

**ARTICLE 7. CORRECTIVE ACTIONS**  
**RULE 703. TYPES & EFFECTIVE DATE OF**  
**DISCIPLINE: PRE-DISCIPLINARY**  
**MEETING**

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**EFFECTIVE DATE: 05/04/98**  
**REVISED DATE:**

**A. TYPES OF DISCIPLINARY ACTIONS:**

Disciplinary action may take various forms, ranging from verbal or written reprimands to suspension, demotion and dismissal from employment. Generally, disciplinary measures begin with a less severe action and become increasingly severe if new offenses occur. In some cases, however, even in the absence of prior disciplinary action, a particular offense may be so serious in nature as to warrant immediate reprimand, suspension, demotion or termination. Prior to suspension, demotion or dismissal actions, the involved Division Head shall consult the Court Administrator.

1. **VERBAL COUNSELING (ALSO, VERBAL REPRIMAND):** A verbal reprimand is considered to be the least severe of all disciplinary actions. It is a means by which a supervisor makes an employee aware of deficiencies in work performance and/or a violation of policy, procedure or these Rules. A record of a verbal counseling may be made and included in the employee's personnel file.
2. **WRITTEN REPRIMAND:** A Division Head may issue a written reprimand (which may also be known as a warning) to admonish an employee for serious or repetitive improper performance or conduct. The reprimand shall contain the specifics of the improper performance or conduct, any dates of verbal counseling issued, if known, and the corrective actions the employee is to take. The reprimand shall be identified as a written reprimand. A copy of the written reprimand, with the employee's acknowledgment of receipt, shall be placed in the employee's official personnel file (located in the Court Administrator's Office). If the employee believes the reprimand to be unfair, inaccurate or inappropriate, the employee may place a statement outlining his/her position regarding the incident leading up to the letter of reprimand in his/her official personnel file (located in the Court Administrator's Office). A written reprimand is not grievable or appealable.
3. **SUSPENSION:**
  - a. A suspension is considered to be a significant disciplinary action and may be used by a Division Head for more serious incidents or repetitions of improper performance or conduct.
  - b. A Division Head may, upon written notice, suspend without pay a regular employee for a disciplinary reason for a period not to exceed thirty (30) working days. Such written notice shall contain the factors and/or dates of any oral or written warnings issued, and the effective date and duration (number of days) of the proposed action.
  - c. Prior to being suspended as provided by these Rules, a regular employee

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against whom such action is proposed shall be provided with a pre-disciplinary review as provided for in Rule 703(D).

**4. DEMOTION:**

- a. A demotion for a disciplinary reason is considered to be a significant disciplinary action and may be used for more serious incidents or repetition of improper conduct or performance.
- b. A regular employee may be demoted by a Division Head after having been provided documentation as described in Rule 703(A)(3)(b) above.
- c. Prior to being demoted as provided for by these Rules, a regular employee against whom such action is proposed, shall be provided with a pre-disciplinary meeting as provided for in Rule 703(D).

**5. DISMISSAL:**

- a. A dismissal for a disciplinary reason is the most significant disciplinary action and may be used for the most serious incidents or repetitions of improper performance or conduct. A Division Head may dismiss a regular employee for a disciplinary reason.
- b. Prior to the effective date of the proposed dismissal, the employee against whom such action is proposed shall be provided with written notice of the proposed action. Such notice may be served personally or by certified mailing and shall contain the facts or circumstances giving rise to the proposed action including the dates of any previous formal or informal disciplinary action, and the effective date of the proposed dismissal.
- c. Prior to being dismissed, as provided for by these Rules, a regular employee, against whom such action is proposed, shall be provided with a pre-disciplinary review as provided for in Rule 703(D).

**B. NOTICE OF DISCIPLINARY ACTION:**

The notice served as provided by Rules 703(A)(3)(4) or (5) may be delivered personally or by certified mailing. Notice shall be deemed complete upon receipt by the employee.

**C. EFFECTIVE DATE OF DISCIPLINARY ACTION:**

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The demotion, suspension or dismissal of an employee shall be effective on the date indicated in the notice provided the employee without regard to the employee's right of appeal to the Presiding Judge.

**D. PRE-DISCIPLINARY MEETINGS:**

1. When it is intended that a regular employee be disciplined by a suspension, administrative suspension without pay, involuntary demotion or dismissal, a pre-disciplinary meeting shall be held. The affected employee is entitled to written notice of the charges against him/her. The notice shall specifically state the grounds for which discipline is being considered, including an explanation of the evidence underlying the grounds.
2. The Division Head or a designated division representative shall meet with the employee.
3. At the pre-disciplinary meeting, the Division Head or designee shall review the charges against the employee leading up to the proposed disciplinary action. The employee shall then have an opportunity at the meeting to respond either orally or in writing to the charges and/or to rebut the evidence for proposed discipline. The employee shall also be given the opportunity to have witnesses present to provide statements or to present written statements from any witnesses who have personal knowledge of any facts surrounding the charges made. The employee shall not be represented by legal counsel at the pre-disciplinary hearing.
4. Any relevant information presented by the employee regarding the proposed action shall be considered. The Division Head or designee shall decide following the meeting to continue with, modify or revoke the proposed action. If the recommendation and final action are, adverse to the employee, the employee may appeal the action using the appeals procedure specified in Rule 603.
5. If a Division Head determines that it is in the best interest of the Court, an employee may be placed on administrative leave with pay pursuant to Rule 407 prior to or after the pre-disciplinary meeting.