

Background Check and Investigation Policy

Scope and coverage

This policy applies to all employees of the District of Nebraska's district, magistrate, and bankruptcy judges' chambers, the district court clerk's office, the bankruptcy court clerk's office, the district court's shared services department, and the probation and pretrial services office. In addition, these regulations apply to the court's:

- volunteers including interns, externs, work-study students, and work-training individuals;
- contractors (e.g., contract interpreters and contract court reporters); and
- contractors hired to perform cyclical facilities maintenance and moving services not processed through GSA unless escorted by a court employee.¹

Resources

[Guide to Judiciary Policy \(Guide\), Vol. 12, Ch. 5, § 570](#) (Background Checks and Investigations).

[Human Resources Manual \(HR Manual\) Ch. 5](#) (Background Checks and Investigations).

Definitions

For definitions of terms used in this policy, see the [Guide, Vol. 12, Ch. 5, § 570.40](#).

General policy

As of May 16, 2005, all new permanent or temporary appointments or transferred employees, volunteers, and contractors covered under this policy must undergo mandatory background checks or investigations.² [Guide, Vol. 12, Ch. 5, § 570.50](#). The following provisions apply:

- All new employees are hired on a provisional basis pending results from these background checks or investigations. Appointing officers will review and evaluate background checks and investigations to determine employment suitability.
- For all sensitive positions, a background check is required. For all high-sensitive positions, a background investigation is required. In addition, any permanent or temporary employee who receives a promotion or personnel

¹GSA is responsible for ensuring its cleaning, maintenance, and construction staff and contractors receive the necessary background checks and investigations.

²Employees hired prior to May 16, 2005, may also be required to undergo mandatory background checks or investigations subject to provisions set forth in the [Guide, Vol. 12, Ch. 5, § 570.50.15](#) (Optional Background Checks and Investigations).

action change into a high-sensitive position is required to undergo a mandatory background investigation.

- For contractors, the check or investigation must be the same (either check or investigation) as those conducted for employees in similar positions. As such, all contract court interpreters and contract court reporters must undergo background checks.

Refer to the [Guide, Vol. 12, Ch. 5, § 570](#) for additional national policy information, including provisions governing five-year re-investigation requirements for high-sensitive positions ([§ 570.50.10\(e\)](#)), use of previous background checks or investigations ([§ 570.50.20](#)), and notice requirements ([§ 570.50.40](#)).

Local screening measures

All final candidates for employment in the clerk's office, shared services department, and probation and pretrial services office undergo preliminary screening before a provisional appointment is made. This screening includes a national and local criminal history record check and a social media check, and may also include a credit check. See [Guide, Vol. 12, Ch. 5, § 570.50.10\(d\)\(2\)](#) (stating the court may conduct preliminary screening before provisional appointment is made). The chief probation and pretrial services officer or his or her designee conducts Access to Law Enforcement Systems (ATLAS) and Nebraska Criminal Justice Information System (NCJIS) checks and makes suitability determinations for final candidates for employment in these offices.

The chief of probation and pretrial services or his or her designee also conducts ATLAS and NCJIS checks and makes suitability determinations for the court's contractors,³ when needed, and for volunteers serving in the clerk's office, shared services department, and probation and pretrial services office. The Marshals Service's judicial security inspector conducts the necessary checks for contractors participating in court events involving judicial security matters.

Revision control log

Date	Comments	By
03/19/18	Major revision. Original policy archived and rewrite approved by chief judge.	GA SMG
02/23/21	Added bankruptcy to scope of coverage.	SMG

³Contractors who perform moving services, equipment repair, or other similar functions are not required to undergo a background check if they will be accompanied by a court employee at all times.