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Oklahoma City

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COUNCIL ON JUDICIAL COMPLAINTS

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July 28, 2020

PERSONAL & CONFIDENTIAL

Via email to: Jessica.Cleveland@gov.ok.gov
Jeffrey.Cartmell@gov.ok.gov

The Honorable J. Kevin Stitt
Office of the Governor
2300 North Lincoln Boulevard, Room 212
Oklahoma City, Oklahoma 73105

Re: **Executive Order 2020-03**

Dear Governor Stitt:

Per the above referenced Executive Order, enclosed please find the Council on Judicial Complaints' report regarding all unnecessary regulatory restrictions and all other costly, ineffective, unnecessary and outdated regulations.

Should you have any questions regarding the enclosed, please feel free to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads "Taylor Henderson".

TAYLOR HENDERSON
Administrative Director

TH/adl
Enclosure

Comprehensive Review of Administrative Rules as of July 2020

Report Submitted by: Taylor Henderson

Title: Director

Email: taylor.henderson@cojc.ok.gov

Phone: 405-522-4800

Method Used to Conduct Review: The Administrative Director compiled and reviewed each of the Council’s thirty (30) administrative rules. A cursory review of the rules did not reveal any which met the qualifications set forth in EO 2020-03; rather, each administrative rule was determined to be necessary. To that end, an explanation setting forth the necessary purpose for each rule is set forth in the report below. The Director then circulated this report and the administrative rules to the three-member Council which discussed this report at its regularly scheduled monthly meeting on July 23, 2020, along with its General Counsel. In its review, the Council did not identify any rules which met the qualifications set forth in EO 2020-03, and approved the report submitted herein.

TOTAL NUMBER OF UNNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATED REGULATIONS: 0

Title 376 Council on Judicial Complaints

Chapter 1 – Administration

| Section | Title | Date Created | Text | Status / Determination | Explanation of Determined Category |
|----------------|--------------|---------------------|---|-------------------------------|--|
| 1-1-1 | Purpose | 6/25/1999 | (a) The Council on Judicial Complaints is established by the Legislature at 20 O. S. §§ 1651, et seq. The purpose of the Council on Judicial Complaints is to provide a method for accepting and investigating complaints made against judges for violations of Oklahoma law and the Code of Judicial Conduct. (b) Rules have been adopted by the Council to implement the requirements of the statutes and to provide efficient and impartial administration of the judicial complaint process. [Source: Added at 16 Ok Reg 75, eff 7-29-98 (emergency); Added at 16 Ok Reg 2531, eff 6-25-99] | necessary | Establishes the standard purpose for this chapter. |

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| 1-1-2 | Definitions | 6/25/1999 | <p>The following words and terms, when used in these rules, shall have the following meaning, unless the context clearly indicates otherwise:</p> <p>"Administrative Secretary" means the person employed by the Council to serve as the Director of the administrative support staff of the Council on Judicial Complaints.</p> <p>"Complaint" means an alleged violation of the Code of Judicial Conduct or of state law brought against a judge.</p> <p>"Court Reporter" means the person employed by the Council to transcribe hearings or other proceedings.</p> <p>"Counsel to the Council" means an attorney employed by or assigned to the Council to serve as its legal advisor.</p> <p>"Principal Assistant" means the support employee employed by the Council.</p> <p>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</p> <p><i>EDITOR'S NOTE: ¹On 7-29-98, an emergency rule called "Meetings" was added at this number (376:1-1-2). The emergency rule later expired on 7-15-99. See 376:1-1-2, post</i></p> | necessary | Defines certain terms set forth in statute and administrative rule. |
| 1-1-3.1 | Meetings | 9/13/2000 | <p>(a) The Council shall conduct its regular meetings on the fourth Thursday of each month.</p> <p>(b) Special meetings may be called by the Chairman or any two members of the Council.</p> <p>(c) Meetings of the Council on Judicial Complaints shall comply with the Oklahoma Open (a)(d)(d)Meetings Act, except as provided by law.</p> <p>(e) Meetings held for the purpose of conducting, discussing, or deliberating any matter relating to a complaint received or filed with the Council, or any portion thereof, may not be broadcast, televised, recorded or photographed without prior written permission of the Council.</p> <p>[Source: Added as 376:1-1-3 at 16 Ok Reg 3593, eff 8-3-99 through 7-14-00 (emergency); Added at 17 Ok Reg 3336, eff 9-13-00]</p> | necessary | Provides detail and structure for monthly Council Meetings which is not otherwise available or clarified in statute. |
| 1-1-4 | Quorum | 6/25/1999 | <p>Any two (2) Council members shall constitute a quorum.</p> <p>[Source: Added as 376:1-1-3 at 16 Ok Reg 75, eff 7-29-98 (emergency); Added at 16 Ok Reg 2531, eff 6-25-99]</p> <p><i>EDITOR'S NOTE: ¹On 7-29-98, an emergency rule called "Financial reports" was added at this number (376:1-1-4). The emergency rule was later superseded by a permanent rule numbered as 376:1-1-10, effective 6-25-99.</i></p> | necessary | Dictates the standard for a quorum vote. |
| 1-1-5 | Election of Council Officers | 6/25/1999 | <p>The Council shall organize annually at the last meeting of the Council during the fiscal year by electing from among its members a Chair and Vice-Chair.</p> <p>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</p> | necessary | Establishes the timing for which the Council's Chairperson and Vice-Chairperson are to be determined. |

