

FAIR ELECTION PRACTICES COMMITTEE - HEARING PROCEDURES - 2010

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 Committee 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 Committee. Candidates are expected to appear before the Committee 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 Committee 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 30, 2010 until the day before Election Day (November 1, 2010) 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 their 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. Actions of the Committee will be by majority vote. Decisions will be expressed in written form. The Committee will decide the outcome of any complaint based on a vote of 3 members (i.e., 3 out of 5, 3 out of 4 or 3 out of 3).
2. All decisions will be released by the Committee chair to the candidates and the news media as soon as possible after the votes are taken. The Committee 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: Sarah Liebschutz (chair), Margaret Freeman, Thomas Frey, Channing Philbrick and Kay Wallace. Alternates shall be John Curran, Lois Giess, Jim Peters and Jim Turner. Alternates will serve in the event one of the primary committee members cannot attend a particular hearing.