


**IN THE CIRCUIT COURT
TWENTY-FOURTH JUDICIAL CIRCUIT**

IN RE:	ADOPTION OF CODE OF CONDUCT FOR PROBATION/COURT SERVICES PERSONNEL IN THE 24th CIRCUIT)))	GENERAL ADMINISTRATIVE ORDER. 23-22
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The attached Illinois Supreme Court Code of Professional Conduct for Probation/Court Services Personnel is hereby adopted and is applicable for all employees in the probation departments in the counties of the 24th Judicial Circuit, effective immediately.

Dated this 3 day of October, 2023.



Daniel J. Emge,
Chief Circuit Judge

**Illinois Supreme Court
Code of Professional Conduct for Probation/Court Services Personnel**

Preamble

Employment in the court system is a public trust justified by the confidence that Illinois residents hold in those individuals employed by the judicial branch. To remain faithful to that trust, probation/court services personnel must observe high standards of conduct to ensure that the integrity and independence of the courts are preserved and reflect a devotion to public service. In recognition of the essential role that probation/court services personnel play in the administration of justice in the State of Illinois, this code is adopted to promote the integrity, efficiency and professionalism of probation services.

Probation/court services personnel must engender public confidence that those matters involving life, liberty, and property are made through established procedures. An employee of the probation department shall not use the employee's position to obtain personal benefits to avoid not only impropriety but the appearance of impropriety.

It is the Supreme Court's expectation that probation/court services personnel will carry out all assigned duties with loyalty to the principles embodied in this Code. Probation/court services personnel must uphold the Constitution, laws, and legal regulations of the United States, the State of Illinois and all governments therein, and never be a party to their evasion. Probation/court services personnel shall abide by the standards in this Code and shall endeavor to expose violations of this Code wherever they may appear to exist.

Applicability

The phrase "probation/court services personnel" refers to all individuals who work within the probation/court services department. The adoption of this Code of Conduct vests no rights in

probation/court services personnel and creates no limitation on previously existing rights of the Supreme Court of Illinois, Chief Circuit Court judges and supervisory personnel with respect to the hiring, setting of terms and conditions of employment, discipline, and discharge of probation/court services employees.

Section 1. Performance of Duties

- A. All probation/court services personnel shall respect the authority and follow the directives of the court, recognizing at all times that they are an extension of the court.
- B. All probation/court services personnel shall respect the civil and legal rights of all persons.
- C. All probation/court services personnel shall recognize and respect the appropriate limits of the services offered by the probation/court services profession, and direct individuals to alternative resources when necessary and proper.
- D. Each person in the probation department shall conduct each case with appropriate concern for the probationer's welfare, the public's interest, and with no purpose of personal gain.
- E. All probation/court services personnel shall maintain relationships with colleagues in such a manner to promote mutual respect and improvement of the quality of services provided.
- F. All probation/court services personnel shall respect the importance of all elements of the criminal justice system and cultivate a professional cooperation with each segment.
- G. All probation/court services personnel shall observe and uphold all federal and state laws and comply with all applicable statutes, rules, regulations, and other provisions governing probation/court services personnel in the discharge of their official duties.
- H. All probation/court services personnel shall respect and protect the right of the public to be safeguarded from criminal/delinquent activity.
- I. All probation/court services personnel shall be diligent in their responsibility to accurately record and make available for review any and all case information which would contribute to sound decisions affecting a probationer or the public safety.

- J. All probation/court services personnel shall clearly distinguish between those public statements that are personal views and those that are statements and positions on behalf of a department. Only those employees authorized to do so shall make public statements approved by the chief judge or his/her designee on behalf of the department and the court.
- K. All probation/court services personnel shall not discriminate against any employee, prospective employee, or probationer on the basis of race, sex, creed, or national origin.
- L. No probation department person shall falsify or improperly alter or destroy any records or documents relating to the operation of the probation department.
- M. All probation/court services personnel shall perform official duties properly and with diligence; every probation department employee shall maintain or obtain current licenses or certifications as required by law or court rule.
- N. All probation/court services personnel acknowledges that the possession of, use of, or impairment from a federally controlled substance, including cannabis, during working hours, and on work premises is prohibited, unless as approved by policy and procedures for business purposes.
- O. All probation/court services personnel shall not use, beyond de minimis use, any office supplies, personnel, or resources to carry out personal activities or for personal use in any unauthorized manner.
- P. All probation/court services personnel shall report without reservation any illegal behavior or violations of this code on the part of other probation department employees, probationers, or other individuals, which could affect either a probationer or the integrity of the department.
- Q. All probation/court services personnel shall immediately report to their supervisor any attempt by any person to induce them to violate any of the standards set forth in this Code of Professional Conduct.

Section 2. Confidentiality

- A. All probation/court services personnel shall maintain the integrity of private information, use reasonable efforts to seek only that personal data needed to perform their responsibilities, and not reveal case information to unauthorized persons.

- B. No probation department employee shall either initiate or repeat *ex parte* communications from litigants, witnesses, or attorneys to judges, jury members, or any other person, unless mandated by Supreme Court policy, a provision of law, or other rule or procedure.

Section 3. Improper Use of Position and Related Prohibitions

- A. No probation/court services personnel shall use their official position to secure privileges or advantages.
- B. No probation/court services personnel shall accept any gift or favor of a nature which implies an obligation that is inconsistent with the free and objective exercise of professional responsibilities.
- C. No probation/court services personnel shall solicit or accept any gift, favor, or compensation for anything to do with or related to the performance of official duties, or for anything that might compromise the integrity of the court as provided by 730 ILCS 110/14.
- D. All probation/court services personnel shall use the resources, property, personnel facilities, equipment, time, or funds under the employee's official control judiciously and solely in accordance with prescribed statutory and regulatory procedures.
- E. No probation/court services personnel shall discriminate by dispensing special favors to anyone, whether or not for remuneration, nor shall any employee so act that the employee is unduly affected or appears to be affected by kinship, rank, position, or influence of any party or person.

Section 4. Conflicts of Interest

- A. All probation/court services personnel shall avoid conflicts of interest in the performance of professional duties.
- B. No probation/court services personnel shall permit personal interest to impair the objectivity which is to be maintained in their official capacity.

- C. Probation/court services personnel should refrain from engaging in personal activities, including participation in organizations and politics, if such engagement unduly influences or burdens the performance of duties or creates a conflict of interest that could damage the reputation of the employee or the court.
- D. No probation/court services personnel shall develop a relationship with probationers other than that necessary to conduct business.
- E. Probation/court services personnel shall disclose to the employee's supervisor any relationships with individuals currently or previously supervised by the court so that actions may be taken to avoid the appearance of impropriety.
- F. Probation/court services personnel shall not conduct financial or business dealings with probationers, including but not limited to such matters as serving as fiduciary, accepting or making loans, or cosigning promissory notes.
- G. Probation/court services personnel shall not engage in any financial or business dealings which may create an actual conflict of interest with their official duties, or which may create the appearance of a conflict of interest with their official duties.
- H. All appointments, promotions, or dismissals in the probation department must be made on the basis of merit only and cannot be influenced by favoritism or nepotism.
- I. All probation/court services personnel shall exercise diligence to become aware of actual or perceived conflicts of interest, disclose conflicts to the designated authority, and, as appropriate, take steps to resolve conflicts when they arise.