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| | | | <i>EDITOR'S NOTE: ¹On 7-29-98, an emergency rule called "Amendment" was added at this number (376:1-1-5). The emergency rule was later superseded by a permanent rule numbered as 376:1-1-15, effective 6-25-99.</i> | | |
| 1-1-6 | Council member Vacancies | 6/25/1999 | (a) If a vacancy shall occur in the Council, the Chair shall prepare a notice to that members' appointing entity asking that a new member be appointed to fill the unexpired term. (b) Not less than thirty (30) days prior to the completion of two (2) terms of office by a member, the Chair shall prepare a notice to the member's appointing entity advising that the second term will be completed on a date certain. (c) If the vacancy shall occur in the office of Chair, the Vice-Chair shall prepare the notice. [Source: Added at 16 Ok Reg 2531, eff 6-25-99] <i>EDITOR'S NOTE: ¹On 7-29-98, an emergency rule called "Council office" was added at this number (376:1-1-6). The emergency rule was later superseded by a permanent rule numbered as 376:1-1-7, effective 6-25-99</i> | necessary | Establishes procedures relative to the expiration of Council Members' terms. |
| 1-1-7 | Council office | 6/25/1999 | (a) The Council maintains an office in Oklahoma City, Oklahoma. (b) The Council office is open five (5) days a week, Monday through Friday, from 8:30 A.M. until 4:30 P.M. The Council office is closed on Saturday and Sunday and state legal holidays as prescribed by Section 82.1 of Title 25 of the Oklahoma Statutes. [Source: Added as 376:1-1-6 at 16 Ok Reg 75, eff 7-29-98 (emergency); Added at 16 Ok Reg 2531, eff 6-25-99] <i>EDITOR'S NOTE: ¹On 7-29-98, an emergency rule called "Request for promulgation, amendment or repeal of a rule" was added at this number (376:1-1-7). The emergency rule was later superseded by a permanent rule numbered as 376:1-1-13, effective 6-25-99.</i> | necessary | Provides the public with notice of the Council's operating times and location. |
| 1-1-8 | Forms and instructions | 6/25/1999 | Forms and instructions of the Council shall be maintained at the Council offices and shall be available to any person upon request. [Source: Added at 16 Ok Reg 2531, eff 6-25-99] | necessary | Provides the public with information about how to obtain a complaint form. |
| 1-1-9 | Duties of the Administrative Secretary | 6/25/1999 | The duties of the Administrative Secretary include, but are not limited to, the following: (1) Coordinate the administrative functions of the Council as directed by the Council. (2) Perform all duties and obligations specified in the Oklahoma statutes and in these rules. (3) Provide forms to any person desiring to file a judicial complaint. (4) Process and file all complaints received. (5) Keep a record of all meetings and maintain a proper account of all business of the Council. (6) Prepare the budget and process all financial matters on behalf of the Council. | necessary | Delegates duties to the Administrative Director. |

