment authorization in the space provided below.

Document Title:	Document Number:	Expiration Date (if any)(mm/dd/yyyy):
-----------------	------------------	---------------------------------------

I attest, under penalty of perjury, that to the best of my knowledge, this employee is authorized to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative:	Date (mm/dd/yyyy):	Print Name of Employer or Authorized Representative:
-----------------------------------------------------	--------------------	------------------------------------------------------

**LISTS OF ACCEPTABLE DOCUMENTS**  
**All documents must be UNEXPIRED**

Employees may present one selection from List A  
or a combination of one selection from List B and one selection from List C.

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) NOT VALID FOR EMPLOYMENT (2) VALID FOR WORK ONLY WITH INS AUTHORIZATION (3) VALID FOR WORK ONLY WITH DHS AUTHORIZATION
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		3. School ID card with a photograph		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.		5. U.S. Military card or draft record		5. Native American tribal document
		6. Military dependent's ID card		6. U.S. Citizen ID Card (Form I-197)
		7. U.S. Coast Guard Merchant Mariner Card		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
		8. Native American tribal document		8. Employment authorization document issued by the Department of Homeland Security
		9. Driver's license issued by a Canadian government authority		
		<b>For persons under age 18 who are unable to present a document listed above:</b>		
		10. School record or report card		
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI				

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274).

Refer to Section 2 of the instructions, titled "Employer or Authorized Representative Review and Verification," for more information about acceptable receipts.



**Statement of Acknowledgment and Understanding of the Judicial Code of Ethics and  
Conduct**

I \_\_\_\_\_ hereby acknowledge  
that I have read the Vol 2: Ethics and Judicial Conduct Part A and  
understand the requirements as a student intern.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Request for Permission to Participate  
in Student Intern Program  
Western District of North Carolina  
and  
Acknowledgment of Risk and Non-Disclosure Agreement

The undersigned hereby requests permission to participate in a non-compensated Student Intern Program with the United States Probation Office, Western District of North Carolina. The student internship is for the purpose of educational benefit and practical experience in my field of study. If permission is granted, I hereby agree to obey all rules, regulations, and instructions of the United States Probation Office and the United States District Courts. I fully realize and appreciate the basic nature of probation work and the possibility that situations may arise which might result in my being exposed to the danger of physical harm or injury. I, nevertheless, freely and voluntarily accepts these risks.

Wherefore, in consideration of the education benefits to be received and the granting to the above request, I hereby agree to hold the United States, its employees and agents, and servants, harmless from all liability to me for personal injury or property damage sustained during the period of time I may be in the capacity of student intern.

If my duties require that I be a passenger in a vehicle operated by a staff member of the U.S. Probation Office or the U.S. Courts, I further agree that neither the owner of that vehicle nor the U.S. Courts will be liable for my safety.

I hereby acknowledge and agree that any information including records, reports, files or oral communications I receive/provide in conjunction with my duties with the U.S. Probation Office is strictly confidential; and remains subject to the regulations governing confidentiality for the U.S. Probation Office, and is not to be disclosed, except as per said regulations, to any parties, individuals, or organizations other than personnel associated with the administration of work for the U.S. District Court.

This is to acknowledge and confirm that the policy statement regarding the use of interns in the Probation Office, Western District of North Carolina has been explained fully, and I understand and agree to abide by same.

---

Student Intern

---

Date

---

Intern Coordinator

---

Date

---

**APPLICATION FOR INTERNSHIP  
UNITED STATES PROBATION OFFICE  
WESTERN DISTRICT OF NORTH CAROLINA**

**Date Submitted:** \_\_\_\_\_

*Please provide as much detail as possible in each area as appropriate. Attach additional pages if necessary.*

**PERSONAL INFORMATION**

Full Name \_\_\_\_\_ Maiden Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_ Citizenship \_\_\_\_\_

Driver's License Number \_\_\_\_\_

Have you ever been convicted of a crime? Yes \_\_\_\_ No \_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If employed, list the name of your direct supervisor: \_\_\_\_\_

