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**Little Traverse Bay Bands of Odawa Indians  
Tribal Council and its Committees Ethics Hearing Policy  
for General Rules of Conduct**

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**A. Statement of purpose**

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The purpose of this policy is to provide guidance to the Respondent, Tribal Council and the Ethics Committee in holding Ethics Hearings that are held to gather testimony to make a determination as to whether or not a violation has occurred.

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**B. Notice of Hearing**

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Ethics hearings shall be held during a regularly scheduled Tribal Council meeting or held in a Special Meeting that will be posted at least five (5) days in advance of the hearing.

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**C. Hearing Requirements**

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1. A quorum of Tribal Council shall be required.
  2. All hearings shall be open to all Tribal Citizens, spouse of a Citizen, or parent of a minor Citizen and invited guests.
  3. All Ethics hearings shall be recorded.
  3. The Legislative Leader or Committee Chair or their designee shall preside over the meeting as the Presiding Councilor.
  4. The hearing shall be called to order by the Presiding Councilor.

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**D. Violations**

1. Copies of the complaint, the referral to Tribal Council and other supported documents shall be forwarded to the Respondent prior to the hearing.
2. The Ethics Committee Chair or other Committee member shall present the complaint, the referral to Tribal Council along with the Committee recommendation and other supported documents to Tribal Council at the hearing.

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**E. Testimony**

- 1. The Respondent may testify or have witnesses. Tribal Council and the Ethics Committee may request to have witnesses testify. Attendance of the witnesses shall be the responsibility of the requestor.
- 2. The Tribal Council members, Ethics Committee members or the Respondent may ask and/or seek clarification by directing questions to the person testifying, in an orderly manner.
- 4. Persons testifying may not ask questions of the Tribal Council or the Committee but instead will provide information unless otherwise indicated by Tribal Council.
- 5. The Presiding Councilor may limit testimony if it is irrelevant, incompetent or repetitious.
- 6. Persons under the age of eighteen (18) shall only testify with permission from a parent or legal guardian.
- 7. Written documents or affidavits may be used, but must be shared between Tribal Council and the Respondent.

**F. Hearing Conduct**

- 1. The Presiding Councilor will take reasonable actions to ensure that the hearing is conducted orderly.
- 2. The Presiding Councilor may terminate the testimony of an individual if he or she is considered disorderly, abusive or disruptive.
- 2. If the hearing becomes disruptive, the Presiding Councilor may adjourn the meeting.

**G. Tribal Council Decision**

- 1. At the conclusion of the hearing, Tribal shall vote as to whether a violation has or has not occurred.

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2. If a violation has occurred, Tribal Council shall consider the recommendation of the Ethics Committee or other sanctions which may include but not limited to: censure, payment of restitution, suspension, or a combination of these, but shall not include removal for Constitutionally Mandated Official positions other than Prosecutor or Assistance Prosecutor.

This Policy was approved by Tribal Council on:

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Tribal Council Secretary                      Date

DRAFT