

Rice County Attorney's Office Code of Ethical and Respectful Conduct

Revised 2004

Purpose

The Rice County Attorney's Office adopts as a statement of our values and standards of behavior, that at all times we will act with ethics and integrity in order to maintain the public trust and our self-respect.

High standards of honesty, impartiality, and conduct by all employees, representatives and agents, whether paid staff or volunteers, of the Rice County Attorney's Office are vital to the office to fulfill our duties effectively, enhance confidence of others in our office and to prevent any appearance of impropriety.

This Code of Ethical Conduct is established to better define the boundaries of proper conduct in the execution of the duties of this office. This Code of Ethical Conduct is intended to supplement, and not replace, the Code of Ethical Conduct for Prosecutors, the Lawyer's Code of Professional Conduct and other statutes and policies which govern ethical conduct.

I. Prohibited Actions

- A. An employee of the County Attorney's Office shall avoid any act which may give rise to a conflict of interest or the appearance of a conflict of interest; including, but not limited to:
 - 1. Engaging in illegal, preferential or discriminatory treatment of any person.
 - 2. Engaging in disrespectful conduct.
- B. All employees of the County Attorney's Office are governed by the Minnesota Ethics in Local Government Law and shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other item of monetary value from any interested party as defined by statute. All employees shall comply with the requirements of Minnesota Statute 471.895.
- C. An employee of the County Attorney shall not use inside information, as a result of association with or employment by this office, for private gain or for another's gain either by direct action or by counsel, recommendation, or suggestion to another person. For purposes of this paragraph, inside information means information obtained under County authority which is not classified by law as public data.
- D. No employee shall participate in the award of a County contract in violation of Section I.A of this policy.

II. Consequences for Violations

- A. An employee who allegedly violates this Code of Ethical Conduct may face the sanctions outlined in Rice County's Personnel Rules and Regulations. This disciplinary action is in addition to any sanctions which may be imposed for a violation of state or federal law or other County policies.
- B. For alleged violations of this Code of Ethical Conduct, any disciplinary proceedings taken by the County against employees shall be conducted pursuant to the County's Personnel Rules and will establish how the disciplinary proceedings are conducted.
- C. For agents of the County Attorney, who are not employees, such as volunteers and interns, any violation of this Code of Ethical Conduct will result in termination of the agency relationship by appropriate legal means.
- D. Summary of Ethical Practices Law.
 - 1. Minnesota statutes prohibit a local official from receiving a gift by an interested person. The statutes also prohibit an interested person from giving a gift or requesting another to give a gift to a local official.
 - 2. Three important definitions are "gift", "interested person", and "local official".
 - a. A "gift" includes money, real or personal property, a service, loan, forgiveness of a debt, or a promise of future employment that is given and received without the giver receiving something back of equal or greater value.
 - b. An "interested person" means any person or representative of a person or association that has a direct financial interest in a decision that any local official may make.
 - c. A "local official" includes any employee of this office.
 - 3. There are exceptions to this rule that allow acceptance of certain items. Those exceptions are:
 - a. A political campaign contribution, as defined by state statute.
 - b. A service designed to assist you in the performance of your official duties, including providing advice, consultation, information, or communication in connection with legislation or service to constituents.
 - c. Services of insignificant monetary value.
 - d. A plaque or similar memento recognizing service in a field of specialty or to a charitable cause.

- e. A trinket or memento of insignificant value.
- f. Informational material of an unexceptional value.
- g. Food or beverage given at a reception, meal, or meeting away from your place of work, but only if you have been asked to make a presentation or be part of a presentation or program.
- h. A gift given because of membership in a group, if the majority of the members of the group are not local officials and an equivalent gift is given to all members of the group.
- i. A gift given to you by a member of your family, unless the family member gives you the gift on behalf of a person who is not a member of your family.