If employed, may we contact your present supervisor? Yes \_\_\_\_ No \_\_\_\_

**FAMILY INFORMATION**

Father's Name/Address \_\_\_\_\_  
\_\_\_\_\_

Mother's Name/Address \_\_\_\_\_  
\_\_\_\_\_

Spouse's Name \_\_\_\_\_

## SKILLS

Are you familiar with Word Processing programs? Yes \_\_\_\_ No \_\_\_\_

If yes, please list which programs \_\_\_\_\_

What is your degree of competence with the above listed program(s)? \_\_\_\_\_

Are you fluent in any foreign languages? Yes \_\_\_\_ No \_\_\_\_

If yes, list the language(s) and your degree of proficiency \_\_\_\_\_

## EDUCATION

Name of Undergraduate Institution \_\_\_\_\_

Address \_\_\_\_\_

Course of Study \_\_\_\_\_ Highest Level Completed \_\_\_\_\_

Year/Degree \_\_\_\_\_ Grade Point Average \_\_\_\_\_

Name of Graduate Institution \_\_\_\_\_

Address \_\_\_\_\_

Course of Study \_\_\_\_\_ Highest Level Completed \_\_\_\_\_

Year/Degree \_\_\_\_\_ Grade Point Average \_\_\_\_\_

Certifications \_\_\_\_\_

Professional Affiliations \_\_\_\_\_

## PHYSICAL CONDITION

Do you have a history of any emotional, medical or health conditions/problems? Yes \_\_\_\_ No \_\_\_\_

If yes, explain \_\_\_\_\_

\_\_\_\_\_

Have you ever used any illegal substances?      Yes \_\_\_\_      No \_\_\_\_

If yes, explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EMPLOYMENT HISTORY**

*(Current Employment)*

Company Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_      Position \_\_\_\_\_

Dates of employment \_\_\_\_\_      Supervisor's Name \_\_\_\_\_

Briefly describe responsibilities \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for Leaving \_\_\_\_\_

*(Previous Employment)*

Company Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_      Position \_\_\_\_\_

Dates of employment \_\_\_\_\_      Supervisor's Name \_\_\_\_\_

Briefly describe responsibilities \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for Leaving \_\_\_\_\_

**ADDITIONAL INFORMATION** *(use this space for anything else you want us to know that is not addressed in the above)* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **APPLICANT CERTIFICATION**

I certify that to the best of my knowledge and belief, all the above information on and attached to this application is true, correct, complete, and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for elimination of consideration for an internship position and or immediate discharge from the internship program. I understand that any information I provide may be investigated.

Signature \_\_\_\_\_ Date Signed \_\_\_\_\_

# Guide to Judiciary Policy

Vol 2: Ethics and Judicial Conduct  
Pt A: Codes of Conduct

## Ch 3: Code of Conduct for Judicial Employees

### § 310 Overview

- § 310.10 Scope
- § 310.20 History
- § 310.30 Definitions
- § 310.40 Further Guidance

### § 320 Text of the Code

Canon 1: A Judicial Employee Should Uphold the Integrity and Independence of the Judiciary and of the Judicial Employee's Office

Canon 2: A Judicial Employee Should Avoid Impropriety and the Appearance of Impropriety in All Activities

Canon 3: A Judicial Employee Should Adhere to Appropriate Standards in Performing the Duties of the Office

Canon 4: In Engaging in Outside Activities, a Judicial Employee Should Avoid the Risk of Conflict with Official Duties, Should Avoid the Appearance of Impropriety, and Should Comply with Disclosure Requirements

Canon 5: A Judicial Employee Should Refrain from Inappropriate Political Activity

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### § 310 Overview

#### § 310.10 Scope

- (a) This Code of Conduct applies to all employees of the judicial branch except Justices; judges; and employees of the United States Supreme Court, the Administrative Office of the United States Courts, the Federal Judicial Center, the Sentencing Commission, and federal public defender offices.