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| | | | <p>(7) Purchase supplies and equipment, as directed by the Council.</p> <p>(8) Employ and supervise employees, as directed by the Council.</p> <p>(9) Keep the records of the Council.</p> <p>(10) Ensure compliance with all statutory requirements.</p> <p>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</p> | | |
| 1-1-10 | Financial reports | 6/25/1999 | At each regular meeting, the Administrative Secretary shall prepare and provide the Council with a current financial report in a format approved by the Council. | necessary | Further clarifies the Council's purchasing policies and agency director's duties. |
| 1-1-11 | Seal | 6/25/1999 | <p>The seal of the Council shall be a circular seal, 1-½ inches in diameter. It shall bear the name of the Council on Judicial Complaints. The seal shall be used for attestation on subpoenas and other documents, as directed by the Council. The seal shall not be used for correspondence or other similar written documents.</p> <p>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</p> | necessary | Identifies the agency's raised seal which is affixed to subpoenas and other formal documents to ensure authenticity |
| 1-1-12 | Administrative Records | 6/25/1999 | <p>(a) The Administrative Secretary shall maintain the following public records relating to the administrative functions of the Council:</p> <p>(1) A record of minutes, in proper order, containing an accurate summary of the public actions of the Council and attendance of the Council members.</p> <p>(2) Financial records indicating the receipt and expenditure of all funds.</p> <p>(b) Records shall be maintained as required by the Auditor and Inspector and other state law.</p> <p>(c) Public records may be inspected at the Council offices during regular office hours.</p> <p>(d) Copies of administrative records that are public documents may be obtained from the Council office during regular business hours upon payment of a fee, as provided in the Open Records Act, to cover the cost of providing the copies of the records.</p> <p>(e) Confidential records relating to complaints and the investigation and disposition thereof, shall not be available for public inspection or copying. Council action related to complaints and the investigation and disposition thereof shall not be included in the minutes or other public records of the Council.</p> <p>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</p> | necessary | Details the records to be maintained by the Council and further clarifies the confidential nature of certain records which may not be obtained by the public. |
| 1-1-13 | Request for promulgation, amendment or repeal of a rule | 6/25/1999 | <p>(a) Any person may request the Council adopt, amend or repeal a rule in this chapter. The request shall be typewritten, signed by the person requesting the rule, amendment to a rule, or repeal of a rule, and submitted to the Council office. It shall include an explanation to support the request. A request shall also include:</p> <p>(1) the name, address and telephone number of the person making the request;</p> | necessary | Establishes procedure for requests to amend Council rules. |

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| | | | <p>(2) the name, address and telephone number of the agency or organization the person represents, if any;</p> <p>(3) the number used to identify the rule if the request is to amend or repeal an existing rule; and,</p> <p>(4) the proposed language if the request is to amend an existing rule or adopt a new rule.</p> <p>(b) The Administrative Secretary shall maintain a permanent record of the requests for rules.</p> <p>(c) The Council may consider the request at its next regularly scheduled meeting. If the Council determines that the proposed rule, amendment or repeal is not necessary, the request will be denied. Action on the request may be deferred pending the acquisition of additional information, investigation or public hearing.</p> <p>(d) The Council may require the petitioner to provide additional information. Failure to provide the requested additional information shall constitute grounds for the Council to take no action on the request.</p> <p>(e) At a public hearing on the rules, proponents and opponents of the proposed rules, amendment or repeal of a rule may be heard in the manner and order set by the Council at the public hearing.</p> <p>(f) The Council shall advise the person making the request of any meeting at which the request is to be considered and the final action taken by the Council</p> | | |
| 1-1-14 | Declaratory Rulings | 6/25/1999 | <p>(a) An individual may file a request for interpretation or applicability of a specific rule adopted by the Council on Judicial Complaints.</p> <p>(b) A request for a declaratory ruling shall be typewritten and shall be mailed or delivered to the Administrative Secretary. The request shall include:</p> <p>(1) the name, address and telephone number of the person making the request;</p> <p>(2) the name, address and telephone number of the agency or organization the person represents, if any;</p> <p>(3) a concise description of the problem or issue that is the basis for the request;</p> <p>(4) a statement of the facts;</p> <p>(5) identification of the specific rule on which the declaratory ruling is sought;</p> <p>(6) the specific questions to be answered by the Council; and,</p> <p>(7) allegations that the application of the rule interferes with or impairs the legal rights of the person requesting the ruling.</p> <p>(c) A request for declaratory ruling shall not automatically stay enforcement of complaint investigation or process.</p> <p>(d) The Council may consider the request at the next meeting or defer action pending an investigation or hearing. The Council may direct that the person requesting the ruling present evidence or testimony in support of the request.</p> | necessary | Establishes the procedure for requesting the Council's interpretation of a rule. |

