

**MARYLAND JUDICIARY
ADMINISTRATIVE OFFICE OF THE COURTS
PROCUREMENT AND CONTRACT ADMINISTRATION
POLICY IMPLEMENTATION MEMORANDUM PCA 019
UNAUTHORIZED PURCHASES
July 17, 2008**

References:

None.

Purpose:

To expressly prohibit any unauthorized purchases and to allow for sanctions in the case of violations.

Definitions:

Unauthorized Procurement – is a purchase transaction that occurs without an approved purchase order or authorized corporate purchasing card charge (credit card purchases are limited to \$2,500).

Split Purchase – is a type of unauthorized procurement where a purchase is artificially divided in order to circumvent the procurement regulations.

Policy Statement:

Goods and services may not be ordered, delivered or received unless an approved Purchase Order has been issued by the Administrative Office of the Courts' Department of Procurement and Contract Administration or an authorized Corporate Purchasing Card purchase is made in accordance with the approved applications as delineated in the Maryland Judiciary Corporate Purchasing Card Program Cardholder's Guide. Split purchases are considered to be an unauthorized procurement and are prohibited.

For the purposes of complying with the Maryland Judicial Branch Procurement Policy, the Department of Procurement and Contract Administration and Department of Budget and Finance will identify and investigate any transaction that appears to be a violation. The originator of the unauthorized procurement will be issued an Unauthorized Procurement Memorandum. The memorandum will also be sent to the State Court Administrator, Deputy State Court Administrator, Director of Legal Affairs, Director of Internal Audit, Director of Finance and Director of Procurement.

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If it is determined that a violation did occur, sanctions may be initiated against the employee. These sanctions may include, but need not be limited to, withdrawal of purchasing privileges and disciplinary action. Additionally, the Maryland Judiciary reserves the right to collect from the employee, the cost of any purchases in violation of this policy.

In cases where the unauthorized procurement is a repeated violation, the Maryland Judiciary reserves the right to refuse to pay the invoice. Payment of the invoice will then become the responsibility of the employee that originated the procurement.

Procedure:

Not applicable.

Exceptions:

None.

Reviewed:

Frank Broccolina
State Court Administrator

Approved:

Robert M. Bell
Chief Judge, Court of Appeals