

FAIR ELECTION PRACTICES COMMITTEE - HEARING PROCEDURES - 2011

HEARINGS:

1. The FEPC will meet to hear complaints within approximately 1 week of receiving a complaint, during the period preceding an election. **No hearings will be held on or after Election Day.** The Hearing Panel will judge complaints regarding the context of the Fair Campaign Pledge only. No other criteria will be used. Supporting evidence is appreciated.
2. Both the complainant and the candidate complained against will have an opportunity to be heard by the Hearing Panel. Candidates are expected to appear before the Hearing Panel but may ask representatives to speak on their behalf. Presentations by each side will be limited: twenty minutes for presentation of issues and five minutes for clarification and rebuttal. The media will not be invited.
3. All properly filed complaints accepted by the FEPC will be heard notwithstanding the failure of either side to appear. At its discretion, the FEPC may choose to render a decision on a complaint without a hearing if the facts are clear and time is critical. The FEPC will work from August 29, 2011 until the day before Election Day (November 7, 2011) generally during regular business hours. (Any FEPC action will be deferred until the candidate list is officially certified by the Board of Elections.)
4. Two copies of the original complaint package and any additional material must be provided by the complainant to the FEPC chair and the other candidate at the hearing.
5. Only the candidate(s) involved in the complaint and/or their one representative may be present and speak at the hearing.
6. There will be no "appeal" process. All decisions of the FEPC are final.

DECISIONS

1. The voting members of the Hearing Panel (not to exceed a panel of 4) shall be composed of an equal number of registered Democrats and registered Republicans. Alternates and the Chairperson may be used to accomplish this number. In the event of a tie vote, the complaint is deemed denied.
2. Actions of the Hearing Panel will be by majority vote. Decisions will be expressed in written form.
3. All decisions will be released by the FEPC chair to the candidates and the news media as soon as possible after the votes are taken. The FEPC will not delay public release of its decision even if unable to make direct contact with the candidates.

The Fair Election Practices Committee members are in alphabetical order: Jim Morris (chair), Ralph Esposito, Lois Giess, Channing Philbrick and Kay Wallace. Alternates shall be John Curran, Thomas Frey, Tracey Logel, Jim Peters, Sue Roberts and Jim Turner. Alternates will serve in the event one of the primary committee members cannot attend a particular hearing.