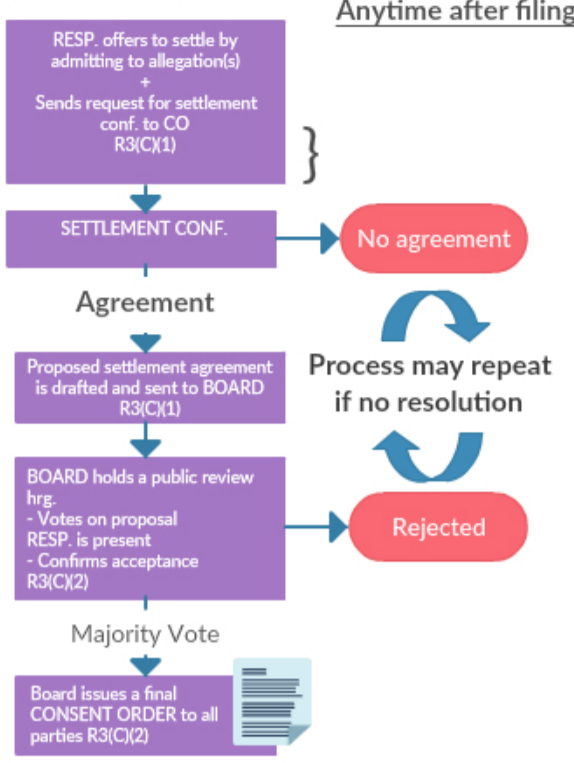


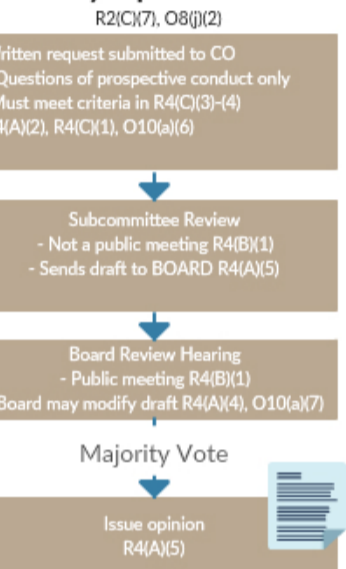


ETHICS BOARD PROCEDURE CHART

Settlement Process



Advisory Opinion Process



90 DAY clock to resolve complaint begins O8(h)(2)

COMPLAINT filed with CO O7(a)(1), O10(a)(1)

Complaint Requirements
 R3(A)(1)/O7(a)(1), R3(A)(3)/O8(h)
 Complaint must:
 - Be signed and sworn
 - Have Complainant's name and contact information
 - Include documentation of time, place, facts, and names of any witnesses re: alleged violations
 - Specify the ord. provision(s) alleged violated
 - Have a clear and concise statement of the events
 Violation(s) must not be older than **one (1) year**

Are the filing requirements met?
 - R3(A)(1)/O7(a)(1)
 - R3(A)(3)/O8(h)

YES

NO

REJECT complaint R3(A)(2), O8(h)(1)

Was it filed 60 days or less before an election (primary or general) against an ELECTED OFFICIAL running for office?
 O8(h)(3)

YES

NO

Log complaint and track status O10(a)(1)

Is potential CRIMINAL CONDUCT part of the complaint?
 - "If necessary," refer to Dist. Atty, A.G., or appropriate law enforcement agency
 O7(a)(4), O10(a)(3)

Is the complaint about a CLASSIFIED COUNTY EMPLOYEE?
 - Refer to Cty Manager or Cty Atty "immediately upon receipt"
 O7(a)(3)

If NOT an alleged ETHICS VIOLATION, CO may resolve.
 - Provide copy of resolution to:
 --Ethics Board
 --Cty Manager
 --Cty Atty
 O10(a)(3)

Is it an alleged ETHICS VIOLATION?
 - Refer to ETHICS BOARD
 - Set PRELIM. HRG date
 O7(a)(3), O10(a)(4)

- Inform COMPLAINANT where complaint was referred
 - Keep COMP. updated on the "outcome"
 O10(a)(2)

