

**RULES OF PROCEDURE FOR HEARINGS
ON COMPLAINTS PURSUANT TO THE STANDARDS OF CONDUCT
FOR THE ETHICS & OVERSIGHT COMMITTEE**

1. The Ethics & Oversight Committee (“Committee”) shall conduct and preside over all hearings involving complaints of violations of the Lake County Standards of Conduct for Appointed Officials.
2. Appearance by the Complainant(s) or Appointed Official at a hearing may be made in person or by counsel. If counsel is appearing, an appearance form must be completed. That form can be found at _____.
3. On the date set for the hearing, both the Complainant(s) and the Appointed Official will be required to state whether or not they are ready to proceed with the hearing.
4. There will be no continuance or resetting of the hearing except for good cause shown. Any party seeking a continuance of the hearing must file a motion to continue with the Chair of the Ethics Committee at least seven (7) calendar days before the date of the proposed hearing. A copy of the motion to continue shall be provided to all Parties to the Complaint. The motion can be provided to all parties and the Chair via email.
5. All documents, after the filing of a Complaint(s), shall be provided to all Parties involved. These documents may also be provided via email.
6. Preliminary motions, including objections to the Complaint(s), of motions to strike or motions to dismiss will be heard first in order. The Committee may, at its discretion, reserve ruling on any preliminary motions and objections pending further hearing(s) on the Complaint(s).
7. After any preliminary matters have been heard, the Complainant(s) shall have the burden of going forward with the presentation of evidence. The Appointed Official will be allowed reasonable opportunity to cross-examine any witnesses offered by the Complainant(s). Following the presentation of the Complainant’s case, the Appointed Official may then present evidence. The Complainant(s) will be allowed reasonable cross-examination of the Appointed Official’s witnesses. The Committee reserves the right to allow any rebuttal by the Complainant(s) or surrebuttal by the Appointed Official. Rebuttal evidence will be limited to addressing evidence raised by the Appointed Official. Surrebuttal evidence will be allowed only to address evidence raised by the Complainant(s) in rebuttal.
8. The Committee will consider such other evidence as may be submitted, including, but not limited to, other documentary evidence, affidavits, and oral testimony.
9. Unless otherwise provided by law, the Parties shall submit to the Committee ten (10) copies of all documents or other written evidence that they intend to offer at the hearing. Whenever

possible, those copies shall be provided to the Committee prior to the date set for the hearing.

10. While the rules of evidence and privilege as applied in civil cases in the 19th Judicial Circuit Court of this State shall be generally followed, evidence which is relevant to the issues will be admissible and concerns relating to its admissibility, reliability and trustworthiness will go to the weight to be given the evidence during the Committee's deliberations. Evidence not admissible under such rules of evidence may still be admitted (except where precluded by statute) if it is of a type commonly relied upon by reasonably prudent people in the conduct of their affairs. For example, relevant hearsay may be allowed if there is an adequate, reliable foundation. Objections to evidence offered may be made and shall be noted in the record. Irrelevant, immaterial or unduly repetitious evidence may be excluded. Subject to the foregoing requirements, when a hearing will be expedited, and the interests of the Parties will not be prejudiced, any part of the evidence may be received in written form.
11. Complainant(s) will have the opportunity to make a closing argument followed by closing argument from Appointed Official. Complainant(s) will then be allowed the final closing reply.
12. All arguments of counsel and evidence must be confined to the points raised in the Complaint(s). All oral arguments following the presentation of the evidence shall be limited to fifteen minutes for each Party.
13. The standard of proof in this hearing is a preponderance of the evidence. The Committee will not find that the appointed official violated the Standards of Conduct absent a preponderance of the evidence sustaining the allegations in the complaint. A preponderance of the evidence requires a showing that something is more likely to be true than not.
14. If the appointed official declines to respond to the allegations, the Committee shall still proceed to a recommendation.
15. For the matters not covered herein, the Committee may generally follow rules of practice which prevail in the Circuit Court of Lake County, Illinois but because of the nature of these proceedings, the Committee will not be bound by such rules in all particulars.

The above and foregoing Rules of Procedure were adopted by a vote of the Ethics Committee County on the ____ day of _____, 2018.

Linda Pedersen
Chairperson
Ethics & Oversight Committee