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| | | | <p>(e) The Council shall provide a written explanation of its ruling on the request within ninety (90) days of receipt of the request. Failure to answer the request within ninety (90) days shall be considered denial of the request.</p> <p>(f) The person making the request shall be notified of the Council's action in writing by certified mail.</p> <p>(g) The declaratory ruling shall apply only to the person requesting the ruling, unless otherwise stated by the Council.</p> <p>(h) Copies of declaratory rulings shall be numbered, indexed and maintained by the Administrative Secretary at the offices of the Council on Judicial Complaints. They shall be available for public inspection or copying during regular office hours. Confidential information contained within a declaratory ruling shall be edited to protect the confidential nature of the complaint process.</p> <p><small>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</small></p> | | |
| 1-1-15 | Amendment | 6/25/1999 | <p>(a) Rules may be amended by majority vote of the Council members to initiate the rulemaking or rule amendment process at any regularly scheduled Council meeting.</p> <p>(b) Rules shall be effective when approved pursuant to the Oklahoma Administrative Procedures Act.</p> <p><small>[Source: Added as 376:1-1-5 at 16 Ok Reg 75, eff 7-29-98 (emergency); Added at 16 Ok Reg 2531, eff 6-25-99]</small></p> | necessary | Establishes the requirements for a decision to amend a rule or engage in the rulemaking process. |
| 1-1-16 | Effective date | 6/25/1999 | <p>The effective date of all rules adopted by the Council shall be governed by Article I of the Administrative Procedures Act.</p> <p><small>[Source: Added at 16 Ok Reg 2531, eff 6-25-99]</small></p> | necessary | |

Chapter 10 – Complaint Procedure

| Section | Title | Date Created | Text | Status / Determination | Explanation of determined category |
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| 10-1-1 | Purpose | 6/25/1999 | <p>The purpose of this Chapter is to provide a procedure for the efficient and orderly processing of complaints made against judges.</p> <p><small>[Source: Added at 16 Ok Reg 76, eff 7-29-98 (emergency); Added at 16 Ok Reg 2533, eff 6-25-99]</small></p> | necessary | Establishes the standard purpose for this chapter |
| 10-1-2 | Administrative Procedures Act | 6/25/1999 | <p>Hearings on complaints before the Council on Judicial Complaints shall not be conducted pursuant to the Administrative Procedures Act, Article II.</p> <p><small>[Source: Added at 16 Ok Reg 2533, eff 6-25-99] EDITOR'S NOTE: 'On 7-29-98, an emergency rule called "Complaints" was added at this number (376:10-1-2). The emergency rule was later superseded by a permanent rule numbered as 376:10-1-3, effective 6-25-99.</small></p> | necessary | Clarifies applicability of the APA to Council proceedings. |

