Seeking Relief From an Interim Suspension

An individual subject to an **Interim Suspension** may seek to **Reinstate** their CFP® certification, **Vacate** the **Interim Suspension Order (ISO)** or both. If no action is taken by the individual within two years of the entry of the **ISO**, then **Enforcement Counsel** may seek an **Administrative Order of Revocation**.

REINSTATE

The individual seeking

Reinstatement asks Enforcement

Counsel for a certification that the
Investigation is complete.

Is the Investigation complete?



YES:

The individual may file a Petition for Reinstatement after an ISO with the Disciplinary and Ethics Commission and deliver a copy to Enforcement Counsel, who has 30 days to respond.

NO: Enforcement Counsel continues the Investigation

Investigation
but must
extend the
time by which
Reinstatement
may be sought.

A **Hearing Panel** considers the submissions and evidence presented at a **Hearing**, then recommends a resolution to the **Disciplinary and Ethics Commission**, which reviews the evidence and makes a decision issued as a **Final Order**.

Did the Disciplinary and Ethics
Commission decide to grant the Petition
for Reinstatement after an ISO
or the Petition to Vacate the ISO?



VACATE

Under circumstances specified in the *Procedural Rules*, a party may submit a written request asking **Counsel to the Disciplinary and Ethics Commission (DEC Counsel)** to issue an order that would **Vacate** the **ISO**. Is the request approved?



NO:

The individual may file a **Petition** to Vacate the ISO with the **Disciplinary** and Ethics **Commission** and deliver a copy to **Enforcement** Counsel, who has 14 days to respond.

YES:

If the Disciplinary and Ethics
Commission grants the
Petition for Reinstatement
or if the Interim Suspension
Order is vacated at any stage,
the individual who sought
the relief must contact
Stakeholder Services for
further steps to finalize
Reinstatement.

DOES THIS MAP APPLY TO ME?

This map applies to anyone subject to an **ISO**.

PRACTICE TIPS

Concepts to Consider:

Vacating a Discretionary ISO: A Discretionary ISO may be vacated if the individual can demonstrate that they did not engage in the conduct or alleged conduct that was the basis of the ISO, and that vacating the ISO would be in the public interest.

Vacating an Automatic ISO: An Automatic ISO may be vacated if (1) the criminal conviction, civil finding, or professional discipline that formed the basis of the ISO has been vacated or reversed or that the professional license that had been terminated or suspended has been reinstated and (2) Enforcement Counsel does not establish that there are grounds

KEY RESOURCES

Procedural Rules:

for a Discretionary ISO.

Interim Suspensions & Administrative Orders Video