



## Seventh Circuit Court of Appeals Fraud, Waste, or Abuse Policy

### 1. Authority

This policy applies to all judiciary employees of the Seventh Circuit Court of Appeals, including interns, externs, and other volunteer court employees. This policy should be read in conjunction with the [Guide to Judiciary Policy, Vol. 1, Ch. 14](#).

### 2. What Is Fraud, Waste, or Abuse?

Fraud, waste, or abuse involves the misuse of government resources, including public funds, public property, and the public's trust. As an employee of the federal judiciary, you have an obligation to refrain from misusing government resources and to report instances of such abuse by other employees.

Fraud, waste, or abuse may occur in a variety of settings, such as travel, other false statements, personal use of government property, and abuse of the government's trust.

#### a. Travel

When court employees travel at government expense, they should abide by the "Prudent Traveler Rule"; that is, when traveling for court business, treat the government's money like it is your own. For example, an employee should not purchase unnecessary or unjustified items and services and should take the most direct route when driving. When filing a travel voucher seeking reimbursement, you attest that all information is true and correct to the best of your knowledge. Failure to abide by the "Prudent Traveler Rule," inflating expenses, or otherwise being dishonest on travel documents constitutes fraud.

Examples:

- Failing to submit receipts showing proof of payment for lodging and other expenses (e.g., transportation, parking) when required.
- Using a government travel credit card for non-business purposes.

#### **b. Other False Statements**

False statements on any forms or documents submitted in connection with your employment—not just those concerning travel—constitute fraud.

Examples:

- Reporting an inaccurate number of hours worked and leave used in the leave tracking system.
- Submitting false information to Human Resources regarding benefits, including your flexible spending accounts.

#### **c. Personal Use of Government Property**

The personal use of government property resulting in anything beyond minimal additional expenses constitutes waste.

Examples:

- Using the court's Federal Express or UPS account for non-business (personal) mailings.
- Using the court's postage meter for personal postage.
- Removing any court property, including office supplies and IT equipment, for personal use.
- Spending significant time on the internet for personal purposes during work hours.
- Printing, copying, and faxing from government machines where it interferes with official business, involves more than minimal additional expense to the government, and/or occurs during work hours.

#### **d. Abuse of the Government's Trust**

The government's trust is as significant a resource as its money or property. The abuse of this trust is improper.

Examples:

- Using court and/or chambers letterhead for personal use.
- Sending personal e-mail communications from your work e-mail address without a disclaimer that you are not acting in your professional capacity.
- Divulging confidential information about pending cases or other information obtained as a judicial employee.

### **3. Overlap Between Fraud, Waste, or Abuse and Ethics**

In addition to potentially constituting a federal crime, the misuse of government resources—funds, property, and trust—may constitute a violation of the [Code of Conduct for Judicial Employees](#). For example, Canon 2 explicitly prohibits the use of public office for private gain; Canon 3A requires employees to report statutory violations, including those pertaining to embezzlement and disclosure of classified information; Canon 3D prohibits employees from disclosing confidential information; and Canon 4E requires that expense reimbursement be

limited to actual expenditures reasonably incurred. Likewise, although Canon 4 authorizes employees to engage in outside activities within certain parameters, doing so during work hours or using government resources to do so would be an abuse of this privilege.

#### **4. Reporting Fraud, Waste, or Abuse**

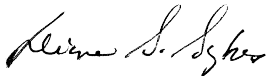
You should bring allegations, concerns, or questions regarding fraud, waste, or abuse by other employees to your direct supervisor, your manager, your judge, the Circuit Executive, the Clerk of Court, or the Chief Circuit Judge. Alternatively, you may contact the Seventh Circuit Director of Workplace Relations or the Administrative Office.

Complaints should describe as fully as possible the nature of the allegation, the name(s) of the individual(s) involved, the date(s) of the alleged misconduct or wrongdoing, and any additional factual or verifiable supporting information available, such as who else may be aware of the wrongdoing. Individuals who report allegations are encouraged to provide their name and contact information to facilitate appropriate follow-up. Confidentiality will be maintained to the greatest extent possible, including protecting the identity of the person submitting a complaint, unless disclosure becomes unavoidable during the course of the investigation.

Additional information can also be found on the J-Net at:

[http://jnet.ao.dcn/Ethics/Allegations\\_of\\_Fraud\\_Waste\\_or\\_Abuse.html](http://jnet.ao.dcn/Ethics/Allegations_of_Fraud_Waste_or_Abuse.html)

For the Court:



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Diane S. Sykes, Chief Judge  
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for the Seventh Circuit

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