

ETHICS ADVISORY COMMISSION

COMPLAINT FORM INSTRUCTIONS

1. Any resident of the city or any person doing business or attempting to do business with the city (other than a member of the Ethics Advisory Commission) or any city official or employee who believes there has been a violation of the Ethics Code may file a sworn complaint using the attached complaint form. The attached complaint form must be completed, signed and sworn to under penalty of perjury before a Notary Public.
2. The sworn complaint must be filed with the Office of the City Secretary, Room 5DS, City Hall, 1500 Marilla Street, Dallas, Texas, 75201.
3. **FILING A COMPLAINT THAT FALSELY ACCUSES SOMEONE OF A VIOLATION OF THE ETHICS CODE MAY RESULT IN SANCTIONS ISSUED BY THE ETHICS ADVISORY COMMISSION, IN CRIMINAL PROSECUTION OF ANYONE WHO KNOWINGLY MAKES A FALSE ACCUSATION, OR BOTH.**
4. Promptly after receipt of the sworn complaint, the city secretary will acknowledge, in writing, receipt of the complaint to the complainant and will review the complaint for completeness. Upon acceptance of a complete complaint, the city secretary will forward a copy of the complaint to the chair of the Ethics Advisory Commission and to the person charged in the complaint. The person charged in the complaint shall have the opportunity to submit a sworn statement, together with such other information as he or she feels is relevant. If the complaint is not complete, the city secretary will notify the complainant in writing that the complaint is incomplete. The complainant shall have 20 days after the date of the notice to provide the required information, or the complaint will not be processed.
5. Within 45 days after receipt of the complaint by the chair, a preliminary panel of the Ethics Advisory Commission shall make a preliminary finding as to whether or not the complaint states a claim under the Ethics Code and is supported by just cause. ("Just cause" means such cause as is found to exist upon a reasonable inquiry that would induce a reasonably intelligent and prudent person to believe that an act or acts constituting an ethical violation has been committed).
6. If the preliminary finding is that the complaint **DOES NOT** state a claim under the Ethics Code or does not have just cause, based upon the statements and evidence submitted, the complaint will be dismissed by the preliminary panel of the Ethics Advisory Commission.
7. If a complaint is summarily dismissed pursuant to a preliminary finding, written notice identifying the reason(s) for the dismissal will be sent to the complainant and the individual about whom the complaint was made.

COMPLAINT FORM INSTRUCTIONS, continued

8. If the complaint is not summarily dismissed by a preliminary panel of the Ethics Advisory Commission, the Ethics Advisory Commission will notify the complainant and the individual about whom the complaint was made of the date of an evidentiary hearing regarding the complaint. Written notice by certified mail or personal service (or by first class mail, facsimile, or email if such consent is given in writing) will be sent to the complainant and the individual about whom the complaint was made not less than **10 days before** the date of the hearing. The notice must state the specific provision(s) of the Ethics Code alleged in the complaint to have been violated. The person charged in the complaint must have notice of the provision of the Ethics Code at issue and be given an opportunity to respond.
9. A complaint alleging violation of Chapter 12A, Dallas City Code, must be filed with the city secretary within **one year** after the date of the alleged violation. Complaints alleging activity more than one year before the date of the alleged violation will not be accepted by the city secretary.
10. If the complaint is dismissed because the evidence failed to establish a violation of the Ethics Code, the Ethics Advisory Commission shall not entertain any other similar complaint based on substantially the same evidence.
11. All papers and communications relating to a complaint must be treated as confidential unless required to be made public by the Public Information Act or other applicable law.