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| 10-1-3 | Complaints | 6/25/1999 | <p>(a) All communications, including complaints, shall be addressed to: Administrative Secretary, Council on Judicial Complaints, 1901 North Lincoln Boulevard, Oklahoma City, OK 73105.</p> <p>(b) If a member of the Council receives a complaint or an inquiry, the member shall have no communication with the party other than referring the party to the Administrative Secretary. Only the Administrative Secretary shall be authorized to supply a prospective complainant with the approved complaint form. Neither the Administrative Secretary nor any individual Council member shall discuss with a complainant the merits of his complaint.</p> <p>(c) The Administrative Secretary shall maintain for transmittal to interested parties a supply of complaint forms and of letters containing general instructions to guide interested parties in filing a complaint. The Administrative Secretary may render general assistance to complainants desiring to fill out needed forms or to enclose supporting documents. The Administrative Secretary shall not offer any comment on the content or the merits of the complaint to be filed or on file.</p> <p>(d) A suggested form of the complaint is illustrated in Appendix A of this chapter. The Council may accept complaints that are unverified or in a different format.</p> <p><small>[Source: Added as 376:10-1-2 at 16 Ok Reg 76, eff 7-29-98 (emergency); Added at 16 Ok Reg 2533, eff 6-25-99] EDITOR'S NOTE: 'On 7-29-98, an emergency rule called "Procedure" was added at this number (376:10-1-3). The emergency rule later expired on 7-15-99. See 376:10-1-3, post.</small></p> | necessary | Provides public with guidance on filing complaints and defines and prohibits ex parte communications with Council Members. |
| 10-1-4.1 | Procedure | 9/13/2000 | <p>(a) Each complaint received by the Administrative Secretary will be assigned a number and will be logged with that date of receipt shown. The complaint will be scheduled for consideration by the Council when the initial investigation is complete. Provided, however, the published agenda shall not identify each complaint, but shall simply list as an agenda item "Consideration of Pending Complaints."</p> <p>(b) Documents and enclosures shall be dated, described on a sheet of paper, and placed in the complaint file. The Administrative Secretary shall bring to each meeting the complete file of the complaints on the agenda. In its discretion, the Council may notify a judge of a pending complaint.</p> <p>(c) Unless the Council summarily dismisses a complaint on its own motion, a copy of the complaint shall be forwarded to the Judge with written notice requiring the Judge to respond to the complaint in writing within twenty (20) days. The response excluding exhibits shall not exceed twenty (20) double-spaced, typewritten 8½" x 11" pages.</p> <p>(d) At any time, the complainant and the responding judge may include with the complaint or the response a list of proposed evidentiary sources relevant and material to the investigation of the complaint. The list shall include a brief synopsis of the evidence.</p> <p><small>[Source: Added as 376:10-1-4 at 16 Ok Reg 3593, eff 8-3-99 through 7-14-00 (emergency); Added at 17 Ok Reg 3336, eff 9-13-00]</small></p> | necessary | Details the internal procedures relative to the complaint docketing, review and investigation, dismissal, and referral processes. |

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| 10-1-5 | Action on the Council's own motion | 6/25/1999 | Nothing herein contained shall be construed to prevent the Council from investigating any judicial misconduct on its own initiative. [Source: Added as 376:10-1-4 at 16 Ok Reg 76, eff 7-29-98 (emergency); Added at 16 Ok Reg 2533, eff 6-25-99] <i>EDITOR'S NOTE: 'On 7-29-98, an emergency rule called "Investigation" was added at this number (376:10-1-5). The emergency rule was later superseded by a permanent rule numbered as 376:10-1-6, effective 6-25-99.</i> | necessary | Establishes the Council's authority to initiate a complaint. |
| 10-1-6 | Investigation | 6/25/1999 | (a) When directed by the Council, the initial investigation of a complaint will be performed by the Counsel to the Council who shall report monthly progress to the Council. (b) An investigation may be done at any stage of the proceeding. (c) When so directed by the Chair or the Council, an authorized agency may be requested to investigate some or all aspects of the complaint. [Source: Added as 376:10-1-5 at 16 Ok Reg 76, eff 7-29-98 (emergency); Added at 16 Ok Reg 2533, eff 6-25-99] <i>EDITOR'S NOTE: 'On 7-29-98, an emergency rule called "Hearing" was added at this number (376:10-1-6). The emergency rule was later superseded by a permanent rule numbered as 376:10-1-8, effective 6-25-99.</i> | necessary | Authorizes the Council General Counsel to investigate docketed complaints and further authorizes the Council to enter agreements with other agencies to aid in investigations. |
| 10-1-7 | Extension of time | 6/25/1999 | The time for responding to a complaint, or for performing any act as directed by the Council, may be extended by the Chair upon request of the applicant prior to the expiration of the applicable period of time. [Source: Added at 16 Ok Reg 2533, eff 6-25-99] <i>EDITOR'S NOTE: 'On 7-29-98, an emergency rule called "Disposition" was added at this number (376:10-1-7). The emergency rule later expired on 7-15-99. See 376:10-1-7, post.</i> | necessary | Authorizes the extension of time in which a party is ordered to perform some act such a appearances and responses. |
| 10-1-8 | Hearing | 6/25/1999 | (a) The Council may conduct a hearing on any portion of the complaint. (b) The Chair shall set the time for appearance of the parties or witnesses, and the Administrative Secretary shall issue subpoenas. (c) At the hearing each Council member shall have the opportunity to question the witnesses and to examine the evidence. (d) The Council may direct its Counsel to question witnesses. (e) Every witness shall be placed under oath and shall be required not to disclose the pendency of the proceeding or the identity of the judge being investigated. [Source: Added as 376:10-1-6 at 16 Ok Reg 76, eff 7-29-98 (emergency); Added at 16 Ok Reg 2533, eff 6-25-99] | necessary | Authorizes the Council to place witnesses under oath, provides internal procedures for issuing subpoenas and conducting hearings. |
| 10-1-9 | Objections and rulings upon evidence | 9/13/2000 | (a) In investigating a complaint, the Council shall permit the introduction of evidence that is competent, relevant and material. (b) Because of the investigatory nature of the Council on Judicial Complaints, strict adherence to the rules of evidence shall not be required. The Council shall follow the Oklahoma rules of evidence to the extent possible while preserving the investigatory nature of the complaint process. Under no circumstances shall a witness to an investigation be required to provide evidence that is constitutionally protected. | necessary | Defines the standard by which the Council shall admit and review evidence. |

