

Ethics Commission
Procedures to make a complaint
(updated 9/7/10)

1. The complaint will be filed with the Berwyn City Clerks office via certified mail, return receipt requested or hand delivered.

* Complaints will be typed double spaced or printed legibly.

* Signed, notarized, and dated.

2. Within three business days - The Berwyn City Clerks office will inform all commissioners of the complaint by sending via certified mail or hand delivered copied of the complaint to each of the commissioners of the filed complaint to the city clerks office.

3. A. Within 3 business days after the receipt of the complaint to the commissioners, the commission shall send via certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him / her with a copy of the complaint.

B. Within 3 business days the commission shall send via certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant.

* The notices to the respondent and the complainant shall advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. Note: Commissioners have to determine the date, time, and place of the meeting prior to the notice going out.

4. Within 3 business days the commissioners will hold a meeting to determine the sufficiency of the complaint and to determine the complaint is deemed sufficient to allege a violation. This meeting may be closed to the public.

* Complaint could stop - notice sent to all parties indicating not sufficient evidence or probable cause.

* Upon not less than 48 hours public notice.

5. Within 4 weeks of the complaint receipt : Commissioners will schedule a hearing to meet with and hear the complaint. The complainant and the respondent or the designated prosecutor(s) will present their case.

* Complaint can be deemed sufficient of a violation.

* complaint can be deemed not sufficient of a violation.

* Upon not less than 48 hours public notice.

6. Within 30 days of the hearing Commissioners shall either:

- * Excuse the complaint due to not sufficient evidence or probable cause.
- * Request more evidence and documentation.
- * Issue a recommendation for discipline to the alleged violator.