- (b) Justices and employees of the Supreme Court are subject to standards established by the Justices of that Court. Judges are subject to the [Code of Conduct for United States Judges \(Guide, Vol 2A, Ch 2\)](#). Employees of the AO and the FJC are subject to their respective agency codes. Employees of the Sentencing Commission are subject to standards established by the Commission. Federal public defender employees are subject to the [Code of Conduct for Federal Public Defender Employees \(Guide, Vol 2A, Ch 4\)](#). When Actually Employed (WAE) employees are subject to canons 1, 2, and 3 and such other provisions of this code as may be determined by the appointing authority.
- (c) Employees who occupy positions with functions and responsibilities similar to those for a particular position identified in this code should be guided by the standards applicable to that position, even if the position title differs. When in doubt, employees may seek an advisory opinion as to the applicability of specific code provisions.
- (d) Contractors and other nonemployees who serve the judiciary are not covered by this code, but appointing authorities may impose these or similar ethical standards on such nonemployees, as appropriate.

### **§ 310.20 History**

- (a) With the adoption of the Code of Conduct for Judicial Employees on September 19, 1995, the Judicial Conference repealed the Code of Conduct for Clerks (and Deputy Clerks), the Code of Conduct for United States Probation Officers (and Pretrial Services Officers), the Code of Conduct for Circuit Executives, the Director of the Administrative Office, the Director of the Federal Judicial Center, the Administrative Assistant to the Chief Justice, and All Administrative Office Employees Grade GS-15 and Above, the Code of Conduct for Staff Attorneys of the United States, the Code of Conduct for Federal Public Defenders, and the Code of Conduct for Law Clerks.
- (b) This Code of Conduct for Judicial Employees took effect on January 1, 1996.
- (c) Canon 3F(4) was revised at the March 2001 Judicial Conference.

### § 310.30 Definitions

(a) Member of a Judge's Personal Staff

As used in this code in canons 3F(2)(b), 3F(5), 4B(2), 4C(1), and 5B, a member of a judge's personal staff means a judge's secretary, a judge's law clerk, and a courtroom deputy clerk or court reporter whose assignment with a particular judge is reasonably perceived as being comparable to a member of the judge's personal staff.

(b) Third Degree of Relationship

As used in this code, the third degree of relationship is calculated according to the civil law system to include the following relatives: parent, child, grandparent, grandchild, great grandparent, great grandchild, brother, sister, aunt, uncle, niece and nephew.

### § 310.40 Further Guidance

(a) The Judicial Conference has authorized its Committee on Codes of Conduct to render advisory opinions concerning the application and interpretation of this code. Employees should consult with their supervisor and/or appointing authority for guidance on questions concerning this code and its applicability before a request for an advisory opinion is made to the Committee on Codes of Conduct.

(b) In assessing the propriety of one's proposed conduct, a judicial employee should take care to consider all relevant canons in this code, the Ethics Reform Act, and other applicable statutes and regulations (e.g., receipt of a gift may implicate canon 2 as well as canon 4C(2) and the Ethics Reform Act gift regulations).

(c) Should a question remain after this consultation, the affected judicial employee, or the chief judge, supervisor, or appointing authority of such employee, may request an advisory opinion from the Committee. Requests for advisory opinions may be addressed to:

Chair of the Committee on Codes of Conduct  
c/o Office of the General Counsel  
Administrative Office of the United States Courts  
One Columbus Circle, N.E.  
Washington, D.C. 20544

## **§ 320 Text of the Code**

### **Canon 1: A Judicial Employee Should Uphold the Integrity and Independence of the Judiciary and of the Judicial Employee's Office**

An independent and honorable Judiciary is indispensable to justice in our society. A judicial employee should personally observe high standards of conduct so that the integrity and independence of the Judiciary are preserved and the judicial employee's office reflects a devotion to serving the public. Judicial employees should require adherence to such standards by personnel subject to their direction and control. The provisions of this code should be construed and applied to further these objectives. The standards of this code shall not affect or preclude other more stringent standards required by law, by court order, or by the appointing authority.

