

**GRAND RAPIDS ASSOCIATION OF REALTORS®**  
**HEARING PROCEDURES OUTLINE**

**I. PRELIMINARY MATTERS**

A. Chairman shall determine:

1. If a quorum is present (at least five panel members).
2. If the parties and their witnesses are present and ready to proceed.
3. If panel members have reviewed the filed materials.
4. Where a business dispute is being arbitrated, if signed arbitration agreements are in the Association file.

B. Chairman shall next:

1. Invite Claimant(s), Defendant(s), and their counsel or other spokesperson, if any, into hearing room (other witnesses, if any, should be excluded until their testimony is required).
2. Request that all phones/beepers be turned off.
3. Inform the participants that the proceedings are being recorded via video.
4. Ask the participants to introduce themselves.
5. Ask the panel members to introduce themselves.
6. Determine who will act as spokesperson for Claimant(s) and Defendant(s).

**II. ORDER OF BUSINESS FOR HEARING**

A. Procedural matters:

1. Chairman declares hearing in session.
2. Notary administers oath to panel.
3. Chairman administers oath to participants.
4. Chairman asks if all written materials to be used as evidence have been submitted (if not, copies should be made for the opposite party and panel members).
5. Chairman confirms with each spokesperson that the complaint and all other documents submitted by the parties have been reviewed by them.

B. Opening statements. (This is the opportunity to *briefly* state what each party thinks the evidence will show and why they should prevail).

1. Claimant's opening statement.
2. If the Claimant's opening statement takes the form of testimony by a principal, rather than a summary of the case by a spokesperson, the Defendant shall be entitled to cross-examine the person as a witness.
3. Defendant's opening statement (Note: The Defendant may elect to postpone the opening statement until the Defendant's part of the case begins -- see item D, below).
4. If the Defendant's opening statement takes the form of testimony by a principal, rather than a summary of the case by a spokesperson, the Claimant shall be entitled to cross-examine the person as a witness.

C. Claimant's Case:

1. Claimant may call witnesses.
2. Chairman administers oath if not already sworn.
3. Claimant questions the witness, i.e., direct examine.
4. Defendant may question the witness, i.e., cross examine.
5. Claimant may question witness again, i.e., redirect examine (within reason, examination should be limited to matters brought out on cross-examination).
6. Defendant may cross-examine witness again (within reason, examination should be limited to matters brought out on redirect).
7. Panel members are each given an opportunity to question witness.
8. Chairman excuses witness.
9. Return to C, 1 above until all witnesses have been called.

D. Defendant's case:

1. If Defendant has reserved the opening statement from item B, 3 above, then follow items B, 3 and B, 4 above.
2. Follow items C, 1 through C, 8 above for Defendant's witnesses the same as for Claimant's witnesses.

E. Closing Statements. (This is the opportunity to briefly state what each party thinks the evidence has shown and why they should prevail.)

1. Claimant may make a closing statement.
2. Defendant may make a closing statement.
3. Panel may ask questions of Claimant and/or Defendant.

F. Conclusion of Hearing

1. Chairman declares the hearing closed and parties are excused.
2. Chairman announces that a written decision will be rendered within ten days.
3. Panel goes into executive session to decide the case.
  - ❖ Chairman writes decision in accordance w/Section 17.8(f) of the Bylaws.
  - ❖ Panel members sign the decision.