

Board or State Association

Address

City

State

Zip

Decision of Ethics Hearing Panel of the Professional Standards Committee

Filed _____, 20____

Complainant(s)

Respondent(s)

Findings of fact: The hearing panel finds the following facts in support of its conclusion regarding the alleged violations of the Code of Ethics:

Conclusions of the hearing panel: We, the members of the Hearing Panel in the above-stated case, find the Respondent(s) (in violation) (not in violation) of Article(s) _____ of the Code of Ethics.

Prior violations, if any:

Recommendation for disciplinary action, if any, if violation found, including time frame in which discipline must be complied with: We recommend to the Board of Directors the following action:

Rationale for discipline, if any, if violation found: (e.g., previous violations):

Consequences for noncompliance with discipline:

The decision, findings of fact, and recommendation(s) preceding were rendered by an ethics Hearing Panel comprising the following members whose signatures are affixed below. The hearing took place on _____, 20_____.

_____, Chairperson
Type/Print Name

Signature

_____, Member
Type/Print Name

Signature

_____, Member
Type/Print Name

Signature

_____, Member
Type/Print Name

Signature

_____, Member
Type/Print Name

Signature

Notice: This decision is not final and is subject to certain rights of both the complainant and the respondent.

Complainant's rights: Within twenty (20) days of transmittal of this notification, the complainant may file an appeal with the President for a hearing before the Directors based only upon an allegation of procedural deficiencies or other lack of procedural due process that may have deprived the complainant of a fair hearing. A transcript or summary of the hearing shall be presented to the Directors by the Chairperson of the Hearing Panel, and the parties and their counsel may be heard to correct the summary or the transcript. No new evidence will be received (except such new evidence as may bear upon a claim of deprivation of due process), and the appeal will be decided on the transcript or summary. Any appeal must be accompanied with a deposit of \$_____.*

Respondent's rights: Within twenty (20) days of transmittal of this notification the respondent may file an appeal with the President for a hearing before the Directors challenging the decision and/or recommendation for discipline. The respondent's bases for appeal are limited to (1) a misapplication or misinterpretation of an Article(s) of the Code of Ethics, (2) procedural deficiency or any lack of procedural due process, and (3) the discipline recommended by the Hearing Panel. A transcript or summary of the hearing shall be presented to the Directors by the Chairperson of the Hearing Panel, and the parties and their counsel may be heard to correct the summary or transcript. No new evidence will be received (except such new evidence as may bear upon a claim of deprivation of due process), and the appeal will be decided on the transcript or summary. Any appeal must be accompanied with a deposit of \$_____.*

Final action by directors: Both the complainant and respondent will be notified upon final action of the Directors.

NOTE TO HEARING PANEL: Respondents may only be found in violation of Articles they have been formally charged with having violated. If the respondent is found in violation, the Hearing Panel will consider all records of previous violations and sanctions imposed, whether by the current or by any other Association, when determining discipline and the rationale for the current action can be provided to the parties and the Directors as part of the decision. The Hearing Panel's consideration will include whether prior disciplinary matters involve discipline that was held in abeyance and that will be triggered by a subsequent violation (including the matter currently under consideration by the Hearing Panel).

Hearing Panels that find a matter not timely filed should transmit their decision via correspondence (not Form #E-11, Decision of Ethics Hearing Panel of the Professional Standards Committee). Appellants appealing a Hearing Panel's dismissal should use Form #E-22, Appeal of Grievance Committee (or Hearing Panel) Dismissal of Ethics Complaint.

*Fee not to exceed \$500.