**CONFIDENTIAL**

July 19, 2010

[John Smith]

City of Chicago, Department of [Y]

City Hall,

Chicago, IL 60602

**Re: Case No. 10037.CNS**

Dear John ,

On July 16, you asked our advice as to whether, under the City’s Governmental Ethics Ordinance, you can or should accept an invitation to present a video or other advertisement on behalf of [JC] Corp. a vendor of your department. [JC] develops and sells [subject] and customer care software. It is hosting a Conference sometime in the Fall, and has asked you to read a short script that it would then use to attract potential customers to a “webinar” it is hosting, and then attract them to the conference itself. There would be no compensation offered to you.

On these facts, we note that there is nothing in the Governmental Ethics Ordinance that prohibits you from participating in this “webinar.” However, were you to pursue it, we would advise you that, ultimately, the question of whether you could effectively endorse a vendor’s product on behalf of the City is, under the Ordinance, a question of the appropriate use of City property, namely, your title and authority and the City’s imprimatur. It is a policy decision for you, the Law Department and the Mayor’s Office. Given, however, that the plain purpose of the webinar is to have you, as the City’s [Position] , endorse [JC] ’s products as part of its “build interest” campaign, and also there appears to be no actual advantage to the City from it (such as increased knowledge or technical expertise), my legal staff and I strongly recommend that you decline this opportunity. Our Board has advised City employees to refrain from engaging in such advertising on behalf of City or departmental vendors, although it is not prohibited–and your situation is no different. By contrast, in the one case in which we did advise a City department head and appointed official that their appearance in a print advertisement was not prohibited by the Ordinance but did *not* specifically recommend against it, the advertiser was not a departmental vendor. Cf. Case no. 98038.Q.

Our advice is based solely on the application of the Governmental Ethics Ordinance to these facts. Other laws, polices or rules may apply. I sincerely appreciate your concern to abide by the standards embodied in the Ordinance. Please contact me if you have any questions.

Yours very truly,

Steven I. Berlin

Executive Director