

Running an Effective Ethics Program



Goal

- Proactive not Reactive



Client

- Your agency
- No attorney/client privilege

Ramifications

- Don't destroy records at Boss's insistence
- Referrals to DOJ and OIG
- Personnel rely in good faith on advice
- Regs encourage employees to seek advice in advance

Finding the Answer

- Secret Law
- JER
- Deskbook
- Google Standards of Conduct

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- http://www.dod.mil/dodgdc/defense_ethics/

Other sources

- Fellow Lawyers
- IEC
- OGE
- Air Force Material Command

How to be Effective

- Assert yourself early on
- Brief Commander
- Offer to review travel plans at weekly meetings of his staff or PR folks
- Work with Aides, Executive Assistants and secretaries
- Show your knowledge so they see value, be humble
- Be assessable
- Be precise in advice
- Be creative in solutions
- Look at an issue from Agency's prospective; does this hurt agency

How to be Effective

- Walk the Halls
- Use a candy jar in your office
- Join the health club
- Join the softball team
- Provide in person training
- Brief people as they come in
- Use examples; get OIG cases
- Preserve Advice
- Set up a log
- Coordinate advice
- Give tailored briefings
- Don't panic or become boy who cries wolf
- Seek feedback
- Work with OIG so you can report on enforcement

OGE's interpretation of an Effective Program

- Procedures (JER)
- Delegations
- Agency Organization Chart
- Agency Mission
- Public and Confidential Financial Disclosure Program
 - Tracking System
- Training
- Counseling
- Advisory Committees
- Outside Activity approval
 - JER Test
 - Know your topic
 - Teaching, speaking and writing
 - Holding a civil office
 - Honoraria
 - Former employment
- 208 waivers
- 1353
- Relationship with OIG
- <http://www.usoge.gov/Program-Management/Program-Review/Program-Review/> (Materials required prior to Ethics Program Review)