

POST HEARING APPEAL INSTRUCTIONS

1. The accused has the right to appeal this decision and/or sanction to the next higher judicial authority.
2. The accused should state appeal intentions by checking the appropriate box on the front of this form.
3. If the accused desires to appeal, a statement of reasons for appealing must be forwarded to the judicial officer's office. Reasons for appealing must be stated in writing and based upon alleged irregularities that violate procedural due process or upon introduction of new evidence that might cause the higher board to alter the decision or sanction. The accused may also appeal if it is felt that sanction is unduly harsh. In any case the board will review only that portion of the original hearing that deals with the appeal. This statement must reach that office within three (3) working days following receipt by the accused of the Post-Hearing Summary.
4. The judicial officer will forward the appeal to the appropriate appeal board/officer, who will set a date for reviewing the case.
5. The appeal board or officer, upon reviewing the case, will have several options. The original decision may be affirmed or reversed. In cases where the original action is inappropriate as a result of issues involved in the appeal, the appeal board or officer may revert the case back to the original board or hearing officer, modify the original action, or hold a completely new hearing.