



Federal Bar Association

Policy No. 1-7: Conflict of Interest

Approved By: Board of Directors

Date Approved: 1/29/2011

Date Effective: 1/29/2011

Policy:

The Federal Bar Association (FBA) anticipates that leaders will support and adhere to the FBA's high standards of the business ethics. The term "Leader" is defined as all elected and appointed representatives of Association, including officers, directors, committee members, or any member of the Association that has responsibility for any aspect of the Association's activities, business or operations. It includes Leaders at every level – national, circuit, chapter, section and division, but excludes employees of the Association. The Association does not intend to restrict arbitrarily Leaders' personal activities; rather, the purpose of this policy is to make certain that no conflict of interest should exist that could influence your judgment in handling FBA business that might present an unfair advantage to suppliers, vendors, or contractors. As a Leader of the FBA, you have an ethical and legal responsibility to put the interests of the FBA ahead of your individual business or commercial interest. A conflict of interest may exist when you have business or commercial interests that may impact the interests of the FBA. Even the perception of a conflict of interest can cause harm to the FBA and the Leader involved.

Definition

A conflict of interest exists whenever there is a proposed transaction of the FBA in which a Leader has any actual or potential involvement, interest or relationship, either directly or indirectly. A Leader is considered to have an improper indirect interest in a proposed transaction if:

- a. the other party to the transaction is related to such Leader,
- b. such other party is an entity in which the Leader, has a material financial interest;
- c. or the Leader is an officer, director or general partner of such other party.

A conflict of interest may also exist when the interests or concerns of any FBA Leader or such Leader's immediate family, or any party, group, or organization to which such person has allegiance, may be seen as competing with the interest or concerns of the FBA.

Conflict of Interest by FBA Leaders

- a. Each FBA Leader has a duty to disclose to the Board of Directors the material facts of any proposed transaction of the FBA in which such person has any actual or potential conflict of interest.

- b. The disclosure required under item “a” must be made prior to any consideration of such proposed transaction by the FBA or immediately upon the Leader’s knowledge of the proposed transaction.
- c. An FBA Leader having an actual or proposed conflict of interest shall not participate in the deliberation or decision by the FBA regarding the matter under consideration. However, he or she shall provide the Board of Directors with any and all relevant or requested information and assistance regarding the matter.
- d. The Board of Directors shall take such additional action as may be required to ensure that the conflict of interest is resolved, and the Executive Director shall maintain a record of the existence and resolution of the conflict.

To insure compliance with the FBA Conflict of Interest Policy each Leader will complete a Conflict of Interest Questionnaire annually. The annual questionnaires will be collected and maintained by the Executive Director.

Purpose:

The purpose of this policy is to make certain that no conflict of interest should exist that could influence Leaders’ judgment in handling FBA business that might present an unfair advantage to suppliers, vendors, or contractors.

Change Notice: 1/27/2017