

FLORIDA ASSOCIATION OF LICENSED INVESTIGATORS

CODE OF ETHICS

This code of ethics was adopted by the Florida Association of Licensed Investigators (FALI) Board of Directors on this 12th day of May, 2016.

Preamble

FALI is a not-for-profit, tax-exempt trade association formed to promote, develop, train, educate, and otherwise further the professional private investigation industry. FALI's principal membership class consists of corporations, individuals, and other entities engaged in licensed private investigation. The business of the association is managed under the direction of the FALI board of directors. The board's code of ethics serves as a code of conduct for association volunteers and staff in their capacity as board members. Code violations may result in sanctions imposed under the Procedures for Review of Board Member Conduct. The principles and requirements that comprise the code and procedures are based on and are designed to ensure full compliance by FALI and its officers, directors, and employees with the fiduciary duties imposed on such individuals by state corporate law, the federal tax code's prohibition on private inurement and private benefit, and other requirements of federal tax exemption, common law due process requirements, federal and state antitrust and unfair competition law, state tort law, and other legal precepts and prohibitions. At the same time, the code and procedures are not designed to supplant courts of law in the resolution of disputes within the private investigation industry. Moreover, the checks and balances built into the code and procedures are designed to strike the proper balance between ensuring full compliance with the legal obligations described herein and ensuring the integrity and efficacy of the code on the one hand and, on the other, the protection of board members, and the general membership through the use of reasonable due process procedures against patently false, malicious, or groundless accusations that could result in significant business or personal harm if not properly handled. Members of the board affirm their endorsement of the code and acknowledge their commitment to uphold its principles and obligations by accepting and retaining membership on the board.

I. FALI BOARD OF DIRECTORS CODE OF ETHICS

Members of the board (including ex officio members of the board) shall at all times abide by and conform to the following minimum code of conduct in their capacity as board members:

1. Each member of the board of directors will abide in all respects by the *FALI Board of Director's Code of Ethics* and all other rules and regulations of the association (including but not limited to the association's articles of incorporation and bylaws) and will ensure that their membership (or the membership of the entity for which they serve as officer, director, employee, or owner, as the case may be) in the association remains in good standing at all times. Furthermore, each member of the board of directors will at all times obey all applicable federal, state and local laws and regulations and will

provide or cause to provide the full cooperation of the association when requested to do so by those institutions and their persons set in authority as are required to uphold the law.

2. Members of the board of directors will conduct the business affairs of the association in good faith and with honesty, integrity, due diligence, and reasonable competence.
3. Except as the board of directors may otherwise require or as otherwise required by law, no board member shall share, copy, reproduce, transmit, divulge or otherwise disclose any confidential information related to the affairs of the association and each member of the board will uphold the strict confidentiality of all meetings and other deliberations and communications of the board of directors.
4. Members of the board of directors will exercise proper authority and good judgment in their dealings with association staff, suppliers, and the general public and will respond to the needs of the association's members in a responsible, respectful, and professional manner.
5. No member of the board of directors will use any information provided by the association or acquired as a consequence of the board member's service to the association in any manner other than in furtherance of his or her board duties. Further, no member of the board of directors will misuse association property or resources and will at all times keep the association's property secure and not allow any person not authorized by the board of directors to have or use such property.
6. Each member of the board of directors will use his or her best efforts to perform his or her assigned duties in a professional and timely manner pursuant to the board's direction and oversight.
7. Each member of the board of directors shall make all reasonable and professional efforts to assist FALI members improve as professional investigators through education and mentorship.
8. Each member of the board of directors shall endeavor use the monthly meetings and other activities to promote the benefits of FALI and actively seek to increase membership in FALI.
9. Upon termination or retirement of service, a board member will promptly return to the association all documents, electronic and hard files, reference materials, and other property entrusted to the board member for the purpose of fulfilling his or her job responsibilities. Such return will not abrogate the board member from his or her continuing obligations of confidentiality with respect to information acquired as a consequence of his or her tenure on the board of directors.

10. The board of directors dedicates itself to leading by example in serving the needs of the association and its members and also in representing the interests and ideals of the private investigation industry in general.
11. No member of the board of directors shall persuade or attempt to persuade any member, exhibitor, advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship to or with the association to terminate, curtail, or not enter into its relationship to or with the association, or to in any way reduce the monetary or other benefits to the association of such relationship.
12. The board of directors must act at all times in the best interests of the association and not for personal or third-party gain or financial enrichment. When encountering potential conflicts of interest, board members will identify the conflict and, as required, remove themselves from all discussion and voting on the matter. Specifically, board members shall follow these guidelines:
 - Avoid placing (and avoid the appearance of placing) one's own self-interest or any third-party interest above that of the association; while the receipt of incidental personal or third-party benefit may necessarily flow from certain association activities, such benefit must be merely incidental to the primary benefit to the association and its purposes;
 - Do not abuse board membership by improperly using board membership or the association's staff, services, equipment, resources, or property for personal or third-party gain or pleasure; board members shall not represent to third parties that their authority as a board member extends any further than that which it actually extends;
 - Do not engage in any outside business, professional or other activities that could directly or indirectly have a materially negative effect on the association;
 - Do not engage in or facilitate any discriminatory or harassing behavior directed toward association staff, members, officers, directors, meeting attendees, exhibitors, advertisers, sponsors, suppliers, contractors, or others in the context of activities relating to the association;
 - Do not solicit or accept gifts, gratuities, free trips, honoraria, personal property, or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment to such donor with respect to matters pertaining to the association without fully disclosing such items to the board of directors; and
 - Provide goods or services to the association as a paid vendor to the association only after full disclosure to, and advance approval by, the board, and pursuant to any related procedures adopted by the board.