CO sends COPY of complaint to:
 - RESP.
 - Members of the Board
 R3(A)(4), O7(c), O10(a)(2)

WITHIN 3 BIZ DAYS

RESP. files reply STATEMENT with CO R3(A)(5)

5 CAL DAYS before prelim. hrg.

CO sends COPY of statement to:
 - Complainant(s)
 - Board
 R3(A)(5)

WITHIN 3 BIZ DAYS

Criteria for Summary Judgment
 R3(B)(1)(a)-(e)
 (a) matter involves a *de minimis* violation
 (b) matter previously decided by board
 (c) issue(s) answered by ord. or rules
 (d) issue(s) manifestly without merit
 (e) matter was cured or resolved post-filing

No merit if:
 a. No material facts in dispute AND
 b. One of the criteria is met
 R3(B)(1)(a)-(e)

ORDER of JUDGMENT
 Board may DISPOSE of complaint in SUMMARY fashion BEFORE prelim. hrg.
 R3(B)(1), O7(a)(3)

10 CAL DAYS NOTICE to all parties before R3(A)(5)

PRELIMINARY HEARING
 R3(B)(3)

Parties MAY be requested to attend, but may not testify R3(B)(4)

Board sets hearing dates and deadlines R3(B)(6)

Board grants MOTION for REHEARING R3(B)(2), R3(B)(8)

Within 10 BIZ DAYS after rcv. disposition

BOARD issues PRELIMINARY ORDER R3(B)(1)

INDEPENDENT INVESTIGATION
 - CO handles ind. invest. and assigns to investigator
 O7(a)(5)(d)

HOLD to review for crim. conduct O7(a)(5)(b)

Do any dismissal criteria in R3(B)(5) (a)-(f) apply?

Reasons for Dismissal
 R3(B)(5)(a)-(f)
 (a) Board has no jx over subject matter
 (b) Filing time has run
 (c) If true, alleged conduct not a violation
 (d) Frivolous, groundless, or apparent harassment
 (e) Subject is moot
 (f) Respondent has a valid advisory opinion defense, R4(D)(1)-(3)

NO MERIT → DISMISS O7(a)(5)(a)

APPEAL to DIST. CT. R3(B)(8), O9

ACCEPT O7(a)(5)(c)

BOARD:
 - Sets calendar "promptly" R3(B)(6)
 - Sends hrg. NOTICE with deadlines R3(E)(2)(a)
 - Serves subpoenas R2(C)(3), O(8)(e)

10 DAYS notice before hrg.

Board may make changes to hrg. procedures R3(E)(5)(j)

3 DAYS notice bf hrg.

Board may request CLARIFICATION of complaint ANYTIME BEFORE evid. hearing R3(E)(5)(g)

ALL PARTIES:
 - Timely requests for subpoenas from Cty Atty Office R3(B)(6)

RESP.:
 - Files ANSWER with CO by date set in prelim. order and must serve on opp. party before/on that date R3(D)

CONTINUANCES
 Must send copy to:
 - Board
 - CO
 - Opp. party
 R3(E)(3)

5 BIZ DAYS before evid. hearing

EVIDENTIARY HEARING
 R3(E)(1)-(5)

IF:
 - Violation due to an oversight or
 - Resp. came into compliance voluntarily
 - AND no sanction is required
 OR
 - Complainant not at evid. hrg
 R3(E)(5)(i)

DISMISS → Complainant may APPEAL to DIST. CT. if "aggrieved" by rejection R3(E)(6), O9

UNCLASSIFIED employee or VOLUNTEER
 - Forward to Cty Manager
 R2(C)(4), O8(f)

CTY MANAGER or ATTY
 - Forward to Board of County Comm's
 O8(f)

DECISION
 - Copy sent to each party
 R3(E)(6)

FINDINGS

ELECTED or APPOINTED OFFICIAL
 - Board imposes PENALTIES
 R2(C)(5)(1)-(4), O8(g)(1)-(4)

If 90 DAYS run out, DISMISSED, unless delayed by order of Board O8(h)(2)