### **Canon 2: A Judicial Employee Should Avoid Impropriety and the Appearance of Impropriety in All Activities**

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

### **Canon 3: A Judicial Employee Should Adhere to Appropriate Standards in Performing the Duties of the Office**

In performing the duties prescribed by law, by resolution of the Judicial Conference of the United States, by court order, or by the judicial employee's appointing authority, the following standards apply:

- A. A judicial employee should respect and comply with the law and these canons. A judicial employee should report to the appropriate supervising authority any attempt to induce the judicial employee to violate these canons.

**Note:** A number of criminal statutes of general applicability govern federal employees' performance of official duties. These include:

- [18 U.S.C. § 201](#) (bribery of public officials and witnesses);

- [18 U.S.C. § 211](#) (acceptance or solicitation to obtain appointive public office);
- [18 U.S.C. § 285](#) (taking or using papers relating to government claims);
- [18 U.S.C. § 287](#) (false, fictitious, or fraudulent claims against the government);
- [18 U.S.C. § 508](#) (counterfeiting or forging transportation requests);
- [18 U.S.C. § 641](#) (embezzlement or conversion of government money, property, or records);
- [18 U.S.C. § 643](#) (failing to account for public money);
- [18 U.S.C. § 798](#) and [50 U.S.C. § 783](#) (disclosure of classified information);
- [18 U.S.C. § 1001](#) (fraud or false statements in a government matter);
- [18 U.S.C. § 1719](#) (misuse of franking privilege);
- [18 U.S.C. § 2071](#) (concealing, removing, or mutilating a public record);
- [31 U.S.C. § 1344](#) (misuse of government vehicle);
- [31 U.S.C. § 3729](#) (false claims against the government).

In addition, provisions of specific applicability to court officers include:

- [18 U.S.C. §§ 153, 154](#) (court officers embezzling or purchasing property from bankruptcy estate);
- [18 U.S.C. § 645](#) (embezzlement and theft by court officers);
- [18 U.S.C. § 646](#) (court officers failing to deposit registry moneys);
- [18 U.S.C. § 647](#) (receiving loans from registry moneys from court officer).

This is not a comprehensive listing but sets forth some of the more significant provisions with which judicial employees should be familiar.

- B. A judicial employee should be faithful to professional standards and maintain competence in the judicial employee's profession.
- C. A judicial employee should be patient, dignified, respectful, and courteous to all persons with whom the judicial employee deals in an official capacity, including the general public, and should require similar conduct of personnel subject to the judicial employee's direction and control. A judicial employee should diligently discharge the responsibilities of the office in a prompt, efficient, nondiscriminatory, fair, and professional manner. A judicial employee should never influence or attempt to influence the assignment of cases, or perform any discretionary or ministerial function of the court in a manner that improperly favors any

litigant or attorney, nor should a judicial employee imply that he or she is in a position to do so.

D. A judicial employee should avoid making public comment on the merits of a pending or impending action and should require similar restraint by personnel subject to the judicial employee's direction and control. This proscription does not extend to public statements made in the course of official duties or to the explanation of court procedures. A judicial employee should never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor should a judicial employee employ such information for personal gain. A former judicial employee should observe the same restrictions on disclosure of confidential information that apply to a current judicial employee, except as modified by the appointing authority.

E. A judicial employee should not engage in nepotism prohibited by law.

**Note:** See also [5 U.S.C. § 3110](#) (employment of relatives); [28 U.S.C. § 458](#) (employment of judges' relatives).

F. Conflicts of Interest

(1) A judicial employee should avoid conflicts of interest in the performance of official duties. A conflict of interest arises when a judicial employee knows that he or she (or the spouse, minor child residing in the judicial employee's household, or other close relative of the judicial employee) might be so personally or financially affected by a matter that a reasonable person with knowledge of the relevant facts would question the judicial employee's ability properly to perform official duties in an impartial manner.

