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CONSIDERATION OF AN EXCELLENCE COMPLAINT BY THE GRIEVANCE REVIEW PANEL

In reviewing a Code of Excellence complaint, the Grievance Review Panel (GRP) shall consider the following:

1. Is the Code of Excellence complaint acceptable in form as received by the GRP? If not in proper form, the Chairperson may request that the Elected Secretary or the Executive Director contact the complainant to advise that the complaint must be submitted in proper form.

NOTE: If deemed appropriate by the Chairperson, a member of the GRP may be assigned to contact the complainant and to provide procedural assistance to amend the complaint or resubmit a new complaint in proper form and with proper content. The GRP member providing such assistance shall ensure that only procedural assistance is provided to the complainant, and that the complainant understands that the member is not representing the complainant.

2. Are all necessary parties named in the complaint?
3. Was the complaint filed within one hundred eighty (180) days of the time that the alleged offense and facts relating to it could have been known by the complainant in the exercise of reasonable diligence or within one hundred eighty (180) days after the conclusion of the transaction or event, whichever is later?
4. Is the respondent named in the complaint a member of the PSAI Board, and was the respondent a member of the Board at the time of the alleged offense?
5. Is litigation or any government agency investigation or other action pending related to the same transaction?
 - (a) If criminal litigation is pending related to the same transaction or event, the GRP shall cease its considerations and instruct the Board Secretary to hold the file in "pending" status until such time as the criminal litigation is concluded. A report shall be made to the Board President.
 - (b) If civil litigation is pending related to the same transaction or event, the GRP shall instruct the Board Secretary to have the PSAI's legal counsel review the complaint filed and advise if any hearing should proceed (presuming the matter would otherwise warrant a hearing), with counsel considering the following:
 - (1) the similarity of factors giving rise to pending litigation or regulatory or administrative proceeding and the Code of Excellence complaint

- (2) the degree to which resolution of the pending civil litigation or regulatory or administrative proceeding could make consideration of the Code of Excellence complaint unnecessary
 - (3) the degree to which pending litigation or regulatory or administrative proceeding would delay prompt disposition of the Code of Excellence complaint
 - (4) the nature of the alleged violation and the extent to which it could impact on cooperation with other PSAI Members
 - (5) whether counsel can provide assurance that consideration of an Code of Excellence complaint would not deprive the respondent of due process
6. Is there any reason to conclude that the Board would be unable to provide an impartial Hearing Panel?
 7. Are the specific Code of Excellence parts (or bylaws articles) cited in the complaint appropriate in light of the facts provided? Should additional parts/articles be cited? Are any inappropriate parts/articles cited?
 8. If the facts alleged in the complaint were taken as true on their face, is it possible that a violation of the Code of Code of Excellence occurred?

If all relevant questions have been answered to the satisfaction of the GRP, and the facts given appear to indicate a possible violation of the Code of Code of Excellence, the GRP shall refer the complaint to the Board of Directors for a hearing by an Excellence Hearing Panel.