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Background Checks for Sensitive Positions FAQs

Below are some Frequently Asked Questions (FAQs) and their answers. If you have any questions, complete this [FAQ Form](#) and press send.

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Background Checks

What is a background check?

A background check consists of a technical fingerprint search of the criminal history records maintained by the FBI Criminal Justice Information Services (CJIS) Division to determine if there is an arrest record on the individual. Optional checks may include a credit check and other optional or limited checks for certain sensitive positions.

Who is required to have a background check?

All new employees who are appointed to sensitive positions in the federal courts and federal public defender organizations, contractors with duties that would otherwise be performed by judiciary employees regardless of whether the court of federal public defender organization actually has employees working in such similar positions, and volunteers. In addition, an appointing officer may also request an optional credit check for current employees in sensitive positions with financial duties (e.g., a financial technician position) or for other sensitive positions, as appropriate, based on job duties.

Who coordinates the background check?

The Administrative Office, or in some cases the employing court, coordinates background fingerprint checks for all sensitive positions through the FBI. Other optional checks are coordinated through the respective investigative agency. Credit checks are handled by a private vendor.

Sensitive Positions

What positions in courts and federal public defender organizations are considered sensitive?

Sensitive positions cover all employees in the federal courts and federal public defender organizations, including chambers staff, except those who, due to the nature of their work are in a high-sensitive or law enforcement officer category.

Fingerprinting

Why am I required to submit fingerprints?

Unlike results from other records checks which are based on criteria such as name or date of birth and can easily pick up information relating to other individuals, information from fingerprint checks is deemed to be accurate and correct.

Do I have to go to a police station to be fingerprinted?

You may go to a police station to be fingerprinted. However, in most instances the court or federal public defender organization will be able to fingerprint you.

Background Check Results

Who gets to see the background check results? Do I?

The only persons authorized to see the background check results are Administrative Office employees who work with the background checks and investigations program (who are required to undergo background investigations), the appointing officer, and, in some instances, the chief judge.

You may request a copy of the FBI Identification Record, often referred to as a Criminal History Record, by sending a written signed request to the FBI. Requests take five to six weeks for processing. The request must include the following:

(1) \$18 money order or certified check made payable to the Treasury of the United States;

(2) Proof of identity (consisting of a set of fingerprints on standard fingerprint form FD-258).

Send requests to:

FBI CJIS Division - Record Request
1000 Custer Hollow Road
Clarksburg, West Virginia 26306

Additional information and a copy of the fingerprint card that can be downloaded for this purpose are available on the [FBI site](#).

Is it true that the background check will include a credit report about me?

Not necessarily. A credit check is optional for sensitive positions. However, depending upon the duties of your position, the appointing officer may request a credit check. You may want to make certain that your credit report information is accurate. Additional information about credit reports is available on the [Federal Trade Commission's website](#).

Suitability Determination

I was arrested for speeding once; will that keep me from getting a job or a clearance?

Any negative information is evaluated regarding its recency, seriousness, relevance to the position and duties, and in light of, and in relationship to, all other information about you.

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