

Judicial Conference Policy on Judges' Attendance at Privately Funded Educational Programs

Approved September 19, 2006; effective January 1, 2007

1. A nongovernmental source,¹ other than a state or local bar association, a subject-matter bar association, a judicial association, the Judicial Division of the American Bar Association, or the National Judicial College, that wishes to pay for or reimburse federal judges'² expenses (i.e., travel, food, lodging, or anything that would be considered a gift under the Judicial Conference Ethics Reform Act Gift Regulations)³ above the threshold at which judges must report reimbursements on their annual financial disclosure reports⁴ in connection with attending, as a speaker or participant, a program, a significant purpose of which is the education of United States federal or state judges, shall disclose to the Administrative Office of the U.S. Courts in writing the following information:
 - (a) the name of the program provider(s);
 - (b) the name or title of the program;
 - (c) the dates and location of the program;
 - (d) the various presentation topics and the speakers expected respectively to address each topic; and
 - (e) all the program provider's source(s) of support, financial or otherwise, as defined below.

The Administrative Office of the U.S. Courts shall develop a detailed form for this purpose. Upon receipt, the Administrative Office shall promptly post the information on the Judiciary's website (www.uscourts.gov) so that it is publicly available and available to judges. The filing shall be retained for a period of three years from the date of filing.

2. A federal judge shall not accept travel, food, lodging, reimbursement, or anything that would be considered a gift under the Judicial Conference Ethics Reform Act Gift Regulations from a nongovernmental source other than a state or local bar association, a subject-matter bar association, a judicial association, the Judicial Division of the American Bar Association, or the National Judicial College, in connection with attending, as a speaker or participant, a

¹ Private and public educational institutions are included in the reporting requirement.

² This term includes Article III judges as well as fixed-term judges and judicial officers.

³ The term "expenses" is not intended to include seminar books and materials.

⁴ Currently, a judge must report any reimbursement exceeding \$305. This figure is subject to change every three years in accordance with the cost of living as determined by the Administrator of General Services. *See* 5 U.S.C. § 7342(a)(5); 41 C.F.R. sec. 102-42; *see also* 5 U.S.C. app. § 102(a)(2)(B).

program, a significant purpose of which is the education of United States federal or state judges, unless the judge:

- a. ascertains from the Judiciary's website that the program provider has made the disclosures required in (1); and
 - b. within 30 days following the conclusion of the educational program, files a report in the office of the relevant clerk of court (court of appeals, district court, Court of International Trade, Court of Federal Claims, or bankruptcy court, as appropriate), disclosing the dates of attendance, the name of the program provider(s), and the title of the educational program. The Administrative Office of the U.S. Courts shall develop a form for this purpose. This filing shall be available on the local court's website. The filing shall be retained for a period of three years from the date of filing.
3. This is a policy of the Judicial Conference. It is not intended to change the Code of Conduct for United States Judges (see in particular Advisory Opinion No. 67 of the Judicial Conference Committee on Codes of Conduct) or the annual financial disclosure reporting requirements for judges under the Ethics in Government Act, 5 U.S.C. app. §§ 101-111.

Definition of source of financial or other support

1. If the support, financial or otherwise, comes from the general revenues of the program provider(s), and/or from endowments or gifts not raised for the particular educational program or for the purpose of educating judges, then it is sufficient to identify the program provider(s) as the source of support.
2. If the support, financial or otherwise, comes in whole or in part from money, goods or services from others (*e.g.*, corporations, nonprofit organizations, foundations, individual donors) specifically for the particular educational program, or for the education of judges generally, list every such donor. This policy is not intended to require the disclosure and reporting of monies derived from tuition, educational program registration fees, and other similar enrollment fees.