



**OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SOLANO**

**KRISHNA A. ABRAMS  
DISTRICT ATTORNEY**

**CODE OF CONDUCT AGREEMENT  
NEIGHBORHOOD COURT FACILITATOR**

**A. Introduction**

1. Neighborhood Court is a restorative justice pre-charging diversion program designed to address lower level crimes. Residents are trained to serve as Panelists and develop community-based solutions to redress the harm caused by these offenses. Pursuant to Penal Code §14150 – 14156, the District Attorney’s Office empowers Panelists with the authority and responsibility to adjudicate certain infraction/misdemeanor offenses, and it empowers Facilitators with the authority to facilitate the restorative justice process. Typically, the offenses are petty theft, disorderly conduct, vandalism, assault/battery, alcohol control violations, and other quality of life crimes. Neighborhood Court is a partnership with the Solano County District Attorney’s Office, volunteers from the community, the Benicia Police Department, the Center for Intervention (CFI), and community groups.
2. Serving as a Neighborhood Court Facilitator is an important responsibility. Facilitators uphold the integrity of the program and ensure fairness in resolving each case. A Facilitator shall personally observe high standards as specified in the Code of Conduct Agreement for Neighborhood Court Facilitator (Code) so that the integrity of the hearing process is preserved. This Code of Conduct Agreement describes the roles and responsibilities required for each participant to serve as a Facilitator.

**B. A Facilitator Shall Adhere To Appropriate Standards In Performing His Or Her Duties.**

In performing the duties prescribed by the Solano County District Attorney’s Office, the following standards apply:

1. A Facilitator shall respect and comply with the law pursuant to the Penal Code of California. A Facilitator shall report any violation or attempt to violate this standard of this Code to the CFI and the District Attorney Representative.
2. A Facilitator shall be patient, dignified, respectful, and courteous to all persons with whom the Facilitator deals in an official capacity, including the Victim, Offender, Victim Advocates, Panelists, the general public, and other Facilitators.
3. A Facilitator shall diligently discharge the responsibilities of the position in a prompt, efficient, and professional manner.
4. A Facilitator shall not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, socioeconomic status, or any basis proscribed by law.
5. A Facilitator shall not allow his or her personal opinion or beliefs to detract from the dignity of Neighborhood Court, interfere with the performance of official duties, or adversely reflect on the operation and dignity of Neighborhood Court.
6. A Facilitator shall, to the best of his or her ability, utilize the principles of restorative justice in deciding the best course of action in cases.

7. A Facilitator shall, to the best of his or her ability, effectively facilitate the restorative justice process by building trust, and preparing and empowering Victims, Offenders and Panelists for restorative dialogue through pre-conferences.
8. A Facilitator shall, to the best of his or her ability, guide and assist Offenders, Victims, and Panelists in face-to-face dialogue in the conference, assist them in reaching an agreement about how to restore the Offender, the Victim, and the community, create a safe space throughout the duration of the conference, and ensure the agreement is specific, measurable, attainable, reasonable, respectful, timely, and restorative (SMARRT-R).
9. A Facilitator shall promote, support, and maintain a safe, respectful, and confidential process.
10. CONFIDENTIALITY: A Facilitator shall not disclose any confidential information received in the course of his or her participation in Neighborhood Court about any case or any participant to any person or entity, except to District Attorney Representatives, CFI, Facilitators, Panelists, and trainers for purposes related to this program.
11. CONFIDENTIALITY: A Facilitator shall not use any information obtained in the course of case deliberations for any personal or professional purposes.
12. CONFIDENTIALITY: A Facilitator may disclose confidential information for the educational and training purposes of this program; however, Offender and Victim names, or information which would reveal their identity, shall not be disclosed.

**C. A Facilitator Shall Avoid Conflicts Of Interest In The Performance Of His Or Her Duties.**

1. A conflict of interest arises when a Facilitator knows that he or she might be personally or financially affected by a matter such that a reasonable person with knowledge of the relevant facts would question the Facilitator's ability to properly perform duties in an impartial manner.
2. When a Facilitator believes a conflict of interest may be present, the Facilitator shall promptly inform the CFI and the District Attorney Representative. After determining that a conflict or the appearance of a conflict of interest exists, appropriate steps shall be taken to restrict the Facilitator's involvement in such matter so as to avoid a conflict or the appearance of a conflict of interest.

**D. A Facilitator May Be Removed From Neighborhood Court For Violation Of Standards As Set Forth In This Code Of Conduct.**

1. A Facilitator shall respect and comply with the standards of this Code. Failure to do so may result in removal of the Facilitator from his or her responsibilities.
2. Should a Facilitator believe that there has been an ethical breach of this Code by a Facilitator or Panelist, he or she should attempt to resolve the issue by bringing it to the attention of that Facilitator or Panelist and to the CFI and the District Attorney Representative.
3. The affected Facilitator or Panelist shall have the opportunity to meet with the District Attorney Representative.
4. The District Attorney's Office shall be the final arbiter on the removal of the Facilitator or Panelist.

**The Code of Conduct shall be in effect for two years commencing on January 1, 2018 and, at the discretion of the District Attorney's Office, is renewable at the end of the current term for a successive two year term.**