

Potential Nature of Discipline
Against an Association Member

(a) Types of Disciplinary Action.

Disciplinary action may consist of one or more of the following:

- (1) Placement of a Letter of Warning as defined in Section 1(w) in the member's file for a specified period of time lasting at least three (3) years;
- (2) Placement of a Letter of Reprimand as defined in Section 1(p) in the member's file for a specified period of time lasting at least three (3) years;
- (3) Imposition of a requirement for training as defined in Section 1(q);
- (4) Designation of an appropriate and reasonable fine as defined in Section 1(i) commensurate with the gravity of the determined violation not to exceed \$15,000 per party, per hearing;
- (5) Require Members to cease or refrain from continued conduct deemed to be in violation of the Code, or to take affirmative steps to ensure compliance with the Code, within a time period to be

determined by the hearing panel. Where discipline is imposed pursuant to this subsection, the decision should also include additional discipline (e.g., suspension or termination of membership) that will be imposed for failure to comply by the date specified, and to continue to comply for a specified period not to exceed three (3) years from the date of required compliance.

(6) Suspension of membership as defined in Section 1(u) for a stated period of time not less than thirty (30) days and not more than one (1) year, unless the suspension is for a remediable violation, as defined in Section 1(o), in which case the suspension shall be for the period that the violation remains uncorrected; or (7) Expulsion from membership as defined

in Section 1(g) for a stated period of one (1) to three (3) years, with reinstatement to membership only by application for membership as a new member after the specified period of expulsion, with the application considered on its merits;

(b) Arbitration Requirement. If the

conduct for which suspension or expulsion is ordered consists of failure to submit a dispute to arbitration, the Directors may not permit the disciplined member to avoid suspension or expulsion without submitting to the arbitration unless in the meanwhile the controversy has been submitted to a court of law without any objection by any party that it should be arbitrated.

(c) More than One Type of Discipline Permitted. None of the foregoing shall preclude the hearing Panel from recommending and the Directors from imposing on any respondent one or more of the possible disciplinary actions, as determined by the gravity of the offense.

(d) Alternative Discipline. If the discipline imposed for violation of the Code of Ethics is payment of a fine or attendance and completion of education, the respondent's failure to complete the discipline in the time ordered shall automatically result in the respondent's suspension of membership until the discipline is fulfilled. Resignation by the

respondent prior to fulfilling the discipline shall also result in the respondent's immediate suspension of membership.

(e) Photo Requirement. In the case of any discipline which is publishable under Section 39, the failure of a member to timely submit a photo and give authorization to publish the photo by signing and submitting a completed Form D-24 will result in suspension, and the discipline summary will still be published. If the member resigns prior to submitting the photo and Form D-24, the discipline summary will still be published, and the member will be immediately suspended.

(f) Administrative Processing Fee.

The Association may adopt a policy to assess members an administrative processing fee not to exceed five hundred (\$500) dollars if they are found in violation of the Code of Ethics or other membership duties. Any processing fee policy adopted by the Association and any subsequent processing fee assessed will be in addition to any discipline, including fines, and shall not be

considered part of any disciplinary sanction imposed.