

**United States District and Bankruptcy Court  
For the District of Idaho**

In the Matter of Amending the \_\_\_\_\_ )  
Appropriate Internet Access Policy \_\_\_\_\_ )      General Order # 219

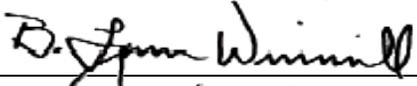
This matter coming before the court as a result of a request by Probation and Pretrial to amend the Court's Internet Access Policy for official work purposes, and

The Court having previously adopted a Limited Use of Government Equipment Policy and an Internet Use Policy;

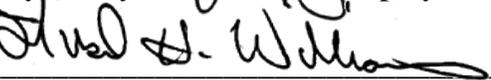
NOW THEREFORE, the attached amended Appropriate Internet Access Policy is adopted, effective August 16, 2007.

This Order supercedes General Order 181 and General Order 207.

Dated this 16<sup>th</sup> day of August, 2007.

  
\_\_\_\_\_  
B. Lynn Winmill, Chief District Judge

  
\_\_\_\_\_  
Terry L. Myers, Chief Bankruptcy Judge

  
\_\_\_\_\_  
Mikel H. Williams, Chief Magistrate Judge

## **United States Courts, District of Idaho**

### **Appropriate Internet Access Policy**

June 2003 as amended April 2006, and August 2007

In January, 2003, the Court adopted the Limited Use of Government Equipment Policy. Under this policy, judiciary employees are permitted limited use of government office equipment for personal needs if such use does not interfere with official business and involves minimal additional expense to the government. The limited personal use of government office equipment should only occur during employees' non-work time. This privilege to use government office equipment for non-government purposes may be revoked or limited at any time by the Chief Judge, Court Executive, or Chief Probation Officer.

This policy also defined inappropriate use as follows:

- using equipment for activities that are illegal, inappropriate or offensive to fellow employees or the public, such as hate speech, or materials that ridicule others on the basis of race, creed, religion, color, gender, disability, national origin, or sexual orientation
- creating, downloading, viewing, storing, copying, transmitting, or retransmitting sexually explicit or sexually oriented material.
- creating, downloading, viewing, storing, copying, transmitting, or retransmitting material related to illegal gambling, illegal weapons, terrorist activities, any other illegal or prohibited activities;

In September 1998, the Court adopted an Internet Use policy with the following guidelines:

- Use of the public Internet network accessed via computer gateways owned, or operated on the behalf of the United States District Court for the District of Idaho imposes certain responsibilities and obligations on Court employees and officials and is subject to Court policies and local, state and federal laws. Acceptable use should always be ethical, reflect honesty, and show restraint in the consumption of shared computing resources. It should demonstrate respect for intellectual property, ownership of information, system security mechanisms, and an individual's right to freedom from harassment and unwarranted annoyance.
- Use of Internet services provided by the Court is subject to monitoring for security and/or network management reasons. Users of these services are therefore advised of this monitoring and agree to this practice. This monitoring includes the logging of what Internet resources and "sites" are accessed by which users. Users should

further be advised that many external Internet sites also log who accesses their resources, and may make this information available to third parties.

- By participating in the use of Internet systems provided by the Court, users agree to be subject to and abide by this policy, as well as the Court Computer Security Policy. Willful violation of the principles and provisions of this policy may result in disciplinary action.
- This policy hereby incorporates by reference the Code of Conduct for Judicial Employees, which is applicable to all Internet activities.

In September 2005, the Judicial Conference amended several Internet access policies which (1) strongly discouraged the use of web-based e-mail accounts from the Judiciary's data communication networks since they bypass normal security features; and (2) prohibited peer-to-peer file sharing, chat rooms and instant messaging with persons or entities outside of the Judiciary due to the extraordinary security risks they pose.

As noted in these policies, no judiciary employee has the right to use government computer equipment in an inappropriate way.

As a result of the above Judicial Conference actions, it is the policy of this Court to block inappropriate Internet sites. The sites listed below do not have a business purpose and have been characterized as offensive, or these sites present potential security risks. As a result, the following sites will be blocked from Internet access in the District of Idaho:

- Adult/Sexually Explicit
- Chat Rooms and Instant Messaging
- Criminal Activity
- Gambling
- Hacking
- Intolerance and Hate
- Illegal Drugs
- Peer-to-Peer file sharing networks
- Phishing & Fraud (identity theft)
- Spyware (live viruses)
- Tasteless & Offensive
- Violence

In addition, personal Web Based E-mail accounts will be blocked except those identified by the Administrative Office which provide virus scanning of e-mail and attachments. These include AOL's AIM Mail, Google's Gmail, MSN Hotmail and Yahoo Mail. Any exceptions to this policy must be approved by the Chief Judges.

Judiciary employees may have a business purpose in accessing a blocked site, or an appropriate site may be blocked for some unknown reason. If this is the case, access rights may be restored, upon request, by the Systems Manager.

If a supervisor or judge suspects that an employee is abusing Internet privileges by accessing an inappropriate site or spending excessive amounts of time on-line, the judge who supervises the employee, the Court Executive, or Chief Probation Officer will conduct an investigation into this matter. During the investigation, the employee will be notified and given an opportunity to respond. If the judge, Court Executive, or Chief Probation Officer believes that the employee's explanation is inadequate or that there is reason to believe that an abuse of Internet privileges has occurred, a request to review that employee's Internet activity may be submitted to the Board of Judges. If the Board of Judges determines that there is probable cause to believe that an abuse of Internet privileges has occurred, they may authorize the Systems Manager to produce a report of that employee's Internet activity. This report will be limited to the employee who may have abused Internet privileges.

Thereafter, the report may be used as the basis for further disciplinary action. Any reports which are produced will be confidential and only viewed by those specified by the Board of Judges.

Any employee who willingly violates this policy will be subject to the full range of disciplinary action, including termination.

This policy may be amended at any time by the Board of Judges.

Adopted by the Chief Judges on August 16, 2007.

### **CERTIFICATION**

I have read and understood this policy.

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Signature