



UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF FLORIDA

LEGAL INTERN POLICY

I. Purpose and Objective

The purpose of the *U.S. Bankruptcy Court, Southern District of Florida* Intern Program is to provide career development opportunities for college and law school students and broaden the exposure and experience of the interns while temporarily augmenting staff in judicial chambers. The objectives of the Intern Program are to stimulate awareness and understanding of the mission and function of the federal courts and how these relate to the practice of law.

It is the policy of the *U.S. Bankruptcy Court, Southern District of Florida*, that a judicial officer may exercise discretion to employ qualified college or law school students as interns temporarily. Per the Personnel Policies and Procedures of the Administrative Office of the United States Courts, this policy is intended to define the relationship between the judicial offices of the Southern District of Florida, any sponsoring organization, and the intern and protect the interest of all parties.

This policy establishes procedures for accepting gratuitous and uncompensated services by college and law school students who wish to volunteer their services in return for the educational experience of working within the Court, with or without a cooperative educational program sponsored by the intern's college or law school. Acceptance of gratuitous services from students, whether compensated through a cooperative educational program sponsored by the intern's school or volunteered without compensation, is authorized by 28 U.S.C. § 604(a)(17), which authorizes the Director of the Administrative Office to accept and utilize, on behalf of the judiciary, voluntary and gratuitous services. According to a delegation of authority from the Director and the Clerk of the *U.S. Bankruptcy Court, the Southern District of Florida* may accept and authorize gratuitous, uncompensated services on behalf of the judiciary.

II. Eligibility

The engaging judicial officer determines eligibility requirements. All interns are subject to a background check by fingerprint. The fingerprinting must be administered, and the Court must receive results before commencing work for the Court. As a condition of employment, all prospective interns shall pass the fingerprint check to the satisfaction of the engaging judicial officer.

III. Procedures for Accepting Gratuitous Services of Student Interns

A. Procedures for Accepting Gratuitous and Uncompensated Services

College and law school students engaged by a judicial officer for a temporary internship and who are ineligible to receive monetary compensation or allowance may, pursuant to the authority delegated by the Director of the Administrative Office pursuant to 28



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U.S.C. §604(a)(17), volunteer their services in return for the educational experience of working within the Court. The judicial branch considers interns' volunteering services as uncompensated employees.

Before commencing any work for the Court, each intern shall sign an "**Acknowledgment of Gratuitous Services and Waiver**" form. The form shall identify the judicial officer or another judicial branch official for whom the volunteer will work and identify the Court or office. The name of the supervising official is to be inserted as the individual assigning the duties. The volunteer student waives all rights to compensation, retirement, fringe benefits, and copyright privileges. The student agrees to maintain the confidentiality of all information learned by the intern or to which the intern has access.

The form shall be *signed and dated in the presence of the court officer* who will administer the Oath of Office to the volunteer. These forms will be signed by the Clerk of Court to be retained to facilitate a response to reference checks from future employers.

B. Cooperative Educational and Fellowship Programs

College or law school-sponsored fellowships or cooperative education programs in which qualifying students typically receive academic credit and a small stipend or transportation allowance while engaging in practical work experience for the court are uncompensated judiciary employees. Before commencing any services to the Court, they must execute an "**Acknowledgment of Gratuitous Services and Waiver**" and a Student-Agency Agreement. The "**Acknowledgment of Gratuitous Services and Waiver**" serves as an acknowledgment by the student that services are voluntary and hereby waives any claim to receive a salary, fringe benefits, and copyright privileges. The student agrees to maintain the confidential nature of all information the student obtains or has access to.

The acknowledgment of gratuitous services form must be *signed and dated* in the presence of the court officer who will administer the Oath of Office to the volunteer. These forms will be signed by the Clerk of Court to be retained to facilitate a response to reference checks from future employers.

This form and any documents relating to the intern's internship should be permanently retained in the *U.S. Bankruptcy Court Southern District's* internal personnel files, together with any comments or observations made concerning the student, to facilitate



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a response to reference checks from future employers.

Students do not qualify for travel reimbursement and may not be permitted to travel on behalf of the Court.

C. Release of Information

Release of information by the US Bankruptcy Court will only be completed when accompanied by a signed release.

IV. Intern Policies

- A. An intern shall not have access to the Internet unless expressly authorized by the judicial officer engaging the intern, who shall have the discretion to provide Internet access to the intern. In the event the judicial officer authorizes access, the following shall apply:

Interns must sign an acknowledgment that they have received, read, and agree to the Computer Security Policy.

At the discretion of the engaging judicial officer, Westlaw and Lexus passwords may be issued to an intern. Any passwords issued shall terminate upon completion of the intern's internship.

B. Social Media Guidelines

Participation in non-work-related social media platforms while connected to the Court's network is **prohibited**. As a court intern/extern, you are expected to keep sensitive information confidential, exercise discretion to avoid embarrassment to the Court, and take precautions to avoid unnecessary security risks for Court personnel and judicial officers. You are urged to use discretion if/when using social media. Your assigned judicial officer may have additional requirements. Therefore, please discuss this further with your assigned judge.

C. Facilities Access

All interns shall pass the building security screening, provide identification (driver's license), and comply with all employee security requirements. A judge may authorize an intern to be issued a court intern ID card **only** after fingerprint/background results have been received. The processing of fingerprinting can take two to seven days.



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D. Evaluation and oversight

It shall be the responsibility of the judicial officer engaging the intern to supervise and conduct such evaluation as necessary to comply with any applicable college or law school curriculum.

