

## **ETHICS PROCESS OF THE OFFICE OF THE LIVINGSTON COUNTY DISTRICT ATTORNEY**

### **I. Introduction:**

A copy of the following material regarding the ethical obligations of each prosecutor working in the Office of the Livingston County District Attorney shall be distributed to each prosecutor in the office:

- \* Statement by the District Attorney;
- \* NY Rules of Professional Conduct; and
- \* *The Right Thing: Ethical Guidelines for Prosecutors*

Each prosecutor must read these documents before beginning work as a prosecutor in the office and submit a written statement, signed and dated, that he/she has done so. This statement shall be kept in the prosecutor's personnel file.

### **II. Educational obligations of each prosecutor:**

- \* Each prosecutor is required to earn annual CLE credits regarding ethics.
- \* Each prosecutor must be familiar with and read the ethics update material distributed by NYPTI ("Ethics Watch").
- \* Each prosecutor should rely on other prosecutors within the office to consult with on any and all ethical issue to which he/she is unclear. If the issue is unable to be fully and appropriately addressed, the prosecutor should discuss the issue with the District Attorney or if not available, the First Assistant District Attorney.

### **III. Duty to report and to consult:**

The District Attorney, or the First Assistant District Attorney if the District Attorney is unavailable, is the designated "Ethics Officer" within the office.

Each prosecutor must immediately report to the District Attorney, or the designated "Ethics Officer", any allegation of prosecution misconduct, whether made by a citizen, lawyer or judge. This includes the issuance of any judicial opinion discussing an allegation of prosecution misconduct.

If any prosecutor is unsure as to an ethical obligation regarding his/her professional conduct, if possible, the prosecutor should consult with the District Attorney about the issue. If

prior consultation is not possible, the prosecutor shall advise the District Attorney about the issue at the earliest opportunity.

**IV. Review:**

The Ethics Officer shall review any allegation of prosecution misconduct and make a determination as to whether further investigation, discussion or action is warranted. The District Attorney shall be responsible for making the final internal decision as to whether any form of counseling or disciplinary action is warranted.