

## Discipline Policy - Character and Fitness, Judicial Qualifications, and Ethics

July 25, 2008

The Character and Fitness policy adopted July 19, 2007 is rescinded.

The membership status of a member of a Character and Fitness standing or district committee, the Judicial Qualifications or Professional Ethics committee shall be automatically suspended and the member precluded from participation as a committee member at the point at which the member is subject to a formal complaint of the Michigan Grievance Administrator, or the equivalent formal disciplinary action in any other jurisdiction, pending the final resolution of the matter. At the first opportunity, and optimally within thirty days following final disposition of a pending matter, the president shall make a determination of reinstatement or removal. During a period of suspension, a suspended member's name shall be removed from the committee or appointment public roster, and the suspended member is not eligible to sit on the committee or panel, cast votes, act as a committee member, or represent himself or herself to be a committee member.

In considering the appointment of an applicant who has a discipline record to any committee, the president-elect shall consider the age of the discipline, nature of the offense, applicant activities since the offense, nature of the committee's work, and other relevant factors, in deciding the appointment. A pending formal complaint is not an automatic bar to a committee appointment.

In considering whether a committee member of any committee other than Judicial Qualifications, Character and Fitness, or Professional Ethics should be removed where discipline has been imposed during the member's tenure, or when it becomes known that a formal complaint is pending against the member, the president shall consider the timing and nature of the offense, activities since the offense, nature of the committee's work, and other relevant factors, in deciding whether to suspend or remove the committee member from the committee.

Adopted:

July 25, 2008 (The C & F policy of July 19, 2007 was rescinded because it was incorporated into the present policy, which expands the same procedures to the Judicial Qualifications and Professional Ethics Committees.