

JR6-4-302 Review of ethics complaint by Ethics Committee.

- (1) The scope of the committee's review is limited to the alleged violations found to have been proven by the commission, as pled in the edited complaint and the edited response provided by the commission.
- (2)
 - (a) Before holding the hearing for review of the complaint as scheduled in JR6-4-301, the chair may schedule a separate meeting of the committee to:
 - (i) hear motions or arguments from the parties, including hearing motions or arguments relating to dismissal of a complaint, admission of evidence, or procedures; or
 - (ii) hold a vote of the committee, with or without the attendance of the parties, on procedural or committee business matters relating to a complaint.
 - (b) Notwithstanding JR6-4-301, the committee may, by a majority vote, change the date of the hearing scheduled in JR6-4-301 in order to accommodate:
 - (i) a meeting authorized under Subsection (2)(a); or
 - (ii) necessary scheduling requirements.
- (3)
 - (a) The committee shall comply with the Utah Rules of Evidence, except where the committee determines, by majority vote, that a rule is not compatible with the requirements of this title.
 - (b) The chair shall make rulings on admissibility of evidence consistent with the provisions of JR6-4-202.
- (4)
 - (a) A meeting or hearing held under this Chapter 4, Part 3, Review of Ethics Complaint by Ethics Committee:
 - (i) is subject to the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
 - (ii) may be closed by a majority vote of the committee, held in the public portion of the meeting, for:
 - (A) any purpose permitted under Utah Code Section 52-4-205;
 - (B) the purpose of discussing legal, evidentiary, or procedural matters with the committee or staff; or
 - (C) deliberations, as provided in JR6-4-304.
 - (b) Only committee members, committee staff, and necessary security personnel may attend a closed meeting.
- (5) If a majority of the committee determines that a continuance of a meeting or hearing is necessary to obtain further evidence and testimony, to accommodate administrative needs, or to accommodate the attendance of committee members, witnesses, or a party, the chair or committee shall:
 - (a) adjourn and continue the hearing or meeting to a future date and time; and
 - (b) establish that future date and time by majority vote.