
From: Hartford, Helen <HHartford@ingham.org>
Sent: Monday, May 23, 2016 4:46 PM
To: ADMcomment
Subject: ADM File No. 2014-03 Anti-Nepotism Policy

To: SCAO - ADMcomment
From: Helen Hartford (P57867), Attorney/Referee, Family Division, Ingham County Friend of the Court
RE: ADM File No. 2014-03 Anti-Nepotism Policy
Sent: May 23, 2016

The proposed Antinepotism Order should be adopted without inclusion of Alternative Additional Provision 1c).

The proposed Antinepotism Order [as written and without inclusion of Alternative Additional Provision 1c)] establishes a clear prohibition against conflict of interest and/or any type of superior-subordinate relationship between related employees in the same court.

Inclusion of Alternative Additional Provision 1c) prohibits relatives of any judge or justice from being employed within the same court regardless of the circumstances surrounding their employment. Even with a grandfather clause, if Alternative Additional Provision 1c) is included, the proposed order fails to address what will happen if an employee is hired in the future and their relative is later elected to the same court. Inclusion of Alternative Additional Provision 1c) assumes that one relative can control another relative's actions and keep them from seeking judicial election; when in reality, any individual who meets the filing requirements to run for judicial office can do so regardless of whether a relative will be adversely affected by their actions. Inclusion of Alternative Additional Provision 1c) could cause any employee who is hired by the court prior to their relative seeking judicial office to be penalized or lose their job through no fault of their own which is a miscarriage of justice and misapplication of the antinepotism policy.

Inclusion of Alternative Additional Provision 1c) in the Antinepotism Order is overbroad and is not an improvement over current Administrative Order No. 1996-11.

Alternative Additional Provision 1c) should be removed from the proposed Antinepotism Order.

Thank you for your consideration of my comments.

Respectfully Submitted:
Helen Hartford