



STATE OF INDIANA

INDIANA PUBLIC DEFENDER COUNCIL

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MEMORANDUM

TO: IPDC Board
FROM: Michael Moore
RE: Proposed Acceptable Use Agreement for IPDC Group List Emails
DATE: September 14, 2020, Board Retreat

IPDC has discussed the challenge of IPDC members utilizing IPDC discussion platforms in a manner that violated existing use policies. With the transition to chatter, there is an opportunity to consider use policy and measures for compliance. The existing policies are attached to aid in deliberation. The following is a proposal for consideration:

ACCEPTABLE USE AGREEMENT FOR IPDC GROUP LIST EMAILS

The Indiana Public Defender Council (IPDC) recognizes the value of email discussion groups to improve the quality of representation of clients represented by its members. An email discussion group is a closed forum wherein members can post questions, seek advice, brainstorm, share materials with other members. To this end, IPDC encourages the responsible use of IPDC's group email discussions forum known as "Chatter" as well as IPDC's community member page. Because email discussion groups are largely unregulated and member messages to and from group members are difficult to control, IPDC adopts this policy governing the voluntary use of Chatter and IPDC's community page.

It is the policy of IPDC to maintain an environment that promotes ethical and responsible conduct by members while using IPDC resources. It shall be a violation of this policy for any user to engage in any activity that does not conform to the established purpose and general rules and policies of IPDC. IPDC retains the following rights and recognizes the following obligations:

1. To remove a user account for violation of this policy.
2. To monitor the use of online activities. This may include real-time monitoring of Chatter discussions and/or maintaining a log of Chatter activity for later review.
3. To determine who will have access to each Chatter group and to exclude those who do not abide by IPDC's acceptable use policy or other policies governing the use of the Chatter forum.

Acceptable and Unacceptable Use

1. All use of Chatter and IPDC's community page must be in support of legal and professional objectives and must be consistent with the mission and objectives of the IPDC.
2. Harassing conduct including epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group will not be tolerated. Members are expected to be polite and professional.
3. Harassment on the basis of any other protected characteristic is strictly prohibited.
4. Any use of Chatter or IPDC's community page for commercial, political lobbying or commentary, or for-profit purposes is prohibited.
5. No use of the Chatter or IPDC's community page shall serve to disrupt the use by others. Hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviors are prohibited on the network

6. Members shall not share information and messages to and from members with any non-member, including, but not limited to; judges, prosecutors, law enforcement officers, non-member attorneys

Disclaimer

1. IPDC cannot be held accountable for the information that is retrieved via Chatter, either appropriately or inappropriately. Parties adversarial to each may be represented by attorneys with access to Chatter and other IPDC resources.

2. While messages and materials are restricted to users who have access to IPDC Chatter groups and community materials, IPDC cannot control a subsequent dissemination of messages or content to non-IPDC members, prosecutors, judges, law enforcement officers etc. Members should know that any message sent to an email group could be shared by a member to a non-member in violation of this policy.

3. IPDC makes no warranties (expressed or implied) with respect to the content of any advice or information received by a user.

4. IPDC reserves the right to change its policies and rules at any time.

I have read, understand, and will abide by the above Acceptable Use Policy when using Chatter or the Community page and other electronic resources owned, leased, or operated by IPDC. Should I commit any violation, my access privileges may be revoked.