



February 9, 2000

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William Oliver
Senior Deputy Clerk
Clerk of Court
111 N.W. First Street
Suite 1750
Miami, Florida 33128

RE: REQUEST FOR ADVISORY OPINION 99-61

Dear Mr. Oliver:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 7, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether various employees of the court system can be considered co-workers for purposes of interpreting the gift ordinance.

The Commission found that the Conflict of Interest and Code of Ethics ordinance does not define the term co-workers. However, employees may accept gifts from co-workers or anyone else as long as the gift is not given for performance of an official act or legal duty. Section 2-11.1(e)(3) provides that employees are prohibited from accepting gifts in exchange for an official public action that was taken or could be taken or for the performance of a legal duty. Any other gift may be given and received. Employees must report the receipt of any gift in excess of twenty-five(\$25) dollars.

Therefore, the Conflict of Interest and Code of Ethics ordinance does not define the term co-worker but employees may accept and

receive gifts from any person as long as the gift is not received in exchange for an specific official public action or performance of a legal duty.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding the opinion, please call the undersigned at (305) 579-2954 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a horizontal line extending to the right.

ROBERT MEYERS
Executive Director