

## **EVIDENTIARY HEARING PROCEDURE – OVERVIEW**

A member of the ethics panel may swear witnesses.

### **Opening Statements**

- The complaining party will make an opening statement to the ethics panel.
- The responding party will make an opening statement to the ethics panel.

### **Complaining Party Presents**

- The complaining party may call witnesses and/or testify on his or her own behalf.
- The responding party may cross-examine any witness called by the complaining party (or the complaining party if that party chooses to testify).
- The complaining party may re-examine its witnesses (as needed).
- The complaining party will then conclude his/her presentation.

### **Responding Party Presents**

- The responding party may call witnesses and/or testify on his or her own behalf.
- The complaining party may cross-examine any witness called by the responding party (or the responding party if that party chooses to testify).
- The responding party may re-examine its witnesses (as needed).
- The responding party will then conclude his/her presentation.

### **Complaining Party Rebuttal Presentation (at the discretion of the complaining party)**

- The complaining party may offer evidence (as necessary) to refute the responding party's presentation.

### **Closing Statements**

- The complaining party makes its closing statement first, summarizing the evidence from that party's point of view and why the complaining party believes that the ethics panel should find a violation has occurred.
- The responding party makes its closing statements second, summarizing the evidence from that party's point of view and why the responding party believes that the ethics panel should not find a violation has occurred.
- The complaining party may then (at its discretion) argue why evidence is sufficient to find a violation of the Ethics Ordinance.

### **Ethics Panel Decision**

- The ethics panel will then discuss the case and come to a decision, including any penalties assessed pursuant to the Ethics Ordinance. The ethics panel shall determine if clear and convincing evidence shows any violation the County's Code of Ethics. Any final determination shall include written findings of fact and conclusions of law.