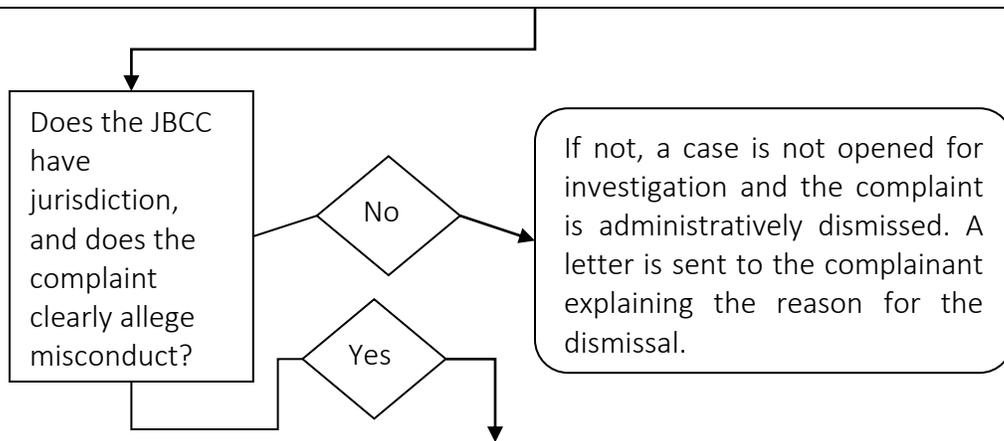


Judicial Branch Certification Commission (JBCC)  
Compliance Section Complaint Process  
Effective September 1, 2017

A complaint is received by the JBCC Compliance Section.

The complaint is reviewed to determine if the JBCC has jurisdiction and, if so, whether it appears a violation has occurred. If there is not enough information to make a determination, the Compliance Section may request more information from the complainant until a determination is made.



If the JBCC does have jurisdiction in the matter, a case is opened, a complaint number is assigned and the case is assigned to an investigator. A letter is sent to the respondent with a copy of the complaint informing him of the complaint filed and the investigation process. A copy of the letter is sent to the complainant.

During the investigation, the investigator will interview the complainant, the respondent, and any witnesses and obtain any documentation needed. A report of the investigation summarizing the findings of the investigation is prepared when the investigation is completed.

The investigator completes the investigation, consults with the compliance attorney and submits the report and supporting documentation to the Advisory Board Complaint Review Committee appointed by the JBCC.

The Advisory Board Complaint Review Committee makes a determination on whether a violation has occurred.



The Complaint Review Committee may recommend dismissal of the complaint. If the Complaint Review Committee determines a violation has occurred, a Notice of Violation (20 Day Letter), including any sanctions or penalties imposed, is sent advising that the respondent may accept the determination or request a hearing before the JBCC.

If the respondent accepts the determination in the proposed agreed order, including any sanctions or penalties imposed, a final agreed order will be issued subject to approval by the JBCC. Conversely, if the JBCC revises or rejects the proposed agreed order, the respondent may accept the JBCC's determination or request a hearing. If there are terms of compliance that must be met, the closed file is transferred to the JBCC Compliance Section for monitoring.

If the respondent does not respond, a default order may be issued by the JBCC approving the determination and imposing a penalty, sanction, or both.

If a written request for a hearing is submitted by the respondent, a hearing is scheduled with the JBCC and a notice of hearing is sent.

Once the case is heard by the JBCC, the Commission will issue a final order signed by the Chair.

The respondent has 30 days following the JBCC order to file an appeal to a three-member Panel of Administrative Regional Presiding Judges. If the respondent does not file an appeal, or if an appeal is filed and the order is upheld, if there are terms of compliance for the respondent to meet, the case is transferred to the JBCC Compliance Section for monitoring.