

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

SOCIAL MEDIA POLICY

A. Purpose

The purpose of the Social Media Policy is to provide guidance and information to employees of the Court regarding the use of social media while employed by the court.

B. Definitions

1. Court - The term "Court" is defined as all employees of the United States District Court, Eastern District of Michigan which includes staff of the Clerk's Office, Probation Department, Pretrial Services Agency, Judicial Chambers, Court Reporters, and Staff Attorneys unless specifically excluded in the eligibility section of the policy.
2. Online Social Media - is defined as social media found on or using the internet, such as blogs, wikis, file-sharing, social networks, and the like.

C. Eligibility

The Social Media Policy applies to all Court employees.

D. Policy

Online social media, such as blogs, wikis, file-sharing, social networks, and the like, provide opportunities for communication and collaboration, but also create a significant risk of loss of privacy and confidentiality, which can compromise the security of judicial officers and employees of the federal judiciary, the security of confidential information, and the reputation for integrity of the judicial system. The Court's reputation for impartiality and objectivity is crucial. The public must be able to trust the integrity of the Court, and the public needs to be confident that the outside activities of Court employees do not undermine the Court's impartiality or reputation.

Court employees must act responsibly in their use of social media. Court employees must exercise discretion and act in accordance with these social media and social networking guidelines at all times. These guidelines should be read in conjunction with the *Code of Conduct for Judicial Employees* of the *Guide to Judiciary Policy*, the Eastern District of Michigan's *Policy Governing Personal Use of Court Office Equipment (including Information Technology and Telephones)*, and any other relevant codes of conduct or policies promulgated by the Court. Where no policy or guideline covers the activity at issue, Court employees should use good judgment and take the most prudent action possible. If uncertain of how to act, Court employees should consult with their supervisor.

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Failure to adhere to these policies and guidelines may result in disciplinary action, up to and including termination.

1. **Identification with the Court.** Court employees should never identify themselves as employees of the Court on social media or social networking sites. By identifying oneself as an employee of the United States District Court, a social networker becomes, to some extent, a representative of the Court and everything he or she posts has the potential to reflect upon the Court and its image. Even without identifying oneself as a Court employee, an employee may intentionally or unintentionally reveal information that will allow the inference of Court employment. This should be avoided, but if it does occur, the employee assumes the responsibility for representing the Court in a professional and respectable manner.
2. **Sharing work-related information.** Though social networking sites often allow the sharing of photographs, videos, and comments with other users, it is inappropriate to share work-related information in this manner. Photographs or videos of Courthouses, from Court-related events or gatherings, or of judicial officers or Court personnel should not be shared unless an employee is given the permission to do so by his or her supervisor. Moreover, sharing personal information about fellow Court employees, or even referring to other Court employees on these sites, should be avoided unless given consent by that employee. Nor should Court employees identify others as Court employees on social networking sites.
3. **Court email address.** Court email addresses should not be used for social networking or social media activities. An employee's Court email should be of limited personal use, and its use should not interfere with the performance of work responsibilities. In addition, Court employees should avoid editing online encyclopedias, such as Wikipedia, or posting photographs, videos, or comments to social media sites from work, as the source of the post will be recorded as the Court's IP address and thus the post could be attributed to the Court.
4. **Ensuring confidentiality.** Court employees have access to documents or other information about matters pending before the Court, or that might eventually come before the Court, that are not a matter of public record, and they are prohibited from sharing this confidential information through their use of social media. This applies not only to discourse on a Court employee's own social networking sites, but also to comments posted on other blogs, forums, social networking sites, or the like. Confidential

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information is not to be discussed or referred to on such sites, even in private messages between site members who have authorized access to the information unless sanctioned by the Court. Court employees should also refrain from discussing any of the Court's internal processes and procedures, whether they are of a non-confidential or confidential nature, through social media.

5. **Maintaining impartiality.** Court employees cannot be seen as supporting any political party or cause, and therefore should never indicate a political allegiance on social media sites. This includes but is not limited to expressing political views through profile information, joining political groups online, or advocating a position on an issue of current public controversy or expressing views for or against a particular policy on social media sites. Court employees must also refrain from making any public comment on the merits of a pending or impending action that is or will be before the Court. Finally, Court employees should screen social media sites and avoid interacting on sites that might be inappropriate or against the best interests of the Court.
6. **Compliance with the law.** Court employees must comply with all laws when engaging in social media activities. Thus, Court employees should be aware of all laws governing libel and defamation of character, in addition to all copyright laws. Further, Court employees must reference or cite sources appropriately in social media in order to avoid plagiarism. Court employees should also be mindful of any terms or service to which they agreed through their participation on social media sites.
7. **Maintaining security.** In order to maintain the personal security of judicial officers and Court personnel, Court employees must take care to avoid engaging in activities online that would compromise the security of the Courthouse and Court personnel. In doing so, Court employees should not only avoid the posting of photographs and videos as outlined above, but also should not post in any form information related to a judicial officer's personal schedule, travel plans, family, or personal residence.
8. **Personal Staff of Judicial Officers.** Court employees working directly under a judicial officer in the Eastern District of Michigan, such as judicial assistants and law clerks, must follow these policies. Additionally, judicial officers may more strictly limit those employees' activities on social media sites. Thus, those employees should always check with their judicial officer before engaging in such activities.

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9. **Maintaining decorum and professionalism.** Court employees must observe high standards of conduct at all times, as required by the *Code of Conduct for Judicial Employees*. A Court employee must represent the Court with decorum and professionalism at all times. Therefore, a Court employee must not take any action online, nor allow information about themselves to be released online, that would reflect poorly on the integrity or independence of the judiciary. This includes, but is not limited to, any action that would put into question the propriety of the employee's conduct in performing the duties of his or her office.
10. **Reporting violations.** If a Court employee becomes aware of any social media activity of other Court employees that would be deemed inappropriate or violate any of these policies, he or she should report this information to his or her supervisor immediately.

Please contact the Human Resources Department with any questions (313) 234-5065.