

(A) ANY PERSON MAY FILE, UNDER OATH, A WRITTEN, SIGNED COMPLAINT WITH THE COMMISSION ALLEGING A VIOLATION OF ANY OF THE PROVISIONS OF THIS ARTICLE, AND THE COMMISSION ON ITS OWN MOTION MAY ISSUE A COMPLAINT ALLEGING A VIOLATION OF THIS ARTICLE. THE COMMISSION PROMPTLY SHALL PROVIDE THE RESPONDENT WITH A COPY OF THE COMPLAINT.

(B) IF THE COMPLAINT CONCERNS A STATE OFFICIAL OF THE JUDICIAL BRANCH AND A VIOLATION OF TITLE 3 OR TITLE 4 OF THIS ARTICLE WHO IS A JUDGE OF A COURT ESTABLISHED UNDER ARTICLE IV, SECTION 1 OF THE CONSTITUTION, THE COMMISSION PROMPTLY SHALL REFER THE COMPLAINT TO THE COMMISSION ON JUDICIAL DISABILITIES FOR FURTHER ACTION.

(C) IF THE COMPLAINT CONCERNS A STATE OFFICIAL OF THE LEGISLATIVE BRANCH AND A VIOLATION OF TITLE 3 OF THIS ARTICLE, THE COMMISSION PROMPTLY SHALL REFER THE COMPLAINT TO THE JOINT COMMITTEE ON LEGISLATIVE ETHICS FOR FURTHER ACTION.

(D) IF THE COMPLAINT CONCERNS ANY OTHER OFFICIAL OR ANY EMPLOYEE, THE COMMISSION PROMPTLY SHALL REFER THE COMPLAINT TO ITS STAFF COUNSEL FOR FURTHER ACTION. WITH RESPECT TO SUCH COMPLAINTS:

(1) THE STAFF COUNSEL SHALL COLLECT EVIDENCE RELATING TO THE ALLEGATIONS OF THE COMPLAINT AND REFER THAT EVIDENCE TO THE COMMISSION FOR DISPOSITION.

(2) IF THE COMMISSION DETERMINES THAT THE EVIDENCE DOES NOT MERIT FURTHER PROCEEDINGS THE COMPLAINT SHALL BE DISMISSED BY THE COMMISSION IN A SIGNED ORDER. AN ORDER OF DISMISSAL SHALL BE SENT TO THE COMPLAINANT AND TO THE RESPONDENT FORTHWITH.

(3) PRIOR TO REFERRING EVIDENCE TO THE COMMISSION, THE STAFF COUNSEL SHALL NOTIFY THE COMPLAINANT AND RESPONDENT. IF, WITHIN 15 DAYS OF THE NOTICE, THE RESPONDENT TAKES ANY ACTION WHICH MAY BE AVAILABLE TO CURE ALL ALLEGED VIOLATIONS, THE COMPLAINT SHALL BE DISMISSED BY A SIGNED ORDER IF THE COMMISSION FINDS SUCH ACTION IS NOT CONTRARY TO THE PURPOSES OF THIS ARTICLE.

(4) IF THE COMPLAINT IS NOT DISMISSED PURSUANT TO SUBSECTION (2) OR (3), IT SHALL HOLD A HEARING ON THE COMPLAINT. IN PREPARATION FOR THE HEARING, THE RESPONDENT MAY USE THE SUBPOENA POWER OF THE COMMISSION.

(5) AT THE HEARING, THE STAFF COUNSEL SHALL PRESENT TO THE COMMISSION ALL EVIDENCE AVAILABLE TO HIM RELATING TO THE COMPLAINT. THE STAFF COUNSEL MAY RECOMMEND TO THE COMMISSION SUCH DISPOSITION OF THE COMPLAINT AS APPEARS APPROPRIATE TO HIM. THE RESPONDENT MAY BE REPRESENTED BY COUNSEL, AND THE PROCEEDING SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT TO THE EXTENT THAT ACT IS CONSISTENT WITH THIS ARTICLE.