



Fifteenth Court of Appeals Teleworking Policy

This policy outlines the work-from-home policy and procedures for employees of the Fifteenth Court of Appeals. The court has enacted this policy to provide certain employees the opportunity to work from a remote location when it is in the court's best interests and when the employee is able to meet the court's productivity expectations to achieve the court's mission of working collaboratively to timely issue accurate, high-quality opinions.

Teleworking is not appropriate for all job functions. As the needs of the court change, the Fifteenth Court of Appeals may need to change or terminate telework arrangements accordingly. No employee is entitled to or guaranteed the opportunity to telework. Teleworking is a privilege that can be terminated at any time by the Fifteenth Court of Appeals. All court policies must be followed when teleworking.

Approval to telework may be granted in accordance with the terms of a completed and signed Telework Agreement (Agreement), approved by the assigned Justice or Clerk of the Court as set forth below.

Time Allowed to Telework

1. All full-time attorneys will be allowed to telework on a schedule to be determined by their supervising Justice. Telework policy for part-time attorneys will be assessed on a case-by-case basis.
2. One-year law clerks will be allowed to telework one day per week, which can be adjusted by the supervising justice.
3. All clerks, and administrative personnel will be allowed to telework on a schedule to be determined by the Clerk of Court.
4. Unused teleworking time that could have been, but was not, taken during one month cannot be carried over into another month.

Computation of Time and Normal Business Hours

1. Non-exempt employees must work 8-hour days, Monday through Friday, or take leave time. Exempt employees are expected to work a full professional schedule consistent with the required duties of their positions.
2. Employees must be available and responsive during the Court's normal business hours—which are Monday through Friday, 8:00 a.m. to 5:00 p.m. and as necessary to address emergency filings—unless taking leave. Exempt employees must report leave time consistent with the Court's leave policy.
3. A court holiday is considered 8 hours in the office for calculating the percentages attorneys and administrative personnel are permitted to telework.
4. Employees must be available and teleworking during normal business hours.

Supervisor Approval

1. The immediate supervisor of each employee will approve the monthly schedule of their employee.
2. The immediate supervisor can require work in the office on specific days of the month.

Use of the Court's Equipment and Expenses of Teleworking

1. Each employee will bear the expenses associated with teleworking.
2. The computer provided by the court may be used at the remote location. Any other court equipment must be returned to the court.
3. Each employee must follow all computer safety protocols when teleworking.
4. Each employee must protect and secure all sensitive and confidential court information when working from the remote location and immediately and securely shred any document produced at the remote work location that contains confidential court information, and that the employee does not intend to bring to the regularly assigned location.
5. Each employee must provide their own suitable and safe office space when teleworking and secure any equipment provided by the Court from theft.
6. A teleworking employee is prohibited from conducting in-person business at the employee's personal residence.

Eligibility to Telework

1. All employees must be an employee of the Fifteenth Court of Appeals for a minimum of three months before being eligible to telework. Employees changing positions within the court may also require extra time in the office at the beginning of the new position, at the discretion of the supervisor.

2. Employees must meet the following performance measures to be able to telework:
 - A. Clerks are expected to handle all matters filed by 4:00 p.m. each day.
 - B. Administrative and computer personnel are expected to handle all matters timely.
 - C. Staff attorneys are expected to produce two to three merits opinion drafts per month. All opinions must be circulated to the authoring justice within 6 months of submission and all opinions must be circulated to the panel within the 24-month time limit from filing. Each attorney is allowed one exception to this rule at a time.
 - D. One-year law clerks must consistently and satisfactorily perform the duties for which they were hired, including meeting productivity targets and effectively managing their caseloads.
3. Monitoring compliance with the above performance measures will be done by the employee's supervisor.
4. Failure to meet these performance measures may result in suspension of the right to telework. If the employee has cured the performance issue, the employee's immediate supervisor will determine the length of suspension, with a maximum suspension of 30 days.

This policy is approved by the Chief Justice of the Fifteenth Court of Appeals and a majority of the justices on the court.