

Legislator's Check List to Responding to an Ethics Complaint

- 1. Within five days of receiving a complaint, the Independent Legislative Ethics Commission will determine if the complaint complies with the requirements of the rule and accept the complaint. (JR6-4-101(3)(a))**

- 2. After acceptance of a complaint, the Independent Legislative Ethics Commission will promptly forward the complaint to the legislator named in the complaint for response. (JR6-4-101(3)(d))**

- 3. The legislator has 30 days from receipt of the complaint to file a written response. This response must contain the following information: (JR6-4-103(2))**
 - a. Name, address and telephone number of the respondent
 - b. An affirmative defense to each allegation including supporting facts provided by affidavit.
 - c. Copies of official records or documentary evidence
 - d. A list of witnesses that the respondent wishes to have called
 - e. A brief summary of the testimony to be provided by each witness
 - f. A specific description of any document or evidence to be produced
 - g. A statement that the respondent has reviewed the response and believes the contents to be true and accurate

- 4. The affidavits accompanying the response must contain the following information: (JR6-4-103(2)(i))**
 - a. The name, address and telephone number of the signer
 - b. A statement that the signer has actual knowledge of the facts in the affidavit
 - c. The facts testified to by the signer
 - d. A statement that the affidavit is true and correct and that false statements are subject to perjury

e. The signature of the signer

- 5. Should the respondent want the Independent Ethics Commission to subpoena a witness for testimony, a list of those witnesses, their addresses and telephone numbers should be provided to the Commission no later than 15 days after the respondent receives the complaint.**

This guide is for reference only. For actual language and requirements of the rules themselves, see Legislative Joint Rule Title 6, Legislative Ethics and Adjudication of Ethics Complaints at www.ethics.utah.gov.