

**Outline of Procedure for Ethics Hearing  
Involving a Complaint and Counter-Complaint  
(To be Mailed in Advance to Both Parties)**

**Postponement of hearing:** Postponement may be granted if there are extenuating circumstances. Requests for postponement must be made in writing. Permission can be given by the Chair. If the request is approved by the Chair, all parties shall be advised of the rescheduled hearing date.

**Recording of the Hearing:** The Board shall, and any party (may/may not), at their own expense, have a court reporter or recorder present at the hearing, or may tape record the proceeding and, if transcribed, shall furnish a copy to the Secretary.

**Method and Objective of Procedure:** The Hearing Panel shall not be bound by the rules of evidence applicable in courts of law, but shall afford all parties a full opportunity to be heard, present witnesses, and offer evidence, subject to its judgment as to relevance.

**Due Process Procedure:** The hearing will proceed as follows:

- (1) Chairperson cites authority to hear case and explains reason for hearing.
- (2) The complaint and counter-complaint will be read into the record.
- (3) The testimony of all parties and witness(es) will be sworn or affirmed. All witness(es) will be excused from the hearing except while testifying.
- (4) Complainant/counter-respondent will present a brief opening statement uninterrupted, identifying the specific Article(s) of the Code of Ethics that he feels have been violated, explaining how the respondent/counter-complainant violated each Article and refuting the contention that he violated any provisions of the Code of Ethics.
- (5) Respondent/counter-complainant will present a brief opening statement uninterrupted, identifying the specific Article(s) of the Code of Ethics that she feels have been violated, explaining how the complainant/counter-respondent violated each Article and refuting the contention that she violated any provision of the Code of Ethics.
- (6) Complainant/counter-respondent presents his cause and defenses by offering testimony and evidence from himself and/or his witness(es) to support the allegations of violations of the Code of Ethics by the respondent/counter-complainant and refuting the allegations made by the counter-complainant.
  - (a) The respondent/counter-complainant may question the complainant/counter-respondent and/or his witness(es) immediately after each has testified.
  - (b) The Hearing Panel may question the complainant/counter-respondent and/or his witness(es) immediately after each has testified.
- (7) Respondent/counter-complainant presents her case, offering testimony and evidence from herself and/or witness(es) to support the allegations of violations of the Code of Ethics by the complainant/counter-respondent and rebutting the complainant's contention that she violated the Code of Ethics.
  - (a) The complainant/counter-respondent may question the respondent/counter-complainant and/or her witness(es) immediately after each has testified.
  - (b) The Hearing Panel may question the respondent/counter-complainant and/or her witness(es) immediately after each has testified.