(2) Certain judicial employees, because of their relationship to a judge or the nature of their duties, are subject to the following additional restrictions:

(a) A staff attorney or law clerk should not perform any official duties in any matter with respect to which such staff attorney or law clerk knows that:

(i) he or she has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

- (ii) he or she served as lawyer in the matter in controversy, or a lawyer with whom he or she previously practiced law had served (during such association) as a lawyer concerning the matter, or he, she, or such lawyer has been a material witness;
  - (iii) he or she, individually or as a fiduciary, or the spouse or minor child residing in his or her household, has a financial interest in the subject matter in controversy or in a party to the proceeding;
  - (iv) he or she, a spouse, or a person related to either within the third degree of relationship (as defined above in § 310.40), or the spouse of such person (A) is a party to the proceeding, or an officer, director, or trustee of a party; (B) is acting as a lawyer in the proceeding; (C) has an interest that could be substantially affected by the outcome of the proceeding; or (D) is likely to be a material witness in the proceeding;
  - (v) he or she has served in governmental employment and in such capacity participated as counsel, advisor, or material witness concerning the proceeding or has expressed an opinion concerning the merits of the particular case in controversy.
- (b) A secretary to a judge, or a courtroom deputy or court reporter whose assignment with a particular judge is reasonably perceived as being comparable to a member of the judge's personal staff, should not perform any official duties in any matter with respect to which such secretary, courtroom deputy, or court reporter knows that he or she, a spouse, or a person related to either within the third degree of relationship, or the spouse of such person (i) is a party to the proceeding, or an officer, director, or trustee of a party; (ii) is acting as a lawyer in the proceeding; (iii) has an interest that could be substantially affected by the outcome of the proceeding; or (iv) is likely to be a material witness in the proceeding; provided, however, that when the foregoing restriction presents undue hardship, the judge may authorize the secretary, courtroom deputy, or court reporter to participate in the matter if no reasonable alternative exists and adequate safeguards are in place to ensure that official

duties are properly performed. In the event the secretary, courtroom deputy, or court reporter possesses any of the foregoing characteristics and so advises the judge, the judge should also consider whether the Code of Conduct for United States Judges may require the judge to recuse.

- (c) A probation or pretrial services officer should not perform any official duties in any matter with respect to which the probation or pretrial services officer knows that:
  - (i) he or she has a personal bias or prejudice concerning a party;
  - (ii) he or she is related within the third degree of relationship to a party to the proceeding, or to an officer, director, or trustee of a party, or to a lawyer in the proceeding;
  - (iii) he or she, or a relative within the third degree of relationship, has an interest that could be substantially affected by the outcome of the proceeding.
- (3) When a judicial employee knows that a conflict of interest may be presented, the judicial employee should promptly inform his or her appointing authority. The appointing authority, after determining that a conflict or the appearance of a conflict of interest exists, should take appropriate steps to restrict the judicial employee's performance of official duties in such matter so as to avoid a conflict or the appearance of a conflict of interest. A judicial employee should observe any restrictions imposed by his or her appointing authority in this regard.
- (4) A judicial employee who is subject to canon 3F(2)(a) should keep informed about his or her personal and fiduciary financial interests and make a reasonable effort to keep informed about the personal financial interests of a spouse or minor child residing in the judicial employee's household. For purposes of this canon, "financial interest" means ownership of a legal or equitable interest, however small, or a relationship as director, advisor, or other active participant in the affairs of a party, except that:
  - (a) ownership in a mutual or common investment fund that holds securities is not a "financial interest" in

such securities unless the employee participates in the management of the fund;

- (b) an office in an educational, religious, charitable, fraternal, or civic organization is not a "financial interest" in securities held by the organization;
  - (c) the proprietary interest of a policy holder in a mutual insurance company, or a depositor in a mutual savings association, or a similar proprietary interest, is a "financial interest" in the organization only if the outcome of the proceeding could substantially affect the value of the interest;
  - (d) ownership of government securities is a "financial interest" in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.
- (5) A member of a judge's personal staff should inform the appointing judge of any circumstance or activity of the staff member that might serve as a basis for disqualification of either the staff member or the judge, in a matter pending before the judge.

