

**13th Circuit Court
86th District Court
Leelanau County Probate Court**

**Policy for the Operation of Computer Network, Internet Access,
E-Mail, Phone Service, and Other Communication Equipment and
Programs Utilized by the Courts**

Effective Date: May 1, 2008

Purpose:

The purpose of this policy is to provide a framework for the operation of the each Court's computer network, Internet access, E-mail, phone service and other communication equipment and programs.

Applicability:

The policy applies to all Court employees, contractors, volunteers and other individuals with access to the Courts' systems.

System Ownership:

All data generated by or resulting from the actions of Court employees is the property of the Court. All other data generated by or resulting from the actions of contractors, volunteers and others is also owned by the Court. All requests for information or data generated by the systems must be submitted to the Chief Judge in writing and the Chief Judge will respond to such requests in writing.

Interception of E-Mail, Voice Mail, Telephone Logs, Internet Messages, and Any Other Information Generated Within the System:

The Court reserves the right to monitor and review the contents of information generated by any Court employee as well as any contractors, volunteers or others given access by the Court. The funding unit or its authorized agents will not have the right to monitor, review the contents of nor have access to any information generated by Court employees as well as any contractors, volunteers or others given access by the Court.

However, the Court recognizes the Leelanau County's IT Department's need to access Court data for functions it performs in the ordinary course of business. Such functions include, but are not limited to, accessing data for phone billing purposes, monitoring the system's firewall and insuring the system's security. Although the Court approves of the IT Department having access to its data for such purposes, such approval does not

authorize other County departments to monitor, review or have access to Court data nor does it authorize the IT Department to publish the Court's data for anyone other than the Court absent approval by the Chief Judge in writing.

Acceptable Standards:

The Court adopts the attached standards for the day-to-day usage of all communication systems which shall be applicable to all Court employees, contractors, volunteers or others given access by the Court. Violation of any of these standards will subject the individual to appropriate disciplinary action to be determined by the Chief Judge.

Agreement Between Courts and Leelanau County

The 13th Circuit Court, 86th District Court and Leelanau County Probate Court and Leelanau County agree that the Court will advise the funding unit of any violations that could result in liability for the funding unit. In addition, the Court will comply with written operational standards adopted by the funding unit for utilization of systems maintained by the funding unit and not covered by this policy and the standards adopted by the Court so long as such standards are provided to the Court for review and do not interfere with the effective and efficient operation of the Court.

Acknowledgment of Policy and Joint Agreement

The Chief Judges of the 13th Circuit Court, 86th District Court and Leelanau County Probate Court and the Leelanau County Commission hereby acknowledge this policy and agree to abide by its terms.

Dated:

4/15/08



HONORABLE PHILIP E. RODGERS, JR.
Chief Circuit Court Judge
13th Circuit Court

Dated:

4-16-08



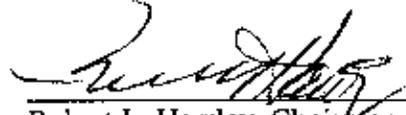
HONORABLE JOSEPH E. DEEGAN
Chief Probate Court Judge
Leelanau County

Dated: 4-16-08



HONORABLE JOHN D. FORESMAN
Chief District Court Judge
86th District Court

Dated: 5-16-08



Robert L. Hawley, Chairman
Leelanau County Board of Commissioners

Standards for Court Operations of Communication Equipment and Programs

A. Standards for Internet and E-mail Usage

1. Electronic mail ("E-mail") and use of the Internet to access other computers are two valuable tools that improve the functioning of the court and the efficiency of its employees. Whether E-mail is transmitted internally between court computers or is transmitted to a non-court computer via the Internet, E-mail enhances communication capabilities. Similarly, use of the Internet affords court employees greater access to information, and it increases the ability of court employees to distribute information. All court employees are encouraged to use E-mail and Internet access (if provided) as a fast, efficient, and cost-effective means of communicating and sharing information.
2. Court employees must not misuse E-mail or Internet access. The court provides computers and computer access to its employees so that they can better perform their jobs. E-mail sent by court employees must be of a nature and tone that is consistent with the standard of conduct appropriate to the workplace, and court employees must not solicit or encourage others to send E-mail that fails to meet this standard. Similarly, all other file-sharing and communication across the Internet must meet this same standard of conduct.
3. For purposes of this policy, "E-mail" includes all electronic mail sent or received using court computer equipment, regardless of whether the E-mail is transmitted or delivered by means of a court local network, a court-provided Internet account, or a private Internet account. Likewise, "Internet access" includes all Internet access by means of court computer equipment, regardless of whether the access is through a court-provided Internet account or a private Internet account.
4. The primary allowable uses of E-mail and Internet access are:
 - a. The gathering, exchange, and appropriate dissemination of work-related information, research, analysis, documents, and software.
 - b. Communication and exchange of information for professional development; maintaining an employee's work-related training and education, and discussing issues related to the employee's court activities.
 - c. Activities to further the work of committees and professional societies which the employee has joined in connection with his or her court duties.
 - d. Announcement of new laws; new court decisions; new rules, orders, policies, and bulletins; new services and programs; and any other publicly disseminated court information.
 - e. Applying for and administering grants or contracts for Judiciary research and programs.

