

121 – ELECTRONIC COMMUNICATION DEVICES

A. Business Communication

1. The Court System provides Electronic Communication Devices (ECDs) and an IT infrastructure designed to facilitate business communications among employees and other business contacts.
2. These devices include telephone (including cell phones), fax and copy machines, all computer and network related hardware, software, and peripheral devices (including e-mail and Internet), and any other type of electronic communication.
3. These devices are Court System property and must not be used in a manner that will damage the reputation of the Court System, nor jeopardize the systems' integrity.
4. A user's violation of Court System policy may lead to corrective action up to and including dismissal of employment.

B. Authorized Use

1. An employee is authorized to use ECDs for a purpose related to employment or official position. However, an employee may use ECDs for a non-governmental purpose provided the use:
 - a. Does not interfere with the performance of the user's public duties;
 - b. Is of nominal cost or value;
 - c. Does not create the appearance of impropriety;
 - d. Is not for a political or personal commercial purpose;
 - e. Is reasonable in time, duration, and frequency;
 - f. Makes minimal use of hardware, software, and network resources; and
 - g. Is in compliance with the Standards of Conduct outlined below.
2. Remote Access
 - a. All external connections and remote access to the Court System network must be requested through the State Court Administrator's office. External connections will be provided, based on an existing need that addresses the objectives of the Court System.
 - b. Remote Access will be provided within the services readily available and within budgetary constraints. This may be done in cases where it is necessary to carry out the work of the office or to facilitate the efficient use of equipment or employees.

- c. Without the supervisor's approval, a non-exempt employee may not use the Remote Access to work in excess of the standard 40-hour week.

C. Standards of Conduct

1. An employee's use of an ECD is a privilege, not a right.
2. An employee is solely responsible and will be held personally liable (legally, financially, or otherwise) for the use of ECDs outside the scope of the employee's employment.
3. An employee's use within the scope of employment will be treated as other activities undertaken by the employee within the scope of employment.
4. An employee's inappropriate conduct may lead to corrective action, including restricting the employee's access and use of the Internet or other appropriate action including dismissal.
5. An employee:
 - a. Must use ECDs in a professional and ethical manner;
 - b. Must not use ECDs to distribute or access material that is harassing, discriminatory, defamatory, immoral, obscene, threatening, defrauding, violent, insulting, sexually explicit, pornographic or unlawful;
 - c. Must use only software that has been licensed by the Court System. Must not install and download software/shareware without authorization;
 - d. Must not create, distribute, copy or knowingly use unauthorized copies of copyrighted material or software, store such copies on Court System computers, or transmit them over the Court System networks;
 - e. Must use the Internet only to access information that is publicly available or to which the employee has authorized access;
 - f. Must not use ECDs for the purpose of probing or hacking;
 - g. Must not use ECDs for any illegal activity: gambling, trading in illegal substances, etc.;
 - h. Must not create or distribute a computer virus or intentionally cause damage to any personal computer or bypass any Court System virus detection system in place;
 - i. Must conform to the Court System procurement policies when making business related purchases through an ECD;
 - j. Must conform to records retention policies; and

- k. Must not use non-business related “streaming” audio and video (including Internet radio, stock/news tickers, and software such as Weather Bug, etc.) that use significant amounts of the Court System’s network bandwidth.

D. Measuring and Monitoring

1. Except where precluded by law, the Court System has the right to monitor the usage of ECD’s including but not limited to storing, accessing, and reviewing information received or sent through email or over the Internet.
2. The Court System reserves the right to block out any Internet sites deemed by the Court System to be unrelated to the Court System’s responsibilities.
3. The Court System reserves and intends to exercise the right to review, audit, intercept, access and disclose all messages created, received, or sent over the electronic mail system. Violations will be reported to the employee’s supervisor.
4. The Court System will disclose ECD records to law enforcement, management, government officials, or third parties through subpoena or other process.

Approved by the Supreme Court 4/1/12