**Canon 4: In Engaging in Outside Activities, a Judicial Employee Should Avoid the Risk of Conflict with Official Duties, Should Avoid the Appearance of Impropriety, and Should Comply with Disclosure Requirements**

A. Outside Activities

A judicial employee's activities outside of official duties should not detract from the dignity of the court, interfere with the performance of official duties, or adversely reflect on the operation and dignity of the court or office the judicial employee serves. Subject to the foregoing standards and the other provisions of this code, a judicial employee may engage in such activities as civic, charitable, religious, professional, educational, cultural, avocational, social, fraternal, and recreational activities, and may speak, write, lecture, and teach. If such outside activities concern the law, the legal system, or the administration of justice, the judicial employee should first consult with the appointing authority 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 solicit funds in connection with outside activities, subject to the following limitations:

- (1) A judicial employee should not use or permit the use of the prestige of the office in the solicitation of funds.
- (2) A judicial employee should not solicit subordinates to contribute funds to any such activity but may provide information to them about a general fund-raising campaign. A member of a judge's personal staff should not solicit any court personnel to contribute funds to any such activity under circumstances where the staff member's close relationship to the judge could reasonably be construed to give undue weight to the solicitation.
- (3) A judicial employee should not solicit or accept funds from lawyers or other persons likely to come before the judicial employee or the court or office the judicial employee serves, except as an incident to a general fund-raising activity.

## C. Financial Activities

- (1) A judicial employee should refrain from outside financial and business dealings that tend to detract from the dignity of the court, interfere with the proper performance of official duties, exploit the position, or associate the judicial employee in a substantial financial manner with lawyers or other persons likely to come before the judicial employee or the court or office the judicial employee serves, provided, however, that court reporters are not prohibited from providing reporting services for compensation to the extent permitted by statute and by the court. A member of a judge's personal staff should consult with the appointing judge concerning any financial and business activities that might reasonably be interpreted as violating this code and should refrain from any activities that fail to conform to the foregoing standards or that the judge concludes may otherwise give rise to an appearance of impropriety.
- (2) A judicial employee should not solicit or accept a gift from anyone seeking official action from or doing business with the court or other entity served by the judicial employee, or from anyone whose interests may be substantially affected by the performance or nonperformance of official duties; except that a judicial employee

may accept a gift as permitted by the Ethics Reform Act of 1989 and the Judicial Conference regulations thereunder. A judicial employee should endeavor to prevent a member of a judicial employee's family residing in the household from soliciting or accepting any such gift except to the extent that a judicial employee would be permitted to do so by the Ethics Reform Act of 1989 and the Judicial Conference regulations thereunder.

**Note:** See [5 U.S.C. § 7353](#) (gifts to federal employees). See also [5 U.S.C. § 7342](#) (foreign gifts); [5 U.S.C. § 7351](#) (gifts to superiors).

- (3) A judicial employee should report the value of gifts to the extent a report is required by the Ethics Reform Act, other applicable law, or the Judicial Conference of the United States.

**Note:** See [5 U.S.C. App. §§ 101 to 111](#) (Ethics Reform Act financial disclosure provisions).

- (4) During judicial employment, a law clerk or staff attorney may seek and obtain employment to commence after the completion of the judicial employment. However, the law clerk or staff attorney should first consult with the appointing authority and observe any restrictions imposed by the appointing authority. If any law firm, lawyer, or entity with whom a law clerk or staff attorney has been employed or is seeking or has obtained future employment appears in any matter pending before the appointing authority, the law clerk or staff attorney should promptly bring this fact to the attention of the appointing authority.

#### D. Practice of Law

A judicial employee should not engage in the practice of law except that a judicial employee may act pro se, may perform routine legal work incident to the management of the personal affairs of the judicial employee or a member of the judicial employee's family, and may provide pro bono legal services in civil matters, so long as such pro se, family, or pro bono legal work does not present an appearance of impropriety, does not take place while on duty or in the judicial employee's workplace, and does not interfere with the judicial employee's primary responsibility to the office in which the judicial employee serves, and further provided that:

- (1) in the case of pro se legal work, such work is done without compensation (other than such compensation as may be allowed by statute or court rule in probate proceedings);

- (2) in the case of family legal work, such work is done without compensation (other than such compensation as may be allowed by statute or court rule in probate proceedings) and does not involve the entry of an appearance in a federal court;
- (3) in the case of pro bono legal services, such work (a) is done without compensation; (b) does not involve the entry of an appearance in any federal, state, or local court or administrative agency; (c) does not involve a matter of public controversy, an issue likely to come before the judicial employee's court, or litigation against federal, state or local government; and (d) is reviewed in advance with the appointing authority to determine whether the proposed services are consistent with the foregoing standards and the other provisions of this code.

