



THINKING ABOUT ETHICS

AMERICAN PLANNING ASSOCIATION, HAWAI'I CHAPTER
AND
THE HAWAI'I CONGRESS OF PLANNING OFFICIALS

Friday September 25, 2009
10:15 AM to 11:45 AM



Schedule for the Session

- ◆ Orientation to the AICP Code of Ethics and Professional Conduct
- ◆ The Case Study
- ◆ Wrap-Up



THE AMERICAN INSTITUTE OF CERTIFIED PLANNERS

CODE OF ETHICS AND PROFESSIONAL CONDUCT

Effective June 1, 2005

- A. Principles to Which We Aspire
- B. Our Rules of Conduct
- C. Our Code Procedures



A. Principles to Which We Aspire

1. Our Overall Responsibility to the Public
2. Our Responsibility to Our Clients and Employers
3. Our Responsibility to Our Profession and Colleagues

C. Our Code Procedures

1. Introduction
2. Informal Advice
3. Formal Advice
4. Published Formal Advisory Rulings
5. Filing a Charge of Misconduct
6. Receipt of Charge by Ethics Officer
7. Right of Counsel



C. Our Code Procedures Continues

8. Preliminary Response to a Charge of Misconduct
9. Conducting an Investigation
10. Dismissal of Charge or Issuance of Complaint
11. Appeal of Dismissal of Charge
12. Answering a Complaint
13. Conducting a Hearing
14. Deciding the Case



C. Our Code Procedures Continues

15. Settlement of Charges

16. Resignation and Lapse of Membership

17. Annual Report of Ethics Officer

Ethics Cases During 2008

Total Cases: 15

**10 Cases Resolved 4 Charges Dismissed and Not
Appealed 2 Anonymous Charges Dismissed 1
Charge Settled 1 Respondent Resigned 1
Respondent's Membership Lapsed 1 Respondent
Died**

Ethics Cases During 2008 cont.

**5 Cases Pending 1 Charge Pending Investigation 1
Complaint Pending Respondent's Cooperation 1
Complaint Pending Review 2 Charges Appealed**

Why Have a Code of Ethics?

- The quality of governance in communities matters to all of us, especially to planners who should seek to elevate it.
- Provides guidance.
- Sets standards.
- Embodies values that define our profession and the behavior of those who embrace it.

Paraphrasing of Remarks of Paul Farmer on *Ethic in Planning*, Las Vegas, 2008



What Do the Rules of Conduct

Say? These short-hand statements are no substitute for reading the full text of the AICP Code of Ethics and Professional Conduct

1. Have to Provide Adequate, Timely, Clear, Accurate Information.
2. Don't Accept an Assignment if It Calls for Conduct that is Illegal or Violates Code.
3. The Three Year Change Your Mind Rule.
4. The Additional Employment Rule
5. The External Compensation Rule

Rules of Conduct Continued

6. The Extra Financial Gain Rule.
7. The Confidentiality Rule
8. The Private Communication Rule
9. No Private Discussion with Decision-Makers if Prohibited
10. Do Not Misrepresent Other Professionals
11. No Soliciting Using False/Misleading Claims
12. No Misstating Professional Qualifications

Rules of Conduct Continued

13. No Influence Peddling
14. No Seeking Special Advantage
15. Do Not Accept Work Beyond Professional Competence.
16. Do Not Accept Work that Know Cannot be Completed Within Client's Timeframe.
17. No Cockroaching Other's Work.
18. No Directing or Coercing Others to Reach Unsupportable Conclusions

Rules of Conduct Continued

- 19. Do Not Conceal Employer's or Client's Interests.
- 20. No Unlawful Discrimination.
- 21. No Withholding Data from AICP Ethics Officer or Committee.
- 22. No Retaliation Against Person Who Has Filed Charges.
- 23. No Using Threat of Filing Charges to Gain Advantage.

Rules of Conduct Continued

24. No Frivolous Charges

25. No Committing Wrongful Acts that Reflect Adversely on Our Professional Fitness

Wrap-UP

- Attendance Sheet/CM Credit
- Evaluation Form
- Contact Information for Facilitators:

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