V. Employment Procedures for Interns

- a) Legal interns are recruited and hired by Chambers. Human Resources (HR) does not participate in the recruitment of interns but can assist with questions on how to perform the following:
 - 1) Publicize volunteer intern service opportunities to law schools and the public,
 - 2) Accept and screen applications,
 - 3) Conduct interviews, and
 - 4) Extend offers for unpaid employment.
- b) The recruiting Judge or a *current paid* Chambers employee must provide written notice to HR via email when an offer for unpaid employment has been accepted. Notice of acceptance from the potential intern to HR is insufficient.
- c) When a job offer is not reported to HR, there is potential harm to the intern. Third parties (future employers, boards of bar review, etc.) often request federal employment verification. Records of volunteer service kept in Chambers are not maintained in the same manner as official HR records.

All prospective interns shall present themselves for a background check through the Court's Human Resources office, including a fingerprint check.

The HR department will administer the fingerprinting and forward it to the Administrative Office Personnel Security group for processing. If negative information is received due to the background check, HR will notify the engaging judicial officer, who will determine appropriate action.

VI. Forms

The prospective intern shall complete the following forms before the commencement of the internship:

A. **Background Check Release Form (HRI-02)**

The purpose of this form is to allow fingerprinting to be administered by an agent of the



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Court. *(The completed form should be sent to HR via email to USBCHR@flsb.uscourts.gov at least two weeks before the internship start date.)*

B. Acknowledgment of Gratuitous Services and Waiver (AO-196)

The purpose of this form is for the intern to acknowledge that they are not receiving compensation and are waiving any compensation.

C. Employment Eligibility Verification (I-9)

The purpose of this form is to document that each new intern (citizens and non-citizens) is authorized to work in the United States.

D. New Employee Personal Information (HRI-03)

The purpose of this form is to have contact information in case of an emergency.

E. Confidentiality Statement (AO306)

The purpose of this form is to emphasize the importance of the duty of confidentiality during and after the internship with the court.

F. Computer Security Policy

The purpose of this form, which includes the court's policy on government equipment and technology, is to guide authorized personal use of government office equipment, including information technology. The intern shall read the policy and sign the attached agreement. The intern will keep a copy of the policy and return the signed agreement.

G. AO 78A Form - United States Court Appointment (Oath of Office)

The AO requests that all interns, as described in Section III. B. take oaths of office and sign the AO 78A form. *(This form will be provided on the intern's first day.)*

All forms must be submitted to the HR department.

Background checks must be completed before an intern can start.

VII. Intern Records

The Clerk of Court retains, as an internal personnel file, the intern waiver forms and any documents relating to the intern's assignments.

VIII. Reporting to Chambers

The Judge, Judicial Assistant, Career Law Clerk, or CRD will be designated as an emergency contact. The contact is responsible for notifying the intern of any emergencies that impact Chambers, the building, or the court.

IX. Access to Government Network, Websites, and Databases

- a) No intern may receive JENIE credentials or be permitted to access any non-public network



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and/or system of any Court or Court unit within the district. Interns will not be issued a Court email address.

b) Interns are subject to the Court's Internet Policy, included in the employment package issued by HR.

c) Interns are provided an exempt PACER account with the same viewing rights as the public. Access to sealed documents is only permitted with the authorization of the presiding Judge and only in paper form. Under no circumstances should copies of sealed records be removed from the courthouse.

d) The Eleventh Circuit Librarian will provide interns with a free Westlaw/LexisNexis account to use during their internship.

f) Interns may only connect to public Wi-Fi via their device or by using the dedicated hard-wired intern workstation provided in each chamber. Court-issued laptops will not be provided to interns.

X. Parking and Chambers Access

a) Reimbursement for parking or commuting expenses is prohibited. Court-provided parking is not permitted.

b) HR provides interns with an ID card that is recognized by Court Security Officers (CSO) at Courthouse entrances. The intern ID does not include access to secure doors within the facility.

c) Interns should not be in Chambers unsupervised. Interns are to be buzzed into Chambers by Chambers staff each day. The Clerk's Office will not provide access to Chambers for interns.

d) At the Judge's discretion, interns may be issued a key card to access their Chambers during office hours.

XI. Continuing Volunteer Service

a) Change to End Date – When completing HR-issued employment paperwork, interns are asked to estimate the end date of service. If there is an agreement to shorten or extend the length of service *within the same Chambers*, HR should be notified *in writing*. An email from the intern, including a copy to the Judge or a *current paid* Chambers employee, will suffice. *Written notice of a change to the end date should be provided at least one work week before the previously*



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estimated end date. Untimely notification may result in termination of access to Chambers, the network, websites, and databases.

b) Transfer to Different Chambers – An intern may not transfer without advance notification to HR. When a subsequent internship is with a different Judge, the new Judge or a *current paid* Chambers employee must provide written notice to HR that their offer of unpaid employment has been accepted. Notice of acceptance from the intern is not sufficient. After Chambers provides *written* notice of job acceptance, HR contacts Chambers and/or the potential intern for additional relevant details and begins the documentation process. HR will notify the intern if any hiring steps must be updated. In some instances, a new background check may need to be initiated.

c) End of Volunteer Service: Confirmation of Exact End Date:

- 1) Interns are asked to estimate the end date of service. Chambers should notify HR in writing if the exact end date (month/day/year) will differ from the estimate. An email from the intern with a copy to the Judge or a *current paid* Chambers employee will suffice.
- 2) If confirmation of the exact end date is not provided, HR records will continue to reflect the estimated end date. Accordingly, employment verification requests will be responded to with the exact start date and the estimated end date.
- 3) Based on the end date (actual or estimated) on file, HR will alert Accountable Items contacts to terminate services (access to the network, websites, and databases).

d) Return of Accountable Items:

- 1) Interns must surrender their ID card to HR at the end of their volunteer service.
- 2) Any government equipment provided must be surrendered to the appropriate Accountable Items Issuer.