Judicial employees may also serve as uncompensated mediators or arbitrators for nonprofit organizations, subject to the standards applicable to pro bono practice of law, as set forth above, and the other provisions of this code.

A judicial employee should ascertain any limitations imposed by the appointing judge or the court on which the appointing judge serves concerning the practice of law by a former judicial employee before the judge or the court and should observe such limitations after leaving such employment.

**Note:** See also [18 U.S.C. § 203](#) (representation in matters involving the United States); [18 U.S.C. § 205](#) (claims against the United States); [28 U.S.C. § 955](#) (restriction on clerks of court practicing law).

#### E. Compensation and Reimbursement

A judicial employee may receive compensation and reimbursement of expenses for outside activities provided that receipt of such compensation and reimbursement is not prohibited or restricted by this code, the Ethics Reform Act, and other applicable law, and provided that the source or amount 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. Expense reimbursement should be limited to the actual cost of travel, food, and lodging reasonably incurred by a judicial employee and, where appropriate to the occasion, by the judicial employee's spouse or relative. Any payment in excess of such an amount is compensation.

A judicial employee should make and file reports of compensation and reimbursement for outside activities to the extent prescribed by the Ethics Reform Act, other applicable law, or the Judicial Conference of the United States.

Notwithstanding the above, a judicial employee should not receive any salary, or any supplementation of salary, as compensation for official government services from any source other than the United States, provided, however, that court reporters are not prohibited from receiving compensation for reporting services to the extent permitted by statute and by the court.

**Note:** See [5 U.S.C. App. §§ 101 to 111](#) (Ethics Reform Act financial disclosure provisions); [28 U.S.C. § 753](#) (court reporter compensation). See also [5 U.S.C. App. §§ 501 to 505](#) (outside earned income and employment).

## **Canon 5: A Judicial Employee Should Refrain from Inappropriate Political Activity**

### **A. Partisan Political Activity**

A judicial employee should refrain from partisan political activity; should not act as a leader or hold any office in a partisan political organization; should not make speeches for or publicly endorse or oppose a partisan political organization or candidate; should not solicit funds for or contribute to a partisan political organization, candidate, or event; should not become a candidate for partisan political office; and should not otherwise actively engage in partisan political activities.

### **B. Nonpartisan Political Activity**

A member of a judge's personal staff, clerk of court, chief probation officer, chief pretrial services officer, circuit executive, and district court executive should refrain from nonpartisan political activity such as campaigning for or publicly endorsing or opposing a nonpartisan political candidate; soliciting funds for or contributing to a nonpartisan political candidate or event; and becoming a candidate for nonpartisan political office. Other judicial employees may engage in nonpartisan political activity only if such activity does not tend to reflect adversely on the dignity or impartiality of the court or office 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 and may not utilize any federal resources in connection with any such activity.

**Note:** See also [18 U.S.C. chapter 29](#) (elections and political activities).

## **Intern's Evaluation of the Probation Office Intern Program**

Please return the completed form to your sponsor/coordinator at the end of your internship.

1. What were the strengths of the internship program?
2. Do you feel that you benefitted from the program? How so? If not, why?
3. Identify any area for improvement of the intern program. Please explain
4. As an intern did you feel that you had plenty to do?
5. In your opinion, was too much expected of you during your internship?
6. Was there any experience you wanted to do or see, but did not?
7. What was the least favorite thing that you experienced during your internship?
8. What was the most valuable experience that you feel that you had during your internship with this agency?

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Office: \_\_\_\_\_ Sponsor: \_\_\_\_\_

Thank you for providing an evaluation of our program. We are hopeful that the experience was a good one for you, and wish you the best in your chosen career. If we can ever be of assistance, please do not hesitate to call us.