



Law Student Intern/Extern Ethical Obligations Agreement (Addendum 1 to Law Student Volunteer Intern/Extern Agreement)

As an incoming U.S. Department of Justice legal intern/extern, it is important for you to understand that you are deemed to be a federal government employee working under the supervision of attorneys and must abide by applicable laws and rules of professional responsibility governing your conduct. As your supervising attorneys will explain to you, they represent a client (in most circumstances, the United States) and, with respect to your work for the Department, you generally will be expected to conform your conduct to the applicable rules of professional conduct governing attorneys, as well as other laws and regulations. See, e.g., American Bar Association’s Model Rule 5.3 (requiring lawyers to make reasonable efforts to ensure non-lawyer assistants comply with professional responsibility rules.) It is therefore important for you to acquaint yourself with the applicable laws, regulations and rules of professional conduct. Unless otherwise specified, this agreement refers to the American Bar Association’s Model Rules of Professional Conduct for ease of reference, but the rules of the jurisdictions that might apply will vary. When given any assignment, you should discuss with your supervisor which rules apply to your conduct and your obligations with respect to them.

In your work as a legal intern/extern, you will be obligated to comply with many different rules of professional conduct, including Model Rule 1.1, Competence; Model Rule 1.3, Diligence; Model Rule 1.4, Communication; Model Rule 1.6, Confidentiality of Information; Model Rule 1.7, Conflict of Interest: Current Clients; Model Rule 1.8 Conflicts of Interest: Current Clients: Specific Rules; Model Rule 3.6, Trial Publicity; Model Rule 3.8, Special Responsibilities of a Prosecutor; Model Rule 4.3, Communications with Unrepresented Persons; Model Rule 4.1 Truthfulness in Statements to Others; 4.2, Communication with Person Represented by Counsel; Model Rule 4.4, Respect for Rights of Third Persons; Model Rule 5.5, Unauthorized Practice of Law and Model Rule 8.4, Misconduct. You must comply with these and any other applicable laws and rules of professional conduct.

Importantly, as a Department of Justice legal intern/extern, you have an obligation to safeguard and maintain the confidentiality of any information relating to the representation of the United States to which you are exposed or have access. You also should not use that information to the detriment of the United States. While you may be permitted to make certain disclosures during the course of your work, the disclosures are limited and must be authorized by your supervising attorney. These limitations primarily result from obligations under the rules of professional conduct and Executive Branch policies on disclosure of government information, but other laws, rules and privileges may apply. Moreover, some disclosures require approval from your supervising attorney’s component head, United States Attorney, or someone at a higher level within the Department of Justice or the Executive Branch, depending on the nature of the information sought to be disclosed. Keep in mind that your duty of confidentiality does not end when you leave the Department of Justice; it lasts forever. For example, D.C. Rule of Professional Conduct 1.6(h) provides, “the obligation of a lawyer . . . also applies to confidences and secrets learned prior to becoming a lawyer in the course of providing assistance to another lawyer.”

You also must be mindful of potential conflicts of interests, which may arise in connection with the work you are doing, will do or have previously done for another person or organization that is related to the work you are doing or exposed to during your tenure at the Department of Justice. You also might

have a conflict of interest if former or future colleagues, friends, or family members, are involved in matters that you are working on or exposed to while at the Department of Justice. You must report to your supervisor any situation that might give rise to a conflict of interest or that may affect your ability to carry out your assignments while serving as an intern/extern for the Department of Justice competently and diligently.

Your signature below serves as your agreement not to use or disclose confidential information of the United States except as authorized by your supervising attorney, and to alert your supervisory attorney to any potential conflicts of interest. Your signature also is as an acknowledgment that you understand your obligation to determine and comply with the laws, regulations and rules of professional conduct that define your obligations in the work you are assigned as a Department of Justice legal intern/extern. If you have questions about your obligations under the applicable laws, rules of professional conduct and Executive Branch policies, please consult your supervisory attorney.

Student's Signature

Date

Student's Printed Name

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.