

## United States Bankruptcy Court for the Western District of Washington Policy for Externs Regarding Outside Employment

When applying for an externship position with the Bankruptcy Court in the Western District of Washington, all outside employment and/or outside legal work should be disclosed to the supervising judge. The supervising judge will ultimately have discretion on whether the applicant's outside activities should preclude the applicant from concurrently holding an externship position.

The Code of Conduct for Judicial Employees [*Guide to Judiciary Policy*, Vol. 2A, Ch. 3] ("the Code of Conduct") provides ethical guidance to the Court. The guidelines in the Code of Conduct apply to all judicial employees, including externs. Code of Conduct, § 310.

In general, during the externship period, an extern may receive compensation for outside employment provided that the receipt of compensation is not "prohibited or restricted by [the Code of Conduct], the Ethics Reform Act, and other applicable law...." Code of Conduct, § 320, Canon 4(E).

Canon 4(D) of the Code of Conduct precludes an extern from engaging in the practice of law in most circumstances. See Comm. on Codes of Conduct, Advisory Op. No. 111 (2015). Accordingly, an extern may not perform legal work at a law firm while working with the Court. An extern may, however, perform *pro bono* legal services for a non-profit organization provided that the work is permissible under Canon 4(D)(3) of the Code of Conduct. An applicant may also be precluded from serving as an extern if he or she holds "a simultaneous governmental appointment that has the potential for dual service with other branches of government or of the state government, in accordance with Canon 4A...." *Id.*