

Regulation 1015 - Hearing to Determine Violation of the Code of Ethics.

- (a) Adjudicative hearings shall be conducted consistent with these Regulations. The Chair of the Commission, or the Chair's designee, shall act as the presiding officer. All hearings conducted by the Commission subsequent to the issuance of a Finding of Probable Cause shall be open to the public, except for any hearing conducted by the Commission to review an informal disposition prior to its approval and issuance, pursuant to Regulation 1011. Any such hearing shall be treated as a proceeding in Executive Session, pursuant to R.I. Gen. Laws § 42-35-5(a)(4).
- (b) The Executive Director or designee shall present the case against the Respondent.
- (c) The Respondent may either represent himself or herself or appear through counsel.
- (d) Unless waived by the Respondent, the presiding officer shall read aloud the Finding of Probable Cause. The Respondent shall then either admit or deny such Finding of Probable Cause.
- (e) The Executive Director or designee may make an opening statement. The Respondent and/or counsel may next make an opening statement or delay such statement until the presentation of the Respondent's case.
- (f) Oral evidence shall be taken only on oath or affirmation.
- (g) The Executive Director or designee and the Respondent and/or counsel shall have the right to compel attendance of witnesses, to compel the production of documents, to examine witnesses and cross-examine opposing witnesses, to introduce exhibits and otherwise to present matters to the Commission relevant to the Complaint.
- (h) Commission members may ask questions of each witness during the hearing.
- (i) The Respondent and/or counsel may make a closing statement followed by the closing statement of the Executive Director or designee.
- (j) A stenographic record shall be made of all evidentiary hearings conducted pursuant to this Regulation. If the Respondent desires a copy of the stenographic record, he or she must make arrangements with the stenographer and bear all costs. The original stenographic record shall be filed with the Commission.