- f. Communication committed to E-mail in order to create a permanent record for future use.
 - g. Communications regarding intra-office announcements and activities.
5. Limited personal use of E-mail and Internet access is allowed to the same extent as personal use of office telephones. Such use should be kept to a minimum. Personal use of E-mail and/or the Internet must not interfere with the employee's work and must not result in additional cost to the court.
6. The following uses of E-mail and Internet access are prohibited:
- a. Use for any purpose that violates a law of the United States or a law of the State of Michigan.
 - b. Use for any purpose that violates a Michigan Court Rule, a personnel rule, or a court employment contract.
 - c. Use for any purpose specifically prohibited by the Chief Judge or Court Administrator.
 - d. Use which violates the security, privacy, and confidentiality policies, practices and laws of this court and the State of Michigan including unauthorized release of confidential material.
 - e. Use or access to the intentional display or distribution of files containing the following: obscenity, profanity, pornography; material in violation of regulations prohibiting sexual harassment or other non-businesslike materials.
 - f. For the intentional display or transmission of sexual images, messages, or cartoons, as well as the use of ethnic slurs or racial epithets.
 - g. Use for profit activities.
 - h. Use to solicit for commercial ventures or for private or personal business transactions, or for partisan political activities, or for political fund raising.
 - i. Use for advertising or public relations activities not specifically related to court business.
 - j. Use for playing of games and use for non-work related computer activities which generate traffic or consume band widths on any local area network.
 - k. Interfering with computers or computing systems, damaging software on other computers, or altering the software on other computers without authorization.

- l. Seeking or obtaining information about files, documents, or other data that are private, confidential, or otherwise not open to public inspection, unless specifically authorized to do so by the file owners; or copying, modifying, or deleting such files, documents, or data without authorization.
- m. Copying or downloading software in violation of copyright or license restrictions, or using evaluation copies of software in violation of license restrictions.
- n. Downloading or installing software without the permission of the Court's Chief Judge and the Leelanau County's IT Department.
- o. Representing oneself as another without that other person's permission.

B. Standards for Usage of Telephones, Voice Mail, Facsimile Equipment, Interactive Video and Other Communications Devices

1. The primary allowable uses of telephones, voice mail, facsimile equipment, interactive video and other communications devices are:
 - a. The gathering, exchange, and appropriate dissemination of work-related information, research, analysis, documents, and software.
 - b. Communication and exchange of information for professional development: maintaining an employee's work-related training and education, and discussing issues related to the employee's court activities.
 - c. Activities to further the work of committees and professional societies which the employee has joined in connection with his or her court duties.
 - d. Announcement of new laws; new court decisions; new rules, orders, policies, and bulletins; new services and programs; and any other publicly disseminated court information.
 - e. Applying for and administering grants or contracts for Judiciary research and programs.
 - f. Communication committed to a medium which will create a permanent record for future use.
 - g. Communications regarding intra-office announcements and activities.
2. Limited personal use of these media is allowed so long as it does not interfere with the employee's work; does not result in additional cost to the court; is kept to a minimum.

3. The following uses of any communication medium are prohibited:
- a. Use for any purpose that violates a law of the United States or a law of the State of Michigan.
 - b. Use for any purpose that violates a Michigan Court Rule, a personnel rule, or a court employment contract.
 - c. Use for any purpose specifically prohibited by the Chief Judge or Court Administrator.
 - d. Use which violates the security, privacy, and confidentiality policies, practices and laws of this court and the State of Michigan including unauthorized release of confidential material.
 - e. Use or access to the intentional display or distribution of files containing the following: obscenity, profanity, pornography; material in violation of regulations prohibiting sexual harassment or other non-businesslike materials.
 - f. For the display or transmission of sexual images, messages, or cartoons, as well as the use of ethnic slurs or racial epithets.
 - g. Use for profit activities.
 - h. Use to solicit for commercial ventures or for private or personal business transactions, or for partisan political activities, or for political fund raising.
 - i. Use for advertising or public relations activities not specifically related to court business.
 - j. Use for playing of games and use for non-work related computer activities which generate traffic or consume band widths on any local area network.
 - k. Interfering with computers or computing systems, damaging software on other computers, or altering the software on other computers without authorization.
 - l. Seeking or obtaining information about files, documents, or other data that are private, confidential, or otherwise not open to public inspection, unless specifically authorized to do so by the file owners; or copying, modifying, or deleting such files, documents, or data without authorization.
 - m. Copying or downloading software in violation of copyright or license restrictions, or using evaluation copies of software in violation of license restrictions.

- n. Downloading or installing software without the permission of the Court's Chief Judge and the Leelanau County's IT Department.
- o. Representing oneself as another without that other person's permission.

B. Standards for Hardware

The following uses of communication systems are not permitted unless approved by the Leelanau County's IT department.

- a. Opening any communication system equipment with the intention of changing the hardware configuration. Vendor supported equipment is excluded.
- b. Attaching equipment to the County/Court network, or allowing another person to attach equipment to the County/Court network. This includes equipment brought in for vendor demonstrations.
- c. Relocating County/Court equipment with the exception of portable devices, such as laptops. Transferring County/Court equipment to another department or agency. Vendor supported equipment is excluded. Disposal of state-purchased hardware shall be consistent with Michigan Supreme Court policy. Disposal of County hardware shall be with approval of the Leelanau County's IT department.