ETHICS ADVOCATE

Any party may be represented by legal counsel or by a REALTOR® (or both) at any ethics hearing, including reviews, even where the hearing will occur in the party’s absence. If the Association has adopted the Ethics Advocate (EA) program, a sub-committee of the Professional Standards Committee, comprised of REALTORS®, will be specially trained to represent parties during the disciplinary process. The role of legal counsel or EA may include preparation for hearing, including the preparation of forms and assembly of evidence; representation at the hearing, including the making of opening and closing statements on behalf of the party represented at the hearing, examining and cross examining witnesses, and introducing affidavits, documents and other relevant evidence, and representation at any rehearings or review hearings, but does not include testifying as a witness. In the event the parties do not give fifteen (15) days notice of their intention to have legal counsel or EA representation to the Association and all other parties, the hearing may be continued, and the party giving late notice may be assessed a continuance fee.

THERE IS NO COST TO A PARTY FOR USE OF AN EA!

The complainant may request the assistance of an EA, by submitting a Request for Ethics Advocate packet (Forms D-23, D-23A & D-23B) to the Association. The EA is authorized to help the complainant draft the Complaint (Form D-1) and other forms required for the disciplinary process. In addition, the EA may represent the complainant at the hearing in a role similar to legal counsel, at the option of the complainant.

If the complainant returns the completed Request for Ethics Advocate (Form D-23), Ethics Advocate Acceptance (Form 23-A) and Ethics Advocate Communication Preference (Form D-23B), an EA is chosen from the those not challenged by the complainant, and the EA contacts the complainant before any further steps are taken. Thereafter, the complaint is processed in the normal manner.

The respondent may also request the assistance of an EA, by submitting the Request for Ethics Advocate packet (Forms D-23, D-23A & D-23B) to the Association. The EA is authorized to help the respondent draft the Response (Form D-3) and other forms required for the disciplinary process. In addition, the EA may represent the respondent at the hearing in a role similar to legal counsel, at the option of the respondent.

If the respondent returns the completed Request for Ethics Advocate (Form D-23), Ethics Advocate Acceptance (Form 23-A) and Ethics Advocate Communication Preference (Form D-23B), an EA is chosen from the those not challenged by the respondent, and the EA contacts the respondent before any further steps are taken. Thereafter, the complaint is processed in the normal manner.

PLEASE NOTE: EVEN THOUGH THE EA PERFORMS A ROLE SIMILAR TO LEGAL COUNSEL, THE EA IS NOT AN ATTORNEY AND IS NOT ALLOWED TO PRACTICE LAW.
REQUEST FOR ETHICS ADVOCATE
SILICON VALLEY ASSOCIATION OF REALTORS®

If you desire assistance with the disciplinary process, the Association can provide you with an Ethics Advocates (“EA”). The EA will help you complete the required forms, if you wish. In addition, at your option, the EA can represent you at any hearings that may be held in connection with your case and assist you through the hearing procedures. If you wish to be assisted by an EA, please complete and submit this form. If you do not wish to be contacted by an EA, there is no need to return this form.

☐ I wish to be represented by an EA and have completed my Form D-23A “Ethics Advocate Acceptance.” I have also completed and enclosed Communication Preference (Form 23B).

Following is my full contact information:

Name
Address
City, State, Zip
Phone (____)

Date: __________________________

______________________________
(Type/Print Your Name)

______________________________
(Signature)

Please return to:

SILICON VALLEY ASSOCIATION OF REALTORS®

Attn: Moana Jackson
Address 19400 Stevens Creek Blvd, #100
City, State, Zip Cupertino, CA 95014
Phone (408.200.0100)

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D-23
Right to Challenge Ethics Advocates

You are requesting the assistance of an Ethics Advocate (“EA”) for the above-referenced matter. You may challenge any potential EA. The EA chosen to assist you will be one of those listed below whom you do not challenge. Challenges must be in writing and submitted prior to the assignment of an EA to assist you. The following persons listed below or on the attached list are eligible to serve as EAs for the hearing and may be selected to serve as your EA. Please check the appropriate box below.

- Alicia Nuzzo
- Suzanne Yost
- Susan Golden
- Susan Sweeley
- James Dill
- Priti Whatley
- Grace Vaccaro
- Dennis Wan

☐ I have no objection to any of the above EAs.

☐ I object to one or more EAs and have included a list setting forth the names of the EA(s) to whom I object.

**Hold Harmless**

I hereby release, discharge and hold harmless (Silicon Valley Association of REALTORS®) and the EA from and against any and all claims, actions, damages, liabilities, losses, costs or expenses that I now have or may hereafter have arising out of the assistance of an EA in connection with the above-referenced Case. I further expressly agree that the foregoing release is intended to be as broad and inclusive as permitted by the laws of the state of California and that if any portion thereof is held invalid, it is agreed that the remainder of the release shall, notwithstanding, continue in full force and effect.

**By signing below you warrant that you understand and agree to the above Hold Harmless.**

Dated: ________________

________________________________________
Party’s Signature

________________________________________
Party’s Name (Type or Print)
ETHICS ADVOCATE
COMMUNICATION PREFERENCE
SILICON VALLEY ASSOCIATION OF REALTORS®
(Please complete a separate form for each party/spouse)

Name: ___________________________________
Address: ___________________________________
___________________________________
Home Phone: _________________________
    Best hours to call: _________________
Work Phone:  _________________________
    Do not contact work _____ Hours to call: ____________
Fax: __________________________
Cell Phone: _________________________
Email: _________________________________________

I request that written notifications be:

_____ Mailed to home address
_____ E-mailed

Signed ___________________________ Dated ___________________________