II. FALI MEMBERS CODE OF ETHICS

Members of the Florida Association of Licensed Investigators (FALI) shall at all times abide by and conform to the following code of conduct in their capacity as FALI members:

13. Each member of FALI will abide in all respects by the *FALI Members Code of Ethics* and all other rules and regulations of the association (including but not limited to the association's articles of incorporation and bylaws) and will ensure that their membership (or the membership of the entity for which they serve as officer, director, employee, or owner, as the case may be) in the association remains in good standing at all times. Furthermore, each member will at all times obey all applicable federal, state and local laws and regulations and will provide or cause to provide the full cooperation when requested to do so by those institutions and their persons set in authority as are required to uphold the law.
14. Members of FALI will conduct their business affairs in good faith and with honesty, integrity, due diligence, and reasonable competence in compliance with Florida law and accepted and established professional standards in the private investigation industry.
15. Members of FALI will exercise good judgment in their dealings with other association members, association directors, and the general public and will respond to the needs of the association's members in a responsible, respectful, and professional manner.
16. FALI is dedicated to leading by example in serving the needs of its members, the general public and the interests and ideals of the private investigation industry in general.
17. No FALI member shall persuade or attempt to persuade any member, exhibitor, advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship to or with FALI to terminate, curtail, or not enter into its relationship to or with the association, or to in any way reduce the monetary or other benefits to the association of such relationship.

FALI ETHICS COMMITTEE **DISCIPLINARY RULES AND PROCEDURES**

FALI has developed its Disciplinary Rules and Procedures to ensure that the enforcement process remains expedient, consistent and fair for all members, directors, complainants and the general public. The process may include some or all of the following steps:

1. **COMPLAINT REVIEW**: A complaint must be delivered via Certified Mail or hand delivery by the complainant directly to the President. Upon receipt of a written complaint, the FALI Ethics Committee will review the allegation(s) contained in the complaint to determine if further investigation is warranted. Client billing disputes, anonymous complaints and complaints not properly submitted as required under this section are not subject to review by the Ethics Committee.

2. **INVESTIGATION**: If the Ethics Committee determines to proceed with an investigation of a member's activities, the member shall be given written notice of the investigation ("NOI") containing the general nature of the investigation, and a copy of the formal complaint. The member shall have thirty (30) days to file a written response to the NOI with the Ethics Committee. If no response is received within twenty (20) days, the Ethics Committee shall send a second NOI to the member allowing an additional ten (10) days to file a response to the allegation(s) in the complaint. Upon receipt of the member's response to the complaint, the Ethics Committee shall conduct an investigation into the allegation(s) which shall be completed within thirty (30) days. At the conclusion of the investigation, within thirty (30) days, the Ethics Committee shall conduct a probable cause hearing to rule on the findings of the investigation. If the member fails to respond to the NOI, the Ethics Committee shall conduct a probable cause hearing without input from the member to determine the efficacy of the complaint and issue a ruling.

3. **PROBABLE CAUSE HEARING**: Upon conclusion of the investigation, if the Ethics Committee finds there is probable cause to believe grounds for discipline exist, a formal notice shall be issued to the member. The notice shall contain the specific allegations of ethical misconduct and violations of the FALI Constitution or By-Laws against the member. The member must provide a written response to the formal notice of probable cause within twenty (20) days of receipt of the formal notice, or, request a formal hearing before the Ethics Committee. If the member fails to respond within the required twenty (20) days, all of the allegations contained in the complaint are deemed admitted and an appropriate form of discipline shall be entered against the member.

4. APPEAL OF DISCIPLINE: A member may file an appeal of the discipline ordered by the Ethics Committee within ten (10) days of receipt of the notice of formal discipline. If the member fails to respond to the formal notice of discipline within the mandatory ten (10) day period, the member permanently waives their right to any appeal.

5. POSSIBLE GROUNDS FOR DISCIPLINE:

- a. Any act or omission that violates the FALI Constitution and/or By-Laws.
- b. Any act or omission that violates any criminal law of any state or of the United States.
- c. Any act or omission that is a violation of Chapter 493 Florida Statutes.
- d. Any act or omission that is a proper basis for suspension of a professional license.
- e. Any act or omission deemed unethical or unprofessional by the Ethics Committee.
- f. Any act or omission that damages, may damage or disparage the reputation or standing of FALI or any individual member of FALI.
- g. Any unwarranted act or omission deemed to create a negative impact on the reputation or business of any individual FALI member.
- h. Failure to timely respond to a request from the Ethics Committee.
- i. Any obstruction of the Ethics Committee's performance of its duties.
- j. Any false or misleading statement made to the Ethics Committee.
- k. Any failure to substantially comply with the assigned duties of a director.

The above list is not exhaustive and there may be other acts or omissions amounting to professional misconduct which may also present grounds for discipline.

6. FORMS OF DISCIPLINE: If grounds for discipline have been established, the Ethics Committee may impose any of the below forms of discipline against the member. All forms of discipline with the exception of private written censure may be subject to public dissemination. Forms of discipline that may be implemented by the committee include but are not limited to:

- a. Private written letter of censure to member.
- b. Public letter of admonition to the FALI membership.
- c. Temporary suspension of FALI membership not to exceed 6 months.
- d. Temporary suspension of FALI membership pending resolution of any formal lawsuit or criminal charges.
- e. Permanent revocation of FALI membership.
- f. Removal as a member of the Board of Directors.