



DRAFT - 5/7/14

AIC Policy for Addressing Allegations of Unethical Conduct

Approved by the AIC Board of Directors, xx/xx/xx

Allegations of unethical conduct made by a client or another conservator typically are first received by an AIC staff member either in writing, often electronically, or by phone. Depending on the nature of the allegations, they are dealt with by different parties, as described below. In all cases, all correspondence regarding alleged unethical conduct will be held in strictest confidence by each individual involved. It should also be noted that while AIC seeks to resolve conflicts through both informal and formal channels, it will defer the process until the end of any legal proceedings that may be underway.

If the complaint relates to misuse of the AIC name in advertising or questionable business practices of an AIC member, the membership director or executive director seeks to resolve the complaint. Often complaints are resolved by sending a letter clarifying the appropriate use of the name of AIC or by opening communication between the two parties in conflict.

If the allegation involves treatment or collection care matters, the AIC board president and executive director discuss the issues, and the AIC president, or the president's board designee, will contact the AIC member who is the subject of the complaint to attempt to open communications between the two parties or to assist in mediation. The president's board designate takes on the president's role if he/she has particular knowledge of the specialty area or the AIC member in question.

If the matter is resolved between the parties at any time while it is being mediated or investigated by the AIC, the matter is closed.

If the conflict cannot be resolved through informal communications, the complainant is provided information in writing about the complaint process and how to address the complaint to the AIC board president and executive director.

To file a formal complaint, the complainant notifies the AIC board president and executive director in writing of the allegation of unethical conduct on the part of an AIC member. Within 30 days of receipt of the complaint, the president notifies the alleged offender in writing of the charges and forwards the complaint to the chair of the Ethics and Standards Committee (E&SC). The notification includes a statement that confidentiality is to be maintained throughout the process by both parties, in addition to AIC board and E&SC members.

If the E&SC determines that the complaint merits investigation, the E&SC chair notifies the president and executive director and gives written notice to both parties, the complainant and the alleged offender, of the Committee's intent to investigate (outlining the complaint and how it relates

to unethical conduct) and requests that written testimony from both parties be submitted to the chair of the committee by an agreed-upon deadline. If, during its consideration of the allegation, the E&SC finds that further information or documentation is required of the complainant and/or the accused in order to review the case, the chair of the Committee sends a written request for the information for the party in question to be sent to the Committee within a specified period of time. The other party, AIC president, and executive director will be informed of this request.

If an investigation is pursued, the E&SC reviews the written testimony and other evidence, such as photographs, and prepares a report evaluating the circumstances with reference to any specific sections in the AIC Code of Ethics that have been breached. This report and the evidence are submitted to the AIC board president and executive director by an agreed-upon deadline. The E&SC chair informs both parties that the case has been forwarded to the AIC Board for consideration and that a decision will be rendered within 60 days.

The AIC board president shares the evidence and the Committee's report with the full board of directors and, within 60 days, renders a written decision containing the board opinion and, if necessary, any sanctions necessary to protect the integrity of AIC. Sanctions may include, but are not limited to, suspension or loss of Professional Associate or Fellow status.

The AIC board president, or the president's board designee, conveys the written board decision to both parties. Both parties are notified that any appeal to the Appeals Committee must be requested in writing within 30 days of receipt of the board decision. Only the member whose conduct is alleged to be unethical may appeal the decision of the AIC board.

The Appeals Committee will base its decision solely upon the evidence produced and presented to the AIC board, which will furnish it to the Appeals Committee within 15 days of receipt of the request for appeal. The Appeals Committee will enter its decision affirming, reversing, or modifying the board's decision and will return its decision within 60 days to the board for appropriate action.