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| | | | (c) The Chair shall rule upon all objections and upon the admissibility of evidence arising in the course of a hearing. [Source: Added at 16 Ok Reg 3593, eff 8-3-99 through 7-14-00 (emergency); Added at 17 Ok Reg 3336, eff 9-13-00] | | |
| 10-1-10 | Subpoenas | 6/25/1999 | (a) Subpoenas to compel the attendance of witnesses, or to compel the production of documents or other evidence, shall be issued by the Administrative Secretary at the direction of, and upon the signature of the Chair. (b) The Administrative Secretary shall attest the subpoena. (c) Subpoenas shall be served, and return made, in the manner prescribed by Oklahoma civil law. [Source: Added at 16 Ok Reg 2533, eff 6-25-99] | necessary | Establishes the procedure and standard for issuing subpoenas |
| 10-1-11 | Service | 6/25/1999 | Service of documents, other than subpoenas, related to the investigatory process shall be by regular, prepaid mail. [Source: Added at 16 Ok Reg 2533, eff 6-25-99] | necessary | Establishes the standard for issuing certain documents |
| 10-1-12 | Disposition | 9/13/2000 | (a) After the complaint has been investigated to the extent desired by the majority of the Council, disposition as to the merits of the complaint shall be made by a majority vote. (b) The complainant and the judge will be advised by mail of the Council's disposition of the complaint. (c) Notification shall be made within (20) days of disposition. (d) If the complaint has not been disposed within one hundred and twenty (120) days of the filing of the complaint, the complainant and the judge shall be provided with a status report reflecting that the investigation is continuing or has been completed. (e) Neither a Council member nor the Administrative Secretary shall have any further communication with any party involved in the complaint regarding the merits of or action taken on the complaint. [Source: Added at 16 Ok Reg 3593, eff 8-3-99 through 7-14-00 (emergency); Added at 17 Ok Reg 3336, eff 9-13-00] | necessary | Establishes the procedures relative to notice after a disposition of a complaint. |
| 10-1-13 | Communications | 6/25/1999 | Council members, and employees of the Council, shall not, unless required for the proper disposition of matters authorized by law, communicate directly or indirectly with any person or party, or in connection with any issue of law with any person, party or representative of a party except upon notice and opportunity for all parties to participate. [Source: Added at 16 Ok Reg 2533, eff 6-25-99] | necessary | Defines notice and opportunity procedures |
| 10-1-14 | Confidential records | 6/25/1999 | (a) All records relating to complaints, and the investigation and disposition thereof shall be kept confidential. The records shall not be open to public inspection. | necessary | Establishes the procedural posture at which point otherwise confidential |

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| | | <p>(b) Files of investigations shall not be subject to disclosure to the extent such files would not be discoverable under state law, are protected by evidentiary privilege, contain the record of a lawfully constituted executive session, or contain the notes or personally created materials otherwise exempt from disclosure or discovery under applicable laws.</p> <p>(c) Transcripts of Council proceedings, relating to a complaint, and the investigation and disposition thereof, shall not be available to any person or entity, unless filed with a petition for discipline before the Court on the Judiciary.</p> <p>(d) A docket listing of all complaints filed and action taken thereon shall be maintained by the Administrative Secretary. The docket shall be a confidential record.</p> <p>(e) Confidential records may be disposed after five (5) years, unless otherwise directed by the Council. Disposal shall be made using a method that protects the confidentiality of the records. The docket shall be a permanent record.</p> <p><small>[Source: Added at 16 Ok Reg 2533, eff 6-25-99]</small></p> | | <p>documents become public. Also mandates that a permanent docket be maintained by the Administrative Director.</p> |
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END OF REPORT