

SOAR ACCESS TO JUSTICE PROGRAM PROFESSIONAL RESPONSIBILITY, DISCIPLINARY ENFORCEMENT, AND ADJUDICATORY PROCEDURES MANUAL

Policy No. SOAR-PRD-001

ARTICLE 1: Authority and Legal Foundations

This Manual is adopted pursuant to the SOAR Constitution, SOAR Bylaws, SOAR Professional Responsibility Code, SOAR Credentialing Standards, SOAR Administrative Procedures Manual, SOAR Disciplinary Procedures Code, and SOAR Appellate Procedures Rules. The SOAR disciplinary system is informed by the Fifth and Fourteenth Amendments to the United States Constitution; the Administrative Procedure Act, 5 U.S.C. §§551–559 and §§701–706; the Equal Access to Justice Act, 5 U.S.C. §504 and 28 U.S.C. §2412; the Legal Services Corporation Act, 42 U.S.C. §§2996–2996i; and principles recognized in *Goldberg v. Kelly*, *Mathews v. Eldridge*, *In re Ruffalo*, *Morrissey v. Brewer*, *Withrow v. Larkin*, and *Cleveland Board of Education v. Loudermill*.

ARTICLE 2: Purpose and Jurisdiction

The purpose of the SOAR disciplinary system is to protect the public, promote professional accountability, ensure ethical conduct, preserve confidence in SOAR credentials, and guarantee procedural fairness. Jurisdiction extends to Qualified Administrative Representatives, Qualified Regulatory Practitioners, licensed agencies, credential holders, committee members, and regulated professionals operating under SOAR authority.

ARTICLE 3: Disciplinary Committee

The SOAR Disciplinary Committee serves as the principal adjudicatory authority. The Committee consists of Chairman Sukhwinder Singh, Vice Chairman Anthony Manley, and Committee Member Derrick Byrd. The Committee conducts investigations, hearings, deliberations, and disciplinary determinations.

ARTICLE 4: Roles and Responsibilities

The Chairman serves as Chief Disciplinary Officer and presides over hearings and investigations. The Vice Chairman assists with investigations, findings, sanctions, and administration. The Committee Member serves as an independent adjudicator. The Disciplinary Enforcement Attorney acts as legal counsel and prosecutorial representative. The Committee Defense Representative and Peer Representative advocate for respondents and protect procedural rights.

ARTICLE 5: Disciplinary Process

The disciplinary process consists of complaint intake, jurisdictional review, investigation, probable cause determination, notice of charges, pre-hearing procedures, hearing, deliberation, written decision, and appellate review. Parties may present evidence, call witnesses, and make legal and factual arguments.

ARTICLE 6: Sanctions and Appeals

Available sanctions include written reprimands, ethics education, corrective action plans, probation, practice restrictions, temporary suspension, credential revocation, and permanent disqualification. Respondents are entitled to due process protections, including notice, representation, evidence review, hearing rights, and appeal. The Appellate Review Authority may affirm, reverse, modify, or remand disciplinary decisions.