

Guide to Judiciary Policy

Vol. 2: Ethics and Judicial Conduct

Pt. C: Ethics Statutes, Regulations, and Judicial Conference Resolutions

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§ 1510 Overview and Scope

- (a) Under 28 U.S.C. § 604(a)(17), the Director of the Administrative Office of the U.S. Courts (AO) has authority to accept voluntary and uncompensated (gratuitous) services as well as gifts of personal property for the purpose of aiding or facilitating the work of the judicial branch.
- (b) The Director has delegated to the AO's General Counsel, who may redelegate to the Deputy General Counsel, the authority to:
 - (1) accept voluntary and uncompensated (gratuitous) services; and
 - (2) accept, hold, administer, and utilize gifts and bequests of personal property for the purpose of aiding or facilitating the work of the judicial branch.
- (c) This chapter does not apply to:
 - (1) gifts of personal property to judges or judiciary employees that are not for the purpose of aiding or facilitating the work of the judicial branch (**see:** Guide, Vol. 2C, Ch. 6);
 - (2) gifts that may be accepted under the Foreign Gifts and Decorations Act (**see:** Guide, Vol. 2C, Ch. 7);
 - (3) volunteer arrangements in a court or federal public defender organization focusing either exclusively or primarily on providing an educational experience for the volunteer, or part of a work-training program (**see:** Guide, Vol. 12, § 550);

- (4) the AO's student intern program (**see:** AO Manual, Vol. 4, § 450); and
 - (5) accommodations to hold court that are furnished without cost to the judicial branch (**see:** 28 U.S.C. § 462(a)).
- (d) For purposes of this chapter, "gift" means any favor, discount, entertainment, forbearance, or other item having monetary value, including an in-kind item, offered or provided without consideration. It does not include:
- (1) opportunities and benefits, including favorable rates and commercial discounts, that are available to the public or all federal government agencies;
 - (2) anything that is paid for by the judiciary or secured by the judiciary under contract; and
 - (3) any item or service offered or provided by a federal entity (**see:** Guide, Vol. 14, § 550).
- (e) The statutory authority to accept gifts under 28 U.S.C. § 604(a)(17) does not include gifts of money. **See:** Guide, Vol. 13, § 310.40(f).
- (f) Questions concerning this chapter should be addressed to the AO's Office of the General Counsel.

§ 1520 Acceptance of Gifts

- (a) For delegations of authority to accept gifts of privately owned legal research resources, **see:** Guide, Vol. 21, § 230.
- (b) For acceptance of offers from state, local, or private entities for probation or pretrial services officers to use a firing range at no cost for official purposes, **see:** Guide, Vol. 8H, § 320.20.10(d)(3).
- (c) A judge or judiciary employee who has not been delegated authority to accept gifts on behalf of the judiciary must forward any gift offers of personal property that are for the purpose of aiding or facilitating the work of the judicial branch to the General Counsel via email or by mail to:

Office of the General Counsel
Administrative Office of the United States Courts
One Columbus Circle, N.E.
Washington, D.C. 20544

- (d) Any gift of personal property accepted under the AO Director's statutory authority becomes official government property and is subject to the policies that apply to government property. **See:** Guide, Vol. 16, Ch. 4 and Ch. 5.

§ 1530 Acceptance of Voluntary and Uncompensated Services

A judge or judiciary employee who has not been delegated authority to accept and utilize voluntary and uncompensated (gratuitous) services must forward any offer of services covered under this chapter to the General Counsel via email or by mail to the address listed in § 1520(c). The General Counsel may require the execution of a gratuitous services agreement as a condition of accepting the services.

§ 1540 Prohibition Against Solicitation

No judge or judiciary employee may solicit voluntary and uncompensated (gratuitous) services, or any gift of personal property, covered under this chapter on behalf of the judicial branch without the prior written approval of the AO Director.