

**United States District Court
Northern District of Illinois**

Fraud, Waste and Abuse Policy

The Chair of the Committee on Audits and Administrative Office Accountability asked that we provide information to all court employees about procedures available for reporting fraud, waste, abuse or mismanagement of resources. This effort is part of a nationwide initiative for the federal judiciary to ensure that our valuable public resources are used in a cost-effective manner, and to reinforce that accountability is a core value for the federal judiciary. Consistent with this initiative, we have a link to this policy in our Human Resources Manual and our Internal Controls Manual that outlines the various processes that are available for reporting these types of problems.

It is important that we insure that our limited resources are not used inappropriately. If you suspect fraud, waste, abuse or mismanagement of resources, I urge you to take steps to report it through whatever means you feel most comfortable.

1.1 What Is Fraud, Waste and Abuse?

Fraud, waste and abuse involve 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

1.1.1 Travel

When court employees travel at government expense, they should remember to 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, do not purchase unnecessary or unjustified items and services and take the most direct route when driving. When you file a travel voucher seeking reimbursement, you attest that all information you provide 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, waste and/or abuse.

Examples:

- Failure 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.

1.1.2 Other False Statements

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

Examples:

- Inaccurate reporting of hours worked, and leave used in the leave tracking system.
- False information submitted to Human Resources regarding benefits, including your flexible spending accounts.

1.1.3 Personal Use of Government Property

Misuse of government property can also occur in a number of areas.

Examples:

- Using the court's Federal Express or UPS account for non-business (personal) mailings.
- Using the 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.

1.1.4 Abuse of Government's Trust

The government's trust is as significant a resource as is 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 otherwise obtained as a judicial employee.

2.1 Overlap between Fraud, Waste and 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, while 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.

3.1 Reporting Fraud, Waste and Abuse

You should bring allegations, concerns or questions regarding fraud, waste and abuse by other employees to your direct supervisor, your manager, your judge, the Clerk of Court, Chief Judge or Circuit Executive. Alternatively, you may contact your 7th Circuit Employment Dispute Resolution Coordinator, or the Administrative Office directly by email, at aodb_Fraud_Waste_Abuse_Complaint@ao.uscourts.gov.

Complaints should describe as fully as possible the nature of the allegation, the name(s) of the individual(s) involved, date(s) of the alleged misconduct or wrongdoing, and any additional factual or verifiable supporting information available, such as whom 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

NOTE: This information is provided annually to staff and included in new staff orientation.